

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

Board of Trustees (Regular meeting)

Monday, December 5, 2011

MINUTES

1.0 PROCEDURAL MATTERS

1.1 Call to Order

The meeting was called to order at 4:30 p.m. by Mr. Brian Conley. Other members present were Ms. Arianna Barrios, Dr. David Chapel, Mr. John Hanna, Mr. Larry Labrado, Mr. Mark McLoughlin, Mr. Andrew Hanson, and Mr. Phillip Yarbrough.

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 Ms. Marti Reiter, President, CSEA, Chapter 579.

1.3 Presentation of District Annual Financial Audit

Auditors Renee Graves and Megan Asselin of Vincenti, Lloyd, Stutzman, LLP, reviewed the RSCCD Audit Report and rendered the opinion that the financial statements are unqualified.

1.4 Approval of Additions or Corrections to Agenda

It was moved by Mr. Yarbrough, seconded by Mr. Hanson, and carried unanimously to approve addendums for Item 4.1 (Management/Academic Personnel) and Item 4.2 (Classified Personnel).

1.5 Public Comment

Ms. Victoria Williams spoke regarding classified staff support of the board, faculty, and students during the budget crisis.

Ms. Narges Rabii spoke regarding the 2009 elimination of the Model United Nations program at Santiago Canyon College due to budget reductions.

1.6 Approval of Minutes

It was moved by Mr. Labrado, seconded by Mr. Hanson, and carried unanimously to approve the minutes of the regular meeting held November 14, 2011.

1.7 Approval of Consent Calendar

It was moved by Mr. Labrado, 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 7.5 (New and Revised Board Policies) removed from the Consent Calendar by Mr. Yarbrough.

5.1 Approval of OTA Agreement Renewal – West Anaheim Extended Care

The board approved the agreement with West Anaheim Extended Care in Anaheim, California.

5.2 Approval of OTA Agreement Renewal – Glendale Adventist Medical Center

The board approved the agreement with Glendale Adventist Medical Center in Glendale, California.

6.1 Approval of Payment of Bills

The board approved payment of bills as submitted.

6.2 Approval of Budget Transfers and Budget Increases/Decreases

The board approved budget transfers, increases, and decreases during the month of October 2011.

6.3 Receive the District Audit Report for Fiscal Year ended June 30, 2011

The board received and accepted the Rancho Santiago Community College district Audit Report for the fiscal year ended June 30, 2011, as presented.

6.4 Adoption of Resolution No. 11-53 – Increase of Statutory Minimum Retention Amounts for Bid #1179 Road Alignment, Cul-de-Sac-, Parking Lot Expansion, and New Soccer and Football Facilities Projects at Santa Ana College (SAC)

The board adopted Resolution No. 11-53 to increase the statutory minimum retention amounts for Bid #1179 for road alignment, cul-de-sac, parking lot expansion, and new soccer and football facilities projects at SAC to ten percent as presented.

6.5 Approval of Southern California Edison Company Electrical Facilities at Athletic/Aquatic Complex at Santiago Canyon College (SCC)

The board approved additional electrical service as presented.

1.7 Approval of Consent Calendar – (cont.)

6.6 Approval of Additional Geotechnical Observation and Testing Services for Humanities Building at Santiago Canyon College

The board approved additional fees for Ninyo & Moore for geotechnical observation and testing services for the Humanities building at SCC as presented.

6.7 Approval of Additional Geotechnical Observation and Testing Services for Athletic/Aquatic Complex at Santiago Canyon College

The board approved additional fees for Ninyo & Moore for geotechnical observation and testing services for the Athletic/Aquatic complex at SCC as presented.

6.8 Approval of Change Order #4 for Bid #1140 for Plumbing for Humanities Building at Santiago Canyon College

The board approved change order #4 for Bid #1140 for Interpipe Contracting, Inc., for plumbing for the Humanities building at SCC as presented.

6.9 Approval of Change Order #3 for Bid #1151 for Earthwork for Loop Road Extension at Santiago Canyon College

The board approved change order #3 for Bid #1151 for Southern California Grading, Inc., for earthwork for the Loop Road Extension at SCC as presented.

6.10 Approval of Notice of Completion for Bid #1134 for Tropical Plaza Nursery to Provide Landscaping for Santiago Canyon Entry and Parking Lot at Santiago Canyon College

The board approved the Notice of Completion for a portion of landscaping at the Santiago Canyon entry and parking lot at SCC as presented.

6.11 Approval of Notice of Completion for Bid #1134 for Sierra Landscape to Provide Landscaping for Santiago Canyon Entry and Parking Lot at Santiago Canyon College

The board approved the Notice of Completion for a portion of landscaping at the Santiago Canyon entry and parking lot at SCC as presented.

6.12 Approval of Notice of Completion for Bid #1136 for Guy Yokom Construction, Inc., for Concrete for Santiago Canyon Entry and Parking Lot at Santiago Canyon College

The board approved the Notice of Completion for the concrete portion of the Santiago Canyon entry and parking lot at SCC as presented.

1.7 Approval of Consent Calendar – (cont.)

6.13 Approval of Notice of Completion for Bid #1138 for Blazing Industrial Steel, Inc., for Structural Steel for Santiago Canyon Entry and Parking Lot at Santiago Canyon College

The board approved the Notice of Completion for the structural steel portion of the Santiago Canyon entry and parking lot at SCC as presented.

6.14 Approval of Notice of Completion for Bid #1146 for Inland Building Construction Company, Inc., for Framing/Elevators for Santiago Canyon Entry and Parking Lot at Santiago Canyon College

The board approved the Notice of Completion for the framing/elevators for the Santiago Canyon Entry and parking lot at SCC as presented.

6.15 Approval of Notice of Completion for Bid #1151 for Southern California Grading, Inc., for Earthwork for Santiago Canyon Entry and Parking Lot at Santiago Canyon College

The board approved the Notice of Completion for earthwork for Santiago Canyon entry and parking lot at SCC as presented.

6.16 Approval of iParadigms, LLC, Contract

The board approved the agreement from iParadigms, LLC, in the amount of \$48,516.72 as presented.

6.17 Adoption of Resolution No. 11-52 regarding Increase of Statutory Minimum Retention Amount for Bid #1183 for District-Wide Video Surveillance Security System, Installation and Integration

The board adopted Resolution No. 11-52 to increase the statutory minimum retention amount to ten percent for Bid #1183 for district-wide video surveillance security system, installation and integration as presented.

6.18 Approval of Lease Agreement with StikCo Labs, LLC

The board approved the lease agreement with StikCo Labs, LLC, and authorized the Vice Chancellor of Business Operations and Fiscal Services to execute the agreement on behalf of the district.

6.19 Approval of Redlands Unified School District Bid #4-11 for Furniture, Filing and Office Equipment

The board approved the Redlands Unified School District Bid #4-11 and all renewals for furniture, filing and office equipment awarded to Culver-Newlin, Inc., Virco, Inc., and School Space Solutions as presented.

6.20 Approval of Purchase Orders

The board approved the purchase order listing for the period October 28, 2011, through November 18, 2011.

1.7 Approval of Consent Calendar – (cont.)

7.1 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:

- CalWORKs/TANF/Child Care (SCC)	\$130,262
- Child Development Training Consortium (SCC)	\$ 3,600
- Cooperative Agencies Resources for Education (CARE) (SCC)	\$ 18,216
- Extended Opportunity Programs & Services (EOPS) (SCC)	\$257,833
- Industry Driven Regional Collaborative (District)	\$160,207
- Lumina Foundation – Latino Student Success Initiative (SAC)	\$ 50,000
- SBA/CSUF – SBDC (District)	\$602,365

7.2 Approval of Sub-award Agreements between RSCCD and Delhi, LHA, SAUSD, and UCI for GEAR UP 2009 – Year 3

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 on behalf of the district.

7.3 Approval of Sub-award Agreements between RSCCD and NOCCCD and CSU Fullerton Auxiliary Services Cooperation for ENGAGE in STEM Project – Year 1

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 on behalf of the district.

7.4 Approval of Sub-Agreements between RSCCD and Saddleback Community College and Coachella Valley Economic Partnership

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

7.6 Adoption of Resolution No. 11-51 authorizing payment to Trustee Absent from Board Meetings

The board authorized payment to Brian Conley for his absence from the November 14, 2011, board meeting due to illness.

2.0 **BOARD ORGANIZATION**

2.1 Annual Board Organization

It was moved by Mr. Hanna, seconded by Mr. Labrado, and carried unanimously to elect Mr. Yarbrough as the 2011-12 board president.

2.1 Annual Board Organization – (cont.)

At this time, Mr. Conley passed the gavel to Mr. Yarbrough to conduct the remainder of the meeting.

On behalf of the board, Mr. Yarbrough thanked Mr. Conley for his work and dedication as board president during 2010-11. He then presented him with an engraved desk clock.

It was moved by Dr. Chapel, seconded by Mr. Labrado, and carried unanimously to elect Mr. McLoughlin as vice president.

It was moved by Mr. Labrado, seconded by Dr. Chapel, and carried unanimously to elect Ms. Barrios as clerk.

Mr. Yarbrough designated Dr. Rodríguez as the board's secretary and Mr. Didion as the assistant secretary.

Mr. Yarbrough appointed chairs to the following committees:

- Board Facilities Committee: Larry Labrado
- Board Fiscal/Audit Committee: Arianna Barrios
- Board Legislative Committee: Brian Conley
- Board Policy Committee: John Hanna

Mr. Conley appointed board representatives to the following organizations:

- Representative to the RSCCD Foundation: Mark McLoughlin
- Representative to the Orange County Legislative Task Force: Arianna Barrios
- Representative to the Orange County School Boards Association: David Chapel
- Representative to the Nominating Committee on School District Organization:
David Chapel

It was moved by Mr. Conley and seconded by Mr. Hanson to adopt the following board meeting schedule for 2012:

January 17 (Tuesday)

February 6, 27

March 12

April 2, 23

May 7, 21

June 18

July 23

August 20

September 10, 24

October 8, 22 (annual self-evaluation and regular meeting)

November 13 (Tuesday)

December 10

After discussion, the motion carried unanimously.

2.1 Annual Board Organization – (cont.)

It was moved by Mr. Conley, seconded by Mr. Hanson, and carried unanimously to reaffirm the Board Policy 3211 (Investments).

It was moved by Mr. Labrado, seconded by Mr. Hanson, and carried unanimously to reaffirm the Board Policy 9002 (Statement of Ethical Conduct).

It was moved by Mr. Conley, seconded by Mr. McLoughlin, and carried unanimously to reaffirm the Board Policy 9011 (Conferences and Meetings).

3.0 INFORMATIONAL ITEMS AND ORAL REPORTS

3.1 Report from Chancellor

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

3.2 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

3.3 Report from Student Trustee

Mr. Andrew Hanson provided a report to the board.

3.4 Reports from Student Presidents

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

Ms. Carmen Herrera, Representative, Santiago Canyon College
Ms. Evelyn Sanchez, Student President, Santa Ana College

3.5 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

3.6 Informational Presentation on the Budget

Mr. Hardash provided an informational presentation on the budget.

3.7 Informational Presentation on Communications during Emergencies

Mr. Don Maus provided an information presentation on communications during emergencies.

It was moved by Ms. Barrios, seconded by Mr. Conley, and carried unanimously to suspend the rules and consider Item 7.5 (New and Revised Board Policies) at this time.

7.5 Adoption of New and Revised Board Policies

It was moved by Mr. Labrado and seconded by Mr. Conley to adopt the following policies:

- BP1340 (new) - Campus Security and Access
- BP1370 (new) - Service Animals
- BP3212 (revise) - Alcoholic Beverages
- BP3228 (eliminate) - RSC Foundation Advertising Agent
- BP3405 (revise) - Disposal of Property
- BP3520 (revise) - Local Law Enforcement
- BP3540 (revise) - Sexual and Other Assaults on Campus
- BP5006 (revise) - Residence Determination
- BP5007 (revise) - Non-Resident Tuition
- BP5012 (new) - Prevention of Identity Theft in Student Financial Transactions
- BP5130 (new) - Financial Aid
- BP5410 (new) - Off-Campus Student Organizations
- BP7400 (revise) - Emergency Response Plan
- BP9003 (revise) – Membership
- BP9004 (revise) – Trustee Areas

Mr. Hanna recommended the board take action on BP1340 through BP7400 as a separate item. It was moved by Ms. Barrios and seconded by Mr. Conley to adopt the following policies:

- BP1340 (new) - Campus Security and Access
- BP1370 (new) - Service Animals
- BP3212 (revise) - Alcoholic Beverages
- BP3228 (eliminate) - RSC Foundation Advertising Agent
- BP3405 (revise) - Disposal of Property
- BP3520 (revise) - Local Law Enforcement
- BP3540 (revise) - Sexual and Other Assaults on Campus
- BP5006 (revise) - Residence Determination
- BP5007 (revise) - Non-Resident Tuition
- BP5012 (new) - Prevention of Identity Theft in Student Financial Transactions
- BP5130 (new) - Financial Aid
- BP5410 (new) - Off-Campus Student Organizations
- BP7400 (revise) - Emergency Response Plan

After discussion, the motion carried unanimously to adopt BP1340 through BP7400.

7.5 Adoption of New and Revised Board Policies – (cont.)

It was moved by Mr. Conley and seconded by Mr. Labrado to adopt BP9003 and BP9004.

It was moved by Ms. Barrios and seconded by Dr. Chapel to postpone action on BP9003 and BP9004. After discussion, the motion carried unanimously.

Ms. Barrios left the meeting at this time.

RECESS TO CLOSED SESSION

The board convened into closed session at 5:56 p.m. to consider the following items:

1. Public Employment (pursuant to Government Code Section 54957[b][1])
 - a. Full-time Faculty
 - b. Part-time Faculty
 - c. Classified Staff
 - d. Student Workers
 - e. Professional Experts
 - f. Administrator Appointments
 - (1) Director

2. Conference with Legal Counsel: Existing Litigation (pursuant to Government Code Section 54956.9[a])

Doe v. Rancho Santiago Community College District et al, Orange County Superior Court Case No. 30-2010-00407356

3. Conference with Legal Counsel: Anticipated Litigation
Initiation of litigation pursuant to Government Code subdivision (c) of Section 54956.9: (One 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
Continuing Education Faculty Association
Child Development Centers Teachers Association

5. Public Employee Performance Evaluation (pursuant to Government Code Section 54957)
 - a. Chancellor

6. Public Employee Discipline/Dismissal/Release (pursuant to Government Code Section 54957[b][1])

RECONVENE

The board reconvened at 7:42 p.m.

Closed Session Report

Mr. McLoughlin reported during closed session the board discussed public employment, public employee discipline, pending and anticipated litigation, and conferred with its labor negotiator. In addition, the board approved settlement of case #30-2010-004007356 and voted unanimously (Ms. Barrios absent) to release Ms. Deborah Fast, Financial Aid Technician, from probation.

Public Comment

There were no public comments.

4.0 HUMAN RESOURCES

4.1 Management/Academic Personnel

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

- Approve New Job Descriptions
- Approve Appointments
- Approve Interim to Permanent Positions
- Ratify Resignations/Retirements
- Approve Contract Extension Days for 2011-2012
- Approve Changes of Classification
- Approve Leaves of Absence
- Approve Stipends
- Approve Adjusted FARSCCD Part-time/Hourly Rates
- Approve Part-time Hourly Hires/Rehires
- Approve Non-paid Intern Services

4.2 Classified Personnel

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

- Approve Return to Regular Assignments
- Approve Changes in Department
- Approve Leaves of Absence
- Approve Returns from Leave
- Ratify Resignations/Retirements

4.2 Classified Personnel – (cont.)

- Approve New Appointments
- Approve Changes in Positions
- Approve Temporary Assignments
- Approve Substitute Assignments
- Approve Miscellaneous Positions
- Approve Instructional Associates/Associate Assistants
- Approve Community Service Presenters and Stipends
- Approve Student Assistant Lists

4.3 Approval of Credit Instructional Calendar for 2012–2013

It was moved by Mr. Conley, seconded by Mr. Hanson, and carried unanimously to approve the 2012–2013 Credit Instructional Calendar.

4.4 Presentation of Continuing Education Faculty Association (CEFA) Initial Bargaining Proposal to Rancho Santiago Community College District

It was moved by Mr. Conley, seconded by Mr. Hanson, and carried unanimously to receive the bargaining proposal and schedule a public hearing for January 17, 2012.

5.0 INSTRUCTION

All items were approved as part of Item 1.7 (Consent Calendar).

6.0 BUSINESS OPERATIONS/FISCAL SERVICES

All items were approved as part of Item 1.7 (Consent Calendar).

7.0 GENERAL

Items 7.1 through 7.4, and 7.6 were approved as part of Item 1.7 (Consent Calendar).

Item 7.5 was acted upon following Item 3.7 (Information Presentation on Communications during Emergencies).

7.7 Review RSCCD Students' Positions on Student Success Task Force Recommendations

The board reviewed and received the RSCCD students' positions on the Student Success Task Force recommendations.

Dr. Chapel left the meeting during discussion of Item 7.7.

7.8 Reports from Board Committees

Mr. Yarbrough provided a report on the November 29, 2011, Board Fiscal/Audit Committee meeting.

Mr. Hanson provided a report on the December 1, 2011, Orange County Legislative Task Force meeting.

7.9 Board Member Comments

Mr. Hanna asked that the board's next agenda include a review of the faculty's positions on the Student Success Task Force recommendations.

Mr. Conley thanked board members for the opportunity of serving as president during 2010-2011.

Mr. Conley expressed appreciation for the informational presentation on communications during emergencies provided by staff.

Mr. McLoughlin reported on the RSCCD Foundation meeting held on November 29, 2011.

Mr. McLoughlin reported he attended the November 19th Centennial Education Center ASG leadership banquet and the December 1st Sheriff's Basic Academy graduation.

Several board members extended well wishes for the holiday season.

Mr. Yarbrough stated he was honored to serve as president during 2011-2012.

Mr. Yarbrough asked that the meeting be closed in honor of Ms. Barrios' birthday. In addition, Mr. Hanna asked that the meeting be closed in recognition of service members killed 70 years ago at Pearl Harbor on December 7.

8.0 ADJOURNMENT

The next regular meeting of the Board of Trustees will be held on January 17, 2012.

There being no further business, Mr. Yarbrough declared this meeting adjourned at 8:10 p.m. in honor of Ms. Barrios' birthday and in recognition of service members killed 70 years ago at Pearl Harbor on December 7.

Respectfully submitted,

Raúl Rodríguez, Ph.D.
Chancellor

Approved: _____
Clerk of the Board

Minutes approved: January 17, 2012