

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

**Board of Trustees (Regular meeting)**

**Monday, February 22, 2010**

**MINUTES**

**1.0 PROCEDURAL MATTERS**

1.1 Call to Order

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

Administrators present during the regular meeting were Ms. Judy Chitlik, 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. Ian Woodhead, Women's Soccer Coach, Santiago Canyon College (SCC).

1.3 Recognition of SCC Women's Soccer Team by Supervisor Bill Campbell

Supervisor Campbell presented a resolution to SCC's women's soccer team on behalf of the Orange County Board of Supervisors.

Mr. Labrado called a brief recess at 4:35 p.m.

The board reconvened at 4:40 p.m.

1.4 Public Comment

There were no public comments.

1.5. Presentation by Darlene J. Bloom, Orange County Clerk of the Board of Supervisors, on New Online Form 700 Reporting Requirements

Since Ms. Bloom was unavailable due to a recent injury, Mr. Hardash presented the new online Form 700 reporting requirements to the board as information.

1.6 Approval of Minutes

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve the minutes of the regular meeting held January 11, 2010, and the regular meeting held February 1, 2010.

1.7 Approval of Consent Calendar

It was moved by Mr. Conley, seconded by Mr. Hanna, and carried unanimously to approve the recommended action on the following items as listed on the Consent Calendar, with the exception of Item 5.6 (Approval of Travel Reimbursement for Mr. Benjamin Mendoza), removed from the agenda by Ms. Woolery; and Item 5.26 (Approval of Additional DSA Inspection Services – Maintenance & Operations Building at SCC), removed by Mr. Yarbrough:

4.1 Approval of Amendment #2 of OTA Agreement - Cedars-Sinai Medical Center  
The board approved this amendment #2 with Cedars-Sinai Medical Center in Los Angeles, California.

4.2 Approval of New OTA Agreement – Loma Linda University Medical Center  
The board approved this agreement with Loma Linda University Medical Center in Loma Linda, California.

4.3 Approval of New OTA Agreement – Progressus Therapy  
The board approved this agreement with Progressus Therapy in Baltimore, Maryland.

4.4 Approval of New Pharmacy Technology Agreement – Ramsay Rexall Drugs  
The board approved this agreement with Ramsay Rexall Drugs in Costa Mesa, California.

4.5 Approval of ENLACE Sub-Contract to Santa Ana College Foundation:  
Student Success Fund  
The board approved this subcontract agreement between Rancho Santiago Community College District and Santa Ana College Foundation.

4.6 Approval of Nursing Program Agreement – French Park Care Center  
The board approved this clinical affiliation agreement renewal with French Park Care Center in Santa Ana, California.

5.1 Approval of Payment of Bills  
The board approved payment of bills as submitted.

1.7 Approval of Consent Calendar – (cont.)

5.2 Approval of Budget Transfers and Budget Increases/Decreases

The board approved budget transfers, increases, and decreases during the period of December 17, 2009, through February 4, 2010.

5.3 Approval to hire Vicenti, Lloyd & Stutzman LLP

The board approved hiring Vicenti, Lloyd & Stutzman LLP for auditing services for the 2009-2010 fiscal year and authorized the Vice Chancellor of Business Operations/Fiscal Services to enter into the contract agreement on behalf of the district.

5.4 Approval of the Quarterly Financial Status Report (CCFS-311Q) for Period Ended December 31, 2009

The board approved the CCFS-311Q for the period ending December 31, 2009.

5.5 Adoption of Resolution No. 10-06 – Conflict of Interest Code

The board adopted Resolution No. 10-06 – Conflict of Interest Code.

5.8 Approval of Changes to Santa Ana College's Master Plan at the SAC Orange County Sheriff's Academy for a Memorial for Fallen Officers

The board approved changes to SAC's master plan at the SAC Orange County Sheriff's Academy for a memorial for fallen officers.

5.9 Approval of Additional Services – Facilities Planning & Program Services, Inc.

The board approved the extension of services for Facilities Planning & Program Services, Inc. as presented.

5.10 Approval of Award of Bid #1156 – Child Development Center Renovation at Centennial Education Center (CEC)

The board approved awarding Bid #1156 for the Child Development Center renovation at Centennial Education Center to MDE Group, Inc. as presented.

5.11 Approval of DSA Inspection Services for Bid #1156 – Child Development Center Renovation at Centennial Education Center

The board approved an agreement with Johnston Inspections, Inc. for DSA mandated inspection services as presented.

5.12 Approval of Construction Management Services: ADA Improvements and New Scoreboard for Baseball Field at Santa Ana College and Child Development Center Renovation at Centennial Education Center

The board approved this agreement for construction management services for ADA improvements and new scoreboard for the baseball field at SAC and renovation of the Child Development Center at CEC with Bernards Construction Management Services as presented.

1.7 Approval of Consent Calendar – (cont.)

5.13 Approval of Application for Custom Work from AT&T at the new Maintenance & Operations Building at Santiago Canyon College

The board approved the application for custom work at an estimated cost of \$84,936.16 as presented.

5.14 Approval of Commissioning Proposal for LEED Certification at Santiago Canyon College Humanities Building

The board approved the contract with Tsuchlyama Kaino Sun & Carter in the amount of \$53,000 for various projects as presented.

5.15 Approval of Change Order #1 for Bid #1097 – General Construction for new Child Development Center at Santa Ana College

The board approved change order #1 for ISEC, Inc. for Bid #1097, general construction for the new Child Development Center at SAC as presented.

5.16 Approval of Change Order #1 for Bid #1100 – Concrete for new Child Development Center at Santa Ana College

The board approved change order #1 for Micon Construction, Inc. for Bid #1100, concrete for the new Child Development Center at SAC as presented.

5.17 Approval of Change Order #1 for Bid #1121 – Structural Steel at new Child Development Center at Santa Ana College

The board approved change order #1 for Columbia Steel, Inc. for Bid #1121 for Structural Steel for the new Child Development Center at SAC as presented.

5.18 Approval of Change Order #1 for Bid #1104 – Drywall and Plastering at new Child Development Center at Santa Ana College

The board approved change order #1 for Insul Drywall and Plastering for Bid #1104, drywall and plastering at the new Child Development Center at SAC as presented.

5.19 Approval of Change Order #1 for Bid #1124 – HVAC at new Child Development Center at Santa Ana College

The board approved change order #1 for APEX Construction, Inc. for Bid #1124, HVAC at the new Child Development Center at SAC as presented.

5.20 Approval of Change Order #3 for Bid #1064 – Electrical for new Science Building (Bond Portion) at Santiago Canyon College

The board approved change order #3 for Baker Electric for Bid #1064, electrical in SCC's science building as presented.

1.7 Approval of Consent Calendar – (cont.)

- 5.21 Approval of Change Order #4 for Bid #1064 – Electrical for new Science Building (State Portion) at Santiago Canyon College  
The board approved change order #4 for Baker Electric for Bid #1064, electrical in SCC's science building as presented.
- 5.22 Approval of Change Order #2 for Bid #1076 – Glass/Glazing for new Science Building (Bond Portion) at Santiago Canyon College  
The board approved change order #2 for Best Contracting Services for Bid #1076, glass and glazing for the new science building at SCC as presented.
- 5.23 Approval of Change Order #4 for Bid #1116 – Gym Restroom Addition, Gym Floor Replacement, and Fire Sprinkler Installation at Santa Ana College  
The board approved change order #4 for General Consolidated Constructors, Inc. for Bid #1116, construction of the gym restroom addition, gym floor replacement, and fire sprinkler installation at SAC as presented.
- 5.24 Approval of Change Order #1 for Bid #1055 – Concrete for new Science Building (Bond Portion) at Santiago Canyon College  
The board approved change order #1 for Angeles Contractor, Inc. for Bid #1055, concrete for the new science building at SCC as presented.
- 5.25 Approval of Change Order #2 for Bid #1058 – Interior Systems for new Science Building (Bond Portion) at Santiago Canyon College  
The board approved change order #2 for Angeles Contractor, Inc. for Bid #1058, construction of the interior systems for the new science building at SCC as presented.
- 5.27 Approval of Change Order #2 for Bid #1127 – 12-Inch Fire Water Line at Santa Ana College  
The board approved change order #2 for Dominguez Engineering, Inc. for Bid #1127 for the installation of a 12-inch fire water line at SAC as presented.
- 5.28 Approval of Notice of Completion: Bid #1127 – 12-inch Fire Water Line at Santa Ana College  
The board approved the notice of completion for the 12-inch fire water line project at SAC as presented.

1.7 Approval of Consent Calendar – (cont.)

5.29 Approval of Change Order #1 for Bid #1117 – Obstacle Course Lighting Project at Santa Ana College Orange County Sheriff’s Regional Training Academy  
The board approved change order #1 for R & M Electrical Contracting for Bid #1117, course lighting at SAC Orange County Sheriff’s Regional Training Academy as presented.

5.30 Approval of Change Order #2 for Bid #1117 – Obstacle Course Lighting Project at Santa Ana College Orange County Sheriff’s Regional Training Academy  
The board approved change order #2 for R & M Electrical Contracting for Bid #1117, course lighting at SAC Orange County Sheriff’s Regional Training Academy as presented.

5.31 Approval of Notice of Completion: Bid #1117 – Obstacle Course Lighting Project at Santa Ana College Orange County Sheriff’s Regional Training Academy

The board approved the notice of completion for the obstacle course lighting project at SAC Orange County Sheriff’s Regional Training Academy as presented.

5.32 Approval of Change Order #2 for Bid #1129 – Electrical at new Child Development Center at Santa Ana College  
The board approved change order #2 for EMAE International, Inc. for Bid #1129, electrical at the new Child Development Center at SAC as presented.

5.33 Adoption of Resolution No. 10-04 - Declaration of Intent to Lease Real Property at Santa Ana College  
The board adopted Resolution No. 10-04 – Declaration of Intent to lease real property at SAC.

5.34 Adoption of Resolution No. 10-05 – Implementing Prequalification of Construction Contractors for Bidding of Swimming Pool at Santiago Canyon College  
The board adopted Resolution No. 10-05 – Implementing Prequalification of Construction Contractors for bidding of swimming pool at SCC.

5.35 Approval of Surplus for Baseball Scoreboard  
The board declared the Nevco baseball scoreboard as surplus property and approved utilization of The Liquidation Company to conduct an auction as presented.

1.7 Approval of Consent Calendar – (cont.)

5.36 Approval of Independent Contractors

The board approved the following independent contractor: Muckenthaler & Associates, Inc. for consulting services to provide training and technical assistance as a start-up planner for the Early Head Start (EHS) program. Dates of service are February 23, 2010, through June 30, 2010. The fee is estimated at \$50,000 plus \$8,000 allowable expenses.

5.37 Approval of Purchase Orders

The board approved the purchase order listing for the period December 13, 2009, through February 6, 2010.

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:

- CalWORKS/TANF/Child Care (SAC/CEC/SCC/District)	\$414,312
- Child Development Infant Toddler Resource (District)	\$ 1,781
- CTE Community Collaborative III (District)	\$310,000
- CTE Community Collaborative – Supplemental (District)	\$ 79,000
- Cooperative Agencies Resources for Education (CARE) (SCC)	\$ 18,736
- Disabled Students Programs & Services (DSPS) (SCC)	\$303,846
- Extended Opportunity Programs & Services (EOPS) (SCC)	\$244,331
- Faculty Collaboration for Course Transformation (FACCTS) in Developmental Mathematics (SAC) – <i>Correction</i>	\$ 5,000
- GEAR UP Planning Design (SAC)	\$ 24,000
- Kinder Connect (District/SAC/CEC/OEC) - Matriculation – Credit (SCC)	\$ 25,000 \$393,678
- SBA/CSUF – SBDC (District)	\$604,706
- WIA Center for Nursing II (SAC)	\$385,862
- Entrepreneurship Career Pathways (YEP) – CITD (District)	\$ 35,000
- Entrepreneurship Career Pathways (YEP) – SBDC (District) - <i>Correction</i>	\$ 32,000

6.2 Adoption of Resolution No. 10-02 – California Department of Education (CIMS-9398)

The board adopted the resolution agreement with the California Department of Education that authorizes the chancellor or his designee to sign the contract documents for the 2009-2010 fiscal year.

1.7 Approval of Consent Calendar – (cont.)

6.3 Approval of Subcontracts with HABLA, CHOC/Help Me Grow, UCI/Help Me Grow, and MOMS Orange County

The board approved these subcontracts and authorized the Vice Chancellor, Business Operations/Fiscal Services to enter into related contractual agreements on behalf of the district.

**2.0 INFORMATIONAL ITEMS AND ORAL REPORTS**

2.1 Report from Chancellor

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

2.2 Reports 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 Presidents

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

Mr. Alejandro Flores, Student President, Santa Ana College  
Ms. Tina Lam, Student President, Santiago Canyon 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, Santa Ana College

2.6 Informational Presentation on the Budget

Mr. Hardash provided an informational report on the budget to the board.



## 2.7 Informational Report on Legislative Visits

Ms. Laurie Weidner provided a report on recent legislative visits in Sacramento to the board.

### **RECESS TO CLOSED SESSION**

The board convened into closed session at 6:30 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
  
2. 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
  
3. Public Employee Discipline/Dismissal/Release (pursuant to Government Code Section 54957[b][1])

The board reconvened at 7:25 p.m.

### Closed Session Report

Mr. Yarbrough reported the board discussed the aforementioned items and took action to suspend John Nastasi, Skilled Maintenance Worker, at Santa Ana College for ten days, and John Nguyen, District Safety Officer, for three days.

### 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 New Job Descriptions
- Approve Changes of Assignment
- Approve Interim Assignments
- Approve Interim to Permanent Assignments
- Approve STRS Reduced Workload Agreements
- Approve Leaves of Absence
- Ratify Resignations/Retirements
- Approve Stipends
- Approve Part-time/Hourly Hires/Rehires
- Approve Non-paid Instructors of Record
- Approve Non-paid Intern Services

#### **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 New Appointments
- Approve Professional Growth Increments
- Approve Out of Class Assignments
- Approve Return to Regular Assignments
- Approve Changes in Salary Placement
- Approve Leaves of Absence
- Ratify Resignations/Retirements
- Approve Return to Regular Assignments
- Approve Temporary Assignments
- Approve Corrections to Temporary Assignment
- 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 Non-Credit Instructional Calendar 2010-2011

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve the 2010-2011 non-credit instructional calendar.

3.4 Authorization for Board Travel/Conferences

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve the submitted conference and travel by board members.

**4.0 INSTRUCTION**

All items listed under Instruction were approved as part of Item 1.7: Consent Calendar.

**5.0 BUSINESS OPERATIONS/FISCAL SERVICES**

Items 5.1, 5.2, 5.3, 5.4, 5.5, 5.8 through 5.25, and 5.27 through 5.37 were approved as part of Item 1.7: Consent Calendar.

5.6 Approval of Travel Reimbursement for Mr. Benjamin Mendoza

It was moved by Ms. Woolery, seconded by Mr. Hanna, and carried unanimously to table this item.

5.7 Quarterly Investment Report as of December 31, 2009

The quarterly investment report as of December 31, 2009, was presented as information.

5.26 Approval of Additional DSA Inspection Services – Maintenance & Operations Building at Santiago Canyon College

It was moved by Mr. Conley and seconded by Mr. McLoughlin to approve the extension of services for Universal Laboratories to provide DSA mandated inspection services at SCC as presented. Discussion ensued. The motion carried unanimously.

**6.0 GENERAL**

Item 6.1, 6.2, and 6.3 were approved as part of Item 1.7: Consent Calendar.

6.4 Approval of Reduction of Student Parking Fees

It was moved by Mr. Hanna and seconded by Ms. Holguin to reduce student parking fees to an amount equal to but not to exceed the cost of staff parking fees. Discussion ensued.

#### 6.4 Approval of Reduction of Student Parking Fees – (cont.)

It was moved by Mr. Hanna and seconded by Mr. Yarbrough to postpone action on this item. The motion to postpone action carried with the following vote: Aye – Dr. Chapel, Mr. Hanna, Mr. McLoughlin, Ms. Woolery, and Mr. Yarbrough; Nay – Mr. Conley and Mr. Labrado. Student trustee Holguin’s advisory vote was nay.

Mr. Yarbrough left the meeting at this time. Before leaving, Mr. Yarbrough expressed support for Dr. Chapel to serve on the CCLC Commission on the Future (Item 6.6).

#### 6.5 Meeting with Academic Senate

The board discussed whether a request by academic senate presidents to hold regularly scheduled meetings with them is a violation of the shared governance rule.

Those who supported having regularly scheduled meetings stated:

- Two-way communication with the academic senate is not available at board meetings.
- It’s a common practice in K-12.
- It should not be considered micro-management since academic senate presidents are not college presidents or managers.
- The meetings are used to clarify items in academic senate minutes.
- If it is appropriate to have a board member phone the academic senate for clarification on issues, why should it be inappropriate to meet in person to discuss a clarification?
- Development of personal relationships.
- It should not be considered a meeting since there is no agenda or minutes.
- The academic senate has a right to connect with the board according to Title 5.
- Academic senate presidents have previously met with board members.

Those who opposed having the regularly scheduled meetings stated:

- It was appropriate to meet with the chancellor and inappropriate to meet with representatives from college organizations as it may be considered micro-management.
- In the accreditation report, micro-management was listed as one of the areas the district was cited for.
- Professional relationships with constituency groups should be maintained.
- A possible violation of AB 1725.
- The board president may have information regarding the academic senate that other board members are not privy to. The current practice enables each board member to receive the answer to questions posed to the chancellor by board members.

#### 6.5 Meeting with Academic Senate – (cont.)

Those who opposed having the regularly scheduled meetings stated: - (cont.)

- The board president does not influence board members and should not represent the board's point of view to the academic senate.
- The accreditation report states the board should not contact staff directly.
- Board members notify the chancellor of communications and/or meetings with staff.
- Board members should not circumvent the shared governance process by excluding the chancellor and college presidents.
- Board members don't have meetings with college presidents; therefore, it would seem inappropriate to meet with academic senate presidents.

In an effort to improve communication between the board and constituency groups yet not violate shared governance or accreditation standards, Mr. Hanna asked the board policy committee to review the request by the academic senate presidents to hold regularly scheduled meetings with academic senate presidents.

Mr. Labrado thanked everyone for their comments and informed the academic senate presidents that he does not plan to meet with them at regularly scheduled meetings.

#### 6.6 Approval of Appointment to Serve on the Community College League of California (CCLC) Commission on the Future

It was moved by Mr. Hanna, seconded by Mr. McLoughlin, and carried unanimously for the board to support David Chapel serving on the Commission on the Future for CCLC during 2010.

#### 6.7 Board Member Comments

Mr. McLoughlin reported that he or Mr. Yarbrough plans to attend the upcoming Orange County Business Council meeting.

Mr. McLoughlin asked for the cost of hosting a KinderCaminata event at Santiago Canyon College.

Mr. Hanna thanked Mr. McLoughlin for his efforts in fundraising for the chancellor's retirement dinner/fundraiser for student programs and reported the currently amount of pledges is \$50,000.

Mr. Hanna asked for the cost analysis of offering a student the opportunity to pay \$50 in September for an annual parking pass rather than \$30 each semester and \$10 for intercession.

Mr. Hanna thanked staff and Townsend Public Affairs for their hard work during the recent legislative visit to Sacramento.

Mr. Hanna asked that the minutes reflect details in Item 6.5 (Meeting with Academic Senate).

Mr. Conley thanked staff for the budget and legislative reports.

Ms. Woolery suggested the board consider holding receptions before board meetings on a quarterly basis to improve communication with the academic senate.

Dr. Chapel reported he recently attended an Orange County Legislative Coalition meeting and invited board members to an April 21 rally in Sacramento.

## **7.0 ADJOURNMENT**

The next regular meeting of the Board of Trustees will be held on March 8, 2010, at the District Office, 2323 N. Broadway, Santa Ana, California.

There being no further business, Mr. Labrado declared this meeting adjourned at 8:46 p.m.

Respectfully submitted,

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Eddie Hernandez, Jr., Ed.D.  
Chancellor

Approved: \_\_\_\_\_  
Clerk of the Board

Minutes approved: March 8, 2010