

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

Board of Trustees (Regular meeting)

Monday, April 1, 2013

MINUTES

1.0 PROCEDURAL MATTERS

1.1 Call to Order

The meeting was called to order at 4:35 p.m. by Ms. Arianna Barrios. Other members present were Ms. Claudia Alvarez, Mr. John Hanna, Mr. Larry Labrado, Ms. Nelida Mendoza Yanez, Mr. Jose Solorio, Mr. Phillip Yarbrough, and Mr. Ryan Ahari.

Administrators present during the regular meeting were Mr. John Didion, 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 the following students being recognized at the meeting: Mr. Grady P. Brown, Santiago Canyon College (SCC) and Ms. Diana Ramirez, Santa Ana College (SAC).

1.3 Approval of Additions or Corrections to Agenda

It was moved by Mr. Yarbrough, seconded by Mr. Ahari, and carried unanimously to approve revised pages 6, 7, and 8 for the agenda, revised page 1 for Item 3.1 (Management/Academic Personnel), revised page 1 and an addendum for Item 3.2 (Classified Personnel), revised page for Item 6.3 (Implications for Planning), revised page for Item 6.4 (RSCCD Goals), and revised page for Item 6.6 (Appointments to Measure Q Citizens' Bond Oversight Committee).

1.4 Recognition of Students

The board recognized Ms. Diana Ramirez, student at Santa Ana College, and Mr. Grady P. Brown, student at Santiago Canyon College, for their scholastic achievements, leadership, and service to the campus community and the Rancho Santiago Community College District.

1.5 Public Comment

Mr. Fernando Herrera spoke regarding Item 5.5 (Notice of Completion for Bid #1139 – Electrical for Athletic/Aquatic Complex Project at SCC).

Other public comments relating to Item 6.5 (Approval to Negotiate a Project Labor Agreement [PLA]) were heard at the time the item was considered for approval (after Item 2.5 [Reports from Academic Senate Presidents]).

1.6 Approval of Minutes

It was moved by Mr. Yarbrough, seconded by Mr. Solorio, and carried unanimously to approve the minutes of the regular meeting held March 11, 2013.

1.7 Approval of Consent Calendar

It was moved by Mr. Yarbrough, seconded by Mr. Solorio, and carried unanimously to approve the recommended action on the following items (as indicated by an asterisk on the agenda) on the Consent Calendar, with the exception of Item 6.7 (Resolution No. 13-14 in Honor of Gaddi Vasquez as City of Orange Citizen of the Year) removed by Mr. Labrado.

4.1 Approval of New OTA Agreement – Select Physical Therapy Holdings, Inc.
The board approved the agreement with Select Physical Therapy Holdings, Inc. in King of Prussia, Pennsylvania.

4.2 Approval of New OTA Agreement – Delano Regional Medical Center
The board approved the agreement with Delano Regional Medical Center in Delano, California.

4.3 Approval of New OTA Agreement – Glenwood Care Center
The board approved the agreement with Glenwood Care Center in Oxnard, California.

4.4 Approval of OTA Agreement Renewal – Hands on Hands Rehab, Inc.
The board approved the agreement with Hands on Hands Rehab Inc. in Huntington Beach, California.

4.5 Approval of OTA Agreement Renewal – Redlands Community Hospital
The board approved the agreement with Redlands Community Hospital in Redlands, California.

4.6 Approval of OTA Agreement Renewal – Total Education Solutions
The board approved the agreement with Total Education Solutions in South Pasadena, 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 Adoption of Resolution No. 13-17 – Concrete for Humanities Building at Santiago Canyon College

The board adopted Resolution No. 13-17 for Guy Yocom Construction, Inc. for Bid #1136 for concrete for the Humanities building at SCC as presented.

5.3 Approval of Change Order #4 for Bid #1137 – Masonry for Humanities Building at Santiago Canyon College

The board approved change order #4 for Bid #1137 for Industrial Masonry, Inc. for masonry for the Humanities building at SCC as presented.

5.4 Approval of Change Order #2 for Bid #1149 – Equipment and Furnishings for Athletic/Aquatic Complex at Santiago Canyon College

The board approved change order #2 for Bid #1149 for Herk Edwards, Inc. for equipment and furnishings for the Athletic/Aquatic complex at SCC as presented.

5.5 Approval of Notice of Completion for Bid #1138 – Structural Steel and Metals for Athletic/Aquatic Complex Project at Santiago Canyon College

The board approved the Notice of Completion for Structural Steel and Metals for the Athletic/Aquatic complex project at SCC as presented.

5.6 Approval of Notice of Completion for Bid #1139 – Electrical for Athletic/Aquatic Complex Project at Santiago Canyon College

The board approved the Notice of Completion for electrical for the Athletic/Aquatic complex project at SCC as presented.

5.7 Approval of Notice of Completion for Bid #1142 – Fire Suppression for Athletic/Aquatic Complex Project at Santiago Canyon College

The board approved the Notice of Completion for fire suppression for the Athletic/Aquatic complex project at SCC as presented.

5.8 Approval of Notice of Completion for Bid #1143 – Glass/Glazing and Aluminum Systems for Athletic/Aquatic Complex Project at Santiago Canyon College

The board approved the Notice of Completion for glass/glazing and aluminum systems for the Athletic/Aquatic complex project at SCC as presented.

5.9 Approval of Notice of Completion for Bid #1144 – Roofing, Waterproofing, and Composite Aluminum Panels for Athletic/Aquatic Complex Project at Santiago Canyon College

The board approved the Notice of Completion for roofing, waterproofing, and composite aluminum panels for the Athletic/Aquatic complex project at SCC as presented.

1.7 Approval of Consent Calendar – (cont.)

5.10 Approval of Notice of Completion for Bid #1145 – Casework, Fixtures, and Laboratory Equipment for Athletic/Aquatic Complex Project at Santiago Canyon College

The board approved the Notice of Completion for casework, fixtures, and laboratory equipment for the Athletic/Aquatic complex project at SCC as presented.

5.11 Approval of Notice of Completion for Bid #1146 – Framing/Elevators for Athletic/Aquatic Complex Project at Santiago Canyon College

The board approved the Notice of Completion for framing/elevators for the Athletic/Aquatic complex project at SCC as presented.

5.12 Approval of Notice of Completion for Bid #1147 – Interior Systems for Athletic/Aquatic Complex Project at Santiago Canyon College

The board approved the Notice of Completion for interior systems for the Athletic/Aquatic complex project at SCC as presented.

5.13 Approval of Notice of Completion for Bid #1148 – Flooring for Athletic/Aquatic Complex Project at Santiago Canyon College

The board approved the Notice of Completion for flooring for the Athletic/Aquatic complex project at SCC as presented.

5.14 Approval of Notice of Completion for Bid #1149 – Equipment and Furnishings for Athletic/Aquatic Complex Project at Santiago Canyon College

The board approved the Notice of Completion for equipment and furnishings for the Athletic/Aquatic complex project at SCC as presented.

5.15 Approval of Notice of Completion for Bid #1151 – Earthwork for Athletic/Aquatic Complex Project at Santiago Canyon College

The board approved the Notice of Completion for earthwork for the Athletic/Aquatic complex project at SCC as presented.

5.16 Approval of Classroom Lease Renewal with Orange Unified School District (OUSD)

The board approved the SCC Orange Education Center lease agreement renewal for classroom space with OUSD for the period of July 1, 2012, through June 30, 2013, as presented.

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:

- Board Financial Assistance Program (BFAP) (SAC) \$699,565

1.7 Approval of Consent Calendar – (cont.)

6.2 Approval of Sub-Agreements between RSCCD and Los Rios Community College District and Southwestern Community College District

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

6.8 Adoption of Resolution No. 13-15 in Honor of Children’s Hospital of Orange County as City of Orange Large Business of the Year

The board adopted Resolution No. 13-15 honoring Children’s Hospital of Orange County as the City of Orange Large Business of the Year.

6.9 Adoption of Resolution No. 13-16 in Honor of Colonial Home Care as City of Orange Small Business of the Year

The board adopted Resolution No. 13-16 honoring Colonial Home Care as the City of Orange Small Business of the Year.

1.8 Public Hearing – Rancho Santiago Community College District Initial Bargaining Proposal to Continuing Education Faculty Association (CEFA)

There were no public comments.

1.9 Presentation on Brown Act Basics

Ms. Mary L. Dowell, Partner, Liebert Cassidy Whitmore, provided a presentation on the Brown Act Basics. Board members received clarification from Ms. Dowell on items relating to the Brown Act.

2.0 INFORMATIONAL ITEMS AND ORAL REPORTS

2.1 Report from Chancellor

Dr. Raúl Rodríguez, Chancellor, provided a report to the board which included a report given by Ms. Ashley Setoudeh, Townsend Public Affairs, Inc., regarding the Adult Education advocacy trip to Sacramento on March 13, 2013.

Dr. Rodriguez reported the following will be discussed in closed session:
Conference with Real Estate Negotiator (pursuant to Government Code Section 54956.8)

Agency Negotiator: Dr. Raúl Rodríguez, Chancellor

Property Address: 1609-1631 North Bristol Street, Santa Ana, California
1240 West 17th Street, Santa Ana, California
1612 Louise Street, Santa Ana, California

Negotiating Parties: Danforth Holdings, LLC

Under Negotiation: Price and Terms of Payments

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. Ryan Ahari 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 organizations:

Ms. Edna Tobias, Student President, Santa Ana College
Ms. Rachel Bulosan, Student President, Santiago Canyon College

Mr. Solorio asked to have Item 6.5 (Approval to Negotiate a Project Labor Agreement) considered at this time since so many people were waiting to speak regarding this item. Ms. Barrios indicated she would consider a motion to move Item 6.5 to the end of the reports. It was moved by Mr. Yarbrough, seconded by Mr. Ahari, and carried unanimously to suspend the rules and consider Item 6.5 after the reports from the academic senate presidents.

2.5 Reports from Academic Senate Presidents

The following academic senate presidents provided reports to the board:

Ms. Corinna Evett, Academic Senate President, Santiago Canyon College
Mr. Raymond Hicks, Academic Senate President, Santa Ana College

Ms. Barrios called a brief recess at 7:02 p.m.
The board reconvened at 7:07 p.m.

6.5 Approval to Negotiate a Project Labor Agreement

Public Comment relating to this item was heard at this time.

Mr. Eric Christen, Mr. Dave Everett, Mr. Sergio Ortega, and Mr. Pete Saucedo spoke in opposition of Item 6.5.

Mr. Jim Adams, Mr. Doug Mangione, Mr. Alfred Martinez, and Mr. Ron Miller spoke in support of Item 6.5.

6.5 Approval to Negotiate a Project Labor Agreement – (cont.)

It was moved by Mr. Labrado and seconded by Mr. Solorio to authorize the chancellor to negotiate a Project Labor Agreement with the Los Angeles/Orange County Building Trades Council.

It was moved by Mr. Hanna and seconded by Ms. Alvarez to amend the agreement on page 6.5 (5), 1st paragraph, after Los Angeles-Orange County Building and Construction Trades Council (hereinafter “Council”) to include *Southwest Regional Council of Carpenters (hereinafter “Carpenters”)* and include *Carpenters* to the language throughout the agreement. Discussion ensued. The motion carried with a nay vote from Mr. Yarbrough.

It was moved by Mr. Hanna and seconded by Mr. Solorio to amend the agreement on Page 6.5 (5) to remove “Project Labor Agreement” and include *COMMUNITY AND STUDENT WORKFORCE PROJECT AGREEMENT* after RSCCD in the title of the agreement. Discussion ensued. The motion carried unanimously.

It was moved by Mr. Hanna and seconded by Mr. Solorio to amend the agreement on Page 6.5 (8), Section 3.3 and Page 6.5 (14), Section 5.5 to instruct staff to include efforts to: 1) utilize apprentices that went through RSCCD apprenticeship programs, and 2) track and enforce goals for student, community, and veteran participation. Discussion ensued. The motion carried unanimously.

Ms. Barrios called for the vote. The motion carried to authorize the chancellor to negotiate a Project Labor Agreement as amended with the Los Angeles/Orange County Building Trades Council with a nay vote from Ms. Barrios and Mr. Yarbrough. Student trustee Ahari’s advisory vote was nay.

3.0 HUMAN RESOURCES

All items were considered after Closed Session.

4.0 INSTRUCTION

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

5.0 BUSINESS OPERATIONS/FISCAL SERVICES

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

6.0 GENERAL

Items 6.1, 6.2, 6.8, and 6.9 were approved as part of Item 1.7 (Consent Calendar). Item 6.5 (Approval to Negotiate a Project Labor Agreement) was considered after Item 2.5 (Reports from Academic Senate Presidents).

6.3 Review of Implications of Planning

The material was presented to the board as an informational item.

6.4 Adoption of Rancho Santiago Community College District 2013-2023 Goals

It was moved by Mr. Yarbrough and seconded by Mr. Solorio to adopt the RSCCD 2013-2023 goals. Mr. Hanna asked that the document be amended on page 6.4 (2) for RSCCD Goal 2 to include *labor* after business/industry (business/industry/*labor*). Mr. Yarbrough accepted the amendment to his motion. The motion carried unanimously.

6.6 Approval of Appointments to Measure Q Citizens' Bond Oversight Committee

It was moved by Mr. Yarbrough and seconded by Mr. Ahari to approve the appointments to the Measure Q Citizens' Bond Oversight Committee. Discussion ensued.

It was moved by Mr. Hanna and seconded by Ms. Mendoza Yanez to amend the list of appointees to those that reside in Santa Ana: Mr. Eric Alderete, Ms. Nellie Caudillo Kaniski, Ms. Irma Avila Macias, Mr. Max Madrid, and Mr. Kenneth Nguyen. Discussion ensued. The motion carried with a nay vote from Ms. Alvarez, Ms. Barrios and Mr. Yarbrough. Student trustee Ahari's advisory vote was nay.

The motion carried to approve the following appointees to the Measure Q Citizens' Bond Oversight Committee: Mr. Eric Alderete, Ms. Nellie Caudillo Kaniski, Ms. Irma Avila Macias, Mr. Max Madrid, and Mr. Kenneth Nguyen with a nay vote from Ms. Alvarez, Ms. Barrios and Mr. Yarbrough. Student trustee Ahari's advisory vote was nay.

6.7 Adoption of Resolution No. 13-14 in Honor of Gaddi Vasquez as City of Orange Citizen of the Year

Mr. Labrado asked that an additional resolution in honor of Gaddi Vasquez be provided to the Orange County Hispanic Chamber of Commerce since Mr. Vasquez was being honored there as well.

It was moved by Mr. Yarbrough, seconded by Ms. Barrios, and carried unanimously to adopt Resolution No. 13-14 honoring Gaddi Vasquez as the City of Orange Citizen of the Year and an additional resolution honoring Gaddi Vasquez for a Lifetime Achievement Award by the Orange County Hispanic Chamber of Commerce.

6.10 Reports from Board Committees

Mr. Ahari provided a report on the legislative advocacy trip to Washington, D.C., on March 20-22, 2013, with the Orange County Community Colleges Legislative Task Force (OCCCLTF).

6.11 Board Member Comments

Ms. Barrios thanked Mr. Ahari for representing the district at the recent OCCCLTF legislative advocacy meetings in Washington, D.C.

Ms. Barrios reported she attended SCC Community Science night on March 15.

Mr. Solorio reported he recently held a Youth Leadership Conference at SAC and thanked the chancellor and SAC staff for their hospitality.

Mr. Yarbrough expressed regret over not being able to attend SCC Community Science night.

Mr. Yarbrough asked for a report on Measure E projects and the effects of a PLA on these projects.

Board members congratulated Mr. Ahari on being accepted by the University of California, Santa Barbara, and University of California, San Diego. Mr. Ahari indicated he is still waiting to hear from other universities.

Ms. Alvarez reported she attended a welcome reception co-hosted by SAC for Dr. Mildred Garcia, the newly inaugurated President of California State University, Fullerton, at the Heritage Museum of Orange County in Santa Ana on March 15.

Ms. Alvarez expressed appreciation to staff for soliciting applications for the Measure Q Citizens' Bond Oversight Committee.

RECESS TO CLOSED SESSION

The board convened into closed session at 9:05 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 Legal Counsel: Existing Litigation (pursuant to Government Code Section 54956.9[a])

California Department of Finance and Dr. Jack Scott, Chancellor of the California Community Colleges v. Jan Grimes, in her official capacity as Interim Orange County Auditor-Controller, and Does 1-10, Orange County Superior Court Case No. 30-2012-00559592 CU-WM-CJC

3. 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
4. Conference with Real Estate Negotiator (pursuant to Government Code Section 54956.8)
Agency Negotiator: Dr. Raúl Rodríguez, Chancellor
Property Address: 1609-1631 North Bristol Street, Santa Ana, California
1240 West 17th Street, Santa Ana, California
1612 Louise Street, Santa Ana, California
Negotiating Parties: Danforth Holdings, LLC
Under Negotiation: Price and Terms of Payments
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 9:24 p.m.

Closed Session Report

Mr. Labrado reported the board discussed public employment and voted unanimously to have the chancellor negotiate the abovementioned real estate properties on behalf of the district.

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. Ahari, and carried unanimously to approve the following action on the management/academic personnel docket:

- Approve New Job Descriptions
- Approve Hiring of Long-term Substitutes per E.C. 87481 and 87482
- Ratify Resignations/Retirements
- Approve Adjusted Salary Placements for Interim to Permanent Assignments

3.1 Management/Academic Personnel – (cont.)

- Approve Stipends
- Approve Part-time Hourly Hires/Rehires

3.2 Classified Personnel

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

- Approve New Job Descriptions
- Approve Changes in Positions
- Approve Changes in Salary Placements
- Approve Leaves of Absence
- Approve Temporary Assignments
- Approve Additional Hours for On Going Assignments
- Approve Miscellaneous Positions
- Approve Instructional Associates/Associate Assistants
- Approve Corrections to Community Service Presenters Stipend Effective Dates
- Approve Community Service Presenters and Stipends
- Approve Student Assistant Lists and Stipends

3.3 Adoption of Rancho Santiago Community College District (RSCCD) Initial Bargaining Proposal to Continuing Education Faculty Association (CEFA)

It was moved by Mr. Yarbrough, seconded by Mr. Ahari, and carried unanimously to adopt the district's initial bargaining proposal to the Continuing Education Faculty Association.

7.0 ADJOURNMENT

The next regular meeting of the Board of Trustees will be held on April 15, 2013.

There being no further business, Ms. Barrios declared this meeting adjourned at 9:25 p.m.

Respectfully submitted,

Raúl Rodríguez, Ph.D.
Chancellor

Approved: _____
Clerk of the Board

Minutes approved: April 15, 2013