

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

**Board of Trustees**  
**(Regular meeting)**

**Monday, April 15, 2013**

**MINUTES**

**1.0 PROCEDURAL MATTERS**

1.1 Call to Order

The meeting was called to order at 4:34 p.m. by Ms. Arianna Barrios. Other members present were Ms. Claudia Alvarez, Ms. Nelida Mendoza Yanez, Mr. Jose Solorio, Mr. Phillip Yarbrough, and Mr. Ryan Ahari. Mr. John Hanna arrived at the time noted. Mr. Larry Labrado was not in attendance.

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, Administrative Secretary, District Support Services.

1.3 Approval of Additions or Corrections to Agenda

It was moved by Mr. Yarbrough, seconded by Mr. Solorio, and carried unanimously to approve a revised page and attachment for Item 3.1 (Management/Academic Personnel).

1.4 Public Comment

Mr. Matthew Blake, Ms. Lilia Brito, and Mr. Ali Esquivel spoke in opposition of the district negotiating a Project Labor Agreement.

1.5 Approval of Minutes

It was moved by Mr. Solorio, seconded by Ms. Mendoza Yanez, and carried unanimously to approve the minutes of the regular meeting held April 1, 2013.

1.6 Approval of Consent Calendar

It was moved by Mr. Yarbrough, seconded by Mr. Ahari, 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 5.24 (Construction Management Agreement with Seville Construction Services) removed by Ms. Alvarez.

- 4.1 Approval of Upward Bound Summer Residential Program Contract  
The board approved the agreement between Chapman University and the Santa Ana College Upward Bound Program for 2013.
- 4.2 Approval of OTA Agreement Renewal – Garfield Medical Center  
The board approved the agreement with Garfield Medical Center in Monterey Park, California.
- 4.3 Confirmation of Santa Ana College (SAC) Associate Degrees and Certificates for Fall 2012  
The board confirmed the list of recipients of the SAC associate degrees and certificates for Fall 2012 as presented.
- 4.4 Confirmation of Santiago Canyon College (SCC) Associate Degrees and Certificates for Fall 2012  
The board confirmed the list of recipients of the SCC associate degrees and certificates for Fall 2012 as presented.
- 4.5 Approval of Agreement with Cuyamaca College Professional Services for Water Works Project  
The board approved the Grossmont-Cuyamaca Community College District contract for professional services in connection with providing online training and curriculum for the California Water Works project.
- 5.1 Approval of Payment of Bills  
The board approved payment of bills as submitted.
- 5.2 Approval of Budget Increases/Decreases and Budget Transfers  
The board approved budget increases, decreases and transfers during the months of February and March 2013.
- 5.3 Approval of Lease Agreement with Relecom  
The board approved the lease agreement with Relecom and authorized the Vice Chancellor of Business Operations/Fiscal Services to execute the agreement on behalf of the district as presented.
- 5.4 Approval of Lease Agreement with TopGallant Group  
The board approved the lease agreement with TopGallant Group and authorized the Vice Chancellor of Business Operations/Fiscal Services to execute the agreement on behalf of the district as presented.

1.6 Approval of Consent Calendar – (cont.)

- 5.5 Approval of Legal Services Agreement with Bergman Dacey Goldsmith, PLC  
The board approved the legal services agreement with Bergman Dacey Goldsmith, PLC to provide legal services on construction-related matters as presented.
- 5.6 Approval of State Categorical Program Flexibility Transfer  
The board approved the State Categorical Flexibility Transfer request per Education Code 84043 as presented.
- 5.7 Approval of Award of Contract for Land Surveying, Engineering and Consulting Services  
The board approved BKF Engineers for land surveying, engineering and consulting services for district-wide projects as presented.
- 5.8 Approval of Agreement for Installation of Public Improvements at Santa Ana College  
The board approved the Agreement for Installation of Public Improvements with the City of Santa Ana as presented.
- 5.9 Approval of Architect Services Agreement with Westberg+White - Proposal for Portable Classroom Building Village at Santa Ana College  
The board approved the architect services agreement with Westberg+White for \$110,500 plus reimbursable expenses not to exceed \$3,000 as presented.
- 5.10 Approval of Architect Services Agreement with Westberg+White - Proposal for Programming Services for Johnson Center at Santa Ana College  
The board approved the architect services agreement with Westberg+White for \$49,300 plus reimbursable expenses not to exceed \$2,500 as presented.
- 5.11 Approval of Award of Bid #1189 – Building “G” Miscellaneous Upgrades at Santa Ana College  
The board approved awarding Bid #1189 for SAC Building “G” miscellaneous upgrades to Optima RPM Inc. as presented.
- 5.12 Approval of Change Order #6 for Bid #1179 – Soccer Field and Football Facilities at Santa Ana College  
The board approved change order #6 for Bid #1179 for Los Angeles Engineering Inc. for the soccer field and football facilities at SAC as presented.
- 5.13 Approval of Change Order #1 for Bid #1180 – Perimeter Site Improvements at Santa Ana College  
The board approved change order #1 for Bid #1180 for perimeter site improvements at SAC as presented.

1.6 Approval of Consent Calendar – (cont.)

- 5.14 Approval of Change Order #9 for Bid #1138 – Structural Steel for Humanities Building at Santiago Canyon College  
The board approved change order #9 for Bid #1138 for Blazing Industrial Steel Inc. for structural steel for the Humanities building at SCC as presented.
- 5.15 Approval of Change Order #14 for Bid #1139 – Electricity for Humanities Building at Santiago Canyon College  
The board approved change order #14 for Bid #1139 for Dynalectric for electricity for the Humanities building at SCC as presented.
- 5.16 Approval of Change Order #1 for Bid #1199 – Fiber Infrastructure for Humanities Building at Santiago Canyon College  
The board approved change order #1 for Bid #1199 for Coast Electric for the fiber infrastructure for the Humanities building at SCC as presented.
- 5.17 Approval of Notice of Completion for Bid #1134 – Landscaping for Athletic/Aquatic Complex at Santiago College  
The board approved the Notice of Completion for landscaping for the Athletic/Aquatic complex project at SCC as presented.
- 5.18 Approval of Notice of Completion for Bid #1136 – Concrete for Athletic/Aquatic Complex at Santiago College  
The board approved the Notice of Completion for concrete for the Athletic/Aquatic complex project at SCC as presented.
- 5.19 Approval of Notice of Completion for Bid #1137 – Masonry for Athletic/Aquatic Complex at Santiago Canyon College  
The board approved the Notice of Completion for masonry for the Athletic/Aquatic complex project at SCC as presented.
- 5.20 Approval of Notice of Completion for Bid #1141 –HVAC for Athletic/Aquatic Complex at Santiago Canyon College  
The board approved the Notice of Completion for HVAC for the Athletic/Aquatic complex project at SCC as presented.
- 5.21 Approval of Notice of Completion for Bid #1199 – Fiber Infrastructure for Humanities Building at Santiago Canyon College  
The board approved the Notice of Completion for fiber infrastructure for the Humanities building at SCC as presented.
- 5.22 Adoption of Resolution No. 13-18 – Metropolitan Fiber Wide Area Network  
The board adopted Resolution No. 13-18 and the addendum to the Dark Fiber Telecommunications Service Agreement with Freedom Telecommunications, Inc. for Request for Proposal #1200 as presented.

1.6 Approval of Consent Calendar – (cont.)

5.23 Approval of Agreement with Governet for CurricUNET Meta Upgrade at Santa Ana College

The board approved the agreement with Governet for the CurricUNET Meta upgrade at SAC as presented.

5.25 Approval of Purchase Orders

The board approved the purchase order listing for the period February 24, 2013, through March 23, 2013.

1.7 Presentation on Conflict of Interest – the Law

Ms. Mary L. Dowell, Partner, Liebert Cassidy Whitmore, provided a presentation on Conflict of Interest and the Law. Board members received clarification on items relating to the conflict of interest laws.

Mr. Hanna arrived during Ms. Dowell's presentation.

Ms. Barrios called a brief recess at 5:47 p.m.

The board reconvened at 5:55 p.m.

1.8 Presentation on Construction Delivery Methods

Mr. W. Bryce Chastain, Atkinson, Andelson, Loya, Ruud & Roma; and Mr. Ron Beeler, Facilities Planning & Program Services, Inc., provided a presentation on options for school facilities construction delivery. The board reviewed the following key factors of construction alternatives: design-bid-build, design-build, and lease/leaseback.

**2.0 INFORMATIONAL ITEMS AND ORAL REPORTS**

2.1 Report from Chancellor

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

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 17<sup>th</sup> 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

Since SAC and SCC student representatives of the Associated Student Government organizations left the meeting, Mr. Ahari provided a report from each representative to the board.

## 2.5 Reports from Academic Senate Presidents

Ms. Corinna Evett, Academic Senate President, Santiago Canyon College, provided a report to the board.

Since Mr. Raymond Hicks left the meeting, Ms. Evett provided a report to the board on behalf of Mr. Hicks, Academic Senate President, Santa Ana College.

## 3.0 HUMAN RESOURCES

Items 3.1 and 3.2 were reviewed after Closed Session.

### 3.3 Authorization for Board Travel/Conferences

It was moved by Mr. Yarbrough, seconded by Ms. Alvarez, and carried unanimously to approve the submitted conference and travel by a board member.

## 4.0 INSTRUCTION

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

## 5.0 BUSINESS OPERATIONS/FISCAL SERVICES

Items 5.1 through 5.23, and Item 5.25 were approved as part of Item 1.6 (Consent Calendar).

## **5.0 BUSINESS OPERATIONS/FISCAL SERVICES – (cont.)**

### **5.24 Approval of Increase to Construction Management Agreement – Seville Construction Services**

It was moved by Mr. Yarbrough and seconded by Ms. Mendoza Yanez to approve an increase to the construction management agreement with Seville Construction Services as presented. Discussion ensued.

It was moved by Ms. Alvarez and seconded by Mr. Hanna to postpone action on this item. Discussion ensued. The motion failed with the following vote: Aye - Ms. Alvarez and Mr. Hanna; Nay – Ms. Barrios, Ms. Mendoza Yanez, Mr. Solorio, and Mr. Yarbrough. Student trustee Ahari's vote was nay.

The motion carried to approve the increase to the construction management agreement with Seville Construction Services with *the following vote*: Aye – Ms. Barrios, Ms. Mendoza Yanez, Mr. Solorio, and Mr. Yarbrough; Nay – Ms. Alvarez and Mr. Hanna. Student trustee Ahari's vote was aye.

## **6.0 GENERAL**

### **6.1 Board of Trustees Cast Ballot for California Community College Trustees Board of Directors Election – 2013**

It was moved by Mr. Hanna and seconded by Mr. Yarbrough to cast a vote for the following candidates for the Board of Directors Election – 2013: Ms. Isabel Barreras, Ms. Louise Jaffe, Ms. Linda S. Wah, and Mr. Garrett Yee. Discussion ensued. The motion carried unanimously.

### **6.2 Reports from Board Committees**

Ms. Mendoza Yanez and Mr. Solorio provided a report on the April 11, 2013, Board Facilities Committee meeting.

Mr. Ahari provided a report on the April 4, 2013, Orange County Community Colleges Legislative Task Force meeting.

### **6.3 Board Member Comments**

Ms. Alvarez stated she is looking forward to touring the SCC campus on April 19.

Ms. Alvarez asked staff to provide information to board members regarding due diligence on companies the district plans to enter into contracts with.

6.3 Board Member Comments – (cont.)

Ms. Alvarez thanked staff for the informative presentations. She stated that she and Mr. Hanna receive Minimum Continuing Legal Education credit hours for the legal presentation given; and board members, as elected officials, receive credit for the ethics requirements.

Mr. Solorio asked that the Board Facilities Committee be given the opportunity to delay action on agenda items until further review occurs.

Ms. Barrios indicated she requested an attorney be present at the next board meeting to answer questions board members may have regarding a Project Labor Agreement.

Ms. Barrios commended the colleges on its activities and expressed appreciation for being asked to briefly speak at the ribbon-cutting for the Coastkeeper Garden on May 4. She also expressed appreciation for SCC students' recent participation in the Orange Community Foundation games.

Ms. Mendoza Yanez reported she and Ms. Alvarez recently attended the RSCCD Foundation meeting and asked Dr. Martinez for information regarding a large donation to the SAC Foundation. Dr. Martinez indicated the SAC Foundation had recently received a \$300,000 donation from a SAC alumnus.

Ms. Mendoza Yanez reported she recently addressed the students in the SAC student leadership program and offered to do the same for the SCC student leadership program.

Ms. Mendoza Yanez reported she recently attended the Hispanic Endowment Educational Foundation interviews and she spoke highly of the caliber of students interviewed.

Mr. Hanna thanked Ms. Evett for her informative report.

Mr. Hanna commended the college presidents on both colleges' enrollment figures and SAC's fundraising accomplishments.

Mr. Hanna thanked staff for the informative presentations given earlier at the board meeting.

**RECESS TO CLOSED SESSION**

The board convened into closed session at 7:46 p.m. to consider the following items:

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



2. Public Employee Performance Evaluation (pursuant to Government Code Section 54957)
  - a. Chancellor
3. Public Employee Discipline/Dismissal/Release (pursuant to Government Code Section 54957[b][1])
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 17<sup>th</sup> Street, Santa Ana, California  
1612 Louise Street, Santa Ana, California  
Negotiating Parties: Danforth Holdings, LLC  
Under Negotiation: Price and Terms of Payments

## **RECONVENE**

The board reconvened at 8:03 p.m.

### **Closed Session Report**

Ms. Barrios reported the board discussed public employment, public employee discipline, and negotiations regarding the abovementioned real estate properties; and no action was taken during closed session.

### **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 Changes of Assignments
- Approve Interim Assignments/Changes of Locations
- Approve 2012-2013 Contract Extension Days
- Approve Stipends
- Approve Column Changes for FARSCCD Hourly Rates
- Approve Column Changes for CEFA Hourly Rates
- 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 Appointments
- Approve Temporary to Contract Assignments
- Approve Longevity Increments
- Approve Out of Class Assignments
- Approve Changes in Salary Placements
- Approve Leaves of Absence
- Ratify Resignations/Retirements
- Approve Longevity Increments
- Approve Temporary Assignments
- Approve Changes in Temporary Assignments
- Approve Additional Hours for On Going Assignments
- Approve Substitute Assignments
- Approve Instructional Associates/Associate Assistants
- Approve Student Assistant Lists

### 7.0 ADJOURNMENT

The next regular meeting of the Board of Trustees will be held on May 6, 2013.

There being no further business, Ms. Barrios declared this meeting adjourned at 8:05 p.m., in honor of those that lost their lives or were seriously injured or wounded in the Boston tragedy on April 15, 2013.

Respectfully submitted,

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Raúl Rodríguez, Ph.D.  
Chancellor

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

Minutes approved: May 6, 2013