

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

**Board of Trustees (Regular meeting)**

**Monday, December 7, 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, and Mr. Mark McLoughlin. Ms. Lisa Woolery was not in attendance due to family business out of the country. Mr. Phillip Yarbrough arrived at the time noted.

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 Dr. Chapel, President, Rancho Santiago Community College District Board of Trustees.

1.3 Public Comment

There were no public comments.

1.4 Approval of Minutes

It was moved by Mr. Conley, seconded by Mr. McLoughlin, and carried unanimously to approve the minutes of the regular meeting held November 16, 2009, with the following correction in *italics*:

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve the recommended action on the following items as listed on the Consent Calendar, with the exception of Item 4.3 (Approval of Community Services Program at Santa Ana College for Spring 2010) and Item 4.4 (Approval of Community Services Program at Santiago Canyon College for Spring 2010), removed by *Mr. McLoughlin*.

1.5 Approval of Consent Calendar

It was moved by Mr. Labrado, seconded by Mr. McLoughlin, and carried unanimously to approve the recommended action on the following items as listed on the Consent Calendar:

6.1 Approval of New Noncredit Career Development and College Preparation Certificate Programs for Santiago Canyon College, Division of Continuing Education

The board approved and certified new noncredit certificate programs for Santiago Canyon College, Division of Continuing Education.

6.2 Approval of New Noncredit Courses for Santa Ana College School of Continuing Education

The board approved and certified new noncredit courses for submission to the State Chancellor's Office and added to Santa Ana College's noncredit course inventory.

6.3 Approval of New Noncredit Certificates for Santa Ana College School of Continuing Education

The board approved and certified new noncredit certificates for submission to the State Chancellor's Office and added to Santa Ana College's noncredit course inventory.

6.4 Approval of New OTA Agreement – Karate for All

The board approved this contract with Karate for All in Tustin, California.

7.1 Approval of Payment of Bills

The board approved payment of bills as submitted.

7.2 Approval of Budget Transfers and Budget Increases/Decreases

The board approved budget transfers, increases, and decreases during the period November 1, 2009, through November 20, 2009.

7.9 Approval of Purchase Orders

The board approved the purchase order listing for the period October 31, 2009, through November 18, 2009.

8.1 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:

- Center for International Trade Development (District)      \$ 102,013
- Center of Excellence (District)      \$ 102,012

1.5 Approval of Consent Calendar – (cont.)

8.1 Approval of Resource Development Items – (cont.)

- Early Head Start Expansion (District)	\$1,570,930
- Network for a Healthy California	\$ 39,375
- Small Business Development Center (District)	\$ 74,643
- Workplace Learning Resource Center (District)	\$ 102,013

8.2 Approval of Sub-award Agreements – Tech Prep Consortium

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.

8.3 Authorization of Signatures

The board approved the list of individuals authorized to sign various documents on behalf of the district.

8.4 Approval of Consultant Services with Townsend Public Affairs, Inc.

The board approved a contract with Townsend Public Affairs, Inc. in Irvine, California.

8.6 Approval of Appointment as Regional State Coordinator for the Association of Community College Trustees (ACCT)

The board approved supporting ACCT's request to appoint Brian Conley to serve as the Regional State Coordinator for the Association of Community College Trustees during the 2009-10 year.

2.0 **BOARD ORGANIZATION**

2.1 Annual Board Organization

It was moved by Mr. Conley, seconded by Mr. Hanna, and carried unanimously to elect Mr. Labrado as the 2009-10 Board President.

At this time, Dr. Chapel passed the gavel to Mr. Labrado to conduct the remainder of the meeting.

On behalf of the board, Mr. Labrado thanked Dr. Chapel for his work and dedication as board president during 2008-09. He then presented him with a plaque.

It was moved by Mr. Hanna, seconded by Mr. Labrado, and carried unanimously to elect Mr. Conley as Vice President.

It was moved by Mr. Hanna, seconded by Mr. Conley, and carried unanimously to elect Mr. Yarbrough as Clerk.

It was moved by Mr. Hanna, seconded by Mr. Conley, and carried unanimously to designate Dr. Hernandez as the board's secretary and Mr. Didion as the assistant secretary.

Mr. Labrado appointed chairs and members to the following committees:

- Board Facilities Committee: John Hanna, Chair; Mark McLoughlin, Member; Larry Labrado, Member
- Board Fiscal/Audit Committee: Phillip Yarbrough, Chair; David Chapel, Member
- Board Legislative Committee: Lisa Woolery, Chair; John Hanna, Member
- Board Policy Committee: Brian Conley, Chair; Larry Labrado, Member
- Board Safety and Security Committee: Phillip Yarbrough, Chair; David Chapel, Member

Mr. Labrado appointed board representatives to the following organizations:

- Representative to the RSCCD Foundation: Mark McLoughlin
- Representative to the Orange County Legislative Task Force: Larry Labrado
- Representative to the Orange County School Boards Association: David Chapel
- Representative to the Nominating Committee on School District Organization: Larry Labrado
- Non-voting member of the Santa Ana Early Prevention and Intervention Commission: David Chapel

It was moved by Mr. Conley and seconded by Mr. McLoughlin to adopt the following board meeting schedule for 2010 with the stipulation that the location of board meetings include one meeting on SAC or SCC campus and one meeting on CEC or OEC campus during the months of January through June; and one meeting on SAC or SCC campus and one meeting on CEC or OEC campus during the months of July through December:

January 11  
February 1 (Board Planning Session), 22  
March 8, 22  
April 12, 26  
May 10, 24  
June 21  
July 26  
August 23  
September 13, 27  
October 11, 25  
November 15  
December 6

It was moved by Mr. Hanna and seconded by Mr. Conley to retain the current placement of closed session on the agenda with the exception of meetings held on campus whereby the board will take a nutrition break during the meeting and place closed session as the last item on the agenda

It was moved by Mr. Conley, seconded by Mr. Hanna, and carried unanimously to reaffirm the following board policies: #3211 (Investments); #9002 (Statement of Ethical Conduct); and #9011 (Conferences and meetings).

Mr. Yarbrough arrived at this time.

### **3.0 PRESENTATION BY CHANCELLOR SEARCH CONSULTANT**

Mr. Jim Walker of Community College Search Services provided a report to the board regarding Item 5.4 (Approval of Agreement with Community College Search Services).

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to suspend the rules and hear Item 7.3 (Receive the District Audit Report for the Fiscal Year ended June 30, 2009).

#### **7.3 Receive the District Audit Report for the Fiscal Year ended June 30, 2009**

It was moved by Mr. Yarbrough and seconded by Dr. Chapel to receive and accept the Rancho Santiago Community College District Audit Report for the fiscal year ended June 30, 2009, as presented.

Mr. Yarbrough reported the Fiscal/Audit Committee reviewed the district audit report at its November 19, 2009, meeting. He indicated the district is well-managed fiscally due to the financial statements being unqualified, which is the highest opinion rendered. Mr. Yarbrough indicated the report had minor findings and commended staff on a job well done.

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

On behalf of the board, Mr. Yarbrough and Mr. Hanna thanked the auditors for the report. Mr. Hanna commended staff on the audit report rendering Measure E financial statements unqualified.

The motion carried unanimously to receive and accept the Rancho Santiago Community College District Audit Report for the fiscal year ended June 30, 2009, as presented.

#### **4.0 INFORMATIONAL ITEMS AND ORAL REPORTS**

##### 4.1 Report from Chancellor

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

It was moved by Mr. Yarbrough, seconded by Mr. Hanna, and carried unanimously to suspend the rules and hear Item 4.4 (Report from Student Presidents) at this time.

##### 4.4 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

##### 4.2 Reports from College Presidents

The following college presidents provided a report to the board:

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

##### 4.3 Report from Student Trustee

Ms. Gloria Holguin provided a report to the board.

##### 4.5 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

Mr. Hanna asked for a moment of silence in memory of the armed forces that lost their lives on December 7, 1941.

Ms. Holguin left at this time due to a prior commitment.

### **RECESS TO CLOSED SESSION**

The board convened into closed session at 6:12 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. Educational Administrator Appointments
    - (1) Administrative Dean
    - (2) Associate Dean
    - (3) Director
    - (4) Vice President
  - g. Other Educational and Classified Administrators
2. Public Employee Discipline/Dismissal/Release (pursuant to Government Code Section 54957[b][1])
3. Liability Claim (pursuant to Government Code Section 54956.95)
  - a. 09-77548JW
4. Conference with Labor Negotiator -- Unrepresented Employees: educational administrators -- District's negotiator: Board President

### **RECONVENE**

The board reconvened at 7:24 p.m.

#### **Closed Session Report**

Mr. Yarbrough reported the board discussed the aforementioned items and took action not to reemploy the following Santa Ana College employees for the 2010-11 fiscal year: Larry Johnston, Associate Dean of Exercise Science, and Maria Sugranes, Associate Dean of Information and Learning Resources. The board took action to suspend Susan Grigg, Job Developer at Santa Ana College for ten days.

#### **Public Comment**

There were no public comments.

## **5.0 HUMAN RESOURCES**

### **5.1 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 Permission to Accept Outside Assignments
- Approve Reduction in Force Layoffs
- Ratify Resignations/Retirements
- Approve Stipends
- Approve Leaves of Absence
- Approve Part-time/Hourly Hires/Rehires
- Approve Non-paid Instructors of Record

### **5.2 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 Reduction in Force Layoffs
- Approve Changes in Position due to Reorganization
- Approve Changes in Position due to Reduction in Force
- Approve Changes in Location
- Approve Leaves of Absence
- Ratify Resignations/Retirements
- Approve New Appointments
- Approve Professional Growth Increments
- Approve Substitute Assignments
- Approve Instructional Associates/Associate Assistants
- Approve Community Service Presenters
- Approve Lists of Student Assistants

### **5.3 Approval of Credit Instructional Calendar for 2010-2011**

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

### **5.4 Approval of Agreement with Community College Search Services**

It was moved by Mr. Yarbrough and seconded by Mr. Conley to authorize the Executive Vice Chancellor, Human Resources and Educational Services, to execute the agreement with Community College Search Services. Discussion ensued. The motion carried unanimously.

5.5 Approval of Chancellor Search Materials and Search Committee Composition

It was moved by Mr. Yarbrough and seconded by Mr. Conley to approve 1) composition of the search committee; 2) chancellor job description; and 3) chancellor vacancy announcement. Discussion ensued.

Mr. Hanna proposed changes related to fundraising be inserted in five places in the chancellor job description and vacancy announcement (changes italicized and underlined in January 11, 2010, Board of Trustees Agenda, Item 3.3: Approval of Chancellor Search Materials). Mr. Yarbrough accepted Mr. Hanna's insertions as a friendly amendment.

It was moved by Mr. Hanna and seconded by Mr. Yarbrough to amend the original motion to approve 1) composition of the search committee, and postpone action on 2) chancellor job description and 3) chancellor vacancy announcement. The motion carried with the following vote: Aye – Mr. Conley, Mr. Hanna, Mr. Labrado, Mr. McLoughlin, and Mr. Yarbrough; Nay – Dr. Chapel.

5.6 Rejection of Claim

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to authorize the chancellor or his designee to reject claim #09-77548JW.

**6.0 INSTRUCTION**

Items 6.1, 6.2, 6.3, and 6.4 were approved as part of Item 1.5: Consent Calendar.

**7.0 BUSINESS OPERATIONS/FISCAL SERVICES**

Items 7.1, 7.2, and 7.9 were approved as part of Item 1.5: Consent Calendar. Item 7.3 was moved after Item 3.0.

7.4 Approval of Appointments for Measure E Citizens' Bond Oversight Committee

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve the appointment/reaffirmation of the Citizens' Bond Oversight Committee for 2010 as presented. Since there is not a business representative on this committee, Dr. Hernandez asked board members to forward any recommendations to him.

7.5 Approval of Additional DSA Inspection Services: Maintenance & Operations (M & O) Building at Santiago Canyon College

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

7.6 Approval of Change Order #4 for Bid #1078 - M & O Building and Parking Lot at Santiago Canyon College

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to approve change order #4 for MEPCO Services, Inc. for Bid #1078 for construction M & O building and parking lot at Santiago Canyon College as presented.

7.7 Approval of Change Order #1 for Bid #1129 - 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 approve change order #1 for EMAE International, Inc. for Bid #1129 for electrical for the Santa Ana College Child Development Center as presented.

7.8 Adoption of Resolution No. 09-29 for Approval to Apply for Funding Under the Municipal and Commercial Building Targeted Measure Retrofit (MCR) Program RFP #400-09-402

It was moved by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to Adopt Resolution No. 09-29 for approval to apply for funding under the municipal and commercial building targeted measure retrofit program RFP #400-09-402.

7.10 Approval of Notice of Completion: Bid #1094 – Diesel and Welding Lab Exhaust Upgrade Project at Santa Ana College

It was moved by Mr. Conley, seconded by Mr. Yarbrough, and carried unanimously To approve the Notice of Completion for Bid #1094 for the diesel and welding lab exhaust project at Santa Ana College as presented.

**8.0 GENERAL**

Items 8.1, 8.2, 8.3 8.4, and 8.6 were approved as part of Item 1.5: Consent Calendar.

8.5 Board Member Comments

Board members congratulated the 2010 board officers and thanked 2009 board president for his service.

Mr. Yarbrough thanked the Academic Senate and staff for their hard work on the accreditation report.

Mr. Yarbrough asked that the board send a congratulatory letter to Mr. and Mrs. Woolery on the recent addition of a child to their family.

Mr. Yarbrough asked that the board close today's meeting in memory of the armed forces that lost their lives on December 7, 1941.

Mr. Conley thanked the board for its support of him serving as the Regional State Coordinator for the Association of Community College Trustees during the 2009-10 year.

Dr. Chapel announced the district recently received a DVD series entitled *China Zhenjiuology: Acupuncture & Moxibustion* as a gift from the people of Taipei, Taiwan.

Mr. Hanna asked for an explanation of Item 7.5 (Approval of Additional DSA Inspection Services: Maintenance & Operations Building at Santiago Canyon College) being behind schedule. Mr. Hardash indicated the general contractor has caused the delay and is being assessed liquid damages daily. Mr. Hanna commended district staff who have worked to bring this project to completion.

## **9.0 ADJOURNMENT**

The next regular meeting of the Board of Trustees will be held on January 22, 2010, at the District Office, 2323 N. Broadway, Santa Ana, California.

There being no further business, Mr. Labrado declared this meeting adjourned at 8:38 p.m. in memory of the armed forces that lost their lives on December 7, 1941.

Respectfully submitted,

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Eddie Hernandez, Jr., Ed.D.  
Chancellor

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

Minutes approved: January 11, 2010