

RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT (RSCCD)
Board of Trustees (Regular meeting)
via Zoom
2323 North Broadway,
Santa Ana, CA 92706

Monday, February 8, 2021

MINUTES

1.0 PROCEDURAL MATTERS

1.1 Call to Order

The Zoom meeting was called to order at 4:32 p.m. by Mr. Phil Yarbrough via video/teleconference. Other members present were Dr. Tina Arias Miller, Mr. David Crockett, Mr. John Hanna, Mr. Larry Labrado, Mr. Zeke Hernandez, Mr. Sal Tinajero, and Mr. Mariano Cuellar participated via video/teleconference (Zoom) pursuant to Governor Newsom's Executive Order N-29-20.

Administrators present during the regular meeting via video/teleconference (Zoom) were Dr. Marilyn Flores, Ms. Tracie Green, Mr. Marvin Martinez, Mr. Adam O'Connor, Mr. Enrique Perez, and Mr. Jose Vargas. Ms. Maria Madrigal was present via video/teleconference (Zoom) as record keeper.

1.2 Pledge of Allegiance to the United States Flag

The Pledge of Allegiance was led by Mr. Yarbrough, President, RSCCD Board of Trustees.

1.3 Approval of Additions or Corrections to Agenda

It was moved by Dr. Arias Miller and seconded by Mr. Tinajero to approve corrections to pages 7-10 of Item 6.1 (Human Resources, Management/Academic Personnel). The motion carried with the following vote: Aye – Dr. Arias Miller, Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Mr. Yarbrough. Student Trustee Cuellar's advisory vote was aye.

1.4 Public Comment

Mr. Mark Smith congratulated and welcomed the new board members to RSCCD. As president of the Faculty Association of Rancho Santiago Community College District (FARSCCD), he spoke regarding FARSSCD working with the district to ensure the district's policies and regulations regarding conflict of interest are being following by hiring committees.

1.4 Public Comment (cont.)

Dr. Regina Lamourette spoke regarding her experiences and opinions on racism and diversity.

1.5 Approval of Minutes

It was moved by Mr. Hernandez and seconded by Dr. Arias Miller to approve the minutes of the regular meeting held January 11, 2021. The motion carried with the following vote: Aye – Dr. Arias Miller, Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Mr. Yarbrough. Student Trustee Cuellar's advisory vote was aye.

1.6 Approval of Consent Calendar

It was moved by Mr. Hernandez and seconded by Dr. Arias Miller 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 Items 3.2 (RSCCD Agreement with Interact Communications), 3.6 (Meal and Gas Cards for Extended Opportunity Program and Services [EOPS] Students), 4.8 (Bid #1392 for Barrier Removal Library Restroom Renovation at Santa Ana College [SAC]), 4.10 (Bid #1390 for Safety and Security Renovations at District), and 4.11 (Surplus Property) removed from the Consent Calendar by Mr. Hernandez; and Item 3.4 (Agreement with Gregg D. Ander, LLC) removed by Mr. Hanna. The motion carried with the following vote: Aye – Dr. Arias Miller, Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Mr. Yarbrough. Student Trustee Cuellar's advisory vote was aye.

3.1 Approval of Services Agreement with PRESTOSPORTS, LLC

The board approved the services agreement with PRESTOSPORTS, LLC located in Gilbert, Arizona, as presented.

3.3 Approval of Rancho Santiago Community College District Professional Services Agreement with Performance Pickleball, LLC

The board approved the RSCCD professional services agreement with Performance Pickleball, LLC located in Huntington Beach, California, as presented.

3.5 Approval of the Professional Services Agreement with Terry A. Schmidt

The board approved the professional services agreement with Terry A. Schmidt located in Aliso Viejo, California, as presented.

4.1 Approval of Payment of Bills

The board approved the payment of bills as submitted.

4.2 Approval of Budget Increases/Decreases and Budget Transfers

The board approved the budget increases, decreases and transfers from December 15, 2020, to January 25, 2021.

1.6 Approval of Consent Calendar (cont.)

4.3 Approval of Quarterly Financial Status Report (CCFS-311Q) for Period Approved Ended December 31, 2020

The board approved the CCFS-311Q for the period ending December 31, 2020, as presented.

4.5 Approval of Lease Agreement between RSCCD and Congressman Jose Luis "Lou" Correa at the District Office, 2323 N. Broadway, Suite 319, Santa Ana, California

The board approved the lease between RSCCD and Congressman Jose Luis "Lou" Correa at the District Office, 2323 N. Broadway, Suite 319, Santa Ana, California, as presented.

4.6 Approval of Professional Services Agreement for Arbitrage Calculations with Eide Bailly, LLP

The board approved the professional services agreement for Arbitrage Calculations with Eide Bailly, LLP, as presented.

4.7 Approval of Renewal of Services with Competitive Edge Software, LLC dba Omnigo Software

The board approved the renewal of services with Competitive Edge Software, LLC dba Omnigo Software, as presented.

4.9 Approval of Agreement with 19six Architects for Architectural and Engineering Services for the Barrier Removal Building D Restroom Remodel (Multi and Single User) Projects at Santiago Canyon College (SCC)

The board approved the agreement with 19six Architects for architectural and engineering services for the barrier removal building D restroom remodel (multi and single user) projects at SCC, as presented.

5.1 Approval of Resource Development Items

The board approved budgets, accepted grants, and authorized the Vice Chancellor of Business Operations/ Fiscal Services or his designee to enter into related contractual agreements on behalf of the district for the following:

- California Apprenticeship Initiative Fiscal Agent (District Office [DO]) N/A
- Governor's Office of Business & Economic Development (GOBiz) Capital Infusion Program (CIP) Grant (DO) \$ 50,000
- Governor's Office of Business & Economic Development (GOBiz) Small Business Technical Assistance Expansion Program (TAEP) Grant (DO) \$200,000
- Project RAISE (Regional Alliance in Science, Technology, Engineering and Math (STEM) Education) – Year 5 (SAC) \$ 20,000

1.6 Approval of Consent Calendar (cont.)

5.2 Approval of Sub-Agreements with Local Educational Agencies in Los Angeles County and Orange County awarded the K-12 Strong Workforce Program 2020-21 Funds

The board approved the sub-agreements with local educational agencies in Los Angeles County and Orange County awarded the K-12 Strong Workforce Program 2020-21 funds, as presented.

5.3 Approval of Foundation for California Community Colleges, CollegeBuys Purchase for Student Adobe Creative Cloud Licenses

The board approved the Foundation for California Community Colleges, CollegeBuys purchase for student Adobe Creative Cloud licenses, as presented.

5.4 Approval of Amendment to Agreement with Go To Technologies, Inc. for Professional Services

The board approved the amendment to the agreement with Go To Technologies, Inc. for professional services, as presented.

1.7 Presentation on Board Accreditation Training

Dr. Catherine Webb provided a presentation on Board Accreditation Training. Board members received training and clarification on data related to the presentation from Dr. Webb.

1.8 Presentation on BoardDocs

Ms. Kristin Forsberg, Sales Advisor of Diligent.com, provided a presentation on the use of BoardDocs, a school board management software. Board members received clarification on data related to the presentation from Ms. Forsberg.

1.9 Public Hearing - Presentation of Rancho Santiago Community College District Initial Bargaining Proposal to the Child Development Centers, California School Employees Association (CSEA) Chapter 888

There were no public comments.

2.0 INFORMATIONAL ITEMS AND ORAL REPORTS

2.1 Report from the Chancellor

Mr. Marvin Martinez, Chancellor, provided a report to the board.

2.2 Reports from College Presidents

The following college representatives provided reports to the board:

Dr. Marilyn Flores, Interim President, Santa Ana College

Mr. Jose Vargas, Interim President, Santiago Canyon College

2.3 Report from Student Trustee

Mr. Cuellar provided a report to the board.

2.4 Reports from Student Presidents

The following student representatives provided a report to the board on behalf of the Associated Student Government (ASG) organization:

Mr. Henry Gardner, Student President, Santiago Canyon College

Ms. Monica Renteria, Student President, Santa Ana College

2.5 Report from Classified Representative

Ms. Irma Delatorre, Administrative Clerk, Santiago Canyon College, provided a report to the board on behalf of the classified staff.

2.6 Reports from Academic Senate Presidents

The following academic senate representatives provided reports to the board:

Mr. Craig Rutan, Academic Senate President, Santiago Canyon College

Mr. Roy Shahbazian, Academic Senate President, Santa Ana College

2.7 Reports from Board Committee Chairpersons and Representatives of the Board

Mr. Hanna provided a report on the February 1, 2021, Board Facilities Committee meeting.

Mr. Yarbrough provided a report on the February 3, 2021, Board Fiscal/Audit Committee meeting.

Dr. Arias Miller provided a report on the February 5, 2021 Board Policy Committee meeting.

3.0 INSTRUCTION

Items 3.1, 3.3, and 3.5 were approved as part of Item 1.6 (Consent Calendar).

3.2 Approval of Rancho Santiago Community College District Professional Services Agreement with Interact Communications

It was moved by Mr. Labrado and seconded by Mr. Hanna to approve the RSCCD professional services agreement with Interact Communications located in La Crosse, Wisconsin. Discussion ensued. The motion carried with the following vote: Aye – Dr. Arias Miller, Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Mr. Yarbrough. Student Trustee Cuellar's advisory vote was aye.

3.4 Approval of the Professional Services Agreement with Gregg D. Ander, LLC

It was moved by Mr. Tinajero and seconded by Mr. Hanna to approve the professional services agreement with Gregg D. Ander, LLC, located in Sacramento, California. Discussion ensued. The motion carried with the following vote: Aye – Dr. Arias Miller, Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Mr. Yarbrough. Student Trustee Cuellar's advisory vote was aye.

3.6 Approval of Meal and Gas Cards for Extended Opportunity Program and Services (EOPS) Students

It was moved by Mr. Hernandez and seconded by Mr. Hanna to postpone action on this item. Discussion ensued. It was moved by Mr. Hanna and seconded by Mr. Hernandez to withdraw the motion to postpone action on this item and replace it with a motion to approve the meal and gas cards for SCC's EOPS students. The motion carried with the following vote: Aye – Dr. Arias Miller, Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero and Mr. Yarbrough. Student Trustee Cuellar's advisory vote was aye.

4.0 BUSINESS OPERATIONS/FISCAL SERVICES

Items 4.1 through 4.3, 4.5 through 4.7, and 4.9 were approved as part of Item 1.6 (Consent Calendar).

4.4 Quarterly Investment Report as of December 31, 2020

The quarterly investment report as of December 31, 2020, was provided as information.

4.8 Award of Bid #1392 for Barrier Removal Library Restroom Renovation at Santa Ana College

It was moved by Mr. Hernandez and seconded by Mr. Tinajero to approve the award of Bid #1392 for the barrier removal of the library restroom renovation at SAC. Discussion ensued. The motion carried with the following vote: Aye – Dr. Arias Miller, Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Mr. Yarbrough. Student Trustee Cuellar's advisory vote was aye.

4.10 Reject all Bids for Bid #1390 for Safety and Security Renovations at District Operations Center

It was moved by Mr. Tinajero and seconded by Mr. Hernandez to reject all bids for Bid #1390 for the safety and security renovations at the District Operations Center. Discussion ensued. The motion carried with the following vote: Aye – Dr. Arias Miller, Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Mr. Yarbrough. Student Trustee Cuellar's advisory vote was aye.

4.11 Approval of Surplus Property

It was moved by Mr. Crockett and seconded by Dr. Arias Miller to approve declaring the list of equipment as surplus property and utilizing The Liquidation Company to conduct an auction. Discussion ensued. The motion carried with the following vote: Aye – Dr. Arias Miller, Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Mr. Yarbrough. Student Trustee Cuellar’s advisory vote was aye.

5.0 **GENERAL**

Items 5.1 through 5.4 were approved as part of Item 1.6 (Consent Calendar).

5.5 Approval of Nomination for Community College League of California (CCCT) Board Election – 2021

It was moved by Mr. Hernandez and seconded by Mr. Hanna to nominate Dr. Arias Miller as a candidate for the CCCT board. Discussion ensued. The motion carried with the following vote: Aye – Dr. Arias Miller, Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Mr. Yarbrough. Student Trustee Cuellar’s advisory vote was aye.

5.6 Board Member Comments

Mr. Crockett reported that he attended multiple committee meetings, and SAC and SCC’s Spring Convocations. He indicated that he is currently attending the Association of Community Colleges Trustees (ACCT) National Legislative Summit.

Mr. Hanna expressed appreciation to Mr. Martinez for the accreditation training presentation.

Mr. Hernandez reported on the Diversity, Equity, and Inclusion (DEI) work in which he has been involved. He thanked Mr. Martinez for the upcoming one-on-one meeting he scheduled with him, as he would like to cover a number of topics.

Mr. Tinajero expressed appreciation to Mr., Martinez for meeting with him prior to the board meeting, as he felt better prepared for the meeting. He also expressed his concern of how Orange County is addressing COVID-19 relating to essential workers and the lack of vaccination sites.

Dr. Arias Miller expressed her appreciation to SAC and SCC’s college presidents for invitations to the Spring 2021 convocations and commended them on the DEI presentations provided at the convocations. Dr. Arias Miller reported that she attended the Orange County Community College Legislative Taskforce meeting, Community College League of California (CCLC) 2021 Effective Trusteeship and Board Chair Workshops, CCLC Annual Legislative Conference, ACCT webinar covering policies and priorities for community colleges, and ACCT National Legislative Summit. She indicated that she will be chairing the Board Institutional Effectiveness Committee meeting on February 11, 2021.

5.6 Board Member Comments (cont.)

Mr. Yarbrough reported that he attended an ACCT Finance and Audit Committee meeting, chaired the Board Fiscal/Audit Committee meeting on February 3, 2021, and attended SAC and SCC's Spring 2021 Convocations where he welcomed staff on behalf of the board. Mr. Yarbrough requested that the answers to the questions Mr. Hanna asked regarding board items be attached to the minutes.

RECESS TO CLOSED SESSION

The board convened into closed session at 8:26 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. Management Staff
 - d. Classified Staff
 - e. Student Workers
 - f. Professional Experts

- 2) Conference with Legal Counsel: Existing Litigation (pursuant to Government Code Section 54956.9[a]) (3 cases)

Anthony Rabiola v. Rancho Santiago Community College District, Alliance of Schools for Cooperative Insurance Program Claim Number No. 1805506

Joseph Robert Pineo v. Rancho Santiago Community College District, Orange County Superior Court Case No. 30-2019-01092834-CU-PO-CJC

Francois Tabi v. The Regents and Trustees of Santa Ana College, United States District Court Central District of California Case No. CV20-00323

- 3) Conference with Labor Negotiator (pursuant to Government Code Section 54957.6)
Agency Negotiator: Marvin Martinez, Chancellor
 - a. Supplemental Retirement Program, all employees represented and unrepresented

Mr. Cuellar left the meeting at this time.

RECONVENE

The board reconvened at 9:11 p.m.

Closed Session Report

Mr. Crockett reported the board discussed public employment, existing litigation, and labor negotiations; and the board took no action during closed session.

Public Comment

There were no public comments.

Due to technical difficulties, Mr. Yarbrough left the meeting and Dr. Arias Miller began chairing the meeting at this time.

6.0 HUMAN RESOURCES

6.1 Management/Academic Personnel

It was moved by Mr. Hernandez and seconded by Mr. Labrado to approve the following action on the management/academic personnel docket. The motion carried with the following vote: Aye – Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Dr. Arias Miller.

- Approve Revised Job Descriptions
- Ratify Resignations/Retirements
- Approve Spring 2021 Step Increases for Continuing Education Faculty Association Part-time Faculty Hourly Rates
- Approve of Spring 2021 Step Increases for Faculty Association of Rancho Santiago Community College District (FARSCCD) Part-time Faculty Hourly Rates
- Approve of Spring 2021 Step Increases for FARSCCD Full-time Faculty Beyond Contract/Overload Rate
- Approve of Fall 2020 Step Increases for FARSCCD Full-time Faculty Beyond Contract/Overload Rate
- Approve of Changes of Classification
- Approve of Leaves of Absence
- Approve of Column Changes
- Approve of Part-time Hourly New Hires/Rehires
- Approve of Non-paid Instructors of Record
- Approve of Non-Paid Intern Services

6.2 Classified Personnel

It was moved by Mr. Hernandez and seconded by Mr. Labrado to approve the following action on the classified personnel docket. The motion carried with the following vote: Aye – Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Dr. Arias Miller.

- Approve of Longevity Increments
- Approve of Professional Growth Increments
- Approve of Out of Class Assignments
- Approve of Leaves of Absence
- Ratify Resignations/Retirements

6.2 Classified Personnel (cont.)

- Approve of Short Term Assignments
- Approve of Changes in Temporary Assignment
- Approve of Additional Hours for Ongoing Assignments
- Approve of Miscellaneous Positions
- Approve of Instructional Associates/Associate Assistants
- Approve of Volunteers
- Approve of Student Assistant Lists

6.3 Approval of the Amendment to the Agreement for Professional Services with Atkinson, Andelson, Loya, Rudd and Roma (AALRR)

It was moved by Mr. Hernandez and seconded by Mr. Tinajero to approve the amendment to the agreement for professional services with AALRR located in Cerritos, California, as presented. The motion carried with the following vote: Aye – Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Dr. Arias Miller.

6.4 Adoption of Resolution No. 21-01 for Adoption of Public Agency Retirement Services (PARS) Retirement Plan

It was moved by Mr. Hernandez and seconded by Mr. Crockett to adopt Resolution No. 21-01 for the adoption of Public Agency Retirement Services (PARS) Retirement Plan. The motion carried with the following vote: Aye – Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Dr. Arias Miller.

6.5 Approval of Agreement for Administrative Services with Phase II Systems Action Corporation dba PARS

It was moved by Mr. Hernandez and seconded by Mr. Labrado to approve the agreement for administrative services with Phase II Systems Action Corporation dba PARS and authorized the Vice Chancellor, Business Operations/ Fiscal Services or his designee to sign and enter into the agreement on behalf of the district. The motion carried with the following vote: Aye – Mr. Crockett, Mr. Hanna, Mr. Hernandez, Mr. Labrado, Mr. Tinajero, and Dr. Arias Miller.

8.0 ADJOURNMENT

The next regular meeting of the Board of Trustees will be held on February 8, 2021, via Zoom.

There being no further business, Dr. Arias Miller declared the meeting adjourned at 8:19 p.m., in memory of Mr. Ray A. Verches from Santa Ana College, who died in early January 2021 from COVID-19 complications.

Respectfully submitted,

Marvin Martinez, Chancellor

Approved: _____
Clerk of the Board

Minutes approved: February 22, 2021

RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT

Office of the Vice Chancellor - Business Operations/Fiscal Services

2323 N. Broadway
Santa Ana, CA 92706
(714) 480-7340 – Office

Date: January 28, 2021

To: Marvin Martinez, Chancellor

From: Adam O'Connor, Interim Vice Chancellor, Business Operations/Fiscal Services
Carri Matsumoto, Assistant Vice Chancellor, Facilities Planning, Construction and Support Services

Subject: Response to Board Request from Trustee Hanna Regarding Items 2.1 (Award of Bid #1392 to Barrier Removal Library Restroom Renovation at Santa Ana College), 2.2 (Approval of Agreement with 19six Architects for Architectural and Engineering Services for the Barrier Removal Building D Restroom Remodel (Multi and Single User) Projects at Santiago Canyon College) and 2.3 (Reject all Bids for Bid #1390 for Safety and Security Renovations at the District Operations Center)

From Trustee Hanna

Trustee Hanna asked who is getting the bid and for what on # 1? Is this the architectural group noted in # 2 or a competitive bid for another scope of work? If competitive what are the other bids? If personal service type contract, who else was considered?

Response: This is an approval for the award of Bid #1392 for the Barrier Removal Library Restroom Renovation project at Santa Ana College. A Notice Inviting Formal Bids was sent to 116 contractors from the District's qualified contractors list. The District received seven bids for the project. Michel Feghali DBA SPAREA (Irvine) submitted the lowest responsive bid in the amount of \$309,000.00. All bids are noted on the bid summary attached to the docket. The architectural firm noted in #2 is for another project and is not related to this particular docket item. This is not a personal service contract. This is an award of a public works bid to a contractor for the construction work associated with the restroom renovation project for accessibility upgrades in the library at Santa Ana College.

Trustee Hanna asked why this company, were others considered, have we used them before (If so what were results), where is their home office and if out of OC do they have satellite office in OC and if so where?

Response: A Request for Qualifications/Proposal (RFQ/RFP) #1920-271 was advertised in the Orange County Register, on the District's website, and on the Coalition for Community Colleges Foundation (CCFC) website in an effort to try and increase the pool of architects who would respond to our RFQ/RFPs due to low turnout of responses over the last several years. The District received nine responses including, 19six Architects (Corona); Lionakis (Newport Beach), Little Diversified Architectural Consulting, Inc. (Newport Beach); Mark Anderson Architects, Inc. dba Pacific Rim Architects (Huntington Beach); MVE + Partners (Irvine); Owen Group, LP (Irvine); PBK Architects, Inc. (Costa Mesa); Richard Berliner Architect, Inc. dba

Berliner Architects (Culver City); and SVA Architects, Inc. (Santa Ana). We were pleased with the level of response and interest to this particular RFQ/RFP and are hopeful that this is a sign that we will have more participation by architects in future RFQ/RFP proposals.

The District screening panel consisted of six members and they interviewed five firms that passed the paper screening evaluation: 19six Architects, Owen Group, LP, MVE + Partners; Richard Berliner Architect, Inc. dba Berliner Architects; and SVA Architects. The screening panel unanimously recommended 19six Architects. The District has not used this firm before. Their home office is based out of San Luis Obispo. They do not have a satellite office in Orange County. However, the firm does utilize sub-consultant businesses that are located in Orange County. 19six Architects may be a new firm we have not worked with, but we don't anticipate having concerns with performance, as their qualifications and team member project experience along with the competitive fee proposal led to their unanimous recommendation by the panel.

Trustee Hanna wants to know they why on these.

Response: The District is recommending a rejection of the bid at this time. Given the current fiscal environment of the District and the COVID-19 pandemic impacts which have decreased the occupancy use levels in the building, the District does not recommend proceeding with the project at this time and recommends rejecting all bids. Staff will reconsider bidding the project at a later time. In the interim, the Safety Department will make other accommodations to address the work space configurations that were contemplated in this project.