



ADOPTED MINUTES

FOR THE REGULAR MEETING OF THE IMPERIAL COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

Wednesday, January 19, 2011

Location
Administration Board Room, Building 10
380 East Aten Road
Imperial, CA 92251

CALL TO ORDER/ROLL CALL

On Wednesday, January 19, 2011, at 6:00 p.m., Board President Medina called the regular meeting of the Imperial Community College District Board of Trustees to order in the Administration Board Room, Building 10.

BOARD MEMBERS PRESENT:

District 1	Louis Wong
District 2	Karla A. Sigmond
District 3	Jerry D. Hart
District 4	Rudy Cardenas, Jr.
District 5	Norma Sierra Galindo
District 6	Romualdo Medina
District 7	Steven M. Taylor

BOARD MEMBERS ABSENT: None.

REPRESENTATIVES PRESENT:

Joe Trejo, Associated Student Government Representative
Kevin White, Academic Senate Representative
Ed Wells, CTA Representative

CONSULTANTS PRESENT:

Dr. Ed Gould, Superintendent/President
Dr. Victor Jaime, Vice President for Student Services
Kathy Berry, Vice President for Academic Services
John Lau, Vice President for Business Services
Todd Finnell, Vice President for Information Technology
Travis Gregory, Associate Vice President for Human Resources
Frank Oswald, Legal Counsel
Bill Gay, Public Relations Officer

PLEDGE OF ALLEGIANCE

Trustee Taylor led the pledge of allegiance.

PUBLIC COMMENT

President Gould welcomed Ed Wells, CTA representative.

CPA Michael Meyers presented the District Audit. He reviewed the highlights of the audit and reviewed a letter with the Board.

He stated that a 6% board reserve is recommended and stated if the District were to drop to a 4% reserve there would be an impact on bond ratings and other District items.

He stated the letter was for the information to the Board and in no way was it a Management Letter.

Board Member Reports

Trustee Galindo reported the following:

Trustee Galindo asked what ASG did for Martin Luther King Jr. Day. ASG President Trejo stated there was no celebration because classes were not in session.

President Gould stated that Martin Luther King Jr. Day will fall when classes are in session for the next two years.

Academic Senate Update – Kevin White

AS President White reported the following:

With the cancellation of winter session, there are no faculty on campus.

Finishing up tenure revision.

Worked with Human Resources for Professional Development Day on January 27th.

Looking to hear the budget status. The AS is committed to working in tandem with administration for the benefit of the students.

College Council Update – Dr. Michael Heumann

There was no report.

President's Update – Dr. Ed Gould

President Gould reported the following:

Construction Update

There are three open and current entrances under construction.

Stop light to be in service in March/April.

Signage monuments are being erected.

Art Gallery is on schedule to be completed by May 8, 2011.

400 Building underway.

Registration Progress

Reported there is a compressed registration schedule and updated the enrollment numbers as 2064.63 FTES, 11.01 credits hours per student, spring estimate of 3403 FTES. He stated there appeared to be an over cap of 300 that could be carried over to 2011-12.

SDSU/IVC Partnership Introduction

Title 5 Cooperative Grant Focus

Resources and Marketing to be shared and fees sculpted

Components of partnership include:

- Expansion to 100 students by 2012
- Cohort model
- Prescribed Schedule
- Mandatory Orientation for Students
- Separate parent orientations
- Guaranteed Access to classes
- Introductory College/Life Success Seminar
- Counselors assigned as student resources and program monitors
- Monthly student meetings
- New programs of study
- Fast track option
- Alignment of programs between IVC/SDSU-IV

He stated that this was only a part of it and the next report would include other benefits of the partnership.

Trustee Galindo asked for the success of concurrent enrollment program for the next report.

Audit

Thanked VP Lau and auditor for a very positive audit report with one very fixable problem. He stated that the auditor's letter regarding concerns speaks to the budget concerns.

Bonds

Sold \$14,000,956 Measure J General Obligation Bonds in December.

TRANS - \$10 million

- Due to projected apportionment deferrals the college needs to obtain short term financing to meet cash flow requirements
- Estimated deferral for IVC \$6,784,000 to be received in fall
- \$3.2 million for other potential shortfalls
- § Property tax shortfall with no backfill
- § Approval of the State budget after June 30
 - TRANS controls
- § Proceeds invested in County money market account
- § Amount is based on cash flow projections for operations (budgeted)

State Budget Highlights

\$12.5 billion cut and dependent upon voter approved extension of \$12 billion in taxes for 5 years

\$1.4 billion cut for higher education as follows

- \$500 million for UC
- \$500 million for CSU
- \$400 million for California Community Colleges
- \$110 million proposed growth for increased student fees

He reviewed the structural problem with a baseline revenue and expenditure mismatch graph

Governor's budget cut proposal to California Community Colleges are as follows:

- \$400 million decrease in apportionment (-6.39%)
- \$110 million (1.9%) increase in growth FTES funding
- Student Fee increase from \$26 to \$36 per credit
- An additional \$129 million in deferred payments making the total \$961 million to CCs to be paid in fall 2011
- 11% of Proposition 98 funding at minimal level
- No categorical cuts
- Adjustments for week property taxes in budget year
- \$14.7 million 2010 – 11 property tax shortfall (not backfilled)
- Increase for financial aid administration (\$1.7 million) for increase in BOG Waivers

State Budget Scenarios

President's Blue Ribbon Task Force

President Gould discussed his ideas on the task force charge and stated that the committee would be charged with reviewing budget allocations for academic

M/S/C Galindo/Sigmond

Resolution No. 14909: Adoption of CSEA Chapter 472 and District 2011-2012 Contract Negotiation proposal

BE IT RESOLVED that the Superintendent/President recommends adoption of the IVC CSEA Chapter 472 and District 2011-2012 Contract Negotiation proposal presented on December 15, 2010.

CONSENT AGENDA – PRESIDENT’S OFFICE

Trustee Galindo pulled approval of minutes.

M/S/C Cardenas/Wong to approve the minutes with amendments to the minutes.

Trustee Galindo asked for the following two corrections:

Page 8 of 20 – Trustee Galindo stated her quote should state:

Trustee Galindo asked that the following be recorded in the minutes: ~~“As understanding that by not being inclusive of CTA and CSEA, we maintain the fiscal health of District and we are putting the fiscal predicament of the college.”~~ **“It is my understanding that President Gould is saying that by allowing CTA and CSEA at the resources table, we are putting the college’s fiscal situation in a predicament.”**

Page 9 of 20 – Trustee Galindo stated she recalled Trustee Medina stating something different. Board President Medina clarified and stated he stated the following:

~~Trustee Medina stated that if they were seated at the table it would set the District in jeopardy in bargaining in good faith. He stated there should be some separation from the Board and bargaining groups.~~

Trustee Medina stated that in his opinion, if the bargaining groups are seated at the resource table, this would potentially place the District in jeopardy of an unfair bargaining practice, and it is his understanding that the faculty are represented on the table by the Academic Senate.

Approval of Minutes dated December 15, 2010, Regular Board Meeting with amendments as noted.

CONSENT AGENDA – BUSINESS SERVICES

M/S/C Cardenas/Wong

Resolution No. 14911: Purchase Orders

BE IT RESOLVED that the Board approves the issuance of purchase orders and direct payments for the month of December 2010 in the amount of \$927,562.77.

December 2010

Direct Pay	16,457.16
Purchase Orders	<u>911,105.61</u>
	927,562.77

M/S/C Cardenas/Wong

Resolution No. 14912: Payroll Warrant Orders

M/S/C Cardenas/Galindo
Resolution No. 14914: District Audit

BE IT RESOLVED that the Board accepts the audit report for the year ending June 30, 2010, as submitted by Wilkinson Hadley King & Co., LLP, Certified Public Accountants as presented in Exhibit A.

M/S/C Cardenas/Wong
Resolution No. 14915: Transfer from Board Reserve Fund

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to authorize the following Budget Transfer from Board Reserve funds:

Amount	Cost Center
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DISCUSSION – BUSINESS SERVICES

M/S/C Wong/Hart

Resolution No. 14918: Resolution of the Board of Trustees of the Imperial Community College District requesting the Board of Supervisors of the County of Imperial to issue not to exceed \$10,000,000 principal amount of mid-year tax and revenue anticipation notes for fiscal year 2010-11, approving distribution of official statement, purchase contract and authorizing and directing certain actions with respect thereto

Discussion

Abel Guillen spoke and explained that the resolution was for anticipated shortfalls in the state and stated the total amount would be for \$10,000,000, and the interest would most likely cover the cost. He stated it would be used for cash flow purposes.

President Gould stated that there was \$24,000,000 sitting in the bank and anticipates breaking even.

Trustee Wong asked which bank was being used. Abel stated that Piper Jaffray & Co. was being used.

Resolution

WHEREAS, community college districts organized and existing under the laws of the State of California are authorized by Article 7.6 (commencing with Section 53850) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code of the State (the "Act") to borrow money by the issuance of temporary notes, the proceeds of which may be used and expended for any purpose for which the community college district is authorized to spend moneys; and

WHEREAS, pursuant to the Act, such notes shall be issued in the name of such community college districts by the board of supervisors of the county, the county superintendent of which has jurisdiction over such community college district, as soon as possible following receipt of a resolution of the governing board of such community college district requesting such borrowing; and

WHEREAS, the Board of Trustees (the "District Board") of the Imperial Community College District (the "District") has determined that it is desirable that the District borrow funds in an amount not to exceed \$10,000,000 with respect to fiscal year 2010-11 for authorized purposes of the District, and to issue notes (the "Notes") under the Act for that purpose; and

WHEREAS, such Notes are expected to mature no later than thirteen months after their date of delivery, but as required by Section 53854 of the Act, such maturity shall not be later than fifteen months after the date of issue, and such Notes shall be payable only from revenue received or accrued during the fiscal year 2010-11 in which issued; and

WHEREAS, such Notes may not bear interest to exceed twelve percent (12%) per annum, as permitted by Section 53531 of the Act, notwithstanding Section 53854 of the Act; and

WHEREAS, pursuant to Section 53856 of the Act, the District may pledge any taxes, income, revenue, cash receipts, or other moneys of the District deposited in inactive or term deposits (but excepting certain moneys encumbered for a special purpose);

outstanding, the District, and all of its officers having custody or control of such proceeds, shall comply with all requirements of (a) said section, including restrictions on the use and investment of proceeds of the Notes and the rebate of a portion of investment earnings on certain amounts, including proceeds of the Notes, if required, to the Federal government, and (b) of the Income Tax Regulations of the United States Treasury promulgated thereunder or any predecessor provisions, to the extent that such regulations are, at the time, applicable and in effect, so that the Notes will not be "arbitrage bonds."

Section 4. Payment of Notes.

(a) Pledge. The principal amount of the Notes, together with the interest thereon, shall be payable from taxes, income, revenue, cash receipts, and other moneys which are received or accrued by the District during fiscal year 2010-11 and which are available for the payment of expenses and other obligations of the District attributable to such fiscal year, including the apportionments to be made to the District by the State of California which are allocable to fiscal year 2010-11 but are currently unpaid ("Deferred State Payments"), and which are scheduled to be paid during fiscal year 2011-12 (together, the "Pledged Revenues"). The Notes shall be a general obligation of the District, and, to the extent the Notes are not paid from the Pledged Revenues, the Notes shall be paid with interest thereon from any other moneys of the District lawfully available therefor, as provided herein and by law.

(b) Deposits to the Repayment Fund. As security for the payment of the principal of and interest on the Notes, the District hereby pledges and covenants to deposit all Deferred State Payments into the "Repayment Fund" (as hereinafter defined) when and as received, until the Repayment Fund contains an amount equal to the principal amount of the Notes, plus interest due on the Notes at maturity. To the extent any Deferred State Payment is not paid to the District on its scheduled payment date, the District covenants to deposit into the Repayment Fund an amount equal to 100% of the principal amount of the Notes, from the first "Unrestricted Revenues" (as hereinafter defined) to be received in December, 2011. The term "Unrestricted Revenues" shall mean taxes, income, revenue, cash receipts and other money of the District as provided in Section 53856 of the Act, which are intended as receipts for the general fund of the District and which are generally available for the payment of current expenses and other obligations of the District.

The principal of the Notes and the interest thereon shall be a first lien and charge against and shall be payable from the first moneys received by the District from such Pledged Revenues, as provided by law.

In the event that there are insufficient Unrestricted Revenues received by the District to permit the deposit into the Repayment Fund, as hereinafter defined, of the full amount of Pledged Revenues to be deposited as scheduled, then the amount of any deficiency shall be satisfied and made up by the District from any other moneys of the District lawfully available for the repayment of the Notes and the interest thereon.

(c) Repayment Fund. The Auditor-Controller of the County (the "Auditor-Controller") is hereby authorized to create a special fund on behalf of the District separate and distinct from all other County and District funds and accounts designated the "Imperial Community College District 2010-11 Mid-Year Tax and Revenue Anticipation Notes Repayment Fund" (the "Repayment Fund") and applied as directed in this Resolution. Any money placed in the Repayment Fund shall be for the benefit of the holders of the Notes, and until the Notes and all interest thereon are paid by the District or until provision has been made for the payment by the District of the Notes at maturity with interest to maturity, the moneys in the Repayment Fund shall be applied solely for the purposes for which the Repayment Fund has been created.

Section 9. Authorization to Make Corrections. The Authorized Officers are separately authorized to approve corrections and additions to the Purchase Contract and the Official Statement by supplement or amendment thereto, or otherwise as appropriate, provided that any such corrections or additions shall be necessary to cause the information contained therein to conform with facts material to the Notes or to the proceedings of the District and the District Board, or such corrections or additions are in form rather than substance.

Section 10. Further Authorization. The District Representatives are separately authorized and directed to execute said Official Statement and a statement that the facts contained in the Official Statement, and any supplement or amendment thereto (which shall be deemed an original part thereof

Section 13. Covenants and Warranties. It is hereby covenanted and warranted by the District Board that all representations and recitals contained in this Resolution are true and correct, and that the District Board has reviewed, or caused to be reviewed, all proceedings heretofore taken by the District Board relative to the authorization of the Notes and has found, as a result of such review, and hereby finds and determines that all acts, conditions and things required of the District Board by law to exist, happen and be performed by the District Board precedent to and in the issuance of the Notes have existed, happened and been performed in due time, form and manner as required by law, and the District Board is duly authorized to incur indebtedness in the manner and upon the terms provided in

THEREFORE BE IT RESOLVED, that the Imperial Community College Board of Trustees authorizes the President to sign an Agreement with Green LMI Consulting, Inc. for the purposes of completing a labor market study in green occupations in Imperial County.

FISCAL IMPACT: \$30,700: \$10,000 to be funded by the SB-70 Grant and \$20,700 to be contributed by the Imperial County Workforce Development Board. Therefore, there shall be no impact to the District's General Fund.

CONSENT AGENDA – HUMAN RESOURCES

M/S/C Cardenas/Hart

Resolution No. 14921: Classified Management Service Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following personnel as a Classified Management employee:

<u>Name</u>	<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>
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WHEREAS Education Code 87415 stipulates that "The governing board of every community college district shall establish the order of employment of all

80	Mazeroll	Lorraine	01/07/02	Student Services
81	Rowley	Deirdre	01/09/02	Arts and Letters
82	Davis	Lincoln	01/09/02	Arts and Letters
83	Gretz	Suzanne	01/09/02	Behavioral and Social Science
84	Fletes	Myriam	03/20/02	Student Services
85	Riehle	Betsy	08/16/02	Science, Math and Engineering
86	Higgins	Sue	08/16/02	Health and Public Safety
87	Fisher	James	08/16/02	Science, Math and Engineering
88	Lehtonen	Eric	08/16/02	Science, Math and Engineering
89	Armenta	Celeste	08/16/02	Health and Public Safety
90	Sheppard	David	01/15/03	Behavioral and Social Science
91	Fristrup	Carey	01/12/04	Student Services
92	Marty	Kevin	08/14/04	Science, Math and Engineering
93	Wainwright	Mary-Jo	08/14/04	Behavioral and Social Science
94	Seivertson	Bruce	08/14/04	Behavioral and Social Science
95	Finnell	Gaylla	08/14/04	Behavioral and Social Science
96	Lavery	Russell	08/14/04	Science, Math and Engineering
97	Chien	Andrew	08/14/04	Science, Math and Engineering
98	Page	Bruce	08/14/04	Arts and Letters
99	Ruiz	Jose	08/14/04	Arts and Letters
100	Williams	Jack	08/14/04	Health and Public Safety
101	Pfister	Toni	08/14/04	Health and Public Safety
102	Knaak	Manfred	08/14/04	Behavioral and Social Science
103	Miranda	Frank	08/14/04	Economic and Workforce Development
104	Hegarty	Carol	01/12/05	Behavioral and Social Science
105	Heumann	Michael	01/12/05	Arts and Letters
106	Leon	Allyn	01/12/05	Science, Math and Engineering
107	Sanchez-Dominguez	Romano	08/19/05	Arts and Letters
108	White	Kevin	08/19/05	Behavioral and Social Science
109	Gregory	Kseniya	08/19/05	Arts and Letters
110	Gilison	Daniel	08/19/05	Science, Math and Engineering
111	Cormier	Judy	08/19/05	Arts and Letters
112	Lay	Nancy	08/19/05	Arts and Letters
113	Morrell	Thomas	08/19/05	Science, Math and Engineering
114	Mosier	Laura	08/19/05	Arts and Letters
115	Aye	Tyson	08/19/05	Health and Public Safety
116	Martinez	Andres	07/03/06	Learning Services and Instructional Technology
117	Davis	Hope	08/18/06	Behavioral and Social Science
118	Norris	Terry	08/18/06	Learning Services and Instructional Technology
119	Castrapel	Rick	08/18/06	Science, Math and Engineering
120	Shaner	Christina	08/18/06	Arts and Letters
121	Velasquez	Jose	08/18/06	Economic and Workforce Development
122	Dorsey	Tanya	10/23/06	Student Services
123	Baukholt	Robert	02/12/07	Arts and Letters

124	Pastrana	Leticia	02/12/07	Arts and Letters
125	Sigala	Isabel	07/01/07	Student Services
126	Higginson	Jane	08/17/07	Science, Math and Engineering
127	Paine	Yvonne	08/17/07	Arts and Letters
128	Garza	Alejandro	08/17/07	Arts and Letters
129	Pauley	Patrick	08/17/07	Science, Math and Engineering
130	Solomon	Lisa	08/17/07	Behavioral and Social Science
131	Holt	Steve	10/18/07	Health and Public Safety
132	Hernandez	Oscar	08/22/08	Science, Math and Engineering
133	Moss	Susan	08/22/08	Science, Math and Engineering
134	Rangel	Javier	08/22/08	Arts and Letters
135	Rice	Sydney	08/22/08	Arts and Letters
136	Wright	Bradford	08/22/08	Behavioral and Social Science
137	Edwards	Aaron	08/22/08	Behavioral and Social Science
138	Swiaddon	Glenn	08/22/08	Arts and Letters
139	Cozzani	Alejandro	08/22/08	Science, Math and Engineering
140	Jepson	Rosabla	08/22/08	Health and Public Safety
141	Howell	Kevin	08/22/08	Arts and Letters
142	Goldsberry	Rick	09/15/08	Health and Public Safety
143	Wells	Edward	08/17/09	Health and Public Safety
144	Kitzmiller	Jill	08/21/09	Science, Math and Engineering
145	Chang	Eddie	08/21/09	Science, Math and Engineering
146	Nelipovich	Jill	08/21/09	Science, Math and Engineering
147	Bennett	Caroline	08/19/10	Learning Services and Instructional Technology
148	Samaniego	Olivia	08/20/10	Arts and Letters
149	Hoppe	Frank	09/13/10	Learning Services and Instructional Technology
150	Vasquez	Melisa	11/15/10	Economic and Workforce Development

M/S/C Cardenas/Hart

Resolution No. 14924: Volunteer Service Agreement

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following volunteers who shall be covered by Workers' Compensation Insurance.

<u>Name</u>	<u>Title</u>	<u>Department</u>	<u>Effective</u>
Lopez, Vanessa	Student Assistant	Admissions & Records	01/10/11-02/10/11
Rodriguez, Estefania	Office Assistant	Student Services	02/07/11-06/10/11

BE IT FURTHER RESOLVED that thanks be hereby extended to the aforementioned volunteers for volunteering in the various departments and for their contribution to Imperial Valley College.

