



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

Tuesday, October 17, 2006 - 6:00 P.M.

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

I. CALL TO ORDER

1. Roll Call by Secretary:

Carlos R. Acuña	Romualdo Medina
Rudy Cardenas, Jr.	Rebecca L. Ramirez
Norma Sierra Galindo	Louis Wong
Marian Long	Student Representative
	Academic Senate Representative

2. Pledge of Allegiance

II. PUBLIC COMMENT

At this time persons may speak to the Board either on an agenda item or on other matters of interest to the public that are within the subject matter jurisdiction of the Board. Board Policy 2350 states:

Each speaker will be allowed a maximum of five minutes per topic. Thirty minutes shall be the maximum time allotment for public speakers on any one subject regardless of the number of speakers at any one Board meeting. At the discretion of a majority of the Board, these time limits may be extended.

If you wish to be heard, please stand and identify yourself to the Board President.

III. WRITTEN COMMUNICATIONS

1. Jodi Kelley, Pre-School Teacher, (RE: Medical Leave of Absence)

To: Imperial Valley College
Attn: Board of Trustees
Date: September 21, 2006
Re: Medical Leave of Absence

I am requesting a medical leave of absence due to health problems I am currently experiencing. I am still under a doctor's care. I have submitted my doctor's instructions that require that I do not work at this time. I am requesting that the board grant me a medical leave of absence from September 21, 2006 through December 31, 2006. I am receiving state disability and would appreciate your support.

Thank you,



Jodi Kelley
Pre-School Teacher

IV. PUBLIC HEARING

1. IVC CCA/CTA/NEA and District 2007-2010 Contract Negotiations presented on September 13, 2006.

V. INFORMATION REPORTS

1. Employee of the Month Presentation - Gary Rodgers
2. Board Member Reports
3. Associated Student Government Senate Update - Frank Fernandez
4. Students for Political Awareness (SPA) Presentation - Gaylla Finnell
5. Academic Senate Update - Dr. Dennis Carnes
6. Monthly Financial Report - Dick Fragale
7. President's Update - Dr. Paul Pai
8. IVC Agriculture Program - Dr. Donald Lotter
9. Fall Enrollment Report - Kathie Westerfield
10. English 96-97 Book for Elementary Schools - Jean Montenegro
11. Transfer Center Presentation - Dr. Victor Jaime/Carol Lee

VI. DISCUSSION

1. Yearly Self-Evaluation for Board of Trustees
2. Recording of Board Meetings

VII. CONSENT AGENDA - BUSINESS

1. Approval of Minutes dated September 13, 2006
2. Resolution No. 13660: Purchase Orders
3. Resolution No. 13661: Payroll Warrant Orders
4. Resolution No. 13662: Commercial Warrant Orders
5. Resolution No. 13663: Quarterly Financial Report
6. Resolution No. 13664: Budget Transfers
7. Resolution No. 13665: Agreement for Legal Services
8. Resolution No. 13666: Construction Program Management
9. Resolution No. 13667: Memorandum of Understanding for Use of School Facilities
10. Resolution No. 13668: Appointment of Voting Rights for Imperial Valley College Foundation Board of Directors

VIII. CONSENT AGENDA - EDUCATIONAL SERVICES

1. Resolution No. 13669: Certification of Continued Compliance with the Eligibility Requirements for Accreditation
2. Resolution No. 13670: Medical Directorship Agreement

IX. CLOSED SESSION

1. NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT
Conference with District Negotiators
RE: Direction for Negotiations
2. PUBLIC EMPLOYEES DISCIPLINE/DISMISSAL/RELEASE
3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
RE: Superintendent/President

X. OPEN SESSION

1. Announcement of final action taken

XI. CONSENT AGENDA - HUMAN RESOURCES

1. Resolution No. 13671: Dismissal of Classified Employee
2. Resolution No. 13672: Memorandum of Understanding between Imperial Community College District and the California School Employees Association (CSEA) Chapter 472
3. Resolution No. 13673: Memorandum of Understanding Between The District and the Imperial Valley College Chapter of CCA/CTA/NEA
4. Resolution No. 13674: 2.5% Increase for Confidential Employees
5. Resolution No. 13675: 2.5% Increase for Classified Managers
6. Resolution No. 13676: 2.5% Increase for Administrators
7. Resolution No. 13677: Superintendent/President's Contract
8. Resolution No. 13678: Per Session Instructor Rate for the 2006-2007 Academic Year

9. Resolution No. 13679: Change of Service Days for Administrators
10. Resolution No. 13680: Employment of Short-Term Personnel
11. Resolution No. 13681: Extension of Interim Business Services Officer
12. Resolution No. 13682: Employment of Non-Credit Personnel
13. Resolution No. 13683: Employment of Per-Session Instructors
14. Resolution No. 13684: Employment of Classified Service Personnel
15. Resolution No. 13685: Classified Employee Reclassification
16. Resolution No. 13686: Medical Leave of Absence

XII. ADJOURNMENT

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for the THIRD TUESDAY, NOVEMBER 21, 2006 AT 6 P.M. in the Administration Building Board Room.

VII. CONSENT AGENDA - BUSINESS**VII.1 Approval of Minutes dated September 13, 2006****VII.2 Resolution No. 13660: Purchase Orders**

BE IT RESOLVED that the Board approves the issuance of current year Purchase Orders for September 2006 in the amount of \$639,858.77 and Direct Payments in the amount of \$234,011.12, according to the Purchase Order Listing submitted by the Purchasing Department.

VII.3 Resolution No. 13661: Payroll Warrant Orders

BE IT RESOLVED that the Board approves the following Payroll Warrants:

2006-07 Payroll Warrant	#	General Fund	Fund 80 BOND FUND	Fund 50 Certificates of Participation	Fund 45 Child Development	Fund 40 Lease Rev. Bond	Warrant Total
9/8/2006	5	66,695.78			3,000.84		69,696.62
9/29/2006	6	2,231,253.74	8864.4		33,807.52		2,273,925.66
		2,297,949.52	8,864.40	0.00	36,808.36	0.00	2,343,622.28

VII.4 Resolution No. 13662: Commercial Warrant Orders

BE IT RESOLVED that the Board approves the following Commercial Warrant Orders:

2006-07 Commercial Warrant	#	General Fund	Fund 80 BOND FUND	Fund 50 Certificates of Participation	Fund 45 Child Development	Fund 40 Lease Rev. Bond	Warrant Total
9/7/06	10	450,935.94	48,440.68		233.22		499,609.84
9/14/06	11	65,294.30	94,629.78				159,924.08
9/21/06	12	1,737,383.53	748.86			9,000.00	1,747,132.39
9/28/06	13	679,754.26	39,441.70				719,208.96
		2,933,368.03	183,261.02	0.00	233.22	9,000.00	3,125,875.27

VII.5 Resolution No. 13663: Quarterly Financial Report

BE IT RESOLVED that the Board of Trustees accepts the Quarterly Financial Status Report (CCFS 311Q) for the quarter ending June 30, 2006, and directs that it be filed with the Chancellor's Office of the California Community Colleges.

VII.6 Resolution No. 13664: Budget Transfers

BE IT RESOLVED that the Board approves the following budget transfers between major object classifications: J4053600, J4053610, J4053631, J4053632, J4053638, J4054028, J4054037, J4054039, J4054049, J4054061, J4054062, J4054064, J4054069, J4054072 and J4054111.

BE IT FURTHER RESOLVED that the Board approves the following budget transfer from Board Reserve:

J4054146: Transfer of \$2,000 from Board Reserve to 11201-902-5110-6200, Admissions and Records Department - Consulting (for temporary staff).

VII.7 Resolution No. 13665: Agreement for Legal Services

BE IT RESOLVED that pursuant to the terms and conditions of Education Code Section 35041.5, that the Board approves an agreement with the legal firm of Oswald and Associates to provide legal services to the Imperial Community College District, which shall commence November 1, 2006, and continue in effect through October 31, 2007.

VII.8 Resolution No. 13666: Construction Program Management

WHEREAS, proposals for Construction Program Management were requested by the College, with a closing date of August 4, 2006; and

WHEREAS, the proposals for Construction Program Management services were reviewed by a selection committee composed of members of the Construction Advisory Committee, Campus Operations Committee, and Math/Science and Engineering Division staff, and it was their recommendation that three firms be invited to make presentations for further consideration by the College; and

WHEREAS, the three firms recommended by the selection committee made presentations to College Council on September 25, 2006, and it was the unanimous recommendation of College Council that the firm of Nielsen Construction be selected.

NOW, THEREFORE, BE IT RESOLVED that the Board approve the firm of Nielsen Construction and be awarded a contract for Construction Program Management for Bond Projects, with the following fee schedule:

Project Value	\$50,000,001	\$35,000,001 - \$50,000,000	\$20,000,001 - \$35,000,000	\$0 - \$20,000,000
% Fee	1.95%	2.5%	2.95%	3.50%
Fee	\$975,000 +	\$875,000 - \$1,250,000	\$590,000 - \$1,032,500	0 - \$700,000

FISCAL IMPACT STATEMENT: The project will be funded 100% from Measure L Bond Funds.

VII.9. Resolution No. 13667: Memorandum of Understanding for Use of School Facilities

BE IT RESOLVED that the Board authorizes the Superintendent/President to sign a Memorandum of Understanding for Use of School Facilities with Calexico Unified School District to offer and conduct college courses beginning January 4, 2007, through June 30, 2008, at the rate of \$15.00 per classroom/per day.

FISCAL IMPACT STATEMENT: The fiscal impact to the District is \$4,500.
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VII.10. Resolution No. 13668: ICCD Board of Trustees Representation and Voting Rights on the IVC Foundation Board of Directors

WHEREAS, the Board, at its April 19, 2005 meeting, designated the following three ICCD Board members to serve on the IVC Foundation Board of Directors for one year beginning July 2006:

Norma Sierra Galindo, Marian Long, Louis Wong

WHEREAS, the IVC Foundation changed its bylaws on September 26, 2006, to have two Board members serve as advisory and one with voting rights;

NOW THEREFORE BE IT RESOLVED that one member be selected for voting rights with the alternates determined.

VIII. CONSENT AGENDA - EDUCATIONAL SERVICES**VIII.1. Resolution No. 13669: Certification of Continued Compliance with the Eligibility Requirements for Accreditation**

BE IT RESOLVED that the Board has reviewed the Eligibility Requirements for Accreditation, and the Board hereby certifies that the Imperial Valley College continues to meet the eligibility requirements for Accreditation.

VIII.2. Resolution No. 13670: Medical Directorship Agreement

WHEREAS the Emergency Medical Services (EMS) Program is required, for accreditation purposes, to have a Medical Director in charge of the program who is a qualified physician, licensed to practice medicine in the State of California, and is an emergency medicine specialist, and has the requisite skills, education, training and certification;

WHEREAS the Agreement with Bruce E. Haynes, M.D., to take on July 2006, be renewed through June 30, 2007, and

BE IT NOW RESOLVED that the Board approves the recommendation of the Vice President for Academic Services, and the Director of Nursing Education and Health Technologies, to renew the Medical Directorship Agreement effective July 1, 2006, through June 30, 2007, for a total compensation of no more that \$14,040.00 per year.

FISCAL IMPACT STATEMENT: The fiscal impact to the District is \$14,040.

IX. CLOSED SESSION

- 1. NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT
Conference with District Negotiators
RE: Direction for Negotiations
- 2. PUBLIC EMPLOYEES DISCIPLINE/DISMISSAL/RELEASE
- 3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
RE: Superintendent/President

X. OPEN SESSION

- 1. Announcement of final action taken

XI. CONSENT AGENDA - HUMAN RESOURCES

XI.1 Resolution No. 13671: Dismissal of Classified Employee

BE IT RESOLVED that the Board approves the dismissal of the Student Services Technician in the Admissions and Records Department effective October 17, 2006.

**XI.2 Resolution No. 13672: Memorandum of Understanding between
Imperial Community College District and the California School
Employees Association (CSEA) Chapter 472**

Memorandum of Understanding
Imperial Valley College
&
CSEA Chapter 472

This Memorandum of Understanding is entered between Imperial Community College District (District) and the California School Employees Association (CSEA) Chapter 472.

WHEREAS, the parties met and negotiated the changes to Article 8 - Salary and agreed to the following change effective July 1, 2006, with the exception of 2006 summer school - (for clarification, this means that the new salary schedule begins with the start of your regular 2006-2007 starting date.)

An increase of 2.5% to the present 2006-2007 salary schedule.

WHEREAS, the parties understand and agree that the aforementioned change to Article 8 of the Agreement becomes effective immediately upon the signing of the document;

NOW, THEREFORE, BE IT RESOLVED the Board approves this Memorandum of Understanding between the Imperial Community College District and CSEA Chapter 472, dated October 17, 2006, and the District will implement these pay increases as soon as is practical after this agreement is ratified; and that checks for any and all retroactive pay due shall be issued to employees by the District with a regularly scheduled pay warrant as soon as is practical after this agreement is ratified; but such increases and retroactive payments to be made no later than November 30, 2006.

FISCAL IMPACT STATEMENT: The fiscal impact to the District is \$133,962.
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XI.3 Resolution No. 13673: Memorandum of Understanding Between The District and the Imperial Valley College Chapter of CCA/CTA/NEA

BE IT RESOLVED that the Board ratifies the following Memorandum of Understanding between the Imperial Community College District and the Imperial Valley College chapter of CCA/CTA/NEA dated October 17, 2006:

MEMORANDUM OF UNDERSTANDING
BETWEEN THE IMPERIAL COMMUNITY COLLEGE DISTRICT AND THE
IMPERIAL VALLEY COLLEGE CHAPTER OF CCA/CTA/NEA

WHEREAS, the parties entered into an agreement on March 13, 2006, referenced as Board of Trustees Resolution 13492, which agreement rescinded the salary schedule increases that had been previously agreed to for the 2006-07 fiscal year and maintained the 2005-06 fiscal year faculty salary schedules for the 2006-07 fiscal year without change;

WHEREAS, Board of Trustees Resolution 13492 also rescinded the increase to the faculty overload rate that had been previously agreed to for the 2006-07 fiscal year and maintained the 2005-06 faculty overload rate of \$40 per hour for the 2006-07 fiscal year without change;

AND WHEREAS, the District now finds itself in the financial position to be able to restore some of the previously agreed upon salary increases;

THE PARTIES AGREE TO THE FOLLOWING:

1. The faculty salary schedules shall be increased by 2.5% for the 2006-07 fiscal year, with an effective date of July 1, 2006, except that all faculty who taught courses during the 2006 Summer Session shall be paid for such service at the 2005-06 fiscal year rate;
2. The faculty overload compensation rate shall be increased to \$42 per overload hour for the 2006-07 fiscal year, with an effective date of August 18, 2006.
3. The District will implement these pay increases as soon as is practical after this agreement is ratified; and that checks for any and all retroactive pay due shall be issued to employees by the District with a regularly scheduled pay warrant as soon as is practical after this agreement is ratified; but such increases and retroactive payments to be made no later than November 30, 2006.
4. Except as provided herein, all other provisions of the current collective bargaining agreement and related and subsequent memoranda of understanding shall remain in full force and effect.

This Agreement shall go into effect upon ratification by the Board of Trustees of the Imperial Community College District.

FISCAL IMPACT STATEMENT: The fiscal impact to the District is \$293,373.
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XI.4 Resolution No. 13674: 2.5% Increase for Confidential Employees

BE IT RESOLVED that the Board approves an increase of 2.5% to the 2006-2007 Confidential salary schedule, retroactive to July 1, 2006.

FISCAL IMPACT STATEMENT: The fiscal impact to the District is \$13,248.

XI.5 Resolution No. 13675: 2.5% Increase for Classified Managers

BE IT RESOLVED that the Board approves an increase of 2.5% to the 2006-2007 Classified Manager salary schedule, retroactive to July 1, 2006.

FISCAL IMPACT STATEMENT: The fiscal impact to the District is \$14,285.

XI.6 Resolution No. 13676: 2.5% Increase for Administrators

BE IT RESOLVED that the Board approves an increase of 2.5% to the 2006-2007 Administrative salary schedule, retroactive to July 1, 2006.

FISCAL IMPACT STATEMENT: The fiscal impact to the District is \$38,957.

XI.7 Resolution No. 13677: Superintendent/President's Contract

BE IT RESOLVED that the Board approves the salary of the Superintendent/President to be increased to \$152,250 effective July 1, 2006; increase of \$17,750 based on one-half of the raise to staff that was originally negotiated, ($\$170,000 - \$134,500 = \$35,500/2 = \$17,750$).

FISCAL IMPACT STATEMENT: The fiscal impact to the District is \$17,750.

XI.8 Resolution No. 13678: Per Session Instructor Rate for the 2006-2007 Academic Year

BE IT RESOLVED that the Board approves the pay of Per Session instructors for the 2006-2007 academic year at the rate of \$42 per hour effective August 18, 2006.

FISCAL IMPACT STATEMENT: The fiscal impact to the District is \$126,776.

XI.9 Resolution No. 13679: Change of Service Days for Administrators

BE IT RESOLVED that the Board approve the Change of Service Days for Administrators from 244 days to 220 days for a positive work year with no days allotted for vacation effective July 1, 2006.

XI.10 Resolution No. 13680: Employment of Short-Term Personnel

BE IT RESOLVED that the Board approve the following individuals to be employed on a short-term basis as needed:

<u>NAME</u>	<u>POSITION</u>	<u>DEPT.</u>	<u>FUNDING</u>	<u>RANGE</u>	<u>EFFECTIVE</u>
Gonzalez, Bianka	Science Lab Technician	Science	District	14-1	9/18/06 - 11/30/06

XI.11 Resolution No. 13681: Extension of Interim Business Services Officer

BE IT RESOLVED that the Board approves the extension of the Interim Business Services Officer, Richard Fragale, until such time that the position is filled, and no later than June 30, 2007.

XI.12 Resolution No. 13682: Employment of Non-Credit Personnel

BE IT RESOLVED that the Board approve the following non-credit personnel to be employed during the 2006-2007 Academic year, as credentialed, at the hourly rate provided for in Resolution No. 12945. Employment is contingent upon verification of records, credentials, finger print clearance and sufficient enrollment:

<u>NAME</u>	<u>POSSIBLE ASSIGNMENT</u>
Corro, Marcos	Business
Heredia, Rosa	English as a Second Language
Santiago, Teresa	Business
Vizcaino, Ana	American Citizenship

XI.13 Resolution No. 13683: Employment of Per-Session Instructors

BE IT RESOLVED that the following personnel be employed during the 2006 Fall Semester, as credentialed, at the hourly rate provided for in Resolution No. 13257. Employment is contingent upon verification of records, credentials, finger printing clearance and sufficient enrollment, or whether the class is essential to a full-time instructor's load:

<u>NAME</u>	<u>ASSIGNMENT</u>
Johnson, Rick	Electrical Trades/Apprenticeship
Paine, Yvonne	English
Williams, Devon	Emergency Medical Services

XI.14 Resolution No. 13684: Employment of Classified Service Personnel

BE IT RESOLVED that the Board approve the following classified service employee:

<u>NAME</u>	<u>POSITION</u>	<u>DEPARTMENT</u>	<u>FUNDING</u>	<u>RANGE</u>	<u>EFFECTIVE</u>
Santiago, Leticia	Financial Aid Assistant/Receptionist	Financial Aid	District	11-3	10/23/06

XI.15 Resolution No. 13685: Classified Employee Reclassification

BE IT RESOLVED that the Board approves the following classified employees be reclassified as a result of an appeal as indicated:

<u>NAME</u>	<u>PRESENT CLASSIFICATION</u>	<u>NEW CLASSIFICATION</u>	<u>FUNDING</u>	<u>EFFECTIVE</u>
Arce-Gomez, Frances	Staff Secretary I (Range 10-6)	Staff Secretary II (Range 12-6)	District	08/14/2006
Serna, Joe	Purchasing and Receiving Coordinator (Range 17-5)	Purchasing and Receiving Coordinator (Range 19-5)	District	07/01/2006

XI.16 Resolution No. 13686: Medical Leave of Absence

BE IT RESOLVED that the Board approves or denies a medical leave of absence to Jodi Kelley, Pre-School Teacher, effective September 21, 2006 through December 31, 2006.

XII. ADJOURNMENT

The next regular meeting of the Board of Trustees is scheduled for the THIRD TUESDAY, NOVEMBER 21, 2006, at 6:00 P.M. in the Administration Building Board Room.