

ADOPTED MINUTES

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

Tuesday, December 14, 2004

On Tuesday, December 14, 2004, Board President Marian Long called the regular meeting of the Imperial Community College District Board of Trustees to order at 6:00 P.M., in the Administration Building Board Room.

BOARD MEMBERS PRESENT: Carlos R. Acuña; Kelly Keithly;
Marian Long; Rebecca Ramirez;

BOARD MEMBERS ABSENT: Rudy Cardenas Jr.; Romualdo Medina;
Louis Wong

REPRESENTATIVES PRESENT: Dr. James Patterson, Academic Senate
John Abarca, Classified

CONSULTANTS PRESENT:

Dr. Paul Pai, Superintendent/President
Tom Hudson, Dean for Business Services
Dr. Victor Jaime, Vice President for Student Services
Dr. Kendra Jeffcoat, Vice President for Academic Services
Dr. Marion Boenheim, Director of Human Resources

VISITORS PRESENT:

Joe Archuleta; Frances Beope; Krista Bryd; Eileen Buckel; Ted Ceasar;
Dr. Andrew Chien; Lenny Fabian; Carlos Fletes; Kris Leppien-
Christensen; Bill Gay; Melani Guinn; Gonzalo Huerta; Marissa Izarraraz
Sergio Lopez; Barbra Louis; Angie McNeece; Jose Plascencia; Efrain
Silva; Barbara Stuart; Josue Verduzco; Kathie Westerfield; Cathy
Zazueta; Victor Zazueta.

WRITTEN COMMUNICATIONS

1. CCCT Board Election - Call for Nominations 2005
2. Russ and Florence Akers, Retiree (RE: Thanks for Insurance)

PUBLIC COMMENTS

1. Barbara Stuart, CTA President, asked the Board to approve Resolution No. 13168 regarding the Retirement Incentive Program for faculty. The CTA membership voted on the Retirement Incentive Program which passed by 36 to 0.

Barbara Stuart also asked the Board to approve the agreement that was reached relating to Closed Session Item No. 3.

EMPLOYEE OF THE MONTH

Tom Hudson extended congratulations to Carlos Fletes, Director of Fiscal Services, for being chosen as Employee of the Month for December and January. Mr. Fletes is in his 17th year at IVC, and was commended for a job well done. Mr. Fletes had the honor of receiving six nominations, which are summarized as follows:

Carlos Fletes is very dedicated to Imperial Valley College and the Business Services Office. He works numerous late nights and weekends to meet deadlines, ensuring data and reports are complete. He works tirelessly to make a smooth transition to the new Banner system. He is more than willing to help staff members with any procedural problems. He listens to any suggestions and complaints with an open mind. On many occasions he stops his work to assist someone outside his department with problems. This individual is very dedicated to his family, including his IVC family and is active in community organizations.

INTRODUCTION OF NEW AND SENIOR FACULTY

Dr. Kendra Jeffcoat introduced two new and one senior faculty members as follows:

- Joe Archuleta, has been a Math Professor at IVC for 31 years. Mr. Archuleta has a B.S.E.E. from the University of Colorado in Boulder in 1967, and was in the upper third of all engineering graduates. He received his M.A. in mathematics from San Diego State University in San Diego in 1973. Mr. Archuleta stated that he has enjoyed his 31 year teaching for IVC.
- Dr. Melani Guinn, Instructor of Speech Instructor, received her B.A., M.A., and Ph.D. from the University of California, Berkeley. Dr. Guinn stated that she is enjoying her students, the intimate warm hometown feeling of our community, and the enthusiasm of the students.

- Dr. Andrew Chien, Instructor of Biology, received his B.S. from Southeast Missouri State University, his M.S., from Oklahoma State University, and his Ph.D. from the University of Illinois. Dr. Chien stated that he is happy teaching biology and loves his students.

INTRODUCTION OF TWO NEW CLASSIFIED STAFF MEMBERS

Tom Hudson introduced the following new classified staff members:

- Marissa Izarraraz, Financial Aid Technician, graduated from IVC in 2002 with an A.S. in Transfer Studies with an emphasis on Public Administration. She worked as a work study student in the Financial Aid Office in 1997. Ms. Izarraraz stated that she loved her job, especially assisting students with their Financial Aid applications. Her dream was fulfilled when she became a full-time employee at IVC as part of the Financial Aid staff. She has been married for 24 years and has four children and two grand children.
- Josue Verduco, Learning Services Specialist, graduated from Imperial High School, and went to IVC where he received his A.S. degree in Mathematics. He is currently working on his B.A. Mr. Verduco stated that his duties are running the Learning and Tutoring Center, conducting study skills workshops, supervising tutors, and test proctoring.

CCLC CONFERENCE AND SDICCCA ALLIANCE

Marian Long reported the following:

- Dr. Pai, Bill Gay, and Mrs. Long attended the CCLC Conference held November 19-20 in Anaheim. They presented a workshop on "Vision Driven Strategic Planning," which was well attended.
- At the Under Funded Caucus meeting, 24 districts were represented. Their main concern is to make sure the second installment of \$80 million remains for equalizing funding for community colleges.
- The Inland Valleys' Community College Association will meet with legislators in Sacramento. They are concerned over the \$31.9 million taken away from Partnership for Excellence. AB 1417 was put in place to bail out some colleges.
- At the December 6, SDICCCA Alliance meeting, everyone was encouraged to attend the CCLC Legislative Conference. The first installment of \$80 million for equalization is already creating a turn around, with the 58 districts that received equalization funds adding thousands of classes statewide, hiring more full-time

faculty and improving student support services. Equitable access to programs and services will be achieved by providing \$80 million of equalization in the 2005-2006 budget and completing the third and final installment in 2006-2007. IVC's share of the first \$80 million for equalization was \$511,764.

ASSOCIATED STUDENT GOVERNMENT UPDATE

Dr. Pai presented the report for ASG President, Irene Garcia, as follows:

- On December 3, the ASG hosted a Talent Show in the College Center and there were three prize winners.
- Planning is underway for Black History Month which will begin on February 5.

ACADEMIC SENATE UPDATE

Academic Senate President, Dr. James Patterson, reported the following:

- An Institutional Student Learning Outcomes Summit is scheduled for Flex Week. The Academic Senate is moving forward in providing campus-wide leadership in developing assessment measurements. The Senate plans to seek Board affirmation in this area at the January meeting.
- Program Review examines demographics by program, and the Chancellor's Office mandated Student Equity Plan examines demographics across the campus, such as access to classes, completion of classes, success moving from pre-college to transfer-level classes, degree/certificate completion, and transfer. Information is being gathered by Dr. Patterson and Dawn Chun and should be ready for review in January. The Student Services Council, Administrative Council, Academic Senate, and College Council will review the data and have an opportunity to offer suggestions. The Senate and College Council will approve the Student Equity Plan, and will be forwarded it to the Board in February.

MONTHLY FINANCIAL REPORT

Tom Hudson called attention to the monthly budget report for the month ending November 30, 2004, and that 42% of the major budget categories has been spent, which is on target.

PRESIDENT'S UPDATE

Dr. Pai reported the following:

- Dr. Pai, Marion Long, Kelly Keithly, Tom Hudson with representatives from Caldwell, Flores and Winters, will be traveling to New York City on December 19 through 22, for the purpose of making presentations to rating agencies for the sale of our bonds.
- There was an increase in IVC transfers to San Diego State University-Imperial Valley Campus, from 149 in fall 2003 to 169 in fall 2004. The transfer rate number has improved slightly. The transfer rates to University of California, San Diego reflected 16 students from IVC applying, 9 were admitted, only 4 accepted the admission, and all 4 enrolled.
- The Title V ACCESO Project will make it possible to replace 44 computers at the Calexico and El Centro Extended Campuses. Project ACCESSO will be able to fund the Reading Plus online software and 20 new desk to computers for the Reading/Writing Language Lab.
- The Campaign for College Opportunity was established by David Wolf for the purpose of raising awareness of the college-access crisis. To find out more information, the new website is www.collegecampaign.org
- The low funded districts along with San Diego/Imperial Counties Community Colleges Association (SDICCCA) are objecting to the statewide Work Group Funding Proposal that is being presented by Chief Executive Officers of the California Community Colleges. The proposal missed an essential point. It threw the Equalization fund that the Governor promised for \$80 million a year for three years, into a "shared pot." It makes downward adjustment possible to aid growth and non-credit improvements, in a time of budget shortage. This tactic was used last year, but the Governor stuck to his original plan and did not waver.
- The CCLC Legislative Conference will take place in Sacramento on January 30 and 31, 2005.

FLEX WEEK UPDATE

Sergio Lopez distributed the program for the January 10-14, 2005, Staff Development/Flex Week. Workshops highlighted are as follows:

- Introduction to Student Learning Outcome
- WebSTAR Training
- Historical and Cultural Tour of the Imperial Valley

ANNUAL BOARD RETREAT

The Board determined that the next Board Retreat will take place on Saturday, February 12, 2005 at IVC. Possible topics to cover are:

- State Budget and Growth
- Program Review tied to the Budget
- Bond Project Update
- Board Priorities and Goals

M/S/C Keithly/Ramirez to approve the Minutes dated November 16, 2004

M/S/C Keithly/Ramirez

Resolution No. 13154: **PURCHASE ORDERS**

BE IT RESOLVED that the issuance of current year Purchase Order Nos. P5000308 through P5002073 in the amount of \$229,362.73, and Direct Payment Nos. I0006382 through I0006926 in the amount of \$68,581.73 are approved.

M/S/C Keithly/Ramirez

Resolution No. 13155: **PAYROLL WARRANT ORDERS**

BE IT RESOLVED that Payroll Warrant Order No. 9 in the amount of \$45,005.48 and Warrant Order No. 10 in the amount of \$1,798,043.59 be ratified.

M/S/C Keithly/Ramirez

Resolution No. 13156: **COMMERCIAL WARRANT ORDERS**

BE IT RESOLVED that Commercial Warrant Orders on the General Fund be ratified as follows:

- 18 in the amount of \$385,373.29
- 19 in the amount of \$155,165.73
- 20 in the amount of \$801,156.12
- 21 in the amount of \$136,787.48

M/S/C Keithly/Ramirez

Resolution No. 13157: **BUDGET CHANGES**

WHEREAS, the California Code of Regulations, Title V, Sections 58307 and 58308, and the Community College Budget and Accounting Manual require the Board of Trustees to adopt the annual District budget by resolution, and to approve any changes to that budget by resolution.

BE IT NOW RESOLVED that budget changes 4051549, 4051550 and 4051595 be approved.

M/S/C Keithly/Ramirez

Resolution No. 13158: **CERTIFYING TO THE BOARD OF SUPERVISORS OF IMPERIAL COUNTY ALL PROCEEDINGS IN THE NOVEMBER 2, 2004 GENERAL OBLIGATION BOND ELECTION CERTIFYING TO THE BOARD OF SUPERVISORS OF IMPERIAL COUNTY ALL PROCEEDINGS IN THE NOVEMBER 2, 2004 GENERAL OBLIGATION BOND ELECTION**

WHEREAS, the Board of Trustees of the Imperial Community College District of the County of Imperial, State of California, previously adopted its Resolution (the "Resolution") ordering an election for general obligation bonds (the "Bond Election") to be held on November 2, 2004; and

WHEREAS, the Resolution was duly delivered to the Registrar of Voters for the County of Imperial; and

WHEREAS, the Resolution was duly delivered to the Clerk of the Board of Supervisors of Imperial County; and

WHEREAS, notice of the Bond Election was duly given; and

WHEREAS, on November 2, 2004, the Bond Election was duly held and conducted for the purpose of voting on the proposition of issuing bonds of the Imperial Community College District in the amount of \$58,600,000 (the "Bond Measure"); and

WHEREAS, the Board of Trustees of the Imperial Community College District has received the Canvass and Statement of results of the election ("Certificate of Election Results"); and

WHEREAS, it appears from the Certificate of Election Results that more than fifty-five percent of the votes cast on the proposition were in favor of issuing the aforementioned bonds.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE IMPERIAL COMMUNITY COLLEGE DISTRICT DOES HEREBY FIND, DETERMINE AND CERTIFY AS FOLLOWS:

Section 1. That entry be made upon the minutes of this meeting that the Bond Measure has been approved by more than fifty-five percent of the votes cast at the Bond Election.

Section 2. That it is hereby certified to the Board of Supervisors of Imperial County that all proceedings of the Imperial Community College District in connection with the November 2, 2004 Bond Election have been accomplished according to law.

Section 3. That the Clerk of the Board is hereby requested to deliver a copy of this Resolution to the County Superintendent of Schools with a request that, pursuant to Education Code Section 15274, the County Superintendent deliver a copy of the Resolution and Certificate of Election Results attached hereto as Exhibit A to the Clerk of the Board Supervisors of Imperial County.

M/S/C Keithly/Ramirez

Resolution No. 13159: **ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, ELECTION OF 2004, SERIES 2005, OF IMPERIAL COMMUNITY COLLEGE DISTRICT IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED TWENTY-FIVE MILLION DOLLARS (\$25,000,000)**

WHEREAS, an election was duly called and regularly held in the Imperial Community College District (the "District"), County of Imperial (the "County"), State of California, on November 2, 2004 (the "Election"), and thereafter canvassed pursuant to law; and

WHEREAS, at such Election there was submitted to and approved by the requisite 55% vote of the qualified electors of the District a question as to the issuance and sale of general obligation bonds of the District for various purposes set forth in the ballot submitted to the voters, in the maximum principal amount of fifty-eight million six hundred thousand dollars (\$58,600,000), payable from the levy of an ad valorem tax against the taxable property in the District (the "Authorization"); and

WHEREAS, it is anticipated that the Board of Supervisors of the County of Imperial (the "County") will provide by resolution that the governing board of the District may issue and sell general obligation bonds of the District on its own behalf pursuant to the provisions of Part 10, Division 1, Title 1 of the California Education Code (the "Bond Law") without further action by the Board of Supervisors or officers of the County; and

WHEREAS, the District has previously caused to be issued and sold none of the Authorization leaving \$58,600,000 unissued and has determined that it is in the best interests of the District to issue and sell a first series of the Bonds in the aggregate principal amount of not to exceed \$25,000,000.

WHEREAS, this Board of Trustees desires to make certain determinations and to authorize the issuance of said Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE IMPERIAL COMMUNITY COLLEGE DISTRICT, AS FOLLOWS:

SECTION 1. Purpose of the Bonds. Bonds of the District shall be issued in the name and on behalf of the District in the aggregate principal or issue amount of not to exceed \$25,000,000 for the purposes of providing college facilities as specified in the ballot proposition authorizing the Bonds.

SECTION 2. Certain Definitions. As used in this Resolution, the terms set forth below shall have the following meanings ascribed to them:

(a) "Accreted Interest" means, with respect to the Capital Appreciation Bonds, the Accreted Value thereof minus the Denominational Amount thereof as of the date of calculation.

(b) "Accreted Value" means, with respect to the Capital Appreciation Bonds, as of the date of calculation, the Denominational Amount thereof, plus Accreted Interest, compounded semiannually on each February 1 and August 1, commencing August 1, 2005, unless provided otherwise in the Purchase Contract, commencing from the date of issuance of the Capital Appreciation Bonds.

(c) "Bond Insurer" means any insurance company which issues a municipal bond insurance policy insuring the payment of principal and interest on the Bonds.

(d) "Bond Payment Date" means, with respect to the interest on the Current Interest Bonds, February 1 and August 1, commencing August 1, 2005, and with respect to the principal payments on the Current Interest Bonds August 1, 2005 through August 1, 2029, unless otherwise provided in the Purchase Contract. With respect to the Capital Appreciation Bonds, "Bond Payment Date" means the stated maturity dates thereof or mandatory redemption dates, as applicable.

(e) "Bond Register" means the listing of names and addresses of the current registered owners of the debt, as maintained by the Paying Agent.

(f) "Bonds" means the Imperial Community College District General Obligation Bonds, Election of 2004, Series 2005.

(g) "Building Fund" shall have the meaning set forth in Section 4 hereof.

(h) "Capital Appreciation Bonds" means those Bonds the interest component of which is compounded semiannually on each February 1 and August 1 commencing August 1, 2005 or as otherwise stated in the Purchase Contract, to maturity as shown in the table of Accreted Values for such Bonds in the Purchase Contract.

(i) "Capital Appreciation Term Bonds" means those Capital Appreciation Bonds, if any, for which mandatory sinking fund redemption dates have been established in the Purchase Contract.

(j) "Code" means the Internal Revenue Code of 1986 as in effect on the date of issuance of the Bonds or (except as otherwise referenced herein) as it may be amended to apply to obligations issued on the date of issuance of the Bonds, together with applicable proposed, temporary and final regulations promulgated, and applicable official public guidance published, under the Code.

(k) "Current Interest Bonds" means the Bonds the interest on which is payable on each Bond Payment Date specified for such Bonds as designated and maturing in the years and in the amounts set forth in the Purchase Contract.

(l) "Current Interest Term Bonds" means those Current Interest Bonds, if any, for which mandatory sinking fund redemption dates have been established in the Purchase Contract.

(m) "Debt Service Fund" shall have the meaning set forth in Section 4 hereof.

(n) "Denominational Amount" means, with respect to the Capital Appreciation Bonds, the initial offering price thereof, which represents the principal amount thereof, and, with respect to the Current Interest Bonds, the principal amount thereof.

(o) "DTC" means the Depository Trust Company, New York, New York, a limited purpose trust company organized under the laws of the State of New York in its capacity as securities depository for the Bonds.

(p) "Fair Market Value" means the price at which a willing buyer would purchase the investment from a willing seller in a bona fide, arm's length transaction (determined as of the date the contract to purchase or sell the investment becomes binding) if the investment is traded on an established securities market (within the meaning of section 1273 of the Code) and, otherwise, the term "Fair Market Value" means the acquisition price in a bona fide arm's length transaction (as referenced above) if (i) the investment is a certificate of deposit that is acquired in accordance with applicable regulations under the Code, (ii) the investment is an agreement with specifically negotiated withdrawal or reinvestment provisions and a specifically negotiated interest rate (for example, a guaranteed investment contract, a forward supply contract or other investment agreement) that is acquired in accordance with applicable regulations under the Code, (iii) the investment is a United States Treasury Security--State and Local Government Series that is acquired in accordance with applicable regulations of the United States Bureau of Public Debt, or (iv) any commingled investment fund in which the District and related parties do not own more than a ten percent (10%) beneficial interest therein

if the return paid by the fund is without regard to the source of the investment.

(q) "Informational Services" means Financial Information, Inc.'s Financial Daily Called Bond Service; Interactive Data Corporation's Bond Service; Kenny Information Service's Called Bond Service; Moody's Municipal and Government; or Standard & Poor's Called Bond Record; and in accordance with then current guidelines of the Securities and Exchange Commission, such other services providing information with respect to called bonds as the District may designate in a Written Request of the District delivered to the Paying Agent.

(r) "Letter of Representations" shall have the meaning set forth in Section 10 hereof.

(s) "Maturity Value" means the Accreted Value of any Capital Appreciation Bond on its maturity date.

(t) "Official Statement" shall have the meaning set forth in Section 14 hereof.

(u) "Owner" means the current registered holder of a Bond or Bonds to whom payments of principal and interest or Maturity Value are made.

(v) "Participants" means those broker-dealers, banks and other financial institutions from time to time for which the Depository holds book-entry certificates as securities depository.

(w) "Paying Agent" shall mean any bank, trust company, national banking association or other financial institution appointed as paying agent for the Bonds pursuant to the Purchase Contract in the manner provided in this Resolution.

(x) "Principal" or "Principal Amount" means, with respect to any Current Interest Bond, the principal amount thereof, and, with respect to any Capital Appreciation Bond, the Denominational Amount.

(y) "Purchase Contract" shall have the meaning set forth in Section 13 hereof.

(z) "Record Date" means the close of business on the fifteenth day of the month preceding each Bond Payment Date.

(aa) "Securities Depositories" means the following: Depository Trust Company, 711 Stewart Avenue, Garden City, New York, 11530, Facsimile transmission: (516)227-4039, (516) 227-4190; Midwest Securities Trust Company, Capital Structures-Call Notification, 440 South LaSalle Street, Chicago, Illinois 60605, Facsimile transmission: (312) 663-2343; and Philadelphia Depository Trust Company, Reorganization Division, 1900 Market Street, Philadelphia, Pennsylvania 19103, Facsimile transmission: (215) 496-5058.

(ab) "Treasurer" means the Treasurer and Tax Collector of the County of Imperial, California, or any authorized deputy thereof.

SECTION 3. Terms of Bonds. Subsequent to adoption by the County of a resolution permitting issuance by the District, the Bonds shall be issued in one series designated "Imperial Community College District General Obligation Bonds, Election of 2004, Series 2005." The Bonds shall be issued as Current Interest Bonds, and if issued, Capital Appreciation Bonds.

The Current Interest Bonds shall be dated their date of delivery and shall bear interest at the rate or rates not to exceed the legal maximum, payable on February 1 and August 1 of each year commencing August 1, 2005, through August 1 of a year no later than 2029 (each an "Interest Payment Date") unless provisions to the contrary are provided in the Purchase Contract. The actual interest rate or rates and the actual maturity schedule to be fixed at the time of sale. Each Current Interest Bond shall be issued in denominations of \$5,000 or integral multiples thereof.

The Capital Appreciation Bonds, if issued, shall accrete interest from the date of issuance of the Capital Appreciation Bonds to their maturity at a rate or rates such that the true interest cost shall not exceed the legal maximum. The Capital Appreciation Bonds shall be issued in any denominations of their Principal Amounts but shall reflect denominations of \$5,000 Maturity Value or any integral multiple thereof. The Capital Appreciation Bonds shall mature on August 1 of the years designated in the Purchase Contract. Interest on each Capital Appreciation Bond shall be compounded semiannually on February 1 and August 1 of each year, commencing August 1, 2005, unless stated otherwise in the Purchase Contract, until maturity, commencing on the date of issuance thereof, computed using a year of 360 days, comprised of twelve 30-day months, and shall be payable only at maturity as part of their Maturity Value or upon prior redemption.

Only such of the Bonds as shall bear thereon a certificate of authentication and registration in the form hereinafter recited, manually signed by the Paying Agent, shall be valid or obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of the Paying Agent shall be conclusive evidence that the Bonds so authenticated have been duly authenticated and delivered hereunder and are entitled to the benefits of this Resolution.

Interest on the Current Interest Bonds (including the final interest payment upon maturity or redemption) is payable by check or draft of the Paying Agent mailed to the Owner thereof at such Owner's address as it appears on the Registration Books at the close of business on the preceding Record Date; provided that at the written request of the Owner of at least \$1,000,000 aggregate principal amount of the Bonds, which written request is on file with the Paying Agent as of any Record Date, interest on such Current Interest Bonds shall be paid on the succeeding Bond Payment Date to such account as shall be specified

in such written request. Principal of, or, in the case of Capital Appreciation Bonds the Maturity Value of, and premium (if any) on the Bonds is payable in lawful money of the United States of America upon presentation and surrender at the Principal Office of the Paying Agent.

The Bonds shall be issued as fully registered bonds without coupons. The Current Interest Bonds shall be issued in the principal amount and shall mature in consecutive order beginning on August 1, 2005, and ending on August 1 of their final year, or as designated in the Purchase Contract. The Capital Appreciation Bonds shall be issued in the Denominational Amounts designated in the Purchase Contract and shall mature on the dates in the Maturity Amounts to be fixed in the Purchase Contract at the time of sale.

The Bonds shall be sold as provided in Section 13 hereof; notwithstanding anything herein to the contrary, the terms of the Bonds as set forth in this Resolution may be amended prior to delivery in accordance with the provisions of the Purchase Contract, as finally approved and executed by the Superintendent on behalf of the District.

SECTION 4. Delivery of Bonds, Disposition of Proceeds of the Bonds, Security for the Bonds. The proper officials of the District shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered to the original purchaser upon payment of the purchase price in immediately available funds.

The proceeds from the sale of the Bonds, to the extent of the principal amount thereof, shall be paid and credited to the fund established and designated as the "Imperial Community College District General Obligation Bond, Election of 2004, Series 2005, Building Fund" (the "Building Fund") of the District to be held by the County, and shall be kept separate and distinct from all other District and County funds, and those proceeds shall be used solely for the purpose for which the Bonds are being issued and for payment of permissible costs of issuance. The interest earned on the monies deposited to the Building Fund shall be deposited to said Building Fund and such monies shall be used for any lawful purpose of the District at the direction of the District.

The accrued interest, if any, and any premium received by the District from the sale of the Bonds (if any, after all or a portion of Underwriter's discount or costs of issuance are paid from such premium as set forth in the Purchase Contract) shall be kept separate and apart in the fund established and designated as the "Imperial Community College District General Obligation Bond, Election of 2004, Series 2005, Debt Service Fund" (the "Debt Service Fund") for the Bonds and used only for payments of principal and interest on the Bonds. Interest earned on investments of monies held in the Debt Service Fund shall be retained in the Debt Service Fund and used to pay principal and interest when due.

Any excess proceeds of the Bonds not needed for the authorized purposes set forth herein for which Bonds are being issued shall, at the direction of the District, be transferred to the Debt Service Fund and applied to the payment of principal and interest on the Bonds. If, after payment in full of the Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the general fund of the District.

Proceeds of the Bonds held by the Treasurer shall be invested at the Treasurer's discretion pursuant to law and the investment policy of the County, unless otherwise requested in writing by the District as follows:

(i) At the written request of the District, given by the Superintendent of the District, the Treasurer may invest all or any portion of the Building Fund in the Local Agency Investment Fund in the treasury of the State of California.

(ii) At the written request of the District, given by the Superintendent of the District, all or any portion of the Building Fund may be invested on behalf of the District in investment agreements, including guaranteed investment contracts, which comply with the requirements of any rating agency then rating the Bonds.

The District covenants that all investments of amounts deposited in any fund or account created by or pursuant to this Resolution, or otherwise containing gross proceeds of the Bonds (within the meaning of section 148 of the Code) shall be acquired, disposed of, and valued (as of the date that valuation is required by this Indenture or the Code) at Fair Market Value.

There shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct ad valorem tax annually during the period the Bonds are outstanding in an amount sufficient to pay the principal of and interest on the Bonds (including the Maturity Value thereof in the case of Capital Appreciation Bonds) when due, which monies when collected will be placed in the Debt Service Fund, which fund is irrevocably pledged for the payment of the principal of and interest on the Bonds when and as the same fall due. The monies in the Debt Service Fund, to the extent necessary to pay the principal of or Maturity Value of and interest on the Bonds as the same becomes due and payable, shall be transferred by the Treasurer to the Paying Agent for subsequent disbursement to the beneficial owners of the Bonds. Any monies remaining in the Debt Service Fund one year after the Bonds and the interest thereon have been paid at maturity, or provision for such payment has been made, shall be transferred to the general fund of the District.

SECTION 5. Redemption.

(a) The Current Interest Bonds shall be subject to optional and mandatory sinking fund redemption as provided in the Purchase Contract.

(b) The Capital Appreciation Bonds shall not be subject to optional redemption. The Capital Appreciation Bonds shall be subject to mandatory sinking fund redemption prior to their maturity date, by lot, at the Accreted Value thereof, without premium, on the dates, if any, in the years and in an amount equal to the aggregate Accreted Values all as set forth in the Purchase Contract.

SECTION 6. Form of Bond. The Bonds shall be substantially in conformity with Exhibit "A" attached hereto, and incorporated herein by this reference as if set forth in full, with necessary or appropriate variations, omissions and insertions as may be permitted or required by this Resolution.

SECTION 7. Execution of Bonds. The Bonds shall be executed by the manual or facsimile signatures of the President of the Board of Trustees, and the Clerk of the Board of Trustees. The facsimile signatures of the President and the Clerk of the Board of Trustees may be printed, lithographed, engraved, or otherwise mechanically reproduced. The Paying Agent shall manually authenticate each Bond in the space provided, and no Bond shall be valid or obligatory for any purpose until so authenticated.

SECTION 8. Bond Registration; Transfers. As hereinafter provided, the Bonds shall be delivered in a form and with such terms as will permit them to be in book-entry only form, immobilized with DTC. If the book-entry only system is no longer in effect, the District will cause the Paying Agent to maintain and keep at its principal corporate trust office all books and records necessary for the registration, exchange and transfer of certificated Bonds as provided in this Section (the "Bond Register"). While the book-entry only system is in effect, such books need not be kept, as the Bonds will be represented by one Bond for each maturity registered in the name of Cede & Co., as nominee for DTC.

The person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute Owner of that Bond for all purposes of this Resolution. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of the Owner thereof; neither the District, the County nor the Paying Agent shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the District's liability upon the Bonds, including interest, to the extent of the amount or amounts so paid.

Any Bond may be exchanged for Bonds of the same series of any other authorized denomination upon presentation and surrender at the principal corporate trust office of the Paying Agent, together with a request for exchange signed by the Owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Any Bond may, in accordance with its terms (but only if the District determines no longer to maintain the book-entry only status of the Bonds, DTC determines to discontinue providing such services and no successor securities depository is named or DTC requests the District to deliver certificated securities to particular DTC Participants) be transferred, upon the books required to be kept pursuant to the provisions of this Section, by the Owner, in person or by his duly authorized attorney, upon surrender of such Bond for cancellation at the office of the Paying Agent, accompanied by delivery of a written instrument of transfer in a form approved by the Paying Agent, duly executed.

Neither the District, nor the Paying Agent will be required to: (a) issue or transfer any Bonds during a period beginning with the opening of business on the 16th day of the month next preceding either any Interest Payment Date or any date of selection of Bonds to be redeemed and ending with the close of business on the Interest Payment Date or day on which the applicable notice of redemption is given, or (b) transfer any Bonds which have been selected or called for redemption in whole or in part.

SECTION 9. Paying Agent.

(A) *Appointment of Paying Agent.* The Paying Agent for the Bonds shall be designated in the Purchase Contract and, in such capacity the Paying Agent shall also act as registration agent and authentication agent for the Bonds. The Paying Agent undertakes to perform such duties, and only such duties, as are specifically set forth in this Resolution, and even during the continuance of an event of default with respect to the Bonds, no implied covenants or obligations shall be read into this Resolution against the Paying Agent. The Paying Agent shall signify its acceptance of the duties and obligations imposed upon it by this Resolution by executing and delivering to the District a certificate to that effect.

The District may remove the Paying Agent initially appointed, and any successor thereto, and may appoint a successor or successors thereto, but any such successor shall be a bank or trust company doing business and having an office in the State of California, having a combined capital (exclusive of borrowed capital) and surplus of at least Fifty Million Dollars (\$50,000,000), and subject to supervision or examination by federal or state authority. If such bank or trust company publishes a report of condition at least annually, pursuant to law or to the requirements of any supervising or examining authority above referred to, then for the purposes of this Section the combined capital and surplus of such bank or trust company shall be deemed to

be its combined capital and surplus as set forth in its most recent report of condition so published.

The Paying Agent may at any time resign by giving written notice to the District and the Bond Owners of such resignation. Upon receiving notice of such resignation, the District shall promptly appoint a successor Paying Agent by an instrument in writing. Any resignation or removal of the Paying Agent and appointment of a successor Paying Agent shall become effective upon acceptance of appointment by the successor Paying Agent.

(B) *Paying Agent May Hold Bonds.* The Paying Agent may become the owner of any of the Bonds in its own or any other capacity with the same rights it would have if it were not Paying Agent.

(C) *Liability of Agents.* The recitals of facts, covenants and agreements herein and in the Bonds contained shall be taken as statements, covenants and agreements of the District, and the Paying Agent assumes no responsibility for the correctness of the same, nor makes any representations as to the validity or sufficiency of this Resolution or of the Bonds, nor shall incur any responsibility in respect thereof, other than as set forth in this Resolution. The Paying Agent shall not be liable in connection with the performance of its duties hereunder, except for its own negligence or willful default.

In the absence of bad faith, the Paying Agent may conclusively rely, as to the truth of the statements and the correctness of the opinions expressed therein, upon certificates or opinions furnished to the Paying Agent and conforming to the requirements of this Resolution.

The Paying Agent shall not be liable for any error of judgment made in good faith by a responsible officer in the absence of the negligence of the Paying Agent.

No provision of this Resolution shall require the Paying Agent to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties hereunder, or in the exercise of any of its rights or powers, if it shall have reasonable grounds for believing that repayment of such funds or adequate indemnity against such risk or liability is not reasonably assured to it.

The Paying Agent may execute any of the powers hereunder or perform any duties hereunder either directly or by or through agents or attorneys and the Paying Agent shall not be responsible for any misconduct or negligence on the part of any agent or attorney appointed with due care by it hereunder.

(D) *Notice to Paying Agent.* The Paying Agent may rely and shall be protected in acting or refraining from acting upon any notice, resolution, request, consent, order, certificate, report, warrant,

bond or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or proper parties. The Paying Agent may consult with counsel, who may be counsel to the District, with regard to legal questions, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it hereunder in good faith and in accordance therewith.

Whenever in the administration of its duties under this Resolution the Paying Agent shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action hereunder, such matter (unless other evidence in respect thereof be herein specifically prescribed) may, in the absence of bad faith on the part of the Paying Agent, be deemed to be conclusively proved and established by a certificate of the District, and such certificate shall be full warrant to the Paying Agent for any action taken or suffered under the provisions of this Resolution upon the faith thereof, but in its discretion the Paying Agent may, in lieu thereof, accept other evidence of such matter or may require such additional evidence as to it may seem reasonable.

(E) *Compensation; Indemnification.* The District shall pay to the Paying Agent from time to time reasonable compensation for all services rendered under this Resolution, and also all reasonable expenses, charges, counsel fees and other disbursements, including those of their attorneys, agents and employees, incurred in and about the performance of their powers and duties under this Resolution. The District further agrees to indemnify and save the Paying Agent harmless against any liabilities which it may incur in the exercise and performance of its powers and duties hereunder which are not due to its negligence or bad faith.

SECTION 10. Book-Entry System. The Bonds will be issued in book-entry form by appointing DTC, 55 Water Street, 19th Floor, New York, New York 10041, to act as securities depository for the Bonds. A single certificate, representing the aggregate principal amount of each maturity of Bonds, will be executed and delivered on the day of the closing to DTC. Upon closing, the District shall notify DTC that it has accepted payment of the purchase price of the Bonds, at which time DTC (in accordance with the Letter of Representations defined below) will credit the account of the Underwriter, and process the book-entry deliveries to the accounts of the subsequent purchasers of interests in the Bonds. The Bonds will be lodged with DTC until the maturity of each Bond. On the Business Day prior to each date of maturity of a Bond, the Treasurer shall remit to the Paying Agent from the Bond Fund sufficient moneys for the Paying Agent to pay all outstanding principal of and interest on such Bond.

To induce DTC to accept the Bonds as eligible for the book-entry form of issuance, the District will enter into a Letter of Representations with DTC (the "Letter of Representations") setting forth the terms and

conditions of, and procedures for, the book-entry only form of issuance.

SECTION 11. Satisfaction and Discharge. The obligations of the District hereunder and under the Bonds herein or therein made or provided for, are to be fully discharged and satisfied as to any Bond and such Bond will no longer be deemed to be outstanding and shall be deemed to have been paid for all purposes:

(A) when such Bond is canceled or surrendered for cancellation and is subject to cancellation, or has been purchased by the Paying Agent from moneys in the Bond Fund of the District; or

(B) as to any Bond not canceled, surrendered for cancellation or subject to cancellation or so purchased, when payment of the principal of and the applicable premium, if any, on any Current Interest Bond, plus interest on such principal to the due date thereof, or the accreted value of any Capital Appreciation Bond as of the due date thereof (whether such due date be by reason of maturity or by acceleration or otherwise), either (i) has been made or caused to be made in accordance with the terms hereof, or (ii) has been provided for by irrevocably depositing with the Paying Agent, in trust, and irrevocably appropriated and set aside exclusively for such payment, either (A) moneys sufficient to make such payment or (B) Government Obligations, as defined below, maturing as to principal and interest in such amounts and at such times as will insure the availability of sufficient moneys to make such payment, or (C) a combination of both such moneys and such Government Obligations; and all necessary and proper fees, compensation and expenses of the Paying Agent with respect to such deposit have been paid or the payment thereof has been provided for to the satisfaction of the Paying Agent. For the purposes of this Section, the term "Government Obligations" shall mean any of the following which are noncallable and which at the time of investment are legal investments under the laws of the State of California for the moneys proposed to be invested therein: (x) direct obligations of the United States of America (including obligations issued or held in book-entry form on the books of the Department of the Treasury of the United States of America), or obligations, the principal of and interest on which are unconditionally guaranteed by the United States of America; or (y) bonds, debentures or notes issued by any of the following: Banks for Cooperatives, Federal Intermediate Credit Banks, Federal Home Loan Bank System, Federal Land Banks or Federal Farm Credit Banks.

At such time as a Bond is deemed to be no longer outstanding hereunder, such Bond shall cease to accrue interest or accrete value from the due date thereof (whether such due date be by reason of maturity or acceleration as aforesaid, or otherwise), and except for any payment from such moneys or Governmental Obligations set aside as aforesaid, shall no longer be secured by or entitled to the benefits of this Resolution.

SECTION 12. Tax Covenants.

(A) Private Activity Bond Limitation. The District shall assure that the proceeds of the Bonds are not so used as to cause the Bonds to satisfy the private business tests of Section 141(b) of the Tax Code or the private loan financing test of Section 141(c) of the Tax Code.

(B) Federal Guarantee Prohibition. The District shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause any of the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Tax Code.

(C) No Arbitrage. The District shall not take, or permit or suffer to be taken by the Paying Agent or the County or otherwise, any action with respect to the proceeds of the Bonds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the Closing Date would have caused the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Tax Code.

(D) Maintenance of Tax-Exemption. The District shall take all actions necessary to assure the exclusion of interest on the Bonds from the gross income of the Owners of the Bonds to the same extent as such interest is permitted to be excluded from gross income under the Tax Code as in effect on the Closing Date.

SECTION 13. Approval of Purchase Contract. The Bonds will be sold at negotiated sale by the District to George K. Baum & Company pursuant to the terms and conditions set forth in the Purchase Contract substantially in the form appended hereto as Exhibit "B" and incorporated by reference herein. (the "Purchase Contract"). The form of the Purchase Contract is hereby approved and the Superintendent, his designee, or other authorized representative of the District is hereby authorized to execute the Purchase Contract, with such changes therein, deletions there from and modifications thereto as the Superintendent, or designee thereof, and the District may approve, such approval to be conclusively evidenced by the execution and delivery thereof; provided, however, that the maximum true interest cost on the Bonds shall not exceed the legal maximum and the Underwriter's discount may not exceed two percent (2%) excluding costs of issuance and original issue discount, of the aggregate principal or issue amount of Bonds sold there under. The Superintendent, or designee thereof, is further authorized to determine the principal or issue amount of the Bonds to be specified in the Purchase Contract for sale by the District, up to an aggregate principal or issue amount of \$25,000,000, to modify redemption terms and to enter into and execute the Purchase Contract, if the conditions set forth in this Resolution are met.

If, it appears in the best interests of the District to acquire municipal bond insurance to secure the Bonds, the Superintendent may so provide in the Purchase Contract.

SECTION 14. Official Statement; Continuing Disclosure.

(A) *Official Statement.* The District hereby approves, and hereby deems nearly final within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934, the Preliminary Official Statement describing the Bonds in substantially the form on file with the Superintendent. The Superintendent is hereby authorized to execute an appropriate certificate stating the District's determination that the Preliminary Official Statement has been deemed nearly final within the meaning of such Rule. Distribution of the Preliminary Official Statement in connection with the sale of the Bonds is hereby approved. The Superintendent is hereby authorized and directed to approve any changes in or additions to a final form of the Official Statement, and the execution thereof by the District Representative shall be conclusive evidence of the approval of any such changes and additions. The District hereby authorizes the distribution of the Final Official Statement by the Underwriter of the Bonds. The Final Official Statement shall be executed in the name and on behalf of the District by the Superintendent.

(B) *Continuing Disclosure.* The District covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, which shall mean that certain Continuing Disclosure Certificate executed by the District and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

SECTION 15. Conditions Precedent. This Board determines that all acts and conditions necessary to be performed by the Board or to have been met precedent to and in the issuing of the Bonds, in order to make them legal, valid and binding general obligations of the District have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law, that the full faith, credit and revenues of the District are pledged for the timely payment of the principal of and interest on the Bonds; and that no statutory or Constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 16. Approval of Actions. District officials and staff, including the Superintendent or his designee, are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the issuance and sale of the Bonds and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken

by such officials and staff are hereby ratified, confirmed and approved.

SECTION 17. Furnishing of Clerk Certification. The Clerk of the Board is hereby authorized to furnish certified copies of this Resolution to Jones Hall, A Professional Law Corporation, Bond Counsel, at or prior to closing.

SECTION 18. Effective Date. This Resolution shall take effect immediately upon its passage.

M/S/C Keithly/Ramirez

Resolution No. 13160: **LABOR COMPLIANCE PROGRAM**

WHEREAS, California Labor Code Section 1771.5 authorizes an awarding body to initiate and enforce a labor compliance program and, in so doing, raise the threshold for payment of prevailing wages to \$25,000 for construction work and \$15,000 for alterations, demolition, repair or maintenance work; and

WHEREAS, the purpose of this resolution is to establish a labor compliance program in accordance with California Labor Code Section 1771.5(b).

NOW, THEREFORE, BE IT RESOLVED that a labor compliance program for the Imperial Community College District ("District") is hereby established. The labor compliance program includes the following requirements:

1. All bid invitations in public works contracts shall contain appropriate language concerning the requirements of Chapter 1, Part 7, Division 2 (sections 1720, et seq.) of the California Labor Code.
2. A pre-job conference shall be conducted with the contractor and subcontractors to discuss federal and state labor law requirements applicable to the contract.
3. Public contractors and subcontractors shall maintain and furnish at times which shall be designated in the contract documents certified copies of each weekly payroll containing a statement of compliance signed under penalty of perjury.
4. The District shall review, and, if appropriate, audit payroll records to verify compliance with Chapter 1, Part 7, Division 2 of the California Labor Code.
5. The District shall withhold contract payments when payroll records are delinquent or inadequate.

6. The District shall withhold contract payments equal to the amount of underpayment and applicable penalties when, after investigation it is established that underpayment has occurred.

NO ACTION TAKEN

Resolution No. 13161: **PRESCHOOL PLAYGROUND PROJECT**

BE IT RESOLVED that the Board accepts and approves the bid from _____ in the amount of \$ _____ (State Child Development Funds) for the surface replacement, installation and purchase of playground equipment for the Playground Project.

M/S/C Keithly/Acuña

Resolution No. 13162: **MEMORANDUM OF UNDERSTANDING BETWEEN BUSINESS SERVICE EXCELLENCE PARTNERSHIP AND NATIONAL RETAIL FEDERATION FOUNDATION**

WHEREAS, there is an increasing activity in the local retail industry the most notable of which is the new Imperial Valley Mall scheduled to open in March 2005, and

WHEREAS, with new retail jobs there will be an increasing need for quality retail and customer training designed to meet employer needs, and

WHEREAS, the Business Service Excellence Partnership (BSEP) was formed by Memorandum of Understanding on November 16, 2004, and

WHEREAS, BSEP is comprised of Imperial Valley College, Imperial Valley Regional Occupational Program, Arbor, and Neighborhood House, and

WHEREAS, the November 16th MOU designates IVC as the lead agency in this effort, and

WHEREAS, the goal of BSEP is to establish and operate the Imperial Valley Retail Skills and Customer Service Center, and

WHEREAS, to effectuate this goal, a formal linkage needs to be established with the National Retail Federation Foundation (NRFF) in order to provide their services, capitalize upon their knowledge and retail "clout", provide their "train-the-trainer" instruction, and allow utilization of their retail curriculum which leads to the "Professional Certification in Customer Service" for students completing the program, and

WHEREAS, a Memorandum of Understanding between BSEP and NRFF has been developed to accomplish these ends with a cost of \$10,000, and

WHEREAS, the \$10,000 has been granted for this MOU by the Imperial County Workforce Investment Board at its meeting of October 18, 2004, approved by the Imperial County Board of Supervisors on October 26, 2004, and will be transferred to IVC as BSEP's lead agency,

THEREFORE BE IT RESOLVED that the ICCD Board of Trustees approves of this endeavor to establish the Imperial Valley Retail Skills and Customer Service Center, and

FURTHER RESOLVED that said Board authorizes the Superintendent/President to sign the Memorandum of Understanding for Site Affiliation and Technical Assistance with the National Retail Federation Foundation on behalf of BSEP with IVC as lead agency.

M/S/C Keithly/Acuña

Resolution No. 13163: **LEASE AGREEMENT WITH ICOE**

WHEREAS, the Imperial County Office of Education wishes to use the IVC campus for the location of one relocatable portable building, and eventually a permanent building approved by the Division of the State Architect, to house a Severely Handicapped Program for students aged 18 to 21; and

WHEREAS, the term of the lease shall be five years, commencing on July 1, 2004 and ending June 30, 2009, with an automatic conversion to a 40 year lease upon certain conditions being met; and

WHEREAS the lease premises shall be used for the maintenance and operation of a classroom for students with disabilities and for uses incidental and reasonably related thereto; and

WHEREAS, the Imperial County Office of Education agrees to pay and be responsible for expenses incurred in connection with the operation of the leased premises including, but not limited to all charges for water, gas, electricity, lights, power, telephone and other commodities, conveniences or services used in, upon or about the leased premises at anytime during the term of the lease.

NOW, THEREFORE, BE IT RESOLVED that the Board approves said lease agreement, and authorizes the Superintendent/President to sign any and all documents necessary to effectuate the agreement.

M/S/C Ramirez/Keithly to go into **CLOSED SESSION**

- 1. NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT
Conference with District Negotiators: Dr. Marion Boenheim and Tom Hudson RE: Direction for Negotiations
- 2. CONFERENCE CALL WITH GLENN GOLDSBY, LEGAL COUNSEL -
EXISTING LITIGATION
Subdivision (a) of section §54956.9
Name of case: Amalia Ortiz
U. S. District Court 03CV2451IEG{NLS}
- 3. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

M/S/C to go back to **OPEN SESSION**

Board President Long announced that in Item #1 direction was given to District Negotiations, in Items #2 and #3 direction was given to legal counsel and District representatives.

M/S/C Keithly/Acuña
Resolution No. 13164: **TENURE FOR FACULTY**

WHEREAS the faculty listed below have fulfilled the obligations set forth in the IVC Tenure Policy:

- Jose Plascencia, EOPS Counselor
- Krista Bryd, Psychology Instructor
- Kris Leppien-Christensen, Psychology Instructor
- Cathy Zazueta, Assistant Librarian

BE IT NOW RESOLVED that the Board approves granting tenure to the academic personnel listed, and that they be credentialed as tenured faculty effective spring 2005.

M/S/C Ramirez/Keithly
Resolution No. 13165: **NON-CREDIT INSTRUCTIONAL COORDINATOR**

BE IT RESOLVED that the following full-time, tenure track, academic personnel be employed for the academic year 2004-2005, effective January 10, 2005, pending medical and background clearance:

<u>NAME</u>	<u>CLASSIFICATION/STEP</u>	<u>ASSIGNMENT</u>
Hudson, Peggy	Appropriate Classification and Step Contingent Upon Verification of Records	Non-Credit Instructional Coordinator

M/S/C Ramirez/Keithly

Resolution No. 13166: **EMPLOYMENT OF PER-SESSION INSTRUCTORS**

BE IT RESOLVED that the following personnel be employed during the 2004 Fall Semester, as credentialed, at the hourly rate provided for in Resolution No. 12564. Employment is contingent upon verification of records, credentials, finger print clearance and sufficient enrollment, or whether the class is essential to a full-time instructor's load:

Pritting, John	Emergency Medical Services
Sheppard, Scott	Administration of Justice
Wharton, Donald	Administration of Justice

M/S/C Ramirez/Keithly

Resolution No. 13167: **BASEBALL ASSISTANT COACH**

BE IT RESOLVED that the Board approves the appointment of Gerardo Niebla as Assistant Baseball Coach for the Men's Baseball Team.

M/S/C Acuña/Ramirez

Resolution No. 13168: **2+2 RETIREMENT INCENTIVE PROGRAM**

WHEREAS, Education Code Sections 22714, 22714.5, 44929, 44929.1, 87488 and 87488.1 provides that a school district may permit members of the California State Teachers Retirement System who retire to receive two years of additional service credit plus two years of age at the time of retirement; and

WHEREAS, the employing school district shall pay to the California State Teachers Retirement Fund an amount equal to the actuarial present value cost of the additional service credit, and a fee to cover administrative costs; and

WHEREAS, Imperial Community College District wishes to make this program available, if a cost savings is demonstrated, to members eligible for retirement who have completed at least fourteen (14) years of service with the District;

WHEREAS, interested eligible employees must submit to the Director of Human Resources and to the appropriate vice president a written notice of his/her intention to retire, which notice must be submitted no earlier than January 10 and no later than March 10 of the year in which the person intends to retire, which when accepted by the District and a cost savings is demonstrated, such intention to retire shall be irrevocable;

NOW, THEREFORE, BE IT RESOLVED that this program is hereby adopted, and

BE IT FURTHER RESOLVED that the period during which eligible employees may retire under this program is designated as May 10 through August 31 of the years 2005, 2006, 2007, 2008 and 2009.

M/S/C Ramirez/Keithly

Resolution No. 13169: **CLASSIFIED EMPLOYEE EXTENDED MEDICAL LEAVE**

BE IT RESOLVED that the Board approves the request of Carolina Cortes-Ramirez, Staff Secretary II for the Math/Science/Engineering Division, for extended medical leave only (no pay and no health insurance benefits) beginning November 23, 2004 through April 4, 2005.

M/S/C Ramirez/Keithly

Resolution No. 13170: **CLASSIFIED SERVICE EMPLOYMENT**

BE IT RESOLVED that the following individual be employed in the classified service as indicated:

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>FUNDING</u>	<u>RANGE</u>	<u>EFFECTIVE</u>
Green, JoAnn	Staff Secretary I	Transfer Center	District	23-B	11/22/04

M/S/C Ramirez/Keithly

Resolution No. 13171: **SHORT-TERM EMPLOYEE**

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

<u>NAME</u>	<u>POSITION</u>	<u>FUNDING</u>	<u>RANGE</u>	<u>EFFECTIVE</u>
Campos, Joel	Office Assistant I (Instruction)	District	19-A	11/1/04
Vicuna, Anna	Financial Aid Technician	State	27-A	1/10/05

M/S/C Keithly/ Acuña to **ADJOURN** - The next regular meeting of the Board of Trustees is scheduled for Tuesday, January 25, 2005, at 6:00 P.M.

Adopted this _____ day of _____, 2005.

ICCD Board President

ICCD Board Secretary