GOVERNING BOARD AGENDA

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

Wednesday, January 19, 2011
6:00 P.M.
******Public has the opportunity to provide PUBLIC COMMENT at 6:00 p.m. and 7:00 p.m.******

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

The Board of Trustees welcomes you to its meeting.
The Board reserves the right to modify the order of business on the agenda as it deems appropriate.

The District Office is located at 380 East Aten Road, Imperial, CA 92251.

In compliance with the Americans with Disabilities Act, the Imperial Community College District will make every effort to honor requests for reasonable accommodations made by individuals with disabilities. [ADA TITLE II, SEC. 202. 42 USC 12132]

Please contact the Office of the Superintendent/President at (760) 355-6219 or (760) 355-6547 if you need assistance in order to participate in a public meeting or if you need the agenda and public documents modified as required by Section 202 of the American with Disabilities Act.

The Office of the Superintendent/President, Building 10, is the location where documents that are public records relating to any item under discussion on a Board agenda (including documents distributed with the agenda and those distributed to all or a majority of the members of the Board within 72 hours prior to a Board meeting) are available for public inspection.

Board agendas and supporting documents are also posted on the college website at http://www.imperial.edu/index.php?pid=658.

2011 Board Officers
Board President: Romualdo Medina
Clerk of the Board: Rudy Cardenas
Secretary to the Board: Ed Gould, Ed.D.

Student Trustee: Joe Trejo

I. CALL TO ORDER

1. Roll Call by Secretary:

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 J. Medina
District 7	Steven M. Taylor

Associated Student Government Representative – Joe Trejo
Academic Senate Representative – Kevin White
College Council Representative – Dr. Michael Heumann

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. CLOSED SESSION

1. NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT
Conference with District Negotiators: John Lau and Travis Gregory
Employee Organization: CSEA Chapter 472
RE: Negotiations

2. NEGOTIATIONS UNDER THE EDUCATIONAL EMPLOYMENT RELATIONS ACT
Conference with District Negotiators: John Lau and Travis Gregory
Employee Organization: CCA/CTA/NEA
RE: Negotiations

3. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Superintendent/President

IV. OPEN SESSION

1. Announcement of final action taken

V. 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.

VI. WRITTEN COMMUNICATIONS

1. California Community College Trustees (CCCT) Board Election - 2011 (dated December 8, 2010)
2. Tentative Agreement regarding Academic Calendars for 2011-2012 and 2012-2013 (dated December 10, 2010)
3. IVC Part-Time Faculty Association CCA/CTA/NEA (dated January 10, 2011)

VII. INFORMATION REPORTS

1. District Audit Report by Wilkinson Hadley King & Co., LLP
2. Board Member Reports
3. Associated Student Government Senate Update – Joe Trejo
4. Academic Senate Update – Kevin White
5. College Council Update – Dr. Michael Heumann
6. President's Update – Dr. Ed Gould

VIII. DISCUSSION

1. Annual Board Self-Evaluation – Dr. Ed Gould
2. Annual Board Retreat Date – Dr. Ed Gould

Refer to BP 2745: Board Retreat is scheduled for January or early February, if possible.
<u>February/March, Activities to Remember</u>
February 12 – Science Fair, Gym
February 13-16 – ACCT National Legislative Summit, Washington D.C.
February 23-25 – ACCCA Conference, Long Beach, CA

January 2011

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10 1st Day Back	11	12	13	14	15
16	17 Holiday	18	19 Board Mtg	20	21	22
23	24	25	26	27	28	29
30	31					

February 2011

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9 SDICCCA Dinner	10	11 Holiday	12
13	14 Spring Semester	15	16 Board Mtg	17	18	19
20	21 Holiday	22	23	24	25	26
27	28					

March 2011

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10 Board Mtg	11	12
13	14	15	16 Board Mtg	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

IX. DISTRICT NEGOTIATIONS – PUBLIC HEARING

1. IVC CCA/CTA/NEA and District 2011-2012 and 2012-2013 Contract Negotiations presented on December 15, 2010
2. CSEA Chapter 472 and District 2011-2012 Reopen Contract Negotiations presented on December 15, 2010

X. CONSENT AGENDA – NEGOTIATIONS

1. Resolution No. 14908: Adoption of IVC CCA/CTA/NEA and District 2011-2012 Contract Negotiation proposal
2. Resolution No. 14909: Adoption of CSEA Chapter 472 and District 2011-2012 Contract Negotiation proposal

XI. CONSENT AGENDA – PRESIDENT'S OFFICE

1. Approval of Minutes dated December 15, 2010, Regular Board Meeting
2. Resolution No. 14910: California Community College Trustees (CCCT) Board Nomination – 2011

XII. CONSENT AGENDA – BUSINESS SERVICES

1. Resolution No. 14911: Purchase Orders
2. Resolution No. 14912: Payroll Warrant Orders
3. Resolution No. 14913: Commercial Warrant Orders
4. Resolution No. 14914: District Audit
5. Resolution No. 14915: Transfer from Board Reserve Fund
6. Resolution No. 14916: Non-Resident Tuition Fee for 2011-2012
7. Resolution No. 14917: Construction Services

XIII. DISCUSSION – BUSINESS SERVICES

1. 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

XIV. CONSENT AGENDA – ACADEMIC SERVICES

1. Resolution No. 14919: California State Department of Education Amendment 01 for Project Number 13-6315-00-0
2. Resolution No. 14920: Green Industry Labor Market Study

XV. CONSENT AGENDA – HUMAN RESOURCES

1. Resolution No. 14921: Classified Management Service Employment
2. Resolution No. 14922: Extension of Short Term Employment
3. Resolution No. 14923: Seniority List for all Contract and Regular Faculty for 2010-2011
4. Resolution No. 14924: Volunteer Service Agreement

XVI. ADJOURNMENT

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for **WEDNESDAY, FEBRUARY 16, 2011, AT 6:00 P.M.** in the Administration Board Room located in Building 10.

X. CONSENT AGENDA – NEGOTIATIONS

1. Resolution No. 14908: Adoption of IVC CCA/CTA/NEA and District 2011-2012 Contract Negotiation proposal

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

2. 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.

XI. CONSENT AGENDA – PRESIDENT'S OFFICE

1. Approval of Minutes dated December 15, 2010, Regular Board Meeting

2. Resolution No. 14910: California Community College Trustees (CCCT) Board Nomination – 2011

BE IT RESOLVED that the Governing Board of the Imperial Community College District nominates _____ to be a candidate for the CCCT Board.

BE IT FURTHER RESOLVED that this nominee is a member of the Imperial Community College District Governing Board, which is a member in good standing of the Community College League of California. The nominee has been contacted and has given permission to be placed into nomination.

XII. CONSENT AGENDA – BUSINESS SERVICES

1. 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	911,105.61
	927,562.77

2. Resolution No. 14912: Payroll Warrant Orders

BE IT RESOLVED that the Board approves the issuance of the following Payroll Warrants for the month of December 2010:

Date Paid	#	Fund 10 General Fund	Fund 45 Child Dev.	Warrant Total
12/7/10	11	298,321.10		298,321.10
12/17/10	12	2,389,832.95	38,031.93	2,427,864.88
		2,688,154.05	38,031.93	2,726,185.98

3. Resolution No. 14913: Commercial Warrant Orders

BE IT RESOLVED that the Board approves the issuance of the following commercial warrant orders for the month of December 2010:

Date Paid	#	Fund 10 General Fund	Financial Aid	Fund 20 Building Fund	Fund 45 Child Dev.	Fund 80 Bond Fund	Warrant Total
12/2/10	22	21,959.72					21,959.72
12/9/10	23	107,573.03	197,332.54	12,646.26		450,099.82	767,651.65
12/16/10	24	312,006.30	3,179.00	10,341.35	240.56	56,023.04	381,790.25
		441,539.05	200,511.54	22,987.61	240.56	506,122.86	1,171,401.62

4. 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.

5. 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	Description
$25,000.00	Human Resources	Retiree RX reimbursement account

Fiscal Impact: $25,000 reduction from Benefits Set Aside.

6. Resolution No. 14916: Non-Resident Tuition Fee for 2011-2012

WHEREAS, Education Code section 76140 requires each District's governing board to establish the non-resident tuition fee no later than February 1st for the succeeding fiscal year on the basis of its current cost of education or based on the statewide average of the current cost of education.

WHEREAS, the Board of Trustees established a non-resident tuition fee of $206.00 per unit for fiscal year 2010-11; and

NOW, THEREFORE, BE IT RESOLVED that based on the District's average per unit cost of education, the Board of Trustees establishes a non-resident tuition fee of $219.00 per unit for fiscal year 2011-12.

7. Resolution No. 14917: Construction Services

BE IT RESOLVED that the Board approves the hiring of a firm through a qualifications based selection process, for the purpose of providing construction services for multiple construction projects and

services related to the completion of the major building and renovation program made possible by General Obligation Bond Measure “J”.

FISCAL IMPACT: There will be no fiscal impact to the General Fund.

XIII. DISCUSSION – BUSINESS SERVICES

1. 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

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); and this Resolution specifies that certain Unrestricted Revenues, as hereinafter defined, which will be received or accrued by the District for the General Fund of the District during or allocable to fiscal year 2010-11 are pledged for the payment of the Notes; and

WHEREAS, the Notes shall be a general obligation of the District, and to the extent not paid from the taxes, income, revenue, cash receipts, and other moneys of the District pledged for the payment thereof, shall be paid with interest thereon from any other moneys of the District lawfully available therefor, as required by Section 53857 of the Act; and

WHEREAS, the Notes shall be in denominations of $5,000 or integral multiples thereof, as permitted by Section 53854 of the Act; shall be sold on the date provided in the Purchase Contract, as permitted by Section 53853 of the Act; and shall be in the form and executed in the manner prescribed in this Resolution, as required by Section 53853 of the Act; and

WHEREAS, the District Board has found and determined that said $10,000,000 maximum principal amount of Notes to be issued by the Board of Supervisors of Imperial County (the "Board of Supervisors") in the name of the District in fiscal year 2010-11, when added to the interest payable thereon, does not exceed eighty-five percent (85%) of the estimated amount of the uncollected taxes, income, revenue (including, but not limited to, revenues from state and federal governments), cash receipts and other moneys of the District which will be available for the payment of the Notes and interest thereon, as required by Section 53858 of the Act; and

WHEREAS, the District Board has found and determined that the Notes will not be outstanding after a period ending thirteen months after the date on which such Notes are issued, will not be issued to finance a working capital reserve and will be expended within the time period required as provided in the Income Tax Regulations of the United States Treasury; and

NOW, THEREFORE, BE IT RESOLVED by the District Board as follows:

Section 1. Recitals True and Correct. All of the recitals herein set forth are true and correct, and the District so finds and determines.

Section 2. Authorization of Issuance of Notes; Terms Thereof; Paying Agent. The District Board hereby requests the Board of Supervisors to issue in the name of the District, an amount not to exceed $10,000,000 principal amount of Notes under Sections 53850, et seq., of the Act, designated "Imperial Community College District, Imperial County, State of California, 2010-11 Mid-Year Tax and Revenue Anticipation Notes" (the "Notes"); to be numbered from 1 consecutively upward in order of issuance; to be in the denominations of $5,000, or integral multiples thereof, to be dated the date of delivery thereof; to mature (without option of prior redemption) within thirteen months after said date of delivery, or if such date is not a day on which banks in New York or California are open for business, on the last day prior to such date; and to bear interest, payable at maturity and computed on a 30-day month/360-day year basis, at the rate or rates determined at the time of sale thereof, but not in excess of twelve percent (12%) per annum. Subject to Section 4 hereof, both the principal of and interest on the Notes shall be payable, only upon surrender thereof, in lawful money of the United States of America at the principal office of U.S. Bank National Association, which is hereby designated by this District Board as the paying agent for the Notes (the "Paying Agent").

Section 3. Deposit of Note Proceeds; No Arbitrage. The moneys so borrowed shall be deposited in the Treasury of the County of Imperial (the "County") in a proceeds fund to the credit of the District to be withdrawn, used or expended by the District for any purpose for which it is authorized to invest or expend funds from the general fund of the District, including, but not limited to, current expenses, capital expenditures or the discharge of any obligation of indebtedness of the District. The District hereby covenants that it will make no use of the proceeds of the Notes that would cause the Notes to be "arbitrage bonds" under Section 148 of the Code; and, to that end, so long as any of the Notes are 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.

(d) Covenant Regarding Additional Short-Term Borrowing. It is hereby covenanted and warranted by the District pursuant to Article XVI, Section 6 of the Constitution of the State of California that it will not request the Treasurer-Tax Collector of the County (the "Treasurer-Tax Collector") to make temporary transfers of funds in the custody of the Treasurer-Tax Collector to meet any obligations of the District during the 2010-11 fiscal year, until the full amount of Pledged Revenues have been deposited into the Repayment Fund. In the event the full amount of Pledged Revenues have been deposited into the Repayment Fund, the District covenants that it will not request the Treasurer-Tax Collector to make temporary transfers of funds in excess of eighty-five percent (85%) of the anticipated revenues accruing to the District during the 2010-11 fiscal year.

Section 5. Approval of Board of Supervisors' Resolution. The resolution entitled "A Resolution of the Board of Supervisors of the County of Imperial Providing for the Borrowing of Funds for Imperial Community College District for Fiscal Year 2010-11 and the Issuance of Imperial Community College District 2010-11 Mid-Year Tax and Revenue Anticipation Notes Therefor In An Amount Not To Exceed $10,000,000, and Authorizing and Directing Certain Actions With Respect Thereto" (the "Issuance Resolution") in substantially the form presented to the Board of Trustees at this meeting, together with

any additions to or changes therein deemed necessary or advisable by the Board of Supervisors and the Superintendent of the District or the Superintendent's authorized designee, is hereby approved.

Section 6. Sale of the Notes. The District Board hereby approves the sale of the Notes by negotiation with Piper Jaffray & Co. (the "Underwriter"), under the Purchase Contract between the District and the Underwriter (the "Purchase Contract"), in substantially the form on file with the Clerk of the Board of Trustees together with any changes therein or additions thereto approved by the Superintendent, the Vice President/Chief Financial Officer or any other duly appointed officer of the Districted authorized by resolution of the District Board to act as a representative of the District hereunder (each, an "Authorized Officer"), whose execution thereof will be conclusive evidence of approval of any such additions and changes. The Authorized Officers are each separately authorized and directed to execute and deliver the Purchase Contract on behalf of the District. The Underwriter must purchase the Notes for a purchase price at least equal to 98% of the par amount thereof, and the rate of interest to be borne by the Notes may not exceed 12% per annum.

Section 7. Limitation on Maximum Amount. The principal amount of notes issued pursuant hereto, when added to the interest payable thereon, shall not exceed eighty-five percent (85%) of the estimated amount of the uncollected taxes, revenue and other moneys of the District for the General Fund of the District attributable to Fiscal Year 2010-11, and available for the payment of said notes and the interest thereon (as hereinafter provided).

Section 8. Official Statement. The District hereby authorizes each Authorized Officer to separately approve, and to deem final within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934 except for permitted omissions, a Preliminary Official Statement describing the Notes. The Underwriter is hereby authorized to distribute the approved form of the Preliminary Official Statement in connection with the sale of the Notes. Each Authorized Officer is hereby separately authorized and directed to (a) execute and deliver to the Underwriter a certificate deeming the Preliminary Official Statement to be nearly final prior to the distribution thereof by the Underwriter to prospective bidders, (b) approve any changes in or additions to cause the Official Statement to be put in final form, and (c) execute the final Official Statement for and in the name and on behalf of the District.

The District hereby acknowledges that the County has not approved the District's Official Statement, and the County does not accept any responsibility for the accuracy or adequacy of the statements contained therein.

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 for the purpose of such statement) were, at the time of sale of the Notes, true and correct in all material respects and that the Official Statement did not, on the date of sale of the Notes, and does not, as of the date of delivery of the Notes, contain any untrue statement of a material fact with respect to the District or omit to state material facts with respect to the District required to be stated where necessary to make any statement made therein not misleading in the light of the circumstances under which it was made. The District Representatives shall take such further actions prior to the signing of the Official Statement as are deemed necessary or appropriate to verify the accuracy thereof.

Section 11. Approval of Action Taken. All actions heretofore taken by the officers and agents of the District with respect to the sale and issuance of the Notes are hereby approved, and the Authorized Officers are hereby authorized and directed for and in the name and on behalf of the District, to do any and all things and take any and all actions relating to the execution and delivery of any and all certificates, requisitions, agreements and other documents, which they, or any of them, may deem necessary or advisable in order to consummate the lawful issuance and delivery of the Notes in accordance with the Issuance Resolution and this Resolution.

Section 12. Tax Covenants.
(a) No Arbitrage. The District shall not take, nor permit nor suffer to be taken any action with respect to the proceeds of the Notes which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of issuance of the Notes (the "Closing Date") would have caused the Notes to be "arbitrage bonds" within the meaning of section 148 of the Internal Revenue Code of 1986 (the "Code").

(b) Rebate Requirement. The District shall take any and all actions necessary to assure compliance with section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government.

(c) Private Activity Bond Limitation. The District shall assure that proceeds of the Notes are not so used as to cause the Notes to satisfy the private business tests of section 141(b) of the Code.

(d) 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 Notes to be "federally guaranteed" within the meaning of section 149(b) of the Code.

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

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 this Resolution.

Section 14. Indemnification. The District Board agrees to indemnify, defend and save the County (including its officers, agents and employees) harmless against any and all liabilities, costs, expenses, damages and claims which it may incur in the exercise and performance of its powers and duties hereunder which are not due to its active negligence or bad faith.

XIV. CONSENT AGENDA – ACADEMIC SERVICES

1. Resolution No. 14919: California State Department of Education Amendment 01 for Project Number 13-6315-00-0

BE IT RESOLVED that the Governing Board of Imperial Community College District authorizes entering into amendment 01 local agreement California State Preschool Program Special Fund (Reserve Account) numbers CSPP-0109 project number 13-6315-00-0, for the fiscal year 2010-2011, with the California State Department of Education, and that Ed Gould, Ed. D., Superintendent/President and

Kathy Berry, Vice President for Academic Services are authorized to sign the transaction for the Governing Board.

FISCAL IMPACT: There is no fiscal impact to the General Fund.

2. Resolution No. 14920: Green Industry Labor Market Study

WHEREAS, the Imperial County is slated to be the renewable energy capital of the United States;

WHEREAS, the renewable energy industry will create thousands of job opportunities for Imperial County residents;

WHEREAS, the mission of the Imperial Valley College is to develop the workforce resources for industry;

WHEREAS, limited resources require agencies to partner together for leveraging of funds;

WHEREAS, labor data is an essential element for the preparation of our workforce; and

WHEREAS, Imperial Valley College is partnering with the Imperial County Workforce Development Board for the funding of a Green Industry Labor Market Study.

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.

XV. CONSENT AGENDA – HUMAN RESOURCES

1. 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:

Name	Position	Department	Funding	Range	Effective
Enz, Jeffrey	Director of Enterprise Systems	Information Technology	100% Categorical	2-1	01/20/11

FISCAL IMPACT: The position will be 100% categorically funded during the first two years, then gradually move into the General Fund by Year 6 when it will be 100% district funded.

Year 1 – 100% Grant **Year 2 – 100% Grant**
Year 3 – 75% Grant, 25% General Fund **Year 4 – 50% Grant, 50% General Fund**
Year 5 – 25% Grant, 75% General Fund **Year 6 and Beyond – 100% General Fund**

2. Resolution No. 14922: Extension of Short Term Employment

WHEREAS, the Area Administrator has determined a need to extend substitute/short-term employee in the following areas;

WHEREAS, Ed Code Section 88003 and Board Resolution 12673, short-term/substitute employees may be employed for a period not to exceed 75 percent of a calendar year (195 working days);

BE IT RESOLVED the Board approves the recommendation of the Superintendent/President to extend the following temporary employees:

Name	Position	Department	Funding	Range	Effective
Sanchez, Nancy (substitute)	Tool Room/ Auto Shop Tech	Industrial Tech	District	14-1	1/10/11-02/10/11

FISCAL IMPACT: Fiscal Impact to the District general fund is $2731 plus 10% Night Differential

3. Resolution No. 14923: Seniority List for all Contract and Regular Faculty for 2010-2011

WHEREAS Education Code 87415 stipulates that "The governing board of every community college district shall establish the order of employment of all contract or regular employees of the district in the manner prescribed by Sections 87400 to 87424, inclusive, and shall keep a roster of same as a public record."

NOW BE IT RESOLVED that the Board, with the recommendation of the Superintendent/President, approves the following order of employment of contract and regular faculty:

Seniority	Last Name	First Name	Hire Date	Division/Dept
1	Guzman	Cesar	09/02/75	Student Services
2	Beope	Frances	09/02/75	Student Services
3	Meek	Alfred	09/05/76	Health and Public Safety
4	Artechi	Olga	09/07/76	Student Services
5	Lopez	Jose	12/01/79	Economic and Workforce Development
6	Lopez	Rosalie	12/01/79	Student Services
7	Lopez	Sergio	08/26/80	Administration
8	Deyo	Jeff	08/26/80	Health and Public Safety
9	Stroud	V. Jean	08/26/80	Health and Public Safety
10	Jaime	Victor	09/28/81	Administration
11	Pollock-Blevins	Diedre	09/03/85	Health and Public Safety
12	Luoma	Craig	09/03/85	Health and Public Safety
13	Nava	Norma	09/03/85	Student Services
14	Magno	Jan	09/05/85	Administration
15	McNeece	Brian	09/02/86	Administration
16	Rapp	Frank	09/02/86	Arts and Letters
17	Kalin	Janeen	02/01/88	Student Services
18	Rodgers	Valerie	02/01/88	Economic and Workforce Development

19	Nunez	Norma	03/14/88	Student Services
20	Kelly	Nannette	09/06/88	Behavioral and Social Science
21	Romero	Yolanda	10/03/88	Student Services
22	Ponce	Josefina	09/05/89	Arts and Letters
23	Drury	Dave	09/05/89	Health and Public Safety
24	Diaz	Dolores	09/05/89	Student Services
25	Marquez	Ralph	10/09/89	Student Services
26	Esqueda	Jesus	02/14/90	Student Services
27	Marcuson	Bruce	08/27/90	Health and Public Safety
28	Biley	Patti	08/27/90	Arts and Letters
29	Orfanos-Woo	Stella	08/27/90	Student Services
30	Zielinski	David	01/14/91	Arts and Letters
31	Fitzsimmons	Richard	08/23/91	Health and Public Safety
32	Cañez-Savala	Said	09/03/91	Student Services
33	Hansink	Todd	08/21/92	Economic and Workforce Development
34	Jacobson	Eric	08/21/92	Behavioral and Social Science
35	Horton	Sidne	08/17/93	Health and Public Safety
36	Bemis	Roberta	08/15/94	Arts and Letters
37	Berry	Kathy	09/14/94	Administration
38	Lofgren	Mary	09/01/95	Student Services
39	Mecate	James	08/12/96	Health and Public Safety
40	Lee	Carol	09/23/96	Student Services
41	Patterson	James	08/18/97	Arts and Letters
42	Zhao	Lianna	08/18/97	Administration
43	Scheuerell	Edward	08/18/97	Arts and Letters
44	Nilson	Barbara	08/18/97	Science, Math and Engineering
45	Staton	Robin	08/25/97	Behavioral and Social Science
46	Paine	Thomas	08/17/98	Economic and Workforce Development
47	Sandoval	Lilia	02/16/99	Student Services
48	Campos	Gilbert	07/01/99	Student Services
49	Mercado	Lourdes	07/01/99	Student Services
50	Alvarado	Beatriz	07/01/99	Student Services
51	Tucker	Jill	08/16/99	Health and Public Safety
52	Ruiz	Angelica	08/16/99	Economic and Workforce Development
53	Ghanim	Walid	08/16/99	Economic and Workforce Development
54	Miller	Fonda	08/16/99	Behavioral and Social Science
55	Blek	Craig	08/16/99	Economic and Workforce Development
56	Shokoufi	Mardjan	08/16/99	Science, Math and Engineering
57	Santistevan	Judy	08/16/99	Economic and Workforce Development
58	Garcia	Raquel	10/01/99	Student Services
59	Avila	Beatriz	01/10/00	Student Services
60	Beckley	Jeffrey	01/12/00	Economic and Workforce Development
61	Harris	Diane	01/12/00	Arts and Letters
62	Gilbertson	Thomas	01/12/00	Behavioral and Social Science
63	Felix	Mireya	01/18/00	Student Services
64	Plascencia	Jose	07/10/00	Student Services

65	Dorantes	Kathleen	08/14/00	Arts and Letters
66	Martini	Donald	08/14/00	Arts and Letters
67	Decker	Van	08/14/00	Behavioral and Social Science
68	Craven	Julie	08/14/00	Arts and Letters
69	Arguelles	Trinidad	01/08/01	Student Services
70	Garcia	Martha	01/08/01	Student Services
71	Byrd	Krista	01/10/01	Behavioral and Social Science
72	Zazueta	Cathy	03/01/01	Learning Services and Instructional Technology
73	Esquer	Maria	03/05/01	Student Services
74	David	Samuel	08/17/01	Science, Math and Engineering
75	Simpson	Scott	08/17/01	Arts and Letters
76	Davis	Donna	08/17/01	Health and Public Safety
77	Voldman	Aleksandr	08/17/01	Science, Math and Engineering
78	Pradis	Ricardo	08/23/01	Economic and Workforce Development
79	Lovitt	Paige	09/04/01	Student Services
80	Mazeroll	Lorrainne	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	Swiadon	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

4. 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.

Name	Title	Department	Effective
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.

XVI. ADJOURNMENT

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for **WEDNESDAY, FEBRUARY 16, 2011, AT 6:00 P.M.** in the Administration Board Room located in Building 10.