



## AGENDA

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

Wednesday, July 15, 2009  
6:00 p.m.

Location  
Temporary Board Room – Room 304A  
380 East Aten Road  
Imperial, CA 92251

#### I. CALL TO ORDER

1. Roll Call by Secretary:

Carlos R. Acuña	Romualdo J. Medina
Rudy Cardenas, Jr.	Rebecca L. Ramirez
Norma Sierra Galindo	Louis Wong
Jerry D. Hart	

Student Representative – Steven Sciaky  
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. WRITTEN COMMUNICATION

1. Memorandum of Understanding between the Imperial Community College District and California School Employees Association, Chapter 472 (dated June 9, 2009)
2. Memorandum of Understanding between the Imperial Community College District and Imperial Valley College Chapter CCA/CTA/NEA (dated June 11, 2009)
3. Esther Lansing, Staff Secretary III (RE: Retirement, dated June 26, 2009)
4. 2008-2009 Accreditation Annual Report (dated June 30, 2009)

**IV. INFORMATION REPORTS**

1. Board Member Reports
2. Associated Student Government Senate Update – Steven Sciaky
3. Academic Senate Update – Kevin White
4. College Council Update – Dr. Michael Heumann
5. Student Portal Presentation – Omar Ramos, Webmaster
6. President's Update – Dr. Ed Gould

**V. CONSENT AGENDA – BUSINESS**

1. Approval of Minutes dated June 17, 2009, Regular Board Meeting
2. Resolution No. 14409: Purchase Orders
3. Resolution No. 14410: Payroll Warrant Orders
4. Resolution No. 14411: Commercial Warrant Orders
5. Resolution No. 14412: District Purchases
6. Resolution No. 14413: Delivery of Documents to the Imperial County Superintendent of Schools
7. Resolution No. 14414: Imperial County Superintendent's Office to Make Corrections on Commercial and/or Payroll Warrants
8. Resolution No. 14415: School Orders
9. Resolution No. 14416: Authorized Agents
10. Resolution No. 14417: Authorized Agents
11. Resolution No. 14418: Authority to Sign Checks
12. Resolution No. 14419: Investment of Monies
13. Resolution No. 14420: Designation of District Negotiators
14. Resolution No. 14421: Award of Bids for Bus Transfer Terminal Improvements
15. Resolution No. 14422: Notice of Completion -Sewer Lift Station & Extension
16. Resolution No. 14423: Budget and Fiscal Planning Committee
17. Resolution No. 14424: Board of Trustees of the Imperial Community College District Requesting the Board of Supervisors of the County of Imperial to Issue Not to Exceed \$8,000,000 Principal Amount of Tax and Revenue Anticipation Notes for Fiscal Year 2009-2010, Approving Distribution of Official Statement, Purchase Contract and Authorizing and Directing Certain Actions with Actions with Respect Thereto

**VI. 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: IVC Chapter of CCA/CTA/NEA  
RE: Negotiations
3. PUBLIC EMPLOYEES DISCIPLINE/DISMISSAL/RELEASE
4. CONFERENCE WITH LABOR NEGOTIATIONS  
Unrepresented Employee: Superintendent/President

**VII. OPEN SESSION**

1. Announcement of final action taken

**VIII. CONSENT AGENDA – HUMAN RESOURCES**

1. Resolution No. 14425: Classified Retirement
2. Resolution No. 14426: Administrator Resignation
3. Resolution No. 14427: Administrative Retreat Rights
4. Resolution No. 14428: Basic Skills Coordinator
5. Resolution No. 14429: Full-Time Tenure Track Academic Employment
6. Resolution No. 14430: Classified Management Service Position
7. Resolution No. 14431: Management Employment Contract
8. Resolution No. 14432: Agreement between the District and Confidential Employees
9. Resolution No. 14433: Agreement between the District and Classified Managers
10. Resolution No. 14434: Agreement between the District and Administrators
11. Resolution No. 14435: Agreement between the Imperial Community College District and California School Employees Association, Chapter 472
12. Resolution No. 14436: Memorandum of Understanding between the Imperial Community College District and California School Employees Association, Chapter 472
13. Resolution No. 14437: Memorandum of Understanding with CCA/CTA/NEA Regarding Overload
14. Resolution No. 14438: Compensation Method for Adjunct Credit Teaching Faculty
15. Resolution No. 14439: Full-Time Tenure Track Academic Employment
16. Resolution No. 14440: Full-Time Tenure Track Academic Employment
17. Resolution No. 14441: CalWORKs Program Elimination
18. Resolution No. 14442: Termination of Full-Time Non-Tenure Track Academic Employment
19. Resolution No. 14443: 2009-2010 Athletic Assignments
20. Resolution No. 14444: Classified Substitute Employment
21. Resolution No. 14445: Volunteer Employment
22. Resolution No. 14446: Employee Assistance Program Agreement

**IX. ADJOURNMENT**

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for the **THIRD WEDNESDAY, AUGUST 19, 2009, AT 6:00 P.M.** in the **Temporary Board Room located in Room 304A.**

**V. CONSENT AGENDA – BUSINESS**

**V.1. Approval of Minutes dated June 17, 2009, Regular Board Meeting**

**V.2. Resolution No. 14409: Purchase Orders**

BE IT RESOLVED that upon the recommendation of the Superintendent/President the following Purchase Orders and Direct Payments are hereby approved:

June 2009	
Purchase Orders	606,973.97
Direct Payments	<u>286,368.67</u>
	893,342.64

**V.3. Resolution No. 14410: Payroll Warrant Orders**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to approve the issuance of the following payroll warrants for the month of June 2009.

2008-09 Payroll Warrant	Fund 10 General Fund	Fund 45 Child Dev.	Fund 80 Bond Fund	Warrant Total
6/10/09	280,787.79	342.36		281,130.15
6/30/09	<u>2,940,788.48</u>	<u>31,477.47</u>	<u>8,058.26</u>	<u>2,980,324.21</u>
	3,221,576.27	31,819.83	8,058.26	3,261,454.36

**V.4. Resolution No. 14411: Commercial Warrant Orders**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to approve the issuance of the following commercial warrant orders for the month of June 2009:

	Fund 10 General Fund	Financial Aid	Fund 20 Building Fund	Fund 45 Child Dev.	Fund 50 Cert. of Part.	Fund 80 Bond Fund	Warrant Total
6/4/09	72,119.85					1,736,154.22	1,808,274.07
6/11/09	621,215.71	2,838,879.67		173.31			3,460,268.69
6/18/09	7,883,148.27	117,241.50	2,493.00		1,183.20	135,278.02	8,139,343.99
6/30/09	<u>385,704.38</u>			<u>7,631.27</u>	<u>63,975.00</u>	<u>37,399.75</u>	<u>494,710.40</u>
	8,962,188.21	2,956,121.17	2,493.00	7,804.58	65,158.20	1,908,831.99	13,902,597.15

**V.5. Resolution No. 14412: District Purchases**

WHEREAS, procurement is one of the major functions of the administration of school business; and

WHEREAS, Education Code Section 81656 authorizes delegation of purchasing and contract authority;

NOW THEREFORE BE IT RESOLVED that the Vice President for Business Services under the guidance of the Superintendent/President, is hereby authorized and directed to contract for all supplies, materials, apparatus, equipment and services for the District; and

BE IT FURTHER RESOLVED that contracts or purchases exceeding the current bid threshold amount as specified in Section 20651(a) of the Public Contract Code shall be approved by the Board of Trustees in advance of execution; and

BE IT FURTHER RESOLVED that administrative rules and regulations shall be implemented pursuant to the Education Code, Budget and Accounting Manual of the California Community Colleges, and other codes and directives as applicable; and

BE IT FINALLY RESOLVED that this policy shall be reviewed annually.

**V.6. Resolution No. 14413: Delivery of Documents to the Imperial County Superintendent of Schools**

BE IT RESOLVED that the Imperial County Superintendent of Schools be authorized to mail and/or deliver warrants and correspondence from the Accounting Section of the Office of the Imperial County Superintendent of Schools for the Imperial Community College District to the Vice President for Business Services, his designee, or Carlos Fletes, Mary Bell, Nancy Hoyt, Mary Carter, Susan Rodriguez, Mirtha Galindo, Betty Kakiuchi, Phyllis Gilliam, Rosalind Summers, Travis Gregory, Martha P. Garcia, Martha Sanchez, Sheila Dorsey-Freeman, Zula Hartfield, and Angie Gallo.

**V.7. Resolution No. 14414: Imperial County Superintendent's Office to Make Corrections on Commercial and/or Payroll Warrants**

WHEREAS, an occasional error is found in the total amount of a payment of a commercial and/or payroll warrants; and

WHEREAS, the delay of returning said warrant or warrants and the expense of returning them is not a sound business practice;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Imperial Community College District hereby authorizes the Office of Imperial County Superintendent of Schools to correct the commercial warrant in any amount not to exceed ten dollars (\$10.00), and make corrections to the payroll warrant in any amount necessary.

**V.8. Resolution No. 14415: School Orders**

BE IT RESOLVED that pursuant to Education Code Section 42632/85232, the Imperial Community College District Board of Trustees, representing Imperial County, hereby authorizes the following persons to sign any and all orders in the name of said District during the 2009-2010 school year:

Dr. Ed Gould, Superintendent/President  
John Lau, Vice President for Business Services  
Kathy Berry, Vice President for Academic Services  
Dr. Victor Jaime, Vice President for Student Services  
Carlos Fletes, Director of Fiscal Services

**V.9. Resolution No. 14416: Authorized Agents**

BE IT RESOLVED that the Superintendent/President, Vice President for Business Services, Vice President for Academic Services, Vice President for Student Services, and the Associate Dean of Human Resources be designated the "Authorized Agents" for the Imperial Community College District to sign the following documents:

Notices of Employment  
Notices of Termination  
Changes of Salary  
Payroll Authorization  
Commercial Warrant Orders  
State Compensation Insurance Claims  
State Teachers' Retirement Membership Forms  
Time Sheets  
Notices of Leave of Absence  
State and Federal Project Requests  
PERS Membership Forms  
Any Other Items Approved by the Superintendent

**V.10. Resolution No. 14417: Authorized Agents**

BE IT RESOLVED that the following persons be designated as "Authorized Agents" to sign the documents indicated for the 2009-2010 school year:

Student Notices of Employment	Superintendent/President Vice President, Business Services Vice President, Student Services Vice President, Academic Services Dean, Financial Aid and State Programs
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**V.11. Resolution No. 14418: Authority to Sign Checks**

BE IT RESOLVED that the following persons be authorized to sign checks for the accounts indicated for the 2009-2010 school year:

Commercial Warrants Account (2 signers)	Superintendent/President Vice President/Business Services Vice President/Student Services Vice President/Academic Services Director of Fiscal Services
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Associated Students (2 signers)	Superintendent/President Vice President/Business Services Vice President/Student Services Vice President/Academic Services Associate Dean/Student Affairs Associated Students Treasurer Director of Fiscal Services
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Campus Organizations (2 signers)	Superintendent/President Vice President/Business Services Vice President/Student Services Vice President/Academic Services Associate Dean/Student Affairs Director/Fiscal Services
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Revolving Account (1 signer)	Superintendent/President Vice President/Business Services Vice President/Student Services Vice President/Academic Services Director/Fiscal Services
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IVC Trust Account (2 signers)	Superintendent/President Vice President/Business Services Vice President/Student Services Vice President/Academic Services Dean/Financial Aid/State Programs Director/Fiscal Services
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IVC Holding Account (1 signer)	Superintendent/President Vice President/Business Services Vice President/Student Services Vice President/Academic Services Director/Fiscal Services
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**V.12. Resolution No. 14419: Investment of Monies**

BE IT RESOLVED that the Vice President for Business Services is hereby empowered to authorize and instruct the Treasurer of Imperial County to invest monies not required for the immediate necessities of the Imperial Community College District, as determined. Said funds are to be used to establish an interest bearing inactive bank deposit account for the period specified, or to purchase United States Government Bonds, notes, bills, or certificates for the account of Imperial Community College District; and

BE IT FURTHER RESOLVED that said Imperial County Treasurer be authorized and instructed to deposit for safekeeping, in a legal depository, in the State of California or New York, any such bonds notes, bills, and certificates purchased for the account of Imperial Community College District; and

BE IT FURTHER RESOLVED that this resolution be reviewed and acted upon annually.

**V.13. Resolution No. 14420: Designation of District Negotiators**

BE IT RESOLVED that the Board approves the District Negotiating Team appointments of John Lau, Vice President for Business Services, and Travis Gregory, Associate Dean for Human Resources.

BE IT FURTHER RESOLVED that the Vice President for Business Services is designated as the lead Negotiator for the District.

**V.14. Resolution No. 14421: Award of Bids for Bus Transfer Terminal Improvements**

WHEREAS, the District has advertised for bids and a bid opening was held on July 2, 2009 for the following projects:

**IVC BUS TRANSFER TERMINAL IMPROVEMENTS**

WHEREAS, in accordance with the provisions of California Business and Professions Code Section 7028.15 and Public Contract Code Section 3300, the District requires that the bidder possess applicable classification(s) of contractor's license(s) at the time the bid is submitted. Any bidder not so licensed at the time of the bid opening will be rejected as non-responsive; and

WHEREAS, there will be one base bid on each bid package and all work in the base bid must be completed within the time specified on the Notice to Proceed issued by the District. Failure to complete the work within the time specified will result in the imposition of liquidated damages for each day of delay, in the amount set forth in the bid documents.

WHEREAS, the District reserves the right to reject any or all bids or to waive any irregularities or informalities in any bids or in the bidding process.

NOW, THEREFORE, BE IT RESOLVED, that the following contracts be awarded, per the plans and specifications:



Bid Package	Bid Package Description	Contractor		Base Bid
01	Demo; Grading; Paving	Pyramid Construction & Aggregates, Inc.	Heber, CA	\$ 499,500.00
02	Structural & Site Concrete	Team C Construction	El Cajon, CA	\$ 687,700.00
03	Structural & Misc. Steel	Trade Mark Construction, Inc.	El Centro, CA	\$ 197,477.00
04	Masonry; Framing; Roof; Finishes	DEZ Construction	El Cajon, CA	\$ 238,000.00
05	Plumbing and Fixtures	Jim O'Malley Plumbing	Brawley, CA	\$ 40,300.00
06	Electrical and Fixtures	Supreme Electric Contracting, Inc.	El Centro, CA	\$ 254,930.00
07	Landscape & Irrigation	Executive Landscape, Inc.	Fallbrook, CA	\$ 421,532.00
				\$ 2,339,439.00

BE IT FURTHER RESOLVED, that the Superintendent/President and/or the Vice President for Business Services be authorized to sign all notices, contracts, change-orders, and other necessary documents related to these contracts on behalf of the District.

Fiscal Impact: Funded by State Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act, Prop 1B passed November 2006 (Public Transportation Modernization, Improvement and Service Enhancement Account, PTMISEA funds) and Measure L Bond Funds

**V.15. Resolution No. 14422: Notice of Completion – Sewer Lift Station & Extension**

WHEREAS a contract was awarded on January 21, 2009 to Pyramid Construction and Aggregates, Inc. for Sewer Lift Station and Extension in the amount of \$412,000; and

WHEREAS the work has been completed.

NOW, THEREFORE, BE IT RESOLVED that the Board directs the Vice President for Business Services to file a Notice of Completion for the Sewer Lift Station and Extension project with the County Recorder's Office, with a completion date of July 15, 2009.

**V.16. Resolution No. 14423: Budget and Fiscal Planning Committee**

WHEREAS, the Planning and Budget Committee was established by Board Resolution 11338, March 11, 1998.

BE IT RESOLVED that the name of the Planning and Budget Committee be changed to: Budget and Fiscal Planning Committee.

BE IT FURTHER RESOLVED that Resolution 11338 be amended in respect to the name of the committee only.

**V.17. Resolution No. 14424: Board of Trustees of the Imperial Community College District Requesting the Board of Supervisors of the County of Imperial to Issue Not to Exceed \$8,000,000 Principal Amount of Tax and Revenue Anticipation Notes for Fiscal Year 2009-2010, Approving Distribution of Official Statement, Purchase Contract and Authorizing and Directing Certain Actions with 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 \$8,000,000 with respect to fiscal year 2009-2010 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 be payable within twelve months after their date of delivery, but as required by Section 53854 of the Act, such date 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 2009-2010 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 by the District for the General Fund of the District during or allocable to fiscal year 2009-2010 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 \$8,000,000 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 2009-2010, 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 twelve 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 \$8,000,000 principal amount of Notes under Sections 53850, et seq., of the Act, designated "Imperial Community College District, Imperial County, State of California, 2009-2010 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) twelve 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 the County of Imperial Treasurer-Tax Collector (the "Treasurer-Tax Collector"), which is hereby designated by this Board as the paying agent for the Notes.

**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) Source of Payment. 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 by the District during fiscal year 2009-2010 and which are available therefor. The Notes shall be a general obligation of the District, and, to the extent the Notes are not paid from the Pledged Revenues defined below, 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) Pledged Revenues. As security for the payment of the principal of and interest on the Notes, the District hereby pledges and covenants to deposit in the "Repayment Fund," as hereinafter defined, an amount equal to 50% of the principal amount of the Notes, from the first "Unrestricted Revenues" (as hereinafter defined) to be received in January 2010; and an amount equal to 50% of the principal amount of the Notes, plus an amount equal to all interest due on the Notes at maturity, from the first Unrestricted Revenues to be received in May 2010 (such pledged amounts being hereinafter called the "Pledged Revenues"). 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 from Unrestricted Revenues in any month on the last business day of such month, 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 Treasurer-Tax Collector 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 2009-2010 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. The District hereby covenants and warrants that it will not request 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 2009-2010 fiscal year pursuant to the authority of Article XVI, Section 6, of the Constitution of the State of California or any other legal authority.

**Section 5. Book-Entry Only System.** "CUSIP" identification numbers shall be imprinted on the Notes, but such numbers shall not constitute a part of the contract evidenced by the Notes and any error or omission with respect thereto shall not constitute cause for refusal of any purchaser to accept delivery of and pay for the Notes. In addition, failure on the part of the District to use such CUSIP numbers in any notice to registered owners of the Notes shall not constitute an event of default or any violation of the District's contract with such registered owners and shall not impair the effectiveness of any such notice.

Except as provided below, the owner of all of the Notes shall be The Depository Trust Company, New York, New York ("DTC"), and the Notes shall be registered in the name of Cede & Co., as nominee for DTC. The Notes shall be initially executed and delivered in the form of a single fully registered Note in the full aggregate principal amount of the Notes. The District may treat DTC (or its nominee) as the sole and exclusive owner of the Notes registered in its name for all purposes of this Resolution, and the District shall not be affected by any notice to the contrary. The District shall not have any responsibility or obligation to any participant of DTC (a "Participant"), any person claiming a beneficial ownership interest in the Notes under or through DTC or a Participant, or any other person which is not shown on the register of the District as being an owner, with respect to the accuracy or adequacy of any records maintained by DTC or any Participant or the payment by DTC or any Participant by DTC or any Participant of any amount in respect of the principal or interest with respect to the Notes. The District shall pay all principal and interest with respect to the Notes only to DTC, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to the principal and interest with respect to the Notes to the extent of the sum or sums so paid. Except under the conditions noted below, no person other than DTC shall receive a Note. Upon delivery by DTC to the District of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the term "Cede & Co." in this Resolution shall refer to such new nominee of DTC.

If the District determines that it is in the best interest of the beneficial owners that they be able to obtain Notes and deliver a written certificate to DTC to that effect, DTC shall notify the Participants of the availability through DTC of Notes. In such event, the District shall request the Board to issue, transfer and exchange Notes as requested by DTC and any other owners in appropriate amounts. DTC may determine to discontinue providing its services with respect to the Notes at any time by giving notice to the District and discharging its responsibilities with respect thereto under applicable law. Under such circumstances (if there is no successor securities depository), the District shall request the Board to deliver Notes as described in this Resolution and the Issuance Resolution (as defined in Section 14 hereof). Whenever DTC requests the District to do so, the District will cooperate with DTC in taking appropriate action after reasonable notice to (a) make available one or more separate Notes evidencing the Notes to any DTC Participant having Notes credited to its DTC account or (b) arrange for another securities depository to maintain custody of Certificates evidencing the Notes.

Notwithstanding any other provision of this Resolution to the contrary, so long as any Note is registered in the name of Cede & Co., as nominee of DTC, all payments by the District with respect to the principal and interest with respect to such Note and all notices with respect to such Note shall be made and given, respectively, to DTC as provided as in the representation letter of the District delivered on the date of issuance of the Notes.

**Section 6. Sale of the Notes.** The 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 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. Transfer of Notes.** Any Note may, in accordance with its terms, but only if the District determines to no longer maintain the book entry only status of the Notes, or if DTC determines to discontinue providing such services and no successor securities depository is named or DTC requests the District to deliver Note certificates to particular DTC Participants, be transferred, upon the books required to be kept pursuant to the provisions of Section 8 hereof, by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of such Note for cancellation at the office of the District, accompanied by delivery of a written instrument of transfer in a form approved by the District, duly executed.

Whenever any Note or Notes shall be surrendered for transfer, the District shall have the Board execute and deliver a new Note or Notes, for like aggregate principal amount.

**Section 8. Note Register.** The District shall keep or cause to be kept sufficient books for the registration and transfer of the Notes if the book entry only system is no longer in effect and, in such case, the District shall register or transfer or cause to be registered or transferred, on said books, Notes as herein before provided. While the book entry only system is in effect, such books need not be kept as the Notes will be represented by one Note registered in the name of Cede & Co., as nominee for DTC.

**Section 9. 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 2009-2010, and available for the payment of said notes and the interest thereon (as hereinafter provided).

**Section 10. 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 11. 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 Board, or such corrections or additions are in form rather than substance.

**Section 12. 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 13. 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 (defined in Section 14) and this Resolution.

**Section 14. 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 2009-2010 and the Issuance of Imperial Community College District 2009-2010 Tax and Revenue Anticipation Notes Therefor In An Amount Not To Exceed \$8,000,000, 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 15. 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 16. 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 17. 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.

\*\*\*\*\*

**VI. 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: IVC Chapter of CCA/CTA/NEA  
RE: Negotiations
3. PUBLIC EMPLOYEES DISCIPLINE/DISMISSAL/RELEASE
4. CONFERENCE WITH LABOR NEGOTIATIONS  
Unrepresented Employee: Superintendent/President

**VII. OPEN SESSION**

1. Announcement of final action taken



**VIII. CONSENT AGENDA – HUMAN RESOURCES**

**VIII.1. Resolution No. 14425: Classified Retirement**

BE IT RESOLVED that the Board accepts, with sincere regret, the retirement of Esther Lansing, Staff Secretary III effective September 1, 2009.

BE IT RESOLVED that sincere appreciation be expressed for her 35 years of devoted service to Imperial Valley College.

**VIII.2. Resolution No. 14426: Administrator Resignation**

BE IT RESOLVED that the Board accepts, with sincere regret, the resignation of Frank Rapp, Dean of Instruction, effective July 31, 2009.

**VIII.3. Resolution No. 14427: Administrative Retreat Rights**

BE IT RESOLVED that the Board accepts Frank Rapp's requests to exercise his administrative retreat rights effective August 1, 2009.

**VIII.4. Resolution No. 14428: Basic Skills Coordinator**

BE IT RESOLVED that effective August 21, 2009, Frank Rapp shall return to his previous faculty position as an English Instructor while concurrently holding the position of Basic Skills Coordinator with six (6) units of reassigned time.

**VIII.5. Resolution No. 14429: Full-Time Tenure Track Academic Employment**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to reemploy the following full-time, tenure track, academic personnel pursuant to Education Code: 87731 effective August 21, 2009:

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Rapp, Frank	Appropriate Classification and Step Contingent Upon Verification of Records	English Instructor

**VIII.6. Resolution No. 14430: Classified Management Service Employment**

BE IT RESOLVED THAT the Board approves the recommendation of the Superintendent/President to accept employment within another department for the following individual currently employed with the Imperial Community College District.

<u>Name</u>	<u>Position</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Carmona, Gloria	Director of Admissions & Records	District	2-2	August 1, 2009

**VIII.7. Resolution No. 14431: Management Employment Contract**

WHEREAS, Tuen "Dawn" Chun is currently employed as Institutional Research Analyst (Range 2) and shall be employed as an Interim Director of Research, Planning, and Grants Administration (Range 2) from July 1, 2009 to June 30, 2010.

THEREFORE, BE IT RESOLVED that the Board approves the temporary management reorganization as stipulated in the Temporary Management Employment Contract signed on June 19, 2009.

**VIII.8. Resolution No. 14432: Agreement between the District and Confidential Employees**

BE IT RESOLVED that the Board ratifies the following meet and confer contractual agreement between the Imperial Community College and the Confidential Employees for the fiscal year 2009-2010 as follows:

- I. SALARY  
An on-schedule salary increase of .68%, retroactive to July 1, 2008.
- II. ARTICLE 10: INSURANCE  
District to pay 100% of insurance premiums. Coverage to remain status quo.
- III. VACATION ACCRUAL  
The District will permit probationary employees to use any accrued vacation time during periods of campus closures (e.g. spring recess and winter recess).
- IV. OTHER
  1. Confidential employees shall be entitled to serve as adjunct instructors (teaching and non-teaching) at the current designated rate.
  2. The Professional Growth Plan that the district currently uses for classified staff will continue to be applied towards confidential staff. The District will review the proposed Tuition Reimbursement language and discuss potential options at the 2010-2011 meet and confer session.
  3. Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

**VIII.9. Resolution No. 14433: Agreement between the District and Classified Managers**

BE IT RESOLVED that the Board ratifies the following meet and confer contractual agreement between the Imperial Community College and the Classified Managers for the fiscal year 2009-2010 as follows::

- V. SALARY  
An on-schedule salary increase of .68%, retroactive to July 1, 2008.
- VI. ARTICLE 10: INSURANCE  
District to pay 100% of insurance premiums. Coverage to remain status quo.
- VII. VACATION ACCRUAL  
The District will permit probationary employees to use any accrued vacation time during periods of campus closures (e.g. spring recess and winter recess).
- VIII. OTHER
  - 1. Classified Management employees shall be entitled to serve as adjunct instructors (teaching and non-teaching) at the current designated rate.
  - 2. Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

**VIII.10. Resolution No. 14434: Agreement between the District and Administrators**

BE IT RESOLVED that the Board ratifies the following meet and confer contractual agreement between the Imperial Community College and the Administrators for the fiscal year 2009-2010 as follows:

- I. SALARY  
An on-schedule salary increase of .68%, retroactive to July 1, 2008.
- II. ARTICLE 10: INSURANCE  
District to pay 100% of insurance premiums. Coverage to remain status quo.
- III. OTHER  
Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

**VIII.11. Resolution No. 14435: Agreement between the Imperial Community College District and California School Employees Association, Chapter 472.**

BE IT RESOLVED that the Board ratifies the Agreement between Imperial Community College District and California School Employees Association (CSEA), Chapter 472, effective July 1, 2004 through June 30, 2008 as presented in EXHIBIT A.

**VIII.12. Resolution No. 14436: Memorandum of Understanding between the Imperial Community College District and California School Employees Association, Chapter 472**

BE IT RESOLVED that the Board ratifies the Tentative Agreement between Imperial Community College District and California School Employees Association (CSEA), Chapter 472, for the school year 2008-2009 as follows:

The District as CSEA agree to the following tentative contract agreement for 2008-2009. Pending ratification of CSEA Chapter 472 and the Board of Trustees, the following contract provisions will become effective as of July 1, 2008:

**2008-2009**

I. SALARY

1. An on-schedule salary increase of .68%, retroactive to July 1, 2008.

II. ARTICLE 10: INSURANCE

1. District to pay 100% of insurance premiums. Coverage to remain status quo.
2. Maintain current retiree health benefits.

III. ARTICLE 12.4: Vacation Accrual

1. District will permit probationary employees to use any accrued vacation time during periods of campus closures (e.g. spring recess and winter recess).

IV. OTHER

1. Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

**VIII.13. Resolution No. 14437: Memorandum of Understanding with CCA/CTA/NEA Regarding Overload**

BE IT RESOLVED that the Board approves the following Memorandum of Understanding:

Memorandum of Understanding between the  
Imperial Community College District and Imperial Valley College Chapter CCA/CTA/NEA  
June 11, 2009

The Salary and Benefit Agreement for 2007-2010, Exhibit B3 in the Agreement between the Imperial Community College District and the Imperial Valley College Chapter of the Community College Association, California Teachers Association and the National Education Association for Academic Years 2007 – 2010 is modified as follows:

2009 – 2010 Salary

2. ~~Overload rate at \$60 per hour~~ Overload rate to be at \$55 per hour, no change from the 2008-2009 academic year.

This agreement is subject to ratification by the CTA membership and the District Board of Trustees. Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

**VIII.14. Resolution No. 14438: Compensation Method for Adjunct Credit Teaching Faculty**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President that the salary remains the same for adjunct credit (teaching and non-teaching) faculty.

BE IT FURTHER RESOLVED that the adjunct credit (teaching and non-teaching) rate shall remain at \$55 per hour for every lecture and lab hour taught for the Academic year 2009-2010.

**VIII.15. Resolution No. 14439: Full-Time Tenure Track Academic Employment**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to reemploy the following full-time, tenure track, academic personnel pursuant to Education Code: 87731 effective July 1, 2009:

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Zazueta, Cathy	Appropriate Classification and Step Contingent Upon Verification of Records	Assistant Librarian

**VIII.16. Resolution No. 14440: Full-Time Tenure Track Academic Employment**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following full-time, contract, academic personnel effective 2009-2010 academic year:

<u>Name</u>	<u>Classification/Step</u>	<u>Assignment</u>
Goldsberry, Rick	Appropriate Classification and Step Contingent Upon Verification of Records	EMS Program Director/Coordinator/Instructor

**VIII.17. Resolution No. 14441: CalWORKs Program Elimination**

WHEREAS, the District received information from the County of Imperial that the CalWORKs assessment program would no longer be funded effective June 30, 2009, and;

WHEREAS, the elimination of the CalWORKs program resulted in the termination of all full-time, non tenure track, categorical funded positions, and;

WHEREAS, the termination of employment for these employees was based entirely on the CalWORKs program elimination and it is in no way a reflection of the employees' work performance or abilities.

THEREFORE, BE IT RESOLVED that our gratitude is hereby extended to the affected CalWORKs staff for their years of service and the significant contributions that they have made on behalf of the District.

<u>Name</u>	<u>Project Position</u>	<u>Years of Service</u>
Esquer, Maria	Counselor	8 years (3/2001)
Felix, Mireya	Counselor	9 years (1/2000)
Garcia, Martha	Counselor	8 years (1/2002)
Romero, Yolanda	Coordinator	11 years (10/1988)
Sigala, Isabel	Counselor	10 years (7/1999)

**VIII.18. Resolution No. 14442: Termination of Full-Time Non-Tenure Track Academic Employment**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President that the following temporary, full-time non tenure track, categorically grant funded positions be eliminated effective July 19, 2009 due to program elimination. The District will compensate employees on a pro-rata daily rate until July 19, 2009 and the District shall continue health and welfare benefits through September 30, 2009:

<u>Name</u>	<u>Project Position</u>	<u>Funding Source</u>
Esquer, Maria	Counselor	CalWORKs – State
Felix, Mireya	Counselor	CalWORKs – State
Garcia, Martha	Counselor	CalWORKs – State
Romero, Yolanda	Coordinator	CalWORKs – State
Sigala, Isabel	Counselor	CalWORKs – State

**VIII.19. Resolution No. 14443: 2009-2010 Athletic Assignments**

BE IT RESOLVED that the Board approves the following athletic assignments:

Athletic Director: Jim Mecate  
Head Coach Men's Soccer: Rafael Contreras  
Asst. Coach Men's Soccer: Roberto Guerrero  
Head Coach Women's Soccer: Angelica Ramos  
Asst. Coach Women's Soccer Jesus Ramos  
Head Coach Women's Volleyball: Jill Tucker  
Asst. Coach Women's Volleyball: Gerardo Casarez  
Asst. Coach Women's Volleyball: Winston Lay  
Head Coach Men's Basketball: Tyson Aye  
Asst. Coach Men's Basketball: Aurelio Avila  
Asst. Coach Men's Basketball: Andrew Robinson  
Head Coach Women's Basketball: Michael Benton  
Asst. Coach Women's Basketball: Jeff Deyo  
Asst. Coach Women's Basketball: Joe Garcia  
Asst. Coach Women's Basketball: Melinda Benton  
Head Coach Men's Baseball: Jim Mecate  
Asst. Coach Men's Baseball: Enrique Lechuga  
Asst. Coach Men's Baseball: Eddie Richey  
Asst. Coach Men's Baseball: Enrique Lechuga Jr.  
Head Coach Women's Softball: Jill Lerno  
Asst. Coach Women's Softball: TBA

Head Coach Men's Tennis: Mike Palacio  
Asst. Coach Men's Tennis: Gerardo Casarez  
Asst. Coach Men's Tennis: Dan Williams  
Asst. Coach Men's Tennis: Sergio Molina  
Head Coach Women's Tennis: Sidne Horton  
Asst. Coach Women's Tennis: Mike Palacio  
Asst. Coach Women's Tennis: Isaac Navarro  
Head Coach Women's Cross Country: Eric Lehtonen  
Asst. Coach Women's Cross Country: Robin Paine  
Cheer Advisor: Jill Lerno

**VIII.20. Resolution No. 14444: Classified Substitute Employment**

BE IT RESOLVED that the Board approved the recommendation of the Superintendent/President to employ the following personnel.

<u>Name</u>	<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Cortez, Karina	Sign Language Interpreter III	DSPS	District	27-1	6/22/2009 - 7/30/2009
Gutierrez, Reyna	Sign Language Interpreter III	DSPS	District	27-1	6/22/2009 - 7/30/2009
Martinez, Gina	Sign Language Interpreter III	DSPS	District	27-1	6/22/2009 - 7/30/2009
Ramirez, Alejandra	Sign Language Interpreter II	DSPS	District	22-1	6/22/2009 - 7/30/2009

**VIII.21. Resolution No. 14445: Volunteer Employment**

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:

<u>Name</u>	<u>Title</u>	<u>Department</u>	<u>Effective</u>
Denise Torres	Volunteer Office Assistant	Maintenance	July 6, 2009 - July 30, 2009
Lucia Diaz	Volunteer Lab Assistant	Information Systems	June 25, 2009 - July 31, 2009
Dewi Castaprel	Volunteer Office Assistant	Science/Math/ Engineering Division	July 7, 2009 - August 21, 2009
Deanna Carrillo	Volunteer Office Assistant	Behavioral Science and Social Science Division	July 8, 2009 - August 31, 2009

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.

**VIII.22. Resolution No. 14446: Employee Assistance Program Agreement**

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to enter into an agreement with U.S. Behavioral Health Plan (a California corporation licensed as a Knox-Keene Health Care Service Plan), to provide an Employee Assistance Program effective August 1, 2009.

Fiscal Impact Statement: \$8,112.00 per year

**IX. ADJOURNMENT**

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for the **THIRD WEDNESDAY, AUGUST 19, 2009, AT 6:00 P.M.** in the **Temporary Board Room located in Room 304A.**



# TENTATIVE AGREEMENT

June 9, 2009

The District and CSEA agree to the following tentative contract agreement for 2008-2009. Pending ratification of CSEA Chapter 472 and the Board of Trustees, the following contract provisions will become effective as of July 1, 2008:

## **2008-2009**

### I. SALARY

1. An on-schedule salary increase of .68%, retroactive to July 1, 2008.

### II. ARTICLE 10: INSURANCE

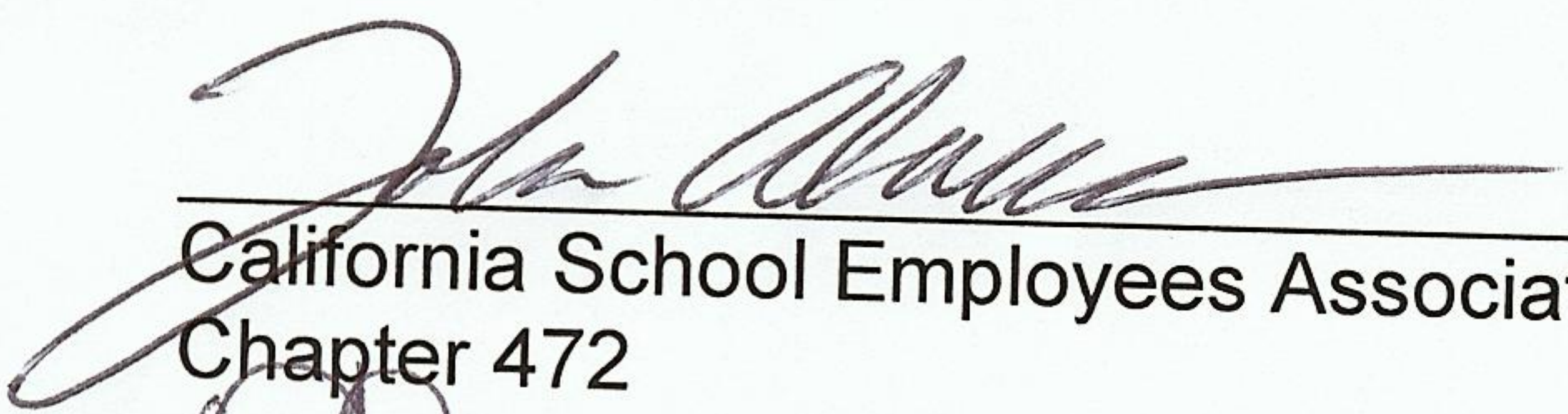
1. District to pay 100% of insurance premiums. Coverage to remain status quo.
2. Maintain current retiree health benefits.

### III. ARTICLE 12.4: Vacation Accrual

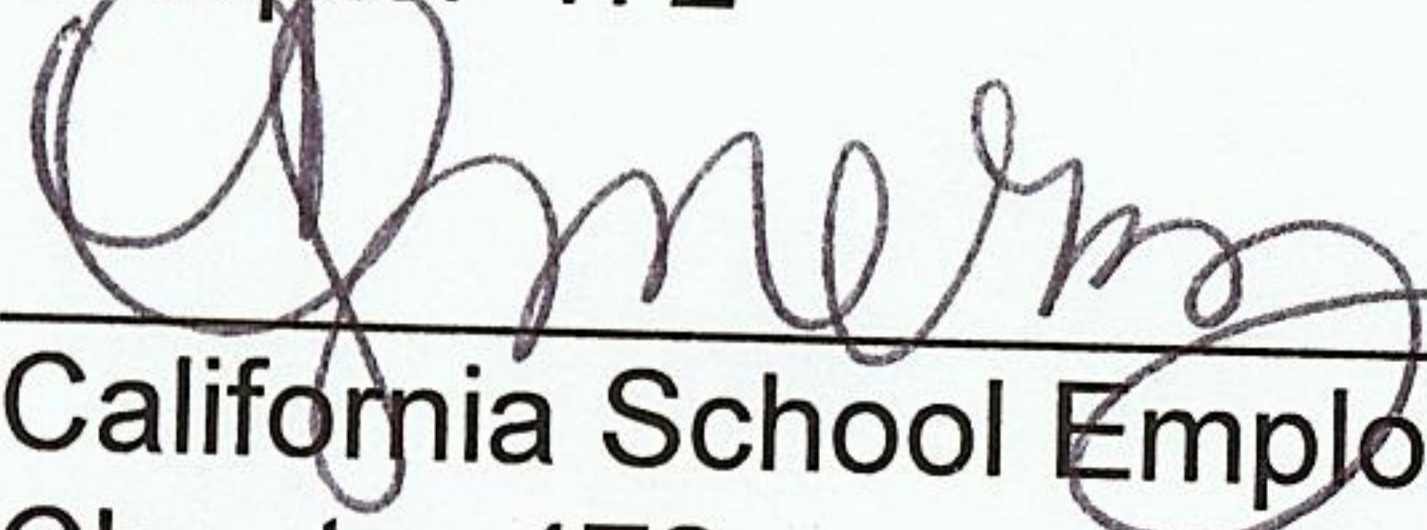
1. District will permit probationary employees to use any accrued vacation time during periods of campus closures (e.g. spring recess and winter recess).

### IV. OTHER


1. Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

  
California School Employees Association  
Chapter 472

  
District Lead Negotiator

  
California School Employees Association  
Chapter 472

  
District Negotiator

  
California School Employees Association  
Chapter 472

  
Superintendent / President



Memorandum of Understanding  
between the  
Imperial Community College District and  
Imperial Valley College Chapter CCA/CTA/NEA  
June 11, 2009


The Salary and Benefit Agreement for 2007-2010, Exhibit B3 in the Agreement between the Imperial Community College District and the Imperial Valley College Chapter of the Community College Association, California Teachers Association and the National Education Association for Academic Years 2007 – 2010 is modified as follows:

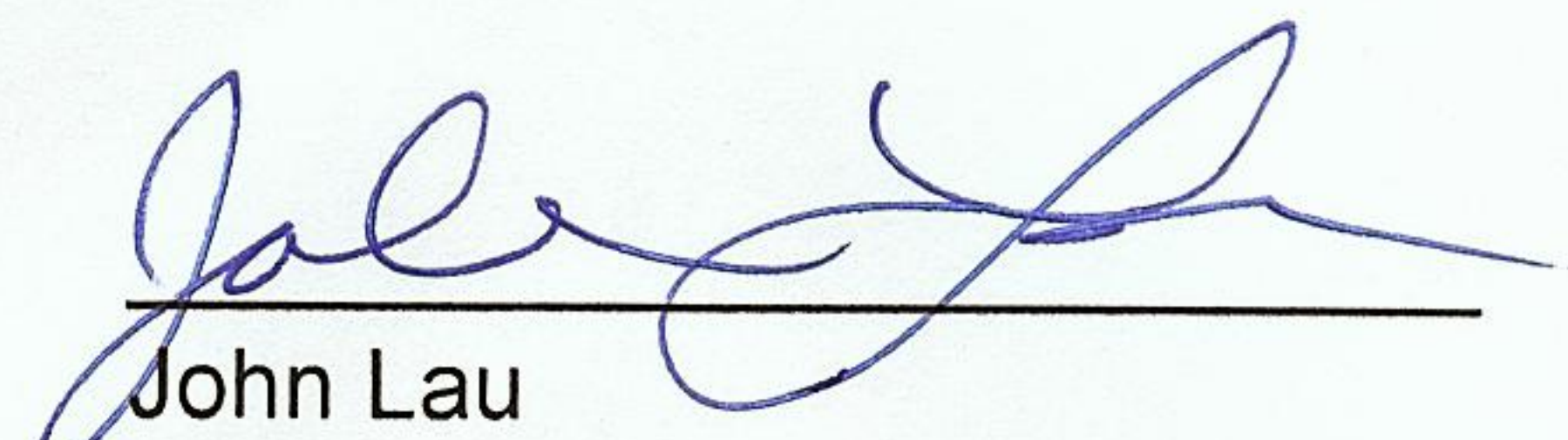
2009 – 2010

Salary


2. ~~Overload rate at \$60 per hour~~ Overload rate to be at \$55 per hour, no change from the 2008-2009 academic year.

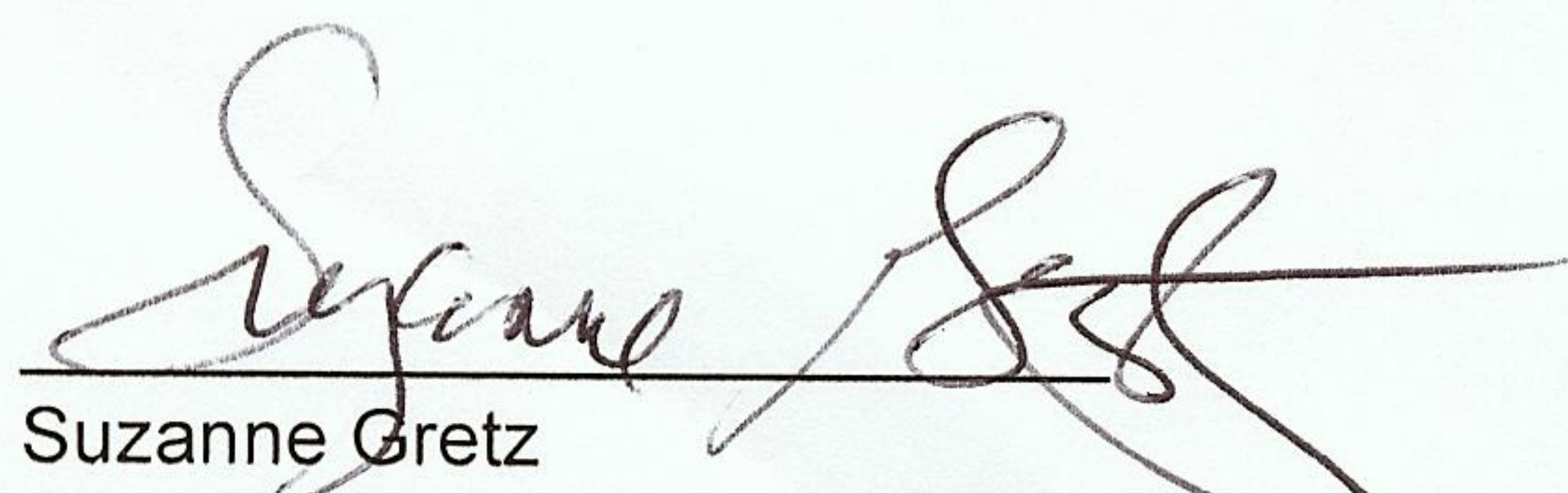
This agreement is subject to ratification by the CTA membership and the District Board of Trustees. Except as provided herein, all other provisions of the current agreement between the parties shall remain in full force and effect.

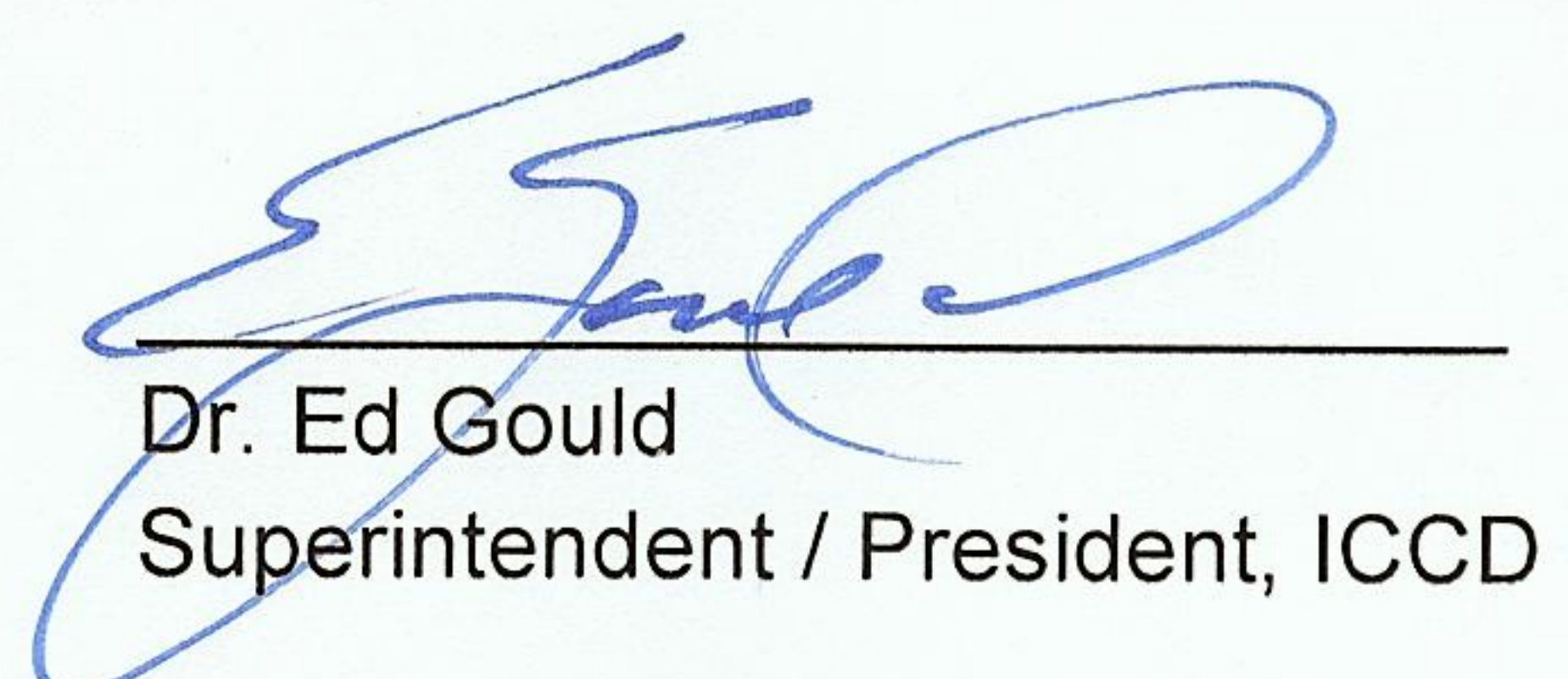
  
Ed Scheuerell  
Lead Negotiator, IVC CCA/CTA/NEA

  
John Lau  
Lead Negotiator, ICCD

  
Mary Lofgren  
Negotiator, IVC CCA/CTA/NEA

  
Travis Gregory  
Negotiator, ICCD

  
Suzanne Gretz  
President, IVC CCA/CTA/NEA

  
Dr. Ed Gould  
Superintendent / President, ICCD



June 26, 2009

Board of Trustees  
Imperial Valley College  
P.O Box 158  
Imperial, CA 92251

Dear Members of the Board:

It is with mixed emotions that I announce my intent to retire from my position of Staff Secretary III of the maintenance department at Imperial Valley College with acceptance of the Golden Handshake and the Supplemental Employee Retirement Plan (SERP). My last day of service will be August 31, 2009.

The past 35 years have been a very rewarding experience for me filled with wonderful memories. I enjoyed working with everyone and establishing long lasting friendships through the years.

Thank you for the opportunities I have had these past 35 years at IVC.

Sincerely,



Esther L. Lansing  
Staff Secretary III  
Maintenance & Operation

CC: Rick Webster, Director of Maintenance/ Operations  
Travis Gregory, Associate Dean of Human Resources  
Mary Bell, Payroll/Benefit Coordinator  
Ed Gould, President/Super Entendent ✓

**2008-2009 ACCREDITATION ANNUAL REPORT**  
**Accrediting Commission for Community and Junior Colleges**

**DUE BY June 30, 2009**

- 1) Name of College: **Imperial Community College District**
- 2) College Address: **380 E. Aten Road, P. O. Box 158, Imperial, CA 92251**
- 3) City, State, Zip: **Imperial, CA 92251**
- 4) Prepared by/Title: **Kathy Berry, Vice President for Academic Services**
- 5) Telephone: **(760) 355-6213**
- 6) E-mail: [\*\*kathy.berry@imperial.edu\*\*](mailto:kathy.berry@imperial.edu)

**INSTRUCTIONS**

**Please respond to all of the questions. Enlist the assistance of appropriate individuals in your institution to ensure the accuracy of information submitted.**

**As you respond to the following questions, please consider “new” to mean only those changes which have occurred since the college’s last Annual Report unless otherwise indicated. Include any updates or approved substantive changes since the last Annual Report.**

- 7) Indicate any change in the official name, address, or control of the institution.

**There has been no change in the official name, address or control of the institution.**

- 8) What is the institution’s overall course completion rate for *the fall 2008 semester*?  
Indicate by percentage: 65.6%. (Course completion is the percentage of officially-registered students at the time of census who complete the course with a passing grade. Please indicate what your institution requires for a passing grade.)

**The percentage for the 2007 – 2008 Accreditation Annual Report should be 63.0% based on the above definition, instead of 80.6% as submitted.**

- 9) Has the institution’s course completion rate decreased by 5% or more this past year?  
Yes \_\_\_\_\_ No  X

- 10) If “yes” to item #9 above, what is the percentage decrease? \_\_\_\_\_%.

N/A



- 11) Total FTES enrollment in credit degree applicable courses:  
**In fall 2008, total FTES enrollment in credit degree applicable courses was 2,646.70.**
- 12) Total FTES enrollment in pre-collegiate credit courses which are non-degree applicable:  
**In fall 2008, total FTES enrollment in pre-collegiate credit courses was 551.82.**
- 13) Total FTES of international students: **4.01% for fall 2008.**
- 14) Does your institution collect data on state licensing examination results for career/technical programs? Yes **X** No \_\_\_\_\_.
- 15) If “yes” to item #14 above, list the licensure exam pass rate for **each** career/technical program since last year’s Annual Report (Rate = # passing ÷ # attempting).

Name of Program	Licensure Exam Pass Rate
<b>Associate Degree Nursing</b>	<b>66.07%</b>
<b>Vocational Nursing</b>	<b>66.3%</b>
<b>Emergency Medical Technician – Paramedic</b>	<b>50%</b>

- 16) Have the institution’s licensure exam pass rates declined by 10% or more this past year? Yes **X** No \_\_\_\_\_.
- 17) If “yes” to item #16 above, by what percentage?

Name of Program	Licensure Exam Pass Rate Percentage of Decline
<b>Associate Degree Nursing</b>	<b>12.0%</b>
<b>Vocational Nursing</b>	<b>13.0%</b>
<b>Emergency Medical Technician – Paramedic</b>	<b>N/A</b>

- 18) Does your institution collect information on job placement rates for its career/technical programs? Yes \_\_\_\_\_ No **X**
- 19) If “yes” to item #18 above, list the job placement rate for **each** career/technical program since last year’s Annual Report (Rate = # placed ÷ # graduates in each program).

N/A



- 20) Have the institution's job placement rates declined by 10% or more this past year?  
Yes \_\_\_\_\_ No \_\_\_\_\_

N/A

- 21) If "yes" to item #20 above, by what percentage? \_\_\_\_\_%?

N/A

- 22) List all sites or campuses, since the last Annual Report, at which students can complete 50% or more of the credits for a degree or certificate program, and list the programs for which 50% or more of the credits may be earned at each site or campus. Also, report when these sites or campuses began operating.

**Students can complete at least 50% of the credits for a degree or certificate program at the following sites:**

**Programs: All Programs**

**Site/Campus: Main Campus (Year of Operation, 1959)**

**At least 50% of the following certificate programs may be completed at the site or campus:**

**Programs: Legal Assistant, Firefighter I, Health Assistant Certificate, Electrical Trades Certificate**

**Site/Campus: El Centro Extended Campus (Year of Operation, 1975)**

- 23) List new courses and programs offered at sites or campuses outside the geographic region (but within the U.S.) served by the college since the last Annual Report.

**No new courses and programs are offered at sites or campuses outside the geographic region (but within the United States) serviced by the college since the last Annual Report.**

- 24) List and describe any programs which were added to the college curriculum since the last Annual Report, regardless of location, that represent a significant departure in either content or method of delivery. Please indicate whether each program is offered at the degree or certificate level and if the programs are for credit or non-credit. (Refer to the ACCJC web site [www.accjc.org](http://www.accjc.org) for Substantive Change Policy.)

- 25) Describe new programs for which 50% or more of the credits are offered through a mode of distance or electronically mediated delivery. Do not include study abroad programs.

**The college does not offer any programs in which 50% or more of the credits are offered through a mode of distance or electric delivery.**

- 26) What is the total FTES enrollment for fall 2008 in all types of distance or electronically mediated delivery offered? **143.8 FTES**

- 27) List courses offered in a distance or electronically mediated delivery mode for the first time since the last Annual Report submission.

**AJ/CSI 102, Concepts of Criminal Law  
BIOL 100, Principles of Biological Science  
CIS 208, Programming in Java  
ENGL 102, Introduction to Literature  
LBRY 153, Library Public Services  
PE 210, Introduction to Physical Education  
SPAN 100, Elementary Spanish I  
SPCH 100, Oral Communication**

## **INSTRUCTIONS**

**STUDENT LEARNING OUTCOMES: Update the college's progress with course, certificate, degree, and general education expected Student Learning Outcomes identification, assessment, analysis and use of assessment results for institutional evaluation, planning and improvement. Respond to questions 28 – 41 below.**

- 28) Percent of courses with SLOs: **84.0%**

- 29) Percent of programs with SLOs: **10.0%**

- 30) Percent of courses with on-going assessment: **84.9%**

- 31) Percent of programs with on-going assessment: **10.0%**

- 32) Have institutional-level SLOs been developed? Yes **X** No \_\_\_\_\_.

- 33) What percent of student and learning support activities have SLOs identified?

**Student support activities 100.0%; learning support activities 80.0%**



34) Percent of learning support activities with on-going assessment? 90.0%

35) List and describe any programs for non-US nationals the institution conducts or plans to conduct outside the U.S. Do not include study abroad programs for the institution's native students. Has the institution submitted a Substantive Change Proposal for this/these activities?

**None.**

36) List and describe any articulation agreements or Memoranda of Understanding with non-US institutions. Has the institution submitted a Substantive Change Proposal for this/these activities?

**None.**

37) Has the institution entered into new contracts with non-regionally accredited organizations which provide courses or programs on behalf of the institution?  
Yes \_\_\_\_\_ No X

38) If "yes" to item #37 above, please complete questions #39, #40, and #41 below.

**N/A**

39) Which courses or instructional programs are provided?

**N/A**

40) Which student and learning support services are provided?

**N/A**

41) Describe the level of control the institution exercises over the contract.

**N/A**