



ADOPTED MINUTES

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

Wednesday, October 20, 2010

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

CALL TO ORDER/ROLL CALL

On Wednesday, October 20, 2010, at 6:00 p.m., Board President Hart called the regular meeting of the Imperial Community College District Board of Trustees to order in the Administration Board Room, Building 10.

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT: None

REPRESENTATIVES PRESENT:

Joe Trejo, Associated Student Government Representative
Kevin White, Academic Senate Representative
Dr. Michael Heumann, College Council Representative
Lisa Solomon, CTA Representative
Frances Arce-Gomez, CSEA Representative

CONSULTANTS PRESENT:

Dr. Ed Gould, Superintendent/President
Dr. Victor Jaime, Vice President for Student Services
John Lau, Vice President for Business Services
Kathy Berry, Vice President for Academic Services
Frank Oswald, Legal Counsel

PLEDGE OF ALLEGIANCE

Trustee Medina led the Pledge of Allegiance to the Flag.

PUBLIC COMMENT

CSEA President Frances Arce-Gomez announced a tentative agreement had been reached and voting would take place soon.

M/S/C Acuña/Wong to go into CLOSED SESSION at 6:04 p.m.

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. PUBLIC EMPLOYEE DISCIPLINE/DISSMISSAL/RELEASE

M/S/C Cardenas/Acuña to go into OPEN SESSION at 6:40 p.m.

1. Information was received.
2. Two items: Information was received.

PUBLIC COMMENT

There was no public comment.

PUBLIC COMMENT PERIOD FOR APPROVED RESOLUTION FROM AUGUST 18, 2010

M/S/C Acuña/Ramirez

Resolution No. 14786: 2010 Local Agency Biennial Conflict of Interest Disclosure Form

WHEREAS The Political Reform Act requires every local government agency to review its conflict of interest code biennially; and

WHEREAS each agency must submit to the Imperial County Clerk a notice indicating whether or not an amendment is necessary; and

WHEREAS the Imperial Community College District will have a public comment period commencing August 18, 2010 and end at the October 20, 2010 scheduled Board meeting, giving more than the 45-day required public comment period; and

WHEREAS accurate disclosure is essential to monitor whether officials and other staff have conflicts of interest and to help ensure public trust in government, Government Code Section 87200 provides a guideline for elected officials; and

WHEREAS amendments to the Imperial Community College District Conflict of Interest Designated Positions and Disclosure Categories are necessary;

BE IT THEREFORE RESOLVED that the Board of Trustees requests the removal of the following position titles as they are no longer part of the District:

District Superintendent
Deputy Superintendent – Dean of Instruction
Associate Superintendent – Dean of Students
Associate Superintendent – Business
Purchasing Assistant
Supervisor of Maintenance and Operations
Cafeteria Manager
Assistant Cafeteria Manager
Athletic Director
IVC Instructor, IVC Rodeo Coach
Director

BE IT FURTHER RESOLVED that the Board of Trustees designates the following position titles as part of the designated positions and disclosure categories as listed below:

#	DESIGNATED POSITIONS	DISCLOSURE CATEGORIES
1.	Member, Board of Trustees	1, 2, 3, 4, 5, 6
2.	Superintendent/President	1, 2, 3, 4, 5, 6
3.	Chief Human Resources Officer	1, 2, 3, 4, 5, 6
4.	Chief Instructional Officer	1, 2, 3, 4, 5, 6
5.	Chief Student Services Officer	1, 2, 3, 4, 5, 6
6.	Chief Business Officer	1, 2, 3, 4, 5, 6
7.	Chief Technology Officer	1, 2, 3, 4, 5, 6
8.	Deans	5, 6
9.	Director of Fiscal Services	4, 5, 6
10.	Director of Maintenance & Operations	2, 3, 6
11.	Director of Purchasing	2, 3, 6
12.	Legal Counsel	1, 2
13.	Consultants	1, 2, 3, 4, 5, 6

Category 1: All investments and business positions and sources of income from, business entities that do business with the District or own real property within the boundaries of the District, plan to do business or own real property within in the boundaries of the District within the next year, or have done business with or owned real property within the boundaries of the District within the past two (2) years.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the boundaries of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District, plan to engage in such activities within the jurisdiction of the District within the next year, or have engaged in such activities within the jurisdiction of the District within the past two (2) years.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 6. All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

INFORMATION REPORTS

Board Member Reports

Trustee Hart reported the following:

- Attended a memorial service for Mel Wendrick.
- Has been working on the campaign for Measure J.
- Attended the last SDICCCA meeting and reported there was discussion regarding the CCLC/CCCT Board and offered to go speak to their boards to allow them input to take to the CCCT Board meeting.

- CCLC holding a conference in Pasadena on November 18-20, 2010. He asked and encouraged the Trustees to consider attending.
- Attended the Foundation meeting last night. He stated the organization seems to be moving in the right direction. He reported the golf tournament raised over \$3,000 and the Fashion Show raised about \$2,200.

Trustee Galindo asked for a report from the Foundation Executive Director. President Gould stated it would be on the November meeting.

Trustee Ramirez reported the following:

- Teacher from San Pasqual passed away and his obituary stated he was a coach for IVC at one time. She asked if anyone knew further information to let her know.

Associated Student Government Senate Update – Joe Trejo

ASG President Trejo reported the following:

- Attending an ASG conference on Roberts Rules Order.
- Announced the Pumpkin Patch would take place next week and ASG will be involved.
- Helped in the Measure J campaign walk.
- Another Measure J walk is scheduled for October 29.
- Veteran's Day events and activities would be announced soon.

Academic Senate Update – Kevin White

Academic Senate President White reported the following:

- Offered extra credit for students that volunteered with the Measure J.
- Attending the annual fall plenary session next month.
- Working on Academic Senate issues: equivalency, shared governance, and website.
- Announced that the Academic Senate approved the Measure J bond.

College Council Update – Dr. Michael Heumann

College Council Chair Heumann reported the following:

- Announced there has been budget discussion.
- Announced a proposal for an electronic distribution list which would change the way IVC distributes email would be voted on soon.
- Announced there is a proposal for managed print to be more cost effective and energy efficient around campus.
- Announced the Fragrance Sensitivity policy was approved.

President's Update – Dr. Ed Gould

President Gould reported the following:

Thanked the students for attending the meeting.

Measure J Update

- October 15 & 16 Walk for Measure J was conducted by 45 student and community volunteers and covered El Centro, Calexico, and Imperial.
- Extended appreciation to Bill Gay, Mike Cox, and Robert Rubio for their work on the campaign.
- Accolades to Frances Beope and Sergio Lopez for the recruitment of community volunteers and students on the Measure J campaign.

- Thanks to Abel Guillen of Caldwell Flores for the information he provided on the Measure J walking campaign which covered 3,815 voters in 3,156 addresses.

Budget News

He reported the following highlights on the budget:

- Governor signs Budget but “blue lines” community college programs and reduces budget by ½%.
- \$25 million augmentation to the already budgeted \$22.9 million Workforce Development funds for community colleges was deleted by the Governor.
- \$35 million targeted for community college categorical programs from Prop 98 was vetoed – this money was to replace the one time ARRA funds distributed in 2009-10.

2010 – 2011 General Apportionment

Reviewed the general apportionment and the one-time and miscellaneous funds for the last three years. He reviewed the Categorical Program Funding for 2010-2011 and stated that staff would be discussing the funding in the coming weeks.

Apportionment Deferrals

Discussed the Intra-Year Deferrals: The 2010-11 State Budget package continues two intra-year deferrals that were included in prior year budgets: \$200 million from the July 2010 payment was deferred to the October 2010 apportionment allocation; and 2) \$100 million deferred from March 2011 with repayment occurring in May 2011. In addition, AB 1624 (part of the 2010-11 budget package) delays the full October apportionment payment, which usually is paid by the state around October 28, to November 4, 2010.

Inter-Year Deferrals: The 2010-11 Budget agreement also includes inter-year deferrals for community college apportionments totaling \$832 million, up by \$129 million from last year’s total deferral amount. He stated the Chancellor’s Office will defer monthly payments to districts on the following schedule, with the repayment of the deferred amounts occurring in mid- July, 2011.

Brief News

- Announced apportionment payments as follows:
 - July - 10/22/10
 - August - 10/25/10
 - September - 10/26/10
- Reported there were no funds borrowed against local property taxes due to the apportionment announcement.
- Announced IVC was granted the Title V Grant (Project ATLAS) worth \$3 million for five years.
- Announced SPA received \$1,000 from Calexico Wal-Mart to help sponsor SPA activities.
- Announced Sophia President and Vice Presidents met with Instructional Deans to introduce a new service. He stated the pilot project is scheduled for next week.
- Announced the new marquee signs are being installed at the front and east side of campus.

Tessara Solar Gets Final Approvals

- Announced Tessara Solar celebrated receiving final approval of the Imperial Valley Solar Project on October 5, 2010, and announced they would begin construction soon. He reported County, IVC and other local people were invited to a dinner to celebrate.
- Announced Tessara still plans on putting a training site on the IVC campus.

Student Ambassadors and IVC Open House Publicity

- Announced IVC Student Ambassadors Program was launched by the Communications Department and Foundation and will be visible at the Open House.
- Announced the Open House would take place on October 30, 2010

Recent and Upcoming Events

- Events
 - October 18th, Memorial Service for Mel Wendrick
 - October 19th, Campus Safety Awareness Day
 - October 21st, Governor's Small Business Conference at the Expo on (Assembly Member Manuel Perez will be luncheon keynote speaker) followed by Imperial Valley Joint Chamber of Commerce Mixer
 - October 30th, IVC Community Open House and Pumpkin Patch
 - November 3rd, Staff Appreciation BBQ

Trustee Galindo stated that the District is actively on a technology building and is wondering what the District would be doing about unavailable classes, no winter sessions, denied transfer students to state and UC's.

President Gould stated there is less money from the state and stated the buildings are being built through the generosity of the local tax payer. He stated the District is cutting back due to state cuts not because the District wants to. He stated the District would be asking to take on more students as they have been doing.

CONSENT AGENDA – PRESIDENT'S OFFICE

M/S/C Cardenas/Wong

Approval of Minutes dated September 15, 2010, Regular Board Meeting

M/S/C Cardenas/Wong

Resolution No. 14826: Initiatives on the November 2, 2010 Statewide General Election Ballot

WHEREAS the Community College League of California has announced the initiatives on the November 2, 2010 Statewide General Election Ballot; and

WHEREAS as part of their ongoing education efforts for local districts, the boards of the California Community College Trustees (CCCT) and the Chief Executive Officers of the California Community Colleges (CEOCCC) reviewed each initiative to determine those which affect community colleges; and

WHEREAS the propositions were forwarded to the colleges with a recommendation that local boards review them, consider their impacts and share that information with local faculty, staff and students through issuance of a press release and other educational activities; and

WHEREAS at their recent meetings, the CCCT and CEOCCC boards reviewed the nine propositions that will appear on the November 2, 2010 General Election Ballot and both boards voted for the following positions (the boards have not taken positions on the remaining measures):

Proposition 22 – Oppose

Proposition 23 – Oppose

Proposition 24 -- Support

Proposition 25 – Support
Proposition 26 – Oppose

THEREFORE BE IT RESOLVED that the Board of Trustees for Imperial Community College District acknowledges having reviewed the propositions, has considered their impact, and is hereby sharing the information with the public;

BE IT FURTHER RESOLVED that direction be given to the CEO to prepare a press release and distribute accordingly.

CONSENT AGENDA – STUDENT SERVICES

**M/S/C Ramirez/Acuña
Resolution No. 14827: Destruction of Records**

BE IT RESOLVED that Board approves the recommendation of the Director of Admissions & Records, Dean of Enrollment Services and Vice President for Students Services, with the approval of the Superintendent/President to dispose of Class 3 records.

BE IT FURTHER RESOLVED that these records have been scanned and met the retention period requirements of Sections 59023 through 59026 of the Title V Administrative Code, and therefore the District has no further need to retain these hard-copy records.

<u>DOCUMENT</u>	<u>YEAR ORIGINATED</u>
Final Grade Rosters	Winter 2006, 2007 Spring 2005, 2006, 2007 Summer 2005, 2006, 2007 Fall 2005, 2006, 2007

O' Cards (Admission Applications) 1994 – 2003

Permanent Record Cards 2003 - 2004

CONSENT AGENDA – BUSINESS SERVICES

Trustee Galindo pulled Resolution Nos. 14831, 14834, and 14835.

**M/S/C Cardenas/Acuña
Resolution No. 14828: Purchase Orders**

BE IT RESOLVED that the Board approves the issuance of purchase orders and direct payments for the month of September 2010 in the amount of \$1,383,099.15:

<u>September 2010</u>	
Direct Pay	312,577.64
Purchase Orders	<u>1,070,521.51</u>
	1,383,099.15

M/S/C Cardenas/Acuña
Resolution No. 14829: Payroll Warrant Orders

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

Date Paid	#	Fund 10 General Fund	Fund 45 Child Dev.	Warrant Total
9/10/10	5	127,398.03		127,398.03
9/30/10	6	2,797,213.36	42,146.74	2,839,360.10
		2,924,611.39	42,146.74	2,966,758.13

M/S/C Cardenas/Acuña
Resolution No. 14830: Commercial Warrant Orders

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

Date Paid	#	Fund 10 General Fund	Financial Aid	Fund 20 Building Fund	Fund 45 Child Dev.	Fund 80 Bond Fund	Warrant Total
9/2/10	9	407,784.76		840.65		3,635.53	412,260.94
9/9/10	10	57,940.29	985.00	87,988.50	550.00	212,708.94	360,172.73
9/16/10	11	138,540.11		54,939.00		149,324.66	342,803.77
9/23/10	12	411,592.93	2,782,542.17	193,355.95		74,374.85	3,461,865.90
9/30/10	13	238,549.07		966.65	817.72	21,236.02	261,569.46
		1,254,407.16	2,783,527.17	338,090.75	1,367.72	461,280.00	4,838,672.80

M/S/C Acuña/Cardenas (OPPOSE: Galindo)
Resolution No. 14831: Ratification of Contract
Discussion

Trustee Galindo stated that at last week's special board meeting, there was a question on the doc tech and asked clarification on the item.

President Gould addressed the item and stated that computers for the software would come from surplus.

Trustee Galindo asked that the Trustees consider postponing this for a few months.

Trustee Ramirez stated that she would benefit from the program due to distance.

President Gould stated that there would be a savings realized over a period of time.

Resolution

BE IT RESOLVED that the Board ratifies the following contract:

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Budget/Department</u>
---------------	---------------	--------------------	--------------------------

Emerald Data Solutions	\$10,000 first year, \$9,000 annual cost	BoardDocs (web-based board agenda service)	President's Office, General Fund expense
------------------------	--	--	--

**M/S/C Cardenas/Acuña
Resolution No. 14832: Red Cross Agreement**

BE IT RESOLVED that the Board approves an agreement with the San Diego/Imperial Counties Chapter of the American National Red Cross to allow the Red Cross to install a cargo container on the grounds of Imperial Valley College for the purpose of storing mass care shelter supplies.

FISCAL IMPACT: No fiscal impact (no cost to the District).

**M/S/C Cardenas/Acuña
Resolution No. 14833: Citizens Oversight Committee for Measure L**

BE IT RESOLVED that upon the recommendation of the Superintendent/President, the Board appoints the following member to the Citizens Oversight Committee for Measure L:

Name:	Membership category:	Term:	Replacing:
Lisa Nichole Tylenda	<i>Student Representative (IVC Associated Student Government Senator)</i>	October 21, 2010 – October 20, 2012	Rick Webster, Jr.
Jackie Loper	<i>Member-at-large (Public Works Director, City of Imperial)</i>	October 21, 2010 – October 20, 2012	Amanda Brooke

BE IT FURTHER RESOLVED that Resolution #14245 be amended as follows:

Name:	Membership category:	Term:	
Marlene Best	<i>Foundation Member (Member of the IVC Foundation; City Manager, City of Imperial)</i>	November 22, 2009 – November 21, 2011	Re-appointment

**M/S/C Cardenas/Acuña
Resolution No. 14834: Award of Bids for Art Gallery Construction**

Discussion

Trustee Galindo asked if the contractors were local.

Architect Jimmy Sanders reported that two were not local; however, one employs many local workers, and one is from Imperial.

Resolution

WHEREAS, the District has advertised for bids and a bid opening was held on October 7, 2010 for the following project:

Art Gallery

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:

<u>Bid Package #</u>	<u>Bid Package</u>	<u>Contract Awarded to</u>	<u>Contract Amount</u>
#5	Metal Roofing, Sheet Metal and Skylights	Best Contracting Services, Inc.	120,000
#7	Finishes, Casework Specialties	Dez Construction	64,800
#8	Floor Finishes and Ceramic Tile	Gordon's Carpet One	<u>29,790</u>
			214,590

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: Contracts to be paid from Fund 20 (Building Fund)

M/S/C Cardenas/Acuña (ABSTAIN: Galindo)

Resolution No. 14835: Investment Banking Services for Measure J Bonds

BE IT RESOLVED that the Board approves an Agreement for Investment Banking Services with Piper Jaffray & Co. to serve as the bond underwriter for Measure J general obligation bonds.

BE IT FURTHER RESOLVED that the payment of underwriting commission and expenses shall be contingent on the closing of the applicable series of bonds and shall be deducted from the proceeds of the sale of such bonds.

FISCAL IMPACT: Underwriting commission not to exceed 1.0% of the principal amount of the bonds sold, plus reimbursement of expenses will be paid from Measure J Bond Funds.

M/S/C Cardenas/Acuña

Resolution No. 14836: Memorandum of Understanding with Desert Museum Society

WHEREAS the District is the owner of the Desert Museum site in Ocotillo; and

WHEREAS in 1992, the District and the IVC Museum Society agreed that the Society would build a museum on the grounds and that the District would maintain the museum and staff it for the times prescribed in the agreement; and

WHEREAS, the District and the Museum Society acknowledge that unforeseeable changes in the economic circumstances of the District, the Society, the community, as well as the State of California, require a new business model for the successful operation of the Museum and the property.

NOW, THEREFORE, BE IT RESOLVED that the Board approves a Memorandum of Understanding with the IVC Museum Society that will fully and completely extinguish and supersede the Memorandum of Understanding executed in 1992.

BE IT FURTHER RESOLVED that the District will deliver a quitclaim deed with the appropriate legal description granting to the Society such title as the District may have to the Desert Museum site. Further, the District will prepare any and all legal documents needed to transfer title to the property and shall cooperate with the Society in securing any approval or permits needed by the Society in order to continue the operation of the Museum.

BE IT FURTHER RESOLVED that as a consideration for the transfer of the property and as consideration for the substantial rights the Society relinquishes with the novation of the 1992 agreement, the District shall pay the Society the sum of \$249,996 during the five year period immediately following the complete execution of the new agreement and the recording of the quitclaim deed.

BE IT FURTHER RESOLVED that the obligation of the District to make payments to the Society shall be subject to the satisfaction of the general conditions contained in the agreement, including: during the term of the agreement, the building and property shall be utilized as a museum whose primary mission is to provide information to the public about the physical and cultural aspects of the Imperial Valley; and the museum shall also be used to preserve artifacts of the past with emphasis on those of indigenous peoples of the Imperial Valley.

FISCAL IMPACT: Estimated cost for FY 2010-11 of \$40,000 has been included in the 2010-11 budget (General Fund expense). The total impact to the General Fund over five years is \$249,996.

CONSENT AGENDA – ACADEMIC SERVICES

Trustee Acuna pulled Resolution 14841, 14842

M/S/C Ramirez/Acuña

Resolution No. 14837: Agreement for Utilization of Funds

BE IT RESOLVED that the Board approves the master agreement for utilization of funds by the District under the Workforce Investment Act (Public Law 105-220) for Project PIPE, Project TIIP, and Project SET, for the period of December 1, 2009 through March 20, 2011.

BE IT FURTHER RESOLVED that the Board authorizes the CEO to sign agreement on behalf of the District.

FISCAL IMPACT: The District will receive the following monies:

Project PIPE: \$267,996.00; Project TIIP: \$300,375.00; Project SET: \$274, 388.00

M/S/C Ramirez/Acuña

Resolution No. 14838: Local Agreement Infant Toddler Resource CCAP-0017, Project Number 13-6315-00-0

BE IT RESOLVED that the Governing Board of Imperial Community College District authorizes entering into local agreement Infant Toddler Resource CCAP-0017 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: No fiscal impact to the District's budget.

M/S/C Ramirez/Acuña

Resolution No. 14839: Local agreement California Early Childhood Mentor Program Contract

BE IT RESOLVED that the Governing Board of Imperial Community College District authorizes entering into local agreement California Early Childhood Mentor Program Contract, 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: No fiscal impact to the District's budget.

M/S/C Ramirez/Acuña

Resolution No. 14840: Local agreement Child Development Training Consortium

BE IT RESOLVED that the Governing Board of Imperial Community College District authorizes entering into local agreement Child Development Training Consortium, for the fiscal year 2010-2011, with the California State Department of Education, Child Development Division 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: No fiscal impact to the District's budget.

M/S/C Ramirez/Wong

Resolution No. 14841: Memorandum of Understanding with the Niland Chamber of Commerce

Discussion

Trustee Acuna asked for clarification on the MOU. President Gould provided information as the purpose of the MOU.

Resolution

BE IT RESOLVED that the Board approves the Imperial Valley College (IVC) to enter into an MOU with the Niland Chamber of Commerce (Host) for the implementation and joint use agreement for IVC's Housing and Urban Development grant that provides a variety of business services to Imperial County residents commencing November 1, 2010, and will terminate when the HUD grant funds have been exhausted.

FISCAL IMPACT: No impact to the General Fund. The initial fiscal impact is \$3,000 per site and a recurring cost of \$1,500 that will be covered by the HUD grant.

M/S/C Acuña/Wong

Resolution No. 14842: Memorandum of Understanding with the Westmorland Community Presbyterian Church – Library

BE IT RESOLVED that the Board approves the Imperial Valley College (IVC) to enter into an MOU with the Westmorland Community Presbyterian Church – Library (Host) for the implementation and joint use agreement for IVC's Housing and Urban Development grant that provides a variety of business services to Imperial County residents commencing November 1, 2010, and will terminate when the HUD grant funds have been exhausted.

FISCAL IMPACT: No impact to the General Fund. The initial fiscal impact is \$3,000 per site and a recurring cost of \$1,500 that will be covered by the HUD grant.

CONSENT AGENDA – HUMAN RESOURCES

Trustee Galindo pulled Resolution No. 14852.

M/S/C Acuña/Wong

Resolution No. 14843: 2010-2011 Athletic Assignment

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

Assistant Coach for Women's Cross Country: Jill Nelipovich

FISCAL IMPACT: There is no additional fiscal impact to the general fund for assistant coaches as the 1.5 unit assignment is part of the instructor's regular load.

M/S/C Acuña/Wong

Resolution No. 14844: Director of Enterprise Systems

WHEREAS, part of the mission of the Imperial Valley College is to effectively implement technology across the District;

WHEREAS, a management position has been developed to improve the operation and support of enterprise computer systems and network services;

WHEREAS, allotment received for the ATLAS Grant will be used to fund this position;

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President upon the recommendation of the Vice President for Information Technology, the establishment of a Director of Enterprise Systems position in accordance with the objectives of the ATLAS categorical grant:

BE IT FURTHER RESOLVED that the Retention Specialist position be effective October 21, 2010

<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Director of Enterprise Systems	Information Technology	Categorical	2	10/21/10

FISCAL IMPACT: The position will be funded by the grant during the first two years and college funding will gradually increase for the position so that it will be fully funded by the college at the end of the 5 year grant.

Range 2: Step 1 (\$ 81,084), Step 2 (\$ 85,140), Step 3 (\$ 89,388)

M/S/C Acuña/Wong

Resolution No. 14845: Retention Specialist Position

WHEREAS, part of the mission of the Imperial Valley College Student Support Services Program will assure that the economically, educationally, geographically, and culturally disadvantaged students in IVC primary service area who meet SSS eligibility requirements gain postsecondary education access, break the cycle of underachievement, and create better lives for themselves and their families as well as the people and community they will serve in the future.

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President upon the recommendation of the Vice President for Student Services and the Director of the Student Support Services Program, the establishment of a Retention Specialist position in accordance with the objectives of the Title IV categorical grant from the U.S. Department of Education.

BE IT FURTHER RESOLVED that the Retention Specialist position be effective October 21, 2010.

<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Effective</u>
Retention Specialist	Student Services	Categorical	10/21/10

The Retention Specialist shall be compensated in accordance with the following hourly rates, which are based on education and Trio experience:

1 st Year	2 nd Year	3 rd Year	4 th Year (Last Step)
\$20.00/hr	\$21.00/hr	\$22.00/hr	\$23.00/hr

FISCAL IMPACT: Categorically funded position.

M/S/C Acuña/Wong

Resolution No. 14846: Classified Service Employment

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to employ the following individual in the classified service as indicated:

<u>Name</u>	<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Orduño, Arthur	Instructional Lab Assistant Part-time (50%)	Economic & Workforce Development	Categorical (WIA Grant)	10-1	10/21/10

FISCAL IMPACT: Categorically funded position. TIIP Grant ends May 4, 2011.

M/S/C Acuña/Wong

Resolution No. 14847: Reclassification of Vacant and Open for Recruitment Classified Position

WHEREAS, due to budget constraints and reduction in categorical funding, the Area Administrator recommends the reclassification of the Staff Secretary II vacant and open position in the Child, Family and Consumer Sciences (CFCS) department.

WHEREAS, the District will reduce the months of service from 12 months to 10 months;

WHEREAS, this reclassification is in accordance with the reclassification exemptions outlined on Board Resolution #13070.

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to reclassify the vacant Staff Secretary II position as proposed.

FISCAL IMPACT: This is a 50% District funded and 50% Categorically funded position. There will be a District fiscal savings of \$2,612.

M/S/C Acuña/Wong

Resolution No. 14848: Substitute and Short Term/Substitute Employment

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 hire the following employees:

<u>Name</u>	<u>Position</u>	<u>Dept.</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Moyano, Juan (Short-term)	Custodian	Maintenance	District	8-1	09/08/10 – 12/31/10

FISCAL IMPACT: \$8,134.4 plus 10% Night Differential

M/S/C Acuña/Wong

Resolution No. 14849: Extension of Short Term Employment

WHEREAS, the Area Administrator have requested to extend the short-term employment contract until the position is filled;

WHEREAS, the position is critical to the science lab instruction of IVC students;

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to extend the substitute employment contract for the following employee:

<u>Name</u>	<u>Position</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>	<u>Effective</u>
Gonzalez, Bianka	Science Lab Technician	SME	District	16-1	10/11/10-11/17/10

FISCAL IMPACT: Employment to be extended 27 days, total cost is \$3,475.44

M/S/C Acuña/Wong
Resolution No. 14850: Volunteer Service Agreement

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

<u>Name</u>	<u>Title</u>	<u>Department</u>	<u>Effective</u>
Westerfield, Kathie	Admissions & Records Consultant	Admissions & Records	07/01/10-06/30/11
Wimer, Vanessa	Student Assistant	Student Services	09/20/10-11/01/10
Sotelo, Manuel	Maintenance Assistant	Maintenance & Operations	09/14/10-12/10/10
Jacklich, Joel	Volunteer Music Instructor	Music Department	08/23/10-06/10/11

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.

M/S/C Acuña/Wong
Resolution No. 14851: Extended Leave of Absence

WHEREAS Angelica Hueso is requesting an extended leave of absence effective October 1, 2010 thru December 1, 2010, and the leave of absence is requested pursuant to CSEA contract Article 11.2;

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to approve an initial request for an extended leave of absence due to a non-industrial illness for Angelica Hueso.

FISCAL IMPACT: There is no fiscal impact to the District. The employee is coordinating benefits with SDI and sick leave.

M/S/C Acuña/Ramirez (OPPOSE: Galindo)
Resolution No. 14852: New Board Policy BP7320 Fragrance Sensitivity

Discussion

Trustee Galindo asked how the policy would be enforced.

President Gould explained that there is no fragrance police and stated there are those with sensitivity issues.

CTA Representative Lisa Solomon spoke and stated there were concerns regarding how the policy would be enforced and if it would be required to be included in the syllabi.

College Council Chair Heumann stated there would be a "request" not a "demand" to lessen a fragrance.

President Gould stated that “request” is the right language to use.

Trustee Medina asked if there was consideration given as to the consequences of the policy.

Resolution

WHEREAS College Council (09/27/10) and Academic Senate (10/06/10) reviewed the policy;

NOW, THEREFORE, BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to approve the following new Board Policy BP7320 regarding Fragrance Sensitivity:

BP 7320 Fragrance Sensitivity

Imperial Valley College (IVC) recognizes that employees, students, and visitors to our campus may have sensitivity and/or allergic reactions to various chemical-based products.

Individuals who are sensitive to perfumes and chemicals may suffer potentially serious health consequences. In order to accommodate employees, students and visitors who are medically sensitive to the chemicals in scented products, the District requests that fragrance products (colognes, perfumes, sprays, lotions, powders, and other similar products) **that are perceptible to others** not be worn at work. The District further requests that other fragrance products (potpourri, chemical air fresheners, and so on) not be used in the workplace. If verification is established that someone on the campus will suffer potentially serious health consequences due to a fragrance product worn or used by an employee, student, or visitor, that person will be required to make appropriate accommodations.

New 09/10

M/S/C Acuña/Wong

Resolution No. 14853: Memorandum of Understanding between Imperial Community College District and the Imperial Valley College Chapter of the Community College Association/California Teachers Association/National Education Association – Reassigned Time for Assistant Coaches

BE IT RESOLVED that the Board, with the recommendation of the Superintendent/President, ratifies the Memorandum of Understanding between Imperial Community College District and the Imperial Valley College Chapter of the Community College Association/California Teachers Association/National Education Association as stated below:

Memorandum of Understanding

This Memorandum of Understanding is entered into between the Imperial Community College District (District) and the Imperial Valley College Chapter of the Community College Association/California Teachers Association/National Education Association (Association).

WHEREAS, a contract has been ratified for 2010-11 which limits reassign time for Assistant Coaches to the primary semester of each sport; and

WHEREAS, it is acknowledged by the parties hereto that Assistant Coaches are required to perform duties during both semesters of the academic year.

NOW, THEREFORE, it is agreed that the contract between the District and Association for 2010-11 be modified as follows:

ARTICLE 17.13 Lecture Reassigned Time:

POSITION	WEEKLY REASSIGNED TIME PER SEMESTER	NOTES
Assistant Coaches for Basketball, Baseball and Softball	2 units	One Assistant Coach is to be reassigned per intercollegiate athletic team.
Assistant Coaches for Soccer, Tennis, and Volleyball	1.5 unit	One Assistant Coach is to be reassigned per intercollegiate athletic team.

The remaining provisions of Article 17.13 shall remain in full force and effect.

Executed this 12th day of October 2010, at Imperial, California.

IMPERIAL COMMUNITY COLLEGE DISTRICT

Ed Gould, Ed.D
Superintendent/President

IMPERIAL VALLEY CHAPTER OF CCA/CTA/NEA

Gaylla A. Finnell
IVC CCA/CTA/NEA President

ADJOURNMENT

M/S/C Cardenas/Acuña to ADJOURN the meeting at 7:53 p.m.

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for **WEDNESDAY, SEPTEMBER 15, 2010, AT 6:00 P.M.** in the Administration Board Room located in Building 10.

Adopted this 17th day of November 2010.

ICCD Board President

ICCD Board Secretary