



AGENDA

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

Wednesday, November 18, 2009
6:00 p.m.

Location
Board Room – Administration Building 10
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. INFORMATION REPORTS

1. Employee of the Month for November 2009 – John Lau
2. Social Media Presentation – Bill Gay, Public Relations Officer
3. Board Member Reports
4. Associated Student Government Senate Update – Steven Sciaky
5. Academic Senate Update – Kevin White
6. College Council Update – Dr. Michael Heumann
7. President's Update – Dr. Ed Gould

IV. DISCUSSION

1. Annual Board Self-Evaluation – Dr. Ed Gould

V. CONSENT AGENDA – BUSINESS

1. Approval of Minutes dated October 21, 2009, Regular Board Meeting
2. Resolution No. 14513: Purchase Orders
3. Resolution No. 14514: Payroll Warrant Orders
4. Resolution No. 14515: Commercial Warrant Orders
5. Resolution No. 14516: Quarterly Financial Report
6. Resolution No. 14517: Agreement with Imperial County Department of Social Services
7. Resolution No. 14518: Memorandum of Understanding between Aurora High School and Imperial Valley College (2009-2010 Amended for Spring 2010)
8. Resolution No. 14519: Memorandum of Understanding between Aurora High School and Imperial Valley College (Fall 2010)
9. Resolution No. 14520: Declaration of Surplus Property
10. Resolution No. 14521: Award of Bids
11. Resolution No. 14522: Termination of El Centro Extended Campus Lease
12. Resolution No. 14523: Termination of the Small Business Development Center

VI. CONSENT AGENDA – EDUCATIONAL SERVICES

1. Resolution No. 14524: Major, Certificate, Course Additions and Deletions
2. Resolution No. 14525: URGING Dr. Stephen Weber to reconsider the reduction of SDSU Imperial Valley Campus by 11.6 percent and urging Dr. Weber to open Spring Semester transfer opportunities to Imperial Valley College Students

VII. 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 EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9
One Case
5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 1501 West Imperial Ave, Calexico, CA 92231
Agency Negotiator: Superintendent/President Dr. Ed Gould and Vice President for Business Services John Lau
Under Negotiation: Will concern price and terms of payment

VIII. OPEN SESSION

1. Announcement of final action taken

IX. WRITTEN COMMUNICATIONS

1. District Negotiation Proposal for 2010-2011 to IVC CCA/CTA/NEA
2. District Negotiation Proposal for 2010-2011 to CSEA Chapter 472

X. CONSENT AGENDA – HUMAN RESOURCES

1. Resolution No. 14526: Full-Time temporary, non tenure track, academic personnel
2. Resolution No. 14527: Approval of New Grant-Funded Categorical Positions
3. Resolution No. 14528: Classified Substitute Employment
4. Resolution No. 14529: Extended Leave of Absence (Amended)
5. Resolution No. 14530: Elimination of Vacant Classified Service Positions
6. Resolution No. 14531: Reduction of Classified Management Service
7. Resolution No. 14532: Reduction of Classified Service

XI. ADJOURNMENT

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for the **WEDNESDAY, DECEMBER 16, 2009, AT 6:00 P.M.** in the **Administration Board Room located in Building 10.**

V. CONSENT AGENDA – BUSINESS

V.1. Approval of Minutes dated October 21, 2009, Regular Board Meeting

V.2. Resolution No. 14513: Purchase Orders

BE IT RESOLVED that the Board approves the issuance of purchase orders and direct payments for the month of October 2009 in the amount of \$4,957,189.72:

October 2009

Purchase Orders	4,912,754.20
Direct Payments	<u>44,435.52</u>
	4,957,189.72

V.3. Resolution No. 14514: Payroll Warrant Orders

BE IT RESOLVED that the Board approves the issuance of the following Payroll Warrants for the month of October 2009:

Date Paid	General Fund	Child Dev. Fund	Bond Fund	Warrant Total
10/9/09	364,548.35			364,548.35
10/30/09	2,643,043.53	43,310.48	11,023.18	2,697,377.19
	3,007,591.88	43,310.48	11,023.18	3,061,925.54

V.4. Resolution No. 14515: Commercial Warrant Orders

BE IT RESOLVED that the Board approves the issuance of the following commercial warrant orders for the month of October 2009:

Date Paid	Fund 10 General Fund	Fund 10 Financial Aid	Fund 20 Building Fund	Fund 40 Lease Rev. Bond	Fund 45 Child Dev.	Fund 50 Cert. of Part.	Fund 80 Bond Fund	Warrant Total
10/1/09	150,878.65						130,631.30	281,509.95
10/8/09	236,018.62						2,262,400.90	2,498,419.52
10/15/09	602,581.46	717,481.28	720.00	1,250.08			580,682.45	1,902,715.27
10/22/09	152,791.01				146.81		75,221.18	228,159.00
	1,142,269.74	717,481.28	720.00	1,250.08	146.81	0.00	3,048,935.83	4,910,803.74

V.5. Resolution No. 14516: Quarterly Financial Report

BE IT RESOLVED that the Board of Trustees accepts the Quarterly Financial Status Report (CCFS 311Q) for the quarter ending September 30, 2009, and directs that it be filed with the Chancellor's Office of the California Community Colleges.

V.6. Resolution No. 14517: Agreement with Imperial County Department of Social Services

WHEREAS, the Imperial County Board of Supervisors has accepted the proposal submitted by Imperial Community College District to provide services to participants in the Imperial County CalWORKS Program under the project entitled "CalWORKS Assessment Program";

NOW THEREFORE, BE IT RESOLVED that the board does hereby authorize the Superintendent/President, Dr. Ed Gould to sign and execute said agreement in the amount of \$279,252;

BE IT FURTHER RESOLVED that the contract is effective November 1, 2009 through June 30, 2010.

V.7. Resolution No. 14518: Memorandum of Understanding between Aurora High School and Imperial Valley College (2009-2010 Amended for Spring 2010)

BE IT RESOLVED that the Board approved the following memorandum of understanding:

MEMORANDUM OF UNDERSTANDING
BETWEEN
AURORA HIGH SCHOOL AND IMPERIAL VALLEY COLLEGE
(2009-2010 Amended for Spring 2010)

"Aurora High School and Imperial Valley College 2009 Exploring Health Careers Project"

This agreement between Aurora High School (AGENCY) and the Board of Trustees of the Imperial Community College District (COLLEGE) on behalf of Imperial Valley College (IVC) confirms the arrangements the parties have made for the class offering(s) herein.

1. Consideration: The class offerings that are the subject of this Agreement shall be; offered during the 2009 Fall Semester, for the exclusive benefit of the AGENCY, and open to AGENCY designees only. In consideration of the instructional and related services provided by the COLLEGE, the AGENCY agrees to pay the COLLEGE the amounts determined as follows:
 - 1.1. The AGENCY shall pay the COLLEGE the sum of \$18,750.00 as a total amount for the classes to be conducted at the Imperial Valley College Main Campus, 380 E Aten Rd, Imperial, CA 92251-0158 and at Aurora High School, 641 Rockwood Ave, Calexico, CA 92231.
 - 1.2. The class that is the subject of this agreement for 20 students is:
 - 1.2.1. AHP 090 Introduction to Healthcare 2 units
 - 1.2.2. NURS 100 Medication Mathematics 1 unit

- 1.3. Facility use fees are included in the amount specified above.
- 1.4. Instructional materials will be procured, produced, and provided by the COLLEGE as part of this agreement.
- 1.5. Classes will begin on February 16, 2010 and will end on June 8, 2010.
2. Duties and Responsibilities: The COLLEGE is responsible for the management of the Instructional activities associated with offering of the class. The AGENCY is responsible for the following student related activities; recruitment, identification, assessment, completion of the process for co-enrollment, enrollment in the class, addressing issues and concerns not associated with classroom instruction, and providing transportation to IVC Main Campus. AGENCY students will be IVC students and as such will be obligated under all rules applicable to any IVC student.
 - 2.1. The COLLEGE will issue a Certificate of award upon the successful completion of the "Aurora High School and Imperial Valley College 2009 Exploring Health Careers Project"
3. Cancellation:
 - 3.1. The COLLEGE retains the right to cancel any class that is offered under this agreement no later than three (3) days before the first meeting of the class. If the COLLEGE cancels a class, the AGENCY shall not be liable for any payments to the COLLEGE for the class.
 - 3.2. If the AGENCY cancels the class, all expenses and encumbrances by the COLLEGE in preparation for the class will be due and paid by the AGENCY.
4. Notices: Any notice or correspondence required by this agreement shall be delivered personally or by US mail as follows:

Justina Aguirre, RN, MSN, Associate Dean of Nursing
Imperial Valley College
380 E. Aten Rd
Imperial, CA 92251-0158
760-355-6347

John Moreno, Principal
Aurora High School
641 Rockwood Ave
Calexico, CA 92231
760-768-3940
5. Invoices: The COLLEGE will invoice the AGENCY upon commencement of instruction, 50% payable within 30 days of the start date and the remaining 50% payable within 30 days after the last day of class. This will allow the COLLEGE to produce the final invoice based on student count expenditures which will reflect actual expenditures.

6. Discrimination: Neither party to this agreement shall, on the basis of ethnic group identification, religion, age, sex, color, or physical mental disability, unlawfully deny any person the benefits of or unlawfully subject any person to discrimination in the operation of this agreement.
7. Signatures: To be effective, this Memorandum of Understanding must be signed and returned to the COLLEGE at least ten (10) days prior to the first class meeting.

V.8. Resolution No. 14519: Memorandum of Understanding between Aurora High School and Imperial Valley College (Fall 2010)

BE IT RESOLVED that the Board approved the following memorandum of understanding:

MEMORANDUM OF UNDERSTANDING
BETWEEN
AURORA HIGH SCHOOL AND IMPERIAL VALLEY COLLEGE
Fall 2010

“Aurora High School and Imperial Valley College 2009 Exploring Health Careers Project”

This agreement between Aurora High School (AGENCY) and the Board of Trustees of the Imperial Community College District (COLLEGE) on behalf of Imperial Valley College (IVC) confirms the arrangements the parties have made for the class offering(s) herein.

1. Consideration: The class offerings that are the subject of this Agreement shall be; offered during the 2009 Fall Semester, for the exclusive benefit of the AGENCY, and open to AGENCY designees only. In consideration of the instructional and related services provided by the COLLEGE, the AGENCY agrees to pay the COLLEGE the amounts determined as follows:
 - 1.1. The AGENCY shall pay the COLLEGE the sum of \$13,319.00 as a total amount for the class to be conducted at the Imperial Valley College Main Campus, 380 E Aten Rd, Imperial, CA 92251-0158 and at Aurora High School, 641 Rockwood Ave, Calexico, CA 92231.
 - 1.2. The class that is the subject of this agreement for 20 students is:
 - 1.2.1. AHP 100 Medical Terminology 3 units
 - 1.3. Facility use fees are included in the amount specified above.
 - 1.4. Instructional materials will be procured, produced, and provided by the COLLEGE as part of this agreement.
 - 1.5. Classes will begin on August 23, 2010 and will end on December 11, 2010.
2. Duties and Responsibilities: The COLLEGE is responsible for the management of the Instructional activities associated with offering of the class. The AGENCY is responsible for the following student related activities; recruitment, identification, assessment, completion of the process for co-enrollment, enrollment in the class, addressing issues and concerns not

associated with classroom instruction, and providing transportation to IVC Main Campus. AGENCY students will be IVC students and as such will be obligated under all rules applicable to any IVC student.

- 2.1. The COLLEGE will issue a Certificate of award upon the successful completion of the "Aurora High School and Imperial Valley College 2009 Exploring Health Careers Project"
3. Cancellation:
 - 3.1. The COLLEGE retains the right to cancel any class that is offered under this agreement no later than three (3) days before the first meeting of the class. If the COLLEGE cancels a class, the AGENCY shall not be liable for any payments to the COLLEGE for the class.
 - 3.2. If the AGENCY cancels the class, all expenses and encumbrances by the COLLEGE in preparation for the class will be due and paid by the AGENCY.
4. Notices: Any notice or correspondence required by this agreement shall be delivered personally or by US mail as follows:

Justina Aguirre, RN, MSN, Associate Dean of Nursing
Imperial Valley College
380 E. Aten Rd
Imperial, CA 92251-0158
760-355-6347

John Moreno, Principal
Aurora High School
641 Rockwood Ave
Calexico, CA 92231
760-768-3940
5. Invoices: The COLLEGE will invoice the AGENCY upon commencement of instruction, 50% payable within 30 days of the start date and the remaining 50% payable within 30 days after the last day of class. This will allow the COLLEGE to produce the final invoice based on student count expenditures which will reflect actual expenditures.
6. Discrimination: Neither party to this agreement shall, on the basis of ethnic group identification, religion, age, sex, color, or physical mental disability, unlawfully deny any person the benefits of or unlawfully subject any person to discrimination in the operation of this agreement.
7. Signatures: To be effective, this Memorandum of Understanding must be signed and returned to the COLLEGE at least ten (10) days prior to the first class meeting.

V.9. Resolution No. 14520: Declaration of Surplus Property

BE IT RESOLVED that the Board approves declaring the following outdated, non-functional property, which is no longer being used for educational purposes, as surplus property;

BE IT FURTHER RESOLVED that the Superintendent/President and/or the Vice President for Business Services, and/or the Purchasing/Receiving Coordinator are hereby authorized and instructed to dispose of said surplus property in the best interest of the College as referenced below:

Equipment Description	IVC property number
Camcorders (2)	10095, 12271
Copiers (2)	14545, 16740
CPUs (40)	000105, 002029, 003018, 003346, 003348, 003349, 09815, 09874, 10723, 12168, 13117, 13118, 13368, 13814, 13818, 13828, 13833, 13834, 13835, 13836, 13842, 13847, 13860, 13863, 13867, 13872, 13884, 13897, 13899, 13905, 14041, 14050, 14216, 14473, 14474, 14475, 15279, 15649, 16138, 16148
Dictaphone	06597
Fax machine	14304
Keyboards (2)	5214, 12485
Laptops (2)	11799, 13579
LCD Projector	11650
Microwave	5831
Monitors (84)	10447, 10711, 11103, 12523, 12544, 13117, 13118, 13163, 13352, 13368, 13814, 13818, 13833, 13836, 13842, 13863, 13865, 13867, 13869, 13870, 13873, 13883, 13884, 13886, 13890, 13892, 13897, 13898, 13899, 13902, 14041, 14050, 14216, 14279, 14384, 14390, 14473, 14474, 14475, 14497, 15198, 15355, 15356, 15358, 15359, 15398, 15676, 15854, 15856, 15860, 16093, 16101, 16103, 16104, 16111, 16113, 16114, 16115, 16124, 16125, 16161, 16310, 16336, 16337, 16374, 16428, 16429, 16430, 16431, 16432, 16433, 16434, 16435, 16437, 16438, 16441, 16442, 16443, 16445, 16449, 16730, 16732, 16374, 18360
Printers (14)	9418, 10518, 10575, 11568, 11824, 11825, 12375, 12543, 14097, 14283, 14303, 14573, 15906, 15912
Projectors (7)	2964, 00859, 11355, 13071, 13075, 13986, 13990
Recorders (2)	9986, 9987
Rolling Carts (2)	7663, 12124
Shredder	2000167
Speakers (2)	5740, 612
Stereo	12646
Swivel Lectern	130139
Turbid Meter	7850
TVs (2)	14019, 14496
TV/VCR Set (3)	7560, 8901, 14168,
Typewriters (2)	07429, 6181
VCRs (3)	09807, 11794, 12559

V.10. Resolution No. 14521: Award of Bids

WHEREAS, the District has advertised for bids and a bid opening was held on November 5, 2009 for the following projects:

Parking Information Booths and Campus Signage, Electrical and South Parking Lot Landscaping and Irrigation

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; and

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 Description	Contract awarded to	Contract Amount
Booths and Signage	Team C Construction, El Cajon, CA	257,700
Electrical	Tom Watson Electrical, Inc., El Centro, CA	180,000
Landscape & Irrigation	Executive Landscape, Inc., Fallbrook, CA	388,753
		<u>826,453</u>

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: All contracts to be paid from Measure L Bond Funds.

V.11. Resolution No. 14522: Termination of El Centro Extended Center Lease

WHEREAS the economic crisis in the State of California has reached unprecedented levels impacting the state's general fund budget; and

WHEREAS the State of California has reduced the funding allocations to community colleges as a part of statewide budget reductions; and

WHEREAS these actions represent a budget reduction of \$3.8 million dollars for Imperial Valley College in the 2009-10 budget; and

WHEREAS Imperial Valley College must make budget this year to accommodate these reduced funding levels; and

WHEREAS budget reductions must be made in area/departments that have the least impact on the core institutional services of the college; and

WHEREAS the closing of the El Centro Extended campus represents a reduction of services to the community that can be mitigated through the transferring of services to main campus; and

WHEREAS instructional services in El Centro will continue to be provided through evening courses offered in partnership with Central Union High School District;

BE IT RESOLVED that the Board of Trustees regrettably approves the closing of the El Centro Extended Center and termination of the lease agreements effective January 31, 2010.

Fiscal Impact: Savings of \$47,640.22 per year

	<u>Annual</u>
Suite A	24,264.00
Suite C	7,200.00
Suite H	11,880.00
	<u>43,344.00</u>
Maintenance and taxes	4,296.22
	<u>\$47,640.22</u>

V.12. Resolution No. 14523: Termination of the Small Business Development Center

WHEREAS the economic crisis in the State of California has reached unprecedented levels impacting the state's general fund budget; and

WHEREAS the State of California has reduced the funding allocations to community colleges as a part of statewide budget reductions; and

WHEREAS these actions represent a budget reduction of \$3.8 million dollars for Imperial Valley College in the 2009-10 budget; and

WHEREAS Imperial Valley College must make budget this year to accommodate these reduced funding levels; and

WHEREAS budget reductions must be made in area/departments that have the least impact on the core institutional services of the college; and

WHEREAS the closure of the Small Business Development Center represents a reduction of services to the community that can be mitigated through transferring services to other community organizations and business development agencies;

BE IT RESOLVED that the Board regrettably approves the closure and termination of the Small Business Development Center effective December 31, 2009.

Fiscal impact: Savings of \$9,000 per year (\$750 per month)

VI. CONSENT AGENDA – EDUCATIONAL SERVICES

VI.1. Resolution No. 14524: Major, Certificate, Course Additions and Deletions

WHEREAS, new programs, deleted programs, and new courses within the programs have been approved by the Curriculum and Instruction Committee and instructional administration, and satisfy all applicable requirements of Title 5 regulations. All factors, taken as a whole, support the establishment and maintenance of the proposed instructional programs and courses.

BE IT RESOLVED that the Board approves the recommendation of the Curriculum and Instruction Committee (6/4/09) and the Academic Senate (11/04/09), with the consent of the Superintendent/President, as follows:

Deleted Majors and Certificates

Electrical Wiring Technology Certificate
Electronics Certificate
Waste Water Technology Certificate
Water Treatment Technology Certificate
Carpentry Construction Technology Certificate
Electrical Trades Certificate
Cement Mason Construction Technology Certificate

VI.2. Resolution No. 14525: URGING Dr. Stephen Weber to reconsider the reduction of SDSU Imperial Valley Campus by 11.6 percent and urging Dr. Weber to open Spring Semester transfer opportunities to Imperial Valley College Students

WHEREAS, the Imperial Valley Campus of San Diego State University is required to reduce its overall enrollment by 89 Full-Time Equivalent Students for Fall 2010 from this fall's enrollment of 767 Full-Time Equivalent Students, or 11.6 percent; and

WHEREAS, the Chancellor of California State University directed all CSU campuses to reduce their enrollment and San Diego State University to reduce its enrollment by 10.8%; and

WHEREAS, the President of CSU San Bernardino exempted the Palm Desert Campus of CSU, San Bernardino from enrollment restrictions; and

WHEREAS, the President of CSU Bakersfield exempted the Antelope Valley Campus of CSU, Bakersfield from enrollment restrictions; and

WHEREAS, the County of Imperial, with a current unemployment rate of 30.1% and a large population of low income persons, has been designated by the State of California as an underserved community; and

WHEREAS, the unique social, cultural, and economic diversity of the Imperial County region requires an education program aligned to the needs of the students attending those facilities; and

WHEREAS, students attending SDSU Imperial Valley Campus are place bound with the distance to travel to other universities exceeding one hundred miles which prevents many students from attending other facilities; and

WHEREAS, restricting the enrollment for SDSU Imperial Valley Campus equates to restricting access to these students; and

WHEREAS, Imperial Valley College Students are unable to transfer mid-year to any public university in California; and

WHEREAS, Imperial Valley College relies upon SDSU Imperial Valley Campus as a primary receiver of transfer students in both the fall and spring semesters, and

WHEREAS, SDSU Imperial Valley Campus has been a viable partner in preparing the local workforce;

THEREFORE BE IT RESOLVED that the Imperial Community College District Board of Trustees request that San Diego State University President Stephen Weber grant a waiver to exempt SDSU Imperial Valley Campus from enrollment restrictions;

BE IT FURTHER RESOLVED that President Weber take into consideration that for Imperial Valley residents, SDSU Imperial Valley is the only access to a degree from a four year public institution within one hundred miles; and

BE IT FINALLY RESOLVED that the Imperial Community College District Board of Trustees urges San Diego State University to strengthen its commitment to SDSU Imperial Valley Campus by committing to a long term higher education master plan.

VII. 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 EMPLOYEE DISCIPLINE/DISSMISSAL/RELEASE**
4. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9
One Case
5. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Property: 1501 West Imperial Ave , Calexico, CA 92231
Agency Negotiator: Superintendent/President Dr. Ed Gould and Vice President for Business Services John Lau
Under Negotiation: Will concern price and terms of payment

VIII. OPEN SESSION

1. Announcement of final action taken

IX. WRITTEN COMMUNICATIONS

1. **District Negotiation Proposal for 2010-2011 to IVC CCA/CTA/NEA**
2. **District Negotiation Proposal for 2010-2011 to CSEA Chapter 472**

X. CONSENT AGENDA – HUMAN RESOURCES

X.1. Resolution No. 14526: Full-Time temporary, non tenure track, academic personnel

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to continue employment for the following full-time temporary, non tenure track, academic personnel (replacement for Rosa Pitones-medical leave) as a Reference Librarian effective November 2, 2009 through November 30, 2009.

<u>Name</u>	<u>Classification/Step</u>
Quintana, Helena	Appropriate Classification and Step Contingent Upon Verification of Records

X.2. Resolution No. 14527: Approval of New Grant-Funded Categorical Positions

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to approve the following new grant-funded positions:

<u>Classification Title</u>	<u>Department</u>	<u>Funding</u>	<u>Range</u>
Youth Development Specialist	Applied Sciences	Full-Time Categorical-100%	19
Instructional Lab Assistant (Electronics Technology Lab)	Applied Sciences	Part-Time Categorical-100%	10

X.3. Resolution No. 14528: Classified Substitute Employment

BE IT RESOLVED that the Board approves 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>
Diaz, Cindy	Student Services Assistant	Parking Control	District	10-1	10/13/09-10/23/09
Diaz, Cindy	Office Assistant III	WIA Grant	Categorical	9-1	10/26/09

X.4. Resolution No. 14529: Extended Leave of Absence (Amended)

BE IT RESOLVED that Board Resolution 14512 be amended as follows:

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 Joe Serna.

Joe Serna is requesting an extended sick leave of absence effective November 17, 2009 through April 16, 2010. The extended leave of absence is being requested pursuant to CSEA Contract, Articles 11.2 and 11.3.

(1) Change to read as follows:

BE IT RESOLVED that the Board approves the recommendation of the Superintendent/President to Approve an initial request for an extended leave of absence with health and welfare benefits due to a non-industrial illness for Joe Serna, Grounds Maintenance Worker.

Joe Serna is requesting an extended sick leave of absence effective November 17, 2009 through April 16, 2010. The extended leave of absence is being requested pursuant to CSEA Contract, Articles 11.2 and 11.3.

X.5. Resolution No. 14530: Elimination of Vacant Classified Service Positions

WHEREAS, the District has met with CSEA in an attempt to review all inactive and unfilled classified service positions, leading to an agreement as outlined in the attached Memorandum of Understanding (Exhibit A); and

WHEREAS, the Governing Board of the Imperial Community College District hereby finds it necessary and in the best interest of the District to eliminate inactive and unfilled positions that do not appear to be needed in the foreseeable future;

NOW THEREFORE, BE IT RESOLVED that, effective immediately, the classified positions listed in Exhibit A shall be eliminated.

X.6. Resolution No. 14531: Reduction of Classified Management Service

WHEREAS, due to a lack of work or a lack of funds during the 2009-2010 academic year; and

WHEREAS, the Governing Board of the Imperial Community College District finds it necessary and in the best interest of the District to eliminate services as specified below:

1. Director of Small Business Development Center (F/T probationary Classified Manager position)

NOW THEREFORE, BE IT RESOLVED that the employment of this probationary manager of the District shall be discontinued effective December 18, 2009.

BE IT FURTHER RESOLVED that the Superintendent/President or his designee is authorized and directed to give written notice to the affected employee.

X.7. Resolution No. 14532: Reduction of Classified Service

WHEREAS, due to a lack of work or a lack of funds during the 2009-2010 academic year; and

WHEREAS, the Governing Board of the Imperial Community College District finds it necessary and in the best interest of the District to eliminate and reduce the classified services as specified below:

1. Small Business Development Center Secretary (F/T position)

NOW THEREFORE, BE IT RESOLVED that this classified position of the District shall be discontinued and reduced.

BE IT FURTHER RESOLVED that the Superintendent/President or his designee is authorized and directed to give notice of layoff to the affected employee and to the appropriate exclusive bargaining representative not later than 45 calendar days prior to the effective date of layoff.

XI. ADJOURNMENT

The next regular meeting of the Imperial Community College District Board of Trustees is scheduled for the **WEDNESDAY, DECEMBER 16, 2009, AT 6:00 P.M.** in the **Administration Board Room located in Building 10.**

Exhibit A

IMPERIAL COMMUNITY COLLEGE DISTRICT

MEMORANDUM OF UNDERSTANDING

TO: John Abarca, CSEA President
FROM: Travis Gregory, Associate Dean of Human Resources
John Lau, VP for Business Services
DATE: November 10, 2009
SUBJECT: Unfilled Position Elimination List

Based on our discussions and meetings over the last several weeks, the following is a list of positions that both CSEA and the District have agreed to eliminate from classified service.

As a part of a district-wide effort to produce an accurate budget and to “clean up” previously approved positions which do not appear necessary in the foreseeable future, this MOU serves as an agreement between the District and CSEA to implement the following listed position eliminations only. All other previously negotiated terms and condition remain in full force and effect.

Classification	Funding
1. Foster and Kinship Care and Independent Living Coordinator (INACTIVE)	Categorical
2. College Nurse (INACTIVE)	District
3. Sign Language Interpreter III (VACANT- using substitutes)	District
4. Sign Language Interpreter II (VACANT- using substitutes)	District
5. Sign Language Interpreter I (VACANT- using substitutes)	District
6. Counseling Specialist (INACTIVE)	District
7. Transportation Operator (INACTIVE)	District
8. Office Assistant I (INACTIVE)	District
9. Student Services Coordinator- Admissions and Records (INACTIVE)	District
10. Student Services Representative (Ext Cam -Brawley) (INACTIVE)	District
11. Student Services Representative / part-time (Ext Campus -Brawley) (LAID OFF)	District

Agreed upon this _____ day of November, 2009

John Abarca,
President, CSEA

Dr. Ed Gould
Superintendent /President

Copy to: Superintendent /President’s Office, Vice Presidents, HR