



GOVERNING BOARD AGENDA
REGULAR MEETING, GOVERNING BOARD
PALOMAR COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD ROOM, STUDENT SERVICES CENTER
COLLEGE CAMPUS
SAN MARCOS, CALIFORNIA
TUESDAY, OCTOBER 12, 2004
6:00 P.M. (CLOSED SESSION) - 7:00 P.M. (OPEN SESSION)

NOTICE TO PUBLIC: In accordance with Board Procedure 12.10.1, members of the public who wish to address the Board on matters within its jurisdiction have a five-minute time limit per person. The Board may ask a group to select a spokesperson and may limit the number of speakers on a particular topic unless the proposed speakers are addressing different concerns.

The Open Session of the Board meets the second Tuesday of every month starting at 7:00 p.m. in the Governing Board Room of the Student Services Building on the Palomar College Campus in San Marcos, California, unless changed in advance by Board action. Anyone having an interest in documents on file should call the Governing Board's Executive Assistant in the President's Office on extension 2104.

- A. Call to Order (6 p.m.)2
- B. Roll Call2
- BB. Closed Session.....2
- BBB. Open Session (7 p.m.).....2
- BBBB. Public Hearing2
- C. Approval of Minutes2
- D. Call for Removal of Items from or Changes to Agenda.....2
- E. Report of the Board President2
- F. Reports of the Governing Board Members2
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- H. Consent Calendar3
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- J. Reports from College Groups9
- K. Comments from Other Individuals or Groups.....10
- L. Unfinished Business10
- M. New Business10
- N. Closed Session.....15
- O. Reconvene to Open Session15
- P. Adjournment15

A. CALL MEETING TO ORDER

B. ROLL CALL

Establishment of a Quorum

BB. CLOSED SESSION

1. Public Employee Discipline/Dismissal/Release, pursuant to Government Code 54957.6.
2. Conference regarding negotiations with CCE/AFT, pursuant to Government Code Section 54957.6.
3. Conference regarding negotiations with PFF/AFT, pursuant to Government Code 54957.6.
4. Conference regarding discussion with Other Unrepresented Employees, pursuant to Government Code 54957.6.
5. Conference with Real Property Negotiator, pursuant to Government Code 54956.8. Property APNs as follows: Property APNs as follows: 108-121 Parcel 11; 108-120 Parcels 62, 63, 64; 126-061 Parcel 06; 126-121 Parcel 14; 323-100 Parcels 04, 10, 11, 12; 323-482 Parcel 12; 323-500 Parcels 01, 05, 06, 07, 08, 09, 14; 323-501 Parcel 02.
7. Review of tort claim, pursuant to Government Code 54956.95.
8. Presidential Search Committee Recommendations

BBB. RECONVENE TO OPEN SESSION

Pledge of Allegiance

BBBB. PUBLIC HEARING – PROPOSED 2004-2005 BUDGET

1. **PRESENTATION OF PROPOSED 2004-2005 BUDGET**
2. **OPEN PUBLIC HEARING ON PROPOSED 2004-2005 BUDGET**
3. **CLOSE PUBLIC HEARING**
4. **RECOMMENDATION: ACTION – APPROVE ADOPTION OF ANNUAL FINANCIAL AND BUDGET REPORT**

BE IT RESOLVED, That the Palomar Community College District **Annual Financial and Budget Report** be approved. This is the Financial Report for Fiscal Year 2003-2004 and the Budget Report for Fiscal Year 2004-2005. **Exhibit BBBB-4**

C. RECOMMENDATION: ACTION - APPROVAL OF MINUTES

The Governing Board hereby approves the Minutes of the Regular Meeting of September 14, 2004.

D. CALL FOR REMOVAL OF ITEMS FROM OR CHANGES TO AGENDA

E. REPORT OF THE GOVERNING BOARD PRESIDENT

F. REPORTS OF THE GOVERNING BOARD MEMBERS

G. REPORT OF THE SUPERINTENDENT/PRESIDENT

1. Report of Vice President for Instruction
2. Report of Vice President for Student Services
3. Report of Vice President for Finance and Administrative Services
4. Report of Vice President for Human Resource Services

CONSENT CALENDAR

NOTICE TO PUBLIC: *There will be no separate discussion of these items unless a Governing Board member or member of the public requests that particular item(s) be removed from the Consent Calendar. Items so removed will be considered separately. All matters remaining under Consent Calendar are considered to be routine and will be approved by one motion.*

H. CONSENT CALENDAR

BUSINESS SERVICES

1. **RECOMMENDATION: ACTION – REVIEW AND APPROVE PURCHASES MADE FOR PRIOR SIXTY DAYS**

The Governing Board hereby reviews and approves the following **purchase transactions and contracts** entered into on behalf of the Palomar Community College District. All of the following purchases are made against the 2004-2005 fiscal year budget:

Re-Encumbered				
FY 2004 PO's	0500003	through	0500014	\$83,270.37
Purchase Orders	0540079	through	0540162	\$300,749.81
Travel	0550015	through	0550018	\$3,680.22
Advertising/Increases	0560007	through	0560010	\$8,958.97
Employment Ads	0565000	through	0565002	\$2,195.09
Agreement/Services	0570205	through	0570305	\$1,424,464.62
Repairs	0575026	through	0575042	\$11,167.87
Agreement/Annual	0580091	through	0580121	\$235,079.94
Utilities	0595037	through	0595044	\$10,554.00
Procurement Card	Time Period: 08/23-04 – 09/22/04			\$ 149,413.45
				<u>\$ 2,229,534.34</u>

GIFTS

2. **RECOMMENDATION: ACTION – ACCEPT GIFTS**

The Governing Board hereby accepts the following **gifts** and directs that an appropriate letter of appreciation be sent to the donors:

- a. Four sets of Jeppesen Airway Manuals; 1 CD Boeing 727 Systems; 1 Jeppesen Enroute Chart Holder; 1 Pilot's Kneeboard; 5 Sectional Charts; and 3 ALPA magazines for use by students in Aeronautical Sciences, donated by **Captain Drew Johnson**, P.O. Box 2628, Rancho Santa Fe, California 92067.
- b. Avid Editing System, 1996 Power MacIntosh 9500 PC, and Avid McXpress Editing Software for use by students in RTV 275, donated by **Chris Petiprin**, 5802 Camino de la Costa, La Jolla, California 92037. Cash value as estimated by donor is \$7,500.00.

FISCAL SERVICES

3. **RECOMMENDATION: ACTION – APPROVE REVOLVING CASH EXPENDITURES FOR MONTH OF JUNE 2004**

The Governing Board hereby approves the **Revolving Cash Expenditures** for the month of August, 2004. **EXHIBIT H-3**

REPLACEMENT OF WARRANTS

4. **RECOMMENDATION: ACTION – APPROVE DRAWING NEW WARRANTS**

The Governing Board hereby authorizes the Disbursing Officer to **draw new warrants** as follows:

Warrant #76-118298, dated December 18, 2003, in the amount of \$90.00 to Amanda L. Jensen, 2111 Via Robles, Oceanside, CA 92054. Void due to stale dating.

Warrant #76-112107, dated September 15, 2003, in the amount of \$90.00 to Amanda L. Jensen, 2111 Via Robles, Oceanside, CA 92054. Void due to stale dating.

Warrant #76-112869, dated September 15, 2003, in the amount of \$57.00 to Myong H. Lee, 9791 Deer Trail Dr., San Diego, CA 92127. Void due to stale dating.

Warrant #76-111291, dated September 12, 2003, in the amount of \$246.00 to Christina L. Catterson, 215A Aster Street, Oceanside, CA 92054. Void due to stale dating.

PERSONNEL

5. **RECOMMENDATION: ACTION – RATIFY FY 2004-2005 SALARY SCHEDULES FOR CLASSIFIED EMPLOYEES REPRESENTED BY CCE/AFT LOCAL 4522, ADMINISTRATIVE ASSOCIATION MEMBERS, CONFIDENTIAL AND SUPERVISORY TEAM MEMBERS, SENIOR ADMINISTRATORS, AND EXECUTIVE ADMINISTRATORS**

The Governing Board hereby ratifies the **FY 2004-2005 salary schedules** for **classified employees represented by CCE/AFT Local 4522, Administrative Association members, Confidential and Supervisory Team members, senior administrators, and executive administrators** that reflect the **2.41% COLA effective July 1, 2004**, per the **Salary Enhancement Plans** which are still in effect.

6. **RECOMMENDATION: ACTION – RATIFY THE TENTATIVE FY 2004-2005 SALARY SCHEDULES FOR CONTRACT FACULTY, ADJUNCT FACULTY, AND CHILD CENTER TEACHERS REPRESENTED BY THE PALOMAR FACULTY FEDERATION, CFT/AFT**

The Governing Board of the Palomar Community College District hereby ratifies the tentative **FY 2004-2005 salary schedules** for **contract faculty, adjunct faculty, and child center teachers represented by the Palomar Faculty Federation, CFT/AFT**, that reflects the **2.41% COLA effective July 1, 2004**, per the **Salary enhancement Plan** which is still in effect. These salary schedules are **subject to negotiations**.

7. RECOMMENDATION: ACTION - RATIFY NEW ACADEMIC POSITION

The Governing Board hereby ratifies the recommendation of the Interim Superintendent/President regarding the following **academic position**:

a. Position: **CalWORKs Counselor/Assistant Professor**
 Name: Vacant
 Department: Extended Opportunity Programs & Services
 Position #: 6312 New: Yes
 Remarks: Funded - CalWORKs
 % of Position: 100% # Mos.: 11
 Effective: October 13, 2004
 Account #: K-122100-331200-63100-1612020/100%

8. RECOMMENDATION: ACTION - RATIFY CORRECTION TO ACADEMIC CONTRACT

The Governing Board ratifies the recommendation of the Interim Superintendent/President regarding the **correction** to the following **academic contract**:

a. Name: **PETER J. BOWMAN**
 Position: Assistant Professor, Political Science
 Department: Economics, History, and Political Science
 Remarks: Increased step placement due to verification of previous related work experience.
 Sal Rng/Stp: **C/8** Salary: **\$5,420.02/month**
 % of Position: 100% # of Mos: 10
 Effective: August 20, 2004
 Account #: A-111000-365400-22070-0000000/100%

b. Name: **NANCY J. PINCE**
 Position: Assistant Professor, Nursing
 Department: Nursing Education
 Remarks: Increased step placement due to verification of previous related work experience.
 Sal Rng/Stp: **C/8** Salary: **\$5,420.02/month**
 % of Position: 100% # of Mos: 10
 Effective: August 20, 2004
 Account #: A-111000-348200-12030-0611400/100%

9. RECOMMENDATION: ACTION - RATIFY CERTIFICATED EMPLOYMENT

The Governing Board hereby ratifies the recommendation of the Interim Superintendent/President regarding the **employment** of the following **certificated employee**:

a. Name: **CAROL L. ADAMS**
 Position: Master Teacher I
 Department: Child Development Center
 Position #: 6015 New?: No
 Remarks: Replacement for Rene Robelin
 Sal Rng/Stp: **D1/1** Salary: **\$2,523.51/month**
 % of Position: 100% # of Mos: 12
 Effective: October 4, 2004
 Account: U-111000-364300-69200-0000000/100%

10. RECOMMENDATION: ACTION – GRANT EQUIVALENCY FOR DISCIPLINE

Upon the recommendation of the Faculty Senate Equivalency Committee, the Governing Board hereby grants the following individuals **equivalency to minimum qualifications** for the disciplines listed:

Christopher Burks - Dance
 Victoria Cutchens – Bookkeeping
 Sandra Golden – Tai Chi
 Jeremy Pecoraro - Cheerleading

11. RECOMMENDATION: ACTION – RATIFY PART-TIME FACULTY EMPLOYMENT

The Governing Board hereby ratifies the recommendation of the Interim Superintendent/President regarding the **employment of the following part-time faculty**, at the hourly rates indicated for Fall 2004 and Spring 2005 (day and/or evening); said part-time faculty are not scheduled to teach more than a 60 percent load in a single semester:

FALL 2004

ART

Walls, Steven	Art B.A., Art-Painting M.F.A., Fine Arts	\$43.09
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BEHAVIORAL SCIENCES

Cairns-Pietrangelo, Nancy	Sociology B.A., General Studies M.A., Sociology	\$43.09
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BUSINESS EDUCATION

Cutchens, Victoria	Bookkeeping B.A., Social Ecology M.P.A., Public Administration M.S., Public Health	\$45.80
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ENGLISH AS A SECOND LANGUAGE

Lemus, Sergio	Adult Basic Education B.A., Architecture 2+ Years Experience	\$42.05
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Martinez-Mateos, Jose	Adult Basic Education B.S., Computer Science 2+ Years Experience	\$42.05
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OCCUPATIONAL & NONCREDIT PROGRAMS

Cooper, Madison	Community Education M.A., Teaching and Learning	\$43.09
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Golden, Sandra	Tai Chi Eminence in the Field	\$42.05
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Patterson, Ronda	Community Education B.A., Psychology	\$42.05
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PERFORMING ARTS

Burks, Christopher	Tap Dancing Eminence in the Field	\$42.05
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PHYSICAL EDUCATION

Pecoraro, Jeremy	Physical Education A.A., Liberal Arts & Sciences B.S., University Studies 2+ Years Experience	\$42.05
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PUBLIC SAFETY

Hooper, Wayne	Fire Technology A.A., Paramedic Training A.A., Fire Technology B.S., Vocational Arts 2+ Years Experience	\$42.05
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Thompson, George	Fire Technology B.S., Business Administration 2+ Years Experience	\$42.05
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Twyman, John	Fire Technology Lifetime Credential in Fire Technology	\$42.05
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12. RECOMMENDATION: ACTION – APPROVE PERSONNEL ACTIONS/ HISTORY

The Governing Board hereby approves the **Personnel Actions/History** report, which includes hires and pay rate changes for **student employees** for the month of **September 2004, and short-term employees** for the month of **October 2004. EXHIBIT H-12**

13. RECOMMENDATION: ACTION - RATIFY NEW CLASSIFIED POSITIONS

The Governing Board hereby ratifies the recommendation of the Interim Superintendent/President regarding the following **classified positions**:

- a. Position: **CalWORKs Accounting Assistant**
 Name: Vacant
 Department: Extended Opportunity Programs & Services
 Position #: 6307 New: Yes
 Remarks: Funded - CalWORKs
 Sal Grade/Stp: **16/1** Salary: **\$1,089.52/month**
 % of Position: 45% # Mos.: 12
 Effective: October 13, 2004
 Account #: K-212200-475100-64600-1612020/100%

- b. Position: **Systems Module Functional Specialist**
 Name: Vacant
 Department: Payroll Services
 Position #: 6293 New: Yes
 Sal Grade/Stp: **39/1** Salary: **\$4,243.78/month**
 % of Position: 100% # Mos.: 12
 Effective: October 13, 2004
 Account #: A-212200-559100-67310-0000000/100%

14. RECOMMENDATION: ACTION - RATIFY CLASSIFIED EMPLOYMENT

The Governing Board hereby ratifies the recommendation of the Interim Superintendent/President regarding the **employment** of the following **classified employees**:

- a. Name: **MARIELA L. CASTELLANO**
 Position: GEAR UP Outreach Coordinator
 Department: Grant Funded Student Support Programs
 Position #: 6260 New?: No
 Remarks: Replacement for Jose Celis; funded – GEAR UP Federal Grant.
 Sal Grade/Stp: 20/1 Salary: **\$2,670.14/month**
 % of Position: 100% # of Mos: 12
 Effective: September 20, 2004
 Account #: K-212200-471200-64990-1112320/100%
- b. Name: **KRISTINA L. HAAS**
 Position: Administrative Assistant
 Department: Human Resource Services
 Position #: 5735 New?: No
 Remarks: Replacement for Josephine Silva
 Sal Grade/Stp: 48/1 Salary: **\$3,785.61/month**
 % of Position: 100% # of Mos: 12
 Effective: October 11, 2004
 Account #: A-212100-611100-66600-0000000/100%
- c. Name: **MARY G. VORHIS**
 Position: Senior Accounting Assistant
 Department: Fiscal Services
 Position #: 5591 New?: No
 Remarks: Replacement for Johnnie L. Fortune, Jr.; voluntary demotion for Ms. Vorhis.
 Sal Grade/Stp: 20/3 Salary: **\$2,942.43/month**
 % of Position: 100% # of Mos: 12
 Effective: October 1, 2004
 Account #: A-212200-551100-67200-0000000/100%
- d. Name: **ANEL B. CARDONA-GONZALEZ**
 Position: CalWORKs Staff Assistant
 Department: Extended Opportunity Programs & Services
 Position #: 6295 New?: Yes
 Remarks: Position approved 9/14/04; funded – Categorical Funds.
 Sal Grade/Stp: 23/1 Salary: **\$2,871.29/month**
 % of Position: 100% # of Mos: 12
 Effective: September 29, 2004
 Account #: K-212200-331200-64700-1612020/100%

15. RECOMMENDATION: ACTION - RATIFY RESIGNATIONS

The Governing Board hereby ratifies the recommendation of the Interim Superintendent/President granting the **resignations** of the following **employees**:

- a. **Teresa Villalobos**, Human Resources Assistant I, Human Resource Services, effective September 11, 2004 (last day of employment September 10, 2004).
- b. **Christian H. Lang**, Law Enforcement Training Supervisor, Public Safety Programs, effective September 23, 2004 (last day of employment September 22, 2004).
- c. **Saida Munoz-Perez**, Staff Assistant, Extended Opportunity Program & Services, effective October 1, 2004 (last day of employment September 30, 2004).
- d. **Megan M. Schwerdtfeger**, Counseling Support Specialist, Counseling Services, effective October 13, 2004 (last day of employment October 12, 2004).

16. RECOMMENDATION: ACTION - RATIFY LEAVES OF ABSENCE

- a. The Governing Board hereby ratifies the recommendation of the Interim Superintendent/President granting a **100% Family Medical Leave of Absence without pay and with no effect on benefits**, effective September 30, 2004, through December 22, 2004, to **Marianne Swift-Gifford**, Teacher II, Child Development Instruction & Services Center.

17. INFORMATION: RETIREMENTS

On Behalf of the Governing Board of the Palomar Community College District, the following **retirement** has been accepted by Dr. Richard A. Jones, Interim Superintendent/President, as authorized by the Governing Board, under Group II (receive the employer-paid health benefits as provided to active employees and eligible dependents until the retiree has reached the age of 65, dental for life) of the Retirement Health and Dental Plan approved by the Governing Board December 8, 1987:

- a. **Diane C. Pierce**, Admissions Assistant, Admissions, effective October 8, 2004.

On Behalf of the Governing Board of the Palomar Community College District, the following **retirement** has been accepted by Dr. Richard A. Jones, Interim Superintendent/President, as authorized by the Governing Board, under Group III:

- a. **Marilyn E. Linscott**, Administrative Secretary, Instruction Office, effective September 16, 2004.

Resumption of REGULAR AGENDA

I. ACTION ON ITEMS REMOVED FROM CONSENT CALENDAR

J. REPORTS FROM COLLEGE GROUPS

1. **INFORMATION: Report of the Faculty Senate**
2. **INFORMATION: Report of the Palomar Faculty Federation**
3. **INFORMATION: Report of The Faculty**
4. **INFORMATION: Report of the Administrative Association**

5. **INFORMATION: Report of the Confidential and Supervisory Team**
6. **INFORMATION: Report of the CCE/AFT**
7. **INFORMATION: Report of the Associated Student Government**

K. COMMENTS FROM OTHER INDIVIDUALS AND GROUPS

1. **INFORMATION: Comments from Other Individuals or Groups**

In accordance with Board Procedure 12.10.1, members of the public who wish to address the Board on matters within its jurisdiction have a **five-minute time limit** per person. The Board may ask a group to select a spokesperson and may limit the number of speakers on a particular topic unless the proposed speakers are addressing different concerns.

L. UNFINISHED BUSINESS

M. NEW BUSINESS

1. **RECOMMENDATION: ACTION - RECEIVE BIDS FOR CONSTRUCTION OF HIGH TECHNOLOGY LABORATORY/CLASSROOM BUILDING (JOB 712); ACCEPT RESCISSION OF LOWEST BID BASED ON CLERICAL ERROR; ACCEPT BID FROM SECOND LOWEST RESPONSIVE BIDDER AND AWARD CONTRACT SUBJECT TO RECEIPT OF BONDING**

The Governing Board **receives the seven (7) bids** as detailed in Exhibit M-1 hereto, following the bid opening of the Construction of the High Technology/Laboratory Classroom Building, Job No. 712, (the "Project"), on September 16, 2004; and acknowledges receipt of timely communication of a clerical mistake in its bid by the apparent, lowest bidder, FTR International, Inc., of Irvine, CA ("FTR"), in the amount of thirty-two thousand, four hundred dollars (\$32,400.00).

Based upon the provisions of Public Contract Code, Section 5105 et seq, the Board accepts rescission of the bid by FTR based upon its clerical error in entering the total bid amount.

The Governing Board hereby accepts **the second low bid by C.E. Wylie Construction Co.**, of San Diego, CA ("Wylie"), in the amount of twenty-seven million, four hundred twenty-five thousand dollars (\$27,425,000.00), and awards a contract to Wylie in that amount, subject to receipt of required bonding. **EXHIBIT M-1**

2. **RECOMMENDATION: ACTION – APPROVE ACCEPTANCE OF PROFESSIONAL DEVELOPMENT FUNDS**

The Governing Board of Palomar Community College District hereby **accepts three thousand dollars (\$3,000.00)** from the Region Ten Consortium located at Cuyamaca Community College. The funds will be used for travel and conference expenses for vocational faculty and administrators at Palomar College. The funds should be posted to a Professional Development travel account. **EXHIBIT M-2**

3. **RECOMMENDATION: ACTION - APPROVE AGREEMENT WITH PROMÈTOUR, INC., FOR THE PURPOSE OF CONDUCTING A STUDY ABROAD PROGRAM IN PARIS, FRANCE**

The Governing Board hereby **approves an agreement** between the **Palomar Community College District and Promètour, Inc.**, Strachan, 7 Izda 29015 Malaga, Spain, for the purpose of allowing the District's Foreign Languages Department to conduct a Study Abroad Program in Paris, France, from May 21, 2005, through June 11, 2005. Classes will be offered in French 101, 105, 106, 110, 115, 116, 201, 210, 215, 216, and 296. In addition to the program price, program participants will be responsible for arranging and paying their own transportation to and from France. **EXHIBIT M-3**

4. **RECOMMENDATION: ACTION – APPROVE AGREEMENT WITH ESTUDIO INTERNACIONAL SAMPERE FOR THE PURPOSE OF CONDUCTING A STUDY ABROAD PROGRAM IN MADRID, SPAIN**

The Governing Board hereby approves **an agreement between the Palomar Community College District and Estudio Internacional Sampere**, Lagasca, 16, E-28001, Madrid, Spain, for the purpose of allowing the District's Foreign Languages Department to conduct a Study Abroad Program in Madrid, Spain from May 21, 2005, to June 18, 2005. Classes will be offered in Spanish 101, 110, 201, 210, 235 and 195. In addition to the program price, program participants will be responsible for paying all fees including transportation, housing, insurance, books, materials, and personal expenses. **EXHIBIT M-4**

5. **RECOMMENDATION: ACTION - APPROVE AGREEMENTS WITH YOSEMITE COMMUNITY COLLEGE DISTRICT, CHILD DEVELOPMENT TRAINING CONSORTIUM**

The Governing Board hereby **approves agreement number 05-4489** between the **Palomar Community College District (hereinafter "Palomar") and the Yosemite Community College District, Child Development Training Consortium** (hereinafter "YCCD-CDTC") effective August 1, 2004, to and including July 31, 2005. Palomar shall provide college credit to enrolled students required to obtain or renew a child development permit and YCCD-CDTC shall pay to Palomar an amount not to exceed \$18,750.00.

The Child Development Training Consortium is also **funding workshops** for Professional Growth Advisors. Palomar College will receive \$36 per training Professional Growth Advisor. The college can train a maximum of 39 Professional Growth Advisors for the 2004-2005 year. YCCD-CDTC shall pay to Palomar an additional amount not to exceed \$1,504.00. **EXHIBIT M-5**

6. **RECOMMENDATION: ACTION - RESOLUTION IN SUPPORT OF THE REPEAL OF THE NORTH COUNTY RECYCLED SOLID WASTE DISPOSAL INITIATIVE (PROPOSITION C) ADOPTED IN 1994**

WHEREAS, the Pala Band of Mission Indians have filed with the Registrar of Voters a notice of intention to circulate a petition to repeal the North County Recycled Solid Waste Disposal initiative (Proposition C) adopted by San Diego County voters in 1994 that would site a landfill in Gregory Canyon; and,

WHEREAS, the Gregory Canyon landfill site is adjacent to the San Luis Rey River groundwater basin that contains substantial quantities of renewable, natural, potable water, and which is also a potential site for underground storage of imported water, such sites being perilously deficient in San Diego County; and,

WHEREAS, the 1,770-acre Gregory Canyon landfill site is located in northern San Diego County, three miles east of Interstate 15 and two miles southwest of the community of Pala and the Pala Indian Reservation, well within the boundaries of the Palomar Community College District and approximately two miles from a potential future Palomar College campus; and,

WHEREAS, the Final Environmental Impact Review conclude that certain impacts from the landfill, including air quality, Ethno History and Native American interests, traffic and circulation, and noise and vibration will be significant and cannot be mitigated; and,

WHEREAS, recognized authorities in the fields of geology and landfill contaminants have stated unequivocally that any device currently available to contain contaminants in landfill operations must surely fail, and that such failures will lead to destruction of underlying groundwater basins as sources of native, potable water and as storage basins for imported water; and,

WHEREAS, the Palomar Community College District teaches a program of wastewater management, various courses in geologic studies and Native American history and supports the protection of all of our natural resources through maximizing and enhancing existing recycling programs locally and throughout the State;

THEREFORE, BE IT RESOLVED, that the Palomar Community College District opposes the proposed site of solid waste disposal operations at the Gregory Canyon site and supports any effort to repeal the North County recycling and Solid Waste Disposal Initiative (Proposition C) adopted by San Diego County voters in 1994.

BE IT FURTHER RESOLVED, that the Palomar Community College District urges the voters and the San Diego County Board of Supervisors to reject any future sites that will jeopardize the San Luis Rey watershed and to seek alternate means for the collection and disposal of solid waste generated in North County San Diego.

7. **RECOMMENDATION: ACTION – APPROVE RESOLUTION IN SUPPORT OF THE CALIFORNIA COMMUNITY COLLEGE SYSTEM RESPONSE TO THE CALIFORNIA PERFORMANCE REVIEW**

WHEREAS, the California Performance Review (CPR) made 16 recommendations in areas related to government reorganization and education policy that have a profound effect on California Community College students including areas such as state mandated enrollment priorities, transfer, career and workforce education, mandatory community service, service to high school students, textbooks costs and elimination of the state board; and

WHEREAS, the California Community Colleges system of 72 local districts and 109 colleges is the largest system of higher education in the world, is one of the most successful and respected community college systems in the nation and is the most cost effective segment of higher education in the state; and

WHEREAS, the California Community College system currently serves 2.8 million students, has the most diverse student body in California higher education and provides the major point of entry into higher education for underrepresented students; and

WHEREAS, system leaders within the California Community Colleges, including the organizations of the chief executive officers, local governing board members, Academic Senate, faculty and classified unions, administrators and students have developed a response to these 16 CPR recommendations based on the effect the CPR recommendations would have on the equitable delivery of education programs and services to all students and the comprehensive community college mission, their potential for cost savings and improving effectiveness and innovation, and if they would improve accountability to the public; and

WHEREAS, the system leadership response raises appropriate concerns about certain recommendations and contains several alternative recommendations and options to those proposed in the CPR which would better meet the needs of students and the local communities served by California Community Colleges while maintaining efficiency, effectiveness and accountability; and,

WHEREAS, the system response has been reviewed by the following boards: California Community Colleges Trustees (CCCT); Chief Executive Officers of the California Community Colleges (CEOCCC); Board of Governors of California Community Colleges, the Academic Senate for the California Community Colleges (ASCCC Executive Committee), Association of California Community College Administrators (ACCCA); Community College Association (CCA/CTA), Community College Council/ California Federation of Teachers/American Federation of Teachers (CCC/CFT/AFT), Faculty Association of California Community Colleges (FACCC), California School Employees Association (CSEA), and California Student Association of Community Colleges (CalSACC);

THEREFORE BE IT RESOLVED that the Palomar Community College District Governing Board supports the California Community College System Leadership Response to the California Performance Review.

8. **RECOMMENDATION: ACTION – APPROVE RESOLUTION IN SUPPORT OF PROPOSITION BB: HOSPITAL, EMERGENCY CARE, AND TRAUMA CENTER IMPROVEMENTS**

WHEREAS, the Palomar Pomerado Health District, the largest public hospital district in California, spans 850 square miles from the Riverside County line to Scripps Ranch, from Anza Borrego to Vista, and includes the vast majority of the Palomar Community College District service area, including the communities of Escondido, Fallbrook, Ramona, San Marcos, Valley Center, Pauma Valley, Rancho Bernardo, and Rancho Penasquitos from which nearly 30,000 students enroll at Palomar College; and,

WHEREAS, Palomar Community College District offers Associate Degrees and Certificate programs in healthcare fields including Registered Nursing, Medical Assisting, and Emergency Medical Technicians, and provides continuing education opportunities for Registered and Licensed Vocational Nurses; and,

WHEREAS, in order to continue to provide accessible health care services, including trauma, emergency room and acute care services, to a population anticipated to grow to more than 1.3 million in the next 20 years, the Board of Directors of the Palomar Pomerado Health District, with the input of District medical staff, nursing personnel, support personnel and members of the public, has developed a comprehensive plan to address the future health care needs of the population of the District; and,

WHEREAS, the comprehensive plan developed by the Board of Directors of the Palomar Pomerado Health District addresses the future health care needs of the projected population of the District, including replacement, renovation and repair of patient care facilities that do not meet mandated state standards for earthquake safety, renovation and repair of existing aging facilities to support advances in medical treatment, and expansion of localized, community-based health care services in certain regions of the District; and,

WHEREAS, the Board of Directors of Palomar Pomerado Health District will hold a special election on November 2, 2004, for the purpose of submitting to the registered voters of the Palomar Pomerado Health District Proposition BB; and,

WHEREAS, Proposition BB will authorize the Palomar Pomerado Health District to issue and sell general obligation bonds of up to \$496,000,000 to be used for land acquisition, and to build, renovate and improve existing or new medical facilities within the healthcare district; and,

WHEREAS, the total projected cost of the capital projects is \$753 million, the balance of which will be provided with \$210 million in revenue bonds and \$47 million from cash reserves and philanthropy; and,

WHEREAS, Proposition BB establishes a nine-member, unpaid, independent citizens' oversight committee to ensure that all bond proceeds are used for the proposed capital projects and that no monies are used for administrative salaries, materials, equipment or supplies; and,

THEREFORE, BE IT RESOLVED, that the Palomar Community College District supports Proposition BB: Hospital, Emergency Care, Trauma Center Improvement for the Palomar Pomerado Health System.

9. RECOMMENDATION: ACTION – REJECT CLAIM

The Governing Board of the Palomar Community College District rejects the claim for damages filed by Randall J. Pitre, Esq., Pitre & Teunisse, Inc., Attorneys at Law, on behalf of his client, **CRP Plumbing Company, Inc.**, and refers it to the District's Claim Administrator for handling.

10. RECOMMENDATION: ACTION – REJECT CLAIM

The Governing Board of the Palomar Community College District rejects the claim for damages filed by M. Colleen Weule, Esq., Weule, Ballard, & Mondo, LLP, on behalf of her client, **Micon Construction, Inc.**, and refers it to the District's Claim Administrator for handling.

11. RECOMMENDATION: ACTION – APPROVE RESOLUTION TO ESTABLISH A GANN LIMIT FOR THE 2004-05 FISCAL YEAR IN ACCORDANCE WITH PROVISIONS OF THE GANN AMENDMENT AND APPLICABLE STATUTORY LAW

WHEREAS, In November of 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment; and,

WHEREAS, The provisions of that amendment establish maximum appropriation limitations, commonly called "Gann Limits" for public agencies, including school districts; and

WHEREAS, The District must establish a Gann Limit for the 2004-2005 fiscal year in accordance with the provisions of the Gann Amendment and applicable statutory law;

NOW, THEREFORE, BE IT RESOLVED, That this Board does provide public notice that the attached calculations and documentation of the 2004-2005 Gann Limit are made in accord with applicable constitutional and statutory law and that this Board does hereby declare that the appropriations in the 2004-2005 budget do not exceed the limitations imposed by the Gann Amendment;

AND BE IT FURTHER RESOLVED, That the Superintendent/President provide copies of this resolution along with appropriate attachments to interested citizens of this District.
EXHIBIT M-11

12. INFORMATION: SUPERINTENDENT/PRESIDENT SEARCH

The Governing Board will report on the recommendations of the Presidential Search Committee.

13. RECOMMENDATION: ACTION – APPROVE AGENDA ITEMS FOR CONSIDERATION AT NEXT MEETING

The Governing Board hereby approves the following agenda items for consideration at the next meeting:_____

N. CLOSED SESSION

1. Public Employee Discipline/Dismissal/Release, pursuant to Government Code 54957.6.
2. Conference regarding negotiations with CCE/AFT, pursuant to Government Code Section 54957.6.
3. Conference regarding negotiations with PFF/AFT, pursuant to Government Code 54957.6.
4. Conference regarding discussion with Other Unrepresented Employees, pursuant to Government Code 54957.6.
5. Conference with Real Property Negotiator, pursuant to Government Code 54956.8. Property APNs as follows: Property APNs as follows: 108-121 Parcel 11; 108-120 Parcels 62, 63, 64; 126-061 Parcel 06; 126-121 Parcel 14; 323-100 Parcels 04, 10, 11, 12; 323-482 Parcel 12; 323-500 Parcels 01, 05, 06, 07, 08, 09, 14; 323-501 Parcel 02.
7. Review of tort claim, pursuant to Government Code 54956.95.
8. Presidential Search Committee Recommendations

O. RECONVENE TO OPEN SESSION

P. ADJOURNMENT