



GOVERNING BOARD AGENDA
REGULAR MEETING OF THE GOVERNING BOARD

DATE: MAY 10, 2005

5:00 P.M. (CLOSED SESSION) - 6:00 P.M. (OPEN SESSION)

PALOMAR COMMUNITY COLLEGE DISTRICT

GOVERNING BOARD ROOM, STUDENT SERVICES CENTER

1140 WEST MISSION ROAD

SAN MARCOS, CALIFORNIA

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 6:00 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 (5:00 p.m.)	2
B.	Roll Call	2
C.	Public Comments	2
D.	Recess to Closed Session	2
DD.	Reconvene to Open Session (6:00 p.m.).....	2
DDD.	Public Hearing	2
E.	Comments from Other Individuals or Groups	3
F.	Approval of Minutes	3
G.	Report of the Governing Board President	
GG.	Report of Governing Board Trustees	3
H.	Report of the Superintendent/President.....	3
I.	Call for Removal of Items from or Changes to Agenda	3
J.	Approval of Consent Calendar Items	3
K.	Action on Items Removed from Consent Calendar	17
L.	Reports from College Groups	17
M.	Unfinished Business.....	17
N.	New Business	17
O.	Board Requests for Reports	24
P.	Recess to Closed Session	24
Q.	Reconvene to Open Session	24
R.	Adjournment.....	24

A. CALL MEETING TO ORDER: 5 p.m.

B. ROLL CALL

Establishment of a Quorum

C. PUBLIC COMMENTS

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.

D. RECESS TO CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

1. Public Employee Discipline/Dismissal/Release, pursuant to Government Code, §54957.6.
2. Conference regarding negotiations with CCE/AFT, pursuant to Government Code, §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: Approximately 80 acres generally located at the northeast corner of I-15 and SR 76, near Fallbrook; Agency Negotiators: Robert Deegan, Joe Newmyer, Jim Goodell, David Rodriguez; Negotiating Parties: District and Passerelle LLC; Under Negotiation: Price and terms of payment
6. Conference with Legal Counsel regarding anticipated litigation, pursuant to Government Code, §54956.9b.c. – Two cases.
7. Conference with Legal Counsel - Existing Litigation, pursuant to Government Code, §54956.9a. Name of Case: Voth vs. Palomar Community College District; Superior Court, North County Judicial District.

DD. RECONVENE TO OPEN SESSION: 6 p.m.

Action Taken In Closed Session
Pledge of Allegiance

DDD. PUBLIC HEARING

1. **OPEN PUBLIC HEARING**

2. **PUBLIC HEARING – PALOMAR FACULTY FEDERATION PROPOSAL FOR NEGOTIATIONS WITH THE PALOMAR COMMUNITY COLLEGE DISTRICT FOR THE ACADEMIC YEAR 2005-2006**

In compliance with California Government Code, Section 3547(b), the Governing Board of the Palomar Community College District will hold a public hearing on May 10, 2005, so that representatives of the public in this District may have the opportunity to express themselves to the Board regarding the Palomar Faculty Federation's proposal for negotiations for the Academic Year 2005-2006. The Palomar Faculty Federation proposal is available for review in the Human Resource Services Office.

(EXHIBIT DDD-2)

3. CLOSE PUBLIC HEARING

E. 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.

F. RECOMMENDATION: ACTION - APPROVAL OF MINUTES

The Governing Board hereby approves the Minutes of the Regular Meeting of April 12, 2005.

ACCEPTANCE OF RETIREMENTS

An opportunity for the Board of Trustees to express appreciation and accept the retirements of employees with **ten (10)** or more years of service to the District.

Steven W. Miller, Professor, Art

He has served Palomar College for 20 years from September 3, 1985, to May 20, 2005.

G. REPORT OF THE GOVERNING BOARD PRESIDENT
GG. REPORTS OF GOVERNING BOARD TRUSTEES

Section 54954.2(a) of the Ralph M. Brown Act states that "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda."

H. REPORT OF THE SUPERINTENDENT/PRESIDENT

1. Report of Vice President for Instruction

a. Update on Nursing Education Program – Sara Thompson and Judy Eckhart

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

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

J. APPROVAL OF CONSENT CALENDAR ITEMS

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.

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	0500027	through	0500027	\$ 23,495.50
Purchase Orders	0540576	through	0540643	\$ 268,696.24
Travel	0550090	through	0550100	\$ 3,120.09
Advertising/Increases	0560068	through	0560085	\$ 15,287.24
Employment Ads	0565016	through	0565019	\$ 2,552.09
Agreement/Services	0570718	through	0570784	\$ 391,192.52
Repairs	0575108	through	0575122	\$ 9,375.56
Agreement/Annual	0580169	through	0580172	\$ 189.22
				<u>\$ 713,908.46</u>

2. RECOMMENDATION: ACTION - REVIEW AND APPROVE CONTRACTS AND AGREEMENTS MADE FOR PRIOR SIXTY (60) DAYS

The Governing Board hereby ratifies and approves all contracts and agreements for the period March 1, 2005 through April 30, 2005 and entered into on behalf of the Palomar Community College District. **(EXHIBIT J-2)**

GIFTS

3. RECOMMENDATION: ACTION – ACCEPT GIFT

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

- a. Cookbook Collection: Classic Cuisine, donated by Colleen C. Glass, 2922 Via Ipanema, Carlsbad, CA 92009, to be used by students in the ROP Culinary Arts Program. Total cash value as estimated by donor is \$250.00.
- b. Cookbook Collection: Regional Cuisine, donated by Colleen C. Glass, 2922 Via Ipanema, Carlsbad, CA 92009, to be used by students in the ROP Culinary Arts Program. Total cash value as estimated by donor is \$250.00.
- c. Three boxes of fabric and two bolts of fabric donated by EZ Storage, 444 Edgehill, Oceanside, CA 92054, to be used by students in the Interior Design Program. Total cash value as estimated by donor is \$150.00.

REPLACEMENT OF WARRANTS

4. RECOMMENDATION: ACTION – AUTHORIZE DRAWING NEW WARRANTS

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

- a. Warrant #77083325, dated September 20, 2004, in the amount of \$985.97, payable to Linda C. Steinman, 4420 Ocean Valley Lane, San Diego, CA 92130. Void due to stale date.
- b. Warrant #77074953, dated May 20, 2004, in the amount of \$207.75 payable to Linda C. Steinman, 4420 Ocean Valley Lane, San Diego, CA 92130. Void due to stale date.

FISCAL SERVICES

5. RECOMMENDATION: ACTION – APPROVE BANK SIGNATURE AUTHORIZATIONS FOR PERIOD MAY 10, 2005, THROUGH JULY 31, 2005.

The Governing Board authorizes the following to **deposit/withdraw funds** currently deposited in California Bank & Trust, San Marcos, California for Palomar Community College **Financial Aid**, Federal Account, and for Palomar Community College Food Services Account:

Joe Newmyer, Interim Assistant Superintendent/Vice President,
Finance and Administrative Services, **and**
Robert P Deegan, Superintendent/President

The Governing Board authorizes the following to **deposit/withdraw funds** currently deposited to the Palomar Community College **Transfer Account** deposited in California Bank & Trust, San Marcos, California:

Joe Newmyer, Interim Assistant Superintendent/Vice President,
Finance and Administrative Services, **or**
Robert P. Deegan, Superintendent/President.

The Governing Board authorizes the following to **deposit/withdraw funds** currently deposited to the Palomar Community College **Revolving Cash Fund** in California Bank & Trust, San Marcos, California:

Joe Newmyer, Interim Assistant Superintendent/Vice President,
Finance and Administrative Services, **or**
Robert P. Deegan, Superintendent/President.

The Governing Board authorizes the following to deposit/withdraw funds currently deposited to the Palomar Community College District **Associated Students** of Palomar College in California Bank & Trust, San Marcos, California:

Joe Newmyer, Interim Assistant Superintendent/Vice President,
Finance and Administrative Services, **or**
Robert P. Deegan, Superintendent/President
and
Paul Charas, President, Associated Student Government
or
Neill Kovrig, Vice President of State Affairs, Associated Student Government.

The Governing Board authorizes the following to deposit/withdraw funds deposited to the Palomar Community College District **EOPS Emergency Loan Fund** in California Bank & Trust, San Marcos, California:

Joe Newmyer, Interim Assistant Superintendent/Vice President,
Finance and Administrative Services, **and**
Robert P. Deegan, Superintendent/President.

The Governing Board authorizes the following to **deposit/withdraw funds deposited** to the Palomar Community College in the San Diego County Treasury:

Joe Newmyer, Interim Assistant Superintendent/Vice President,
Finance and Administrative Services, **and**
Robert P. Deegan, Superintendent/President.

The Governing Board authorizes two of the following to deposit/withdraw funds currently deposited to the Palomar College **Payroll Account** (automatic payroll deposit account) in California Bank & Trust, San Marcos, California:

Robert P. Deegan, Superintendent/President
Joe Newmyer, Interim Assistant Superintendent/Vice President,
Finance and Administrative Services
Esperanza Flores, Manager, Payroll Services
Janien A. Lau-Thompson, Payroll Assistant - Withdraw only
Cynthia Battaglia, Payroll Assistant - Deposit only

The Governing Board authorizes the following to deposit/withdraw funds deposited to the Palomar Community College, State of California--**Cal Grant Account** in California Bank & Trust, San Marcos, California:

Joe Newmyer, Interim Assistant Superintendent/Vice President,
Finance and Administrative Services
Robert P. Deegan, Superintendent/President.

The Governing Board authorizes the following to deposit/withdraw funds deposited to the Palomar Community College, **Payroll Electronic Funds Transfer Account** for State Taxes in California Bank & Trust, San Marcos, California:

Esperanza Flores, Manager, Payroll Services, **or**
Cynthia Battaglia, Payroll Assistant, **and**
Robert P. Deegan, Superintendent/President
Joe Newmyer, Interim Assistant Superintendent/Vice President,
Finance and Administrative Services

The Governing Board authorizes the following to deposit/withdraw funds deposited to the Palomar College/**Tenancies**, Escondido Center in California Bank & Trust, San Marcos, California:

Joe Newmyer, Interim Assistant Superintendent/Vice President,
Finance and Administrative Services, **and**
Robert P. Deegan, Superintendent/President

The Governing Board authorizes the following to deposit/withdraw funds deposited to the Palomar College **Payroll Electronic Funds Transfer-Federal Taxes** account in California Bank & Trust, San Marcos, California:

Esperanza Flores, Manager, Payroll Services, **or**
Cynthia Battaglia, Payroll Assistant
Robert P. Deegan, Superintendent/President
Joe Newmyer, Interim Assistant Superintendent/Vice President,
Finance and Administrative Services

EXHIBIT J-5

6. RECOMMENDATION: ACTION – APPROVE RESOLUTION REQUESTING TEMPORARY TRANSFER OF FUNDS

WHEREAS, the California Constitution, Article XVI, Section 6, and Education Code Section 85220, provide that the Treasurer of the County shall have the power and it shall be his duty to make such temporary transfer from the funds in his custody as may be necessary to provide funds for meeting the obligations incurred for maintenance purposes by any district whose funds are in his custody and are paid out solely through his office; such **temporary transfer** of funds shall be made only upon resolution adopted by the governing board of the County to make such temporary transfer; such temporary transfer of funds shall **not exceed 85% of taxes** accruing to the district, shall not be made prior to the first day of the fiscal year nor after the last Monday in April of the current fiscal year, and shall be replaced from the taxes accruing to such district before any other obligation of the district is met from such taxes; and

WHEREAS, on June 28, 2005, the Governing Board will:

- [XXX]** Adopt a tentative budget
 Adopt its final budget

For this District for the fiscal year 2005-2006 pursuant to the provisions of the Education Code, §85000 et seq., and taxes accruing to the district for said fiscal year are estimated to be \$42,881,034.00 and 85% of said taxes is \$36,448,878.00; and

WHEREAS, taxes accrued to this district during the 2004-2005 fiscal year are projected to be \$42040,229.00; and

WHEREAS, it is necessary to provide funds for meeting the obligations incurred for maintenance purposes by this district;

AND NOW THEREFORE IT IS RESOLVED AND ORDERED pursuant to the provisions of the California Constitution, Article XVI, Section 6, and Education Code, §85220 as follows:

1. The Board of Supervisors of the County of San Diego is requested to direct the Treasurer of the County of San Diego to make a temporary transfer from the funds in his custody to this district during the 2005-2006 fiscal year to meet obligations incurred for maintenance purposes in the amount of:
 - (a) \$6,196,309.00 for the period from July 1, until August 31, not to exceed 17% of the authorized limit.
 - (b) \$36,448,878.00 after August 31, but not to exceed a total of 85% of taxes accruing to the district. This amount represents the total available temporary transfer approved by the governing board for the 2005-2006 fiscal year inclusive of the 17% shown in (a) above.
2. If directed by the Board of Supervisors, funds will be transferred to this district by the Treasurer of the County of San Diego in sums as requested by the District Superintendent and certified by him/her to be necessary to provide funds for meeting the obligations incurred for maintenance purposes by the district not to exceed the maximum amount herein specified, provided the Treasurer determines that funds in his custody are available for such transfers.
3. The Secretary of this Board is directed to file a copy of this resolution with the Board of Supervisors, the County Superintendent of Schools, the County Auditor and Controller and the County Treasurer-Tax Collector.

PASSED AND ADOPTED by the Governing Board of the Palomar Community College District, County of San Diego, State of California, this 10th day of May, 2005 by the following vote:

AYES:
NOES:
ABSENT:

**STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)**

I, Mark R. Evilsizer, Secretary of the Governing Board of the Palomar Community College District, County of San Diego, State of California, do hereby certify that the foregoing is a true copy of a resolution adopted by said Board at a meeting thereof, at the time and by the vote therein stated, which original resolution is on file in the office of said Board.

Date

Secretary of the Governing Board

EXHIBIT J-6

7. RECOMMENDATION: ACTION – APPROVE BANK SIGNATURE AUTHORIZATIONS FOR PERIOD MAY 10, 2005, THROUGH JULY 31, 2005.

The Governing Board of Palomar Community College District hereby approves the following business procedures be authorized, effective May 10, 2005 through July 31, 2005:

- a. Persons authorized, pursuant to the provisions of the Education Code Section 85232, to sign any and all school orders in the name of the District, drawn on the funds of the District:

Joe Newmyer, Interim Assistant Superintendent/Vice President,
Finance and Administrative Services
Robert P. Deegan, Superintendent/President

- b. Person authorized to receive mail from the Accounting Section of the San Diego County Office of Education:

Phyllis Laderman, Interim Director of Fiscal Services

EXHIBIT J-7

8. RECOMMENDATION: ACTION - APPROVE INTRABUDGET TRANSFER AT FISCAL YEAR END

The Governing Board hereby authorizes the Vice President for Finance and Administrative Services to make such **transfers** between the **undistributed reserve** and **any expenditure classification** of the budget of the District for the Fiscal Year 2004-2005 as are necessary to permit the payment of obligations of the District incurred during the fiscal year. **EXHIBIT J-8**

9. RECOMMENDATION: ACTION – APPROVE QUARTERLY REPORT OF CFO REGARDING DISCLOSURE OF DISTRICT INVESTMENTS

The Governing Board hereby approves the **Quarterly Report of Chief Financial Officer Regarding Disclosure of District Investments** as of March 31, 2005. **EXHIBIT J-9**

10. RECOMMENDATION: ACTION – APPROVE QUARTERLY FINANCIAL STATUS REPORT

The Governing Board hereby approves the **California Community Colleges Quarterly Financial Status Report (CCFS-311Q)** for quarter ending March 31, 2005. **EXHIBIT J-10**

COMMUNITY DEVELOPMENT

11. APPROVE NEW COMMUNITY DEVELOPMENT CLASSES, AGREEMENTS, AND PERSONNEL

The Governing Board hereby approves the following new classes, agreements, and personnel for providing Community Development classes.

Summer/2005

- a. **Presenter:** Teri Amavisca
Name of Class: Baja "Gold Coast" Adventure
Effective: June 25, 2005
Instructor Rate: \$300
Fee to Student: \$65
Terms: Minimum/maximum 18/50

- b. **Presenter:** Ken Burns
Name of Class: "For Sale by Owner – How to do it Right!"
Effective: June 11, 2005
Instructor Rate: 30% of fees collected
Fee to Student: \$55
Terms: Minimum/maximum 10/25

- c. **Presenter:** Jeff Datin
Name of Class: Artificial Rock Sculpting
Effective: August 6, 2005
Instructor Rate: 40% of fees collected
Fee to Student: \$95
Terms: Minimum/maximum 10/35

- d. **Presenter:** Ellyson Galloway
Name of Class: Interior Re-Design–No Cost Decorating with Your Furnishings
Effective: August 9, 2005
Instructor Rate: 30% of fees collected
Fee to Student: \$35
Terms: Minimum/maximum 8/100

- e. **Presenter:** Mark Hudelson
Name of Class: King Tut Exhibition Trip and Tour
Effective: August 6, 2005
Instructor Rate: \$300
Fee to Student: \$85
Terms: Minimum/maximum 15/43

- f. **Presenter:** Barbara Mintz
Name of Class: Introduction to Argentine Tango
Effective: June 14 – July 26, 2005
Instructor Rate: \$516.72
Fee to Student: \$60
Terms: Minimum/maximum 15/30

PERSONNEL

12. 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: **Assistant Professor, Generalist Counselor**
 Name: Vacant
 Department: Counseling
 Position #: 6342 New: Yes
 % of Position: 100% # Mos.: 11
 Effective: May 11, 2005
 Account #: A-122100-462100-63100-0000000/100%

13. RECOMMENDATION: ACTION - RATIFY ACADEMIC EMPLOYMENT

The Governing Board ratifies the recommendation of the Superintendent/President regarding the **employment** of the following **academic employee(s)**:

a. Name: **MATTHEW T. ESTES**
 Position: Assistant Professor, History
 Degrees: B.A., History
 M.A., History
 Department: Economics, History, & Political Science
 Position #: 5451 New: No
 Sal Rng/Stp: **C/1** Salary: **\$4,411.91/month**
 % of Position: 100% # of Mos: 10
 Effective: August 19, 2005
 Account #: A-111000-365300-22050-0000000/100%

b. Name: **JOSÉ CARLOS C. PEDROZA**
 Position: Assistant Professor, Spanish
 Degrees: B.A., first major – Telecommunications; second major – Spanish
 M.A., Telecommunications
 Minimum qualifications satisfied through equivalency
 Department: Foreign Languages
 Position #: 5140 New: No
 Sal Rng/Stp: **C/1** Salary: **\$4,411.91/month**
 % of Position: 100% # of Mos: 10
 Effective: August 19, 2005
 Account #: A-111000-326900-11050-0000000/100%

c. Name: **BRANDAN F. WHEARTY**
 Position: Assistant Professor, Speech
 Degree: B.S., Political Science
 Minimum qualifications satisfied through equivalency
 Department: Speech Communications, Forensics, & American Sign Language
 Position #: 6317 New: Yes
 Sal Rng/Stp: **B/1** Salary: **\$4,195.88/month**
 % of Position: 100% # of Mos: 10
 Effective: August 19, 2005
 Account #: A-111000-329300-15060-0000000/100%

d. Name: **RENEE C. ROTH**
 Position: Associate Professor/Generalist Counselor
 Department: Counseling
 Position #: 6342 New: Yes
 Remarks: Lateral transfer for Ms. Roth
 Sal Rng/Stp: **D/12** Salary: **\$6,418.04/month**
 % of Position: 100% # of Mos: 11
 Effective: July 1, 2005
 Account #s: A-122100-462100-63100-0000000/100%

14. 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:

Bushra Saeed - Arabic
 Daniel Lynds - Physical Education
 Robert Pastrana - Art
 Sasha Kaluzhski - English as a Second Language

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

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

SPRING 2005

ART DEPARTMENT

Pastrana, Robert	Art	\$43.06
	B.F.A., Illustration	
	2+ Years Experience	

OCCUPATIONAL & NONCREDIT PROGRAMS

Kelly, Susan	Community Education	\$44.13
	M.A., English: Literature	

Bergstrom, Nancy	Community Education	\$44.13
	B.S., Education	
	M.Ed., Education	

PUBLIC SAFETY PROGRAMS

Frank, Todd	Administration of Justice	\$43.06
	A.A., Administration of Justice	
	B.S., Organizational Leadership	
	2+ Years Experience	

Martin III, Lee	Administration of Justice	\$43.06
	B.A., Economics: Law & Society	
	2+ Years Experience	

SUMMER 2005

ENGLISH AS A SECOND LANGUAGE

Kaluzhski, Sasha English as a Second Language \$44.13
M.A., English

FOREIGN LANGUAGES

Saeed, Bushra Arabic \$44.13
B.A., Mathematics
M.A., Teaching
Coursework and Experience

Sommer, Rikke French \$44.13
B.A., French
M.A., French

PHYSICAL EDUCATION

Lynds, Daniel Physical Education \$43.06
A.A., Liberal Arts and Sciences
Coursework and 6+ Years Experience

FALL 2005

PUBLIC SAFETY PROGRAMS

Quaco, Kim Administration of Justice \$44.13
B.A., Forensics
M.P.A., Public Administration

16. RECOMMENDATION: ACTION – APPROVE REIMBURSEMENT OF CANDIDATES FOR SECOND-LEVEL INTERVIEW EXPENSES

The Governing Board hereby approves **reimbursement of travel expenses** for second level interviews for the following:

a. **MATTHEW ESTES**

For: Airfare
To Attend: Second level interview for the position of
Assistant Professor, History
Location: Huntsville, AL, to San Diego, CA
Date: April 13, 2005
Amount: \$612.80
Account #: 575400-12-611200-67600-10-2005-1612080/100%

b. **GRAZIANA RAMSDEN**

For: Airfare, hotel, rental car, mileage, parking, and meals
To Attend: Second level interview for the position of
Assistant Professor, Spanish
Location: North Adams, MA, to San Diego, CA
Date: April 13, 2005
Amount: \$880.66
Account #: 575400-12-611200-67600-10-2005-1612080/100%

- c. **MARK OGGEL**
For: Airfare, hotel, rental car, gas, and meals
To Attend: Second level interview for the position of
 Director, Communications
Location: Bothell, WA, to San Diego, CA
Date: April 25, 2005
Amount: \$601.61
Account #: 575400-12-611200-67600-10-2005-1612080/100%
- d. **DANIEL SCOTT**
For: Mileage, hotel, and meals
To Attend: Second level interview for the position of
 Assistant Professor, Speech
Location: Clovis, CA, to San Diego, CA
Date: April 26, 2005
Amount: \$374.06
Account #: 575400-12-611200-67600-10-2005-1612080/100%

17. RECOMMENDATION: ACTION – RATIFY RECLASSIFICATION OF ADMINISTRATIVE POSITION

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

- a. **Position: DIRECTOR, STUDENT AFFAIRS**
Department: Student Services
Name: Bruce E. Bishop
Position #: 5486 New?: No
Remarks: Position was Director, Student Affairs, Grade 67
Effective: November 1, 2004
% of position: 100% # of Mos: 12
Sal Grade/Stp: 68/17 Salary: **\$8,716.89/month**
Account: A-123400-451100-64910-0000000/100%

18. RECOMMENDATION: ACTION - RATIFY ADMINISTRATIVE EMPLOYMENT

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

- a. Name: **MARK R. OGGEL**
Position: Director, Communications
Department: Communications
Position #: 6277 New: No
Remarks: Replacement for Cindy Sabato
Sal Grade/Stp: **57/2** **Salary: \$5,085.58/month**
% of Position: 100% # of Mos: 12
Effective: May 31, 2005
Account #: A-212100-212200-67120-0000000/100%
- b. Name: **RICHARD BORDEN**
Position: Institutional Research Analyst
Department: Institutional Research and Planning
Position #: 5780 New: No
Remarks: Replacement for Pamela Brown
Sal Grade/Stp: **53/2** **Salary: \$4,607.12/month**
% of Position: 100% # of Mos: 12
Effective: June 27, 2005
Account #: A-212100-212200-67120-0000000/100%

19. 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 **April, 2005, and short-term employees** for the month of **May, 2005. (EXHIBIT J-19)**

20. RECOMMENDATION: ACTION – RATIFY RECLASSIFICATION OF CLASSIFIED POSITIONS

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

- a. **Position:** **INVENTORY CONTROL SPECIALIST**
Department: Facilities Department
Name: Diane D. Rabe
Position #: 5808 New?: No
Remarks: Position was Inventory Control Technician, Grade 13
Effective: January 1, 2005
% of position: 100% # of Mos: 12
Sal Grade/Step: 19/10 Salary: **\$3,430.36/month**
Account #: A-212200-545100-67740-0000000/100%
- b. **Position:** **COMMUNICATIONS ASSISTANT II**
Department: Communications Office
Name: Mary T. Chase
Position #: 5850 New?: No
Remarks: Position was Staff Aide, Grade 20
Effective: January 1, 2005
% of position: 45% # of Mos: 12
Sal Grade/Step: 22/7 Salary: **\$1,620.54/month**
Account #: A-212200-212200-67120-0000000/100%
- c. **Position:** **COMMUNICATIONS ASSISTANT II**
Department: Communications Office
Name: Melinda Finn
Position #: 5848 New?: No
Remarks: Position was Public Information Assistant, Grade 20
Effective: January 1, 2005
% of position: 75% # of Mos: 12
Sal Grade/Step: 22/7 Salary: **\$2,700.89/month**
Account #: A-212200-212200-67120-0000000/100%
- d. **Position:** **PRODUCER**
Department: Educational Television (ETV)
Name: William L. Wisneski
Position #: 6175 New?: No
Remarks: Position was Production Coordinator, Grade 23
Effective: January 1, 2005
% of position: 100% # of Mos: 12
Sal Grade/Step: 29/4 Salary: **\$3,940.35/month**
Account(s): A-212200-318100-61320-0000000/55%
 A-212200-318100-61320-0611400/45%

21. RECOMMENDATION: ACTION - RATIFY CLASSIFIED EMPLOYMENT

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

- a. Name: **DEBORAH S. ADLER**
Position: Staff Assistant
Department: Facilities
Position #: 6314 New?: Yes
Remarks: Position approved 3/8/05
Sal Grade/Stp: **23/1** Salary: **\$2,940.49/month**
% of Position: 100% # of Mos: 12
Effective: May 9, 2005
Account #: A-212200-541100-65110-0000000/100%
- b. Name: **RONALD A. SCHROEDER**
Position: Skilled Maintenance Technician
Department: Facilities/Building Services
Position #: 5689 New?: No
Remarks: Replacement for Glenn Williams; funded – Parking Lot Fees.
Sal Grade/Stp: **17/1** Salary: **\$2,541.06/month**
% of Position: 100% # of Mos: 12
Effective: April 20, 2005
Account #: K-212200-542100-65100-1812070/100%
- c. Name: **GLYNDA M. KNIGHTEN**
Position: Staff Assistant
Department: Professional Development
Position #: 5070 New?: No
Remarks: Replacement for Terri Canela; transfer for Ms. Knighten.
Sal Grade/Stp: **23/4** Salary: **\$3,406.49/month**
% of Position: 100% # of Mos: 12
Effective: May 2, 2005
Account #: A-212200-312100-60200-0000000/100%
- d. Name: **ANN MARIE B. JOHNSTON**
Position: Financial Aid Advisor
Department: Financial Aid
Position #: 5847 New?: No
Remarks: Replacement for Angelina Arzate; promotion for Ms. Johnston
Sal Grade/Stp: **24/4** Salary: **\$3,491.93/month**
% of Position: 100% # of Mos: 12
Effective: May 16, 2005
Account #: A-212200-475100-64600-0000000/100%
- e. Name: **RANDALL T. HOFFMAN**
Position: Publicity Program Coordinator
Department: Performing Arts
Position #: 5157 New?: No
Remarks: Replacement for Mea Daum
Sal Grade/Stp: **25/1** Salary: **\$3,088.70/month**
% of Position: 100% # of Mos: 12
Effective: May 2, 2005
Account #: A-212200-327100-60910-0000000/100%

22. RECOMMENDATION: ACTION - RATIFY LEAVES OF ABSENCE

- a. The Governing Board hereby ratifies the recommendation of the Superintendent/President granting a **7.5% Personal Leave of Absence without pay and with no effect on benefits**, effective August 22, 2005, through December 17, 2005, to **Dennis Casey**, Academic Department Assistant, Computer Science & Information Systems, to teach.
- b. The Governing Board hereby ratifies the recommendation of the Superintendent/President granting a **45% Family Leave of Absence without pay and with no effect on benefits**, effective May 1, 2005, through May 31, 2005, to **Larissa Baumann**, Senior Telephone Operator, Telephone Services.
- c. The Governing Board hereby ratifies the recommendation of the Superintendent/President granting a **100% Personal Leave of Absence without pay and with no effect on benefits**, effective January 18, 2006, through May 20, 2006, to **Marc T. Newman**, Associate Professor, Speech Communications/Forensics/ASL.
- d. The Governing Board hereby ratifies the recommendation of the Superintendent/President granting a **40% Personal Leave of Absence without pay and with no effect on benefits**, effective July 1, 2005, through December 31, 2005, to **Mary L. Thomson**, Library Media Technician II, Library Media Center.
- e. The Governing Board hereby ratifies the recommendation of the Superintendent/President granting a **50% Family Leave of Absence without pay and with no effect on benefits**, effective March 31, 2005, through September 5, 2005, to **Susan E. Martin**, Communications Assistant I, Communications/Marketing.

23. INFORMATION - RETIREMENT

On Behalf of the Governing Board of the Palomar Community College District, the following **retirement** has been accepted by Robert P. Deegan, Superintendent/President, as authorized by the Governing Board, under **Group I** (receive the employer-paid health benefits as provided to active employees and eligible dependents for life of the retiree) of the Retirement Health and Dental Plan approved by the Governing Board December 8, 1987:

- a. **Steven W. Miller**, Professor, Art, effective May 21, 2005. He has served Palomar College for 20 years from September 3, 1985, to May 20, 2005.

24. RECOMMENDATION: ACTION - RATIFY RESIGNATION

The Governing Board hereby ratifies the recommendation of the Superintendent/President granting the **resignation** of the following **employee**:

- a. **Judith A. Wind**, Police Department Records Specialist, Campus Police, effective May 5, 2005 (last day of employment May 4, 2005).

**Resumption of
REGULAR AGENDA**

K. ACTION ON ITEMS REMOVED FROM CONSENT CALENDAR

L. 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**

M. UNFINISHED BUSINESS

N. NEW BUSINESS

1. **RECOMMENDATION: ACTION – APPROVE 2005-06 HOLIDAY SCHEDULE**

The Governing Board hereby approves the 2005-06 Holiday Schedule as follows:

DATE HOLIDAY OBSERVED	HOLIDAY
Monday, July 4	Independence Day
Monday, September 5	Labor Day
Friday, November 11	Veterans' Day
Thursday, November 24	Thanksgiving Day
Friday, November 25	Local Holiday
Monday, December 26	Christmas Day
Tuesday, December 27	Admissions Day
Wednesday, December 28	Added Board Holiday
Thursday, December 29	Local Holiday
Friday, December 30	Local Holiday
Monday, January 2	New Year's Day
Monday, January 16	Martin Luther King, Jr. Day
Friday, February 17	Lincoln's Day
Monday, February 20	Washington's Day
Friday, March 24	Spring Holiday
Monday, May 29	Memorial Day

2. **RECOMMENDATION: ACTION - APPROVE ACADEMIC CALENDAR FOR 2006-2007.**

The Governing Board hereby approves the Academic Calendar for 2006-2007, as shown on **EXHIBIT N-2.**

3. **RECOMMENDATION: ACTION – APPROVE MASTER HOLD HARMLESS AGREEMENT BETWEEN THE SAN DIEGO COUNTY FRINGE BENEFITS CONSORTIUM MASTER VENDOR LIST AND THE PALOMAR COMMUNITY COLLEGE DISTRICT**

The Governing Board hereby approves the San Diego County Fringe Benefits Consortium master TSA vendor list. The vendor list is based on those vendors who have completed new hold harmless agreements and are registered with CalSTRS 403bCompare. The purpose of the CalSTRS 403bCompare program is to assure that all TSA companies register and are in compliance with the IRS and CalSTRS regulations. In order to make sure the companies further comply with IRS regulation, the San Diego County Office of Education Fringe Benefits Consortium has sent TSA vendors new hold harmless agreements for completion.

4. **RECOMMENDATION: ACTION – APPROVE REVISION OF B.P. 550 - USE OF DISTRICT FACILITIES**

The Governing Board of the Palomar Community College District hereby approves the revision of B.P. 550 - Use of District Facilities as follows:

**B.P. 550
Use of District Facilities**

Palomar College is an educational leader committed to quality learning. We provide our community knowledge, information, skills, and aesthetic appreciation necessary to live responsibly, effectively and creatively in an interdependent and changing world.

Palomar College is a learning community dedicated to achieving student success and cultivating a love of learning. We strive to improve performance and outcomes based on evidence. To provide the highest quality learning and cultural experiences, we are guided by our core values of:

- Achieving excellence in teaching, learning, and service;
- Fostering integrity as the foundation for all we do;
- Providing access to our programs and services;
- Ensuring equity and fair treatment in all policies, processes, and procedures;
- Celebrating diversity in people, philosophies, cultures, beliefs, programs, and learning environments;
- Supporting inclusiveness of individual and community viewpoints in collaborative decision-making processes;
- Promoting mutual respect and trust through open communication and actions;
- Supporting innovation to enhance and enrich learning environments and services.

The California Education Code extends the power to the Governing Board of the Palomar Community College District to "grant the use of college facilities or grounds 'for a variety of public uses' upon such terms and conditions as the Board deems proper," subject to restrictions and limitations set by the Code. Palomar Community College instructional programs have priority in the use of Palomar Community College facilities, and student and community activity needs follow in priority.

No use shall be inconsistent with the use of the buildings or grounds for Palomar Community College purposes, or interfere with the regular conduct of instruction. (Ed Code, Section 82531)

Palomar Community College reserves the right to deny rental of its facilities to any group, individual, or activity which, in the judgment of the Administration, is not consistent with the mission, goals, objectives and safety procedures of the institution; which could result in the destruction of property or bodily injury to participants; or which conflicts with educational activities.

Civic Center events held by organizations, clubs or associations organized for cultural activities and general character building or welfare purposes or public agencies or senior citizens organizations that are held without charge or solicitation (Civic Center Act – Ed Code, Section 38130 et seq.). Whenever any college facility or grounds is required for educational purposes, a Use of Facilities application may be denied or canceled in accordance with Governing Board policies. Palomar Community College, at its discretion, shall have the right to cancel and terminate a Civic Center Application immediately and without notice upon its discovery of a violation of any term, condition, or provision of the permit or practice of discrimination on the part of the lessor. Should any such violation occur, the college, at its discretion, shall have the right to deny any future requests by the lessor for the use of any college property or facilities.

In recognition of the direct and indirect expenses imposed upon facilities and personnel for other than regular use, a use fee shall be charged. The Governing Board may charge a rental fee for direct costs associated with the facility use, or for fair rental value of the facility or grounds. The associated procedures specify which activities shall be charged direct costs and which shall be charged fair rental value. Ed Code, § 82530 et seq., §109000 et seq., §81378; GB 10-85, GB 11-10-92

5. RECOMMENDATION: ACTION – AUTHORIZATION TO EXECUTE CONTRACTS FOR BID # B-5009: BROADCAST & RECORDING EQUIPMENT

The Governing Board hereby authorizes Joe Newmyer (Interim Vice President, Finance and Administrative Services) or Ken Jay (Director, Business Services) to execute contracts within the limits of available funding to the lowest responsive bidder for each of the eleven (11) separately awardable bid items or bid item groups for Bid # B-5009. This bid is scheduled to be publicly opened on May 11, 2005, at 2:00 p.m., and is for various broadcast and recording equipment requested by the Communication/RTV, ETV and CCCSAT Departments. Because this equipment must be received and invoiced no later than June 30, 2005 (the end of the current fiscal year), and to ensure sufficient lead-time between the ordering and the delivery of the equipment, purchase orders must be placed by approximately May 18, 2005, which is prior to the next Governing Board meeting of June 14, 2005. The contract awards will be brought back to the Governing Board for ratification at the June 14, 2005, Governing Board meeting. (EXHIBIT N-5)

6. RECOMMENDATION: ACTION – APPROVE RESOLUTION TO REIMBURSE THE DISTRICT FOR EXPENSES INCURRED

The Governing Board of the Palomar Community College District hereby approves the following resolution:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE PALOMAR COMMUNITY COLLEGE DISTRICT REGARDING ITS INTENTION TO ISSUE TAX-EXEMPT GENERAL OBLIGATION BONDS

WHEREAS, the Board of Trustees of the Palomar Community College District (the "District") desires to finance the costs of acquiring land, acquiring, constructing, reconstruction and/or equipping of college facilities as provided in **Exhibit A** hereto and incorporated herein (the "Project");

WHEREAS, the District intends to finance the acquisition, construction, reconstruction and/or equipping of the Project or portions of the Project with the proceeds of the sale of general obligation bonds or other forms of debt, the interest upon which is excluded from gross income for federal income tax purposes (the "Obligations"); and

WHEREAS, prior to the issuance of the Obligations the District desires to incur certain capital expenditures (the "Expenditures") with respect to the Project from available moneys of the District;

WHEREAS, the Board of Trustees has determined that those moneys to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the District for the Expenditures from the proceeds of the Obligations; and

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE PALOMAR COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, ORDER, AND DETERMINE AS FOLLOWS:

SECTION 1. The District hereby states its intention and reasonably expects to reimburse Project costs incurred prior to the issuance of the Obligations with proceeds of the Obligations. Exhibit A describes either the general character, type, purpose, and function of the Project, or the fund or account from which Project costs are to be paid and the general functional purpose of the fund or account.

SECTION 2. The reasonably expected maximum principal amount of the Obligations is \$300,000,000.00.

SECTION 3. This resolution is being adopted not later than 60 days after the payment of the original Expenditures (the "Expenditures Dates or Dates").

SECTION 4. The District will make a reimbursement allocation, which is a written allocation that evidences the District's use of proceeds of the Obligations to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. If both the District and a licensed architect or engineer certifies that at least 5 years is necessary to complete construction of the Project, the maximum reimbursement period is changed from 3 years to 5 years.

SECTION 5. Each Expenditure will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Obligations, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the District so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the District.

SECTION 6. This resolution is consistent with the budgetary and financial circumstances of the District, as of the date hereof. No moneys from sources other than the Obligations are, or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the District (or any related party) pursuant to their budget or financial policies with respect to the Project costs. To the best of our knowledge, this Board is not aware of the previous adoption of official intents by the District that have been made as a matter of course for the purpose of reimbursing expenditures and for which tax-exempt obligations have not been issued.

SECTION 7. This resolution is adopted as official action of the District in order to comply with Treasury Regulation §1.150-2 and any other regulations of the Internal Revenue Service relating to the qualification for reimbursement of District expenditures incurred prior to the date of issue of the Obligations.

SECTION 8. The limitations described in Section 3 and Section 4 do not apply to (a) costs of issuance of the Obligations, (b) an amount not in excess of the lesser of \$100,000.00 or five percent (5%) of the proceeds of the Obligations, or (c) any preliminary expenditures, such as architectural, engineering, surveying, soil testing, and similar costs other than land acquisition, site preparation, and similar costs incident to commencement of construction, not in excess of twenty percent (20%) of the aggregate issue price of the Obligations that finances the Project for which the preliminary expenditures were incurred.

SECTION 9. All the recitals in this resolution are true and correct and this Board of Trustees so finds, determines and represents.

ADOPTED, SIGNED, AND APPROVED this 10th day of May, 2005.

BOARD OF TRUSTEES OF THE PALOMAR COMMUNITY COLLEGE DISTRICT

President of the Board
Attest:

Secretary of the Board

**STATE OF CALIFORNIA) ss
SAN DIEGO COUNTY)**

I, Robert P. Deegan, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____, which was duly adopted by the Board of Trustees of the Palomar Community College District at meeting thereof held on the 10th day of May, 2005, and that it was so adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

By:

Secretary to the Board

EXHIBIT A

The Project includes the acquisition, construction, renovation and equipping of all projects listed in the District's Master Plan 2022, including all architectural, environmental, engineering, financing, permitting expenses and the like. The Project also includes the acquisition of approximately 80 acres of land located within the Passerelle property lying at the northeast intersection of California Highway 76 and Interstate 15, in the community of Fallbrook in North San Diego County for use as a community college center.

7. RECOMMENDATION: ACTION - APPROVE SPECIAL SERVICES AGREEMENT FOR LEGAL SERVICES WITH THE LAW FIRM OF STRADLING YOCCA CARLSON & RAUTH

The Governing Board hereby approves an agreement between Palomar Community College District and the law firm of Stradling Yocca Carlson & Rauth, a Professional Corporation, 44 Montgomery Street, Suite 2950, San Francisco, CA to act as Bond Counsel for legal advice in connection with the authorization, sale and consummation of the financial proceedings in the issuance of Bonds, should the District's Governing Board pass a resolution calling for a ballot measure for this purpose.

The term of this Agreement shall commence as of the date hereof and extend until termination by action of the District, or upon completion of the services and payment for said services. The schedule of fees and charges for Bond Counsel is detailed in the back-up memorandum identified as **EXHIBIT N-7**, the terms of which are incorporated herein. All payments to Bond Counsel are pursuant on the successful passage of a General Obligation Bond measure in November 2006. (**EXHIBIT N-7**)

8. RECOMMENDATION: ACTION - DECLARE TREATMENT TABLES FROM ATHLETIC DEPARTMENT SURPLUS AND OF INSUFFICIENT VALUE FOR AUCTION, AND DONATE PROPERTY TO CALVIN CHRISTIAN HIGH SCHOOL, ESCONDIDO, CA

The Governing Board of Palomar Community College District hereby finds two (2) treatment tables used by trainers in the Athletic department surplus, no longer needed for District purposes, and of insufficient value to defray the costs of arranging a sale, all in accordance with District Procedure 552; and, that the training tables shall be donated to Calvin Christian High School, Escondido, CA, as pursuant to California Education Code Section 81452. (**unanimous consent required**)

9. RECOMMENDATION: ACTION – APPROVE COMMUNICATIONS SITE LEASE AGREEMENT (GROUND) AND MEMORANDUM OF AGREEMENT FROM NEXTEL OF CALIFORNIA, INC., TO INSTALL A CELLULAR ANTENNA AND EQUIPMENT ON THE SAN MARCOS CAMPUS

The Governing Board hereby approves a Communications Site Lease Agreement and Memorandum of Agreement between Nextel of California, Inc., a Delaware corporation, d/b/a/ Nextel Communications (Tenant) and Palomar Community College District (Owner or Landlord) to lease approximately 744 square feet of land and all access and utility rights necessary or desirable to install a cellular antenna and associated equipment on the San Marcos campus.

Nextel Communications will pay the District \$2,000 per month for the lease of the property. Others costs associated with the agreement are described in **EXHIBIT N-9**, the terms of which are incorporated herein. The initial lease agreement shall be for a 5 years, with an option to renew for one 8-year period and two 5-year periods at the mutual consent of the District and Nextel Communications. (**EXHIBIT N-9**)

10. RECOMMENDATION: ACTION - ACCEPT AND APPROVE CHANGE ORDER #1 FOR HIGH TECHNOLOGY LABORATORY/CLASSROOM BUILDING

The Governing Board hereby accepts and approves Change Order #1 in the amount of sixty-three thousand four hundred seventy-one (\$63,471.00) dollars, pertaining to Job No. 712, High Technology Laboratory/Classroom Building project; original contract approved by the Governing Board on October 12, 2004, as detailed on the accompanying memorandum in support hereof. (**EXHIBIT N-10**)

11. RECOMMENDATION: ACTION – AUTHORIZATION TO EXECUTE CONTRACTS WITHIN THE LIMITS OF AVAILABLE FUNDS ON REMODEL OF ETV/CCCSAT OFFICES

The Governing Board hereby authorizes Joe Newmyer, Interim Vice President, Finance and Administrative Services or Ken Jay, Director, Business Services, to execute a contract within the limits of available funding to the lowest responsive bidder for the remodel of ETV/CCCSAT offices located in the P-Bldg. on the San Marcos campus. This project will be competitively bid and work and completion of the construction project shall be completed by June 30, 2005. **(EXHIBIT N-11)**

12. APPROVE FIELD COURSE TO YELLOWSTONE NATIONAL PARK FOR SUMMER, 2005

The Palomar Community College District hereby approves the 2005 field course to Yellowstone National Park; that the following courses shall be offered during the field course: (a) Biology 195A Field Studies in Natural History; (b) Biology 195B Field Studies in Ecology; (c) Biology 45A Field Studies in Natural History; (d) Biology 114L Ecosystem Biology Laboratory; (e) Biology 295, Directed Study in Life Science.

That all agreements and contracts necessary to carry out this summer field course to Yellowstone National Park are hereby authorized between the Palomar Community College District and the following vendors: (a) Xanterra Int'l (AMFAC Parks & Resorts); (b) National Park Service; (c) Dornan's Moose Enterprise; (d) Leisure Sports; (e) Grand Teton Lodge Company; (f) Triangle X Ranch. Advance deposits as may be required by these vendors are hereby authorized. The estimated cost per student is \$720.00, depending on lodging options and availability. Fee includes lodging and activities. Students must provide own means of transportation and meals. **(EXHIBIT N-12)**

13. RECOMMENDATION: ACTION - APPROVE REMOVAL OF PROGRAM FROM CURRICULUM

The Governing Board hereby approves the **removal of the following program**, which has been examined by the Curriculum Committee and is being recommended **for removal from the Palomar College curriculum**:

1. **Discipline: Paralegal Studies**
Program Title: Paralegal Studies
Catalog Pages: 196-197
Reason for Deletion: Inadequate institutional resources and support.
Effective Term: Fall 2005

14. RECOMMENDATION: ACTION - APPROVE PROPERTY ACQUISITION AGREEMENT

The Governing Board hereby approves a purchase and sale agreement & joint escrow instructions between the Palomar Community College District (Buyer) and Passerelle LLC, a California limited liability company (Owner) for the acquisition of approximately 80 acres located east of Fallbrook near the intersection of I-15 and Highway 76 (Property filed with the San Diego County Recorder's Office as Parcels A, B-1 and B-2). Purchase price and terms of agreement are described in **Exhibit N-14**, the terms of which are incorporated herein. The property will be developed to establish a northern campus in accordance with the 2022 Master Plan.

O. BOARD REQUESTS FOR REPORTS

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

Pending Reports:

Grant Application Process (Nelson)
Federal Budget Impact on Palomar College (Chadwick)
Allied Health Services Report (Chadwick)
Contract Policy – Draft (Chadwick)
ASG Budget (Evilsizer)
Sabbatical Leave Process (Nelson)
Bond Consultants (Larson)
Professional Services-Policy & Monitoring (Evilsizer)

P. RECESS TO 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, §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: Approximately 80 acres generally located at the northeast corner of I-15 and SR 76, near Fallbrook; Agency Negotiators: Robert Deegan, Joe Newmyer, Jim Goodell, David Rodriguez; Negotiating Parties: District and Passerelle LLC; Under Negotiation: Price and terms of payment
6. Conference with Legal Counsel regarding anticipated litigation, pursuant to Government Code, §54956.9b.c. – Two cases.
7. Conference with Legal Counsel - Existing Litigation, pursuant to Government Code, §54956.9a. Name of Case: Voith vs. Palomar Community College District; Superior Court, North County Judicial District.

Q. RECONVENE TO OPEN SESSION

R. ADJOURNMENT