



APPROVED 6/14/05

GOVERNING BOARD MINUTES
REGULAR MEETING, GOVERNING BOARD
DATE: TUESDAY, MAY 10, 2005
5:00 P.M. (CLOSED SESSION) 6 P.M. (OPEN SESSION)
PALOMAR COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD ROOM, STUDENT SERVICES CENTER
1140 WEST MISSION ROAD
SAN MARCOS, CALIFORNIA

A. CALL TO ORDER

Nancy Chadwick, President, called the regular meeting of the Palomar Community College District Governing Board to order at 5:00 p.m.

B. ROLL CALL

TRUSTEES PRESENT:

NANCY C. CHADWICK, M.S.W., M.P.A., PRESIDENT
MICHELE T. NELSON, PH.D., VICE PRESIDENT
MARK R. EVILSIZER, M.A., SECRETARY
RUTH LARSON, M.D., TRUSTEE
DARRELL L. McMULLEN, M.B.A., TRUSTEE

ABSENT:

PAUL CHARAS, STUDENT TRUSTEE

EXECUTIVE ADMINISTRATORS PRESENT:

Robert P. Deegan, Superintendent/President
Berta Cuaron, Assistant Superintendent/Vice President, Instruction
Joseph Madrigal, Assistant Superintendent/Vice President, Student Services
Jack Miyamoto, Ed.D., Assistant Superintendent/Vice President, Human Resource Services

ABSENT:

Joe Newmyer, Interim Assistant Superintendent/Vice President, Finance & Administrative Svcs.

C. PUBLIC COMMENTS – There were none.

D. RECESS TO CLOSED SESSION

The Board went into Closed Session at 5:02 p.m., to discuss:

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.
1. Public Employee Discipline/Dismissal/Release, pursuant to Government Code, §54957.6.

DD. RECONVENE TO OPEN SESSION

The meeting reconvened to Open Session at 6 p.m. Board President Nancy Chadwick reported the following Action:

The Governing Board reviewed and rejected the administrative law judge's proposed decision. Based on the record of the hearing, the Governing Board has determined that there is cause not to reemploy probationary instructor, Dr. Roya Lahijani, for the 2005-2006 academic year, and directs the Superintendent/President to send the notice required by Education Code, Section 87740(c), to Dr. Lahijani on or before May 15, 2005, stating that her service will not be required for the 2005-2006 academic year.

The Vote: 4 Ayes; 1 Nay (Evilsizer)

STAFF PRESENT:

Jenny Akins, President, Confidential and Supervisory Team; Supervisor, Purchasing Services
Ken Jay, President, Administrative Association; Director, Business Services
Teresa Luaghlin, President, The Faculty; Associate Professor, English
Becky McCluskey, President, CCE/AFT; Accounting Technician
Julie Ivey, Co-President, PFF/AFT; Part-Time Faculty, English
Josie Silva, Executive Assistant, Superintendent/Governing Board
Katie Townsend-Merino, President, Faculty Senate; Associate Professor, Behavioral Sciences
Rocco Versaci, Co-President, PFF/AFT; Associate Professor, English

GUESTS:

Others present are listed on the sign-in sheets.

QUORUM ESTABLISHED

Following the pledge of allegiance to the flag lead by Trustee Nelson, Ms. Chadwick declared a quorum present, and the meeting proceeded with the order of business.

A TAPED RECORD OF THE PROCEEDINGS OF THIS MEETING IS ON FILE IN THE PRESIDENT'S OFFICE FOR ONE YEAR FROM THE MEETING DATE.

DDD. PUBLIC HEARING

1. Board President Chadwick opened the public hearing for comments.
2. **PALOMAR FACULTY FEDERATION PROPOSAL FOR NEGOTIATIONS WITH THE PALOMAR COMMUNITY COLLEGE DISTRICT FOR THE ACADEMIC YEAR 2005-06.**

At this time Dr. Jack Miyamoto explained that the proposal is being presented tonight for sun shining purposes. Julie Ivey stated that the negotiating team will be meeting soon to discuss the proposed reopeners.

3. **CLOSE PUBLIC HEARING**

Board President Chadwick closed the public hearing.

E. COMMENTS FROM OTHER INDIVIDUALS OR GROUPS – There were no comments.

F. APPROVAL OF MINUTES

MSC Nelson/Evilsizer

The Governing Board hereby approves the Minutes of the Regular Meeting of April 12, 2005, with the following correction:

Remove *Bond Consultant Report* from section **O. Board Requests for Reports**, Trustee Larson requested an agenda item on this subject.

The Vote was unanimous.

Student Trustee Advisory Vote: Absent

ACCEPTANCE OF RETIREMENTS

Ms. Berta Cuaron acknowledged the retirement of Steven W. Miller, Professor, Art, retiring from Palomar College after twenty years of service. She thanked him for his dedicated service to Palomar College and to the students.

G. REPORT OF THE GOVERNING BOARD PRESIDENT

Board President Nancy Chadwick reported on her attendance at the Annual Trustees Conference, which was held in April. She stressed the importance of the passage of AB 217 and SB 361. Ms. Chadwick also reported on the EOP&S Graduation/Transfer Recognition Dinner and the TRIO Graduation/Transfer Recognition Dinner and felt very inspired by the graduating students. Ms. Chadwick also reported on her attendance at the Unity in Diversity Presentation which was held on campus and sponsored by Human Resource Services. She thanked everyone who participated in this important event.

GG. REPORTS OF GOVERNING BOARD TRUSTEES

Trustee Michele Nelson reported on her activities at the Annual Trustees Conference and updated everyone on the workshops she attended. Dr. Nelson thanked Dean Vernoy for conducting a tour of the North County sites. She wished Dean Owens a speedy recovery, and sent her condolences to Sara Thompson.

Trustee Mark Evilsizer reported on President Deegan's inauguration and said it was very inspiring and encouraging for Palomar College. He also reported on his attendance at the EOP&S Graduation/Transfer Recognition Dinner and felt very encouraged to hear students tell their own personal stories about their hardships that they personally had to overcome to attend school. He commented that it also demonstrates how Palomar College programs provide the support necessary for these students to overcome these obstacles and keep them in school, but more importantly, help them succeed. Mr. Evilsizer said he attended the President's Concert and was able to get a preview of the theatre play, *Spoonful of Hope*. He thanked the Performing Arts faculty and students.

Trustee Darrell McMullen reported on President Deegan's inauguration and commented that he had the pleasure to emcee the event, which he appreciated very much. Trustee McMullen said he enjoyed attending the Faculty Recognition Tea and was delighted to see all of the publications on display. On a last note, he mentioned *The Wine & Dine* fund raiser event which will be held on June 11, at the Old Schoolhouse in San Marcos.

Trustee Ruth Larson reported on President Deegan's inauguration. She thanked Trustee McMullen for emceeing the event, and Ms. Katie Townsend-Merino for her speech. She attended the Firefighter Academy 27 Graduation and was very impressed. Dr. Larson reported on her attendance at the Annual Trustees Conference which was held in April. She commented that she attended the EOP&S/CalWORKs event and personally related to the obstacles these students face.

Board President Chadwick remarked that she too attended the Faculty Appreciation Tea and acknowledged the service of the faculty.

H. REPORT OF THE SUPERINTENDENT/PRESIDENT

President Robert Deegan thanked everyone who attended the inauguration celebration, and felt it was a wonderful experience. He thanked Trustees McMullen and Chadwick for their kind words, and also thanked all the people who spoke at the event on his behalf.

Mr. Deegan congratulated all of the graduating and transferring students, students receiving their certificates of achievement, and even those who completed the semester and planning to return. He thanked the faculty for their outstanding work this entire academic year; the classified staff for the fine work they have done all year; and the administrative team for their support. Mr. Deegan expressed his pleasure with the team effort on everyone's behalf. He thanked the Governing Board for all the work they do and commented that they are very active and very instrumental.

President Deegan introduced Debbie Stanley, Director of the Foundation. Ms. Stanley announced the donation of \$138,000 received from Maureen Atkinson, a Palomar College employee who retired in 1983, but has since passed away.

Report of Vice President for Instruction

Ms. Berta Cuaron gave a brief update on assessment placement for English and said there are many concerns which are being addressed. Ms. Cuaron acknowledged Blaine Morrow and the CCC Confer staff for earning an award from the CA Community College Council for Staff and Organizational Development. The purpose of this award is to recognize an organization that has demonstrated exemplary leadership and support for professional development in the California community colleges.

Dr. Rocco Versaci and Carlton Smith, co-advisors for the Bravura Literary Journal, gave a brief presentation on this publication. On behalf of the students, they presented this year's issue to the Board members. They thanked the District, the Associated Student Government, and the President's Associates for their generous financial support during the year. Dr. Versaci said this is the 41st year of the literary journal that is created entirely by students. This year's Journal is a tribute to Angelo Carli.

Dean Sara Thompson introduced Judy Eckhart, Director of Nursing. Dr. Eckhart gave a detailed presentation on the Palomar College Nursing Education Program.

Report of Vice President for Student Services

Mr. Joe Madrigal acknowledged Tom Ventimiglia, Associate Professor, Counseling, for receiving the 26th Annual Telly Bronze Award in the educational category. Mr. Ventimiglia, along with Bill Wisniewski, ETV, received the award for the video series entitled, *Quest for the Empowered Self*.

Mr. Madrigal congratulated Calvin One Deer Gavin for being recognized by CSUSM Office of Community Service Learning. Ms. Liz Garry, from Mr. Gavin's office, was also acknowledged for her contributions.

Mr. Madrigal announced that the fifth grade classes from Alvin Dunn and San Marcos Elementary School will visit Palomar College on Thursday, June 9. They will be spending the day on campus visiting and touring the facilities, meeting with GEAR UP partners and staff, learning about career opportunities, talking with college professors, administrators, and staff, and visiting the bookstore.

The Athletic Department was acknowledged for the following awards: Men's Volleyball Team, Orange Empire Conference Champions; Men's Swimming, Orange Empire Conference Champions-fifth in the state; Women's Tennis, Pacific Coast Conference Champions; Men's Golf, Southern Regional Champions; Women's Softball, 20th consecutive Pacific Coast Conference Title; Mark Eldridge, Coach for the team, has won 1,001 games, which is also a state record; Men's Baseball Team, Pacific Coast Champion; Men's Tennis, second in the Pacific Coast Conference; Women's Swimming Team, 3rd in the Orange Empire Conference; four Coach of the Year honors; four player of the year honors in four different sports.

At this time Ms. Halttunen introduced Diane McAllister, Assessment Coordinator. Ms. McAllister gave a brief background on the Peers Program and introduced three students who participate in this program as mentors.

At this time President Deegan introduced Phyliss Laderman, Interim Director of Fiscal Services.

Report of Vice President for Human Resource Services: No Report

**Resumption of
REGULAR AGENDA**

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

Remove New Business item N-14 from agenda; remove item J-6 from consent calendar.

J. APPROVAL OF CONSENT CALENDAR ITEMS

1. REVIEW AND APPROVE PURCHASES MADE FOR PRIOR SIXTY DAYS

MSC Nelson/McMullen

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>

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

2. REVIEW AND APPROVE CONTRACTS AND AGREEMENTS MADE FOR PRIOR SIXTY (60) DAYS

MSC Nelson/McMullen

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)**

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

3. ACCEPT GIFTS

MSC Nelson/McMullen

The Governing Board hereby accepts the following **gifts** 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.

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

4. AUTHORIZE DRAWING NEW WARRANTS

MSC Nelson/McMullen

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.

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

5. APPROVE BANK SIGNATURE AUTHORIZATIONS FOR PERIOD MAY 10, 2005, THROUGH JULY 31, 2005.

MSC Nelson/McMullen

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

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

6. **REMOVED FROM CONSENT CALENDAR.**
7. **APPROVE BANK SIGNATURE AUTHORIZATIONS FOR PERIOD MAY 10, 2005, THROUGH JULY 31, 2005.**

MSC Nelson/McMullen

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

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

8. APPROVE INTRABUDGET TRANSFER AT FISCAL YEAR END

MSC Nelson/McMullen

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**

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

9. APPROVE QUARTERLY REPORT OF CFO REGARDING DISCLOSURE OF DISTRICT INVESTMENTS

MSC Nelson/McMullen

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**

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

10. APPROVE QUARTERLY FINANCIAL STATUS REPORT

MSC Nelson/McMullen

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

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

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

MSC Nelson/McMullen

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

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

12. RATIFY NEW ACADEMIC POSITION

MSC Nelson/McMullen

The Governing Board hereby ratifies the recommendation of the 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%

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

13. RATIFY ACADEMIC EMPLOYMENT

MSC Nelson/McMullen

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

- 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%

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

14. GRANT EQUIVALENCY FOR DISCIPLINE

MSC Nelson/McMullen

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

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

15. RATIFY PART-TIME FACULTY EMPLOYMENT

MSC Nelson/McMullen

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 B.F.A., Illustration 2+ Years Experience	\$43.06
------------------	--	---------

OCCUPATIONAL & NONCREDIT PROGRAMS

Kelly, Susan	Community Education M.A., English: Literature	\$44.13
Bergstrom, Nancy	Community Education B.S., Education M.Ed., Education	\$44.13

PUBLIC SAFETY PROGRAMS

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

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

SUMMER 2005

ENGLISH AS A SECOND LANGUAGE

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

FOREIGN LANGUAGES

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

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

PHYSICAL EDUCATION

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

FALL 2005

PUBLIC SAFETY PROGRAMS

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

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

16. APPROVE REIMBURSEMENT OF CANDIDATES FOR SECOND-LEVEL INTERVIEW EXPENSES

MSC Nelson/McMullen

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%

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

17. **RATIFY RECLASSIFICATION OF ADMINISTRATIVE POSITION**

MSC Nelson/McMullen

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%

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

18. RATIFY ADMINISTRATIVE EMPLOYMENT

MSC Nelson/McMullen

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%

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

19. APPROVE PERSONNEL ACTIONS/HISTORY

MSC Nelson/McMullen

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)**

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

20. RATIFY RECLASSIFICATION OF CLASSIFIED POSITIONS

MSC Nelson/McMullen

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/Stp: 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/Stp: 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/Stp: 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/Stp: 29/4 Salary: **\$3,940.35/month**
Account(s): A-212200-318100-61320-0000000/55%
 A-212200-318100-61320-0611400/45%

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

21. RATIFY CLASSIFIED EMPLOYMENT

MSC Nelson/McMullen

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/Step: **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/Step: **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/Step: **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/Step: **25/1** Salary: **\$3,088.70/month**
% of Position: 100% # of Mos: 12
Effective: May 2, 2005
Account #: A-212200-327100-60910-0000000/100%

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

22. RATIFY LEAVES OF ABSENCE

MSC Nelson/McMullen

- 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.

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

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. RATIFY RESIGNATION

MSC Nelson/McMullen

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).

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

K. ACTION ON ITEMS REMOVED FROM CONSENT CALENDAR

6. APPROVE RESOLUTION REQUESTING TEMPORARY TRANSFER OF FUNDS

RESOLUTION NO. 05-20814

MSC Evilsizer/Nelson

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 \$42,040,229.00; 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: 5
NOES: 0
ABSENT: 0

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

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

L. REPORTS FROM COLLEGE GROUPS

1. Report of the Faculty Senate

Senate President Katie Townsend-Merino announced the newest members of the Faculty Senate. She also announced the resignation of Judy Crowe as TERB Coordinator, stating that Ms. Mary Ann Drinan has been elected as the new TERB Coordinator for next year. Ms. Merino invited everyone to the all-college retirement barbecue. She also addressed the issue of sabbatical leaves.

2. Report of the Palomar Faculty Federation

PFF Co-President Julie Ivey announced the names of the PFF negotiating team. She also commented that she will be attending the CCC/CFT State Conference.

3. **Report of The Faculty**

Faculty President Teresa Laughlin addressed the Board as President of The Faculty for the last time. She spoke about the faculty tea and felt much honored to be included among the faculty. She expressed her thanks to administrators, support staff, and faculty for all the work that we all do.

4. **Report of the Administrative Association**

Administrative Association President Ken Jay announced the names of the new Executive Council of the Administrative Association.

5. **Report of the Confidential and Supervisory Team** – No Report

6. **Report of the CCE/AFT** - No Report

7. **Report of the Associated Student Government** – Student Trustee Absent

M. **UNFINISHED BUSINESS** – There was none.

N. **NEW BUSINESS**

1. **APPROVE 2005-06 HOLIDAY SCHEDULE**

MSC McMullen/Evilsizer

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

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

2. APPROVE ACADEMIC CALENDAR FOR 2006-2007

MSC Evilsizer/Larson

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

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

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

RESOLUTION NO. 05-20815

MSC Nelson/Evilsizer

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.

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

4. APPROVE REVISION OF B.P. 550 - USE OF DISTRICT FACILITIES

MSC Evilsizer/Larson

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 user 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

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

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

MSC Larson/Evilsizer

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**)

The Vote was unanimous.

Student Trustee Advisory Vote: Absent

6. **TABLED: APPROVE RESOLUTION TO REIMBURSE THE DISTRICT FOR EXPENSES INCURRED**

MSC Larson/Nelson

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.

After a brief discussion, it was **MSC Evilsizer/Larson to TABLE this agenda item until the next Board meeting.**

The Vote to postpone was unanimous.
Student Trustee Advisory Vote: Absent

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

MSC Nelson/Evilsizer

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)**

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

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

MSC Larson/Nelson

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)**

It was clarified by legal counsel that it is legal to donate to a private proprietary religious institution as long as there is unanimous consent by the Board.

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

9. **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**

MSC Evilsizer/McMullen

RESOLUTION NO. 05-20816

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)**

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

10. **ACCEPT AND APPROVE CHANGE ORDER #1 FOR HIGH TECHNOLOGY LABORATORY/CLASSROOM BUILDING**

MSC McMullen/Larson

RESOLUTION NO. 05-20817

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)**

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

11. **AUTHORIZATION TO EXECUTE CONTRACTS WITHIN THE LIMITS OF AVAILABLE FUNDS ON REMODEL OF ETV/CCCSAT OFFICES**

MSC Larson/McMullen

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)**

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

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

MSC Evilsizer/Larson

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)**

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

13. APPROVE REMOVAL OF PROGRAM FROM CURRICULUM

MSC Larson/Nelson

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

The Vote was unanimous.
Student Trustee Advisory Vote: Absent

14. ITEM REMOVED FROM AGENDA.

O. BOARD REQUESTS FOR REPORTS

1. Report on recommendation for identifying funds and process to hire a Nursing Program consultant. (Evilsizer)
2. Request agenda item to reserve the fourth Tuesday of July and August, 2005, to conduct Board workshops. (Larson)
3. Explore the possibility of creating a faculty diversity program on campus to increase the diversity of faculty. (Nelson)

P. CLOSED SESSION

The Board recessed at 7:57 p.m. and went into Closed Session at 8:03 p.m., to discuss:

1. Public Employee Discipline/Dismissal/Release, pursuant to Government Code, §54957.6.
7. Conference with Legal Counsel - Existing Litigation, pursuant to Government Code, §54956.9a. Name of Case: Voht vs. Palomar Community College District; Superior Court, North County Judicial District.
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.
2. Conference regarding negotiations with CCE/AFT, pursuant to Government Code, §54957.6.

Closed Session ended at 8:52 p.m.

Q. RECONVENE TO OPEN SESSION

The Governing Board reconvened to open session. No reportable action taken.

R. ADJOURNMENT

The meeting was adjourned at 8:53 p.m.