



APPROVED 8/8/06

**GOVERNING BOARD MINUTES
REGULAR MEETING OF THE GOVERNING BOARD
DATE: JULY 11, 2006**

**4:00 P.M. (CLOSED SESSION) 5:00 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

Dr. Michele Nelson, President, called the regular meeting of the Palomar Community College District Governing Board to order at 4:00 p.m.

AA. ROLL CALL

TRUSTEES PRESENT:

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

CURTIS VAN ENGEL, STUDENT TRUSTEE

TRUSTEE ABSENT:

RUTH LARSON, M.D., TRUSTEE

EXECUTIVE ADMINISTRATORS PRESENT:

Robert P. Deegan, Superintendent/President
Berta Cuaron, Assistant Superintendent/Vice President, Instruction
Bonnie Ann Dowd, Ed.D., Assistant Superintendent/Vice President, Finance & Administrative Services
John Tortarolo, Assistant Superintendent/Vice President, Human Resource Services

B. PUBLIC COMMENTS

C. RECESS TO CLOSED SESSION

The Board went into Closed Session at 4:00 p.m., to discuss:

7. Review of tort claims, pursuant to Government Code §54956.95.
9. Conference with Legal Counsel Anticipated Litigation, pursuant to Government Code §54956.9.
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.
6. Conference with Real Property Negotiator, pursuant to Government Code §54956.8.

Property APNs as follows:

- a. Discussion of potential sites in the southern portion of the District.
 - b. Approximately 80 acres of real property generally located at the northeast corner of Interstate 15 and State Route 76, near Fallbrook.
8. Conference with Legal Counsel Existing Litigation, pursuant to Government Code §54956.9a. Lahijani vs. Palomar Community College District; California Court of Appeals, Fourth Appellate District, Division One; case # D048243 (appealing the Superior Court decision in case # GIN 148316).
 5. Public Employment, pursuant to Government Code §54957.
 1. Public Employee Discipline/Dismissal/Release, pursuant to Government Code §54957.6.

CC. RECONVENE TO OPEN SESSION

The meeting reconvened to Open Session at 5 p.m. No reportable action taken.

STAFF PRESENT:

Marsha Gable, President, CAST; Supervisor, TRIO/Student Support Services Program
Tom Plotts, President, Administrative Association; Director, Public Safety/Chief of Police
Becky McCluskey, President, CCE/AFT; Accounting Technician, Fiscal Services
Julie Ivey, Co-President, PFF/AFT; Part-Time Faculty, English
Josie Silva, Executive Assistant, Superintendent/Governing Board
Brent Gowen, President, Faculty Senate; Associate Professor, English
Shannon Lienhart, Co-President, PFF/AFT; Associate Professor, Mathematics

GUESTS:

Others present were listed on the sign-in sheets.

QUORUM ESTABLISHED

Following the pledge of allegiance to the flag, Dr. Nelson 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.

D. COMMENTS FROM OTHER INDIVIDUALS OR GROUPS

E. APPROVAL OF MINUTES

MSC Chadwick/Evilsizer

The Governing Board approved the Minutes of the Regular Meeting of June 13, 2006.

The Vote was unanimous (of those members present).

Student Trustee Advisory Vote: Aye

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

1. Correction to item J.8., page 7, add 8.e. as follows:

e. Name: **MONICA L. MORRIS**
Position: Upward Bound Guidance Services Advisor
Department: Grant Funded Student Programs/Upward Bound
Position #: 6275 New?: No
Remarks: Replacement for Sesilia Isaia; funded – Upward Bound Federal Grant.
Sal Grade/Step: **16/1** Salary: **\$1,228.89/month**
% of Position: 45% # Mos: 12
Effective: July 17, 2006
Account #: K-212200-471400-64300-1112310/100%
Normal Work Schedule: Monday, Wednesday, and Friday, 8:30 am – 3:00 pm.

2. Remove item N-7, page 15.

G. REPORT OF THE GOVERNING BOARD PRESIDENT

Board President Michele Nelson commended those individuals involved with the preparation of the Annual Report.

H. REPORTS OF GOVERNING BOARD TRUSTEES

Trustee Nancy Chadwick announced that she attended the Upward Bound graduation and visited the Quail Botanical Gardens. She gave a brief update on the status of the budget and urged everyone to keep a watchful eye on Senator Jack Scott's bill, SB 361, which will assure the fair distribution of equalization funds.

Trustee Darrell McMullen reported on his attendance at the opening of the North County Regional Education Center in San Marcos. He mentioned that these facilities are available for Palomar College use.

Trustee Mark Evilsizer reported on his attendance at the Upward Bound graduation. He participated at the Encuentros Leadership Academy, which was held at Cal State San Marcos, and thanked Professors Shannon Lienhart and John Valdez for volunteering at this event.

Student Trustee Curtis Van Engel reported on an upcoming ASG event.

I. REPORT OF THE SUPERINTENDENT/PRESIDENT

President Robert Deegan offered a moment of silence for Mizuho Kamura, a Palomar International Student who was killed in an accident.

At this time President Deegan introduced Lisa Faas, Manager, Network Satellite Network, who presented 60th Anniversary video.

1. Report of Vice President for Instruction

Vice President Berta Cuaron reported that the **Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges (ACCJC WASC)** accepted the District's mid-year report. Preparations are underway for the District's accreditation cycle to begin in anticipation for the Team site visit in Spring 2009. At this time, she introduced Bill Wisneski, Producer of ETV, who gave an update on the Palomar College Television.

Vice President Cuaron asked the Instructional Deans to reflect on this past year and report on events that occurred throughout the year. At this time Dean Wilma Owens, Dean Katheryn Garlow, and Dean Sara Thompson shared information on their perspective divisions.

Vice President Cuaron continued reporting on the highlights of the Instructional Services Division, including an update on CurricuNet, Palomar College Escondido Ed Center scheduling, and the partnership with the Poway Unified School District on a Middle College Program.

2. Report of Vice President for Student Services - Absent

3. Report of Vice President for Finance and Administrative Services

Vice President Bonnie Ann Dowd introduced Anita Weems, Director of Fiscal Services. She thanked Don Sullins, Ken Jay, Phyliss Laderman, Anita Weems, Scott McClure, Leo Caradang, Tracy Sickinger, Diane Cummins, and Kathy Davis, for their help with the PeopleSoft upgrate implementation.

4. Report of Vice President for Human Resource Services

Vice President John Tortarolo announced that the revisions to the PFF contract have been posted on the web and he thanked Julie Ivey, Shannon Lienhart, and the entire negotiating team for their hard work.

**Resumption of
 REGULAR AGENDA**

J. APPROVAL OF CONSENT CALENDAR ITEMS

1. REVIEWED AND APPROVED PURCHASES MADE FOR PRIOR SIXTY DAYS

MSC Chadwick/McMullen

The Governing Board hereby reviewed and approved the following **purchase transactions and contracts** entered into on behalf of the Palomar Community College District. All of the following purchases were made against the 2005-06 fiscal year budget:

Purchase Orders	0640623	through	0640821	\$	746,487.42
Travel	0650088	through	0650096	\$	5,883.80
Advertising/Increases	0660111	through	0660171	\$	207,118.20
Employment Ads	0665019	through	0665023	\$	3,074.70
Agreement/Services	0670844	through	0671010	\$	650,328.27
Repairs	0675108	through	0675121	\$	10,540.20
Agreement/Annual	0680170	through	0680173	\$	56.74
Procurement Card	Time Period: 03/23/06 – 04/22/06			\$	177,539.71
	Time Period: 04/23/06 – 05/22/06			\$	221,986.87
				<u>\$</u>	<u>2,023,015.91</u>

The Vote was unanimous (of those members present).
 Student Trustee Advisory Vote: Aye

2. REVIEWED AND APPROVED CONTRACTS AND AGREEMENTS MADE FOR PRIOR SIXTY (60) DAYS

MSC Chadwick/McMullen

The Governing Board ratified and **approved all contracts and agreements** for the period May 1, 2006, through June 30, 2006, and entered into on behalf of the Palomar Community College District, as detailed on **EXHIBIT J-2**.

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

3. RATIFIED CORRECTIONS TO ACADEMIC CONTRACTS

MSC Chadwick/McMullen

The Governing Board ratified the recommendation of the Superintendent/President regarding the **corrections** to the following **academic contracts**:

- a. Name: **TRONG D. NGUYEN**
 Position: EOP&S Counselor/Assistant Professor
 Department: Extended Opportunity Programs & Services
 Degrees: M.Ed., Counseling
 B.A., Psychology
 Position #: 6205 New: Yes
 Remarks: Academic discipline for B.A. revised to indicate correct discipline;
 salary revised to indicate correct monthly amount for an 11-month
 contract.
 Sal Rng/Stp: **C/1** Salary: **\$4,713.50/month**
 % of Position: 100% # Mos: 11
 Effective: July 6, 2006
 Account #: K-122100-473100-64300-1612060/100%
- b. Name: **RICHARD M. ALBISTEGUI-DUBOIS**
 Position: Assistant Professor, Anatomy, and Physiology
 Department: Life Sciences
 Degrees: Ph.D., Neuroscience
 B.A., Marine Biology
 Position #: 5228 New: Yes
 Remarks: Increased step placement due to verification of previous teaching
 and related occupational experience.
 Sal Rng/Stp: **G/3** Salary: **\$6,096.73/month**
 % of Position: 100% # Mos: 10
 Effective: August 18, 2006
 Account #: A-111000-346700-04100-0000000/100%

c. Name: **MARK COPPEDGE III**
Position: Assistant Professor, Automotive Technology
Department: Trade & Industry
Degrees: B.S., Computer Science
2+ Years Experience
Position #: 5220 New: Yes
Remarks: Increased step placement due to verification of previous related occupational experience.
Sal Rng/Stp: **B/8** Salary: **\$6,096.88/month**
% of Position: 100% # Mos: 10
Effective: August 18, 2006
Account #: A-111000-338200-09480-0000000/100%

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

4. GRANTED EQUIVALENCY FOR DISCIPLINE

MSC Chadwick/McMullen

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

Tonya Huff – Earth Science
Marilyn Ribble – Speech Communications/Forensics/ASL

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

5. RATIFIED PART-TIME FACULTY EMPLOYMENT

MSC Chadwick/McMullen

The Governing Board ratified the recommendation of the Superintendent/ President regarding the **employment of the following part-time faculty**, at the hourly rates indicated for Summer and Fall 2006 (day and/or evening); said part-time faculty were not scheduled to teach more than a 60 percent load in a single semester:

SUMMER 2006

COUNSELING

Moyano, Larry	Counseling M.A., Education (Counseling)	\$46.00
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PUBLIC SAFETY PROGRAMS

Cephas, Juan	Administration of Justice M.A., Human Behavior B.A., Liberal Arts & Science Communication 4+ Years Experience	\$46.00
Rounds, Anthony	Administration of Justice B.S., Criminal Justice Administration 2+ Years Experience	\$44.88

REGIONAL OCCUPATIONAL PROGRAMS

Felmley, Jennifer Culinary Arts \$44.88
B.S., Culinary Arts
A.S., Culinary Arts
2+ Years Experience

SPEECH COMMUNICATIONS/FORENSICS/ASL

DeSantis, Joseph Speech Communication \$46.00
M.A., Communication Studies
B.A., Speech Communication:
Rhetorical Studies

Gunderson, Kathryn Speech Communication \$48.89
Ph.D., Communication
M.A., Communication

Ribble, Marilyn Speech Communication \$44.88
B.A., Communications
Eminence in the Field

FALL 2006

AMERICAN INDIAN STUDIES

San Juan, Seth American Indian Studies \$46.00
M.A., American Indian Studies
B.A., Political Science

BEHAVIORAL SCIENCES

Walker, Brendan Psychology \$48.89
Ph.D., Psychology
M.A., Psychology

COUNSELING

De Maria, Joseph Counseling \$46.00
M.S., School Counseling
B.A., Recreation Administration
B.A., Physical Education

Montgomery, Victoria Counseling \$46.00
M.S., Educational Counseling

EARTH SCIENCES

Huff, Tonya Oceanography \$44.88
B.S., Environmental Studies
Coursework and Experience

NURSING EDUCATION

Dorvillier-Wyatt, Monique Nursing \$46.00
M.S., Nursing

Nwerez, Christilynn Nursing \$46.00
M.S., Nursing

PUBLIC SAFETY PROGRAMS

Meyer, Christopher Administration of Justice \$48.89
J.D., Law
B.A., Political Science

- b. Name: **LINA R. LOPEZ**
Position: GEAR UP Outreach Coordinator
Department: Grant Funded Student Programs/GEAR UP
Position #: 6364 New?: Yes
Remarks: Position approved 4/13/06; funded – GEAR UP Federal Grant.
Sal Grade/Stp: **20/1** Salary: **\$3,011.69/month**
% of Position: 100% # Mos: 12
Effective: July 12, 2006
Account #: K-212200-471200-64990-1112320/100%
- c. Name: **KATHERINE A. LINDENMEIER**
Position: CalWORKs Accounting Assistant
Department: Extended Opportunity Programs & Services/CalWORKs
Position #: 6307 New?: No
Remarks: Replacement for Dona Day; funded – CalWORKs.
Sal Grade/Stp: **16/1** Salary: **\$1,228.89/month**
% of Position: 45% # Mos: 12
Effective: July 17, 2006
Account #(s): K-212200-331200-64920-1612020/100%
Normal Work Schedule: Monday – Wednesday, 8:00 am – 2:30 pm.
- d. Name: **OSCAR J. OTAÑEZ**
Position: Upward Bound Outreach Coordinator
Department: Grant Funded Student Programs/Upward Bound
Position #: 6365 New?: Yes
Remarks: Position approved 5/9/06; funded – Upward Bound Federal Grant.
Sal Grade/Stp: **20/1** Salary: **\$3,011.69/month**
% of Position: 100% # Mos: 12
Effective: July 12, 2006
Account #: K-212200-471400-64300-1112310/100%
- e. Name: **MONICA L. MORRIS**
Position: Upward Bound Guidance Services Advisor
Department: Grant Funded Student Programs/Upward Bound
Position #: 6275 New?: No
Remarks: Replacement for Sesilia Isaia; funded – Upward Bound Federal Grant.
Sal Grade/Stp: **16/1** Salary: **\$1,228.89/month**
% of Position: 45% # Mos: 12
Effective: July 17, 2006
Account #: K-212200-471400-64300-1112310/100%
Normal Work Schedule: Monday, Wednesday, and Friday, 8:30 am – 3:00 pm.

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

11. **RATIFIED RECLASSIFICATION OF CAST POSITION**

MSC Chadwick/McMullen

The Governing Board ratified the recommendation of the Superintendent/President regarding the **reclassification** of the following **CAST position**:

- a. **Position:** **CONSTRUCTION MANAGER**
Department: Facilities
Name: Chris F. Miller
Position #: 6265 New?: No
Remarks: Position was Supervisor, Construction Activities and Facilities
Support Functions, Grade 46
Sal Grade/Step: 52/3 Salary: **\$5,739.78/month**
% of position: 100% # Mos: 12
Effective: January 1, 2006
Account #: A-212100-541100-65110-0000000/100%

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

12. **RATIFIED RESIGNATIONS**

MSC Chadwick/McMullen

The Governing Board ratified the recommendation of the Superintendent/ President granting the resignations of the following employees:

- a. **Lisa J. Faas**, Manager, Digital Satellite Network, Educational Television, effective August 18, 2006 (last day as Classified Administrator August 17, 2006; accepted Assistant Professor, Radio & Television starting August 18, 2006).
- b. **Angelica Guzman**, Curricular Schedules Technician, Instructional Services, effective July 8, 2006 (last day of employment July 7, 2006).
- c. **Katherine L. Merino**, Professor, Behavioral Sciences, effective May 21, 2006 (last day of employment May 20, 2006).
- d. **Aaron M. Schnarr**, Education Center Assistant, Camp Pendleton, effective June 2, 2006 (last day of employment June 1, 2006).

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

13. **INFORMATION: CLASSIFIED PROFESSIONAL GROWTH AWARDS**

In accordance with the **Professional Growth Program for Classified Employees**, the following employees were granted a **\$500 annual stipend**, prorated on a monthly basis, effective July 1, 2006:

Employee Name: **Meei-chun Gau**
Position: Academic Department Assistant
Department: Graphic Communications
Course of Study: Job Related

Employee Name: **Maria F. Limon de Gonzalez**
Position: Financial Aid Specialist
Department: Financial Aid & Scholarships
Course of Study: Certificate

14. **APPROVED DRAWING NEW WARRANTS**

MSC Chadwick/McMullen

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

- a. Warrant #76-134259 dated September 14, 2004, in the amount of \$146.00, to **Myrshya Bell**, 3939 Vista Campana South, Unit 55, Oceanside, CA 92057. Void due to stale date.
- b. Warrant #76-121457 dated February 5, 2004, in the amount of \$38.00, to **Myrshya Bell**, 3939 Vista Campana South, Unit 55, Oceanside, CA 92057. Void due to stale date.

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

15. **APPROVED BANK SIGNATURE AUTHORIZATIONS FOR PERIOD AUGUST 1, 2006, THROUGH JUNE 30, 2007**

MSC Chadwick/McMullen

The Governing Board authorized the following to **deposit/withdraw funds** currently deposited to the Palomar Community College District Financial Aid, **Federal Account** in Wells Fargo Bank:

Bonnie Ann Dowd, Assistant Superintendent/Vice President,
Finance and Administrative Services, **or**
Robert P. Deegan, Superintendent/President

The Governing Board authorized the following to **deposit/withdraw funds** currently deposited to the Palomar Community College **Transfer Account** deposited in Wells Fargo Bank:

Bonnie Ann Dowd, Assistant Superintendent/Vice President,
Finance and Administrative Services, **or**
Robert P. Deegan, Superintendent/President

The Governing Board authorized the following to **deposit/withdraw funds** currently deposited to the Palomar Community College **Revolving Cash Fund** in Wells Fargo Bank:

Bonnie Ann Dowd, Assistant Superintendent/Vice President,
Finance and Administrative Services, **or**
Robert P. Deegan, Superintendent/President

The Governing Board authorized the following to **deposit/withdraw funds** currently deposited to the Palomar Community College District **Associated Students** of Palomar College in Wells Fargo Bank:

Bonnie Ann Dowd, Assistant Superintendent/Vice President,
Finance and Administrative Services, **or**
Robert P. Deegan, Superintendent/President,
and
Curtis Van Engel, President, Associated Student Government
or
Michelle Eichelberger, Vice President, Associated Student Government

The Governing Board authorized the following to **deposit/withdraw funds** deposited to the Palomar Community College, State of California--**Cal Grant Account** in Wells Fargo Bank:

Bonnie Ann Dowd, Assistant Superintendent/Vice President,
Finance and Administrative Services, **or**
Robert P. Deegan, Superintendent/President

The Governing Board authorized two of the following to **deposit/withdraw funds** currently deposited to the Palomar College **Payroll Account** (automatic payroll deposit and electronic funds transfer for state and federal taxes) in Wells Fargo Bank:

Robert P. Deegan, Superintendent/President
Bonnie Ann Dowd, Assistant Superintendent/Vice President,
Finance and Administrative Services
Esperanza Flores, Manager, Payroll Services
Janien A. Lau-Thompson, Systems Module Functional Specialist Withdraw only
Cynthia Battaglia, Payroll Assistant Deposit only

EXHIBIT J-15

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

K. ACTION ON ITEMS REMOVED FROM CONSENT CALENDAR

L. REPORTS FROM COLLEGE GROUPS

1. INFORMATION

Report of the Faculty Senate

Dr. Brent Gowen urged everyone to follow the actions of the Federal Commission on the future of higher education in regard to financial aid, accreditation, transfer credits, and exit exams.

2. INFORMATION - Report of the Palomar Faculty Federation

Co-President Julie Ivey reported that the PFF is drafting proposals on the upcoming contract. She also said they are drafting a white paper on the bond issue.

3. **INFORMATION - Report of the Administrative Association**

AA President Tom Plotts welcomed Marsha Gable as President of CAST.

4. **INFORMATION - Report of the Confidential and Supervisory Team**

Marsha Gable announced the CAST executive council for 2006-2008: Jo Anne Geise, Vice President; Brandi Taveuveu, Secretary/Treasurer.

5. **INFORMATION - Report of the CCE/AFT**

CCE/AFT President Becky McCluskey welcomed Marsha Gable. She also congratulated Michael Schaeffer on his retirement.

6. **INFORMATION**

Report of the **Associated Student Government** – No report

M. UNFINISHED BUSINESS – There was none.

N. NEW BUSINESS

1. **REAFFIRMED ADOPTION OF FAIR POLITICAL PRACTICES COMMISSION
STANDARD CONFLICT OF INTEREST CODE**

MSC McMullen/Evilsizer

RESOLUTION NO. 06-20882

The Governing Board reaffirmed its adoption of the Fair Political Practices Commission Standard Conflict of Interest Code. **EXHIBIT N-1**

**CONFLICT OF INTEREST CODE FOR THE
PALOMAR COMMUNITY COLLEGE DISTRICT**

The Political Reform Act, Government Code Section 81000, *et seq.*, requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. §18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. §18730 and any amendments to it duly adopted by the Fair Political Practices Commission were hereby incorporated by reference and, along with the attached Appendix in which members and employees were designated and disclosure categories were set forth, constitute the conflict of interest code of the Palomar Community College District.

Designated employees shall file statements of economic interests with the agency who will make the statements available for public inspection and reproduction. (Gov. Code §81008). Upon receipt of the statements of the Palomar Community College District's Board and Superintendent/President, the agency shall make and retain a copy and forward the original of these statements to the County Clerk, San Diego. Statements for all other designated employees will be retained by the agency.

**PALOMAR COMMUNITY COLLEGE DISTRICT
APPENDIX OF DESIGNATED EMPLOYEES**

Designated Positions and Disclosure Requirements

1. The persons occupying the following positions manage public investments. They shall file a full statement of economic interests pursuant to Government Code Sections 87200 et seq.:

Governing Board Members
Superintendent/President
Assistant Superintendent/Vice President for Finance and
Administrative Services

2. Disclosure Categories: The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the designated employees must disclose for each disclosure category to which he or she is assigned.

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

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

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

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

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

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

Designated Positions, and the Disclosure Categories to be assigned to them, were as follows:

Assistant Superintendent/Vice President for Human Resource Services	Category 6
Assistant Superintendent/Vice President for Instruction	Categories 5,6
Assistant Superintendent/Vice President for Student Services	Categories 5,6
Director, Fiscal Services	Categories 4,5
Deans	Category 6
Director, Business Services	Categories 1,4,5
Director, Facilities	Categories 1,2,3,4
Police Chief	Categories 5,6
Consultant	Categories 1,2,3,4,5,6

Consultants must be included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this Code subject to the following limitation: The **Superintendent/President or designee** may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that were limited in scope and thus is not required to comply fully with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based on that description, a statement of the extent of disclosure requirements. The Superintendent/President's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

2. **APPROVED STATE OF CALIFORNIA, DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT DIVISION, AGENCY ANNUAL REPORT FOR CHILD DEVELOPMENT CENTERS, AND AUTHORIZE SECRETARY TO THE GOVERNING BOARD TO EXECUTE REPORT**

MSC Chadwick/Evilsizer

RESOLUTION NO. 06-20883

The Governing Board of the Palomar Community College District hereby approved the annual Agency Self-Evaluation Report for the Child Development Center and authorizes the Secretary to the Governing Board to sign all documents evidencing said approval by the Board. **EXHIBIT N-2**

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

3. **APPROVED FINAL PROJECT PROPOSAL FOR LIBRARY/LRC BUILDING**

MSC Chadwick/Evilsizer

RESOLUTION NO. 06-20884

BE IT RESOLVED, That the Final Project Proposal for the Library/LRC Building for the Palomar Community College District is hereby approved with the terms and conditions set forth in Title 5 of the Code of Regulations commencing with §527001.5 and following.

Be it further resolved, that in accordance with the California Education Code, §81837, the plans and specifications for the Library/LRC Building Project shall be submitted to, and approved in writing by, the Board of Governors of the California Community Colleges, prior to letting of a contract for construction of the Project.

Be it further resolved, that the letting of a contract for construction of the Library/LRC Building Project be conditioned upon Project funding allocated to the Project through the Board of Governors of the California Community Colleges from the Public Works Board in accordance with Section 8 of the Budget Act. **EXHIBIT N-3**

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

4. **ADOPTED RESOLUTION FOR EMERGENCY WAIVER – PUBLIC PROJECT**

MSC McMullen/Chadwick

**Palomar Community College District
Emergency Waiver – Public Project**

RESOLUTION NO. 06-20885

On Motion of Member **Darrell McMullen**, seconded by Member **Nancy Chadwick**, the following resolution is adopted by the Governing Board of the Palomar Community College District:

WHEREAS, on June 16-17, 2006, one of the HVAC units in the computer room (hereinafter A-6) went down and caused the **equipment in A-6 to malfunction** due to excessive heat, causing the dial-up and remote network access server to fail; and

WHEREAS, HVAC technicians were able to get the system up and running by installing a portable HVAC back-up to the existing units, but not before the Information Services staff had to **shutdown all non-production equipment and back-up servers** in order to keep the essential equipment on line. As a result, several departments on campus were impacted; and

WHEREAS, the **critical concern** is with the current equipment in place and summer temperatures ranging in the 90's and peaking at 100 degrees, failure to adequately cool A-6 will occur causing major components of the District's electronic infrastructure to be shut down and critical systems support for instructional and student services will be terminated. If adequate cooling of essential computer equipment cannot be maintained, heat related damage to such equipment is a high probability and such failure of major support systems will **cripple the District's operations** and the ability to deliver core services; and

WHEREAS, Public Contract Code, §20654, as further defined by Public Contract Code, §1102, provides that community college districts may, with the unanimous approval of the Governing Board and approval of the County Superintendent of Schools, contract for the performance of labor and purchase of materials **without advertising for or inviting bids** in an emergency when such work is necessary to permit the continuance of existing school classes or to avoid danger to life or property.

NOW THEREFORE, be it resolved that the Governing Board of Palomar Community College District has determined that these circumstances constitute an emergency condition and **request approval from the County Superintendent of Schools** to enter into contracts for replacement of the HVAC system in A-6 without advertising or inviting bids pursuant to Public Contract Code §20654 and Public Contract Code §1102.

PASSED AND ADOPTED by unanimous vote of the members of the Governing Board of the Palomar Community College District this 11th day of **July, 2006**, by the following vote:

AYES: 4
NOES: 0
ABSENT: 1

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

I, Robert P. Deegan, Secretary to the Governing Board of the Palomar Community College District, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the said Board at a regularly called and conducted meeting held on said date.

Secretary to the Governing Board

EXHIBIT N-4

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

5. ACCEPTED WORK OF CONSTRUCTION FOR NEXTEL CELLULAR ANTENNA INSTALLATION/SAN MARCOS CAMPUS

MSC Chadwick/McMullen

RESOLUTION NO. 06-20887

The Governing Board accepted the work of construction designed by Mitchell J. Architecture, Inc., and approved by the Division of the State Architect (DSA) for Nextel Communications for the installation of a Nextel Cellular Antenna on the San Marcos campus. **EXHIBIT N-5**

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

6. ACCEPTED AND APPROVED CHANGE ORDER #11 FOR HIGH TECHNOLOGY LABORATORY/CLASSROOM BUILDING

MSC Chadwick/McMullen

RESOLUTION NO. 06-20886

The Governing Board accepted and **approved Change Order #11** in the amount of \$61,145.00, 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. **EXHIBIT N-6**

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

7. Pulled from agenda.

**8. CONFIRMED CLASSIFICATION OF RECORDS TO CLASS 3 – DISPOSABLE;
AUTHORIZE DESTRUCTION PURSUANT TO TITLE 5 §16023 THROUGH §16028,
CALIFORNIA ADMINISTRATIVE CODE**

MSC McMullen/Chadwick

The Governing Board approved the records identified below, which have been certified by the Vice President for Instructional Services, as designee of the Superintendent of the District, as accurate in detail; and approved that the following **records** were hereby confirmed to be **Class 3-Disposable**, and may be **destroyed** in accordance with Article 2, §16023 through §16028, of Article 5, California Administrative Code.

a. ALP – Assessment & Learning Project – All Years

b. EMPC – Educational Master Planning Committee – Years

1988-1990	1995-1996
1990-1991	1996-1997
1991-1992	1997-1998
1992-1993	1998-1999
1993, revised	1999-2000
1993-1994	2000-2001
1994-1995	2001-2002
1995-1996, correspondence	12-12-02 to 12-15-02

c. IPC – Instructional Planning Committee – Years

1991-1992	1997-1998
1992-1993	1998-1999
1993-1994	1999-2000
1994-1995	2000-2001
1995-1996	2001-2002
1996-1997	2002-2003

d. Professional Growth Committee –Years

1980-1981	1984-1985
1981-1982	1985-1986
1982-1983	1986-1987
1983-1984	1987-1988

e. Vanguard College – Years

Vanguard Budget – 7/2000 to 1/2003
Vanguard College – 2000-2001
Vanguard College – Other – 2000-2001
Vanguard Learning First – Community College Baltimore County
Vanguard Learning Outcomes – 2000-2001
Vanguard Learning – Project Liaisons – 5-25-01 to 10-25-02
Vanguard Organizational Culture – 2000-2001
Vanguard III Seminar – 6/2001
Vanguard IV Seminar – Scottsdale, Arizona – 6/25/02
Vanguard Staff Recruitment & Development
Vanguard Site Visit – 1-12-01 to 9-3-02
Vanguard Student Success
Vanguard Technology – 2000-2001
Vanguard Valencia Community College

f. Course Outlines of Record (1995 and older)

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

9. **APPROVED DELEGATION OF STUDENT EMPLOYMENT TO SUPERINTENDENT/PRESIDENT**

MSC Chadwick/McMullen

The Governing Board **approved** the delegation of approval for hiring of student employees to the Superintendent/President or designee. **EXHIBIT N-9**

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

10. **APPROVED PROGRAM ARTICULATION AGREEMENT WITH SOUTHERN ILLINOIS UNIVERSITY**

MSC Chadwick/Evilsizer

The Governing Board hereby approved a **partnership agreement** between the **Palomar Community College District and Southern Illinois University (SIU)**, pursuant to which all graduates of Palomar College with majors in Aeronautical Operations, Aircraft Commercial Pilot, and Aviation Management will receive preferential admission status to SIU's Bachelor of Science in Aviation Management, upon application to SIU and to that program.

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

11. **APPROVED SABBATICAL LEAVES FOR 2006-2007**

MSC Chadwick/Evilsizer

The Governing Board approved **sabbatical leaves** for **2006-2007** for the following persons:

FALL 2006

Jay Alperson, Behavioral Sciences
Judith Stafford, English Department

SPRING 2007

Rebecca Barr, Counseling Department
Jerry Houser, Earth Sciences

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

12. **REJECTED CLAIM**

MSC McMullen/Chadwick

BE IT RESOLVED, That the Governing Board of the Palomar Community College District took no action on the late portion of the claim and returned said portion as untimely. As to the timely portion, the District **rejected the claim** for damages filed by **Deborah Stanley** and referred it to the District's Claim Administrator for handling.

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

13. **REJECTED CLAIM**

MSC Chadwick/McMullen

BE IT RESOLVED, That the Governing Board of the Palomar Community College District rejected the claim for personal injuries filed by **Melissa Orozco** and referred it to the District's Claim Administrator for handling.

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

14. **APPROVED AMENDED CONTRACT FOR SUPERINTENDENT/PRESIDENT**

MSC Chadwick/Evilsizer

The Governing Board of the Palomar Community College District approved the **Amended Employment Contract** for Robert P. Deegan, Superintendent/President, effective January 14, 2005. **EXHIBIT N-14**

The Trustees expressed their appreciation of President Deegan.

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

15. **AUTHORIZATION TO EXECUTE CONTRACT WITHIN THE LIMITS OF AVAILABLE FUNDS ON JOB NO. B-6012, D-6 FLOOR REPLACEMENT PROJECT**

MSC Chadwick/Evilsizer

The Governing Board authorized Ken Jay, Director, Business Services, to **execute a contract** within the limits of available funding to the **lowest responsive bidder** for Job No. B-6012, D-6 Floor Replacement Project. This project will be competitively bid and work and completion of the project shall be between the summer & fall semester.

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

16. **SCHEDULED SPECIAL MEETING OF THE GOVERNING BOARD**

MSC Chadwick/Evilsizer

The Governing Board scheduled a **Special Meeting** of the Governing Board on Tuesday, **July 25, 2006, at 4:00 p.m.**, in SSC-1, to discuss a proposed bond.

The Vote was unanimous (of those members present).
Student Trustee Advisory Vote: Aye

O. **BOARD REQUESTS FOR REPORTS**

1. Grant Application Process (Nelson)
2. Professional Services-Policy & Monitoring (Evilsizer)
3. Governmental Affairs Liaison (Evilsizer)
4. Workshop on the Carver Model (Nelson)
5. Draft a resolution to support *Keeping the Promise* community college initiative (Larson)
6. Collaborative funding for Nursing Education Program [Palomar Pomerado Health] (Larson)
7. University Studies Degree (Kovrig)
8. Affirmative Action/EEOC Training for Supervisory Staff (Nelson)
9. Feasibility Study of Textbook Rental Program (Chadwick)

10. Assessment of Associated Costs Revolving Around the Development of a Dental Hygiene Program (Evilsizer)
11. Draft a *Commitment to Diversity* resolution (Evilsizer)
12. Board workshop on *Solar Energy* (Chadwick/Nelson)

P. **RECESS TO CLOSED SESSION** – no additional closed session was needed.

R. **ADJOURNMENT**

The meeting was adjourned at 6:38 p.m.