



APPROVED 01/08/08

GOVERNING BOARD MINUTES

REGULAR MEETING OF THE GOVERNING BOARD

DATE: DECEMBER 11, 2007

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

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

AA. ROLL CALL

TRUSTEES PRESENT:

MARK R. EVILSIZER, M.A., PRESIDENT
DARRELL L. MC MULLEN, M.B.A., VICE PRESIDENT
RUTH LARSON, M.D., SECRETARY
NANCY C. CHADWICK, M.S.W., M.P.A., TRUSTEE
MICHELE T. NELSON, PH.D., TRUSTEE
JESSE LYN, STUDENT 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
Joseph Madrigal, Assistant Superintendent/Vice President, Student Services

EXECUTIVE ADMINISTRATOR ABSENT:

John Tortarolo, Assistant Superintendent/Vice President, Human Resource Services

B. PUBLIC COMMENTS – There were none.

C. RECESS TO CLOSED SESSION

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

- 8. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to subdivision (b)(2)(C) of Government Code Section 54956.9: One case--Amended Tort Claim of John Erickson.
- 7. REVIEW OF TORT CLAIM,** pursuant to Government Code §54956.95.
- 2. CONFERENCE REGARDING NEGOTIATIONS WITH CCE/AFT,** pursuant to Government Code §54957.6.
- 1. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE,** pursuant to Government Code §54957 et seq.
- 3. CONFERENCE REGARDING NEGOTIATIONS WITH PFF/AFT,** pursuant to Government Code §54957.6.
- 4. CONFERENCE REGARDING DISCUSSION WITH OTHER UNREPRESENTED EMPLOYEES,** pursuant to Government Code §54957.6.

5. **PUBLIC EMPLOYMENT**, pursuant to Government Code §54957.
6. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**, pursuant to Government Code §54956.8.
 - a. Discussion of potential sites in the southern portion of the District.

CC. RECONVENE TO OPEN SESSION/ORGANIZATIONAL MEETING

The meeting reconvened to Open Session at 5 p.m. – There was no reportable action taken.

STAFF PRESENT:

Brent Gowen, President, Faculty Senate; Associate Professor, English
Laura Gropen, President, Administrative Association; Manager of Marketing Services, EDUCTV
Shannon Lienhart, Co-President, PFF/AFT; Associate Professor, Mathematics
Neill Kovrig, President, CCE/AFT; Counseling Services Specialist, Transfer Center
Josie Silva, Executive Assistant, Superintendent/Governing Board

GUESTS:

Others present are listed on the sign-in sheets.

QUORUM ESTABLISHED

Following the pledge of allegiance to the flag, Board President Evilsizer 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 TWO YEARS FROM THE MEETING DATE.

D. ELECTION OF OFFICERS

1. ELECTION OF PRESIDENT

MSC Larson/Nelson

RESOLUTION NO. 08-20939

BE IT RESOLVED, That DARRELL L. MC MULLEN is elected **President of the Governing Board of the Palomar Community College District, effective December 11, 2007.**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

2. ELECTION OF VICE PRESIDENT

MSC Nelson/Chadwick

RESOLUTION NO. 08-20940

BE IT RESOLVED, That RUTH LARSON is elected **Vice President of the Governing Board of the Palomar Community College District, effective December 11, 2007.**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

3. **ELECTION OF SECRETARY**

MSC Nelson/Larson

RESOLUTION NO. 08-20941

BE IT RESOLVED, That NANCY C. CHADWICK is elected **Secretary** of the Governing Board of the Palomar Community College District, effective December 11, 2007.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

DD. **APPOINTMENT OF SECRETARY TO THE BOARD**

1. **APPOINTMENT OF SECRETARY TO THE BOARD**

MSC Chadwick/Nelson

The Governing Board appointed **Robert P. Deegan, Superintendent/ President**, to serve as **Secretary to the Governing Board** of the Palomar Community College District, effective December 11, 2007.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

DDD. **ESTABLISHMENT OF DATE, TIME, AND PLACE OF MEETINGS**

1. **ESTABLISHED DATE, TIME, AND PLACE OF MEETINGS**

MSC Chadwick/Nelson

RESOLUTION NO. 08-20942

The Governing Board declared that the **Regular Meetings** of the Governing Board of the Palomar Community College District shall be held on the **second Tuesday** of each month, **closed session** beginning at **4 p.m.**, **open session** beginning at **5 p.m.**, in the **Governing Board Room, Student Services Center, San Marcos Campus.**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

ADJOURNMENT OF ORGANIZATIONAL MEETING

The Organizational Meeting adjourned at 5:08 p.m.

CONVENE REGULAR MEETING

The Regular Meeting of the Board convened at 5 :08 p.m.

E. **COMMENTS FROM OTHER INDIVIDUALS OR GROUPS**

1. **Karen White** – Fire Storm
2. **Cody Campbell** – Interim VP Contract
3. **Michael Mufson** – Trust, respect, and shared governance
4. **Peter Bowman** – Interim VP hiring questions
5. **Teresa Laughlin** – Shared governance
6. **Julie Ivey** – District contribution towards Prop 92

F. APPROVAL OF MINUTES

MSC Chadwick/Larson

1. The Governing Board approved the Minutes of the Regular Meeting of November 13, 2007.
2. The Governing Board hereby approved the Minutes of the Special Meeting of November 27, 2007.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

FF. CALL FOR REMOVAL OF ITEMS FROM OR CHANGES TO AGENDA – There were none.

G. PUBLIC HEARING – HOLD PUBLIC HEARING TO RECEIVE ADDITIONAL COMMENTS ON THE PROPOSED NORTH EDUCATION CENTER PROJECT AND ITS ENVIRONMENTAL IMPACTS

1. PRESENTATION OF THE PROPOSED NORTH EDUCATION CENTER PROJECT AND ITS ENVIRONMENTAL IMPACTS

As part of the public hearing, RBF Consultants, Alex Jewel and Nicole Marotz, presented the results of a study that was conducted by RBF regarding the environmental impact surrounding the proposed north education center project. Mr. Jewel stated the public has had several opportunities to comment on the EIR. RBF continues to work with various entities addressing their concerns.

4. **MSC Chadwick/Larson** to postpone action to certify the EIR to allow staff an opportunity to resolve all outstanding issues.

The meeting continued out of sequence with Board President McMullen calling for Vice President Madrigal's report.

Vice President Madrigal introduced Scott Cathcart, Athletic Director, who announced that the Wrestling Team won the State Championship in the State Dual Competition. Two members of the team were introduced to the Board.

Board President McMullen apologized for the oversight and continued the public hearing.

2. OPEN PUBLIC HEARING

The meeting continued with public testimony from Jennifer Campos from the Department of Planning and Land Use with the County of San Diego. She stated the County has some concerns regarding the EIR. She submitted a letter identifying the County's concerns with the EIR. RBF will work with the San Diego County Office of Planning and Land Use and with Cal Trans to resolve the outstanding issues.

3. CLOSE PUBLIC HEARING

Board President McMullen closed the public hearing at 5:54 p.m.

H. ACKNOWLEDGEMENT OF RETIREMENTS

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

- a. **Regina Waack**, Senior Counseling Support Specialist, Counseling Services, effective December 29, 2007. She has served Palomar College for **33** years from January 20, 1975 to December 28, 2007.

Vice President Joe Madrigal summarized Ms. Waack's career and accomplishments at Palomar College. She was also honored by the Dean of Counseling Services, Lynda Halttunen, and CCE President, Neill Kovrig.

- b. **Katheryn Garlow**, Dean of Languages and Literature, effective December 22, 2007. She has served Palomar College for **33** years from September 4, 1974, to December 21, 2007.

Vice President Berta Cuaron summarized Dr. Garlow's career at Palomar College and wished her a happy retirement.

- c. **Leslie F. Elmer**, Academic Department Assistant, Chemistry/Physics & Engineering, effective December 30, 2007. She has served Palomar College for **15** years from July 1, 1992, to December 29, 2007.

Vice President Berta Cuaron introduced Leslie Elmer, who was presented with a 15-year service pin. Ms. Elmer commented on her career at Palomar College and expressed her gratitude. CCE President, Neill Kovrig congratulated Ms. Elmer on her retirement and presented her with a certificate.

I. REPORT OF THE GOVERNING BOARD PRESIDENT

Board President, Darrell McMullen, thanked outgoing Board President, Mark Evilsizer, for a job well done throughout the year. President McMullen commented that Board members always maintain a respectful decorum during the Board meetings and follow a structured agenda that is timely posted in order to carry out the business that the public elected them to do. Thus, he made the following statement:

"We only hire one person, who reports directly to us. That person, of course, is the Superintendent/President. In addition to responsibility of keeping Palomar running as smoothly as possible for the ultimate benefit of our students, he consults with us on matters that occur from time-to-time. Examples would be personnel issues, legal matters, and contracts.

As Trustees, we ask for progress reports and provide direction when and where deemed appropriate. Here are some recent questions that I recall:

- "What will be the likely outcome?"
- "What does our attorney recommend?"
- "Is this fair to all concerns?"
- "Can we afford it?"
- "Will we be setting a precedent?"
- "What are similar Community Colleges doing?"
- "What are budget predictions for next year?"

We are fortunate that we have a President who is very transparent. There is not a hidden agenda. He comes from the classroom, as do most of our Vice-Presidents. They are respectful in their dealings with other people, and as our representatives, deserve no less from others. With that,

we can better conduct matters facing our college in a smooth and professional manner. From my past experience of many years as an adjunct and from a governmental career, honey always works better than a stick to achieve fairness.”

Board President McMullen thanked everyone in advance for keeping civility in their conduct at all times.

II. REPORTS OF GOVERNING BOARD TRUSTEES

Trustee Mark Evilsizer thanked the Palomar Police working with local law enforcement and the District Attorney’s Office in apprehending and arresting the suspect in the bomb threat situation on campus. He expressed his gratitude to the retirees for their dedication to Palomar. He said he was concerned about the state budget next year and the predicted shortfall for community college funding. He said he was concerned about Prop 92 because of the lack of support. He wished everyone a very happy holiday season.

Trustee Ruth Larson shared her thoughts on eldership and mentoring. She wished everyone season’s greetings.

Trustee Nancy Chadwick expressed her concerns regarding the organized opposition of Prop 92. She strongly urged everyone to work on getting the proposition passed. SDICCCA is meeting with legislators in Sacramento. The Palomar College Foundation is doing a marvelous job and is very grateful for their contributions. She wished everyone peace and love, and a wonderful new year.

Trustee Michele Nelson thanked Trustee Evilsizer for his leadership during the year. She attended the Foundation meeting and feels very optimistic about the future. She thanked the faculty and staff for a wonderful year. She commented that the Board is open, willing, and able to talk about all things as they come forward, and to make certain everyone understands one another. She looks forward for a very productive year.

Student Trustee Jesse Lyn reported that Region 10 is working on its constitution bylaws and fund raising for Prop 92. On behalf of all students, she expressed her appreciation for the opportunity to have their voices heard.

III. REPORT OF THE SUPERINTENDENT/PRESIDENT

President Robert Deegan thanked Trustee Mark Evilsizer for an outstanding year of leadership as Board President. He thanked the faculty and staff for their work throughout the semester ensuring the success of our students even during the power outages, bomb threats, and fire storms. He thanked the Foundation for the establishment of the Fire Relief Fund and to those who donated money for the cause. President Deegan reported that he is working with the Foundation to establish larger campaigns to assist various segments and components of the campus. One of the segments is to reach out to our veterans who are returning home from Iraq and need assistance.

President Deegan reported that Vice President Tortarolo had surgery and is doing well. He is expected back to campus in approximately six to eight weeks. He clarified the duties of the Human Resources consultant and staff. He assured everyone that policy and procedures were followed in relation to the contract for the Human Resources consultant. Mr. Manges had been working as a consultant in the Human Resource Services for the District in coordinating the classification study, and when the emergency arose, the pay rate increased from \$65 to \$85 because of the expertise needed for the extra responsibilities. This information was included in the 60-day report as agreed upon by all constituencies. Mr. Manges is very well qualified with over 35 years of Human Resources experience, and will work 20 hours per week assisting in the office, sharing some of the day-to-day responsibilities.

1. Report of Vice President for Instruction

Vice President Berta Cuaron acknowledged faculty and staff for their work throughout the semester. She acknowledged the retirement of Dr. Garlow and introduced the Interim Dean of Literature and Language, Professor Steve McDonald. Vice President Cuaron reported that the Basic Skills working group is working on completing the self-assessment and thanked Dr. Barb Kelber for her leadership. She updated the Board on the activities of the Learning Outcomes Council and Steering Committee. Vice President Cuaron thanked Mary Ann Drinan, TERB Coordinator, and faculty for working diligently in completing final evaluations for 47 probationary faculty. Lastly, the part time plenary is scheduled for Thursday, January 10, 2008, beginning with pre-workshops at 5:00 p.m., and the general orientation beginning at 6:00 p.m., in the Howard Brubeck Theatre.

a. Accreditation Self Study Progress Report

Vice President Cuaron thanked Neill Kovrig, Tom Medel, and Dr. Brent Gowen for serving as Tri-Chairs of the Accreditation Self Study. The tri-chairs have been meeting weekly regarding the status of the writing teams. There are eleven writing team which have been meeting weekly for the past five weeks. A survey consisting of 56 questions will be disseminated to all employees to complete. The responses will be utilized in the self-study report.

2. Report of Vice President for Student Services

Vice President Joe Madrigal thanked the Student Services staff for a job well done throughout the semester. He wished everyone a happy holiday season.

3. Report of Vice President for Finance and Administrative Services

Vice President Bonnie Ann Dowd advised the Board that the Audit Report will be presented at the January meeting. She is concerned with the 2008-2009 budget, which is predicted to have a shortfall of approximately ten billion dollars. She will be attending a budget workshop addressing these concerns. Vice President Dowd reported on the replacement of the student representative on the ICOC, and on the new and improved web site. At this time, Mr. Mike Ellis, Director of Facilities, presented a status report on the Series A Prop M projects.

Vice President Dowd acknowledged the retirement of her Administrative Assistant, Jo Anne Giese, who will retire from the District after 18 years of service to care for her young son. She also honored the life of Mikey Barber, who passed away on November 15. He was a dedicated employee of the District for 18 years. She wished everyone happy holidays.

4. Report of Vice President for Human Resource Services – absent

At this time, President Deegan wished everyone happy holidays.

**Resumption of
REGULAR AGENDA**

J. APPROVAL OF CONSENT CALENDAR ITEMS

FISCAL SERVICES

1. APPROVED NEW VOLUNTARY DEDUCTION

MSC Nelson/Larson

The Governing Board approved a **New Voluntary Deduction** plan through payroll for the **Palomar College Police Officers Association. EXHIBIT J-1**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

REPLACEMENT OF WARRANTS

2. APPROVE DRAWING NEW WARRANTS

MSC Nelson/Larson

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

- a. Warrant #77-104696 dated, **March 20, 2007**, in the amount of **\$43.47**, payable to **Mark D. Molina**, 732 Hamilton Lane, Escondido, CA 92029. Void due to stale date.
- b. Warrant #77-086398 dated **June 20, 2005**, in the amount of **\$1,119.13**, payable to **Joseph P. Schaeffer**, 1424 Leland Way, Escondido, CA 92026. Void due to stale date.
- c. Warrant #77-097985 dated **July 31, 2006**, in the amount of **\$215.00**, payable to **Marilyn K. Creel**, 1219 Barham Drive, Space 157, San Marcos, CA 92078. Void due to stale date.
- d. Warrant #77-098666 dated **August 31, 2006**, in the amount of **\$115.00**, payable to **Marilyn K. Creel**, 1219 Barham Drive, Space 157, San Marcos, CA 92078. Void due to stale date.
- e. Warrant #77-099587 dated **September 29, 2006**, in the amount of **\$286.04**, payable to **Marilyn K. Creel**, 1219 Barham Drive, Space 157, San Marcos, CA 92078. Void due to stale date.
- f. Warrant #77-104075 dated **February 28, 2007**, in the amount of **\$315.43**, payable to **Marilyn K. Creel**, 1219 Barham Drive, Space 157, San Marcos, CA 92078. Void due to stale date.
- g. Warrant #77-105120 dated **March 20, 2007**, in the amount of **\$269.53**, payable to **Marilyn K. Creel**, 1219 Barham Drive Space, 157, San Marcos, CA 92078. Void due to stale date.
- h. Warrant #77-106083 dated **April 30, 2007**, in the amount of **\$217.90**, payable to **Marilyn K. Creel**, 1219 Barham Drive, Space 157, San Marcos, CA 92078. Void due to stale date.

- i. Warrant #77-104684 dated **March 20, 2007**, in the amount of **\$59.01**, payable to **Julie A. McLendon**, P.O. Box 2816, Escondido, CA 92033. Void due to stale date.
- j. Warrant #77-102127 dated **December 20, 2006**, in the amount of **\$248.93**, payable to **Arthur R. Gerwig**, 582 Vineyard Road #201, San Marcos, CA 92069. Void due to stale date.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

GIFTS

3. ACCEPTED GIFTS

MSC Nelson/Larson

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

- a. Electric Kiln (ceramics) and Electric Potter's Wheel, donated by **Jan Frye**, 2179 Timberline Road, Carlsbad, CA 92008. This donation is to be used by students enrolled in the Art Department. Total cash value as estimated by donor is \$2,309.00.
- b. Toshiba 57" wide screen television set, donated by **Kim Gerod**, 260 Richard Court, Oceanside, CA 92056. This donation is to be used by students enrolled in RTV 240. Total cash value as estimated by donor is \$1,800.00.
- c. Sofa and loveseat (\$950.00) and reclining chair (\$450.00), donated by **Jerome's Furniture Clearance Center**, 780 Los Vallecitos Boulevard, San Marcos, CA 92069. This donation is to be used in the student/staff lounge. Total cash value as estimated by donor is \$1,500.00.
- d. Two 250 gallon custom plexy glass aquariums, donated by **Mr. & Mrs. Richard Mates**, 10350 Eagle Lake Drive, Escondido, CA 92029. This donation is to be displayed in the lobby of the Natural Science building. Total cash value as estimated by donor is \$10,000.00.
- e. Mitsubishi 91 Monitor (19-inch); E-Machine (40 GB hard drive); 56K moden, (model #T2240); Hogitech wireless keyboard and mouse; Casio Writer (Electronic Typewriter); and Cordless Phone (900 MHz) donated by **Spence Milne**, 11594 Caminito Corriente, San Diego, CA 92128. This donation is to be used by students registered in the ROP Computer Repair Lab. Total cash value as estimated by donor is \$100.00.
- f. Variety of plants donated by **Bruce & Suzi Ironmonger, Cycad Center**, P.O. Box 754, Bonsall, CA 92003. Some plants were planted on campus grounds or sold at the Plant Sale. Total cash value as estimated by donor is \$483.00.
- g. Variety of plants donated by **Vista Tree Farm**, 825 Poinsettia Avenue, Vista, CA 92081. Some plants were planted on campus grounds or sold at the Plant Sale. Total cash value as estimated by donor is \$313.00.

- h. Sony 21" Graphics Monitor (high definition) donated by Don Gardner, 1152 Morningview Drive #208, Escondido, CA 92026. This donation is to be used in the RTV Department mobile production unit. Total cash value as estimated by donor is \$850.00.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

PERSONNEL

4. RATIFIED ACADEMIC EMPLOYMENT

MSC Nelson/Larson

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

- a. Name: **SAMANTHA N. SANGSANOI**
Position: Assistant Professor, Nursing
(Medical-Surgical Nursing)
Department: Nursing Education
Degrees: M.S., Nursing
B.S., Nursing
Position #: 6411 New: Yes
Remarks: Position approved 6/12/07; funded – Capacity Building Grant.
Sal Rng/Stp: **C/1** Salary: **\$4,992.54 /month**
% of Position: 100% # Mos: 10
Effective: January 22, 2008
Account #: K-111000-348200-12300-1612189/100%

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

5. GRANTED EQUIVALENCY FOR DISCIPLINE

MSC Nelson/Larson

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

Charles J. Portman	Health & Safety Education
Kevin M. Powers	Welding
Leah E. Ruppner	Psychology
Hiram G. Thorpe	Water Technology
Christopher Smith	Apprenticeship – Electrical
Nancy L. Wood	Welding

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

6. RATIFIED PART-TIME FACULTY EMPLOYMENT

MSC Nelson/Larson

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 Spring 2008 (day and/or evening); said part-time faculty are not scheduled to teach more than a 60 percent load in a single semester:

SPRING 2008

BEHAVIORAL SCIENCES

Benham, Vyvy Bennet	Psychology Ph.D., Clinical Psychology	\$51.78
Eggerman, Jason	Psychology M.A., Psychology B.S., Psychology	\$48.72
Gallagher, Marla J.	Psychology Ph.D., Educational Psychology M.A., Educational Psychology B.A., Education	\$51.78
Marion, Jonathan	Anthropology Ph.D., Anthropology M.A., Anthropology	\$51.78
Ruppanner, Leah E.	Psychology M.A., Social Science Eminence in the Field	\$50.37
Spaid-Ross, Marian A.	Sociology M.A., Sociological Practice B.A., Sociology	\$48.72
Vigil, Alberto	Anthropology M.A., Anthropology B.S., Anthropology	\$48.72

BUSINESS ADMINISTRATION

Grommo, Michael M.	Business M.B.A., Business Administration	\$48.72
Harris, Robert	Accounting M.S., Accountancy B.S., Business Administration	\$48.72

CHILD DEVELOPMENT

Lee, Annie Y.	Child Development M.A., Education: Elementary Teaching B.S., Psychobiology Child Development Program Director Permit	\$48.72
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ENGLISH AS A SECOND LANGUAGE

Pike, Jerald	ESL M.A., Teaching English as a Second Language B.A., International Relations	\$48.72
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LIFE SCIENCES

Campo, Peggy	Biology M.S., Biology M.A., Biology	\$51.78
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Hull, Stacey L.	Biology Ph.D., Molecular, Cellular & Developmental Biology B.S., Biology	\$51.78
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Spady, Thomas J.	Zoology Ph.D., Biochemistry B.S., Biology	\$51.78
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OCCUPATIONAL & NONCREDIT PROGRAMS

Holton, Craig	Apprenticeship – Electrical B.A., Interdisciplinary Studies 4+ Years Experience	Paid by sponsor: San Diego Electrical Training Trust
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Smith, Christopher M.	Apprenticeship – Electrical General Journeyman 6+ Years Experience Eminence in the Field	Paid by sponsor: San Diego Electrical Training Trust
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Portman, Charles J.	Health & Safety Education Eminence in the Field	\$47.54
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Thorpe, Hiram G.	Water Technology Eminence in the Field	\$47.54
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READING SERVICES

Stuvè, Gilbert E.	Education Ph.D., Higher Education M.A., Political Science B.S., Education	\$51.78
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TRADE & INDUSTRY

Bosio, John R.	Cabinet Furniture Technology B.A., Industrial Arts 2+ Years Experience	\$47.54
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Powers, Kevin	Welding Eminence in the Field	\$47.54
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Watkins, Ross A.	Cabinet Furniture Technology B.S., Engineering 2+ Years Experience	\$47.54
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Wood, Nancy L.	Welding Eminence in the Field	\$47.54
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The Vote was unanimous.
Student Trustee Advisory Vote: Aye

7. RATIFIED ADMINISTRATIVE EMPLOYMENT

MSC Nelson/Larson

The Governing Board ratified the recommendation of the Superintendent/ President regarding the employment of the following administrative employee:

a. Name: **STEPHEN B. MCDONALD**
Position: Interim Instructional Dean
Department: Languages and Literature
Position #: 6421 New?: No
Remarks: Interim replacement for Katheryn Garlow
Sal Grade/Stp: **75/4** Salary: **\$10,207.07/month**
% of Position: 100% # Mos: 12
Effective: January 7, 2008
Account #: A-123100-321100-60110-0000000/100%

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

8. RATIFIED CHANGE TO ADMINISTRATIVE EMPLOYMENT

MSC Nelson/Larson

The Governing Board ratified the recommendation of the Superintendent/ President regarding the change to employment of the following administrative employee:

a. Name: **MICHAEL D. LARGE**
Position: Institutional Research Analyst
Department: Research & Planning
Position #: 5979 New?: No
Remarks: Revised salary step to indicate correct placement.
Sal Grade/Stp: **53/4** Salary: **\$5,932.69/month, plus**
\$1,200 annual stipend for doctorate
% of Position: 100% # Mos: 12
Effective: November 26, 2007
Account #: A-212100-313100-66310-0000000/100%

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

- c. Name: **JERI L. RICHARDS**
Position: Programmer Analyst
Department: Information Services
Position #: 5606 New?: No
Remarks: Replacement for Ernie Carson
Sal Grade/Stp: **45/1** Salary: **\$5,867.10/month**
% of Position: 100% # Mos: 12
Effective: January 2, 2008
Account #: A-212200-561100-67800-0000000/100%
- d. Name: **ELAINE MOORE**
Position: Instructional Support Assistant I
Department: Disability Resource Center
Position #: 6029 New?: No
Remarks: Replacement for Kelly Boden; funded – Disabled Student Programs & Services.
Sal Grade/Stp: **16/1** Salary: **\$1,301.64/month**
% of Position: 45% # Mos: 10
Effective: December 17, 2007
Account #: K-212200-472100-64200-1612030/100%
- e. Name: **RICHARD B. GREENE**
Position: Storekeeper
Department: Facilities/Warehouse
Position #: 5680 New?: No
Remarks: Replacement for Glenn Williams
Sal Grade/Stp: **16/1** Salary: **\$2,892.53/month**
% of Position: 100% # Mos: 12
Effective: December 12, 2007
Account #: A-212200-532200-67730-0000000/100%
- f. Name: **ANTONIO P. CAMPOS, JR.**
Position: Custodian I
Department: Facilities/Custodial Services
Position #: **6306** New?: No
Remarks: Replacement for Salome Cortez
Sal Grade/Stp: **8/1** Salary: **\$2,381.15/month**
% of Position: 100% # Mos: 12
Effective: December 12, 2007
Account #: A-212200-542200-65300-0000000/100%

Normal Work Schedule: Monday – Thursday, 10:00 pm – 6:30 am; Sunday, 4:00 pm – 12:30 am. A 3% night differential will be paid for hours worked between 6:00 pm and 10:00 pm, and a 5% salary differential will be paid for hours worked between 10:00 pm and 6:00 am.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

11. **APPROVED PERSONNEL ACTIONS/HISTORY**

MSC Nelson/Larson

The Governing Board approved the **Personnel Actions/History** report, which includes hires and pay rate changes for student employees for the month of **November, 2007**, and short-term employees for the month of December, 2007. **EXHIBIT J-11**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

12. **RATIFIED LEAVES OF ABSENCE**

MSC Nelson/Larson

- a. The Governing Board ratified the recommendation of the Superintendent/President granting an **Intermittent Family Medical Leave of Absence** with no effect on benefits, effective October 3, 2007, for a maximum of 480 hours, to **Donna L. Greene**, Administrative Assistant, Student Services.
- b. The Governing Board ratified the recommendation of the Superintendent/President granting an **Intermittent Family Medical Leave of Absence** with no effect on benefits, effective November 19, 2007, for a maximum of 480 hours, to **Nicole R. Moreau-Deibert**, Counseling Services Specialist, Counseling Services.
- c. The Governing Board ratified the recommendation of the Superintendent/President granting a 7.5% **Personal Leave of Absence** without pay and with no effect on benefits, effective January 22, 2008, through May 23, 2008, to **Kelly Patrick**, Library Media Technician III, Library, to teach.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

13. **INFORMATION - RETIREMENTS**

- a. 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:

Regina Waack, Senior Counseling Support Specialist, Counseling Services, effective December 29, 2007. She has served Palomar College for 33 years from January 20, 1975, to December 28, 2007.

- b. 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 II** (receive the employer-paid health benefits as provided to active employees and eligible dependents until the retiree has reached the age of 65, dental for life) of the Retirement Health and Dental Plan approved by the Governing Board December 8, 1987:

Jo Anne M. Giese, Administrative Assistant, Administrative Services, effective March 1, 2008. She has served Palomar College for 18 years from December 11, 1989, to February 29, 2008.

14. **RATIFIED RESIGNATIONS**

MSC Nelson/Larson

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

- a. **Javier A. Williams**, Financial Assistance Specialist, Financial Aid, Veterans' & Scholarship Services, effective November 24, 2007 (last day of employment November 23, 2007).
- b. **Ronald E. Bonner**, Admissions Assistant, International Education, effective December 15, 2007 (last day of employment December 14, 2007).

The Vote was unanimous.

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, Faculty Senate President, reported that the faculty is finding it very difficult to continue working without a contract. He is fearful that the lack of a contract may jeopardize the relationship between the Faculty and the District.

2. **INFORMATION**

Report of the Palomar Faculty Federation

PFF co-President, Shannon Lienhart, submitted the following report:

"Trustees, what I would like to communicate to you tonight is the deep concerns that the PFF has with this administration's disregard for the collegial process, the public's right to oversee important policy and budget decisions, and most importantly your right, as publicly elected officials, to have knowledge of and deliberate over decisions that are rightfully and legally yours to make.

What I am talking about, of course, is the significant contract amendment for Mr. Terry Manges – an amendment that not only drastically alters his scope of duties, but also represents a substantial increase in pay. These are changes that go way beyond any reasonable definition of a simple roll-over of an existing contract – yet the administration is marketing it as such keeping it out of the public eye and off of the Board Agenda as a decision item.

This behind-the-scenes alteration of Mr. Manges' original contract is simply one in a string of similar concealed contracts where high-priced, high-level consultants are placed in administrative positions outside of the shared governance system, the public view and without specific board approval. So far, we have discovered two mechanisms that this administration uses to conceal these hires. One is the 60-day contract renewal item, in which individual contracts do not appear on the agenda, but rather, they are listed in an attachment to the agenda and are therefore invisible to the public. Unless a member of the public is suspicious or curious enough to actually ask for all attachments, they would never know that these contracts are coming up for renewal. The 60-day contract renewal

item was intended to streamline the day-to-day, routine contract renewal process, not to hide important, controversial, and costly administrative decisions. Yet, this is exactly how this administration justified renewal of the now 6-year term of an "interim" director of IS to the tune of \$240,000 per year despite public debate the previous year and a request from Trustee Chadwick to have the item come before the board each year. And this is exactly the mechanism that the administration is using to justify not placing the significant alteration of Mr. Manges' contract on this board agenda.

The PFF is aware of one other administrative level consultant that was hired using the "short-term employees" list. Generally reserved for student workers and other fairly low-wage employees, this list is deemed routine and insignificant enough to have as an attachment to the agenda and is therefore not a list that the public ever sees unless they ask for the attachment. This list was never intended to be used to hire VP level administrative staff that makes over \$100 per hour as is the case with Mr. Neumyer. And yet, this is exactly the way Mr. Neumyer has been employed by the district. And although this practice may or may not be legally dishonest, it is certainly ethically and morally dishonest. The public, the college community, you – the trustees, and the chancellor's office all have a right to know that these executive level employees are employed by the college, the capacity at which they are employed, and the amount of money the District is spending on them.

This issue has been raised in many, many shared-governance meetings by numerous members of the campus community over the last few months. Therefore, when President Deegan says that he simply "forgot" to mention this contract at the Strategic Planning Council or at the Board agenda meeting, when President Deegan claims that he had no idea that the campus would care about this issue, we do not believe him. It is not credible for him to make these statements after we have voiced our concerns time and time again. What we do believe is that he does not care that we care.

If Deegan had bothered to ask or even inform us that this was happening, we would have raised questions before this decision was made.

Why do we even have to hire an interim in this case? It seems like a waste of money. Money that could be going into the classroom is yet again diverted to administration when there is no demonstrated need.

Perhaps the classified staff would have asked how someone can be employed as an "impartial" consultant for the reclassification study and in an interim administrative capacity as well.

But we were not given the opportunity to ask these questions before the contract was assigned and neither were you. The fact that Deegan did not even announce this to the college or those in leadership positions and did not place this item on the Board Agenda until he was barraged with public emails of protest demonstrates that he never intended to allow us or you to ask those questions. It is also perfectly clear that he did not want to give you, the trustees of this college, the right to make or decline this decision. President Deegan informed us that this item will come to the governing board in January as an attachment to the agenda. By then it will be a done deal. But on Friday it wasn't a done deal. The contract had not been signed yet and the date on the contract was yesterday – one day before you would meet as board. I called President Deegan on Friday night and asked if he would postpone the start date of the contract until tomorrow (only 2 days) to allow for you, the board to deliberate on this case. His answer was "No." Flat out "no."

This contract was a complete end-run around all of the members of the campus community, the public, and most important of all, you – the trustees. He has made it perfectly clear that he has no intention of allowing you to deliberate and consider these decisions.

When the administration acts in ways that are this clearly non-transparent, it creates a climate of mistrust on campus. People begin speculating about possible hidden motives or agendas. We cannot allow this kind of secretive and non-collegial decision-making

practice to become precedent. I am asking you to please remind President Deegan that he answers to you, the officials elected by the people in this district to oversee the governing of this institution and that this institution is funded by taxpayer's money. Money that needs to go to the classroom, not to an ever increasing, bloated, and unnecessary levels of administration. President Deegan needs to be reminded that the public elected trustees to oversee the governing of the college and that administrative decisions need to be open and available for public scrutiny, discussion, and debate."

At this time, President Deegan reiterated that no policy of the District was breached in any way, and every detail was followed in accordance with District Policy.

3. **INFORMATION**

Report of the Administrative Association

Administrative Association President, Laura Gropen, acknowledged the members of the Administrative Association for their hard work during the semester. Given the hardships that the campus has faced, many administrators have worked very hard to keep things moving forward. She reported on her participation at a meet and confer meeting, which included issues regarding the timing of the classification study and shortening of the timeline. Lastly, she announced that a new website will be unveiled in support of improved communication among their members.

4. **INFORMATION**

Report of the Confidential and Supervisory Team

On behalf of the Confidential and Supervisory Team, Josie Silva wished everyone happy holidays.

5. **INFORMATION**

Report of the CCE/AFT

CCE President, Neil Kovrig, submitted the following report:

"The CCE/AFT is very disturbed by the pattern that has developed regarding the District's approach to Negotiations and to the shared governance and sunshining process. A number of items have arisen that have diminished the CCE's expectations of fair and equitable Negotiations proceedings, as well as the completion of the Classification Study to the satisfaction of the Unit. Witness the following:

The modification of the contract of Terry Manges, to serve to fill in at Human Resources during John Tortarolo's absence over the next six to eight weeks represents, to the CCE, a major conflict-of-interest with regard to the Classification Study. Mr. Manges hiring as a Project Manager for the Study included the understanding that his position would remain separate from District influence – that is to say, he would refer questions from the Steering Committee (which has met with shocking infrequency, perhaps due to deliberate obfuscation on the part of the District, as it is the District who scheduled such meetings) to Human Resources. With Mr. Manges serving as Interim-whatever for HR, to whom would he refer such questions? *That* question remains unanswered, unless someone would deign to provide us with a response this evening.

Furthermore, the conduct of Negotiations with the CCE is questionable at this point with Mr. Tortarolo's absence. On 6 December, the following letter was transmitted to President Deegan, VP Tortarolo, and the members of the Board: (letter was read at this point)

This afternoon, the following response was received from the District, in the person of President Deegan: (District response letter was read at this point)

There is a suspicion that the District is attempting to settle matters with other constituencies prior to addressing the CCE's proposals – this is a significant problem, as our units must, by law, be considered separately yet equally.

And while Dean Vernoy's experience is appreciated, there has been a demonstrated lack of decision-making authority in our negotiations sessions.

It is the CCE's unequivocal position that to provide other constituencies with empowered representatives – that is, those who can make decisions at the table – and fail to provide our Unit with such courtesy is a blatant violation of good faith negotiations. It also demonstrates to the CCE that the District is unwilling to consider the CCE as anything more than, as it once was so colorfully put, "fleas on the dogs' back." I daresay that this College, and indeed the District entire, would fail to operate with any sense of effectiveness without the collective efforts of the Classified Staff, and to treat that same staff in such a unabashedly inequitable manner is reprehensible and utterly inexcusable. Therefore, it is the position of the CCE that an Unfair Labor Practice charge will be filed with the California Public Employees Relation Board, for investigation and hopeful resolution to these matters, and many others which have arisen over the course of our relationship with the District.

It is our hope, then, that the District would cease to consider its Classified staff as plebians – second-class citizens who are simply along for the ride. We are, without a doubt, one of the prime reasons why this college is as successful as it is, in concert with our faculty colleagues and those members of the administration who have chosen not to hide behind the Iron Curtain of shadow politics."

6. **INFORMATION**

Report of the Associated Student Government

ASG President, Jesse Lyn, reported that ASG is working on its bylaws and procedures. ASG is also working on the Student Union reconfiguration. For the evening students, ASG is hosting a Coffee House Night, which includes music, free coffee, hot chocolate, and cookies. Welcome days are scheduled on January 22 and 23. She is looking forward to another wonderful semester.

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

N. **NEW BUSINESS**

1. **REJECTED CLAIM**

MSC Chadwick/Nelson

BE IT RESOLVED, That the Governing Board of the Palomar Community College District rejected the portions of the claim, after April 28, 2007, for damages filed by John Erickson and refers it to the District's Claim Administrator for handling. All claims prior to April 28, 2007, are deemed late and will be returned to the claimant's attorney as untimely.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

2. **AUTHORIZE BUSINESS PROCEDURES**

MSC Larson/Chadwick

The Governing Board approved that the following business procedures be authorized, effective December 12, 2007:

- a. Additional person designated to ascertain and certify that **each employee of the District has taken the Oath of Allegiance** required by Government Code Section 3100 et seq., Chapter 8 Division 4, Title 1:

DEBORAH S. ALLEN

- b. Additional persons designated to ascertain and certify that each **employee of the District meets I-9 regulations**:

DEBORAH S. ALLEN

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

3. **RATIFIED CHANGE ORDER #1 FOR HP-UX SERVER AND COMPATIBLE DATA STORAGE DEVICES BID # B-8003**

MSC Larson/Chadwick

The Governing Board ratified Change Order #1 in the amount of \$2,788.57 pertaining to Bid #B-8003 for HP-UX Server and Compatible Data Storage Devices. The original contract with **Abtech Systems, Inc.**, was ratified by the Governing Board on November 13, 2007, for a total amount of **\$244,685.70**, which consisted of \$215,623.70 for equipment and \$29,062.00 for Year #1 equipment maintenance costs.

This change order was requested on November 14, 2007, by Don Sullins, Interim Director, Information Services, in order to add another (redundant) SB1404-10AJ-E SANbox 1400 4GB fabric 10 port switch to the Engenio 3994 storage system configuration. According to Mr. Sullins, the original specifications only included one switch, and although the server/storage unit connections are adequate, the one switch is a single point of failure; Abtech strongly recommended that the District add the additional switch. Funding for this Change Order #1 is from Prop M Funds.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

4. RATIFIED CONTRACT WITH 3-D STAGE LIGHTING, INC., FOR AWARD OF BID #B-8004 FOR THE D-10 DIMMER RACK PROJECT

MSC Chadwick/Nelson

The Governing Board ratified the contract between the District and 3-D STAGE LIGHTING, INC., for award of Bid #B-8004 for the D-10 Dimmer Rack Project as follows:

Awarded Vendor	Total Contract/Purchase Order Amounts, including Tax For the January, 2008 Delivery/Install Timeframe	Contract Award Date
3-D STAGE LIGHTING INC. 2335 University Avenue San Diego, CA 92104	Total for Equipment	\$ 11/20/2007
	Sales Tax on Equipment	21,133.13
	Lump Sum Total for all Labor/Service to Perform Complete Installation of the equipment, including all applicable taxes.	\$ 1,637.82
	Total:	\$ 9,820.00
		32,590.95

The above vendor responded to the District's request for bids for the D-10 Dimmer Rack Project for the Performing Arts Department as detailed in Exhibit N-4, and was found to be the lowest responsive bidder for both of the possible delivery/installation timeframes of either January, 2008, or March, 2008. The Performing Arts Department has selected to have the equipment delivered and installed between January 2, and 11, 2008. Funding for the equipment purchase and installation is from Foundation Grants. **EXHIBIT N-4**

The Vote was unanimous.
 Student Trustee Advisory Vote: Aye

5. APPROVED FIELD COURSE TO SANTA CATALINA FIELD FOR SPRING 2008 AND AUTHORIZATION TO CONTRACT WITH VENDORS

MSC Larson/Chadwick

The Governing Board approved Life Science & Earth Science's Spring 2008 (March 27, 2008 – March 30, 2008) field course to Santa Catalina Island. The following courses shall be offered during the field course: (a) Biology 195A, Field Studies in Natural History, 1 unit; (b) Biology 195B Field Studies in Ecology, 1 unit; (c) Biology 195D, Field Studies in Island Ecology, 1 unit; (d) Biology 195F Field Studies in Animal Ecology, 1 unit and (e) Geography 195 Regional Field Studies in Geography, 1 unit.

All agreements and contracts necessary to carry out this spring field course to Santa Catalina Island are authorized between the District and the following vendors: (a) Catalina Express (b) Two Harbors Cabins (c) Two Harbors Dive & Recreation Center (d) Safari Bus. Advance deposits, if necessary, by these vendors are authorized. The estimated cost per student is \$165.00.

The Vote was unanimous.
 Student Trustee Advisory Vote: Aye

6. **AUTHORIZATION TO EXECUTE CONTRACT FOR NEW BID #B-8005 FOR UPGRADE TO THE DISTRICT'S WIDE –AREA NETWORK (WAN)**

MSC Chadwick/Larson

The Governing Board authorized Bonnie Ann Dowd, Vice President, Finance & Administrative Services, or Ken Jay, Director, Business Services, to execute a contract with one of the three lowest responsive bidders for the upcoming Bid #B-8005 for an upgrade to the District's Wide-Area Network (WAN). In order to allow lead time for the equipment and installation, it is necessary to award a contract as soon as possible after the bid opening. The contract award(s) will be brought back to the Governing Board for ratification at a future Governing Board meeting. **EXHIBIT N-6**

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

7. **APPROVED STUDENT REPRESENTATIVE TO THE INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE**

MSC Larson/Nelson

The Governing Board of the Palomar Community College District approved **Pulkit Kanotra**, to the Independent Citizens' Oversight committee under the category of **Student Representative**, replacing Jesse Lyn.

The Vote was unanimous.
Student Trustee Advisory Vote: Aye

8. **INFORMATION: DUTIES ASSIGNED DURING TEMPORARY ABSENCE OF VICE PRESIDENT, HUMAN RESOURCE SERVICES**

John Tortarolo, Vice President of Human Resource Services, will be away from the college for a few weeks due to medical reasons. During his absence, certain activities will be temporarily overseen as follows: PFF negotiations by **David Larsen**, Esq., Rutan and Tucker; CCE negotiations by **Mark Vernoy**, Dean, Social and Behavioral Sciences; daily Human Resource Services operational activities by **Debbie Allen**, Director, Human Resource Services; and **Terry Manges**, consultant.

O. **BOARD REQUESTS FOR REPORTS**

1. Review Contract Procedure (Chadwick)
2. Emergency Procedures Status Report (Evilsizer)
3. Policy for Students off campus, i.e. field trip or long term (Nelson)

P. **RECESS TO CLOSED SESSION** – No additional session needed.

R. **ADJOURNMENT**

The meeting was adjourned at 7:45 p.m.