



**APPROVED 10/14/2008**  
**GOVERNING BOARD MINUTES**  
**SPECIAL MEETING OF THE GOVERNING BOARD**  
**DATE: SEPTEMBER 30, 2008**  
**TIME: 4:00 P.M.**  
**PALOMAR COMMUNITY COLLEGE DISTRICT**  
**PRESIDENT'S CONFERENCE ROOM, LL-204**  
**1140 WEST MISSION ROAD**  
**SAN MARCOS, CALIFORNIA**

**I. CALL TO ORDER:**

Board President, Darrell McMullen, called the regular meeting of the Palomar Community College District Governing Board to order at 4:04 p.m.

**II. ROLL CALL:**

**TRUSTEES PRESENT**

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

**TRUSTEE ABSENT**

RUTH LARSON, M.D., VICE PRESIDENT

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

**STAFF PRESENT**

Josie Silva, Executive Assistant to the Superintendent/Governing Board

**III. PUBLIC COMMENTS:** There were none.

At this time, it was **MSCU Nelson/Chadwick** to move item **V. CLOSED SESSION** forward on the agenda.

**V. RECESSED TO CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:**

The Board went into Closed Session at 4:05 p.m., to discuss:

- C. Public Employee Discipline/Dismissal/Release, pursuant to Government Code §54957 et seq.
- D. Conference with Real Property Negotiator, pursuant to Government Code §54956.8.
  - 1. Discussion of potential sites in the southern portion of the District.
- A. Conference with Legal Counsel - Existing Litigation, pursuant to Government Code §54956.9a. County of San Diego vs. Palomar Community College District
- B. Conference with Legal Counsel - Anticipated Litigation, pursuant to Government Code §54956.9: One (1) case

**THE BOARD RECONVENED TO OPEN SESSION AT 5:37 P.M.**

**IV. NEW BUSINESS:**

- A. RATIFIED PROFESSIONAL SERVICES AGREEMENT WITH ALLEN MATKINS, ATTORNEYS-AT-LAW FOR PERIOD OF SEPTEMBER 23, 2008 – SEPTEMBER 30, 2008; APPROVE PROFESSIONAL SERVICES AGREEMENT WITH ALLEN MATKIN, ATTORNEYS-AT-LAW, EFFECTIVE OCTOBER 1, 2008**

MSC Chadwick/Nelson

The Governing Board ratified an agreement with Allen Matkins, Attorneys-at-Law, 501 West Broadway, 15<sup>th</sup> Floor, San Diego, CA 92101-3541, for services rendered for the period of September 23, 2008–September 30, 2008. Furthermore, the Governing Board approves an agreement with Allen Matkins, Attorneys-at-Law, effective October 1, 2008.

Allen Matkins will provide specialized legal services in land use and environmental matters concerning the North Education Center. Services will be provided on an as-needed basis at the rate of \$470.00 per hour plus expenses and paid through Prop M funds. **EXHIBIT IV-A**

The Vote was unanimous.

**VI. NEW BUSINESS- PART II:**

- A. APPROVED PROFESSIONAL SERVICES AGREEMENT WITH MEYERS ALLISON, LLP, FOR FACT-FINDING INVESTIGATION OF EMPLOYMENT-RELATED COMPLAINTS**

MSC Chadwick/Nelson

The Governing Board approved an agreement between Palomar Community College District and Meyers Allison, LLP, 4199 Campus Drive, Suite 550, Irvine, CA 92612; to conduct a fact-finding investigation of employment-related complaints and provide advice and counsel to the District's Vice President, Human Resources, on an as-needed basis at the rate of \$225.00 per hour. **EXHIBIT VI-A**

The Vote: 3 Ayes (Chadwick, Nelson, McMullen); 1 Abstain (Evilsizer)

- B. APPROVED PROFESSIONAL SERVICES AGREEMENT WITH JEFFREY B. LOVE, ATTORNEY-AT-LAW, JEFFREY B. LOVE & ASSOCIATES, LLC, FOR FACT-FINDING INVESTIGATION OF EMPLOYMENT-RELATED COMPLAINTS**

MSC Chadwick/Nelson

The Governing Board approved an agreement between Palomar Community College District and Jeffrey B. Love, Attorney-at-Law, Jeffrey B. Love & Associates, LLC, PO Box 22, Trabuco Canyon, CA 92678, to conduct a fact finding investigation of employment related-complaints at the rate of \$130.00 per hour plus expenses. If District requires Jeffrey B. Love Y Associates, LLC, to provide testimony at any hearing, deposition, or trial relating to the fact finding investigation, the fee is \$250.00 per hour (4-hour minimum) plus expenses. **EXHIBIT VI-B**

The Vote was unanimous.

VII. **RECESS TO CLOSED SESSION:** No additional session needed.

IX. **ADJOURNMENT:** (This item was incorrectly numbered on agenda.)

The meeting was adjourned at 5:44 p.m.

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Darrell L. McMullen  
President

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Nancy C. Chadwick  
Secretary