

**PALO VERDE COMMUNITY COLLEGE DISTRICT**

**REGULAR MEETING**

**BOARD OF TRUSTEES**

One College Drive in Blythe – CL 101

*(and Teleconference held at 725 West Broadway in Needles-Classroom #8)*

**Tuesday, March 27, 2012**

**5:00 p.m.**

**Meeting 12-06**

**MINUTES**

**OPENING OF MEETING**

The Regular Meeting of the Board of Trustees was called to order by the President of the Board, Mr. Gonzales at 5:00 p.m.

The Salute to the American Flag was led by Mr. Lewis, Clerk of the Board.

**ACTION ITEM**

**Resolution 12-06 D-10 – APPOINTMENT OF STUDENT TRUSTEE (GREGORY)**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees accepts the recommendation from the Associated Student Government and appoints Frannie Gregory as Student Trustee for the remainder of the Academic year 2011-2012.

Student Trustee	<u>Not sworn in</u>	Edmond	<u>YES</u>	Rodriguez	<u>YES</u>
Arneson	<u>YES</u>	Gonzales	<u>YES</u>	Thomas	<u>YES</u>
Burton	<u>YES</u>	Lewis	<u>YES</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent \_\_\_\_\_

Mr. Gonzales, President of the Board of Trustees, pronounced the Oath of Office for the Student Trustee, Frannie Gregory.

**Roll Call**

Present: Ed Gonzales, President (by ITV from Needles Center)  
 Millie Rodriguez, Vice President  
 Jerry Lewis, Clerk of the Board (by ITV from Needles Center)  
 Ted Arneson, Trustee  
 Sam Burton, Trustee  
 Lincoln Edmond, Trustee  
 George Thomas, Trustee  
 Frannie Gregory, Student Trustee

Administrators Present: Denise Whittaker, Interim Superintendent/President  
 Diana Rodriguez, Vice President of Student Services  
 William Smith, Vice President of Instructional Services

Recorder: Carrie Mullion, Administrative Assist to Superintendent/President

(These minutes are a concise summary of reports, discussion and actions taken at this meeting. For detailed comments and discussion, a tape is available to the public for 30 days after the date of this meeting.)

Visitors: On file in the Superintendent/President's Office.

It was moved by Mr. Lewis, seconded by Ms. M. Rodriguez, and unanimously carried, that the Minutes of the Regular Meeting of February 28, 2012 be approved.

It was moved by Mr. Edmond, seconded by Mr. Burton, and unanimously carried, that the Minutes of the Special Meeting of March 6, 2012 be approved.

It was moved by Ms. M. Rodriguez, seconded by Mr. Burton, and unanimously carried, that the agenda be amended and approved as follows:

Information Item - Ironwood State Prison has identified June 4, 2012 as their graduation date. Board members wishing to attend will meet at the College at 7:30 a.m. to carpool and the commencement will begin at 9:00 a.m.

Public Notice/Hearing – MOU with CSEA to close the College for Spring Break.

Consent Item - Resolution 12-06 C-10; add Laura Garcia, Instructional Services Secretary, effective April 25, 2012 – Acceptance of Palo Verde Community College District Resignation Incentive Plan.

Consent Item - Resolution 12-06 C-14; amend the Voluntary Reduction from 12 month assignment to delete 11 months as an option.

**ITEMS FOR DISCUSSION IN CLOSED SESSION** (AT END OF MEETING WITH NO REPORTABLE ACTION ANTICIPATED)

1. Conference with Legal Counsel – Existing Litigations pursuant to Government Code Section 54956.9(a) Palo Verde Community College District v. Western Insurance Company.
2. Superintendent/President Search.
3. Public Employee Discipline/Dismissal/Release.

**HEARING OF CITIZENS (AGENDA ITEMS)**

None.

**PUBLIC NOTICE/HEARING**

1. District Proposal to Sunshine the Initial Bargaining Agreement Proposal of the Palo Verde Community College District for a Successor Agreement with the Palo Verde Community College Association CCA/CTA/NEA for the year beginning July 1, 2012. *Ms. Whittaker stated this will commence immediately.*

Public Notice/Hearing opened at 5:11 p.m.

There were no comments.

Public Notice/Hearing closed at 5:12 p.m.

2. Memorandum of Understanding with CSEA to close Palo Verde College for Spring Break, April 2-4, 2012 (*see Resolution 12-06 D-17*).

Public Notice/Hearing opened at 5:13 p.m.

There were no comments.

Public/Notice Hearing closed at 5:14 p.m.

**PRESENTATION (5:15 p.m.)**

Don Averill of Professional Personnel Leasing, Inc. (PPL) provided a presentation on the search process for Superintendent/President. PPL works with several doctoral programs and has sources in professional associations throughout the nation. Mr. Averill stated that much of the search process will be on the Palo Verde College website. There will be an electronic application process and links to community websites.

## **PRESENTATION (continued)**

A Superintendent/President Search packet with handouts was provided. Mr. Averill provided an explanation and there was discussion on the Superintendent/President Salaries. Mr. Averill stated that the tentative timeline for the search process could change slightly, in which case the Board of Trustees will be informed.

There was discussion regarding the search committee. Mr. Averill explained that there are 2 ways to identify the search committee and it's process:

1. Board identifies the number of representatives they want on the search committee, and authorizes the Superintendent/President to make those contacts and appointments. This allows the search committee to meet without being subject to the Brown Act and allows flexibility.
2. If the board approves the representatives of the search committee, (individually, as a board), then the total search process has to be conducted under the Brown Act.

A motion was made by Mr. Lewis, and seconded by Mr. Arneson to authorize Ms. Whittaker, Interim Superintendent/President, to appoint representatives for the Superintendent/President search committee. A roll call vote was taken and unanimously carried.

Discussion occurred regarding the number of representatives to be appointed to the search committee by Ms. Whittaker. Mr. Averill stated search committees are usually between 11-18 people. Mr. Arneson and Dr. Thomas will be the representatives on the committee for the Board of Trustees. A recommendation was made by Ms. Whittaker, and accepted by the Board of Trustees, that the composition of the remainder of the search committee be discussed at the College Council meeting on April 10, 2012, and then the proposal from College Council will be presented to the Board of Trustees.

Ms. Whittaker suggested that the search committee representatives consist of:

Board of Trustees (2)

Faculty (2)

Classified (2)

CTA (2)

Management (2)

Student (2)

Community (2)

Foundation (1)

Discussion occurred regarding the number of applicants that will be forwarded to the Board of Trustees for final selection interviews. The Board of Trustees approved a minimum of 3 candidates to be considered for final selection interviews, however, the Board of Trustees would consider less than 3 for extenuating circumstances.

Mr. Averill provided an explanation and there was discussion of ranked and unranked candidates that will be submitted to the Board of Trustees.

A motion was made by Mr. Arneson, and seconded by Mr. Edmond, that the candidates for Superintendent/President be presented to the Board of Trustees in unranked order. A roll call vote was taken and unanimously carried.

Mr. Averill provided clarification and there was discussion regarding the Palo Verde Community College District Statement of Executive Search which will be submitted for press release.

## **PRESENTATION (continued)**

A motion was made by Mr. Lewis, and seconded by Ms. M. Rodriguez, to approve the Palo Verde Community College District Statement of Executive Search press release with the edit on item #4 of the press release – “Present a final list of 3-5 unranked candidates to the Board of Trustees.” A roll call vote was taken and unanimously carried.

Mr. Averill provided clarification of the importance of maintaining confidentiality with the candidates up until the final selections, at which time public announcements will be made. Mr. Averill then stated that PPL operates under the Fair Credit Reporting Act. The candidates will be assured that PPL is the sole company doing the background check. PPL will ask all the members of the search committee to sign a confidentiality statement in order for the candidates to feel free to be in the search pool.

Ms. Whittaker then referred to The Governing Board of the Palo Verde Community College District Invites Applications and Nominations for the Position of Superintendent/President draft document, and there was discussion. Mr. Averill stated that he will add anything that the Board of Trustees would like to the draft document, and then this will be converted to a job announcement. Mr. Averill and Ms. Whittaker commended faculty and staff on their Special Message to Prospective Candidates. Mr. Averill stated he will be working closely with Ms. Mitchell, Palo Verde College Human Resource Manager, in order to decide how to handle paperwork. All the candidates will get their information directly from PPL.

Ms. Whittaker recommended that the candidate be made aware that in addition to a background check, a credit check may occur. Mr. Averill explained that a 3 point credit check can be expensive and the cost would have to be absorbed by Palo Verde College District. Discussion occurred regarding social network background check. Mr. Averill stated a quick background check of the 10-11 candidates that the screening committee is going to interview will be done, and then an in depth background check will be done on the 3-5 candidates that will be interviewed by the Board of Trustees.

## **REPORTS**

### **Associated Student Government**

Ms. Gregory, Student Trustee, provided the following report:

1. ASG Talent Show will be Friday, April 27, 2012 at 6:00 p.m.
2. Elections for ASG officers will be held in May.
3. ASG Volleyball Tournament will be held in May.

### **Academic Senate**

Mr. Castillo, President of Academic Senate, provided the following report:

1. Academic Senate approved equivalency for the following: Lupita Andrade-Sociology, Irma Dagnino-Alcohol and Drug Studies, Carlos Medina-Sociology, Hortensia Rivera-Alcohol and Drug Studies, Stephanie Slagan-Office Technologies. These names will be submitted for approval by the Board of Trustees at their next regular meeting.
2. Ms. Whittaker provided Academic Senate an overview of the final draft of the Stability Plan Report. Mr. Castillo thanked Ms. Whittaker for her guidance through this process, and strongly recommended that the Board of Trustees approve the Stability Plan that will be submitted to the Chancellor’s Office and Accrediting Commission.

### **CSEA**

Not present for this meeting.

## **REPORTS (continued)**

### **CCA/CTA**

Mr. Copple, President of CCA/CTA, provided the following report:

1. A colleague from another college sent a letter to their constituents giving updates of the status of colleges in California which indicated Palo Verde College was ranked #1 in most likelihood to close. This caused great concern among Palo Verde College CCA/CTA and the Interim Superintendent/President. Mr. Copple immediately called CCA/CTA and has received a retraction.
2. CCA/CTA approval of the Stability Plan Report that will be sent to the Chancellor's Office and the Accrediting Commission.
3. March 15 notices have been received. Faculty has responded and requested hearings. CCA/CTA attorneys have been in contact with Ms. Whittaker.
4. Continuing to work on negotiations.

### **Superintendent/President**

Ms. Whittaker, Interim Superintendent/President, provided the following report:

1. Thanked Palo Verde College community for their collaboration, time and effort that was put into the Stability Plan Report. It is anticipated an addendum report will be submitted by June 1, 2012. The Accrediting Commission will be visiting Palo Verde College within the next 3 weeks.
2. Ms. Whittaker will be on vacation beginning tomorrow and will return to the office on April 9, 2012.
3. This is Diana Rodriguez last board meeting. Thanked Ms. Rodriguez for her dedication and service to Palo Verde College, and wished Ms. Rodriguez good luck.

### **Diana Rodriguez, Vice President of Student Services**

Ms. Rodriguez provided the following report:

1. Expressed appreciation to Student Services counselors, faculty and staff for accomplishing 93% of the goals that were set for this year.
2. ASG is gaining momentum in leadership and hosting fantastic events. Commended Robin Marsh for encouraging students to apply for scholarships, Jaclyn Randall in hosting the first Palo Verde College Blood Drive, and Frannie Gregory accepting the position of Student Trustee in the middle of the academic year. These are just a few examples of the tremendous students that are involved in ASG.
3. Thanked Admission and Records for all their hard work in making CCC Apply a reality, in addition to all their other duties that needed to be done.
4. Commended EOPS for significantly raising the overall GPA's of EOPS students.
5. Expressed appreciation for all those involved in working on SLO's.
6. Commended Financial Aid for no significant student complaints for two years.
7. Commended DSP&S for the great job in preparing students to attend national conferences.
8. There has been an increase in transfer students, and the number of articulation agreements.
9. Student Services has secured 3 major grants in the last three years.
10. Expressed appreciation in working with all the faculty and staff, and thanked faculty and staff for the support they have given to Student Services.
11. Most proud of all the students that have graduated.
12. Thanked the Board of Trustees for hiring her.
13. Thanked Ms. Whittaker for her tremendous leadership in the past months.
14. Expressed appreciation to Mr. Smith, Vice President of Instructional Services.
15. Expressed appreciation to Palo Verde College Community.

## **REPORTS (continued)**

### **William Smith, Vice President of Instructional Services**

Mr. Smith provided the following report:

1. Continuing to work on the Fall Schedule.
2. Program Review Committee has been meeting weekly, and reviews have been completed for Math, Chemistry, Psychology, and Geo Sciences.
3. Group II money that is used for purchasing equipment for the Fine and Performing Arts Complex has almost been completely spent. Palo Verde College has not yet taken possession of the Fine and Performing Arts Complex.
4. Mr. M.L. Bettino, Title III Grant Coordinator, has started working.
5. Thanked Ms. Diana Rodriguez for the pleasure of working with her.

### **Cristen Mann, Director, Needles Center**

Ms. Mann provided the following report:

1. Preparing for EOPS second contacts.
2. Mr. LaVigne from DSP&S will be traveling to Needles Center to test and meet with students.
3. BNSF Railroad is using a classroom at the Needles Center.
4. Spoke to Needles High School Counseling Department to coordinate students taking a field trip to the Needles Center to take the College Placement Test. This would also allow these students to enroll before they go on their summer break.

### **Board of Trustees Comments and Discussion**

Mr. Gonzales thanked Ms. Diana Rodriguez for her dedication to Palo Verde College and for her services that she has provided to students. Mr. Gonzales stated that Ms. Rodriguez will be missed greatly and wished her much luck. Mr. Gonzales said he is grateful and honored to see the work of the whole College community, and especially thanked College Council, Budget Committee, and Ms. Whittaker for addressing the concerns of the Chancellor's Office and the Accrediting Commission.

Ms. Millie Rodriguez thanked Ms. Diana Rodriguez for being a valuable asset to Palo Verde College and for her years of service. Ms. Millie Rodriguez expressed appreciation to the Palo Verde College community and Ms. Whittaker for their hard work in writing the Stability Plan Report.

Mr. Lewis expressed appreciation to the Palo Verde College community and Ms. Whittaker for all their efforts and dedication to improving the situation with the College. Thanked Ms. Diana Rodriguez for all her wonderful work in Blythe and at the Needles Center. Mr. Lewis invited everyone to come to the Rodeo in Needles, April 13-14, 2012.

Mr. Arneson commended the strength of faculty and staff for working together and getting work done. Also thanked and wished Ms. Diana Rodriguez well in her new position, and thanked all those faculty and staff who are leaving. Mr. Arneson stated he will remember with fond memories the contributions that were made to Palo Verde College and the students of the Blythe community by all these individuals. Thanked all the faculty and staff for the sacrifices they have made.

Mr. Burton thanked Ms. Diana Rodriguez for her work, and stated that she will be missed. Also, thanked the College community and Ms. Whittaker for working together.

Mr. Edmond expressed appreciation to Ms. Diana Rodriguez, and the great work she has accomplished while at Palo Verde College.

Dr. Thomas agreed with all that has been said regarding Ms. Diana Rodriguez, and expressed appreciation to all those who will be leaving. Dr. Thomas wished everyone well in their future endeavors and encouraged everyone to keep working together to get things accomplished.

## **INFORMATION ITEMS**

1. Official State Prison Visitors Clearance form to attend functions at Ironwood State Prison (*shown loose in Board folders*).
2. Letter from Accrediting Commission for Community and Junior Colleges; Request for Business Community Contacts to Invite to Standards Review Hearings (*shown loose in Board folders*).
3. CCLC Report Brief, "Serving Students, Serving California: Updating the California Community Colleges to Meet Evolving Demands", from the Little Hoover Commission, February 2012 (*shown loose in Board folders*).
4. CCLC 2012 Annual Trustees Conference May 4-6, 2012 at the Sheraton Marina Hotel in San Diego, CA (*shown loose in Board folders*).
5. Out-of-State travel request for Biju Raman airplane flight from Phoenix, AZ to Sacramento, CA, to attend the Basic Skills Coordinator Workshop, April 13-14, 2012.
6. Out-of-State travel request for Linda Pratt airplane flight from Phoenix, AZ to Sacramento, CA, to attend the California Community College Financial Aid Directors Training, April 25-27, 2012.
7. **(Added as an amendment to the Agenda)** Ironwood State Prison has identified June 4, 2012, as their graduation date. Board members wishing to attend will meet at the College at 7:30 a.m. to carpool. The Commencement will begin at 9:00 a.m.

## **CONSENT RESOLUTIONS**

### **B. BUSINESS**

#### **Resolution 12-06 B-17 - CONSULTANT AGREEMENT (GALLAN)**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the Agreement for Consultant Services for Louise Gallan, of Parker, Arizona, to provide North American Board of Certified Energy Practitioners (NABCEP) services to oversee testing, including collecting and submitting Candidate Eligibility information from all student registered in the course, ordering/obtaining/copying the exam, proctoring the exam, ensure testing standards and procedures are met, communication with NABCEP regarding the test, shipping the exam and other testing materials after the testing and providing score reports to the Instructor. The testing will be conducted on Thursday, March 29, 2012. Payment will be funded by the Green Jobs Grant Sub Agreement. Amount not to exceed \$560.00.

#### **Resolution 12-06 B-18 - CONSULTANT AGREEMENT (OCHENREIDER)**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the Agreement for Consultant Services for David E. Ochenreider (DEO Enterprises) of Pahrump, Nevada, to provide training services on the Solar Power Generation, covering utility-scale applications of solar photovoltaics (PV) and concentrating solar power (CSP), focusing on CSP system theory, design, operation, maintenance, and construction. The training will be conducted over four days, scheduled on or about April 9-12, 2012, five hours per day from 12:30 to 5:30 p.m., in an amount not to exceed \$4,000. Payment will be funded by the Green Jobs Grant Sub Agreement.

### **C. PERSONNEL**

#### **(Academic)**

#### **Resolution 12-06 C-09 – VTEA EXTRA DUTY ASSIGNMENT (RHOADES)**

BE IT RESOLVED, that the Palo Verde Community College District Board of Trustees ratifies extra duty assignment for Michael Rhoades to oversee the District VTEA program per CTA contract provisions, at a rate of \$37.66 per hour, as needed, not to exceed 75 hours, to be paid from VTEA funds, effective March 12, 2012.

**CONSENT RESOLUTIONS (continued)**

**(Academic Administrative/Academic/Classified Personnel)**

**Resolution 12-06 C-10 – ACCEPTANCE OF PALO VERDE COMMUNITY COLLEGE DISTRICT RESIGNATION INCENTIVE PLAN**

BE IT RESOLVED, that the Interim Superintendent/President accepts the Palo Verde Community College District Resignation Incentive Plan for the following Academic Administrative, Academic, and Classified Personnel:

<u>Name</u>	<u>Title</u>	<u>Effective Resignation Date</u>
Rodriguez, Diana	Vice President of Student Services	March 29, 2012
La Vigne, Steven	DSP&S Coordinator/Counselor/Director	July 1, 2012
Lin, Carina	Cooperative Work Experience/ Vocational Career Specialist	April 1, 2012
Ayala, Raul	Maintenance/Groundskeeper I	April 10, 2012
Currier, Erin	Administrative Services Technician	March 25, 2012
Richards, Corina	Executive Secretary, Vice President of Administrative Services	March 31, 2012
Garcia, Laura	Instructional Services Secretary	April 25, 2012

**(Student Personnel)**

**Resolution 12-06 C-11 – PART-TIME TEMPORARY STUDENT EMPLOYEES FOR SPRING SEMESTER 2012**

BE IT RESOLVED, that part-time temporary student employees (aides, interpreters, tutors, peer coordinator/counselors, and peer counselor/recruiters), as shown in Reference C-11, be approved for Spring Semester 2012.

**D. Miscellaneous**

**Resolution 12-06 D-11 – OPERATING ASG CLUB FOR 2011-2012**

BE IT RESOLVED, that the following Associated Student Government (ASG) Clubs – Traditional VN Program, National Society of Leadership and Success Palo Verde College Student Chapter- has completed the proper filing process in accordance with Board Policy and is conducting activities in the 2011-2012 academic year.

**Resolution 12-06 D-12 – APPROVAL OF PALO VERDE COLLEGE EMERGENCY RESPONSE PLAN**

BE IT RESOLVED, that Palo Verde College District Board of Trustees approves the Palo Verde College Emergency Response Plan, as shown in Reference D-12, and to utilize it as required during events or incidents of an emergency.

It was moved by Dr. Thomas, and seconded by Mr. Burton, that Consent Resolutions be approved.



**CONSENT RESOLUTIONS (continued)**

***(Blanket Motion)***

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**ACTION ITEMS**

**B. Business**

**Resolution 12-06 B-19 – CONSULTANT AGREEMENT PROFESSIONAL PERSONNEL LEASING, INC. (PPL) TO CONDUCT SUPERINTENDENT/ PRESIDENT SEARCH**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees ratifies the agreement for consulting services of Professional Personnel Leasing, Inc. (PPL), to assist the District in the selection of a Superintendent/President. This agreement will be in effect March 1, 2012, and end August 31, 2012 at the rate of \$24,000.00. The District will also reimburse PPL, Inc. for necessary reasonable expenses that will be approved before incurred, including but not limited to transportation, meals, lodging, for activities included in this agreement, not to exceed \$3,000.00, which may be increased by mutual agreement, as shown in Reference 12-06 B-19.

It was moved by Mr. Arneson, and seconded by Dr. Thomas, that Resolution 12-06 B-19 be approved.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**Resolution 12-06 B-20 – PALO VERDE COLLEGE FOUNDATION DRAFT AUDIT REPORT FROM LUND & GUTTRY, JUNE 30, 2011 AND 2010**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees accepts the independent auditor report and financial statements for Palo Verde College Foundation from Lund & Guttry, Certified Public Accountants, for fiscal year ending June 30, 2011 and 2010, as shown in Reference 12-06 B-20.

It was moved by Mr. Arneson, and seconded by Mr. Burton, that Resolution 12-06 B-20 be approved.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**ACTION ITEMS (continued)**

**Resolution 12-06 B-21 – BUDGET RESOLUTION FOR ALLOCATION AMOUNTS FOR CATEGORICAL PROGRAMS**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the proposed budget amounts for the Financial Aid, DSP&S, CalWORKS, and Matriculation (Credit & Non-Credit) programs were lower than that amounts given in the final allocation by the Chancellor's Office. A budget resolution is necessary to increase the allocation amounts for both the Extended Opportunity Programs and Services (EOP&S) and Cooperative Agencies Resources for Education (CARE) programs, as shown in Reference B-21. Final allocation amounts: BFA \$118,876, DSP&S \$126,269, CalWorks \$112,825, Matriculation (Credit) \$150,862, Matriculation (Non-Credit) \$18,499, TANF \$24,542. Amount to increase: BFA \$453, DSP&S \$10,996, CalWORKS \$3,061, Matriculation (Credit) \$7,839, Matriculation (Non-Credit) \$974, TANF \$254.

It was moved by Mr. Arneson, and seconded by Dr. Thomas, that Resolution 12-06 B-21 be approved.

Ms. Whittaker provided clarification and there was discussion on Resolution 12-06 B-21.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**Resolution 12-06 B-22 – BUDGET RESOLUTION FOR ALLOCATION AMOUNTS FOR EOP&S TEXTBOOK AUGMENTATION**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves a budget resolution to increase the allocation amounts for the EOP&S program to reflect a textbook augmentation, as shown in Reference 12-06 B-22. This is a one-time increase and will not require additional match requirement from the District. Amount to increase budget: EOP&S \$8,850.

It was moved by Mr. Lewis, and seconded by Mr. Burton, that Resolution 12-06 B-22 be approved.

Mr. Martinez, EOP&S Director/Counselor, provided clarification and there was discussion on Resolution 12-06 B-22.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**Resolution 12-06 B-23 – TEMPORARY LOAN FROM CAPITAL OUTLAY FUNDS**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves a temporary loan to the Unrestricted General Fund is necessary, not to exceed \$1,000,000, for cash flow purposes during the fiscal year 2011-2012 as follows and shown as Reference B-23.

WHEREAS, the governing board of the Palo Verde Community College District has determined that a temporary loan to the Unrestricted General Fund in the amount of \$1,000,000 is necessary for cash flow purposes during the fiscal year 2011-2012; and

**ACTION ITEMS (continued)**

WHEREAS, the governing board of the Palo Verde Community College District has sufficient funds in the Capital Outlay Fund to provide a temporary loan.

NOW, THEREFORE, BE IT RESOLVED that a temporary loan not to exceed \$1,000,000 be approved for the Unrestricted General Fund for the fiscal year 2011-2012 from the Capital Outlay Fund.

It was moved by Dr. Thomas, and seconded by Mr. Arneson, that Resolution 12-06 B-23 be approved.

Ms. Whittaker provided clarification and there was discussion on Resolution 12-06 B-23.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**Resolution 12-06 B-24 – RESOLUTION AUTHORIZING AND APPROVING THE BORROWING OF FUNDS FOR FISCAL YEAR 2012-2013**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves Resolution authorizing and approving the borrowing of funds for fiscal year 2012-2013; the issuance and sale of a 2012-2013 Tax and Revenue Anticipation Note therefore and participation in the Community College League of California Tax and Revenue Anticipation Notes Program.

It was moved by Mr. Arneson, and seconded by Dr. Thomas, that Resolution 12-06 B-24 be approved.

Ms. Whittaker provided clarification on Resolution 12-06 B-24.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**Resolution 12-06 B-25 – MAGIS ADVISORS, PUBLIC FINANCE CONSULTING AGREEMENT**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the recommendation of the Interim Superintendent/President and Fiscal Consultant C.M. Brahmhatt, that Timothy Schaefer, of Magis Advisors, be contracted to serve as the Certificates of Participation (COP) Financial Advisor. The primary responsibilities will include but are not limited to reviewing and assessing the District's current COP debt and advising the District as to the options for possible restructuring. Such services will be charged at a minimum of \$8,500 not to exceed \$12,000. Additional hours will have to be justified and submitted to the Board of Trustees for approval.

It was moved by Dr. Thomas, and seconded by Mr. Arneson, that Resolution 12-06 B-25 be approved.

Ms. Whittaker provided clarification and there was discussion on Resolution 12-06 B-25.

**ACTION ITEMS (continued)**

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**C. Personnel**

**(Academic Administrative)**

**Resolution 12-06 C-12 – EMPLOYMENT OF INTERIM VICE PRESIDENT OF STUDENT SERVICES (RAGAN)**

BE IT RESOLVED, that due to the unanticipated mid-semester resignation of the Vice President of Student Services, and due to the upcoming resignation of the Vice President of Instruction, to maintain supervision, program viability and continuity, and to provide the opportunity for the permanent Superintendent/President to determine his/her Vice President organizational structure, Palo Verde Community College District Board of Trustees approve the recommendation to hire Dr. Kay Ragan as Interim Vice President of Student Services effective April 9, 2012, or as soon as can be arranged, through December 31, 2012, renewable based on need, on the Academic Administrator's Salary Schedule, Row 7, Column 12, plus \$1000/month housing allowance and standard Vice President stipends.

It was moved by Mr. Lewis, and seconded by Ms. M. Rodriguez, that Resolution 12-06 C-12 be approved.

Ms. Whittaker provided clarification and there was discussion on Resolution 12-06 C-12.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**(Classified)  
(Confidential/Management)**

**Resolution 12-06 C-13 – APPROVAL OF VOLUNTARY PERMANENT REDUCTION TO 49% OF FULL-TIME EMPLOYMENT**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees accepts an incentive for non-teaching full-time employees to voluntarily reduce their permanent employment to 49% effective July 1, 2012. For those who participate in this plan, they will be paid their full salary and benefits through December 31, 2012 as a severance payment.

Justification for the Reduction Incentive Plan:

1. All options for reducing the non-teaching employees must be considered.
2. The reduction of non-teaching employees positively impacts the 50% law.
3. The College will save half of the employee's salary and 100% of their benefits beginning January 1, 2013 and for following years.

**ACTION ITEMS (continued)**

It was moved by Mr. Arneson, and seconded by Dr. Thomas, that Resolution 12-06 C-13 be approved.

Ms. Whittaker provided clarification and there was discussion on Resolution 12-06 C-13.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

***(The following Resolution was amended to delete 11 months as an option)***

**Resolution 12-06 C-14 – INCENTIVE PLAN FOR VOLUNTARY REDUCED ASSIGNMENT**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves Incentive Plan For Voluntary Reduced Assignment. This permanent reduction provides an incentive for full-time, non-probationary Classified, Management/Confidential, Administration, and Non-Teaching employees in good standing effective July 1, 2012, and who apply by April 20, 2012, with the approval of the Superintendent/President and the Board of Trustees, to voluntarily reduce their current, full-time assignment to one of the following permanent assignment options:

- 11 month assignment [equivalent to a 8.33% voluntary salary reduction with 4 weeks off during the summer or during the 12 month calendar year as determined and approved by the supervisor and the Superintendent/President].
- 10.5 month assignment with primary work period consistent with when students are in session [equivalent to a 12.49% voluntary salary reduction with 6 weeks off during the summer or during the 12 month calendar year based on operational need as determined and approved by the supervisor and the Superintendent/President].
- 10 month assignment with primary work period consistent with when students are in session [equivalent to a 16.65% voluntary salary reduction with 8 weeks off during the summer as determined and approved by the supervisor and the Superintendent/President].

Incentives and Conditions:

1. Employees will receive their full pay for their current assignment through December 31, 2012 even though they will be working their reduced assignment effective July 1, 2012.
2. The accrual of sick leave and vacation will be earned at the employee's regular assignment through December 31, 2012.
3. Exemption of potential salary reduction up to the level of the percent identified for the voluntary reduction: If salary reductions are negotiated due to the budget crisis, employees who voluntarily reduce their regular permanent assignment by the April 20, 2012 deadline will not be imposed additional salary reductions until such a time when the cumulative percent of salary cut reaches the level of the percentage cut assumed for the new reduced assignment.

**ACTION ITEMS (continued)**

Example: If an employee goes from 12 months to 11 months, that change is equal to an 8.33% salary decrease. If there is a 5% salary decrease negotiated for 2012-13, this employee would be exempt. The difference between the 8.33% and the 5% (= 3.33%) would be retained as “credit” towards future salary reductions. If a 4% salary decrease is negotiated at another time, the difference between the 4% and the prior credit balance would be applied (4% - 3.33% = 0.77%). The 11 month employee would be charged only 0.77%. Once the percent of the original voluntary reduction equals the cumulative percent of decreases over time, the difference and all future percentage cuts will be charged.

4. Employees will continue to earn sick leave and vacation accrual days at a prorated rate commensurate with the number of days worked beginning January 1, 2013.
5. Employees will earn their annual retirement credit based on their work-year assignment (no adverse impact).
6. There is no impact on Health Benefits.
7. \*Non-work days for 10 month assignments: July 2012 and June 2013.  
 \*Non-work days for 10.5 month assignments: Month of July; and 2 weeks in August or any combination of 2 weeks off based on operational need and the approval of the immediate supervisor and the Superintendent/President.  
 \*Non-work days for 11 month assignments: Month of July or any combination of 4 weeks off based on operational need and the approval of the immediate supervisor and the Superintendent/President.
8. After January 1, 2016 and pending funding availability, a request from the immediate supervisor to the Superintendent/President to reinstate a assignment to full-time 12 months, may occur, but not within the initial 3 years of this plan. Exceptions to this rule may apply based on critical operational need when approved by the Superintendent/ President and the Board of Trustees.

Justification for the Reduced Assignment Incentive Plan:

1. To reduce college expenditures, all options for reducing the employee salaries must be considered.
2. The reduction of non-teaching employee assignments positively impacts the 50% law.
3. The College will save 1/12<sup>th</sup> of the employee’s salary beginning January 1, 2013 and for no less than a 3 year period.

It was moved by Dr. Thomas, and seconded by Mr. Burton, that Resolution 12-06 C-14 be approved.

Ms. Whittaker provided clarification and there was discussion on Resolution 12-06 C-14.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**ACTION ITEMS (continued)**

**Resolution 12-06 C-15 – APPROVAL TO SUNSHINE INITIAL BARGAINING AGREEMENT PROPOSAL**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the Proposal to Sunshine the Initial Bargaining Agreement Proposal of the Palo Verde Community College District for a Successor Agreement with the Palo Verde Community College Association CCA/CTA/NEA for the year beginning July 1, 2012, as shown in Reference C-15.

It was moved by Mr. Arneson, and seconded by Mr. Burton, that Resolution 12-06 C-15 be approved.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**D. Miscellaneous**

**Resolution 12-06 D-13 – APPROVAL OF PALO VERDE COLLEGE SPECIAL REPORT TO THE ACCREDITATION COMMISSION AND CHANCELLOR’S OFFICE**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the Special Report to the Accreditation Commission and Chancellor’s Office, as submitted and shown loose in Board folders.

It was moved by Mr. Arneson, and seconded by Mr. Burton, that Resolution 12-06 D-13 be approved.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

***(The following Resolution was tabled until Board of Trustees Meeting on April 24, 2012)***

**Resolution 12-06 D-14 – CALIFORNIA COMMUNITY COLLEGE TRUSTEES (CCCT) BOARD ELECTION 2012**

BE IT RESOLVED, that the Official Ballot for the California Community College Trustees (CCCT) Board Election for 2012, be submitted as follows (candidate information and ballot shown loose in Board folders):

(There are eight three-year vacancies on the Board)

- |          |          |
|----------|----------|
| 1. _____ | 5. _____ |
| 2. _____ | 6. _____ |
| 3. _____ | 7. _____ |
| 4. _____ | 8. _____ |

**ACTION ITEMS (continued)**

**Resolution 12-06 D-15 – **SUPPORT OF COMMUNITY COLLEGE SYSTEM BUDGET PRIORITIES AND THE GOVERNOR’S NOVEMBER BALLOT INITIATIVE****

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees supports the resolution of Community College System Budget Priorities and the Governor’s November Ballot Initiative as follows:

WHEREAS, community colleges have taken extensive cuts to funding over recent years, while trying to educate the largest high school graduating classes in California history and need funding to provide the programs and services necessary to increase the number of successful degree and certificate holders;

WHEREAS, community colleges have been forced to turn away as many as 130,000 potential students in a single year due to the need to reduce course sections, generally from 5 – to 15 percent annually per district;

WHEREAS, community colleges have carried an estimated 252,000 students over the last five years (2007-08 to 2011-12) for whom they have not received any apportionment, categorical, or student support funding;

WHEREAS, community colleges are operating with \$996 million (23%) less in total programmatic support in 2011-12 than in 2007-08, including cuts to both apportionment and categorical funding;

WHEREAS, community colleges have operated on per-student funding which has been reduced from \$5,659 in 2007-08 to \$5,115 in 2011-12, a loss of 9.6% over this five-year period, while the unfunded cost-of-living (2008-09 to 2011-12) has increased by a compounded 20.5%;

WHEREAS, the changes to the Cal Grant B and Cal Grant Community College Transfer Entitlement programs which would require a higher grade point average under the governor’s proposal, would eliminate an estimated 30% of Cal grant entitlement recipients; and the governor’s proposed caps on grants for those transferring to independent, nonprofit institutions would primarily affect community college students who are disproportionately African–Americans and Latinos, with an average parental income of \$19,184, and who receive the grants to buy books and assist with necessary living expenses;

WHEREAS, the Legislature has increased fees from \$600 annually in 2008-09 to \$1,380 for the 2012 -13 school year, while the majority of community college students have incomes so low that they are eligible for the Board of Governors’ (BOG) Fee Waiver;

WHEREAS, the California community colleges are essential for providing higher education opportunity for over two million Californians annually;

WHEREAS, California community colleges are essential for providing students with the skills to be economically success in the California economy,

WHEREAS, without the “Temporary Taxes to Fund Education” Initiative, community colleges and other segments of education in California are likely to have funding curtailed for years;



**ACTION ITEMS (continued)**

THEREFORE, the Board of Trustees of the Palo Verde College Community College District supports the passage of the Governor’s initiative, which has the official title, “Temporary Taxes to Fund Education. Guaranteed Local Public Safety Funding,” is proposed to be placed on the November 2012 ballot, and will limit the cuts which would otherwise be made to community college and K-12, while providing budget stability from the temporary increases in sales and personal income taxes for four years.

THEREFORE, the Board of Trustees of the Palo Verde College Community College District also:

- Opposes the reduction of general fund moneys for assumed redevelopment revenues until increased revenue from the wind-down of redevelopment materializes and other deficits are addressed;
- Supports development of an alternative to the proposed deferral buy-down that would include a positive trigger with some funds for debt buy-down as well as funds for access focused on job training, student success, and veterans’ issues;
- Opposes the apportionment and categorical language in the budget bill which provides increased flexibility to the Chancellor’s Office and Board of Governors;
- Opposes cuts to the Cal Grants that disproportionately impact community college students, both before and after transfer.
- Opposes cuts to the CalWORKs and child care programs that will limit educational opportunity in community colleges for parents transitioning from welfare-to-work.
- Opposes any re-characterization of general obligation bond debt from non-Proposition 98 to Proposition 98, and will work to support other solutions that mitigate non-Proposition 98 general fund cuts.

It was moved by Mr. Arneson, and seconded by Mr. Burton, that Resolution 12-06 D-15 be approved.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**Resolution 12-06 D-16 – BOARD OF TRUSTEES STUDY SESSION FOR MAY 8, 2012**

BE IT RESOLVED, that Palo Verde Community College Board of Trustees will conduct a Study Session on Tuesday, May 8, 2012 in Blythe to address the District budget.

It was moved by Mr. Burton, and seconded by Mr. Arneson, that Resolution 12-06 D-16 be approved.

Ms. Whittaker provided clarification on Resolution 12-06 D-16.

**ACTION ITEMS (continued)**

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**Resolution 12-06 D-17 – MEMORANDUM OF UNDERSTANDING BETWEEN PVCCD AND CSEA, CHAPTER 180, SPRING BREAK CLOSURE**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approve the recommendation to close Palo Verde College on April 2, 3, 4, per the attached MOU between PVCCD and CSEA., as shown loose in the Board folders.

It was moved by Dr. Thomas, and seconded by Mr. Burton, that Resolution 12-06 D-17 be approved.

Student Advisory	<u>Yes</u>	Edmond	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Gonzales	<u>Yes</u>	Thomas	<u>Yes</u>
Burton	<u>Yes</u>	Lewis	<u>Yes</u>		

Motion carried/lost; Aye 7 No 0 Abstain 0 Absent 0

**HEARING OF CITIZENS (NON-AGENDA ITEMS)**

None.

**ADJOURN TO CLOSED SESSION (WITH NO REPORTABLE ACTION ANCIPTED)**

The Board of Trustees and Interim Superintendent/President adjourned to closed session at 7:25 p.m. to discuss the following:

1. Conference with Legal Counsel – Existing Litigations pursuant to Government Code Section 54956.9(a) Palo Verde Community College District v. Western Insurance Company.
2. Superintendent/President Search.
3. Public Employee Discipline/Dismissal/Release.

**OPEN SESSION**

Trustees and the Interim Superintendent/President returned to Open Session at 7:45 p.m. and stated that no reportable action was taken.

**ADJOURNMENT**

The meeting was adjourned at 7:46 p.m.

The next Regular Meeting will be held on Tuesday, April 24, 2012 in Needles, CA.

**Minutes approved at the April 24, 2012  
Regular Meeting of the Board of Trustees**

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**Interim Secretary of the Board**