

PALO VERDE COMMUNITY COLLEGE DISTRICT
REGULAR MEETING
BOARD OF TRUSTEES
One College Drive in Blythe – CL 101
(and Teleconference held at Needles Center, 725 West Broadway, Needles, CA)
Tuesday, November 13, 2012
5:00 p.m.

Meeting 12-22

MINUTES

I. OPENING OF MEETING

1. Call to Order
The Regular Meeting of the Board of Trustees was called to order by the President of the Board, Mr. Gonzales, at 4:58 p.m.
2. Flag Salute
The Salute to the American Flag was led by Mr. Lewis, Clerk of the Board.
3. Roll Call
Present: Ed Gonzales, President
Millie Rodriguez, Vice President
Jerry Lewis, Clerk
Ted Arneson, Trustee
Lincoln Edmond, Trustee
Ned Hyduke, Trustee
Frannie Gregory, Student Trustee

Administrators Present: Denise Whittaker, Interim Superintendent/President
Russi Egan, Chief Business Officer

Absent: George Thomas, Trustee
Sharon Jones, Interim Vice President of Instructional and Student Services

Recorder: Carrie Mullion, Administrative Assistant to Superintendent/President and Board of Trustees

Visitors: On file in the Superintendent/President's Office.
4. Approval of the Minutes of the Special Meeting/Study Session of October 16, 2012, and Regular Meeting of October 23, 2012.
It was moved by Ms. Rodriguez, seconded by Mr. Lewis, and unanimously carried, that the Minutes of the Special Meeting/Study Session of October 16, 2012 and Regular Meeting of October 23, 2012 be approved.
5. Approval of the Agenda for this meeting.
It was moved by Mr. Edmond, seconded by Mr. Lewis, and unanimously carried, that the Agenda for this meeting be approved

(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.)

II. HEARING OF CITIZENS (AGENDA ITEMS)

Members of the public have this opportunity to directly address the Board on agenda items, subject to a five (5) minute time limitation per individual. Pursuant to the Brown Act Government Code Section 54954.2(a): "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3."

None.

III. ANNOUNCEMENT OF RECUSAL FROM AGENDA ITEMS

The Interim Superintendent/President respectfully asks if any of the Governing Board members need to recuse themselves from any item where there might be a potential conflict of interest.

Mr. Gonzales will recuse himself from Resolution 12-22 D-48.

IV. RECESS TO CLOSED SESSION (ONLY IF NEEDED EARLY IN THE AGENDA)

To be held at the end of the meeting.

V. RECONVENE TO OPEN SESSION (ANY ACTION TAKEN IN CLOSED SESSION WILL BE ANNOUNCED AT THIS TIME.)

Not applicable.

VI. PUBLIC NOTICE/HEARING

The Public Notice/Hearing opened at 5:01 p.m. on the following item:

- 1. Exemption from the Fifty Percent Law Exception for 2011-2012 *(shown loose in Board folders).*

There were no comments from the public.

The Public Notice/Hearing closed at 5:02 p.m.

The Public/Notice Hearing opened at 5:02 p.m. on the following item:

- 2. CSEA initial request to negotiate "Recent Changes in Law Mandate Negotiations Over Selected Topics as Per Savings Clause in Article 12.7(B) of CBA" *(shown loose in Board folders).*

There were no comments from the public.

The Public Notice/Hearing closed at 5:03 p.m.

VII. PRESENTATION

Mr. C.M. Brahmbhatt, Financial Consultant, introduced Mr. Tim Schaefer of Magis Advisors. Mr. Schaefer provided a PowerPoint presentation titled "Palo Verde College Debt Mitigation Plan & Road Map" *(handout shown loose in Board folders).* An explanation of the current debt situation in regards to the Certificates of Participation (COPs) in the amount of \$32 million plus interest was provided. Mr. Schaefer stated that the objective of the Debt Mitigation Plan is to manage future obligations effectively and efficiently, and reduce the total debt. Four options were presented, and an explanation of each option was provided. The debt mitigation options are:

- 1. Do nothing at present, and use the LAIF funds to buy down annual debt service costs. After 2027, Palo Verde College would face an annual shortfall ranging from \$697,000 to as much as \$740,000 in addition to what is currently budgeted to make the annual debt payment. A capital reserve of \$350,000 will be maintained in the LAIF funds.

VII. PRESENTATION (continued)

2. Refinance the COPs now, invest proceeds until 2016 then redeem the old COPs. This option results in a shortfall of approximately \$580,000 in 2023, just over \$1.0 million per year from 2024 to 2037 in addition to what is currently budgeted to make the annual debt payment. A capital reserve of \$350,000 will be maintained in the LAIF funds.
3. Refinance the COPs in 2016 (when they may be redeemed early), and continue using LAIF funds to buy down annual debt service costs. A shortfall of \$290,000 in 2026, and \$770,000 per year from 2027 through 2037 would occur in addition to what is currently budgeted to make the annual debt payment. A capital reserve of \$350,000 will be maintained in the LAIF funds.
4. Refinance the COPs in 2016, but apply the balance then available in the LAIF account to buy down the principal of the COPs. This option results in shortfall of approximately \$125,000 per year from 2017 through 2037 in addition to what is currently budgeted to make the annual debt payment. A capital reserve of \$350,000 will be maintained in the LAIF funds.

Mr. Schaefer stated that the Debt Mitigation Plan should be reviewed at least annually. Mr. Schaefer and Mr. Brahmhatt then answered questions from the Board of Trustees and Mr. Raman, Academic Senate President.

Ms. Whittaker stated that the Board Finance and Audit Committee took action at their meeting today to approve Option #4 as a road map for the Debt Mitigation Plan. There will be internal checks along the way by the Chief Business Officer, Mr. Brahmhatt, and Mr. Schaefer (April or May). An annual revisit of these options by the Board of Trustees will occur in September or October, to see if the plan should change. Reasonable, unexpected revenue will go towards debt service. Any other ongoing unexpected revenue would be considered and discussed to go towards restoring salaries. Ms. Whittaker stated that ACCJC wants to see a firm, sustainable effort in understanding what options the college has to mitigate debt. This plan gives the college a road map in how to deal with the next 25 years of debt. Option #4, as a road map plan, will be on the agenda for Board approval at their December 2012 meeting. The final plan will not occur until the debt mitigation has been analyzed every year for the next three years. In October 2015 all the numbers will be recalculated to make the final decision.

Ms. Whittaker and the Board of Trustees thanked Mr. Schaefer for his work.

VIII. DISCUSSION

1. First read of Debt Mitigation Plan for the Certificates of Participation (COPs) (*shown loose in Board folders*).
No Comments.
2. First read of Board Goals, Institutional Goals, and CEO Goals (*shown loose in Board folders*). Mr. Gonzales expressed his and the Board of Trustees appreciation to Ms. Whittaker in guiding them through the Goal setting process.
3. Preliminary verification of Provisional Appointment process if needed.
Ms. Whittaker stated that we do not have the final outcome regarding the November 6, 2012 election. The Registrar of Voters has stated that it will become formal when the candidates receive a formal letter of appointment, which hopefully will be by the first week of December. When the candidates receive their letter from Registrar of Voters, if needed, then Palo Verde College has 60 days to appoint another Provisional Trustee, or be forced into a Special Election which could cost over \$1 million. Ms. Whittaker asked that the Trustees notify the Superintendent/President's office when they receive their confirmation letters. Once confirmation letters are

VIII. DISCUSSION (continued)

received, Ms. Whittaker requested authorization from the Board of Trustees to move forward with the Provisional Appointment process.

Discussion occurred regarding the process. Mr. Arneson asked if there is a need to go through the Provisional Appointment process, since there is already one person on the ballot who expressed a desire to be on the Board by running for election. Ms. Whittaker explained CCLC protocols on how to fill a provisional vacancy, and also the legal requirements regarding public notice of a vacancy. Ms. Whittaker also commented that the Board could face problems associated with changing the process and stated that if there are multiple applicants, there may be grounds for following CCLC protocols; if there is only one applicant, and that applicant has been a sitting Board member, the Board can decide at a later time what selection process they prefer to use.

A decision was made that Ms. Whittaker would notify the Board of Trustees if a Provisional Appointment is needed, and then move forward with the process in order to meet the 60 day timeline.

IX. REPORTS

1. Associated Student Government - Frannie Gregory, Student Trustee or designee
 - Canned food is being collected for the ASG Canned Food Drive which will be donated to the Blythe Food Pantry on November 21.
 - A float for the Christmas parade is being discussed.
2. Academic Senate – Biju Raman, President
 - Academic Senate meeting took place today and the following items were addressed:
 - Ms. Whittaker presented the re-organizational proposal and discussion took place. This proposal will be further discussed at a special meeting of the Academic Senate on November 27. A second read and resolution will be brought forward at the special meeting to recommend two positions and what the title of the two positions will be; i.e. Deans, Chief Instructional Officer, Chief Student Support Officer.
 - A presentation on the Palo Verde College Mission Statement was provided.
 - The process regarding faculty replacement was discussed, as well as Meeting Ground Rules and Code of Civility.
3. CSEA, Chapter 180 – Richard Soto, President
 - Not present for this meeting.
4. CCA/CTA – Robert Robertson, Secretary
 - A report from the California General Election Board indicates that Proposition 30 is at 54.3% in favor. A ripple effect is that California's credit rating could be reviewed, and the budget process could go much smoother.
 - Attended a strategic planning REEP meeting last week. The faculty REEP representative will be Greg Snider. Mr. Robertson and Mr. Snider will serve as faculty representatives on the Insurance Committee.
 - Academic Senate is more or less ruled by AAUP (American Association of University Professors), which provides guidelines on civility and professional conduct. Also, the Chronicle of Higher Education has done excellent articles on the issue of civility and academic freedom, and these are available to view on their websites.
5. Denise Whittaker - Interim Superintendent/President
 - A moment of silence was taken in honor of Veteran's Day.
 - The Organizational Meeting will take place on December 11, 2012. Mr. Gonzales explained the process of how the Trustees elect their officers.
 -

IX. REPORTS (continued)

- Board of Trustee meeting schedule for 2013 was discussed. The Trustees decided that the Regular Board meetings will be the first Tuesday of every month and the Study Sessions the fourth Tuesday of the month.
 - A Palo Verde College holiday celebration is being planned. The date and time to be determined.
 - Sharon Jones is in the process of moving and therefore not able to attend this meeting.
 - Introduced Russi Egan as the Chief Business Officer. Ms. Egan reported that the auditors are on site this week. The Fiscal Services Office is preparing Federal reports to be submitted. Training for 1099 and W-2 filing has been scheduled. November 30, 2012 there will a quarterly RCOE meeting. Ms. Egan stated that the Comparative Statement of Revenue report is something that the Trustees should review monthly. The report shows what the budget is and the expenses to date. Ms. Egan explained how to read the report.
Mr. C.M. Brahmbhatt expressed his appreciation to Ms. Egan for her dedication. Mr. Gonzales also commended Ms. Egan for her work.
6. Sharon Jones - Interim Vice President of Instructional and Student Services
Not present for this meeting.
7. Board of Trustees Comments and Discussion
Mr. Lewis thanked Pam Blake, Interim Director of Needles Center, for the addition of seven new classes added to the schedule, and thanked Ms. Blake for holding a Meet-and-Greet at her home. Mr. Lewis would like to see more work done on the reciprocity agreement between the Needles Center and Mohave Community College.
- Board Finance and Audit Committee Report
Mr. Lewis stated the meeting was very informative. Mr. Brahmbhatt and Mr. Schaefer guided the committee through the Debt Mitigation Plan & Road Map. The committee also reviewed Administrative Procedures and Board Policies that relate to Palo Verde College budget. Mr. Lewis stated that the Trustees are really beginning to understand their position as a Governing Board and how important it is to be transparent in their decision making.

X. INFORMATION ITEMS

1. Accreditation Commission will conduct a Palo Verde College Site visit on November 20, 2012. Ms. Whittaker stated that the Trustees will meet with the Accreditation Team from 12:30-2:00 p.m. in CL 101 with communication to the Needles Center via polycom.
2. Palo Verde Community College Purchase Order Activity Report for October 2012 *(shown loose in Board folders)*.
4. Palo Verde Community College General Fund Cash Analysis Report for September 2012 and October 2012 *(shown loose in Board folders)*.
5. Palo Verde Community College General Fund Comparative Statement of Revenue and Expenses September and October 2012 *(shown loose in Board folders)*.

XI. CONSENT RESOLUTIONS

(All consent resolutions will be voted on in one motion with 15 minutes allocated for questions by Board members. After the question period, any Board member may request that any item(s) be moved to the Action Agenda.)

A. INSTRUCTION

Resolution 12-22 A-27 – ADVISORY COMMITTEES FOR ACADEMIC YEAR 2012-2013
BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves Advisory Committees and members, as shown in Reference A-27, to serve for the 2012-2013 academic year, for the areas of Instructional Services.

XI. CONSENT RESOLUTIONS (continued)

Resolution 12-22 A-28 – K-12 ENROLLMENTS FALL 2012

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves K-12 students, completing approved college enrollment process, as shown in Reference A-28, be approved to attend classes at Palo Verde College for Fall 2012. Administration is recommending approval subject to space availability in classes.

B. BUSINESS

Resolution 12-22 B-85 – ANNUAL FINANCIAL AND BUDGET REPORT (311)

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees accepts the Annual Financial (for fiscal year 2011-2012) and Budget Report (for fiscal year 2012-2013) as prepared by Fiscal Services, and submitted to the Chancellor's office (*shown loose in Board folders*).

Resolution 12-22 B-86 - FY 2013-2014 CONTINUED FUNDING APPLICATION FOR CHILD DEVELOPMENT CENTER

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the 2013-2014 Continued Funding Application for the Child Development Center to be submitted to California Department of Education Child Development Division, as shown in Reference B-86.

C. PERSONNEL

(THE FOLLOWING RESOLUTION WAS AMENDED)

(Classified)

Resolution 12-22 C-118 – TEMPORARY EXTRA DUTY ASSIGNMENT (LEE)

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the temporary extra duty assignment for Staci Lee, Student Activities/CalWORKS Coordinator, be paid out-of-class pay at 5% (per CSEA Agreement) for performing extra duties for updating the Student Handbook, Graduation and other duties normally performed by the Outreach & Events Coordinator while on a faculty assignment, effective October 10, 2012 to June 10, ~~2012~~ 2013

Resolution 12-22 C-119 – AMERICAN SIGN LANGUAGE (ASL) INTERPRETER (LOPEZ-ROEDEL)

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees ratifies the employment of Rene Lopez-Roedel as an ASL Interpreter for the DSP&S/DSSS program, a part-time, 19 hour per week classified position, at a salary placement on the part-time classified salary schedule of row 10, step 4, effective November 11, 2012.

(Student Personnel)

Resolution 12-22 C-120 – PART-TIME TEMPORARY STUDENT EMPLOYEES FOR FALL SEMESTER 2012

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the following part-time temporary student employees (student aides, interpreters/student services clerks, tutors, peer counselor/coordinators, and peer counselor/recruiters) for Fall Semester 2012:

<u>Name</u>	<u>Position/Department</u>	<u>Rate of Pay (per hour)</u>
Whetnight, Kelley	Student Services Clerk/Fiscal Services	\$8.25

XI. CONSENT RESOLUTIONS (continued)

(Blanket Motion)

It was moved by Mr. Arneson, and seconded by Mr. Edmond that Consent Resolutions be approved.

Ms. Whittaker stated that Resolution 12-22 C-118 should be amended to June 10, 2013.

Mr. Arneson commented that Resolution 12-22 A-27 appears to not be accurate. Ms. Whittaker will check to make sure the committee members are current.

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

Motion carried/lost; Aye 6 No Abstain Absent 1

XII. ACTION ITEMS

C. PERSONNEL

Resolution 12-22 C-121 – ELIMINATION OF VICE PRESIDENT OF ADMINISTRATIVE SERVICES POSITION

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the elimination of the Vice President of Administrative Services position, consistent with the Interim Superintendent/President’s recommendation to reclassify Russi Egan as Chief Business Officer and Debbie Mitchell as Director of Human Resources.

It was moved by Mr. Lewis, and seconded by Mr. Edmond, that Resolution 12-22 C-121 be approved.

Mr. Arneson asked if Resolution 12-22 C-121 has gone through the collegial consultation process, and Ms. Whittaker clarified.

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

Motion carried/lost; Aye 6 No Abstain Absent 1

D. MISCELLANEOUS

(MR. GONZALES REQUESTED TO BE RECUSED FROM THIS RESOLUTION)

Resolution 12-22 D-48 – TRUSTEE EXCUSED ABSENCE FROM BOARD MEETING

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the excused absence, per Board Policy 2725, for purposes of compensation, of Trustee Edmundo Gonzales from the PVCCD Board of Trustees Regular Meeting on October 23, 2012.

XII. ACTION ITEMS (continued)

It was moved by Ms. Rodriguez, and seconded by Mr. Edmond, that Resolution 12-22 D-48 be approved.

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

Motion carried/lost; Aye 6 No _____ Abstain _____ Absent 1

Resolution 12-22 D-49 – BOARD REGULAR/ANNUAL ORGANIZATIONAL MEETING

BE IT RESOLVED, that the Regular/Annual Organizational Meeting for election of officers be held on Tuesday, December 11, 2012, in Blythe, in compliance with time frames set by Riverside County Office of Education, shown in Reference D-49.

It was moved by Ms. Rodriguez, and seconded by Mr. Edmond, that Resolution 12-22 D-49 be approved.

Student Advisory	<u>Yes</u>	Gonzales	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Hyduke	<u>Yes</u>	Thomas	<u>Absent</u>
Edmond					

Motion carried/lost; Aye 6 No _____ Abstain _____ Absent 1

Resolution 12-22 D-50 – ACCEPTANCE OF TRANSFER FROM PALO VERDE COLLEGE FOUNDATION

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees accepts the transfer of 1978 Chevy Pick Up from Palo Verde College Foundation to be used for the Automotive Technology Program.

It was moved by Mr. Lewis, and seconded by Mr. Hyduke, that Resolution 12-22 D-50 be approved.

Student Advisory	<u>Yes</u>	Gonzales	<u>Yes</u>	Rodriguez	<u>Yes</u>
Arneson	<u>Yes</u>	Hyduke	<u>Yes</u>	Thomas	<u>Absent</u>
Edmond					

Motion carried/lost; Aye 6 No _____ Abstain _____ Absent 1

XIII. HEARING OF CITIZENS (NON-AGENDA ITEMS)

Members of the public have this opportunity to directly address the Board on items of interest to the public, subject to a five (5) minute time limitation per individual.

None.

XIV. RECESS TO CLOSED SESSION

The Board of Trustees, Ms. Whittaker, Interim Superintendent/President, and Ms. Egan, Chief Business Officer, adjourned to Closed Session at 6:37 p.m. to discuss the following

1. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8: 1) Spring Street, and 2) Chanslorway.
Negotiator: Denise Whittaker

XV. RECONVENE TO OPEN SESSION

The Board of Trustees, Ms. Whittaker, Interim Superintendent/President, and Ms. Egan, Fiscal Services Manager, reconvened to Open Session at 7:00 p.m. and stated that no action was taken.

XVI. ADJOURNMENT

The meeting was adjourned at 7:03 p.m.

**Minutes approved at the December 11, 2012
Regular Board Meeting.**

Interim Secretary of the Board