

**PALO VERDE COMMUNITY COLLEGE DISTRICT**  
**ORGANIZATIONAL/REGULAR MEETING**  
**BOARD OF TRUSTEES**  
One College Drive in Blythe – CL 101  
*(and Teleconference held at Needles Center, 725 West Broadway, Needles, CA)*  
**Tuesday, December 11, 2012**  
**5:00 p.m.**

**Meeting 12-23**

**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 5:06 p.m.
2. Flag Salute  
The Salute to the American Flag was led by Mr. Lewis, Clerk of the Board.
3. Oath of Office for newly elected Trustees  
See item #7.
4. Roll Call  
Trustees 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  
Ned Hyduke, Trustee  
George Thomas, Trustee *(by conference call)*

Administrators Present: 

Denise Whittaker, Interim Superintendent/President  
Sharon Jones, Interim Vice President of Instructional and Student Services

Absent: 

Frannie Gregory, Student Trustee

Recorder: 

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

Visitors: 

On file in the Superintendent/President's Office.
5. Approval of the Minutes of the Regular Meeting of November 13, 2012.  
It was moved by Ms. Rodriguez, seconded by Mr. Hyduke, and unanimously carried, that the Minutes of the Regular Meeting of November 13, 2012 be approved.
6. Approval of the Agenda for this meeting.  
It was moved by Mr. Lewis, seconded by Mr. Arneson, and unanimously carried, that the Agenda for this meeting be approved.

**I. OPENING OF MEETING (CONTINUED)**

7. Ceremonial Oath of Office.

Mr. Arneson, senior member of the Board of Trustees, and because Board President Mr. Gonzales is also being sworn in via ITV at the Needles Center, invited Mr. Hyduke and Ms. Rodriguez to join him in the center of the stage, and also invited Mr. Gonzales in Needles, California to stand and join in from the Needles Center for their Oath of Office, as a ceremonial gesture of respect for their newly elected positions. Their official swearing-in occurred prior to noon, December 7, 2012 as required by law by Administrative Assistant, Carrie Mullion. [Mr. Hyduke's position as an elected trustee now creates a vacancy in the provisional appointment he accepted on October 16, 2012.]

8. Organizational Matters.

**Election of President of the Board**

It was moved by Mr. Arneson, and seconded by Dr. Thomas, that Ermila "Millie" Rodriguez be designated President of the Palo Verde Community College District Board for 2013.

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

Motion carried/lost; Aye 5 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**Election of Vice President of the Board**

It was moved by Mr. Lewis, and seconded by Mr. Hyduke, that George Thomas be designated Vice President of the Palo Verde Community College District Board for 2013.

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

Motion carried/lost; Aye 5 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**Election of Clerk of the Board**

It was moved by Dr. Thomas, and seconded by Mr. Hyduke, that Ted Arneson be designated Clerk of the Board of the Palo Verde Community College District Board for 2013.

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

Motion carried/lost; Aye 5 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**Election of School Board Representative**

It was moved by Mr. Arneson, and seconded by Mr. Gonzales, that Ned Hyduke II be designated School Board Representative at the Annual Election of the County Committee on School District Organization for 2013.

**I. OPENING OF MEETING (CONTINUED)**

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

Motion carried/lost; Aye 5 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**Election of Secretary to the Board**

It was moved by Mr. Arneson, and seconded by Dr. Thomas, that Denise Whittaker be designated Secretary of the Palo Verde Community College District Board for 2013.

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**Board Meetings**

There was discussion and the Board of Trustees chose Option B (Reference 1.2) which provides for no Special Meetings in September or October, but allows for a ½ day Board Retreat in June or July to cover CEO Goals, Board of Trustees Self-Evaluation, Board Performance Goals for 2014, and Review of the 2012-2014 Board’s Institutional Goals.

It was moved by Mr. Arneson, and seconded by Dr. Thomas, that the Board of Trustees adopts Option “B” (Reference 1.2), establishes the 2013 regular meeting schedule as the second Tuesday of each month, and Study Sessions, if needed, as the fourth Tuesday of each month. Alternate dates to accommodate holidays have been determined as shown in the printed schedule of Board Meetings for 2013. (This schedule is subject to amendment at any time during the calendar year as needed.)

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**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.*  
None.

**IV. RECESS TO CLOSED SESSION – Refer to the End of the Meeting**

**V. RECONVENE TO OPEN SESSION - Not Applicable**

**VI. PUBLIC NOTICE/HEARING**

None.

**VII. PRESENTATION**

None.

**VIII. DISCUSSION**

1. Second Read of Debt Mitigation Plan for the Certificates of Participation (COPs) *(shown in Reference D-54)*.  
No comments.
2. Second Read Board Performance Goals 2012-2013 *(shown in Reference D-51)*.  
No Comments
3. Second Read Institutional Goals 2012-2014 *(shown in Reference D-52)*.  
No comments.
4. Second Read CEO Goals 2012-2013 *(shown as Reference D-53)*.  
No comments.
5. Next Generation Learning Challenges (NGLC) Press Release on \$5.2 Million in Follow-On Funding by ML Bettino, Acting Title III Director *(shown loose in Board folders)*.  
Mr. Bettino spoke to the Board of Trustees and stated that Palo Verde College has been re-funded by the NGLC Grant in the amount of \$1.2. Nine courses are currently being taught at Palo Verde College that are funded by this grant. Mr. Bettino will be recruiting faculty in anticipation of adding twelve more courses in the spring, and six more courses in the summer. Most of the general education courses will be offered online using the Kaleidoscope model, which is free online text books and resources.
6. Update on status of Board elections and Provisional Appointment – Whittaker  
Ms. Whittaker explained that Mr. Hyduke, recently appointed to the vacant Provisional Trustee position, was also elected in the November general election, creating a new Provisional Trustee vacancy. The application process has started to appoint a Provisional Trustee. The deadline for applications is January 7, 2013 at 4:00 p.m. After January 7, 2013, a decision will be made as to whether to hold a Special Meeting on January 15, based on the number of applicants. If there are not many applicants; Ms. Whittaker recommended that the Provisional Appointment take place at the January 22, 2103 meeting.

**TEMPORARILY RECESS TO HOLD ANNUAL MEETING OF THE PALO VERDE COMMUNITY COLLEGE DISTRICT COP FINANCING CORPORATION** *(Agenda shown loose in Board folders)*.

It was moved by Mr. Arneson, and seconded by Mr. Hyduke, that this meeting be adjourned at 5:28 p.m. to hold the annual meeting of the Palo Verde Community College District Financing Corporation. *Minutes for this meeting shown separately.*

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

Motion carried/lost; Aye 6 No      Abstain      Absent

## RECONVENE TO PVCCD ORGANIZATIONAL/REGULAR MEETING

The Trustees returned to District Board Meeting at 5:33 p.m.

### IX. REPORTS

1. Associated Student Government - Frannie Gregory, Student Trustee or designee  
Not present for this meeting.
2. Academic Senate – Biju Raman, President
  - Academic Senate held a special meeting on November 27, 2012 to discuss the reorganization of Instructional and Student Services. At that meeting it was voted by faculty to replace one Vice President, which is the current structure, with either two deans or two officers. Academic Senate will reconvene in January to look at all the recommendations and select the best possible plan in order to meet State compliance, load factor, reporting structure for faculty, Fifty Percent Law compliance, and other influences that will distinguish between these two positions. A recommendation will be made to administration and the Board of Trustees after the special meeting in January. The faculty seems to be moving towards the organizational structure chart that was presented in the October 24, 2012 Follow-Up Report to ACCJC.
3. CSEA, Chapter 180 – Richard Soto, President  
Not present for this meeting.
4. CCA/CTA – Derek Copple, President
  - Congratulations to the new Trustee and two Trustees who were re-elected.
  - CCA/CTA is tracking the Fifty Percent Law compliance.
  - The mood of faculty is good. There are some issues approaching that will need to be dealt with and CCA/CTA is ready to work with the President in the spirit of collegiality, and is looking forward to the New Year.
5. Denise Whittaker - Interim Superintendent/President
  - a. Accreditation Site Visit Exit Report, November 20, 2012  
Ms. Whittaker reported that the Accreditation Team applauded the Board of Trustees for their knowledge of the budget. The Team stated they saw an increase in the Trustees' knowledge from the visit in May to the meeting in November. The college was commended on their progress and effort over the past year; a balanced budget, improved reserve, and faculty, staff, management and administration working as a team as it applies to contract negotiations to stabilize the finances of the college. There remains concern in regards to the budget and the one year contract negotiations with the unions which expire on June 30, 2013. The Team asked for budget scenarios with 5 year projections using trend data. Ms. Whittaker stated the college has done this in the past, but did not do it this time because of the unknown outcome of Proposition 30. The scenarios will be completed by February and will be presented to the Board of Trustees, along with the budget development process, by the February board meeting. Ms. Whittaker stated she anticipates that ACCJC will continue probation status, but is hopeful that the college will be off of probation by June 2013. The Accreditation Team had other concerns with operational items; enrollment management, student success taskforce, and the desire for the college to have a permanent Superintendent/President before one year from now.

## IX. REPORTS (continued)

- b. Holiday Gathering, Wednesday, Dec. 12, 2012 4:00-7:00pm Village Marketplace.  
Ms. Whittaker invited the Board of Trustees and all those in the audience to the Holiday Gathering.
  - c. Ms. Whittaker also commended Ms. Cecy Garcia, Payroll/Benefits Coordinator, on her acceptance as an ACCA Mentor in their Management Program.
6. Sharon Jones - Interim Vice President of Instructional and Student Services covering PVC and Needles
- a. Item A-30 – New Associate in Science Transfer Degrees  
The three new AS-T degrees (Associate of Science for Transfer), which are on the agenda today, are part of AB 1440, which requires the development of transfer degrees based on Transfer Model Curriculum (TMC). TMC means that Palo Verde College has followed a pattern that is accepted State wide, and Cal State University's guarantee that none of the courses in this program will need to be repeated for acceptance. The first two TMC's were developed in spring 2011, and were offered in fall 2011. The first student to receive her AA-T in psychology has petitioned to graduate. The goal (which is not a requirement) of the State is that the college have eight degrees by June 2013. This is a great opportunity for the students at Palo Verde College to have an edge in acceptance to Cal State University's.
  - b. Financial Aid 2011-12 MIS Report  
Data will be given to the Trustees at a later date.
  - c. Needles Center Report
    - December 1, 2012 was the Open House at the Needles Center. The photography class took photos of 40 families. The event was very successful.
    - Three full time faculty members have volunteered to teach full time from the Needles Center next semester. These classes will ITV to the main campus (Blythe).
    - Ms. Jones and Ms. Egan visited the Needles Center and were very impressed and excited about the possibilities there. Ms. Blake, Interim Director of the Needles Center, took Ms. Jones and Ms. Egan on a tour of the town of Needles.
  - d. Registration  
Priority registration began last week, and open enrollment started yesterday. An aggressive marketing and advertisement campaign has been launched. Ten thousand printed schedules were done in record time, which were distributed around town and to the post office for mail delivery. There are banners on Hobsonway and at Palo Verde Valley High School, as well as flyers being delivered to businesses. Advertising is being done on the radio, in the newspaper, and on Facebook.  
Jonathan Martin was commended for initiating an online orientation video for the Palo Verde College website.
  - e. CalWorks had their Gifts for the Holidays event that was a great success.
  - f. ASG had a Christmas float in the parade that included the Palo Verde College banner.
  - g. On Thursday December 13, 2013 at 6:00 p.m. is the CNA/Phlebotomy graduation, and on the same day at 5:30 p.m. is a piano recital musical event in the Fine and Performing Arts Complex.

## IX. REPORTS (continued)

### 7. Russi Egan – Chief Business Officer

Ms. Whittaker reported for Ms. Egan who was not present for this meeting.

- a. Southern California Edison/Foundation Grant for the Fine & Performing Arts Center

This is a \$25,000 grant for the Fine and Performing Arts Complex. An internal committee will be formed to decide how the money should be used. A community advisory committee will also be formed.

- b. PVCCD anticipated van rental agreement with PVUSD

PVUSD has some financial situations in their need to rent vehicles, and they have asked if they could rent vans from Palo Verde College. The college is going into partnership with PVUSD, and will rent two vans to them. PVUSD will maintain the vans, and the insurance will be covered.

- c. Accreditation comments: OPEB

OPEB (other postemployment employee benefits) has to do with liability of future retirees contribution. This is a mandatory annual contribution of \$125,000 and has not been paid for over two years. There will be a resolution on the agenda in January to hire an actuarial specialist to review and recalculate the amount required which was based on an old number of employees. The current number of employees is less, so the amount of OPEB contributions should decrease.

- d. Solar – BP transition and contract revisions update

BP has sold the solar component of their company to Kenyon Energy, LLC. Palo Verde College hired a legal firm with expertise in solar contracts who made some modifications to the contract that will benefit the college. BP and Kenyon accepted the modifications and BP has paid for the legal costs.

### 8. Board of Trustees Comments and Discussion

- Report on CCLC Annual Convention & Partner Conference

Mr. Lewis wished all a merry Christmas and stated he has enjoyed working with everyone and looks forward to the new year. The Open House that took place at the Needles Center was a great success and the attitude in the Needles community is very strong towards the college.

The CCLC conference was great. Dr. Brice Harris, Chancellor of California Community Colleges, provided a report on the responsibilities of the Community Colleges including the budget problems and educating students. Mr. Lewis and Mr. Gonzales attended a workshop lead by Dr. Barbara Beno, President of ACCJC, where the importance of student success was emphasized. He and Mr. Gonzales also attended a Basic Skills Acceleration to Success workshop that highlighted how to get students through the Basic Skills classes quickly so that they continued on with their education and did not drop out of college. Another workshop they attended was about college's coordinating with local high schools in the area of curriculum. Mr. Lewis stated the CCLC Conference was wonderful and very informative, and he thanked the college for the opportunity to attend.

Mr. Gonzales reported on the CCLC conference. Dr. Douglas Houston, Chancellor of Yuba Community College, spoke at the Accreditation Workshop and was very informative. Mr. Gonzales obtained handouts from ACCJC titled Guide to Accreditation for Governing Boards, and Accreditation and Governing Boards Roles and Responsibilities. These handouts will be provided to all the Trustees to read. Mr. Gonzales complimented Ms. Whittaker on how she is handling the accreditation issues at Palo Verde

## IX. REPORTS (continued)

College. Mr. Gonzales also stressed the importance of the Mission Statement of the college, and how everything the college does should point to the Mission Statement. He also attended a workshop regarding Latinos and their growth in the community college system, as well as the importance of training leaders in the Latino population. Mr. Gonzales also attended a workshop on finance that discussed Proposition 30.

Mr. Arneson reported that some members of the Palo Verde College Foundation attended a CASE conference. It was reported that this was an excellent conference, and Foundation directors are excited about future activities.

Dr. Thomas thanked everyone for prayers during his surgery and also for the gift. Dr. Thomas reported that he and several others met with Dr. Barbara Beno, President of ACCJC, on October 25, 2012, for a tour of Palo Verde College campus. It was an excellent and informative visit. Dr. Thomas expects to be at the next Board of Trustee meeting in January.

Ms. Rodriguez thanked everyone for re-electing her and naming her President of the Board. She also wished everyone a merry Christmas.

## X. INFORMATION ITEMS

1. The 2013-2014 Budget: California's Fiscal Outlook from the Legislative Analyst's Office *(shown loose in Board folders)*.
2. Notice that the IRS Mileage Rate Increased from 55.5¢ to 56.5¢ effective January 1, 2013.
3. Out-of-State travel for Cheryl Bruno-Mofu to Parker, AZ, Apismellis Home Care, December 11, 2012.
4. Out-of-State travel for Sharron Burgeson to Parker, AZ, Apismellis Home Care, December 11, 2012.
5. November 2012 Report of Purchase Orders and Warrants *(shown loose in Board folders)*.
6. Notice of change in Solar Contract change of ownership from BP to Kenyon Energy, LLC resulting in adjustments/amendments to the Solar Contract that is beneficial to PVCCD.

## 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 12-23 A-29 – CURRICULUM APPROVED AT NOVEMBER MEETING**

BE IT RESOLVED, that Palo Verde Community College District Board approves new and revised courses in various curriculum areas, as shown in Reference A-29.

#### **Resolution 12-23 A-30 – APPROVAL OF NEW ASSOCIATE IN SCIENCE TRANSFER DEGREES**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the following new credit programs for transfer degrees, as submitted to the Chancellor's Office and pending Chancellor's Office approval, as shown in Reference A-30.



**XI. CONSENT RESOLUTIONS (continued)**

Associate in Science in Administration of Justice  
Associate in Science in Business Administration  
Associate in Science in Early Childhood Education

**B. BUSINESS**

**Resolution 12-23 B-87 - LAIF ACCOUNT WITH STATE TREASURY**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the resolution, for the Fiscal Services to add and change authorized agents to the LAIF (Local Agency Investment Fund) account with the State Treasury Department (*in connection with transfer of COPs monies*). The following college employees are to be appointed as authorized agents to sign for deposits, transfers and withdrawals to this account.

Denise Whittaker  
Sharon Jones

Russi Egan  
Carrie Mullion

**Resolution 12-23 B-88 - AUTHORIZED AGENTS FOR PVCCD**

BE IT RESOLVED, that the following college employees be appointed as authorized agents to sign financial reports, warrant orders, check orders for salary placement, payroll and notices of employment for the Palo Verde Community College District of Riverside County (all other previous names will be deleted from the accounts), effective December 12, 2012 in compliance with Board Policy 2430 and Certification of Signatures form from Riverside County Office of Education.

**Account**

**Authorized Agents**

*(checks issued for these accounts are from Riverside County Office of Education)*

Schools of Riverside County  
(regular college warrant orders, orders for salary payment and notices of employment)

Denise Whittaker  
Sharon Jones  
Denise Hunt  
Russi Egan  
Debra Mitchell

*(checks issued for the rest of these accounts are from Provident Bank in Blythe)*

Schools of Riverside County  
(college clearing and revolving checking accounts)

Denise Whittaker  
Sharon Jones  
Denise Hunt  
Russi Egan  
Debra Mitchell

Schools of Riverside County  
Auxiliary Business Services (Bookstore)

Denise Whittaker  
Denise Taylor  
Debra Mitchell  
Russi Egan

Schools of Riverside County  
Associated Student Government (savings)

Denise Whittaker  
Sharon Jones  
Staci Lee  
Russi Egan  
Debra Mitchell

Schools of Riverside County  
Associated Student Government (checking)

Denise Whittaker  
Sharon Jones  
Staci Lee  
Russi Egan  
Debra Mitchell

Schools of Riverside County  
Clubs and Scholarship Account

Denise Whittaker  
Sharon Jones  
Russi Egan  
Debra Mitchell

*(Checks issued for this account are from Federal Funding)*

Federal Funds - Financial Aid Accounts

Denise Whittaker  
Sharon Jones  
Russi Egan  
Debra Mitchell

Needles Checking Account

Denise Whittaker  
Sharon Jones  
Russi Egan  
Pam Blake

**XI. CONSENT RESOLUTIONS (continued)**

**Resolution 12-23 B-89 – AUTHORIZED AGENTS FOR SBEDC ACCOUNT**

BE IT RESOLVED, that the following college employees be appointed as authorized agents to sign checks and other necessary documents for the SBEDC (Small Business Economic Development Center) for 2013 (account located at Provident Bank in Blythe): Denise Whittaker, Sharon Jones, Russi Egan and Denise Hunt.

**Resolution 12-23 B-90 – AGREEMENT WITH PROMETRIC TESTING CENTER (APTC)**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the Agreement with Prometric Testing Center (APTC) to provide electronic testing for various technology certifications, as shown in Reference B-90. Testing would take place at Palo Verde College with training and certification provided by Prometric. There is no cost to the District for these services.

**Resolution 12-23 B-91 – TRIO/STUDENT SUPPORT SERVICES GRANT AWARD NOTIFICATION PY 2012-2013**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the Grant Award from the U.S. Department of Education for Palo Verde College TRIO/Student Support Services Program, in the amount of \$213,177.00 for academic year 2012-2013, as shown in Reference B-91. This Grant Award will be used to serve students with disabilities, low-income, and who lack basic skills in writing and reading.

**Resolution 12-23 B-92 – KALEIDOSCOPE GRANT PARTNERSHIP**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the partnership with the Cerritos College Kaleidoscope Project involving Palo Verde College faculty who will be teaching on-line courses as part of this grant project (*shown loose in Board folders*).

**Resolution 12-23 B-93 – RENEWAL OF CLINICAL NURSING AGREEMENTS 2013**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the renewal of Clinical Nursing Agreements for 2013 between Palo Verde Community College District and the agencies listed below for an additional one-year period, beginning January 1, 2013, through December 31, 2013.

APISMELLIS Home Care	Kirkwood, Missouri
Baker Emergency Medical Services	Needles, California
Blythe Nursing Care Center	Blythe, California
Blythe Family Health Clinic	Blythe, California
Colorado River Medical Center	Needles, California
Desert Critical Care Transport, Inc.	Blythe, California
Palo Verde College Don Kuykendall	
Child Development Center	Blythe, California
La Paz Regional Hospital	Parker, Arizona
New Hope Hospice	Lake Havasu City, Arizona
Sheltering Wings Corporation	Blythe, California

**C. PERSONNEL**

**(Academic)**

**Resolution 12-23 C-122 – EXTRA-DUTY ASSIGNMENT (SHIBALOVICH)**

BE IT RESOLVED the Palo Verde Community College District Board of Trustees ratifies Paul Shibalovich to provide 10 hours/week providing coordination and leadership for promotional development for on-line and correspondence courses in targeted areas for spring, 2013 at the per diem hourly rate through June 30, 2013.

**XI. CONSENT RESOLUTIONS (continued)**

**Resolution 12-23 C-123 – EXTRA-DUTY ASSIGNMENT (PETERSON)**

BE IT RESOLVED the Palo Verde Community College District Board of Trustees ratifies Scott Peterson to provide 10 hours/week providing coordination and leadership for ISA's and VATEA for spring, 2013 at the per diem hourly rate through June 30, 2013.

**Resolution 12-23 C-124 – EXTENSION FOR INTERIM COORDINATOR, DISTANCE LEARNING (LUJANO)**

BE IT RESOLVED, that the interim placement for Lorenzo Lujano be extended up to June 30, 2013, as needed, promoted from Academic Guidance Coordinator to Interim Coordinator, Distance Learning, with no change in salary, full-time certificated, 212 day position, beginning January 1, 2013.

**Resolution 12-23 C-125 – ADVANCEMENT IN SALARY AND RETROACTIVE PAY (RAMAN)**

BE IT RESOLVED that the salary placement for Biju Raman, Full-Time Instructor, be retroactively advanced for spring 2012 from Row 15, Column IV, to Row 15, Column VI; and for fall, 2012, from Column 15, Row VI to Column VI, Row 16 due to educational requirements met and in compliance with the CTA bargaining agreement. This change is effective Spring 2012 semester and includes the annual step increase.

**Management/Confidential)**

**Resolution 12-23 C-126 – OUT-OF-CLASS PAY (BRAMBILA)**

BE IT RESOLVED the Palo Verde Community College District Board of Trustees ratifies Albert Brambila, Maintenance, Custodial, Grounds Supervisor, to be paid out-of-class pay at five (5) percent, for performing the duties of the Director, effective July 1, 2012 through September 30, 2012.

**(Classified)**

**Resolution 12-23 C-127 – REVISED JOB DESCRIPTION FOR ADMISSION AND RECORDS TECHNICIAN III**

As reviewed and supported by CSEA, BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the revised job description, from Admissions and Records Specialist, to Admissions and Records Technician III, as shown in Reference C-127, a classified position with a change in classification from Row 13 to Row 10, a full-time, 12 months, 40 hours per week position.

*(THIS RESOLUTION WAS PULLED FROM THE AGENDA)*

**Resolution 12-23 C-128 – OUT-OF-CLASS PAY (NELSON)**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees ratifies Rorie Nelson, Financial Aid Technician I, to be paid out-of-class pay at five (5) percent, per CSEA Agreement, for performing the duties of Financial Aid Technician II, effective September 11, 2012 until a department review can be performed.

**Resolution 12-23 C-129 - DSSS EDUCATIONAL ASSISTANT (ESTRADA MENDEZ)**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the employment of Danya Estrada Mendez as DSSS Educational Assistant, a part-time 19 hour per week classified TRIO/DSSS Grant funded position, at a salary placement on the hourly classified salary schedule of Row 10, Step 2, effective December 12, 2012.

**XI. CONSENT RESOLUTIONS (continued)**

**Resolution 12-23 C-130 – PART-TIME CUSTODIAN (GRIJALVA)**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the employment of Eric Grijalva as Custodian, a part-time 19 hour per week classified position, at a salary placement on the hourly classified salary schedule of Row 1, Step 1, effective December 12, 2012.

**Resolution 12-23 C-131 – PART-TIME CUSTODIAN (KLEBER)**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the employment of Lorindia Kleber as Custodian, a part-time 19 hour per week classified position, at a salary placement on the hourly classified salary schedule of Row 1, Step 1, effective December 12, 2012.

**(Student Personnel)**

**Resolution 12-23 C-132 – 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:

<b><u>Name</u></b>	<b><u>Position/Department</u></b>	<b><u>Rate of Pay (per hour)</u></b>
Cervantes, Gisela	Student Aide/Admissions & Records	\$8.00
Maciel, Alicia	Peer Counselor, EOP&S	\$8.75

**Resolution 12-23 C-133 – VOLUNTEER, PUBLIC RELATIONS/PROMOTIONS (SAVELL)**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves Van Savell as a volunteer to provide services in public relations, news writing, brochure development, branding, and general college promotions as identified from December 12, 2012 through June 30, 2013.

**Resolution 12-23 C-134 – AUTHORIZATION TO HIRE FULL TIME, TEMPORARY, ONE-SEMESTER PSYCHOLOGY FACULTY MEMBER (REPLACEMENT FOR JONES)**

If determined necessary, to address the appointment of Sheri Jones as Interim Vice President of Instructional/Student Services through June 30, 2013, and to maintain Fifty Percent Law compliance, BE IT RESOLVED, that Palo Verde Community College District Board of Trustees authorizes the District to advertise and hire a full-time temporary, one-semester psychology instructor as a replacement for Sheri Jones.

***(Blanket Motion)***

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

Mr. Arneson asked for clarification on Resolution 12-23 A-29, and Ms. Jones and Ms. Whittaker clarified.

Ms. Whittaker clarified Resolution 12-23 B-88.

Mr. Arneson asked for clarification on Resolution 12-23 B-91, and Ms. Whittaker and Ms. Jones clarified.

**XI. CONSENT RESOLUTIONS (continued)**

Mr. Arneson asked for clarification on Resolution 12-23 C-122, and Ms. Whittaker and Ms. Jones clarified.

Mr. Arneson asked for clarification on Resolution 12-23 C-128, and Ms. Whittaker stated that she had intended to pull this item off the agenda for this meeting.

Mr. Arneson asked for clarification on Resolution 12-23 C-134, and Ms. Jones clarified.

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**XII. ACTION ITEMS**

**B. BUSINESS**

*(THIS RESOLUTION WAS MOVED TO CLOSED SESSION AND AMENDED. SEE CLOSED SESSION REPORT AT THE END OF THESE MINUTES)*

**Resolution 12-23 B-94 – NOTICE TO SURPLUS PROPERTY AND INTENT TO SELL**

In accordance with Education and Government Code provisions as noted in the Resolution shown below, BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the Notice to Surplus Property and Intent to Sell 145 Spring Street, Blythe, CA 92225. Timeline is shown in Reference B-94:

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE PALO VERDE COMMUNITY COLLEGE DISTRICT DECLARING ITS INTENT TO SELL SURPLUS REAL PROPERTY**

**WHEREAS**, the Palo Verde Community College District (the “District”) is the owner of certain real property totaling approximately nine thousand (9,000) square feet, located at 145 North Spring Street, in the City of Blythe, County of Riverside, State of California (the “District Property”), currently being used for community and non-profit office purposes, and non-credit college course offerings as needed; and

**WHEREAS**, the District Property is not needed for a college classroom/services building and is therefore surplus; and

**WHEREAS**, the District shall comply with Education Code section 81363.5 which provides that notice first be given to various public entities, agencies and non-profit corporations (individually the “Priority Entity” and collectively the “Priority Entities”), that the District Property is for sale at fair market value; and

**WHEREAS**, the minimum written bid for the purchase of the District Property by non-priority entities (“Bidders”) after the timeline required for Priority Entity offers, shall be no less Five Hundred Twenty Thousand Dollars (\$520,000.00); and

**XII. ACTION ITEMS (continued)**

**WHEREAS**, the District Property is identified in the Riverside County Map Guide as 5491/E6, and is comprised of Assessor's Parcel Numbers 845-132-013 (Building Parcel comprised of 9,000 internal assignable square feet of building space) and 845-132-007 (Parking Parcel comprised of 7,500 square feet of parking and external space); and

**WHEREAS**, the District Property's one-story building was constructed as Class C – Concrete Masonry in 1954 and is zoned as P/Q-P Public/Quasi-Public; and

**WHEREAS**, the District Property lies in Flood Zone D which is not a Special Flood Hazard Area; and

**WHEREAS**, the District Property does not lie within a defined Alquist-Priolo Earthquake Fault Zone and does not lie within an earthquake-induced landslide hazard zone but does lie within a very high liquefaction hazard zone; and

**WHEREAS**, the District paid \$520,000 for the District Property in 2006 and has upgraded and remodeled the property at an additional cost of \$227,000 using COPs (Certificates of Participation) funds.

**NOW, THEREFORE**, the Board of Trustees hereby resolves:

1. The District Property is no longer needed as a college classroom/services building and is therefore surplus.
2. The Board of Trustees declares its intent to sell the District Property consistent with the provisions of Education Code section 81360 et. seq.
3. The District shall comply with the provisions of Government Code section 65402 which requires the District to submit to the City of Blythe ("City") Planning Department its proposed disposition of the District Property for determination that the sale of the District Property is in conformity with the City's adopted General Plan or part thereof.
4. The Superintendent/President of this District, or designee, is hereby authorized and directed to: (a) submit the request for determination by the City of Blythe Planning Department that the sale of the District Property is in conformity with the City's adopted General Plan, and (b) give the required notices to the Priority Entities.
5. Provided that no Priority Entity has expressed interest in purchasing the District Property, or if interest has been expressed but the District has been unable to arrive at a mutually-satisfactory price during the priority period a public hearing will be held in the District Board room located at One College Drive, Blythe, California 92225, at 5:00 p.m. on March 12, 2013 for the purpose of receiving, opening, declaring and considering all proposals submitted by Bidders.

## **XII. ACTION ITEMS (continued)**

6. Bid Proposal forms for Bidders along with the proposed Purchase and Sale Agreement (the "Agreement") for the sale of the District Property may be obtained from the Chief Business Services Office of the District, located at One College Drive, Blythe, California 92225. The telephone number is (760) 921-5524.
7. The District shall pay no commission for the sale of the District Property.
8. Bidders shall be required to utilize the District's Bid Proposal Form in submitting their bids and shall be required to execute the District's form of Purchase and Sale Agreement with the existing terms and conditions contained therein, unless otherwise agreed to by the District.
9. Bidders are advised that the District Property is currently being used by various community and non-profit groups. Unless sooner vacated by these groups, the Agreement shall provide the existing tenants a period of 90 days following the close of escrow to vacate the District Property.
10. All Bids shall be accompanied by a certified or cashier's check made payable to the Palo Verde Community College District in the amount of Fifty Thousand Dollars (\$50,000.00), as bid security for entering into the agreement to purchase the District Property (the "Bid Deposit"). Twenty-Five Thousand Dollars (\$25,000) from the Bid Deposit of the successful Bidder, although applied toward the purchase price of the District Property, shall be unconditionally forfeited to and retained by the District if the Bidder defaults, with the balance of the Bid Deposit to be delivered by the District into escrow within two (2) business days following the "Opening Date" of escrow (as defined in Section 14 below). All other bid deposits from unsuccessful Bidders will be returned.
11. Bid Proposals for the purchase of the District Property shall be sealed and submitted to the Chief Business Services Office of the District on or before 4:00p.m. on Tuesday, March 12, 2013 before the public hearing commences.
12. At the time set for the public hearing, the sealed Bid Proposals received from Bidders shall be publicly opened, examined, and declared.
13. The final acceptance of the highest responsible Bid Proposal for the District Property will be made by the Board of Trustees at the March 12, 2013 Board Meeting or at any adjourned session of the same meeting held within ten (10) days next following the meeting. The Board of Trustees may select the highest responsive bid of any of the bids or, if it deems such action to be for the best public interest, it may reject any and all bids. The Board of Trustees retains the right to go into Closed Session per

## XII. ACTION ITEMS (continued)

- the Brown Act to deliberate over the Bid Proposals submitted for the purchase of the District Property.
14. Unless otherwise agreed to by the District in writing, within ten (10) days following the award by the Board of Trustees, the successful Bidder shall enter into escrow with the District for the District Property. Entering into escrow will require that three (3) originals of the fully-executed Agreement along with no less than twenty percent (20%) of the amount of the successful bid (the "Additional Deposit") be delivered into escrow, less the amount of the Bid Deposit accompanying the successful Bidder's Bid Proposal form (the "Opening Date"). The Bid Deposit and Additional Deposit (collectively, the "Deposit") will be applied toward the purchase price of the District Property.
  15. If needed, Foresite Escrow, Inc. located at 41-995 Boardwalk, Suite G-2, Palm Desert, California 92211-5110 will act as the escrow holder and the title company for the District Property. The escrow costs will be borne equally by seller and purchaser. The cost for the policy of title insurance for the District Property will be provided by the District.
  16. The successful Bidder for the District Property shall have (1) a sixty (60) day general/title due diligence period from the Opening Date to review and approve the condition of the District Property and the condition of title, and (2) unless sooner terminated, the successful Bidder shall have thirty (30) days following the expiration date of the general/title due diligence period to close escrow.
  17. The Superintendent/President of this District, or designee, is hereby authorized and directed to give notice of the Board's intent to sell the District Property by posting copies of this Resolution signed by the Board or a majority of it, in three (3) public places in the District not less than fifteen (15) days before the date of the meeting of the Board of Trustees in which sealed Bid Proposals to purchase the District Property will be received and considered, and by publication of a Notice of Sale not less than once a week for three (3) successive weeks before the date of the meeting in a newspaper of general circulation published in the District or in Riverside County and having a general circulation in the County.

**Resolution 12-23 B-95 – APPRAISAL SERVICES AGREEMENT, LARRY L. SIMON, MAI**  
BE IT RESOLVED, that Palo Verde Community College District Board of Trustees ratifies the agreement with Larry L. Simon, MAI, for appraisal report of property located at 145 North Spring Street, Blythe, CA 92225, in the amount of \$5,000. Additional services subsequent to the completion of the appraisal report, if needed, relating to updating the value opinion, consultation, expert testimony, travel time, etc., will be billed at the rate of \$300 per hour, as shown in Reference B-95.



**XII. ACTION ITEMS (continued)**

It was moved by Mr. Arneson, and seconded by Mr. Hyduke, that Resolution 12-23 B-95 be approved.

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**Resolution 12-23 B-96 – TEMPORARY LOAN FROM CAPITAL FUNDS**

BE IT RESOLVED that Palo Verde Community College District Board of Trustees approves a temporary loan to the Unrestricted General Fund, for an additional \$1,000,000, for immediate cash flow purposes and to meet payroll and contractual obligations through June 30, 2013 and into 2013-14.

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 up to an additional \$1,000,000 is necessary for cash flow purposes for the remainder of the fiscal year 2012-2013 and potentially the beginning of the new fiscal year, 2013-14; and

WHEREAS, the Governing Board of the Palo Verde Community College District has sufficient funds in the Capital Outlay Fund to provide a temporary loan, understands and agrees to the commitment for total repayment when the District receives its payments from the State.

It was moved by Mr. Gonzales, and seconded by Mr. Arneson, that Resolution 12-23 B-96 be approved.

There was discussion and Ms. Whittaker provided clarification.

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**Resolution 12-23 B-97 – CERTIFICATE OF PARTICIPATION – 2<sup>ND</sup> ANNUAL PAYMENT**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the 2<sup>nd</sup> COP payment of \$1, 522,175.01 to Deutsche Bank, as shown in Reference B-97.

It was moved by Mr. Arneson, and seconded by Dr. Thomas, that Resolution 12-23 B-97 be approved.

There was discussion and Ms. Whittaker clarified Resolution 12-23 B-97.

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**XII. ACTION ITEMS (continued)**

**Resolution 12-23 B-98 – TRANSFER OF LAIF FUNDS TO MAKE THE 2<sup>ND</sup> CERTIFICATE OF PARTICIPATION PAYMENT**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the transfer of \$1,522,000.00 to Fund 41 to cover the majority of the cost of the 2<sup>nd</sup> COP payment to Deutsche Bank for 2012-2013.

It was moved by Mr. Gonzales, and seconded by Mr. Lewis, that Resolution 12-23 B-98 be approved.

Ms. Whittaker clarified Resolution 12-23 B-98.

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

*(ADDENDUM TO THE AGENDA)*

**Resolution 12-23 B-99 – CONTRACT WITH METASOFT SYSTEMS INC.**

BACKGROUND: The College and Foundation have the opportunity to partner with Grant Funding Resources Proposal (Metasoft Systems Inc.) that provides grant and scholarship resources. The amount of the contract is \$7,995.00 (\$1,599/year) for 5 years with a money back guarantee that if we have not received revenue within the first 6 months, the service can be canceled for a full refund. The service provides access to resources and databases for donors and organizations that typically make funds available, as well as grant preparation assistance, and templates for letters requesting funds. We believe this to be a cost effective opportunity to generate new sources of income and are proposing a partnership with the PVCCD Foundation whereby the District will pay two thirds and the Foundation one third of the costs (\$5,277 and \$2,718 respectively). The issue at hand is that this offer expires December 31, 2012 and the price goes up in the new year. The Foundation Board does not meet until January, 2013 and cannot approve the proposed partnership and associated costs. Therefore, it is recommended that the College make the full payment, seeking ratification and approval from the Foundation at that time.

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the 5 year contract with Metasoft Systems Inc. for \$7,995.00, with the understanding that a partnership and reimbursement with Palo Verde Community College District Foundation for one third of the cost will be sought.

It was moved by Mr. Lewis, and seconded by Mr. Gonzales, that Resolution 12-23 B-99 be approved.

Ms. Whittaker clarified Resolution 12-23 B-99.

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**XII. ACTION ITEMS (continued)**

**C. PERSONNEL**

**Resolution 12-23 C-135 –MEMORANDUM OF UNDERSTANDING BETWEEN PVCCD AND CSEA, CHAPTER 180, & MANAGEMENT APPROVAL FOR WINTER BREAK CLOSURE**

WHEREAS, due to the fact that the College is closed Monday, Tuesday, and Wednesday (Dec. 31, 2012, January 1 and 2, 2013) as part of Winter Break, and nearly all classified employees and managers have requested time off for Thursday and Friday, January 3 and 4, 2013, the District and CSEA, and the District and management met to discuss the situation and recommended closure as insufficient staff would be present to provide services.

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the recommendation to amend the 2012-2013 calendar and close Palo Verde College on January 3 and 4, 2013, requiring the use of mandatory vacation, accrued compensatory time, floating holiday (management only), or personal necessity leave per the attached MOU between PVCCD and CSEA., as shown in Reference C-135.

It was moved by Mr. Gonzales, and seconded by Mr. Hyduke, that Resolution 12-23 C-135 be approved.

Ms. Whittaker clarified Resolution 12-23 C-135.

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

*(DR. THOMAS RECUSED HIMSELF FROM THIS RESOLUTION)*

**Resolution 12-23 C-136 – 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 Dr. George Thomas, from the PVCCD Board of Trustees Regular Meeting of November 13, 2012.

It was moved by Mr. Arneson, and seconded by Mr. Hyduke, that Resolution 12-23 C-136 be approved.

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**D. MISCELLANEOUS**

**Resolution 12-23 D-51 - ACCEPTANCE OF BOARD PERFORMANCE GOALS FOR 2012-2013**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the Board Performance Goals for 2012-2013, as shown on the following page and in Reference D-51.

## **XII. ACTION ITEMS (continued)**

### **BOARD OF TRUSTEES 2012-13 PERFORMANCE GOALS**

#### Self-Evaluation Goal: A. Policies, Guidance, and Decision-Making

1. Review annually short and long term institutional Strategic Plan. (A-1)
2. Review Policies (A-2)
3. Identify Superintendent/ President annual goals. (A-3)
4. Receive sufficient preparatory materials to make competent decisions. (A-4, 5, 6)
5. Acquire input from constituencies. (A-7, 8)
6. Act in a timely manner. (A-9)

#### Self-Evaluation Goal: B. Relationships with the Superintendent

1. Supports the operational decisions and actions of the S/P. (B-1)
2. Annual 360 S/P evaluation. (B-2)
3. Identify Superintendent/ President annual goals. (B-3)

#### Self-Evaluation Goal: C. Board-Employee Relationships

1. Annual review of changes to the CTA and CSEA contracts. (C-1)
2. Meets with the S/P to establish negotiations' parameters. (C-2)
3. Receives complaints from employees and provides information regarding the complaint resolution process. (C-3)
4. Supports employee professional development and evaluation. (C-4)

#### Self-Evaluation Goal: D. Relationships with the Educational Program/ Students

1. Keeps abreast instructional program offerings. (D-1, 2)
2. Supports Student Learning Outcomes (D-3)
3. Maintains currency on K-12 & PVC joint projects. (D-4)
4. Keeps abreast student support programs & services and student activities. (D-5, 6)

#### Self-Evaluation Goal: E. Board/Community Relationships

1. Maintains community contact via civic, organizational, and volunteer efforts. (E-1)
2. Hold at least one community town hall /meeting hall in Blythe and Needles. (E-3,4,5)
3. Serves as an ambassador for PVC in promoting enrollment and events. (E-3,4,5)

#### Self-Evaluation Goal: F. Business and Financial Management

1. Proficient in understanding the District budget, revenues, and challenges. (F-1, 3, 4, 5, 6)
2. Annually reviews College list of unmet needs, Educational Plan update. (F-2, 3, 4, 7)
3. Obtains specificity /clarity on the budget development process. (F-6)
4. Board Finance & Audit Committee meets no less than 4 times/year and makes regular reports to the Board. (F-1, 2, 3, 4, 5, 6, 8)
5. Review and update Finance-related policies and procedures. (F-8)

#### Self-Evaluation Goal: G. Professional Development of the Board

1. Maintains currency of Board roles and responsibilities. (G-1, 2, 3, 4)
2. Attends CCLC or other Board-related professional development meetings to stay current on Board issues. (G-2,3,4)

It was moved by Mr. Lewis, and seconded by Mr. Arneson, that Resolution 12-23 D-51 be approved.

**XII. ACTION ITEMS (continued)**

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**Resolution 12-23 D-52 - ACCEPTANCE OF INSTITUTIONAL GOALS FOR 2012-2014**  
BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the Institutional Goals for 2012-2014, as shown below and in Reference D-52.

**Palo Verde College Board of Trustees 2012-14 Board Institutional Goals**  
as Developed on October 16, 2012

- GOAL 1:** Through conscientious collegiality and transparency, ensure that the College District's budget effectively addresses the current fiscal crisis, provides fiscal stability to maintain instructional, student support, and operational integrity, and provides planning for long-term financial stability.
- GOAL 2:** Ensure full restoration of Accreditation status and continue to use Accreditation Standards to guide integrated strategic planning, program review, SLO assessment, and college operations.
- GOAL 3:** Ensure the acquisition of sufficient FTES to meet targeted goals.
- GOAL 4:** Explore options for the optimization of facilities at the main campus in Blythe, and at the Needles Center, including but not limited to, classroom and college facilities, college properties, land development, and advancements in utilizing the Fine and Performing Arts Center.
- GOAL 5:** Taking into consideration continued fiscal challenges, develop a plan to identify the PVCCD focused educational Mission for the Blythe and Needles' sites which meet the needs of the citizenry served while maintaining enrollment stability.
- GOAL 6:** Optimize resources through continued and conscientious energy and product conservation efforts.
- GOAL 7:** Consider options for the generation of new sources of revenue for and through programs, partnerships, and grants.
- GOAL 8:** Continue development of integrated data systems that provide information for measurable and data-driven decision-making.
- GOAL 9:** To support instructional, student support, and operational effectiveness, ensure a state-of-the-art teaching, learning, and work environment, including but not limited to technological advancements.
- GOAL 10:** Ensure the effective and efficient provision of instructional, student support, and operational programs and services by qualified faculty, staff, and managers, through a deliberate model of human resource management.

**XII. ACTION ITEMS (continued)**

It was moved by Mr. Gonzales, and seconded by Mr. Lewis, that Resolution 12-23 D-52 be approved.

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**Resolution 12-23 D-53 - ACCEPTANCE OF CEO GOALS FOR 2012-2013**

BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the CEO Goals for 2012-2013, as shown below and in Reference D-53.

**Palo Verde College Board of Trustees 2012-2013 CEO Goals**

1. Provide on-going Board of Trustee training in the areas of Board leadership and decision-making, Accreditation compliance, budget development and stabilization, and other areas as identified to ensure their effectiveness in making decisions impacting PVC.
2. Provide fiscal leadership to develop a plan that ensures financial stability, addressing the COP annual debt, and including the identification of new sources of revenue, on-going budget reduction maintenance and oversight, alternatives when planning for other State budget reductions, and cash flow stability to alleviate Accreditation and Chancellor Office concerns, and ensuring instructional, student service, and operational integrity.
3. Continue to work in a transparent and collegial process in addressing fiscal measures and the decision-making process consistent with AB1725.
4. Will take the lead in demonstrating Accreditation expertise, addressing the Accreditation sanctions, and in providing leadership in the development of the next Accreditation Self-Study.
5. Provide enrollment management leadership to ensure the acquisition of the targeted FTES required to maintain current levels of funding and target Needles FTES growth to re-acquire the \$138,000 in funding associated with their required FTES.
6. Ensure Accreditation compliance in regards to Program Review and SLO standards and timelines, and the link to integrated strategic planning.
7. Provide leadership in the design and implementation of the College's integrated strategic plan, consistent with Accreditation Standards.
8. Provide organizational leadership to redesign an effective classified and management workforce, including maintaining the 50% Law, taking into consideration unmet needs (i.e. an office of institutional effectiveness, research and accountability, grant development and grant management, staff development, SBEDC, Foundation support, non-credit and community service development, M&O supervision, construction, campus security, etc.) to ensure there is sufficient staff to maintain instructional, student support, and operational integrity.

**XII. ACTION ITEMS (continued)**

9. Continue to provide leadership and support to the PVC Foundation, including the development of a viable Alumni and Retiree associations.
10. Provide leadership to mitigate the problems associated with DSA and the architects to ensure the opening of the Fine and Performing Arts Center as soon as possible, and to develop appropriate curriculum consistent with the facility's purpose.
11. Provide leadership for addressing requirements associated with the Student Success Task Force recommendations.
12. Continue to provide leadership regarding energy conservation efforts.
13. Continue to provide leadership relative to information technology advancement, including but not limited to attaining a viable on-line degree.
14. Provide leadership to expand non-credit and community service offerings.
15. Should continue to produce one or more publications—for example, the “President’s Letter”—that is a personalized statement from the Superintendent/President about College activities and directed to the College as well as to the communities served by the District.
16. Other goals as identified by the Board of Trustees.

It was moved by Mr. Arneson, and seconded by Mr. Hyduke, that Resolution 12-23 D-53 be approved.

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**Resolution 12-23 D-54 – APPROVAL OF DEBT MITIGATION PLAN (COPs)**

As proposed by the Board’s Finance and Audit Committee and after 1<sup>st</sup> Reading on November 13, 2012, and 2<sup>nd</sup> Reading on December 11, 2012, BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves Option IV of the Debt Mitigation Plan, as shown below and in Reference D-54, to address long-term obligations created by the Certificates of Participation debt according to the provisions specified:

**Palo Verde Community College District 2012-2037 COP Debt Mitigation Plan**

The following plan has been reviewed by the College’s financial advisor through Magis Financial Advisors and by the College’s financial consultant, C.M. Brahmhatt; approved by the Board’s Finance and Audit Committee, and submitted for review to the Budget Committee and College Council as follows:

1. The College will continue to provide \$855,000 annually for the COP debt payment beginning in 2011 from the General Fund.
2. The College will provide an additional \$766,000 annually (as originally budgeted to address SERP payments) for the COP debt payment from 2016 through 2037 from the General Fund.

**XII. ACTION ITEMS (continued)**

3. The College will reserve from the LAIF account beginning January, 2013, \$350,000 to be identified and reserved for capital projects as the facilities begin to age and deferred maintenance needs arise. Interest income generated from the LAIF account or through unanticipated interest revenue will be re-directed into this capital account to maintain capital and maintenance stability.
4. Unanticipated annual revenue will be re-directed, as Board approved, to an account preserved for “debt service” to reduce or help reduce future annual COP debt shortfalls.
5. Four options currently exist, were based on and took into consideration the state of the economy, interest rates, and the state of the California education and financial situation:
  - a. Option I – **Do Nothing** and maintain the current \$60,449,000 debt as obligated resulting in a shortfall of approximately \$735,000 annually from 2027 – 2037.
  - b. Option II – **Refinance the COP Debt Now** with the result of having shortfalls beginning in 2026 of over a million dollars annually and realizing total debt of \$67,267,000 (negative arbitrage).
  - c. Option III - **Refinance the COP Debt in 2016** with the result of having shortfalls beginning in 2027 of approximately annually and realizing total debt of \$61,135,000.
  - d. Option IV – **Refinance the COP Debt in 2016 and Apply the Remaining LAIF/Capital (excluding \$350,000 reserved for capital maintenance/ projects) Funds to Buy Down the COP Principle** resulting in an annual shortfall of approximately \$125,000 and an overall debt of \$47,600,000.
6. Maintain on-going monitoring of economic trends, indicators, interest rates, consultation with financial experts, and other components which could positively or negatively impact any of the listed options, or result in the creation of a new option, with the capability of adjusting the plan as needed.
7. The Board of Trustees will review the options no less than annually, update the plan options, and adjust the plan if deemed beneficial to the institution.
8. The Board’s Finance and Audit Committee will develop a Debt Policy during spring 2013 to ensure the conditions and criteria under which the Board accepts additional debt in the future.
9. It is recommended to accept Option IV as the preferred plan to-date based on the data and information provided.

It was moved by Mr. Gonzales, and seconded by Mr. Arneson, that Resolution 12-23 D-54 be approved.

Mr. Arneson and Mr. Gonzales asked for clarification, and Ms. Whittaker clarified.

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

Motion carried/lost; Aye 6 No \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_



**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. ADJOURN TO CLOSED SESSION (IF NECESSARY, ACTION TAKEN IN CLOSED SESSION WILL BE REPORTED IN OPEN SESSION)**

The Board of Trustees, Ms. Whittaker, Interim Superintendent/President, and Ms. Jones, Interim Vice President of Instructional and Student Services, adjourned to Closed Session at 6:55 p.m. to discuss Resolution 12-23 B-94 and the following:

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

2. Conference with Labor Negotiator, Non-Represented Employees; CTA Negotiations
  - 1) CTA Negotiations
  - 2) Superintendent/President
  - 3) Chief Business OfficerNegotiator: Denise Whittaker

**XV. RECONVENE TO OPEN SESSION**

The Board of Trustees, Ms. Whittaker, Interim Superintendent/President, and Ms. Jones, Interim Vice President of Instructional and Student Services, reconvened to Open Session at 7:45 p.m. and stated that the following action had been taken in Closed Session:

Resolution 12-23 B-94 as shown in the Agenda item - Notice to Surplus Property and Intent to Sell, was amended as follows:

**WHEREAS**, the District paid ~~\$520,000~~ **\$450,000** for the District Property in 2006 and has upgraded and remodeled the property at an additional cost of \$227,000 using COPs (Certificates of Participation) funds.

Mr. Arneson moved to approve Resolution 12-23 B-94 as amended. Mr. Gonzales seconded the motion with all in favor.

*(THE AMENDED RESOLUTION IN ITS ENTIRETY IS SHOWN BELOW)*

**Resolution 12-23 B-94 – NOTICE TO SURPLUS PROPERTY AND INTENT TO SELL**

In accordance with Education and Government Code provisions as noted in the Resolution shown below, BE IT RESOLVED, that Palo Verde Community College District Board of Trustees approves the Notice to Surplus Property and Intent to Sell 145 Spring Street, Blythe, CA 92225. Timeline is shown in Reference B-94:

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
PALO VERDE COMMUNITY COLLEGE DISTRICT DECLARING ITS INTENT  
TO SELL SURPLUS REAL PROPERTY**

**WHEREAS**, the Palo Verde Community College District (the “District”) is the owner of certain real property totaling approximately nine thousand (9,000) square feet, located at 145 North Spring Street, in the City of Blythe, County of Riverside, State of California (the “District Property”), currently being used for community and non-profit office purposes, and non-credit college course offerings as needed; and

**WHEREAS**, the District Property is not needed for a college classroom/services building and is therefore surplus; and

**WHEREAS**, the District shall comply with Education Code section 81363.5 which provides that notice first be given to various public entities, agencies and non-profit corporations (individually the “Priority Entity” and collectively the “Priority Entities”), that the District Property is for sale at fair market value; and

**WHEREAS**, the minimum written bid for the purchase of the District Property by non-priority entities (“Bidders”) after the timeline required for Priority Entity offers, shall be no less Five Hundred Twenty Thousand Dollars (\$520,000.00); and

**WHEREAS**, the District Property is identified in the Riverside County Map Guide as 5491/E6, and is comprised of Assessor’s Parcel Numbers 845-132-013 (Building Parcel comprised of 9,000 internal assignable square feet of building space) and 845-132-007 (Parking Parcel comprised of 7,500 square feet of parking and external space); and

**WHEREAS**, the District Property’s one-story building was constructed as Class C – Concrete Masonry in 1954 and is zoned as P/Q-P Public/Quasi-Public; and

**WHEREAS**, the District Property lies in Flood Zone D which is not a Special Flood Hazard Area; and

**WHEREAS**, the District Property does not lie within a defined Alquist-Priolo Earthquake Fault Zone and does not lie within an earthquake-induced landslide hazard zone but does lie within a very high liquefaction hazard zone; and

**WHEREAS**, the District paid ~~\$520,000~~ **\$450,000** for the District Property in 2006 and has upgraded and remodeled the property at an additional cost of \$227,000 using COPs (Certificates of Participation) funds.

**NOW, THEREFORE**, the Board of Trustees hereby resolves:

1. The District Property is no longer needed as a college classroom/services building and is therefore surplus.
2. The Board of Trustees declares its intent to sell the District Property consistent with the provisions of Education Code section 81360 et. seq.
3. The District shall comply with the provisions of Government Code section 65402 which requires the District to submit to the City of Blythe (“City”) Planning Department its proposed disposition of the District Property for determination that the sale of the District Property is in conformity with the City’s adopted General Plan or part thereof.
4. The Superintendent/President of this District, or designee, is hereby authorized and directed to: (a) submit the request for determination by the City of Blythe Planning

Department that the sale of the District Property is in conformity with the City's adopted General Plan, and (b) give the required notices to the Priority Entities.

5. Provided that no Priority Entity has expressed interest in purchasing the District Property, or if interest has been expressed but the District has been unable to arrive at a mutually-satisfactory price during the priority period a public hearing will be held in the District Board room located at One College Drive, Blythe, California 92225, at 5:00 p.m. on March 12, 2013 for the purpose of receiving, opening, declaring and considering all proposals submitted by Bidders.
6. Bid Proposal forms for Bidders along with the proposed Purchase and Sale Agreement (the "Agreement") for the sale of the District Property may be obtained from the Chief Business Services Office of the District, located at One College Drive, Blythe, California 92225. The telephone number is (760) 921-5524.
7. The District shall pay no commission for the sale of the District Property.
8. Bidders shall be required to utilize the District's Bid Proposal Form in submitting their bids and shall be required to execute the District's form of Purchase and Sale Agreement with the existing terms and conditions contained therein, unless otherwise agreed to by the District.
9. Bidders are advised that the District Property is currently being used by various community and non-profit groups. Unless sooner vacated by these groups, the Agreement shall provide the existing tenants a period of 90 days following the close of escrow to vacate the District Property.
10. All Bids shall be accompanied by a certified or cashier's check made payable to the Palo Verde Community College District in the amount of Fifty Thousand Dollars (\$50,000.00), as bid security for entering into the agreement to purchase the District Property (the "Bid Deposit"). Twenty-Five Thousand Dollars (\$25,000) from the Bid Deposit of the successful Bidder, although applied toward the purchase price of the District Property, shall be unconditionally forfeited to and retained by the District if the Bidder defaults, with the balance of the Bid Deposit to be delivered by the District into escrow within two (2) business days following the "Opening Date" of escrow (as defined in Section 14 below). All other bid deposits from unsuccessful Bidders will be returned.
11. Bid Proposals for the purchase of the District Property shall be sealed and submitted to the Chief Business Services Office of the District on or before 4:00p.m. on Tuesday, March 12, 2013 before the public hearing commences.
12. At the time set for the public hearing, the sealed Bid Proposals received from Bidders shall be publicly opened, examined, and declared.

13. The final acceptance of the highest responsible Bid Proposal for the District Property will be made by the Board of Trustees at the March 12, 2013 Board Meeting or at any adjourned session of the same meeting held within ten (10) days next following the meeting. The Board of Trustees may select the highest responsive bid of any of the bids or, if it deems such action to be for the best public interest, it may reject any and all bids. The Board of Trustees retains the right to go into Closed Session per the Brown Act to deliberate over the Bid Proposals submitted for the purchase of the District Property.
14. Unless otherwise agreed to by the District in writing, within ten (10) days following the award by the Board of Trustees, the successful Bidder shall enter into escrow with the District for the District Property. Entering into escrow will require that three (3) originals of the fully-executed Agreement along with no less than twenty percent (20%) of the amount of the successful bid (the "Additional Deposit") be delivered into escrow, less the amount of the Bid Deposit accompanying the successful Bidder's Bid Proposal form (the "Opening Date"). The Bid Deposit and Additional Deposit (collectively, the "Deposit") will be applied toward the purchase price of the District Property.
15. If needed, Foresite Escrow, Inc. located at 41-995 Boardwalk, Suite G-2, Palm Desert, California 92211-5110 will act as the escrow holder and the title company for the District Property. The escrow costs will be borne equally by seller and purchaser. The cost for the policy of title insurance for the District Property will be provided by the District.
16. The successful Bidder for the District Property shall have (1) a sixty (60) day general/title due diligence period from the Opening Date to review and approve the condition of the District Property and the condition of title, and (2) unless sooner terminated, the successful Bidder shall have thirty (30) days following the expiration date of the general/title due diligence period to close escrow.
17. The Superintendent/President of this District, or designee, is hereby authorized and directed to give notice of the Board's intent to sell the District Property by posting copies of this Resolution signed by the Board or a majority of it, in three (3) public places in the District not less than fifteen (15) days before the date of the meeting of the Board of Trustees in which sealed Bid Proposals to purchase the District Property will be received and considered, and by publication of a Notice of Sale not less than once a week for three (3) successive weeks before the date of the meeting in a newspaper of general circulation published in the District or in Riverside County and having a general circulation in the County.

**XVI. ADJOURNMENT**

The meeting was adjourned at 7:50 p.m.

**Minutes approved at the January 22, 2013  
Regular Board Meeting.**

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**Interim Secretary of the Board**