

Agenda

Desert Community College District Board of Trustees
43-500 Monterey Ave., Palm Desert, CA 92260

REGULAR MEETING OF THE BOARD OF TRUSTEES

DATE: FRIDAY, AUGUST 17, 2012

TIME: 9:00 A.M.

LOCATION: CRAVENS MULTI-PURPOSE ROOM

Persons with disabilities may make a written request for a disability-related modification or accommodation, including for auxiliary aids or services, in order to participate in the Board meeting. Requests should be directed to the Office of the President as soon in advance of the Board meeting as possible.

For the convenience of the public, regular meetings of the Board of Trustees are transmitted live via "video stream" from the District's website, www.collegeofthedesert.edu. This is a non-interactive format allowing viewers to hear the discussion and view the Board of Trustees during the meeting. Archived video of some prior meetings is also available. The minutes of the meetings of the Board of Trustees are the official record of the actions of the Board.

I. CALL TO ORDER – PLEDGE OF ALLEGIANCE - ROLL CALL

II. AGENDA:

A. BOARD MEETING AGENDA: Pursuant to Government Code Section 54954.2(b)(2), the Board may take action on items of business not appearing on the posted agenda, upon a determination by a 2/3 vote of the Board, or (if less than 2/3 of the members are present, a unanimous vote of those present), that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified.

B. CONFIRMATION OF AGENDA: Approve the agenda of the Regular Meeting of August 17, 2012, with any additions, corrections, or deletions.

III. CLOSED SESSION 9:00a.m. – 9:30a.m. and 12:00p.m. to 12:45p.m. Closed session may extend past the designated time, but should the business considered in closed session require additional time the board shall reserve the time after the public meeting to continue discussion.

1. CONFERENCE WITH LABOR NEGOTIATOR, Pursuant to Section 54957.6; unrepresented groups & labor unions on campus include CTA, CODAA, and CSEA; Agency Designated Representative: Stan Dupree

2. CONFERENCE WITH LEGAL ANTICIPATED LITIGATION: Section 54956.9 (b)(c) Specify number of potential cases: 4

3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Superintendent/President

****Please note: Closed session will continue at 12:00 p.m. to 12:45 p.m. and at the end of the public meeting if needed.**

IV. OPEN SESSION 9:45 to 11:45 a.m. & 1:00 to completion

Closed session report (if any)

V. PUBLIC COMMENTS : PERSONS WHO WISH TO SPEAK TO THE BOARD ON ANY ITEM SHOULD COMPLETE THE “REQUEST TO ADDRESS THE BOARD” FORM AND PRESENT IT TO THE SECRETARY. PERSONS WHO WISH TO SPEAK TO THE BOARD ON ANY ITEM MAY DO SO AT THIS TIME. THERE IS A TIME LIMIT OF 3 MINUTES PER PERSON AND 15 MINUTES PER TOPIC, UNLESS FURTHER TIME IS GRANTED BY THE BOARD.

VI. APPROVE THE MINUTES OF:

Regular meeting of July 19, 2012. (Details on [COD Website](#))

VII. REPORTS

- A. ASCOD
- B. COLLEGE OF THE DESERT FOUNDATION
- C. COLLEGE OF THE DESERT ALUMNI ASSOCIATION
- D. ACADEMIC SENATE
- E. FACULTY ASSOCIATION
- F. C.O.D.A.A.
- G. CSEA
- H. GOVERNING BOARD

VIII. ADMINISTRATIVE REPORTS

1. Superintendent/President: Dr. Joel Kinnamon
 - FTES Update
 - Football Update
 - PSA Update
 - Other
2. Vice President Business Affairs: Dr. Edwin Deas
 - Satellite Campuses Update
3. Interim Vice President Student Affairs: Adrian Gonzales
 - Fall Registration Update
 - Student Success Taskforce Recommendations Update

IX. CONSENT AGENDA: All items on the Consent Agenda will be considered for approval by a single vote without discussion. Any Board member may request that an item be pulled from the Consent Agenda to be discussed and considered separately in the Action Agenda.

A. HUMAN RESOURCES

1. Extension of Assignment – Classified
2. Volunteers
3. Approval of Tentative Agreements – District & CODAA
4. Revised Job Description – Classified
5. Employment Group C Appointments

B. FISCAL SERVICES

1. Purchase Orders and Contracts for Supplies, Services & Construction
2. License Agreement with Prime Time International
3. Agreement for Specific Legal Services with Stradling Yocca Carlson & Rauth, P.C.
4. Gifts/Donations to the District
5. Warrants
6. Payroll #1
7. Out-of-State Travel
8. Change Order #003-Proocraft-001 Communication Building – Pro-Craft Construction, Inc.
9. Change Order #004-Westcon-001 Communication Building – Westcon Construction Group, Inc.

X. ACTION AGENDA

A. ITEMS PULLED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION AND CONSIDERATION

B. BOARD OF TRUSTEES

1. Proclamation: National Hispanic Heritage Month
2. Review of Board Policy 2310 Regular meetings of the Board
3. Revised Board Policy 3570 Smoking on Campus – Second Reading

C. PRESIDENT

1. College Support Organization Representative on the Citizens’ Bond Oversight Committee
2. Student Representative on the Citizens’ Oversight Committee Meeting

D. HUMAN RESOURCES

1. Employment Group A Appointments – Classified
2. 45-Day Layoff Notice - Classified

E. FISCAL SERVICES

1. CCFS-311Q / Quarterly Financial Status Report
2. Designation of Off-Site Location and Use of Facilities Agreement
3. Financing the WVC-Palm Springs Solar Project

XI. STUDY SESSION

1. Budget Presentation

XII. SUGGESTIONS FOR FUTURE AGENDAS

XIII. BOARD COMMENTS

XIV. CLOSED SESSION (Continuation if needed)

XV. ADJOURN

**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Human Resources

ITEM #: 1

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TITLE: EXTENSIONS OF ASSIGNMENT - CLASSIFIED

BACKGROUND:

1. To provide an extension of assignment for Bonnie Sutherland, Instructional Support Assistant, DSPS, from 7/18/12 to 7/26/12.
2. To provide an extension of assignment for Janet Castillo, Information Technology Technician, Information Technology & Institutional Research, from 7/1/12 to 7/31/12.

FISCAL IMPLICATIONS:

1. Position is fully funded from restricted funds.
2. Position is fully funded from restricted funds. (Bond)

RECOMMENDATION:

Board of Trustees ratifies the extensions of assignment as presented.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Human Resources

ITEM #: 2

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TITLE: VOLUNTEERS

BACKGROUND:

Listing of approved volunteers as follows:

Yesid Cortes Tovar – Athletics

Joshua Perez – Information Technology & Institutional Research

FISCAL IMPLICATIONS:

None

RECOMMENDATION:

Board of Trustees ratifies volunteers as presented.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Human Resources

ITEM #: 3

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**TITLE: APPROVAL OF TENTATIVE AGREEMENTS
BETWEEN THE DESERT COMMUNITY COLLEGE
DISTRICT (DCCD) & COLLEGE OF THE DESERT ADJUNCT
ASSOCIATION (CODAA)**

BACKGROUND:

To approve the Tentative Agreements listed below between the Desert Community College District and the College of the Desert Adjunct Association:

Article VI: Employee Rights
Article XI: Grievance Procedures
Appendix C: Grievance Forms
Article XII: Evaluation
Appendix D: Adjunct Faculty Evaluation Summary Form
Article XXII: Agreement Conditions and Duration

*Details on [COD Website](#)

FISCAL IMPLICATIONS:

The Tentative Agreements will be covered by the current budget.

RECOMMENDATION:

Board of Trustees approves the Tentative Agreements as presented.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Human Resources

ITEM #: 4

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TITLE: REVISED JOB DESCRIPTION - CLASSIFIED

BACKGROUND:

To approve the revised job description for Campus Maintenance & Security, Eastern Valley Campus – Mecca/Thermal.

Details on [COD Website](#)

FISCAL IMPLICATIONS:

This position is District funded.

RECOMMENDATIONS:

Board of Trustees approves the revised job description as presented.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Human Resources

ITEM #: 5

TITLE: EMPLOYMENT GROUP C APPOINTMENTS

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BACKGROUND:

Under AP 6300(a), the undernoted appointments included in Group C have been made as noted.

Classified term-specific in an aggregate amount of \$12,333.00. (Details on [COD website](#))

Faculty stipend in aggregate amount of \$9,615.00 (Details on [COD website](#))

Adjunct salary/stipend in aggregate amount of \$1,515,478.00. (Details on [COD website](#))

Contract/Non-affiliated in the aggregated amount of \$19,680.00 (Details on [COD website](#))

Student Workers/Tutors in the aggregate amount of \$110,480.00 (Details on [COD website](#))

FISCAL IMPLICATIONS:

All positions fully funded as noted on details in the Board website.

RECOMMENDATION:

Board of Trustees approves or ratifies, as appropriate, the appointments as presented.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Fiscal Services

ITEM #: 1

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**TITLE: PURCHASE ORDERS AND CONTRACTS FOR
SUPPLIES, SERVICES & CONSTRUCTION**

BACKGROUND:

Under AP 6300(a), purchase orders have been issued and contracts have been executed for the period July 1-31, 2012 as follows:

Purchase Orders in excess of \$25,000

In the aggregated amount of \$1,663,690.82 as presented. (Details on [COD Website](#))

Contracts in excess of \$25,000

In the aggregated amount of \$2,115,900.53 as presented. (Details on [COD Website](#))

Purchase Orders and Contracts that do not exceed \$25,000

In the aggregated amount of \$4,539,325.06 as presented. (Details on [COD Website](#))

Note that the report includes all purchase orders and contracts including those reported above.

FISCAL IMPLICATIONS:

All purchase orders and contracts are appropriately funded from unrestricted or restricted sources, as confirmed during the process of preparation of the documentation.

RECOMMENDATION:

Board of Trustees ratifies or approves, as appropriate, purchase orders and contracts as presented.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Fiscal Services

ITEM #: 2

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**TITLE: LICENSE AGREEMENT WITH PRIME TIME
INTERNATIONAL**

BACKGROUND:

The District will continue to grant Prime Time International a license on a portion of the property located at 61120 Buchanan Street, Mecca, CA (northeast corner of the Property described in Exhibit A of the License Agreement) for the purpose of planting, growing, and harvesting of date palm trees. The *License Agreement shall be for a term of one (1) year commencing on January 1, 2013 and terminating on December 31, 2013.

*Details on [COD Website](#)

FISCAL IMPLICATIONS:

Prime Time International shall pay all costs in connection with their operations including but not limited to costs of relocating certain date palm trees.

RECOMMENDATION:

Board of Trustees approves the attached license agreement with Prime Time International.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Fiscal Services

ITEM #: 3

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**TITLE: AGREEMENT FOR SPECIFIC LEGAL SERVICES
WITH STRADLING YOCCA CARLSON & RAUTH, P.C.**

BACKGROUND:

The District wishes to engage the services of Stradling Yocca Carlson & Rauth, P.C. to represent the District during the audit of the General Obligation Bonds, Election of 2004, Series 2007C by the Internal Revenue Service.

FISCAL IMPLICATIONS:

Expenditures met from Bond Program, as legally permitted.

RECOMMENDATION:

Board of Trustees approves the agreement for specific legal services from Stradling Yocca Carlson & Rauth, P.C. as presented.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Fiscal Services

ITEM #: 4

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TITLE: GIFTS/DONATIONS TO THE DISTRICT

BACKGROUND:

- Minolta XC 5 camera donated to the School of Arts and Sciences by Mr. Melvin Straub of Rancho Mirage, CA. Item to be utilized by the students in the photography program.
- Three (3) vintage dress and two (2) vintage coats donated to the School of Arts and Sciences by Ms. Tana Sands of Cathedral City, CA. Items are to be utilized by the students in the theatre arts program.
- 2008 Ford F-150 Truck donated to the School of Applied Sciences and Business by Mr. Larry Hall of Palm Springs, CA. Item to be used in the horticulture and agriculture area.

FISCAL IMPLICATIONS:

The related costs associated with the truck donation are \$250.00 per year and will be funded from an unrestricted account (General Fund), which is budgeted within the School of Arts and Sciences.

RECOMMENDATION:

Board of Trustees accepts donations to the District and a letter of appreciation will be sent to the donors by the Office of the President.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Fiscal Services

ITEM #: 5

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TITLE: WARRANTS

BACKGROUND:

Board action is required to ratify District warrants under AP 6300(a). Details of all warrants are posted on the [COD Website](#).

FISCAL IMPLICATIONS:

These expenditures are in conformance with the District budget.

RECOMMENDATION:

Board of Trustees ratifies the warrants in the amount of \$5,775,089.67 as presented.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Fiscal Services

ITEM #: 6

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TITLE: PAYROLL #1

BACKGROUND:

Board action is required to ratify the District payroll under AP 6300(a).

FISCAL IMPLICATIONS:

These expenditures are in conformance with the District budget.

RECOMMENDATION:

Board of Trustees ratifies Payroll #1 in the amount of \$1,668,769.64 as follows:

Certificated:	\$ 800,420.57
Classified:	<u>\$ 868,349.07</u>
	\$1,668,769.64

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Fiscal Services

ITEM #: 7

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TITLE: OUT-OF-STATE TRAVEL

BACKGROUND:

1. Business Affairs – Ms. Susan Kitagawa, Employee & Labor Relations Manager of Human Resources, to attend the Association of Chief Human Resource Officers (ACHRO) Fall Training Institute in South Lake Tahoe, NV, October 23-26, 2012.

The ACHRO Institute is the annual conference and training institute for Human Resources professions employed in the California Community College system. There are two and half days of training workshops presented by law firms and other Human Resources professionals. Topics cover federal and state laws and regulations, best practices, equity and diversity, compensation and benefits, risk management, and Education Code and Title V compliance.

Fiscal Implications: Costs estimated at \$1,502.00 and will be funded by a restricted source (Auxiliary).

2. California School Employees Association – Lauro Jimenez, CSEA Chapter 407 President, and Mary Lisi, CSEA Chapter 407 1st Vice-President, will attend CSEA’s 86th Annual Conference as delegates in Las Vegas, NV July 29- August 2, 2012.

Over 2,000 dedicated classified employees from all over California will share ideas, debate and vote on resolutions, adopt a budget and present awards for outstanding service and achievement. The conference is where CSEA members set the leadership, legislative and budgetary direction of the union.

All conference delegates are CSEA members who are locally elected or appointed by members of the chapter they are representing. In addition to the formally scheduled events, the conference presents members with a unique opportunity to exchange ideas, share problems and solutions, and network with colleagues from around the state.

Fiscal Implications: Costs estimated at \$2,800.00 and \$2,200 will be funded by CSEA Chapter 407 and \$600.00 will be funded by unrestricted source (General Fund) per CSEA Collective Bargaining Agreement.

3. President – Mr. Alejandro Jazan, Assistant Professor, School of Communication and Humanities, to attend the 26th Annual Hispanic Association of Colleges & Universities Conference (HACU) in Washington, D.C., October 19-22, 2012.

The information provided at the HACU Conference will be valuable for the continuing support of Mr. Jazan's participation as a member of the Diversity Council, SEED, and Learning Communities. The conference promotes greater Hispanic participation involving transfer to higher education along with merging trends in education that affect Hispanic students.

Fiscal Implications: Costs estimated at \$2,410.00 and will be funded from two restricted sources (\$1,810.00/Title V Grant Project and \$600.00/Faculty Development Funds)

4. President – Ms. Pamela Hunter, Executive Director Institutional Advancement and Director, Title V Cooperative Grant, to attend the 26th Annual Hispanic Association of Colleges & Universities Conference (HACU) and Annual Dean's Forum in Washington, D.C., October 20-23, 2012.

The information provided at the HACU Conference will give Ms. Hunter pertinent information regarding policy issues affecting Hispanic participation of scholarships and fellowship programs; expand partnerships and strategic alliances for HACU member institutions and public and private-sector organizations. Conference seminars will also feature emerging trends in higher education for HSIs distance learning, student centered learning, and cross-national accreditation. The Dean's Forum will offer time for networking and discussion on issues and opportunities for the academic success of Hispanic students in higher education.

Fiscal Implications: Costs estimated at \$2,410.00 and will be funded from a restricted source (Title V Coop Grant Project).

5. President – Mr. Tony DiSalvo, Dean, School of Communication and Humanities, to attend the 26th Annual Hispanic Association of Colleges & Universities Conference (HACU) and Annual Dean's Forum in Washington D.C., October 20-23, 2012.

The information provided at the HACU Conference will give Mr. DiSalvo pertinent information regarding effective instructional and student services practices as it relates to policy issues affecting underserved students. Conference seminars will also feature emerging trends in higher education for HSIs distance learning, student centered learning, and cross-national accreditation. The Dean's Forum will offer time for networking and discussion on issues and opportunities for academic success of Hispanic students in higher education.

Fiscal Implications: Costs estimated at \$2,410.00 and will be funded from a restricted source (Title V Coop Grant Project).

RECOMMENDATION:

Board of Trustees approves or ratifies the out-of-state travel requests for the individuals listed.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Fiscal Services

ITEM #: 8

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**TITLE: CHANGE ORDER #003-PROCRAFT-001
COMMUNICATION BUILDING PROJECT
PRO-CRAFT CONSTRUCTION, INC.**

BACKGROUND:

Change Order #003-ProCraft-001 is a credit in the amount of <\$27,696.66> for reduction in scope of work for bid package #004 – Site Utilities. This Change Order amends the contract total from \$228,228.00 to \$200,531.34.

FISCAL IMPLICATIONS:

This project is funded by proceeds from Measure B Bonds and remains within budget.

RECOMMENDATION:

Board of Trustee approves Change Order #003-ProCraft-001 to the contract with Pro-Craft Construction, Inc. for the Communication Building Project in the credit amount of <\$27,696.66>; amending the contract to \$200,531.34.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Fiscal Services

ITEM #: 9

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**TITLE: CHANGE ORDER #004-WESTCON-001
COMMUNICATION BUILDING PROJECT
WESTCON CONSTRUCTION GROUP, INC.**

BACKGROUND:

Change Order #004-Westcon-001 is a credit in the amount of <\$52,785.24> for reduction in scope of work for bid package #005 – Site Concrete and Asphalt Paving. This Change Order amends the contract total from \$189,997.00 to \$137,211.76.

FISCAL IMPLICATIONS:

This project is funded by proceeds from Measure B Bonds and remains within budget.

RECOMMENDATION:

Board of Trustee approves Change Order #004-Westcon-001 to the contract with Westcon Construction Group, Inc. for the Communication Building Project in the credit amount of <\$52,785.24>; amending the contract to \$137,211.76.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Board of Trustees

ITEM #: 1

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TITLE: PROCLAMATION – NATIONAL HISPANIC HERITAGE MONTH

BACKGROUND:

The presence of Hispanics on this continent predates the founding of our Nation, and they are a large and increasing segment of our population. Hispanic Americans are a thriving force in our society and a vital part of not only our economy, but our college community.

FISCAL IMPLICATIONS:

None.

RECOMMENDATIONS:

To approve the Proclamation declaring September 15 through October 15, 2012 as National Hispanic Heritage Month.

Administrator Initiating Item: Bonnie Stefan	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**PROCLAMATION
NATIONAL HISPANIC HERITAGE MONTH**

Whereas, Americans of Hispanic Heritage have a sophisticated ancestry which dates back hundreds of years, exploring and settling in our country before the War of Independence; and

Whereas, they brought with them a deep commitment to family and community, a strong work ethic, and an unwavering belief in the American Dream; and

Whereas, in a nation that derives so much strength from cultures and races, Hispanic Americans are a thriving force in our society, and a vital part of our economy; and

Whereas, we recognize that the success of our Nation is closely tied to the success of our citizens of Hispanic Heritage, who are a large and increasing segment of our population;

Now therefore be it proclaimed, that the Board of Trustees, faculty, staff and students take this opportunity to honor Hispanics for their many valuable contributions to this great land; and

Be it further proclaimed, that the Board of Trustees of Desert Community College District are pleased to recognize September 15 through October 15, 2012, as National Hispanic Heritage Month.

Board of Trustees

Becky Broughton

Charles Hayden

John Marman

Michael O'Neill

Bonnie Stefan

Student Trustee

Andrew Campbell

President

Joel L. Kinnamon

**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Board of Trustees

ITEM #: 2

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**TITLE: REVISION OF BOARD POLICY 2310: REGULAR MEETINGS OF THE
BOARD – FIRST READING**

BACKGROUND:

This policy was revised in August 2011 to include provisions relative to teleconferencing. A member requested further discussion on the matter.

Two members were appointed at the July 2012 meeting to review and revise as needed. Those members, in consultation with the Superintendent/President, reviewed recommendations made by the attorney representing the Board, and revised the policy as presented.

*Details on [COD Website](#)

FISCAL IMPLICATIONS:

None.

RECOMMENDATION:

Receive the revised policy for a first reading.

Administrator Initiating Item: Bonnie Stefan	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Board of Trustees

ITEM #: 3

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**TITLE: REVISED BOARD POLICY 3570: SMOKING ON CAMPUS – SECOND
READING**

BACKGROUND:

In the interest of employee health and the general welfare of students the Board of Trustees requested a more definitive policy on smoking. (Details on [COD Website](#))

FISCAL IMPLICATIONS:

Costs associated with new signage have yet to be determined.

RECOMMENDATION:

Approve the revised policy as presented.

Administrator Initiating Item: Bonnie Stefan	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Superintendent/President

ITEM #: 1

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**TITLE: COLLEGE SUPPORT ORGANIZATION
REPRESENTATIVE ON THE CITIZENS' BOND
OVERSIGHT COMMITTEE**

BACKGROUND:

The Desert Community College District was successful in passing its Measure B Bond Measure on March 2, 2004 for \$346.5 million. Pursuant to ECS 15278, and Proposition 39 restrictions, the District is required to appoint an Oversight Committee whose primary purpose is to inform the public at least annually in written report concerning the expenditure of bond proceeds.

The Oversight Committee must consist of at least seven members from specified groups or organizations. The memberships must have one member each from a business organization, a senior citizen organization, a community college support organization, a bona fide taxpayer organization, and one student from College of the Desert. Mr. Robert A. Spiegel (College Support Organization Representative) term ends September 2012. The next College Support Organization representative is recommended as follows:

Mr. Larry Spicer as the College Support Organization Representative for the vacant position on the Citizens' Bond Oversight Committee.

FISCAL IMPLICATIONS:

None.

RECOMMENDATION:

Board of Trustees appoints Mr. Larry Spicer as College Support Organization Representative for the vacant position on the Citizens' Bond Oversight Committee.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Superintendent/President

ITEM #: 2

- | |
|---|
| <input type="checkbox"/> CONSENT |
| <input checked="" type="checkbox"/> ACTION |
| <input type="checkbox"/> INFORMATION |

**TITLE: STUDENT REPRESENTATIVE ON THE CITIZENS' BOND
OVERSIGHT COMMITTEE**

BACKGROUND:

The Desert Community College District was successful in passing its Measure B Bond Measure on March 2, 2004 for \$346.5 million. Pursuant to ECS 15278, and Proposition 39 restrictions, the District is required to appoint an Oversight Committee whose primary purpose is to inform the public at least annually in written report concerning the expenditure of bond proceeds.

The Oversight Committee must consist of at least seven members from specified groups or organizations. The memberships must have one member each from a business organization, a senior citizen organization, a community college support organization, a bona fide taxpayer organization, and one student from College of the Desert. Cheri Nadell (Student Representative) term ends September 2012. The next student representative is recommended as follows:

Brenda Valdez as the Student Representative for the vacant position on the Citizens' Bond Oversight Committee.

FISCAL IMPLICATIONS:

None.

RECOMMENDATION:

Board of Trustees appoints Brenda Valdez as Student Representative for the vacant position on the Citizens' Bond Oversight Committee.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Superintendent/President

ITEM #: 3

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| <input type="checkbox"/> CONSENT |
| <input checked="" type="checkbox"/> ACTION |
| <input type="checkbox"/> INFORMATION |

TITLE: APPROVAL OF AN INDEPENDENT INVESTIGATOR FOR FOOTBALL PROGRAM

BACKGROUND:

Given the seriousness of the allegations regarding eligibility and recruitment practices, the Desert Community College District Board of Trustees wishes to engage the services of an independent investigator to conduct a full and comprehensive, independent review of the football program, including the student Code of Conduct.

The Superintendent/President recommends entering into a contract with Mary Dowell, a Partner with the law firm of Liebert, Cassidy, Whitmore. Ms. Dowell brings 30 years of experience in labor, employment, and education law. She will work with the football and athletic commissioner on the allegations pertaining to the football program. Ms. Dowell and Football Commissioner Sartoris have collaborated on an investigation of another California Community College football program.

FISCAL IMPLICATIONS:

Associated costs have not been determined but should be available by Board meeting date.

RECOMMENDATION:

Board of Trustees to authorize the Superintendent/President to engage the services of Mary Dowell as presented.

Administrator Initiating Item: Bonnie Stefan	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Human Resources

ITEM #: 1

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| <input type="checkbox"/> CONSENT |
| <input checked="" type="checkbox"/> ACTION |
| <input type="checkbox"/> INFORMATION |

TITLE: EMPLOYMENT GROUP A APPOINTMENTS - CLASSIFIED

BACKGROUND:

Ms. Guadalupe Cabrera has been appointed to a new position of Outreach Specialist, Financial Aid, 29.5 hours per week, 12-months, effective 7/30/12. Placement on Range 9 of the Classified salary schedule is at Step B.

Ms. Liliana Casas has been appointed to a new position of Outreach Specialist, Financial Aid, 29.5 hours per week, 12-months, effective 8/1/12. Placement on Range 9 of the Classified salary schedule is at Step A.

(Details on [COD website](#))

FISCAL IMPLICATIONS:

Both positions are fully funded by restricted funds.

RECOMMENDATIONS:

Board of Trustees ratifies the appointments as presented.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Human Resources

ITEM #: 2

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|---|
| <input type="checkbox"/> CONSENT |
| <input checked="" type="checkbox"/> ACTION |
| <input type="checkbox"/> INFORMATION |

TITLE: 45-DAY LAYOFF NOTICE - CLASSIFIED

BACKGROUND:

That the Board of Trustees approves the following classified position be discontinued effective October 1, 2012 due to lack of funds:

Secretary

FISCAL IMPLICATIONS:

The position in Student Health was previously funded by restricted funds.

RECOMMENDATIONS:

WHEREAS, it is the determination of the Board of Trustees that it is in the best interests of this District that the classified position be discontinued;

BE IT FURTHER RESOLVED that the Superintendent/President is directed to give notice of layoff to applicable classified employee in accordance with §88015, 88017, 88117 and 88127 of the *Education Code*. Such notice shall be given not less than 45 days prior to the effective date of the layoff, and the affected employee shall be informed of their displacement rights, if any, and reemployment rights.

BE IT FURTHER RESOLVED that the College Superintendent/President be authorized and directed to take any other actions necessary to effectuate the intent of this resolution including the implementation of personnel changes brought about by “bumping rights” of the relevant employees.

PASSED AND ADOPTED at a regular meeting of the Board of Trustees of the Desert Community College District held on August 17, 2012.

Board of Trustees approves the 45-day layoff notice as presented.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Fiscal Services

ITEM #: 1

- | |
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| <input type="checkbox"/> CONSENT |
| <input checked="" type="checkbox"/> ACTION |
| <input type="checkbox"/> INFORMATION |

**TITLE: CCFS-311Q / QUARTERLY FINANCIAL STATUS
REPORT**

BACKGROUND:

The *CCFS-311Q / Quarterly Financial Status Report for the 4th quarter ending June 30, 2012 is presented for discussion. This report is certified with the California Community College Chancellor's Office.

*Details on the [COD Website](#).

FISCAL IMPLICATIONS:

None.

RECOMMENDATION:

Board of Trustees receives the District's fourth Quarterly Financial Status Report for 2011-2012.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Fiscal Services

ITEM #: 2

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| <input type="checkbox"/> CONSENT |
| <input checked="" type="checkbox"/> ACTION |
| <input type="checkbox"/> INFORMATION |

**TITLE: DESIGNATION OF OFF-SITE LOCATION AND USE
OF FACILITIES AGREEMENT**

BACKGROUND:

This fall we will begin using the Coachella Valley History Museum, 82616 Miles Avenue, Indio, CA 92201, as an off-site location to hold classes. In accordance with Education Code 81529, the Board of Trustees has the authority to designate off-site locations. Furthermore, the District has entered into an *Use of Facilities Agreement with the Coachella Valley History Museum.

*Details on [COD Website](#)

FISCAL IMPLICATIONS:

There is no budget implication.

RECOMMENDATION:

Board of Trustees approves the Coachella Valley History Museum, 82616 Miles Avenue, Indio, CA, 92201, as an off-site location, and the Use of Facilities Agreement as presented.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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**DESERT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

Meeting Date: 8/17/2012

AREA: Fiscal Services

ITEM #: 3

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**TITLE: FINANCING THE WVC-PALM SPRINGS SOLAR
PROJECT**

BACKGROUND:

A 2.7999 megawatt solar carport system is being installed on the Palm Desert Campus. Faced with choice of meeting the capital cost of approximately \$19 million by borrowing through Qualified Energy Conservation Bonds (QECBs) or utilizing future pass-through Redevelopment funds, the Board of Trustees opted for the latter source. Further to that decision, rather than forgo the highly attractive borrow facility it is proposed to access approximately 50% of the QECBS, invest the bond proceeds for around ten years, and through legally permitted arbitrage realize between \$3 and 4 million which will be applied to the approximately 0.6 megawatt solar project as part of the first phase of the WVC-Palm Springs project. That solar project is projected to provide all of the energy needs associated with the first phase.

Details on [COD Website](#)

FISCAL IMPLICATIONS:

The Palm Desert solar project is expected to provide significant benefit to the General Fund through reduced utilities expenditures. The proposal to generate income from the QECBs in order to finance the WVC-Palm Springs solar project will have no expenditures for the District and will not diminish the anticipated benefit to the General Fund noted earlier, ergo it will be totally self-financing.

RECOMMENDATION:

The Board of Trustees approves the recommendation to access QECBs to provide the wherewithal to finance the WVC-Palm Springs solar project as presented.

Administrator Initiating Item: Edwin Deas	Cabinet Review & Approval: 8/6/2012 Chair & Vice Chair Review: 8/9/2012
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