



**MIRACOSTA COMMUNITY COLLEGE DISTRICT  
BOARD OF TRUSTEES  
One Barnard Drive, Oceanside, CA**

**MINUTES OF REGULAR MEETING**

**March 24, 2022  
(APPROVED 4/21/22)**

**I. CALL TO ORDER**

The Board of Trustees of the MiraCosta Community College District met in open session on Thursday, March 24, 2022, both in-person and via Zoom conference. President Anna Pedroza called the meeting to order at 4:05 p.m.

**II. FLAG SALUTE / ROLL CALL**

Board members present:

David Broad	Frank Merchat
Rick Cassar	Anna Pedroza
William Fischer	Jacqueline Simon
George McNeil	Alma Cuevas (Student Trustee)

Administrators present:

Superintendent/President Sunny Cooke  
Vice President Tim Flood  
Vice President Charlie Ng  
Vice President Denée Pescarmona  
Vice President Alketa Wojcik

**III. TELECONFERENCING OF MEETINGS (Action Required)**

**A. Approve Continued Observance of Resolution No. 4-21/22 Authorizing Teleconferencing for Meetings Pursuant to AB 361**

By motion of Trustee McNeil, seconded by Trustee Cassar, the board adopted Resolution No. 4-21/22 authorizing the continued teleconferencing of meetings pursuant to AB 361.

Vote: 7/0/0  
Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon  
Abstentions: None  
Absent: None

**IV. APPROVE MEETING MINUTES**

**A. Special Meeting/Closed Session of February 24, 2022**

By motion of Trustee McNeil, seconded by Trustee Merchat, the minutes of the special meeting/closed session of February 24, 2022, were approved.

Vote: 7/0/0  
Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon  
Abstentions: None  
Absent: None

**B. Regular Meeting of February 24, 2022**

By motion of Trustee McNeil, seconded by Trustee Merchat, the minutes of the regular meeting of February 24, 2022, were approved.

Vote: 7/0/0

Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon

Abstentions: None

Absent: None

**V. PUBLIC COMMENT ON ITEMS ON AND NOT ON THE AGENDA**

None.

**VI. CHANGES IN AGENDA ORDER**

None.

**VII. PRESENTATIONS**

**A. FY2021 Annual District and Measure MM Audit Report and Presentation**

Vice President of Administrative Services Tim Flood provided an overview of the FY2021 Annual District Financial and Measure MM Audit. Senior Manager Rachel Green of the audit firm of Eide Bailly, LLP, certified public accountants licensed by the California Board of Accountancy, presented the audit report. The district and Measure MM audits included examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements, along with assessing the accounting principles used, and significant estimates made by management.

The district received an **Unmodified** Opinion, that is, the district complied, in all material respects, the compliance requirements for financial statements, federal awards, and state awards as of June 30, 2021. There was one (1) significant reporting deficiency not considered a material weakness for federal awards, as described below.

Finding: 2021-001 Reporting (audit report, pages 92-93). On the March 31, 2021, quarterly report of the CARES Act Higher Education Emergency Relief Fund (HEERF) Student Aid Portion, there were three misstatements.

- The reported amount disbursed was \$2,755,503, which was understated by \$29,295 from a total disbursement of \$2,784,798. The \$2,755,503 was the HEERF I award allocation, and HEERF II award was notified to the district in mid-February 2021, where a new grant # was established. The corrective action has been implemented going forward to verify disbursement amounts from the Workday Financial System.
- The report was overstated by 31 students who received the grant from the reported number of 5,554. The 31 students received their grant on April 2, 2021. The Financial Aid system initiates the award data that is processed through the Workday Financial system for disbursement, and there is auditing/processing time by accounting. The corrective action has been implemented to reconcile the student count based on the disbursed amount from accounting.
- The report was understated for the estimated total students who were eligible to receive the Emergency Financial Aid grant. The corrective action will be implemented to ensure that each semester's eligible students are accounted for the total estimated eligible student count.

The district has responded to this one finding and has implemented corrective measures.

**B. Capital Construction Program Update**

Vice President Tim Flood, as well as district and Kitchell staff, provided an update on the progress of the district's Capital Construction Program, including:

- Program status summary and budget information
- Community Learning Center project completion list and planning status
- San Elijo project completion list and planning status
- Oceanside Campus project completion list and planning status
- Local Hire and Small/Highly Underutilized Business Enterprise contract award and value data

## VIII. CONSENT ITEMS

- A. Ratify Recommendations of Superintendent/President in Approving Personnel Actions**
- B. Approve Reorganization of Athletics and Intramurals Department**
- C. Approve Curriculum for 2022-2023 Catalog, Part III**
- D. Approve 2022/23 Instructional Material Fees List**
- E. Approve Assessment Technologies Institute, LLC Additional Services**
- F. Approve Cooperative Agreement for Advanced Technologies Consultants**
- G. Approve Renewal of Okta Identity and Access Management Security software licensing subscription, technical support services, and maintenance**
- H. Approve Renewal of Palo Alto Network Security software licensing subscriptions, technical support services and maintenance Agreements**
- I. District Surplus Disposal**
- J. Approve Purchase for College Police Communications Equipment Upgrade**
- K. Approve Agreement with Dovetail for Fixtures, Furniture & Equipment Coordination Services**
- L. Ratify and Approve Contracts and Purchase Orders**

Item I was pulled for discussion.

By motion of Trustee McNeil, seconded by Trustee Merchat, consent items A through H and J through L were approved.

Vote: 7/0/0  
 Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon  
 Abstentions: None  
 Absent: None

By motion of Trustee McNeil, seconded by Trustee Merchat, consent item I was approved.

Vote: 6/1/0  
 Aye: Broad, Cassar, McNeil, Merchat, Pedroza, Simon  
 Abstentions: Fischer  
 Absent: None

## IX. ACTION

- A. Approve Submission of 2022 California Community Colleges Trustee Board Election Ballot**

By motion of Trustee McNeil, seconded by Trustee Cassar, the board approved the Submission of 2022 California Community Colleges Trustee Board Election Ballot as presented.

Vote: 7/0/0  
 Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon  
 Abstentions: None  
 Absent: None

**B. Appoint Independent Citizens' Bond Oversight Committee Members**

By motion of Trustee McNeil, seconded by Trustee Merchat, the board appointed Alec Babiarz and Larry Barry to serve a second two (2)-year term to the Independent Citizens' Bond Oversight Committee as stated.

Vote: 7/0/0  
Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon  
Abstentions: None  
Absent: None

**C. Adopt Resolution No. 15–21/22 – Excuse Board Member Absence**

By motion of Trustee McNeil seconded by Trustee Cassar the board adopted Resolution No. 15-21/22, excusing the absence of Trustee Fischer from the regular board meeting on February 24, 2022.

Vote: 6/1/0  
Aye: Broad, Cassar, McNeil, Merchat, Pedroza, Simon  
Abstentions: Fischer  
Absent: None

**X. PERIODIC REVIEWS – BOARD POLICIES (Action Required)**

**A. Board Policy 2015 – Student Trustee**

By motion of Trustee McNeil, seconded by Trustee Fischer Board Policy 2015 – Student Trustee was adopted.

Vote: 7/0/0  
Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon  
Abstentions: None  
Absent: None

**B. Board Policy 3500 – Campus Safety**

By motion of Trustee McNeil, seconded by Trustee Fischer, Board Policy 3500 – Campus Safety was adopted.

Vote: 7/0/0  
Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon  
Abstentions: None  
Absent: None

**C. Board Policy 3530 – Weapons on Campus**

By motion of Trustee McNeil, seconded by Trustee Fischer, Board Policy 3530 – Weapons on Campus was adopted.

Vote: 7/0/0  
Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon  
Abstentions: None  
Absent: None

**D. Board Policy 3840 – Children on Campus**

By motion of Trustee McNeil, seconded by Trustee Fischer, Board Policy 3840 – Children on Campus was adopted.

Vote: 7/0/0  
Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon  
Abstentions: None  
Absent: None

**E. Board Policy 6320 – Investments**

By motion of Trustee McNeil, seconded by Trustee Fischer, Board Policy 6320 – Investments was adopted.

Vote: 7/0/0

Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon

Abstentions: None

Absent: None

**F. Board Policy 6400 – Financial Audits**

By motion of Trustee McNeil, seconded by Trustee Fischer, Board Policy 6400 – Financial Audits was adopted.

Vote: 7/0/0

Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon

Abstentions: None

Absent: None

**XI. SECOND READING – BOARD POLICIES (Action Required)**

**A. Board Policy 6700 – Civic Center and Other Facilities Use**

By motion of Trustee McNeil, seconded by Trustee Fischer, Board Policy 6700 – Civic Center and Other Facilities Use was adopted.

Vote: 7/0/0

Aye: Broad, Cassar, Fischer, McNeil, Merchat, Pedroza, Simon

Abstentions: None

Absent: None

**XII. FIRST READING – BOARD POLICIES**

**A. Board Policy 3520 – Local Law Enforcement**

Proposed edits to Board Policy 3520 – Local Law Enforcement were reviewed and discussed, and the policy will be placed on a future agenda for adoption.

**B. Board Policy 6450 – Mobile Communication**

Proposed edits to Board Policy 6450 – Mobile Communication were reviewed and discussed, and the policy will be placed on a future agenda for adoption.

**XIII. INFORMATION**

**A. Annual Financial Audit Services and Performance Audit of the Building (Measure MM) Fund for FY2022/23**

The Annual Financial Audit for FY 2022/23 was reviewed for information.

## **XIV. COLLEGE-RELATED REPORTS**

### **A. Trustees Activities**

Trustee McNeil reported that he attended the soccer team's Brotherhood BBQ, a presentation at Palomar College featuring Haben Girma, the PTK Induction Ceremony, and a rugby game. He also reminded all that Barrio Empowerment is coming up next week. Trustee Cassar attended a board liaison facility meeting and the Classified breakfast at the San Elijo Campus. Trustee Merchat attended the PTK Induction Ceremony, two Futures training sessions, the Classified breakfast, and the facilities liaison meeting. He also attended the play *Freaky Friday* performed by MiraCosta students. Trustee Broad attended the Classified breakfast on the Oceanside Campus and the facilities liaison meeting. Trustee Simon attended the accelerated Futures Workshop. President Pedroza attended the Classified breakfast at the Oceanside Campus.

### **B. Students**

Student Trustee Alma Cuevas reported the ASG reviewed a resolution against hate crimes that was written by the DEI ad hoc committee, and a letter written in support of bike safety near the San Elijo camps, which will be sent to the Encinitas Mayor. The ASG also hosted a paint and snack event at both the Oceanside and San Elijo campuses, and another is planned for the CLC on April 13. Alma shared that she will be graduating in May and will receive ADT's in Administration of Justice, Sociology, Psychology, and an Associates in Liberal Arts, and will be transferring to a UC.

### **C. Classified Employees**

Classified Senate President Carl Banks thanked the administrators for the Classified Appreciation breakfast earlier this week, and he thanked Dr. Cooke for her heartfelt message to classified employees. The professional development days over spring break were a huge success, with over 21 workshops, and he thanked Lori Schneider and the Professional Development Committee for their hard work. The Classified Senate is now accepting nominations for the Spotlight Awards and the semester's outstanding employee. He reminded all that in lieu of flowers for Jim Gonzales, a scholarship fund in his name has been created and donations can be made on the foundation website.

### **D. Faculty**

Academic Senate President Luke Lara is currently on spring break, therefore, there was no report.

### **E. Vice Presidents**

#### **1. Instructional Services**

Vice President Pescarmona reported that her division is very busy getting ready for the catalogue production, accreditation, and they have just finished a very robust summer schedule. She noted there have been approximately 300 students and community members in the library per week, and 250 participated in the Reading Festival at the CLC. She also announced that Bea Aguilar won the 2022 Excellence in Continuing Education award.

#### **2. Student Services**

Vice President Wojcik reported that Service Learning has had many volunteering events happening over spring break for students, and the Cezar Chaves Day of Service will take place on March 31. She congratulated Bea Palmer for receiving the Woman of Impact Award from Assemblymember Tasha Boerner Horvath.

Big events will be happening next week with Barrio Empowerment and Black Student Success Week, April 25-29, in collaboration with the Chancellor's Office.

### **3. Administrative Services**

Vice President Flood stated that he is very happy with the results of the district's audit and thanked all budget managers, deans, and staff for the wonderful job of ensuring the district is compliant. There will be a lot of work happening over spring break with construction, and he thanked Tom Macias, Kitchell, and the entire facilities team for the tremendous amount of work being completed.

### **4. Human Resources**

Vice President Ng commented on how amazing the district's bond projects have been handled with stable leadership from both the board and the president. He thanked the Classified Professionals for attending the Classified Appreciation Breakfast, and especially thanked his assistant Eva Brown for coordinating the event. Human Resources is closely monitoring Covid trends, and a masking update will be given on April 1. He reported that the state has changed the requirements for the EEO plan, which is normally due in May. They have extended the due date by nine months to allow time for the proposed changes to be adopted by the state and then for districts to make these modifications before submitting the plan.

### **F. Superintendent/President**

Superintendent/President Cooke reported that her department's written report is included in the board packet, and it's very evident a lot of work is happening. Many folks, including the Research Department are currently in the throes of writing the district's Institutional Self Evaluation Report for accreditation. Our Public Information Office is busy keeping track of our Covid restrictions and getting the word out to both our employees and students. Dr. Cooke recognized Student Trustee Alma Cuevas for being here tonight during spring break; she also congratulated the MiraCosta College Men's Basketball team for being in the top eight in the Championship; and almost 100 PTK student inductees attended last Friday's event, which was well attended and organized.

## **XV. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS**

None.

## **XVI. ADJOURNMENT**

The meeting adjourned at 5:27 p.m.

## **MINUTES APPROVAL:**

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Anna Pedroza  
President

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Sunita V. Cooke, Ph.D.  
Superintendent/President