



**Wednesday, September 28, 2022  
Foundation Board of Directors Regular Meeting**

**Location: COD Cravens Center and Zoom**

**To Join Zoom Meeting: <https://collegeofthedesert-edu.zoom.us/j/86929524926?pwd=eDZ0Z3BtQ3paNVIVMEs0LzVlVlZUxQT09>**

**Meeting ID: 869 2952 4926**

**Passcode: 461490**

**OR Dial (US): +1 669 444 9171 US**

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**COLLEGE OF THE DESERT FOUNDATION MISSION: College of the Desert Foundation acts as advocates for the College and secures financial support enhancing educational opportunities for all students.**

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**COLLEGE OF THE DESERT MISSION: College of the Desert provides excellent educational programs in basic skills, career and technical education, certificate, transfer preparation, associate degrees, noncredit and distance education, which are continuously evaluated and improved. Our programs and services contribute to the success, learning and achievement of our diverse students and the vitality of the Desert Community College District, surrounding areas and beyond.**

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**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 College of the Desert Foundation ("Foundation") as soon in advance of the Board meeting as possible.**

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**The Foundation minutes of the meeting are the official record of the actions of the Board. The Foundation meetings are governed by the Ralph M. Brown Act (California Code 54950 through 54962). The Foundation operates in accordance with the Non-Profit Benefit Corporations Law.**

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**Voting Committee Members:**

**Christine Anderson (Chair), Diane Rubin (Chair-Elect), Bill Chunowitz (Past Chair), Jake Wuerst (Treasurer), Barbara Fromm (Secretary), Barbara Foster Monachino (Director of Operations and Nominating), Tom Minder (Director of Resource Development and Stewardship), Jane Saltonstall (Director of Programs and Campus Connections), Marge Dodge (Director of Recognition and Outreach, Aurora Wilson (Board of Trustee Representative), Martha Garcia, Ed.D. (COD President), Dave Vigo (Ex-Officio, Interim VP, Administrative Services) and Catherine Abbott (Executive Director), Norma Castaneda, Peggy Cravens, Carol Bell Dean, Kim Dozier, Carol Fragen, Jim Greene, Paul Hinkes, M.D., Peggy Jacobs, Dale Landon, Donna MacMillan, Robert Moon, Jim Williams, and Leslie Usow.**

**Quorum (51%): 13**

## **1. CALL TO ORDER/ROLL CALL**

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**Subject                                1.01 Call to order**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 1. CALL TO ORDER/ROLL CALL

Access Public

Type Procedural

**Subject 1.02 Roll Call**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 1. CALL TO ORDER/ROLL CALL

Access Public

Type Call to Order/Roll Call

## 2. AGENDA

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**Subject 2.01 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 two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members 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 in subdivision (a)**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 2. AGENDA

Access Public

Type Procedural

**Subject 2.02 Confirmation of Agenda: Approval of agenda for the Foundation Regular Board of Directors Meeting of September 28,2022 with any additions, corrections, or deletions.**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 2. AGENDA

Access Public

Type Procedural

## 3. MINUTES

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**Subject 3.01 Approval of the May 25, 2022 Foundation Board of Directors Regular Meeting Minutes.**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 3. MINUTES

Access Public

Type Minutes

## File Attachments

2022-05-25 Minutes Foundation Board of Directors Meeting.docx (70 KB)

**4. PUBLIC COMMENTS**

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**Subject** **4.01 Public Comments: In accordance with Senate Bill 361 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed and will be accepted in person, by email to [codfoundation@collegeofthedesert.edu](mailto:codfoundation@collegeofthedesert.edu) and read into the record during public comment or by using the raise your hand function by joining the Zoom link. There is a time limit of three (3) minutes per person. All comments must be submitted or brought forward prior to the end of the public comments section. Persons with disabilities may make a written request for a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the Committee meeting. All requests should be directed to the Foundation in advance.**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 4. PUBLIC COMMENTS

Access Public

Type Information

**5. MISSION MOMENT**

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**Subject** **5.01 Merrill Lynch Presentation**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 5. MISSION MOMENT

Access Public

Type Mission Moment

**6. REPORT ITEMS**

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**Subject** **6.01 Board of Trustess**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 6. REPORT ITEMS

Access Public

Type Reports

**Subject** **6.02 President's Report/Comments**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 6. REPORT ITEMS

Access Public  
Type Reports

**Subject 6.03 Student Representative**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting  
Category 6. REPORT ITEMS  
Access Public  
Type Reports

**Subject 6.04 Board Chair**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting  
Category 6. REPORT ITEMS  
Access Public  
Type Reports

**Subject 6.05 Executive Director**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting  
Category 6. REPORT ITEMS  
Access Public  
Type Reports

## **7. CONSENT ITEM**

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**Subject 7.01 Consent of College of the Desert Foundation Board of Directors Under AB 361 for Continued Virtual Meetings**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting  
Category 7. CONSENT ITEM  
Access Public  
Type Consent

The Brown Act generally allows for teleconference or virtual meetings, provided that the physical locations of the legislative body members joining by teleconference are posted on the agenda, that those locations are open to the public and that a quorum of the legislative body members is located within the agency's jurisdiction. Newly enacted AB 361 provides an exception to these procedures in order to allow for fully virtual meetings during proclaimed emergencies, including the COVID-19 pandemic.

In March of 2020, Governor Newsom issued Executive Order N-29-20, which suspended portions of the Brown Act relating to teleconferencing, enabling fully virtual meetings without having to post the location of the legislative body members attending virtually. Many public agencies have been holding public meeting using virtual platforms since this time. In June of 2021, Governor Newsom issued Executive Order N-08-21, which provided that the exceptions contained in EO N-29-20 would sunset on September 30, 2021.

On September 10, 2021, the Legislature adopted AB 361, which allows public agencies to hold fully virtual meetings under certain circumstances. Governor Newsom signed the bill into law on September 16, 2021. Because it contained an urgency provision, it took immediate effect. The Governor then suspended AB 361 until October 2, allowing a transition period from the prior Executive Order.

Under AB 361, public entities can hold meetings without a public meeting space and without providing notice of the legislative body members' teleconference locations if there is a Governor-proclaimed state of emergency and either state or local officials are imposing or recommending measures to promote social distancing or the legislative body determines that meeting in person will be unsafe for attendees. If the virtual meeting is due to social distancing recommendations, the legislative body does not have to make any findings at its first meeting under AB 361. However, to continue meeting virtually, the legislative body must find that state or local officials still at least recommend measure to promote social distancing. The findings must be made within 30 days of the first meeting and every thirty days thereafter.

## 8. ACTION ITEMS

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**Subject** **8.01 (Items pulled from Consent Agenda for future discussion and consideration.)**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 8. ACTION ITEMS

Access Public

Type Action

**Subject** **8.02 Approve Financial Statements ending May 31, 2022 and June 30, 2022 as requested by the Finance and Investment Committee.**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 8. ACTION ITEMS

Access Public

Type Action

**Subject** **8.03 Board Designated Funding DRAFT**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 8. ACTION ITEMS

Access Public

Type Action

File Attachments

[PROPOSED ALLOCATION OF BOARD DESIGNATED FUNDING FOR 2022-23 \(3\).docx \(51 KB\)](#)

## 9. DISCUSSION ITEMS

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**Subject** **9.01 Directors Reports**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 9. DISCUSSION ITEMS

Access Public

Type Discussion

**Subject**                    **9.02 State of the College Update**

Meeting                    Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category                    9. DISCUSSION ITEMS

Access                    Public

Type                    Discussion

Executive File Attachments  
 2022-23 State of the College Budget - DRAFT - MD2 (1).xlsx (25 KB)

**Subject**                    **9.03 Board Planning Session**

Meeting                    Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category                    9. DISCUSSION ITEMS

Access                    Public

Type                    Discussion

**Subject**                    **9.04 Board Member Ethics - Upcoming Elections**

Meeting                    Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category                    9. DISCUSSION ITEMS

Access                    Public

Type                    Discussion

File Attachments  
 Conflict of Interest Form - 2022.docx (43 KB)  
 IRS Political Activity Code.pdf (247 KB)

**Subject**                    **9.05 Fall Calendar**

Meeting                    Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category                    9. DISCUSSION ITEMS

Access                    Public

Type                    Discussion

**Subject**                    **9.06 Campus Grants**

Meeting                    Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category                    9. DISCUSSION ITEMS

Access Public

Type Discussion

## 10. ADJOURNMENT

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**Subject** **10.01 Next Meeting: Board of Directors Planning Session, Wednesday, November 2, 2022, at 9:00 AM, at Big Horn Clubhouse**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 10. ADJOURNMENT

Access Public

Type Procedural

**Subject** **10.02 Adjournment**

Meeting Sep 28, 2022 - Foundation Board of Directors Regular Meeting

Category 10. ADJOURNMENT

Access Public

Type Procedural