



**SANTA CRUZ COUNTY PROVISIONAL
COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD**

Regular Board Minutes

Tuesday, October 13, 2020

Mexicayolt Academy Charter School Cafeteria
2059 N. Grand Avenue
Nogales, AZ 85621

1. OPENING ITEMS

- Call to Order / Pledge of Allegiance / Roll Call

A Regular Public Board Meeting of the Santa Cruz County Provisional Community College District Governing Board was called to order at 5:03 p.m. by Ms. Liz Collier, Vice-Chairperson.

Pledge of Allegiance:

Dr. Varona, Board Member, led the Pledge of Allegiance.

Roll Call / In Attendance:

Present at the meeting were - Ms. Liz Collier-Vice Chairperson, Dr. Marcelino Varona, Jr.-Board Member, Mr. Nils Urman-Board Member, Mr. Victor Fontes, Board Member, Dr. Stella Perez-CEO/Executive Director, Ms. Georgina Tavera- Finance Manager, Ms. Christie Monreal-Community Engagement and Marketing Specialist, Mr. Ted Roush, and Mr. Brian Nelson. Dr. Angela Meixell- Chairperson, Dr. Homero Lopez- SCCPCCD Consultant, and Mr. Jack Lunsford were not in attendance.

- Adoption of the Agenda

Ms. Collier requested to postpone the Executive Session, Item 4 A, SCCPCCD Executive Session under ARS Section 38-431.03(A)(1) to the November 2020 Meeting; Mr. Fontes asked to remove his name and item 2 G, Review and Discuss of Santa Cruz Center Electrical; Dr. Varona asked to remove his name as a Presenter under Item 2 H, Review and Discussion of SCC Lease Agreement/Water Leak.

Mr. Urman motioned to adopt the October 13, 2020 SCCPCCD Regular Governing Board Meeting Agenda as presented with above modifications. This motion was seconded by Dr. Varona. Motion carried unanimously, 4-0.

<i>NAME</i>	<i>AYE</i>	<i>NAY</i>	<i>ABSTAIN</i>
Dr. Angela Meixell	Absent		
Ms. Liz Collier	X		
Dr. Marcelino Varona, Jr.	X		
Mr. Nils Urman	X		
Mr. Victor Fontes	X		

- Public Comment – Call to the Audience
 - No one addressed the Board

2. STANDING REPORTS

A. Financial Report

- Ms. Georgina Tavera, Finance Manager, presented the 2020 Monthly Financial Reports for September. She informed the Board about the following unusual charges from September:
 - \$3,857.47 – Licenses for QuickBooks and Microsoft, charging annually
 - \$10,056 Deposit from AZ School Risk Retention Trust Insurance (water damaged items);
- Mr. Varona asked about the AXA Equitable expense of \$618; Ms. Tavera explained it was a withdrawal made directly from Dr. Perez’ payroll (savings program); she added that all four employees are eligible for the same benefit, and all full-time staff are already enrolled in ASRS;
- No questions were asked by any of the other Board Members.

B. Chairperson of the Governing Board

- Dr. Angela Meixell was not present during this meeting.

C. Members of the Governing Board

- Mr. Fontes requested, for the record, to have all board members evaluate the SCCPCCD CEO/Executive Director in the future; Ms. Collier informed Mr. Fontes this item was for current events and that his request needed to be an agenda item;
- Mr. Fontes asked for an update on the Santa Cruz Center building asbestos; Ms. Collier said this was going to be discussed as part of CEO’s update.

D. CEO’s Update

Dr. Perez provided the following CEO update for September 2020:

Goal 1. Facilities— The 2020 updates to the Santa Cruz Center (SCC) and property at 2021 N. Grand Avenue, Nogales, AZ included the following:

- As updates to the water break on June 28, 2020 at the Santa Cruz Center, we continue to follow the guidelines of the ACT Environment Inc. Report presented on July 24, 2020. Alex Alvarez and Dr. Perez are working very closely with American Technologies Inc. (ATI), the selected contractor for the SCC restoration and remodel. Through her initial contact and application with ADEQ (AZ Dept. of Environmental Quality-division of EPA), ATI has secured compliance and certification to ensure all standards, criteria, and remediation are met for the Santa Cruz Center building for mold and asbestos—prior to any student, faculty, or staff occupancy. A copy was presented to all Board Members. We have secured a copy of the Asbestos (NESAP) National Emissions Standards for Hazardous Air Pollutions Permit. ATI will also maintain a copy of certification onsite throughout the remediation or removal of any hazardous material. In addition, the SCCPCCD, will hold an ***asbestos free certification***, in full compliance with ADEQ and EPA standards, onsite, on file, and as part of the SCC-Nogales Properties Inc. building lease agreement.
- ATI continues to follow their timeline and work schedule with a completion date set at Tuesday, December 15, 2020.
- Mr. Fontes asked when the asbestos removal will be done; Dr. Perez said roughly between November 15-November 30, 2020, but as with any hazardous materials, they cannot ensure that date completely;
- Mr. Fontes interjected during the CEO Update, asked if the current Board Meeting was being recorded, and stated again, “We are in a building that is functionally obsolete; this asbestos situation is bad and not getting any better, I have seen enough; and we have no

business in this building.” He suggested finding students to join for a class action suit, students have been in the building with asbestos contamination for about five years; Ms. Collier suggested to wait and see results after the remodel was completed; Mr. Fontes noted that Dr. Lopez was going to look into finding another site or facility three years ago and asked what had happened to that work;

- Ms. Collier agreed that this topic had been spoken before in an open meeting during the November retreat and that his opinions had been heard;
- Mr. Fontes added that when the students first came into the building, it was so bad that the designer’s license was revoked by the AZ State of Board Registration because the work was so poor, and the lead and contamination was never addressed; He asked that for the record, “He had an obligation to say something about this and added that this is 90% of the reason he decided not to come back to the Board.”;
- Ms. Collier said Mr. Fontes concerns were noted and on record and if he would like, this item could be discussed on the November 2020 retreat.

Goal 2. Budget—Ms. Tavera shared the September 2020 Monthly Financial Reports for Board review. As year-end approaches, we are reviewing compliance processes and procedures moving towards 2020 audit review.

Goal 3. Programs—Brian Nelson and Ted Roush were present to share updates on: (1) 2020 PCC-SCC Fall enrollment, (2) the 2021 PCC-SCC Spring Schedule, with registration started; and (3) Responses to questions raised regarding unique and specific PCC course options and program offerings for the Santa Cruz Center and SCCCPCCD Students (shared with Board);

Goal 4. Personnel—We continue to host weekly SCC Staff ZOOM Meetings to ensure coordination of staff activities; they have focus on operational deadlines, facility and remodeling schedules, marketing and community outreach, coupled with daily student services-- both current and evolving needs.

Goal 5. External Funding & Grants— Dr. Perez said this had been a great year with the student scholarships. She shared that additional funds were received from NCBA and the Chamberlain Family. The SCC Ed Foundation will have a second round of student award winners for Fall 2020. She will work with Mr. Nelson to promote and disseminate the funds;

Goal 6. Marketing— Dr. Perez said Christie continued to do an excellent job with the website updates and for the month of October 2020, the SCC Marketing Team has:

- Newsletters to distribute, and continue with regular social media posts;
- She thanked Ms. Collier for continuing to keep marketing on the agenda as a rolling topic; and this could be an important topic for the Board Retreat;

Goal 7. Government Relations—

- Dr. Perez sent out a poll to the Board Members and will distribute again before the close of the meeting; these include priorities for the Board Members (2-3 legislative priorities for the 20-21 Legislative Session, focused on key governmental relations areas from the ‘SCCPCCD Strategic Plan Governmental Objectives’. These priorities confirm a targeted direction for FY 20-21 SCCPCCD Legislative activities and demonstrated results. She had a copy of the Poll for their completion, so she may tabulate the results and get these back to the Board as soon as possible.

Goal 9. Five Year Future— The SCCPCCD Board Chair, Accreditation Consultation, and CEO/Executive Director have been invited by Chancellor Lambert to a penultimate review of the PCC Consultant Report by Ms. Karen Solinski, on October 22, 2020 from 1pm – 2pm at Pima Community College and also invite legal counsel;

- She concluded her report by saying the Fall 2020 SCCPCCD Board Retreat was scheduled on November 7, 2020 from 9am-2pm at the Daniel Fontes Governing Boardroom in Rio Rico (an email will be sent with all the information)
 - No questions or comments were made.

E. PCC-Santa Cruz County Report

Mr. Roush and Mr. Nelson reported the following:

- Mr. Roush briefly went over each of the seven questions (note: all Board Members had a copy of his presentation):
 1. Why are we not hosting the PCC/CNA Program at the SCC for Spring 2020?
 2. Why are we not hosting the PCC/EMT Program at the SCC for Spring 2020?
 3. Why are we not hosting the PCC/Welding Program at the SCC for Spring 2020?
 4. Why are we not hosting Chemistry Programs at the SCC for Spring 2020, that lead to Med Tech Programs?
 5. Why are we not hosting Automotive Technology Programs at the SCC for Spring 2020?
 6. Why are the majority of the courses taught at the SCC developmental/remedial or below 100 level courses?
 7. Why are we not hosting Truck Driving at the SCC for Spring 2020?
- Mr. Roush answered their questions and addressed their concerns;

F. Review and Discussion of PCC/SCC Marketing – Presenter: Ms. Liz Collier

Review of Marketing Goals, Strategic Planning, and Targeted Outcomes for FY 20-21

- a. Ms. Collier asked for this item to be placed on the agenda addressing her concern on the marketing efforts and step up more of a joint SCC/PCC marketing plan;
- b. She asked if there was a way to work as a team to develop joint marketing strategies and create a joint billboard promotion;
- c. Mr. Urman asked if PCC was open for a co-brand strategy; weather billboards, radio ads. SCCPCCD can help fund the strategy and share the costs.
- d. Ms. Collier asked how to facilitate this topic and move to the next step.
- e. Mr. Roush suggested having SCCPCCD marketing staff have “both faces on the same table” and develop a joint strategy and understanding to move forward; Ms. Collier asked to participate and be part of this collaboration and so did Mr. Urman; Mr. Roush will organize this meeting;
- f. Dr. Perez said there was a great opportunity to begin new instructional programs with UofA Teacher Ed programs that connected with NUSD. Students come through NUSD, PCC general education, and onto the UofA teaching program, and receive a stipend and tuition discounts to do their student teaching locally;
- g. Ms. Collier said this could be a great billboard and for a Maxima interview and to move forward with what SCCPCCD currently offers; she also asked if other high schools could participate? Dr. Perez said Rio Rico High School had passed at this time but that NUSD was ready to go;
- h. It was agreed this was a great opportunity;
- i. Dr. Perez will wait to hear from Mr. Roush;

~~G. Review and Discussion of Santa Cruz Center Electrical Presenter: Mr. Victor Fontes~~
Removed per Mr. Fontes' request.

~~H. Review and Discussion of SCC Lease Agreement/Water Leak – Presenter: Dr. Marcelino Varona—Presenter:-Stella Perez~~

Ms. Collier informed the Board this was in response to whether we can negotiate a lower monthly lease with Mr. Panousopoulos;

- a. Dr. Perez informed the Board that she had moved forward and asked Mr. Panousopoulos on September 16, 2020 if there was an option on the SCCPCCD lease to reduce or modify the payment structured in the lease; Mr. Panousopoulos referenced the time in 2018 when Dr. Perez had asked, and he had gave SCCPCCD an annual discount based on the lease increase for the year; after a brief conversation, his quote was “I will think about it”;
- b. Dr. Perez had not heard back since and moved forward with Mr. Pauole for his professional and legal counsel. The information was sent to Dr. Varona on September 22, 2020; The following was included from Dave Pauole:
 - i. “SCCPCCD's responsibility and obligation to preserve public funds and require the landlord to reduce or eliminate future rent payments until the remediation work is complete. Which is clearly documented in the current lease agreement.
 - ii. Regarding the University of Arizona’s rights under its sublease with SCCPCCD. I’ll refer you to Paragraph 15 of the sublease. If the premises become partially or totally destroyed by reason of any damage, and the premises are not fully repaired within 90 days, then the University of Arizona has the right to opt out of the sublease altogether. Of course, the University of Arizona may not necessarily be interested in exercising this option. But, at the very least, I suggest that SCCPCCD waive any further rent payments until the remediation work is complete. Again, this may preserve the amicable relationship and induce a willingness to be patient on the part of the University of Arizona.”
- c. Liz Collier asked for a follow up and wanted to include this as a presentation to the Board;
- d. In Mr. Pauole letter, he commented that the University of Arizona did not have access to their area of the building, therefore, should not be paying SCCPCCD rent; he recommended negotiating a reduced rate as part of our “amicable relationship”;
- e. Dr. Varona mentioned that Mr. Urman and Mr. Gary Brasher had negotiated a solid lease with Dino Panousopoulos, and “we made sure that the college was protected”;
- f. Dr. Perez asked that as an action item, “the research was done, and how did the board like to proceed?”
- g. Dr. Perez informed the Board that the rent was due now and reminded the Board that the lease payments were made three months in advance for \$25,000 a month; Mr. Fontes said that he should know better and suggested having Mr. Pauole send him a bill;
- h. Ms. Collier said the conversations should continue requesting a reduction; and SCCPCCD did not have to be aggressive in our negotiations;
- i. Dr. Varona suggested making motion;

- j. Mr. Fontes made a motion to have the attorney come up with a reasonable number and send Mr. Panousopoulos a bill or a deduction;
- k. Dr. Varona asked for clarification on the motion;
- l. Mr. Fontes said his motion was to ask our attorney to come up with a reasonable number and send it to Mr. Panousopoulos and “leave it in Mr. Pauole’s hands.” Dr. Varona seconded only for a discussion purposes, not inclusive or in support for the motion but would like it as a discussion;
- m. Dr. Varona request that the CEO, not the SCCPCCD Attorney, engage in the negotiations; he added that “our attorney did not know or understand our community like our CEO does nor is he aware of the back and forth that has been happening in support of the water leak”; he said the concept is good but he did not like placing this authority in its entirety in the attorney’s hands; he prefers to eliminate the attorney and allow Dr. Perez to do all the negotiations; then come back with a final conclusion; this could be held as an Executive Session to discuss the contract;
- n. Mr. Fontes withdrew his motion;
- o. Mr. Fontes asked Dr. Perez if she felt comfortable negotiating with Mr. Panousopoulos? Dr. Perez stated, Yes;
- p. Dr. Perez recommended that at this point, SCCPCCD should offer the University of Arizona@ Nogales a waiver for their lease agreement for the same amount of time they have not had access to the SCC building; Mr. Urman’s, request was not to uphold Mr. Pauole’s recommendation and not waive the University of Arizona’s monthly rental obligation;
- q. Dr. Varona made a motion to authorize the CEO to enter into negotiations with Nogales Property Management to review the contract violation for the premises not being in working conditions; he added that the only two people be authorized to conduct the negotiations, the Chief Executive Officer and SCCPCCD Attorney—as designated; Mr. Urman seconded the motion. Motion carried unanimously, 4-0.

<i>NAME</i>	<i>AYE</i>	<i>NAY</i>	<i>ABSTAIN</i>
Dr. Angela Meixell	Absent		
Ms. Liz Collier	X		
Dr. Marcelino Varona, Jr.	X		
Mr. Nils Urman	X		
Mr. Victor Fontes	X		

3. APPROVAL OF MINUTES

A. Approval of Minutes for the Regular Board Meeting held on September 16, 2020

Dr. Varona motioned to approve the minutes of the Regular Board Meeting, with postponement of the Executive Session, held on September 16, 2020 as presented, seconded by Mr. Urman. Motion carried unanimously, 4-0.

<i>NAME</i>	<i>AYE</i>	<i>NAY</i>	<i>ABSTAIN</i>
Dr. Angela Meixell	Absent		
Ms. Liz Collier	X		
Dr. Marcelino Varona, Jr.	X		
Mr. Nils Urman	X		
Mr. Victor Fontes	X		

Note: Mr Fontes asked for the following modifications on the minutes:

- PAGE 7, Review of SCC Electrical System: Cross out his name as the presenter;
- PAGE 7, 4th bullet: change report to opinion; change “at least six major problem items” to major items, and change professional to tax payer and adding “because he is a tax payer”.

Dr. Varona motioned to table the above minutes, seconded by Mr. Urman. Motion carried unanimously, 4-0.

NAME	AYE	NAY	ABSTAIN
Dr. Angela Meixell	Absent		
Ms. Liz Collier	X		
Dr. Marcelino Varona, Jr.	X		
Mr. Nils Urman	X		
Mr. Victor Fontes	X		

~~4. ADJOURN TO SCCPCCD EXECUTIVE SESSION~~

~~A. SCCPCCD Executive Session under ARS Section 38-431.03(A)1)~~

- ~~• Summary Review of CEO/Executive Director 2019 Performance Evaluation
Presenter: Ms. Angela Meixell, Chairperson~~

~~B. Future Meeting Dates and Sites~~

- ~~• November 7, 2020 at 9:00 a.m.: Board Retreat

 - Location: Rio Rico District Office; more information will follow;~~
- ~~• November 10, 2020: Regular Board Meeting @ 5:00 p.m.

 - Location: TBD~~

~~C. Future agenda Dates and Items~~

- ~~• Dr. Varona requested to have a discussion on the following:

 - Pima Community College present us with evaluation instruments of the CEO;
 - Look over the format with Cochise College originally to have a discussion and get input from Pima Community College;
 - On the Legislative Priorities, he asked for a discussion to not have any feelings or discussions until they have been prior approved with the Chancellor to prevent what happened last time;
 - Stream our meetings so that Chancellor can look in and see what we are doing; very important and is time to do so;
 - Dr. Perez said all ZOOM meetings are recorded and can be posted immediately;~~

5. ADJOURNMENT

Having no further business to discuss, Ms. Fontes motioned to adjourn the meeting at 6:27 p.m., seconded by Mr. Urman. Motion carried unanimously, 4-0.

NAME	AYE	NAY	ABSTAIN
Dr. Angela Meixell	Absent		
Ms. Liz Collier	X		
Dr. Marcelino Varona, Jr.	X		
Mr. Nils Urman	X		

Mr. Victor Fontes	X		
-------------------	---	--	--

Minutes presented respectfully by:

Dr. Stella Perez,
SCCPCCD Executive Director/CEO

Ms. Liz Collier,
SCCPCCD Vice – Chairperson