

**Foundation Board of Directors Regular Meeting
Wednesday, March 8, 2023**

1. CALL TO ORDER/ROLL CALL

1.01 Call to order

Meeting called to order at 2:33 PM

1.02 Roll Call

Members present: Christine Anderson, Bill Chunowitz, Barbara Fromm, Peggy Jacobs, Carol Bell Dean, Marge Dodge, Carol Fragen, James Greene, Paul Hinkes, Tom Minder, Jane Saltonstall, Jim Williams, Jake Wuest, Rob Moon.

Non-voting members: Martha Garcia, Catherine Abbott, Kirstein Renna, and Gailya Brown.

2. AGENDA

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)

2.02 Confirmation of Agenda: Approval of agenda for the Foundation Regular Board of Directors Meeting of March 8, 2023 with any additions, corrections, or deletions.

Approved, the Agenda stands as presented.

3. MINUTES

3.01 Approval of the January 25, 2023 Foundation Board of Directors Regular Meeting Minutes.

None, the minutes stand as presented.

4. PUBLIC COMMENTS

4.01 Public Participation and Public Comment: In person and remote public participation is allowed and will be accepted in person, by email to codfoundation@collegeofthedesert.edu and submitted for the record during public comment or by using the raise your hand function by joining the Zoom link: <https://collegeofthedesert-edu.zoom.us/j/5066201567?pwd=ZW5DRzY3TTk1ekRudGRpZy9iNnFzUT09>. 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. Accommodations for Persons with Disabilities: 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 Board meeting. All requests should be directed to the Foundation Office in advance via email to codfoundation@collegeofthedesert.edu. No Public Comments.

5. MISSION MOMENT

5.01 SB 361 - Covid State of Emergency Ends - Executive Administrative Assistant to the Superintendent/President Armando Robles will provide a brief update on Senate Bill 361 and the termination of remote public participation.

In March of 2020, the Governor issued an executive order temporarily waiving some of these restrictions. The Legislature followed up the Governor's executive order with AB 361, which provided a statutory exception, authorizing local agencies to use teleconferencing without complying with all of the Brown Act's restrictions in specified circumstances related to public health and safety emergencies. By the terms of AB 2449, this authorization will sunset and expire on January 1, 2024. AB 2449 does not extend AB 361, which still sunsets on January 1, 2024. Instead, the bill implements another temporary exception authorizing agencies to meet by teleconference without strict compliance with the traditional notice and physical access requirements. Notably, where AB 361 is based on an agency's need for teleconferencing, AB 2449's new framework is based on the circumstances of individual members of the legislative body. Under AB 2449, the legislative body of a local agency can use teleconferencing without noticing each teleconference location or making it publicly accessible, provided at least a quorum of the body participates in person at a single physical location that is identified on the agenda, open to the public, and within the boundaries of the agency, and provided that other requirements regarding accessibility are met. However, an individual member of the legislative body may participate remotely only in one of two circumstances:

1. With "just cause", the member can participate remotely after giving notice as soon as possible. AB 2449 defines "just cause" as (a) a family childcare or caregiving need; (b) a contagious illness; (c) a need related to a physical or mental disability that is not otherwise accommodated; or (d) travel while on official business. The bill also limits a member to participating remotely under this provision to two meetings per calendar year.

2. In "emergency circumstances," defined as a physical or family emergency that prevents the member from attending in person, the member can participate remotely by requesting approval to do so from the legislative body. The legislative body may take action on the request as soon as possible, including at the beginning of the meeting, even if there was not sufficient time to place the request formally on the agenda.

Under either circumstance, the member in question must give a general description of the circumstances relating to their need to appear remotely, but need not disclose any medical diagnosis, disability, or other confidential medical information.

In addition, AB 2449 provides that a member cannot participate solely by teleconference under the new teleconference framework for more than 3 consecutive months or more than 20 percent of the agency's regular meetings. Since College of the Desert holds 12 regular meetings per year, it is likely that a Member can only attend two meetings under the two exceptions listed above (20% of 12 is approximately 2.4 meetings). It's stated that a maximum of two meetings is "likely" the case because the statute is not clear as to whether it is the greater or lesser of "3 consecutive months or more than 20 percent." To avoid potential Brown Act violations, it is

recommended reading this as the "lesser of" 3 consecutive months or 20 percent of regular meetings.

Finally, if a Board member appears remotely pursuant to AB 2449's limitations outlined above, then the District must offer the public the opportunity to participate remotely through Zoom, phone, or both.

The new statutory authorization expires by its own terms on January 1, 2026. At that point, absent further legislation, the Brown Act's teleconferencing provisions will revert to essentially the same language as before the pandemic.

5.02 Maker Space Program - Professor Beth Allan-Bentley will present Roadrunner Makerspace which is an open space for COD Students, Staff and Faculty to get creative and design things using the latest tools and technology! Professor Beth Allan-Bentley and students presented the Maker Space and talked about the equipment, the items that could be created, ongoing and upcoming projects, opportunities and advantages for students.

6. ACTION ITEMS

6.01 ITEM FOR APPROVAL: Financial Statements Ending October 31, 2022 - December 31, 2022

Kirstien Renna presented Financial Statements Ending October 31, 2022 - December 31, 2022:

- For the month of December \$225,114 was raised and year to date through December 31 we were at \$1,534,25
- Total Fundraising Revenue highlights included: \$200,000 Richard Brooke Foundation Grant for pLEDGE, \$50,000 Friends of COD Library, \$30,000 Marissa Banuelos Endowed Scholarship, \$25,000 Edison STEM Grant, \$25,000 Sherry Schroeder Student Success Fund
- Special Events as of December 31, 2022: State of the College revenues \$138,030 and Stepping Out for COD \$204,303
- Memberships YTD: President's Circle YTD \$71,617, Academic Angels \$4,750
- Total revenue as of December 31, 2022 - \$1,534,256
- Total Unrestricted Revenue Realized \$722,472, which is 59% of the goal
- Investment activities were also reviewed: -\$251,208 in realized losses, \$198,603 in unrealized gains, \$504,601 in interest & dividends, net of investment fees
- Kirstien presented Investment Asset Allocation between First Republic Wealth management, Cerity Partners and Merrill Lynch, as well as all combined.
- Meeting continued with Fiscal Year 2022/2023 Combined Revenue and Investment Activities review, which totaled to \$2,376,775
- Total Expenditures: Operating Expenses - \$760,767; Fundraising Expense - \$151,029; Program Expense (UR, TR) - \$686,972; Investment Expense (UR, Temp Restrict) - \$509,170. Unrestricted Expenditures of total budgeted \$2,604,000 vs. actual \$997,689
- Change in Asset as of December 31, 2022 - \$50,381,476 vs. \$50,230,907 as of June 30, 2022
- Total Combined student scholarship and program support given as of December 31st, 2022, \$686,972 and additional pending request \$185,307

Q: Could you please explain the page 47?

A: Foundation manages endowments, those are the funds that are held in perpetuity, foundation takes a 2% a year management fee on those dollars, and that is funds that go directly to our unrestricted fund to help support our operations and the Fund for Students Success.

Chair called a motion to approve the Financial Statements Ending October 31, 2022 - December 31, 2022 as presented.

Carol Fragen moved to approve, Barbara Fromm Seconded. All in favor.

Motion carried.

6.02 ITEM FOR APPROVAL: 22-23 Budget Amendment President's Fund

Jake Wuest informed that at Finance Committee Meeting budget transfer adjustment was discussed, President's fund had to increase by \$10,000 and as there were some staff positions that were anticipating replacement and were not replaced, so there were funds available for that.

Tom Minder added that was a good idea, and certainly less than last year on that particular Fund.

Chair asked for motion to approve 2022-2023 Budget Amendment President's Fund.

Pauk Hinkes moved to approve, Dale Landon seconded. All in favor.

Motion carried.

6.03 Student Emergency Fund - Hiatus

Jake Wuest informed that the Finance committee recommended at this time to put Student Emergency Fund on hiatus. It feels like the Fund has served its focus throughout the pandemic, and then we can continue to Re-analyze, and see if there's an appropriate way to handle that going forward or there's an additional funding source to continue to make sure that makes sense. Cathy Abbott added that just because the fund is essentially on pause, that doesn't mean that if a student has an emergency that we're not going to meet that need, we will definitely take it on a case-by-case basis. Cathy also suggested that an Ad Hoc committee can be put together later on and review the way forward on how to distribute the funds further. Cathy provided an example how this was handled a year ago, when Fund had to be put on pause, but we will receive a phone call from VP in regard to particular serious cases that have to receive money and we will find the way. Student Emergency Fund is being promoted in every marketing piece that we have. It's been a long time since we received money for that specific Fund. Dr. Garcia added that some of the situations that we have seen recently truly merit the award, and there was a great impact on students' life. Students usually make request with counselor of faculty member, they provide documentation.

Peggy Jacobs expressed her concern about the subject. Jake Wuest explained that funding is limited to budget, we can't continue using it at the pace its being used. Bill Chunowitz advocated for students, explained that the main mission is to keep students from dropping out of the school, as its usually very difficult to get them back. Tom Minder added that before Pandemic the fund wasn't used a lot. The concern right now is that every single request is coming in for \$1000. Barbara Fromm commented that we have to remember that Pandemic made tremendous impact on life's of students. I don't know how I am personally on a \$1,000 with this very sad story, however, that could be something for United Fund or any other number of social service agencies to deal with.

Paul Hinkes continued with question are those students that are being given money staying in school? Are we accomplishing something? Cathy Abbott will bring the institutional report on that data and bring it to the Board next month. Cathy added that Student Emergency Fund is not going to go away.

Chair asked for motion to approve Student Emergency Fund Hiatus
Dale Landon moved to approve; Jake Wuest seconded.
Ten members voted in favor.
Motion carried.

7. REPORT ITEMS

7.01 Board of Trustee Liaison

Board of Trustee not present.

7.02 Superintendent's/President's Report

Dr. Garcia informed that COD is getting ready for the Grad Party which will be held in Acrisure Arena the week of 20th may, the dates are not confirmed yet. Formal invitations will be sent to Board members as well.

Unfortunately, Dr. Garcia shall not be able to attend the Pre-Event, as there will be a conference in San Diego, supporting professional development. The reason why decision was made to support especially new Presidency, is because the majority of them have been in the role for a limited amount of time.

7.03 Board Chair

Chris Anderson introduced Interim Executive Assistant to the Director of Foundation to Board Members.

7.04 Executive Director

Cathy mentioned Coachella Valley Giving Day, which was a one day philanthropical event. There were 107 nonprofits that participated in an awareness and fundraising campaign for 24 hours. The foundation raised \$10,817.50.

Cathy also thanked Liz Chambers and Gailya Brown and Kirstien Renna as four of them worked together with two donors in Palm Springs, who were interested in supporting COD. They did charitable gift annuity of \$50,000. They also did a \$100,000 endowment. It will be paid over 2 years to support pLEDGE and EDGE. The donors are very particular about the way that the proposal read, ensuring that we were meeting their expectations and wanting to know more about what was happening with the college. It took several months to close this deal.

Q: What are the names of the donors?

A: Joan Lamb and Bill Rutherford

7.05 Directors' Reports (Reports may be submitted by emailing the Foundation at codfoundation@collegeofthedesert.edu)

1. Tom Minder, Director of Resource Development and Stewardship

- Stepping out for COD:
 - Rob Moon talked about Pre-Event and main Event. Human Nature sold out twice in McCallum, which is great. COD video is looking very good
 - The tiny Home will be showcased at Pre-Event
 - The Professor of Music is going to provide the background music during the Pre-Event

2. Marge Dodge, Director of Recognition and Outreach

- Academic Angels:
 - Our main mission is to make connections between people
 - March mixer unfortunately the weather wasn't good, but the food and atmosphere were great
 - Acrisure Arena - still no response, they had a big turnover of staff so they haven't given us any quote or date
 - The Calling All Angels newsletter is being prepared and will be sent this month. The objective of the newsletter is to keep members informed and engaged
- President's Circle:
 - April 3d is the date for the event, hostess is Karen Miles. IL Corso will be catering, special wine ambassador will be there
 - EMT program will be presenting

3. Jane Saltonstall, Director of Programs/Campus Connections

- Campus Tours - up and running, we are introducing different departments every time. Bill added that we need more people at the Tours

4. Barbara Foster Monachino, Director of Operations and Nominating (not present)

5. Jake Wuest, Treasurer

- Finance and Investment

6. Bill Chunowitz, Past Chair

Bill mentioned the article about Rob Moon and complimented that it was a great article and great photos.

7. Barbara Fromm, Secretary

8. DISCUSSION ITEMS

8.01 Nominating Committee Slate Recommendation and Board of Directors

Jane Saltonstall presented four candidates

Charles Townsend Vinci

After serving in the military as a medic in the infantry, Charles spent the next ten years as a retail advertising manager over and became advertising managers for all publications in the San Gabriel Valley. He then moved to retail sales for the suburban division of the Los Angeles times.

As a part time venture he started Charles Townsend collection in Rancho Mirage, CA. This grew into a full-time business, and he devoted his time to this enterprise until his retirement. He sold the business to Ethan Allen.

Charles was elected to Rancho Mirage City Council in 2014 and served as mayor pro term in 2017 and 2021. He retired as mayor in 2022. He serves on the board of directors to the Rainbow Foundation, the Rancho Mirage chamber of commerce, as well as the Mission Point homeowners association. He was voted citizen of the year and businessman in 2014 by Rancho Mirage chamber members.

Charles is a member of COD President's Circle, Legacy Leaders and funds the Moller/Vinci scholarship endowment at COD. He is a founding member of Desert Aids Project, and serves on the Eisenhower associates President's Circle, the MacCallum theatre foundation, Desert Theatricals theater, Children's Discovery Museum, Stroke Recovery Center and Equality California. He attended Pasadena City College.

Shari Stewart

Shari has been a desert resident for 38 years. Her degree is from California State University Northridge in Sociology. She is a retired elementary school teacher and one of her passions is education. She served as a board member of the Palm Springs Unified School district governing board for 18 years. She is also a mentor in the Rancho Mirage High School "smart" program and has been the lead mentor for five years. She has served on the Rancho Mirage planning commission and was a board member of the Rancho Mirage public library foundation. Shari is on the Academic Angels committee, and a member of COD President's circle. She is a 2023 Stepping Out sponsor.

Jenell Vandenbos

Jenell is a luxury specialist and a real estate investment specialist with Coldwell banker realty servicing Coachella valley. She was ranked in the top 50 agents in Coachella valley by Palm Springs life magazine for the past five years.

Jenell has been a valley resident for twenty-five years. She is current president of Women Leaders forum of the Coachella valley, which serves local professional women working to make the cv a better place. She is also involved with Olive Crest, an organization dedicated to preventing child abuse and is an active member of the Desert Valley Builders' Association. She is a published writer in "real estate" and has her degree in marketing. At one time she attended COD to supplement her courses for her undergraduate and master's degree. She and her husband own Buzz Box headquartered in Indio.

Connie Lurie

Connie has served on numerous boards and acted as advisor to nonprofit CEO's, a role she loves, as it takes advantage of her depth of experience and knowledge.

She has a BA in psychology and elementary education from state and an honorary PhD from the Connie I. Lurie school of education at San Jose State University. She was awarded the 'Tracks in the Sand' conservation award by the Living Desert in 2021 and the Champion of Youth award from the Boys and Girls Club of Coachella Valley in 2019.

She also serves as an advisory trustee of the California State Parks Foundation (40 years), a Director Emeritus of the Damon Runyon Cancer Research Foundation, the President of the CBL Foundation and a Trustee Emeritus of the San Francisco Zoo. She founded the Guardian Scholars' program that supports foster students at San Jose State. That program is now at all CSU schools. Locally, she is very involved with the Living Desert where she and her husband Bob, are generous supporters and are spearheading the creation of the Living Desert's, soon to be built, special event center.

Connie has been a generous supporter of COD for many years. Recently she has given a grant to support foster students. She has already reached out to Catherine for a meeting to share a mockup pamphlet she created for COD to tell the COD story and eventually raise money.

8.02 Stepping Out Presentation/Liz Chambers

Liz informed that calling parties took Place, as well as co-chair made calls. Tickets are selling fast. Kirstien Renna informed that at the moment we were at \$489,582.00, and we believe that between our ticket sales, that we will exceed our goal of \$550,000.

9. ADJOURNMENT

9.01 Annual Meeting: Wednesday, April 26, 2023, at 2:30 PM-4:30 PM, at Cravens Multi-Purpose Room

9.02 Adjournment

Chair ended meeting at 4:30 PM.