

**DESERT COMMUNITY COLLEGE DISTRICT
RESOLUTION # 121622-3
A RESOLUTION OF THE DESERT COMMUNITY COLLEGE DISTRICT BOARD OF
TRUSTEES TO CONDUCT COMPREHENSIVE FORENSIC AUDITS**

WHEREAS, concern exists with respect to Expenditures of Desert Community College District (DISTRICT) funds with respect to the cost of developing campuses and facilities in Cathedral City, Coachella, Mecca/Thermal, Palm Desert and Palm Springs.

WHEREAS, concern exists with respect to who and what prompted the west valley campus in Palm Springs be paused, project management teams eliminated, immediate removal and termination of planning team members, and new facilities plans redirected when it was at approximately sixty-percent schematic design and the Roadrunner Motors project canceled and then reconsidered;

WHEREAS, concerns have been expressed by constituents that have requested public records that have to date not been provided and the City of Palm Springs has sued the DISTRICT for planning documents and this has cast a shadow of secrecy on the DISTRICT;

WHEREAS, despite the substantial funds expended to modernize DISTRICT Technology (IT) systems it remains vulnerable and inefficient;

WHEREAS, the District did not provide a consent waiver to the Palm Springs attorney allowing him to provide legal advice other than the North Palm Springs property given to the district for the purposes of developing an educational campus;

NOW, THEREFORE BE IT RESOLVED that the Governing Board of the Desert Community College District authorizes the follow:

A forensic auditor be retained to report directly to the Board of Trustees through its subcommittee established for the purpose, to investigate each and every construction contract granted in the last five to eight years by the DISTRICT

with a view to determining whether the price was fair and just to DISTRICT, were there any conflicts of interest were involved in the granting of the contracts and whether any public official benefits personally by virtue of the construction planned or implemented pursuant to such contracts; were any of the projects not listed on the college's Facilities Master Plan on file with the State Chancellor's Office; and

BE IT FURTHER RESOLVED that the forensic auditor investigate the propriety of the granting of, and cost of all, consulting agreements between DISTRICT and any person, granted during the prior five to eight years; and

BE IT FURTHER RESOLVED that such forensic auditor investigate the nature and condition and expense of the DISTRICT IT system with a view to determining its efficiency, vulnerability to attack and whether funds expended on it were expended correctly; and

BE IT FURTHER RESOLVED that because it is inappropriate for those who may be audited to engage the auditor, a subcommittee of the Board be created to engage a forensic auditor and receive their report and convey it to the Board. The forensic auditor will report directly to this Board through its subcommittee and not through the office of the President or other departments of the DISTRICT; and

BE IT FURTHER RESOLVED that trustees representing Trustee Area Three (3) and Trustee Area One (1) are appointed to such subcommittee with all the powers provided herein together with such usual and customary powers available to a subcommittee of this Board; and

BE IT FURTHER RESOLVED that all departments and personnel of DISTRICT and any current or prior consultants, contractors, elected officials and employees are instructed to comply completely with the requests for information made by the forensic auditor and any who does not cooperate with the forensic auditor will be subject to discipline or any legal remedies available to the DISTRICT; and

BE IT FURTHER RESOLVED that the forensic auditor be empowered to bring additional areas of inquiry to the attention of the subcommittee which subcommittee is authorized to authorize the auditor to pursue such areas of inquiry provided it is given an estimated cost of such additional inquiry and approves same; and

BE IT FURTHER RESOLVED that a Request for Proposal (RFP) for this purpose shall be completed and approved by the Board sub-committee, posted by the DISTRICT administration, and sent by the DISTRICT administration to potential bidders approved by the Board sub-committee no later than January 9, 2023. The subcommittee will be provided all proposals and an auditor retained no later than January 27, 2023.

PASSED AND ADOPTED this 16th Day of December 2022 by the Governing Board of the Desert Community College District of Riverside County, California by the following vote:

AYES: 5

NOES: 0

ABSTAIN: 0

ABSENT: 0

I, Martha Garcia, Secretary to the Governing Board of the Desert Community College District, State of California, do hereby certify that the foregoing resolution was duly adopted by the said Governing Board at a regular meeting held on December 16, 2022



Martha Garcia, Superintendent/President

