

**MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT  
GOVERNING BOARD OF TRUSTEES  
REGULAR MEETING**

Closed Session, Stutzman Room, LTC, 1:30pm  
Open Session, Sam Karas Room, LTC, 3:00pm  
980 Fremont Street, Monterey, California 93940

**TUESDAY, JANUARY 26, 2010**

**AGENDA**

*The Monterey Peninsula College Governing Board welcomes you to the Governing Board of Trustees Meeting. Documents that are public records and are provided to a majority of the Governing Board regarding an Open Session item on this agenda will be made available for public inspection in the Superintendent/President's Office at Monterey Peninsula College, 980 Fremont Street, Monterey, California, during normal business hours the Wednesday preceding the meeting. If you intend to submit documents at this meeting, the Brown Act requires you to bring enough copies for the Trustees and the audience.*

**1. OPENING BUSINESS**

A. Call Public Session to Order and Roll Call

B. Closed Session

*The Governing Board will meet in Closed Session (before the Open Session on regular agenda items) to consider matters appropriate for Closed Session as authorized by Sections 3549.1 and 54956.7 through 54957.7, Government Code and Section 72122, Education Code, and as otherwise provided by law. Required action on these matters will be taken when the Board meets in Open Session (or at the next public meeting).*

Items under discussion:

- 1) Conference with Real Property Negotiator: Parcels L23.5.1. and L23.5.2, and Parcels E2c.3.1 and E2c.2. Negotiating Party – Monterey Peninsula Community College District, Joe Bissell.
- 2) Public Employees Discipline/Dismissal/Release.
- 3) Public Employee Evaluations - Faculty: Anthropology, Biology, Computer Systems/Information Technology, COOP, Counselor, Dental Assisting, English (three positions), Interior Design, Medical Assisting, Photography, Physical Education/Baseball, and Reading.

C. Reconvene to Open Session

D. Reporting of Any Action Taken During Closed Session

**2. RECOGNITION**

A. Acknowledgment of Visitors

B. Moment of Silence for Sherman Smith, Board member from 1965-1995, and Jack Bessire, Professor Emeritus and Assistant Superintendent/Vice President for Instruction and Student Services from 1967-1995.

C. Proclamation for Sherman Smith

D. Monterey Peninsula College Foundation Donations for December, 2009, totaling \$67,022.

[Recog A.2. Foundation Donations December 2009.xls](#)

3. **COMMUNICATIONS**

*Note to Audience: Anyone wishing to address the Governing Board on matters within the jurisdiction of the Board may do so now. Please state the matter on which you wish to speak. Matters not appearing on the Agenda will not receive action at this meeting, but may be referred to staff for consideration at a future meeting. Presentations will be limited to three minutes, or as established by the Board. (Persons are not required to give their name or address, but it is helpful for a person to state their name in order that the Board and others present may identify the speaker.)*

A. Comments from Visitors

B. Written Communications:

- 1) Email reminder from LULAC: "Guest speaker Charlie Brown to speak at LULAC meeting, January 9<sup>th</sup>, at Oldemeyer Center."

The following articles were published in the Monterey County Herald, December 4, 2009 to January 15, 2010:

- 2) Christmas spirits bring yuletide rebirth to MPC Theatre Company classic "A Christmas Carol."
- 3) MPC Storybook Theatre presents "Treasure Island."
- 4) MPC Theater Company presents Cole Porter's "Anything Goes."
- 5) MPC Seeks General Contractor: ad for Marina Education Center bids.
- 6) Letter to Editor: "Go for the four-year colleges."
- 7) Letter to Editor: "MPC an affordable option."
- 8) Obituary for Ronald Wayne Rinehart, former Chemistry Lab Manager.
- 9) Letter to Editor: "Suggestions for Pacific Grove teacher 'dismayed' that seniors plan to attend MPC instead of a four-year college."
- 10) Letter to Editor: Dr. Jim Tunney, outgoing MPC Board Chair, "MPC: Out on High Note, In Good Hands."
- 11) Liz Horvath, Senior Advocate: "Business and life both need plans."
- 12) Seniors Page: Leon Stutzman: "A full life blended with harmony."
- 13) Your Town: "MPC Foundation names executive director Robin Venuti."
- 14) Gentrain Society Lecture: "Telling stories of the seas - 25 years at the Monterey Bay Aquarium, January 20, LF103, 1:30-2:30pm."

C. Reports and Presentations:

*Routine status reports and announcements regarding campus activities, meeting schedules, conferences attended and recent developments from:*

- 1) INSTITUTIONAL REPORT: Diane Eisenbach's Sabbatical Report on Ceramic Art in Turkey
- 2) SUPERINTENDENT REPORT [Report Super-P January 2010.doc](#)
- 3) VICE PRESIDENTS' REPORTS
- 4) ACADEMIC SENATE REPORT
- 5) MPCEA REPORT
- 6) MPCTA REPORT
- 7) ASMPCC REPORT
- 8) COLLEGE COUNCIL REPORT
- 9) MPC FOUNDATION REPORT

- 10) GOVERNING BOARD REPORT
- 11) SPECIAL REPORT - Bond Update Reports, Joe Demko:
  - a. Active Bond/Facility Projects Update
  - b. MPC Master Schedule/Construction Phase Only
  - c. Cost Control Report [Report Bond-Facility Update 1-14-10.doc](#); [Report Constru Sched.pdf](#); [Report Cost Control 1-14-10.xls](#)

4. **CONSENT CALENDAR**

*Items listed under the Consent Calendar are considered to be routine and are acted on by the Board of Trustees in one motion. There is no discussion of these items prior to the Board vote unless a member of the Board, staff, or public requests that specific item(s) be discussed and/or removed from the Consent Calendar. It is understood that the administration recommends approval on all Consent items. Each item on the Consent Calendar approved by the Board of Trustees shall be deemed to have been considered in full and adopted as recommended.*

- A. Routine Business Transactions, Annual Renewal of Programs, Bids, Agreements, Notice of Public Hearings and Proclamations:

BE IT RESOLVED:

- 1) That the Governing Board approves the minutes for the Regular Meeting on December 15, 2009. [..\2009 Board Meetings and Forms\12 December 2009\12.15.09 Regular Meeting Minutes.doc](#)
- 2) That the Governing Board accepts gifts donated to the college with appropriate acknowledgement to donors. [Consent A.2 Donations.doc](#)
- 3) That the December manual, supplemental and regular payrolls, and the January regular and supplemental payrolls, in the amount of \$2,344,236, be approved.
- 4) That commercial warrants numbers for November, 2009, totaling \$2,520,938 be approved:  
12749671 through 12749716; 12750699 through 12750722;  
12752071 through 12752123; 12752903 through 12752933;  
12754117 through 12754159.
- 5) That commercial warrant numbers for December, 2009, totaling \$1,600,436 be approved:  
12754807 through 12754823; 12755327 through 12755354;  
12756464 through 12756503; 12757518 through 12757558;  
12758481 through 12758488; 12760063 through 12760065.
- 6) That purchase order numbers for December, 2009, totaling \$450,016 be approved: 100646 through 100694.
- 7) That the following budget increases in the Restricted General Fund totaling \$845,690, be approved:  
Net increase in the 1000 (Certificated Salary) Object expense for \$344,379;  
Net increase in the 2000 (Classified Salaries) Object expense category for \$58,622;  
Net increase in the 3000 (Benefits) Object expense for \$62,342;  
Net increase in the 4000 (Supplies) Object expense for \$137,855;  
Net increase in the 5000 (Other/Services) Object expense for \$49,679;

Net increase in the 6000 (Capital Outlay) Object expenses for \$144,964;  
Net increase in the 7000 (Other Outgo) Object expense category for \$47,849.

Restricted General Fund increases: Increase of \$2,592 in revenue and matching expenses to reflect funds received for FY 2009-2010.  
Increase of \$843,098 in revenue and matching expenses to reflect funds carried forward from FY 2008-2009 to FY 2009-2010.

[Consent A.7 Restricted General Fund.doc](#)

- 8) That the following budget adjustments in the Unrestricted General Fund for the period October 12, 2009 through January 11, 2010, be ratified:  
Net decrease in the 2000 (Classified Salary) Object expense for \$1,964  
Net decrease in the 3000 (Benefits) Object expense for \$628  
Net increase in the 7000 (Other Outgo) Object expense for \$2,592

[Consent A.8 Unrestricted General Fund.doc](#)

- 9) That the following budget increases in the Child Development Fund be approved:  
Increase of \$13,751 in revenue and matching expenses, to reflect funds carried forward from FY 2008-2009 to FY 2009-2010.

[Consent A.9. CDC.doc](#)

- 10) That the following budget adjustment in the Parking Fund be ratified:  
Net increase in the 2000 (Classified Salary) Object expense for \$6,200  
Net increase in the 3000 (Benefits) Object expense for \$3,819  
Net decrease in the 5000 (Other/Services) Object expense for \$10,019.

[Consent A.10 Parking Funds.doc](#)

B. Faculty Personnel:

- 11) That the Governing Board approves the academic personnel actions listed:
- a. Resignation of Eleanor Szaszy, English Instructor, effective January 30, 2010, for the purpose of retirement and confer upon her the title of Professor Emeritus.
  - b. Grant Equivalency Based on Eminence to Margarett Foster to teach MEDA112, effective Spring 2010.
  - c. Grant Equivalence to Minimum Qualifications to Annette Scheibner to teach German, effective Spring 2010.
  - d. Each month individuals are hired as part-time, substitute, and overload. The attached list includes faculty hires for Fall 2009, Early Spring 2010 and Spring 2010.

C. Classified Personnel:

- 12) That the Governing Board approves the classified personnel actions listed:
- a. Employment of Leslie Procive, Administrative Assistant IV, to Vice President of Academic Affairs, 40 hours per week, 12 months per year, effective January 27, 2010.
  - b. Resignation of George Perez, Admissions and Records Specialist, 40 hours per week, 12 months per year, effective December 7, 2009.

D. Short Term, Non-continuing and Substitute Personnel:

- 13) That the individuals on the recommended list (Short Term and Substitute Employees) employed for short term, non-continuing and substitute assignments, subject to future modifications, be approved. [Consent D. Short Term List.xls](#)

## 5. NEW BUSINESS

- A. BE IT RESOLVED, that the 2009-2010 Monthly Financial Reports for the period ending December 31, 2009, be accepted.
- B. BE IT RESOLVED, that the Quarterly Financial Status Report for the quarter ending December 31, 2009, as presented on form CCFS 311Q, be accepted.
- C. BE IT RESOLVED, that the Governing Board receive the District's Annual Financial Audit Report for the fiscal year ended June 30, 2009. Report presented by a representative from Vavrinek, Trine, Day & Co.
- D. BE IT RESOLVED, that the Governing Board receive the Monterey Peninsula College Foundation Accountant's Review Report for the years ending December, 2006 and December, 2007, and the Annual Audit Report for the year ending December, 2008.
- E. BE IT RESOLVED, that the Governing Board receive the District's Measure I General Obligation Bonds Performance Audit and Independent Auditor's Report for the fiscal year ending June 30, 2009.
- F. PUBLIC HEARING: that the Governing Board hold a public hearing to review the recommendation of the Superintendent/President that the Monterey Peninsula College Foundation be recognized and established as an auxiliary organization of the Monterey Peninsula Community College District. [New Bus F. Public Hearing Foundation.doc](#)
- G. BE IT RESOLVED, that the Governing Board approve the new Master Agreement between the Monterey Peninsula College Foundation and the Monterey Peninsula Community College District for a four year term, wherein the Monterey Peninsula College Foundation is recognized as an auxiliary foundation as described in Education Code Section 72672 and California Code of Regulations, Title 5, Sections 59255 and 59257; and, [New Bus G. Foundation Aux Status.doc](#)  
  
BE IT FURTHER RESOLVED, that the Superintendent/President is directed to submit for approval the new Master Agreement in accordance with the MPCCD Regulations for Auxiliary Organizations to the Chancellor's Office of the California Community College System; said Master Agreement to be effective on approval of the Chancellor's Office. [New Bus G. Foundation Master Agreement.doc](#)
- H. BE IT RESOLVED, that the Governing Board approve the contribution of \$339,728 from the Nellie Irons Orr Fund, also known as the MPC Scholarship Trust, to the California Community Colleges Scholarship Endowment Fund (CCCSEF) established by the Osher Foundation, and direct the Superintendent/President to execute a revised Fiscal Agent Agreement and Fund Transfer Exhibit as required; and,

BE IT FURTHER RESOLVED, that the Governing Board designate the recipients of the CCCSEF as Orr Scholars as part of the Osher Initiative for California Community College Students. [New Bus H. Orr-Osher Transfer.doc](#)

- I. BE IT RESOLVED, that the 2010-2011 non-resident tuition rate for the District be established in accordance with ECS 76140 at \$183 per semester unit, with no fee for capital outlay.
- J. BE IT RESOLVED, that the Governing Board approve the awarding of the Marina Education Center construction project to \_\_\_\_\_ in the amount of \$\_\_\_\_\_.
- K. BE IT RESOLVED, that the Governing Board ratify the Project Assignment Amendment (PAA) #23 with David Foord, Inspector of Record (IOR), to perform inspection services in conjunction with the construction of the Education Center at Marina, on an hourly basis not to exceed \$98,000.
- L. BE IT RESOLVED, that the Governing Board ratify the Project Assignment Amendment (PAA) #21 with HGHB Architecture, Planning, Urban Design, for architectural services in conjunction with swing space needs utilizing relocatable classrooms in the area adjacent to the Theater and Social Sciences site, for a fixed fee of \$103,000.
- M. BE IT RESOLVED, that the Governing Board ratify the Project Assignment Amendment (PAA) #22 with HGHB Architecture, Planning, Urban Design, for schematic design architectural services for the first phase of renovation of the first floor of the Gymnasium, for a fixed fee of \$28,000.
- N. BE IT RESOLVED, that the Governing Board ratify the Project Assignment Amendment (PAA) #23 with HGHB Architecture, Planning, Urban Design, for architectural services in conjunction with swing space needs for the Physical Education Department, for a fixed fee of \$3,850.
- O. INFORMATION ONLY: report on Office Depot processes and purchase order review.
- P. SECOND READING, Addendum to the Institutional Self Study Report compiled for the Accrediting Commission for Community and Junior Colleges (ACCJC) in preparation for MPC's Comprehensive Evaluation Visit scheduled for March 8-11, 2010.  
[New Bus P. Second Reading Addendum.doc](#)
- Q. INFORMATION ONLY: Institutional Self Study Report and Visiting Team Roster.  
[New Bus Q. Self Study Report.doc](#)
- R. BE IT RESOLVED, that the Governing Board authorize the District to file a Notice of Completion of Contract with the County of Monterey for the Building 24 Fitness Center Elevator Addition, DSA Application No. 01-109278, File No. 27-C1.

- S. BE IT RESOLVED, that the Governing Board authorize the Vice President for Administrative Services to enter into a contract with Kitchell for Program Management Services for the period January 2, 2010 through June 30, 2010.
- T. BE IT RESOLVED, that the Governing Board approve the signing of the 2009-2010 contract with the California Department of Education for the purchase of instructional materials and supplies for the Child Development Program.
- U. BE IT RESOLVED, that the Governing Board approve Dr. Douglas Garrison, Superintendent/President, Joseph Bissell, Vice President for Administrative Services, and Rosemary Barrios, Controller, to be authorized signatories for the bankcard accounts maintained by Monterey Peninsula College at First National Bank of Central California, as requested by the Monterey County Office of Education.
- V. BE IT RESOLVED, that the Governing Board approve Dr. Douglas Garrison, Superintendent/President, and Joseph Bissell, Vice President for Administrative Services, to be authorized signatories for all expenditure warrants, contracts and other official documents on behalf of Monterey Peninsula Community College District, as requested by the Monterey County Office of Education.
- W. INFORMATION ONLY: Discussion of proposed Board Policy 1000, Governing Board Code of Ethics and Conduct. [New Bus W. BP 1000 Board Code of Ethics.doc](#); [New Bus W. BP 1000 Policy.doc](#)
- X. INFORMATION ONLY: Discussion of proposed Board Policy 1005, Composition and Authority of the Board. [New Bus X. BP1005 CompAuthorBoard.doc](#); [New Bus X. BP 1005 Policy.doc](#)
- Y. INFORMATION ONLY: Discussion of proposed Board Policy 1010, Annual Organizational Meeting and Officers of the Board. [New Bus Y. BP1010 Annual Org Mtg.doc](#); [New Bus Y. BP 1010 Policy.doc](#)
- Z. INFORMATION ONLY: Calendar of Events. New Bus Z. Calendar of Events 2010.doc

## 6. **ADVANCE PLANNING**

- A. Meeting Dates:
  - Regular Meeting Tuesday, February 23, 2010
    - Closed Session, 1:30pm - Stutzman Seminar Room, Library and Technology Center
    - Open Session, 3:00pm - Karas Room, Library and Technology Center
  - Regular Meeting Tuesday, March 23, 2010
    - Closed Session, 1:30pm - Stutzman Seminar Room, Library and Technology Center
    - Open Session, 3:00pm - Karas Room, Library and Technology Center
- B. Future Topics, to be confirmed:
  - 1) Board Goals

- 2) Study Session - Budgets and FTES
- 3) Study Session - Shared Governance and Collective Bargaining
- 4) Study Session - Construction Process and Projects

7. **CLOSED SESSION**

*When required on non-routine matters and/or to continue discussion of items from earlier Closed Session.*

Posted January 21, 2010