

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

REGULAR BOARD MEETING

1:30pm, Closed Session, Stutzman Room, LTC
3:00pm, Regular Meeting, Sam Karas Room, LTC
980 Fremont Street, Monterey CA 93940
www.mpc.edu/GoverningBoard

WEDNESDAY, SEPTEMBER 25, 2013

AGENDA - REVISED

The Monterey Peninsula College Governing Board welcomes you to the Governing Board of Trustees Regular Meeting. Documents that are public records and are provided to the Governing Board regarding a Regular Meeting 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 Thursday 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. In compliance with the Americans with Disabilities Act, those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at a Board meeting, can contact the Superintendent's Office at (831) 646-4272. Notification at least 72 hours prior to the Board meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodations, auxiliary aids, or translation services.

1. OPENING BUSINESS

A. Call To Order

B. Roll Call

C. Public Comments on Closed Session Items

This is an opportunity for visitors to make comments regarding any closed session items. When the Chair recognizes a member of the public for oral comments, such comments shall be limited to three minutes.

D. Closed Session – items under discussion

The Governing Board will meet in Closed Session (before the Regular Meeting on regular agenda items) to consider matters appropriate for Closed Session as authorized by Sections 3549.1 and 54956.7-54957.7, 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 Regular Meeting or at the next public meeting.

- 1) Conference with Legal Counsel – Anticipated Litigation (Government Code Section 54956.9 (c))
Initiation of litigation (1 case): Stephen Ma
- 2) Conference with Labor Negotiators (Government Code Section 54957.6)
 - a) Employee Organization: MPCTA/CTA/NEA
 - b) Agency Negotiators: Barbara Lee
- 3) Conference with Labor Negotiators (Government Code Section 54957.6)
 - a) Employee Organization: MPCEA/CSEA
 - b) Agency Negotiators: Barbara Lee
- 4) Public Employee Discipline/Dismissal/Release (Government Code Section 54957):
Barbara Lee
- 5) Public Employee Performance Evaluation: Superintendent/President

E. Reconvene to Regular Board Meeting and Roll Call

F. Report of Action Taken In Closed Session

G. Approval of Agenda

The Board will take action to approve the Agenda. Agenda items may be rearranged here. If there are any urgent items that arose after the 72-hour posting deadline, this is the point in the meeting where a vote may be taken to add the item to the agenda. (A 2/3-majority vote is required.)

2. RECOGNITION

A. Acknowledgement of Visitors

- 1) Scott Moller, Administration of Justice Instructor
- 2) Joel Pickering, Mathematics Instructor
- 3) Luke Spence, Mathematics Instructor
- 4) Andrew Washburn, Mathematics Instructor
- 5) Jacqueline Evans, DSPS Counselor
- 6) Susanne Muszala, Counselor

B. Moment of Silence

- 1) Former MPC staff member, Patricia Lewis, deceased September 2, 2013.

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 the Public

B. Written Communications:

- 1) Letter to Dr. Walt Tribley from Norval L. Wellsfry, Associate Vice President of the Accrediting Commission for Community and Junior Colleges (ACCJC), notifying Dr. Tribley that MPC has been identified as category R (Referred) as a result of ACCJC's analysis of the 2013 Annual Fiscal Report. / August 16.
- 2) Letter from Jill T. Biden regarding *8 Keys to Success*, which was developed by the Administration, the Departments of Education and Veterans Affairs, and education experts to provide schools with steps they can take to ensure veterans' success in higher education. / August 30.
- 3) "First Monday" Memorandum from State Chancellor Brice W. Harris regarding: 1. Better Financial Times With More Uncertainty, 2. President Obama's Plan to Make College More Affordable, 3. World Economic Forum Global Competitiveness Report, 4. City College of San Francisco Update, 5. Cindy Miles Named Top CEO in Pacific Region, and 6. Sidekick Tool Available Next Week. / September 2.
- 4) Letter from John Dunn, the City of Seaside's City Manager, to President Walt Tribley regarding the study of the economic impacts of Measures K and M on Monterey County and the City of Seaside. / September 10.

C. MPC All User Emails:

- 1) Marty Johnson: Announcement of a new link ("Fall 2013 Open Classes") on the MPC homepage that leads to a regularly updated report listing all currently open classes.
- 2) Sigrid Klein: Announcement of a welcome table to be set-up during the first four days of the fall semester to assist new students and visitors.
- 3) Alfred Hochstaedter: Faculty is encouraged to get to know their students. Information regarding Fall Flex Day and Instructor/Program Reflections is provided.
- 4) Dr. Walt Tribley: Thank you to everyone who participated in and organized Fall Flex Day. Everyone is encouraged to sign-up to staff the welcome table.

- 5) Dr. Celine Pinet: Everyone is encouraged to find ways to reach out to our students and support our students to mitigate the downturn in enrollment.
- 6) Beccie Michael: Announcement of Faculty & Staff Advancement Awards. Deadline to submit application is September 23rd.
- 7) Library and Technology Center: Announcement of a commemorative exhibit celebrating the 10th anniversary of the Library and Technology Center.
- 8) MPC Theatre: Announcement of a special 9/11 performance of “The Guys” to benefit MPC’s Fire Protection Technology Program and Fire Academy.
- 9) Dr. Walt Tribley: Announcement of Mr. Stephen Ma’s resignation from MPC effective October 4th due to his acceptance of the position of Chief Executive Officer with LGS Recreation.
- 10) Dr. Walt Tribley: Announcement of the passing of former longtime MPC staff member, Patricia Lewis and the September 7th remembrance held in her honor.
- 11) Marty Johnson: An organization called Project Truth will be on campus September 16th and 17th to hand out information to those “interested in discussing our issue of the sanctity of human life.” Security personnel will be present to ensure that all parties adhere to MPC’s Time, Place, and Manner policy as Project Truth exercises its right to free speech.
- 12) Student Financial Services: Due to federal regulations MPC is required to report any and all aid given to students at MPC. Student Financial Services should be notified of all scholarships and grants awarded to students.

D. Articles published in *The Herald*, *The Weekly*, *The Californian*, and other media:

- 1) *The Herald* / August 18, 2013: The American Association of University Women Monterey Peninsula Branch awarded \$1,500 scholarships to three MPC graduates: Shannon Barbour, Adriana Jara-Munoz and Kaitlin Sandoval.
- 2) *The Herald* / August 19, 2013: Former MPC student Joe Collins is vying for a spot on the Jets roster. / MPC will host its fifth annual high school varsity Sunday baseball league August 25-October 27.
- 3) *The Herald* / August 24, 2013: “MPC plans become bargaining chip in Fort Ord ballot measure.”
- 4) *The Herald* / August 25, 2013: “Monterey Peninsula College accused of violating athletic rules.”
- 5) *The Herald* / August 26, 2013: Advertisement for Gentrain’s Interdisciplinary Course in Western Culture. Incentives for non-credit students are listed.
- 6) *The Herald* / August 27, 2013: “Monterey Peninsula College looks for ways to slash \$2.5 million.” / “North Salinas alumnus had a breakout game against San Jose City College in 2012.”
- 7) *The Herald* / September 1, 2013: “Monterey County veterans struggle in transition to college.” MPC students Jayson Hufford, Christopher Herridge, and Jeremy Agbayani are featured.
- 8) *The Herald* / September 4, 2013: MPC Lobos profiled by John Devine, who credits head football coach Mike Rasmussen with turning marginal players into scholarship-bound athletes.
- 9) *The Herald* / September 5, 2013: Advertisement for MPC’s Continuing Education Nursing Assistant and Home Health Aide programs. / MPC Theatre Company opens Ann Nelson’s “The Guys” on September 6th.
- 10) *The Herald* / September 7, 2013: Letter to the editor from former MPC trustee, Charles Page, expressing his admiration for District Attorney Dean Flippo and his support of MPC.
- 11) *The Herald* / September 8, 2013: Advertisement for the MPC Alumni Association’s Homecoming Reunion on September 21st.
- 12) *The Herald* / September 12, 2013: “Monterey Peninsula College child care center faces tough financial decisions.”

E. Reports and Presentations:

Routine status reports and announcements regarding campus activities, meeting schedules, conferences attended and recent developments.

- 1) Institutional Report: No Report.
- 2) Superintendent/President's Report: Dr. Walter Tribley
- 3) Vice Presidents' Reports: Mr. Stephen Ma, Dr. Céline Pinet, and Mr. Martin Johnson
- 4) Academic Senate Report: "Student Learning Outcome Assessment Report 2012-2013," Fred Hochstaedter, President
- 5) MPCEA Report: Loran Walsh, President
- 6) MPCTA Report: Mark Clements, President
- 7) ASMPC Report: Eric Foster, Communications Officer
- 8) College Council Report: Stephanie Perkins and Diane Boynton, Co-chair
- 9) MPC Foundation
 - a) Executive Director Report: Ms. Beccie Michael
 - b) Monthly Donations: \$69,632.76
- 10) Governing Board Reports
 - a) CHS Report
 - b) Trustee Reports
- 11) Legislative Advocacy Report, Dr. Walter Tribley
- 12) Student Success Report: "MPC Enrollment and Demographic Trends: Implications for Access and Success," Dr. Rosaleen Ryan and Dr. Walt Tribley
- 13) Special Report – Bond Update Reports, Joe Demko, Kitchell
 - a) Active Bond/Facility Projects Update
 - b) Cost Control Report
 - c) Master Schedule/Construction Phase Only
 - d) Bond Expenditure Report

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 of the Regular Board Meeting on August 28, 2013.
- 2) That the Governing Board accepts gifts donated to the College with appropriate acknowledgement to the donor.
- 3) That the August manual payroll in the amount of \$508.45 and the August regular payroll in the amount of \$2,345,202.58 and the September supplemental payroll in the amount of \$51,276.39 for a total payroll of \$2,396,987.42 be approved.
- 4) That Commercial Warrants:
12022826 through 12022835, 12024632 through 12024654, 12025134 through 12025168, 12025729 through 12025807, 12026408 through 12026438, 12027688 through 12027756, in the amount of \$1,768,971.67 be approved.

- 5) That Purchase Orders B1400132 through B1400312 in the amount of \$13,656,487.48 be approved.
- 6) That the following budget increases in the Restricted General Fund be approved:
Increase of \$20,100 in funds received for FY 2012-2013.
- 7) That the following budget adjustments in the Restricted General Fund be approved:

Net decrease in the 1000 Object expense category	\$	2,962
Net increase in the 2000 Object expense category	\$	23,294
Net increase in the 3000 Object expense category	\$	4,506
Net decrease in the 4000 Object expense category	\$	3,520
Net decrease in the 5000 Object expense category	\$	21,341
Net decrease in the 6000 Object expense category	\$	360
Net increase in the 7000 Object expense category	\$	383
- 8) That the following budget adjustments in the Unrestricted General Fund be approved:

Net increase in the 4000 Object expense category	\$	75
Net decrease in the 5000 Object expense category	\$	75

B. Management Personnel:

- 9) That the Governing Board approves the following item(s):
 - a) Resignation of Stephen Ma as Vice President for Administrative Services, effective October 4, 2013.
 - b) The recruitment for an Interim Vice President for Administrative Services to replace Mr. Ma while a full recruitment is conducted.
 - c) The recruitment for the Vice President for Administrative Services to replace Mr. Ma.

C. Faculty Personnel:

- 10) That the Governing Board approves the following item(s):
 - a) Grant Equivalency to Minimum Qualifications to Nanda Warren to teach English as a Second Language, effective Fall 2013.
 - b) Each month individuals are hired as part-time, substitute, and overload. The attached lists include hires for Fall 2013.

D. Classified Personnel:

- 11) That the Governing Board approve the following item(s):
 - a) Employment of _____, Instructional Specialist, Mathematics Learning Center, 18 hours per week, 7 months & 19 days per year, effective _____, 2013.
 - b) Employment of **Amy Cavender**, Administrative Assistant III/Instructional Contract Coordinator, Academic Affairs, 40 hours per week, 12 months per year, effective **October 7**, 2013.
 - c) Resignation of Maribel Quiroz, Student Financial Services Outreach Coordinator, 40 hours per week, 12 months per year, effective at the end of the day, October 1, 2013.
 - d) Resignation for the purpose of retirement of Victoria Thompson, Ceramics Studio Specialist, Creative Arts, 19 hours per week, 10 months per year, effective at the end of the day December 19, 2013.
 - e) Resignation for the purpose of retirement of Diane Conway, Fire Academy Assistant, Public Safety Training Center, 40 hours per week, 12 months per year, effective at the end of the day September 13, 2013.
 - f) Resignation for the purpose of retirement of Brian Singleton, Custodian, Facilities, 40 hours per week, 12 months per year, effective at the end of the day August 15, 2014. His first day of retirement will be August 16, 2014.

- E. Short Term and Substitute Personnel:
12) That the individuals on the recommended list (Short Term and Substitute Employees), employed for short term and substitute assignments subject to future modifications be approved.

5. **NEW BUSINESS**

Public comments on New Business agenda items will be heard at the time the matter is under Board consideration. If you wish to address the Board on an agenda item, please do so when that item is called. Presentations will be limited to a maximum of 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. BE IT RESOLVED, that the 2013-2014 Monthly Financial Reports for the period ending August 31, 2013, prior to year-end closing be accepted.
- B. BE IT RESOLVED, that the Governing Board approve the 2013-2014 Appropriation Limit per Article XIII-B, California Constitution (Gann Limit) as computed on the attached worksheet.
- C. INFORMATION: County of Monterey Investment Report for the quarter ending June 30, 2013.
- D. BE IT RESOLVED, That Resolution No. 2013-2014/25 – Resolution of Intent to Convey Easements to Marina Coast Water District, at Marina Education Center, be approved; and that a public hearing on the conveyance of the easements be scheduled for the next regular meeting of the Governing Board of Monterey Peninsula Community College District, on October 23, 2013, 3:00 PM.

MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 2013-2014/25

RESOLUTION OF INTENTION TO CONVEY EASEMENTS TO MARINA COAST WATER DISTRICT, AT MARINA EDUCATION CENTER

WHEREAS Education Code Section 81310 authorizes community college districts to convey to any public corporation or any private corporation engaged in the public utility business an easement to lay, construct, reconstruct, maintain and operate water and sewer pipes used in connection with such facilities over land belonging to the community college district; and,

WHEREAS the Monterey Peninsula Community College District owns real property known as Marina Education Center and more particularly described as Assessor's Parcel No. 031-251-003 and a portion of 12th Street, located in the City of Marina, County of Monterey, State of California, and further described in the attached Easements; and,

WHEREAS Marina Coast Water District, a county water district, ("MCWD"), has requested permanent easements on a portion of real property owned by the Monterey Peninsula Community College District for the purposes of installation, inspection, replacement, maintenance and removal of a potable water main and sanitary sewer; and,

WHEREAS the U.S. Department of Education’s written authorization is in process for the Monterey Peninsula Community College District to convey these easements in accordance with the terms and conditions of the October 18, 2004 and September 13, 2010 Quitclaim Deeds to the District for the real property in use as the Marina Education Center,

NOW THEREFORE BE IT RESOLVED that the Monterey Peninsula Community College District intends to convey the above-described easements to MCWD,

BE IT FURTHER RESOLVED that per Education Code Section 81311 a public hearing will be held at the next regular meeting of the Governing Board of Monterey Peninsula Community College District, October 23, 2013, 3:00 PM and that notice of the public hearing be posted and advertised per Education Code Section 81312.

PASSED AND ADOPTED by the Governing Board of the Monterey Peninsula Community College District, County of Monterey, California, this 25th day of September 2013.

By _____
Charles Brown, Chair

By _____
Loren Steck, Vice Chair

By _____
Margaret Anne Coppernoll, Member

By _____
Marilynn Gustafson, Member

By _____
Rick Johnson, Member

Attest: _____
Walter Tribley, Secretary to Governing Board

E. INFORMATION: Presentation on Fort Ord Ballot Initiatives.

F. BE IT RESOLVED, that the Monterey Peninsula College Content Review Pre/Co-Requisite Adoption Plan be approved.

G. BE IT RESOLVED, that the following new courses be approved:

- ARTC 1C, Ceramic Handbuilding III
- ARTC 2C, Ceramic Wheel Throwing III
- ARTC 4C, Kiln-Formed Glass III
- ARTD 4B, Wood Sculpture II
- ARTD 6B, Stone Sculpture II
- ARTD 40C, Jewelry & Metal Arts III

H. BE IT RESOLVED, that the Governing Board ratify the attached employment agreement between Martin L. Johnson and Monterey Peninsula College District which supersedes the agreement approved on June 26, 2013.

I. INFORMATION: Review of the proposed “Procedures for Soliciting and Administering Major Gifts Associated with the Naming of Monterey Peninsula College Property.”

J. INFORMATION: Calendar of Events.

6. ADVANCE PLANNING

A. Regular Board Meeting, Wednesday, October 23, 2013, at MPC:

- Closed Session, 1:30pm, Stutzman Room, LTC
- Regular Meeting, 3:00pm, Sam Karas Room, LTC

B. Regular Board Meeting, Wednesday, November 20, 2013, at MPC:

- Closed Session, 1:30pm, Stutzman Room, LTC
- Regular Meeting, 3:00pm, Sam Karas Room, LTC

C. Future Topics:

- Board Study Session regarding Parking Lot A.
- Board Study Session regarding new repeatability regulations that impact programs such as Gentrain.
- Tour of PSTC (Public Safety Training Center) Phase II

7. ADJOURNMENT

8. CLOSED SESSION

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

Any writings or 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 District Office located at 980 Fremont Street, Monterey, CA, during normal business hours. Governing Board documents are also available on the Monterey Peninsula College website at www.mpc.edu/GoverningBoard.

Posted September 20, 2013