

**MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD OF TRUSTEES**
www.mpc.edu/GoverningBoard

REGULAR MEETING

TUESDAY, APRIL 26, 2011

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

AGENDA

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TUESDAY, APRIL 26, 2011

AGENDA

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 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. 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 Labor Negotiators (Government Code Section 54957.6)

a) Agency Negotiators: Steve Ma and Barbara Lee

b) Employee Organization: MPCEA (Monterey Peninsula College Employees Association) and MPCTA (Monterey Peninsula College Teachers Association)

2) Conference with Legal Counsel Regarding Anticipated Litigation (three): Government Code Section 54956.9(b).

E. Reconvene to Regular Meeting and Roll Call

F. Reporting of Any Action Taken During Closed Session

2. **RECOGNITIONS**

A. Moment of Silence:

- 1) Roger Fremier, Professor Emeritus, Instructor, Photography/Business, passed March 24.
- 2) Wade Parks, Instructor, Piano, passed April 5.

B. Recognition of Visitors:

- 1) Isidro Reyes, Account Manager – Higher Education, Pacific Gas & Electric Company.
- 2) Wen Yan Liang, 2011 Peggy and Jack Baskin Foundation Scholarship Recipient.
- 3) Peter DeBono, Instructor, Theater Arts, 2011 Allen Griffin Award Recipient

3. **COMMUNICATIONS**

A. Comments from Visitors

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.

B. Written Communications:

- 1) ACCCA thank you letter to Dr. Doug Garrison for participation in the Spring 2011 Mentor Program Retreat / April 1.
- 2) Peggy & Jack Baskin Foundation's announcement of Wen Yan Liang, 2011 Scholarship recipient / April 12.
- 3) Sylvia Panetta, Director, Panetta Institute, thank you letter for support of Panetta Institute Lecture Series to Dr. Richard Kezirian / April 12.

MPC All User Emails:

- 1) HR Employment Opportunity for Counselor (1 year) / March 16.
- 2) Passing of Lilyan Eldred, former Governing Board Trustee / March 21.
- 3) Foundation's 2011 Faculty Designated Student Scholarship Program / March 21.
- 4) ASMPC Council Election Results for 2011-2012 / April 6.
- 5) Passing of Roger Fremier, Professor Emeritus, Instructor, Photography-Business / April 8.
- 6) Asian Student Association Annual Culture Show, Saturday, April 16 / April 12.
- 7) Guest Author Series presents Peter Chilson April 27th, Henry Marchand, Chair, Guest Authors Committee / April 13.
- 8) Passing of Wade Seth Parks, former Instructor, Piano / April 13.
- 9) Dr. Richard Kezirian Endowed Scholarship announcement by Robin Venuti, MPC Foundation / April 14.

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

- 1) Ad: "Notice to Bidders, Humanities Buildings Renovation Project" / March 17 and 22.
- 2) Letter to the Editor: "MPC bond wasted" / March 17.
- 3) "School of Thought – new MPC class, sustainable design nonprofit EcoLogic prioritize places of learning (Instructor Thomas Rettenwender) / March 17-23.
- 4) Letter to the Editor: "The Art of the Budget" / March 17-23.
- 5) Off 68: "Guitar teacher recalls goodwill travels to Libya (Guitar Instructor Robert McNamara) / March 18.
- 6) "A lifelong battle for equality: Mel Mason's cause shaped by a variety of social forces" (MPC basketball star) / March 20.

- 7) Editorial/The Herald's View: "MPC wants to save your programs, too" / March 23.
- 8) Ad: "2nd Annual MPC High School Automotive Skills Competition" / March 25.
- 9) "Horticulture Instructor deserves to stay at MPC" / March 29.
- 10) "Lobos Hoops Legacy: MPC great Mel Mason's dazzling career finally lands him in Hall of Fame (CCCAA)" / March 30.
- 11) "Math for Dummies - College presidents worry about 'brain drain' as lawmakers cut deeper into higher education." / March 31 – April 6.
- 12) The Local Spin: "The Deepest Cuts, Keeping the 'community' in community college" March 31-April 6.
- 13) Seniors: "At 62, Ruth Alota plays college tennis" (MPC's tennis team) / April 4.
- 14) "GO! 'Grease is the word' MPC Theatre begins a season on the road with a co-production of 'Grease' at Carmel High's new performing arts center" / April 7-13.

Reports and Presentations:

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

- 1) Institutional Report – Monterey County Treasurer's Report by Mary Zeeb, Treasurer.
- 2) Superintendent/President's Report
- 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 – Robin Venuti, Executive Director:
 - a) Executive Director's Report
 - b) MPC Foundation Donations for March 2011, \$50,965
- 10) Governing Board Report:
 - a) Community Human Services - Board Meeting Minutes, March 17
 - b) Trustee Reports
- 11) Legislative Advocacy Report – ACCCA Legislative Update as of March 17
- 12) Special Report - Bond Update Reports, Joe Demko:
 - 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 approve the minutes of the Regular Board Meeting on March 22, 2011.

- 2) That the Governing Board accept gifts donated to the college with appropriate acknowledgement to donors.
- 3) That the March 30th regular payroll in the amount of \$2,277,346.03; and the April 8th supplemental payroll in the amount of \$61,597.47; for a total payroll of \$2,338,943.50, be approved.
- 4) That Commercial Warrants:
- | | |
|---|----------------|
| Number 12844583 through Number 12844621 | \$ 296,965.29 |
| Number 12845063 through Number 12845084 | \$ 191,299.95 |
| Number 12847433 through Number 12847546 | \$1,319,647.24 |
| Number 12848128 through Number 12848145 | \$ 105,087.41 |
| Number 12848828 through Number 12848870 | \$ 233,107.97 |
- in the total amount of \$2,146,107.86, be approved.
- 5) That Purchase Order Numbers 112047 through 112162, in the amount of \$3,170,433.41, be approved.
- 6) That the following budget increases in the Restricted General Fund be approved:
- | | |
|--|-----------------|
| Net decrease in the 2000 (Classified Salary) object expense category | \$ 7,556 |
| Net decrease in the 3000 (Benefits) object expense category | \$ 6,557 |
| Net increase in the 4000 (Supplies) object expense category | \$ 39,910 |
| Net increase in the 5000 (Other/Services) object expense category | \$ 41,149 |
| Net increase in the 6000 (Capital Outlay) object expense category | \$179,199 |
| Net decrease in the 7000 (Other Outgo) object expense category | \$ <u>5,855</u> |
| Total increase in expense lines budgeted | \$240,209 |
- a) Increase of \$33,782 in revenue and matching expenses, to reflect funds carried forward from FY 2009-2010 to FY 2010-2011; and
- b) increase of \$206,508 in funds received for FY 2010-2011.
- 7) That the following budget adjustments in the Restricted General Fund be approved:
- | | |
|---|--------|
| Net decrease in the 4000 (Supplies) object expense category | \$ 720 |
| Net increase in the 5000 (Other/Services) object expense category | \$ 720 |
- 8) That the following budget adjustments in the Unrestricted General Fund be approved:
- | | |
|--|--------|
| Net increase in the 1000 (Certificated Salary) object expense category | \$ 180 |
| Net increase in the 3000 (Benefits) object expense category | \$ 24 |
| Net decrease in the 4000 (Supplies) object expense category | \$ 315 |
| Net increase in the 5000 (Other/Services) object expense category | \$ 111 |
- 9) That the following budget adjustments in the Parking Fund be approved:
- | | |
|---|-----------|
| Net decrease in the 5000 (Other/Services) object expense category | \$ 14,700 |
| Net increase in the 7000 (Other Outgo) object expense category | \$ 14,700 |
- 10) That the following budget increase in the Orr Estate Fund be approved to adjust the Orr Estate revenue due to additional revenue received from Community Foundation from Monterey County and additional Orr loans awarded to students:
- a) Revenue increase of \$21,700; and
- b) Expense increase of \$23,055.

- B. Management/Supervisor/Confidential Personnel:
 - 11) That the Governing Board approves the following item:
 - a) Approve the change in resignation date for the purpose of retirement of Dr. John Gonzalez, Vice President for Academic Affairs, from effective at the end of the day, January 31, 2011, to effective at the end of the day, February 1, 2011.

- C. Faculty Personnel:
 - 12) That the Governing Board approves the following Faculty personnel item:
 - a) Each month individuals are hired as part-time, substitute, and overload Faculty. The attached list includes hires for spring 2011.

- D. Classified Personnel:
 - 13) That the Governing Board approves the following items:
 - a) Approve the employment of Mary Weber, Purchasing Coordinator, Administrative Services, 40 hours per week, 12 months per year, effective May 4, 2011.
 - b) Approve the resignation of Trevor Howell, Instructional Specialist, Supportive Services, Adaptive PE, 18 hours per week, 7 months and 11 days per year, effective at the end of the day, March 16, 2011.
 - c) Approve the resignation of Morag Elizabeth, Instructional Specialist, Reading Center, 18 hours per week, 10 months and 11 days per year, effective at the end of the day, April 5, 2011.
 - d) Approve the resignation of Murat Bulut, Science Lab Manager, Physical Science, 40 hours per week, 10 months per year, effective at the end of the day, April 15, 2011.

- E. Short Term and Substitute Personnel:
 - 14) 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 2010-2011 Monthly Financial Reports for the period ending March 31, 2011, be accepted.

- B. BE IT RESOLVED, that the Governing Board ratify the agreement with Dolinka Group, LLC, for \$54,405 to provide bond funding augmentation analysis relating to redevelopment project areas located in the Cities of Marina and Seaside.

- C. BE IT RESOLVED, that the Governing Board ratify the Project Assignment Amendment (PAA) #19-A with HGHB Architecture, Planning, Urban Design, at a fixed fee of \$189,400 in conjunction with the bidding, construction and post-construction architectural/engineering services for the renovation of the existing Humanities and Old Student Services Building, and demolition of the Business-Humanities Building, as well as related civil work adjacent to the buildings.

- D. BE IT RESOLVED, that the Governing Board approve the awarding of the Humanities, Old Student Services, Business-Humanities Renovation Project to _____ in the amount of \$ _____.
- E. BE IT RESOLVED, that the Quarterly Financial Status Report for the quarter ending March 31, 2011 as presented on form CCFS 311Q, be accepted and made part of the minutes of this meeting.
- F. INFORMATION: Program Review for Life Sciences, Dr. Gail Fail.
- G. INFORMATION: Institutional Goals and Objectives for 2011-2014.
- H. BE IT RESOLVED, that the following resolution be adopted by the Governing Board:

**RESOLUTION IN SUPPORT OF EXPEDITED IMPLEMENTATION
OF SB 1440, THE STUDENT TRANSFER ACHIEVEMENT ACT**

MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT

WHEREAS, the Legislature, with the support of all 72 community college districts in California has passed, and the Governor has signed, SB 1440 (CH. 428, Statutes of 2010), the Student Transfer Achievement Act;

WHEREAS, SB 1440 is the most significant measure in more than 20 years for improving transfer rates from community colleges to campuses of the California State University;

WHEREAS, it is anticipated that once the AA transfer degrees proposed by SB 1440 are in place, many more transfer students will also earn an associate degree; there will be more clarity and consistency about the best lower-division preparation, and students will be guaranteed a place in the California State University with junior standing;

WHEREAS, SB 1440 will reduce the amount of time and money spent in obtaining both AA transfer degrees and BA/BS degrees due to its provisions that:

- Prohibit community colleges from adding any local requirements to the 60 units provided for in the bill;
- Encourage community colleges to facilitate acceptance of credits earned at other community colleges toward the associate degree for transfer; and
- Prohibit CSU campuses from requiring any additional courses other than the 60 units required for majors with 120 semester or 180 quarter units;

WHEREAS, the bill provides that, commencing with Fall 2011, students who earn an associate degree for transfer will be guaranteed admission into a CSU baccalaureate program; it would be most beneficial if colleges have as many associate transfer degrees as possible in place by Fall 2011;

WHEREAS, the Academic Senate for the California Community Colleges is coordinating a statewide system to develop a model curriculum that identifies the most appropriate coursework not only for transfer preparation but also for earning an AA or AS degree in a common discipline, and local colleges will soon be able to adopt the model curriculum for their degrees, and the California Community Colleges Chancellor's Office is preparing to expedite approval of degrees that reflect the model curriculum;

WHEREAS, the California Community Colleges Chancellor's Office and the California State University have established a Joint SB 1440 Task Force to ensure coordination between the CSU system and the California community colleges for a smooth implementation process and may also make recommendations for further legislation, regulatory changes, or other policy changes;

WHEREAS, in order to have these AA transfer degrees in place, local college faculty as well as the local board of trustees must approve degrees based on transfer models provided by the Academic Senate for the California Community Colleges;

THEREFORE, BE IT RESOLVED that the Board of Trustees of the MONTEREY PENINSULA COLLEGE by passage of this Resolution hereby expresses its intent to expedite approval of these degrees in order to have SB 1440 fully implemented in the MONTEREY PENINSULA COLLEGE COMMUNITY DISTRICT by Fall 2011.

- I. BE IT RESOLVED, that the following resolution be adopted by the Governing Board:

**RESOLUTION ORDERING ELECTION,
REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION,
REQUESTING CONSOLIDATION OF THE ELECTION, AND
SPECIFICATIONS OF THE ELECTION ORDER**

MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT

WHEREAS, pursuant to Education Code Section 5322, whenever a school district election is ordered, the governing board of the district or the board or officer authorized to make such designations shall, concurrently with or after the order of election, but not less than 123 days prior to the date set for the election in the case of an election for governing board members, or at least 88 days prior to the date of the election in the case of an election on a measure, including a bond measure, by resolution delivered to the county superintendent of schools and the officer conducting the election specify the date of the election and the purpose of the election;

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election;

WHEREAS, the resolution of the governing body of the city or district shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, pursuant to Education Code Section 5342 and Elections Code Section 10400, such election for school districts may be either completely or partially consolidated;

WHEREAS, various district, county, and statewide and other political subdivision elections have been or may be called to be held on November 8, 2011;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED THAT the Governing Board of Monterey Peninsula Community College District hereby orders an election to be called and consolidated with any and all elections also called to be held on November 8, 2011 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the School District request to the Board of Supervisors of the County of Monterey to order such consolidation under Elections Code Section 10400; and

BE IT FURTHER RESOLVED AND ORDERED that said School Board hereby requests the Board of Supervisors to permit the Monterey County Elections Department to provide any and all services necessary for conducting the election; and

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Education Code Section 5322, the authority for the specifications of the election order, the governing body of the Monterey Peninsula Community College District hereby orders an election to be held with the following specifications:

The election shall be held on Tuesday, November 8, 2011.

Check the following that apply.

 X BE IT FURTHER RESOLVED AND ORDERED that the Monterey County Elections Department conduct the election for the following offices on the November 8, 2011, ballot:

District/ Trustee Area	Name	Address	Term Expires
Trustee Area 3	R. Lynn Davis	3111 Patio Drive Pebble Beach 93953	November 2011
Trustee Area 4	Charles Page	5 La Pradera Carmel 93923	November 2011
Trustee Area 5	Loren Steck	27205 Meadows Road Carmel 93923	November 2011

No election will be held if there are an insufficient number of nominees.

The qualifications of a nominee of an elective officer of the school district are as follows (i.e. a registered voter in the district, trustee area, etc.):

Candidate must be a registered voter and a resident of the Trustee area.

Candidate's Statement of Qualifications shall be limited to (X) 200 words OR () 400 words and will be paid for by the () District or (X) candidate.

Date of last map change: April 1, 2009. A current map showing the boundaries within the county of the school district and the divisions of the school district, if any, is attached.

BE IT FURTHER RESOLVED AND ORDERED that the Monterey County Elections Department is ordered that in the event of a tie vote, the candidate will be selected by (Education Code 5016(b)):

 Run-off Election

 X By Lot

PASSED AND ADOPTED by the Monterey Peninsula Community College District, County of Monterey, State of California, this 26th day of April, 2011, by the following vote:

AYES: _____

NOES: _____

ABSTENTIONS: _____

ABSENT: _____

J. BE IT RESOLVED, that the 2011-2012 allocation of \$ _____ to Community Human Services, be approved.

- K. BE IT RESOLVED, that the Governing Board adopt the following resolution recognizing the contributions of the Classified Employees of Monterey Peninsula College and designating May 15-21, 2011, as Classified School Employee Week.

CLASSIFIED SCHOOL EMPLOYEE WEEK

MONTEREY PENINSULA COLLEGE DISTRICT

WHEREAS, Classified professionals provide valuable services to the students of Monterey Peninsula Community College District and contribute to the establishment and promotion of a positive instructional environment; and

WHEREAS, Classified professionals serve a vital role in the efficient and productive operations of Monterey Peninsula Community College District; and

WHEREAS, Classified professionals employed by Monterey Peninsula Community College District strive for excellence in the performance of their duties; and

WHEREAS, the Monterey Peninsula Community College District wishes to acknowledge and thank the Classified Employees for their dedication and hard work;

THEREFORE, BE IT RESOLVED, that the Monterey Peninsula Community College District hereby recognizes and wishes to honor the contributions of the Classified professionals to the quality education of the students at Monterey Peninsula College and declares the week of May 15-21, 2011, as Classified School Employee Week in the Monterey Peninsula Community College District.

- L. BE IT RESOLVED, that the Governing Board ratify the attached Retirement Incentive Side Letter of Agreement between MPCEA and the District.
- M. BE IT RESOLVED, that the Governing Board ratify the attached Retirement Incentive Side Letter of Agreement between CTA and the District.
- N. INFORMATION: Cancellation of the General Child Care and Development Grant of \$34,440 with the California Department of Education.
- O. BE IT RESOLVED, that the annual authorization for the Student Trustee to have an advisory vote and the ability to make and second motions, to be in effect until May 31, 2012, be approved.
- P. BE IT RESOLVED, that the Governing Board submits four priorities for training opportunities for 2011-2012 to the Monterey County School Boards Association.
- Q. BE IT RESOLVED, that the Governing Board approve Board Policy 3010 Program, Curriculum and Course Development.
- R. INFORMATION: Board Policy 2165 Disposal of College Property.
- S. INFORMATION: Board Policy 2195 Capital Construction.

T. INFORMATION: Calendar of Events.

6. **ADVANCE PLANNING**

A. Regular Meeting Tuesday, May 24, 2011

- Closed Session, 1:30pm, Stutzman Seminar Room, Library and Technology Center
- Regular Meeting, 3:00pm, Sam Karas Room, Library and Technology Center

Regular Meeting Tuesday, June 28, 2011

- Closed Session, 1:30pm, Stutzman Seminar Room, Library and Technology Center
- Regular Meeting, 3:00pm, Sam Karas Room, Library and Technology Center

B. Future Topic:

- 1) Assessment of Board Goals for 2010-2011

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.

Posted April 21, 2011