

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

REGULAR BOARD MEETING

1:30pm, Closed Session, Classroom 102, Public Safety Training Center
3:00pm, Regular Meeting, Classroom 104, Public Safety Training Center
2642 Colonel Durham Street, Seaside CA 93955
www.mpc.edu/GoverningBoard

**Teleconference Location
27205 Meadows Road
Carmel, CA 93923**

WEDNESDAY, AUGUST 28, 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) **Public Employee Discipline/Dismissal/Release (Government Code Section 54957),
Barbara Lee**

2) **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) Mr. Marcus Carroll, Track and Field Head Coach

B. Moment of Silence

- 1) MPC major donor and former *Monterey Herald* sports editor, Robert K. Bullock

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 from Mrs. Sylvia Panetta, Co-Chair and CEO of the Panetta Institute, thanking Dr. Walt Tribley his participation as a speaker at the fourteenth annual *Education for Leadership in Public Service Seminar*. / July 11.
- 2) Letter from Dr. William D. Barr, Matsui Foundation Academic Advisor, inviting Dr. Tribley to attend the 2013 Matsui Foundation Scholarship Awards Banquet on August 2nd, at which MPC graduates Ashley Hunter and Christian Ortega were to receive \$20,000 Matsui Foundation Scholarships. / July 12.
- 3) Letter from Susan B. Clifford, Ed.D., Vice President of Accrediting Commission for Community and Junior Colleges (ACCJC), informing Dr. Walt Tribley that the ACCJC does not require a substantive change review for the two new certificates and six new transfer degrees offered by Monterey Peninsula College. / July 15.
- 4) Letter from MPC Nursing student Jennifer Campbell, thanking Stephanie Perkins for the assistance and guidance provided to her by EOPS. / July 15.
- 5) Letter from Nicole Baran, Executive Director of the Peggy & Jack Baskin Foundation, notifying Dr. Tribley that their board has voted to continue with the scholarship grants established in 2009. She requested that the scholarship application be made available to students and noted that three applicants should be nominated by March 15, 2014. / July 24.

C. MPC All User Emails:

- 1) Vicki Nakamura: Announcement of August 5, 2013 Citizen's Bond Oversight Committee meeting.
- 2) Kitchell Management Team: Announcement of the closure of the service road between the tennis courts and the Student Center during the Pool Project. Alternate routes provided.
- 3) Dr. Walt Tribley: Announcement directing the closure of offices during August 22nd Flex Day general sessions and program reflections to maximize Flex Day participation. (General sessions are scheduled from 8:30-11:00 a.m.; program reflections are scheduled from 1:30-3:30 p.m.) Information regarding breakout session attendance and lunch also were provided.

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

- 1) *The Herald* "School Bytes" / July 3, 2013: MPC awarded 192 scholarships totaling \$246,467 dollars at the college's Scholarship Awards Ceremony. This includes \$132,000 funded through the MPC Foundation.
- 2) *The Herald* / July 14, 2013: Marcus Carroll hired as the new head track coach at MPC.

- 3) *The Herald* / July 16, 2013: The Army will give 60 acres of open space known as the “Rabbit Parcel” to the Bureau of Land Management, expanding the Fort Ord National Monument by 60 acres. According to the land-swap agreement, the bureau received this parcel because it gave a military operations facility and other land to MPC.
- 4) *The Herald* / July 18, 2013: MPC baseball alumnus Nick Moore was invited by the Northern California Golf Association to represent Northern California in the Pacific Coast Amateur in Vancouver. / The Obama administration plan to provide preschool for every child in the country faces harsh economic challenges at the national and state level. According to MPC Child Care Development Center (CDC) director, Cathy Nyznyk, the CDC is now stable after cutting available slots by 50% at the peak of the recession.
- 5) *The Herald* / July 19, 2013: The City of Monterey’s new fire chief, Gaudenz Panholzer, received a fire science degree from MPC.
- 6) *The Herald* / July 24, 2013: Obituary for former *Monterey Herald* sports editor, Robert K. Bullock, who recently funded a scholarship program for MPC students interested in studying journalism.
- 7) *The Herald* / July 25, 2013: MPC Theatre Company chairman, Gary Bolen, interviewed regarding the company’s production of “Les Misérables.”
- 8) *The Californian* / July 25, 2013: MPC costume designer, Connie Gamiere, interviewed regarding the newly renovated costume shop and her costuming process. / Article regarding MPC’s production of “Les Misérables,” featuring interviews of MPC Theatre Arts chairman, Gary Bolen, and performer Sean Boulware.
- 9) *The Herald* / July 27, 2013: Former MPC trustees Jim Tunney, Lynne Davis, and Charlie Page encourage Marina residents to find a candidate to challenge Margaret-Anne Coppernoll’s re-election to the MPC Governing Board.
- 10) *The Herald* / July 28, 2013: MPC alumnus Jimmy Panetta’s aspirations for Congress.
- 11) *The Herald* / July 29, 2013: MPC alumnus Brian Reader has thrown for 423 yards and eight touchdowns as a backup for the Iowa Barnstormers of the Arena Football League.
- 12) *The Herald* / July 30, 2013: Attorney and Marina city councilman, David W. Brown, defends MPC trustee Margaret-Anne Coppernoll. / Editorial: Marina residents encouraged to challenge MPC trustee Margaret-Anne Coppernoll and Dr. Coppernoll urged to question whether she is in a position to be of service to the college. / Letters from former MPC employee Marilyn Townsend and former MPC trustees Jim Tunney, Lynn Davis, and Charlie Page opposing the re-election of MPC trustee Margaret-Anne Coppernoll.
- 13) *The Herald* / July 31, 2013: MPC is preparing to start pool renovation and is nearing completion of campus renovation.
- 14) *The Herald* / August 1, 2013: Rave reviews for MPC’s production of “Les Misérables.” / Critics Circle: MPC’s ‘Les Misérables’ delivers!
- 15) *The Herald* / August 2, 2013: Former Marina Mayor Gary Wilmot to run for MPC board against trustee Margaret-Anne Coppernoll.
- 16) *The Herald* / August 4, 2013: Announcement of the orientation schedule for prospective MPC trustees.
- 17) *The Herald* / August 7, 2013: Rave review for MPC production of “Les Misérables.”
- 18) *The Herald* / August 10, 2013: Monterey Peninsula Community College District trustee Margaret-Anne Coppernoll will face three opponents (former Marina City Mayor Gary Wilmot, editor Charles Fuller, and attorney Leigh Rodriguez) for the Area 2 seat in the fall.
- 19) *The Herald* / August 13, 2013: MPC’s softball coach, Amy Servi, has accepted the hitting and bullpen coach position at Santa Clara University.
- 20) *The Herald* / August 14, 2013: A proposal to build the Monterey Museum of Automotive Arts at MPC is under discussion.
- 21) California Community Colleges Chancellor’s Office / August 16, 2013: Chancellor Brice Harris issued a media statement lauding Governor Jerry Brown’s appointment of MPC student Jena Barrera to the California Community Colleges Board of Governors.

E. Reports and Presentations:

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

- 1) Institutional Report: “Public Safety Training Center Update,” David Brown
- 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: “SLO Committee Platform/Direction,” Fred Hochstaedter, President
- 5) MPCEA Report: Loran Walsh, President
- 6) MPCTA Report: Mark Clements, President
- 7) ASMPC Report: Justyn Jones, Director of Representation
- 8) College Council Report: Stephanie Perkins, Co-chair
- 9) MPC Foundation
 - a) Executive Director Report: Ms. Beccie Michael
 - b) Monthly Donations: \$28,339.98
- 10) Governing Board Reports
 - a) CHS Report
 - b) Trustee Reports
- 11) Legislative Advocacy Report, Dr. Walter Tribley
- 12) Student Success Report: “Access to MPC by City of Residence, Ethnicity,” 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 July 24, 2013 and the Special Board Meeting on July 31, 2013.
- 2) That the Governing Board accepts gifts donated to the College with appropriate acknowledgement to the donor.
- 3) That the July regular payroll in the amount of \$1,724,379.65 and the August supplemental payroll in the amount of \$60,187.86 for a total payroll of \$1,784,567.51 be approved.
- 4) That Commercial Warrants:
12019359 through 12019381, 12019987 through 12020008, 12020450 through 12020544, 12021246 through 12021274, 12021935 through 12021956, 12022540 through 12022569, in the amount of \$1,955,730.25 be approved.
- 5) That Purchase Orders 1400001 through 1400014 and B1400001-B1400131 in the amount of \$3,129,983.78 be approved.

- 6) That the Board declares as surplus the six cabinets with asset tag numbers 3416, 3417, 3418, 3419, 3420 and 3447 and directs the disposal of these items in accordance with Board guidelines and Education Code requirements.
- 7) That the following budget decreases in the Restricted General Fund be approved:
Decrease of \$7,335 in funds received for FY 2012-2013.
- 8) That the following budget adjustments in the Restricted General Fund be approved:

Net decrease in the 1000 Object expense category	\$	5,324
Net decrease in the 2000 Object expense category	\$	180
Net increase in the 3000 Object expense category	\$	1,231
Net increase in the 4000 Object expense category	\$	180
Net decrease in the 5000 Object expense category	\$	4,045
Net increase in the 6000 Object expense category	\$	8,138
- 9) That the following budget adjustments in the Unrestricted General Fund be approved:

Net decrease in the 4000 Object expense category	\$	3,000
Net increase in the 5000 Object expense category	\$	3,000
- 10) That the following budget adjustments in the Child Devt. Fund be approved:

Net increase in the 2000 Object expense category	\$	52
Net increase in the 3000 Object expense category	\$	165
Net decrease in the 4000 Object expense category	\$	1,277
Net increase in the 5000 Object expense category	\$	1,060

B. Faculty Personnel:

- 11) That the Governing Board approves the following item(s):
 - a) Employment of Abeje Ambaw, full time, temporary, non-tenure track Human Physiology Instructor, Column and Step pending verification of education and experience, for the academic year 2013-2014.
 - b) Each month individuals are hired as part-time, substitute, and overload. The attached lists include hires for Fall 2013.

C. Classified Personnel:

- 12) That the Governing Board approves the following item(s):
 - a) Employment of _____, Laboratory Specialist II, Chemistry Department, 19 hours per week, 9 months per year, effective _____, 2013.
 - b) Resignation of Lela Shepherd, Administrative Assistant III/Instructional Contract Coordinator, Academic Affairs, 40 hours per week, 12 months per year, effective August 9, 2013.
 - c) Resignation of Jose Alvarez Peguero, Administrative Assistant II, Marina Education Center, 24 hours per week, 10 months and 11 days per year, effective August 15, 2013.
 - d) Resignation for the purpose of retirement of Bruce Wilder, Technology Resource Specialist, IT/Academic Affairs, 40 hours per week, 12 months per year, effective at the end of the day October 4, 2013. His first day of retirement will be October 5, 2013.

D. Short Term and Substitute Personnel:

- 13) 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 July 31, 2013, prior to year-end closing be accepted.
- B. PUBLIC HEARING to review the Final Budget for Fiscal Year 2013-2014 prior to its adoption.
- C. BE IT RESOLVED, that the Governing Board adopt the Final Budget for Fiscal Year 2013-2014.
- D. BE IT RESOLVED, that the Governing Board ratify the Project Assignment Amendment 28 (PAA) with David Foord, Inspector of Record (IOR), to perform inspection services on an hourly basis not to exceed \$50,000 in conjunction with the renovation of the existing Swimming Pool and deck area and enclosure.
- E. BE IT RESOLVED, that the Governing Board ratify the Project Assignment Amendment #16 (PAA) at the fixed fee of \$97,570 with Kitchell CEM, for construction management services in conjunction with the renovation of the Swimming Pool, deck area and enclosure.
- F. BE IT RESOLVED, that the Governing Board approve Dr. Walter Tribley, Superintendent/President, Martin Johnson, Interim Vice President of Student Services, and Stephen Ma, Vice President of Administrative Services, as authorized signatories for the signing and execution of any and all documents required by the State of California, Department of Rehabilitation, pertaining to the Workability III program.
- G. BE IT RESOLVED, that the Governing Board approves the termination of the Workability III contract with the Department of Rehabilitation.
- H. BE IT RESOLVED, that the Governing Board adopt the following resolution to reduce the classified service because of lack of funds.

MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT

RESOLUTION 2013-2014/20

IN THE MATTER OF THE REDUCTION OF THE CLASSIFIED SERVICE

WHEREAS, Education Code Sections 88014, 88017, 88117, and 88127 authorize the District to layoff classified employees for lack of work and/or lack of funds; and,

WHEREAS, due to lack of funds in the District for the 2013/14 school year, the Governing Board of the Monterey Peninsula Community College District hereby finds it necessary to eliminate the classified services as specified below:

POSITION	Assignment	FTE
• Workability Program Coordinator	40 hours per week, 12 months per year	1.00
• Job Developer – Workability	10 hours per week, 11 months per year	0.23

NOW, THEREFORE, BE IT RESOLVED that as of November 1, 2013, the classified positions of the District shall be discontinued to the extent hereinabove set forth; and

BE IT FURTHER RESOLVED that the Superintendent/President or his designee is authorized and directed to give notice of layoff to all affected employees and to the appropriate exclusive bargaining representative not later than 60 days prior to the effective date of layoff as set forth above.

Passed and Adopted by the Monterey Peninsula Community College District on August 28, 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mr. Charles Brown
Chair, Governing Board

I. INFORMATION: Calendar of Events.

6. ADVANCE PLANNING

- A. Regular Board Meeting, Wednesday, September 25, 2013, at MPC:
- Closed Session, 1:30pm, Stutzman Room, LTC
 - Regular Meeting, 3:00pm, Sam Karas Room, LTC
- B. Regular Board Meeting, Wednesday, October 23, 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

8. ADJOURNMENT

9. 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 August 23 2013