

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

Monterey Peninsula College
980 Fremont Street
Monterey, California 93940

Tuesday
December 9, 2008

1:30 p.m. – Closed Session
Stutzman Seminar Room, Library and Technology Center
3:00 p.m. -- Public Session
Karas Room, Library and Technology Center

MINUTES

The Chair of the Board, Mr. R. Lynn Davis, called the Governing Board meeting to order at 1:30 p.m. Trustee Davis called roll and declared a quorum present. Mr. Davis read the Closed Session statement and reported that the following items would be covered: a. Public Employee Discipline/Dismissal/Release/Complaint.

At 1:32 p.m., the Open Session adjourned to the Closed Session. The Closed Session adjourned at 2:45 p.m. At 3:01 p.m., the Open Session was called to order by Mr. Davis. Ms. Phillips called roll and declared a quorum present.

MEMBERS PRESENT: Mr. R. Lynn Davis, Chair
Dr. Loren Steck, Vice Chair
Mr. Charles Page
Mr. Carl Pohlhammer
Dr. Jim Tunney
Ms. Eleanor Morrice, Student Trustee

MEMBERS ABSENT: None

STAFF PRESENT: Dr. Douglas R. Garrison, Superintendent/President
Mr. Carsbia Anderson, Vice President for Student Services
Mr. Joe Bissell, Vice President for Administrative Services
Dr. Sharon Colton, Associate Dean, Instructional Technology &
Development
Mr. Michael Gilmartin, Dean of Instruction, Occupational and Economic
Development

Ms. Barbara Lee, Associate Dean, Human Resources
Dr. Susan Steele, Interim Dean of Instruction, Liberal Arts
Dr. John Anderson, Chair, Creative Arts Division
Mr. Kevin Bransfield, Photography
Ms. Shirley Kim, Human Resources
Ms. Claudia Martin, Director, Student Financial Services
Mr. Richard Montori, Public Information, Marketing, & Audio Visual
Ms. Vicki Nakamura, Assistant to the President
Ms. Victoria Phillips, Executive Assistant to the Superintendent/
President and the Governing Board
Dr. Rosaleen Ryan, Director, Institutional Research
Mr. Laurence Walker, Associate Dean of Student Services

OTHERS PRESENT: Ms. Diane Brady
Mr. Joe Demko
Mr. Shirrel Rhoades

Mr. Davis reported that there was no reportable action taken during Closed Session. However, Mr. Davis did announce that Psychology instructor Bill Hobbs suffered a stroke yesterday during class. Bill finished his lecture and then drove himself to the hospital. He is in surgery now and we send him our best wishes for a quick recovery. Mr. Davis asked if there were any items which needed to be added to the agenda. Hearing no affirmative comments, the Chair moved forward on the agenda.

Organization

It was motioned by Mr. Lynn Davis and seconded by Mr. Charles Page that Dr. Jim Tunney be nominated as Chair of the Governing Board. Mr. Davis asked if there were any other nominations. Hearing none, it was the unanimous vote of the Governing Board that Dr. Jim Tunney be elected as Chair of the Monterey Peninsula Community College District Governing Board.

It was motioned by Dr. Loren Steck and seconded by Dr. Jim Tunney that Mr. Charles H. Page be nominated as Vice Chair of the Governing Board and to close the nominations. It was the unanimous vote of the Governing Board that Mr. Charles H. Page be elected as Vice Chair of the Governing Board of the Monterey Peninsula Community College District.

It was the unanimous decision of the Board to elect Dr. Douglas R. Garrison to serve as Secretary of the Governing Board.

Dr. Jim Tunney nominated and Mr. Charles Page seconded in accordance with Education Code Section 72403, that Dr. Loren Steck be designated the Monterey Peninsula Community College District Governing Board representative to the Board of Community Human Services for 2009, and that Mr. Carl Pohlhammer be designated as first alternate and that Ms. Victoria Phillips be designated as second alternate. It was the unanimous vote of the Trustees that this motion be passed.

It was motioned by Mr. Page, seconded by Dr. Tunney, that Mr. Lynn Davis be designated the Monterey Peninsula Community College District Governing Board liaison to the Monterey Peninsula College Foundation. Mr. Davis stated that with the changes being made with the Foundation, that he would like to have a co-designee liaison person to the Foundation this year and he suggested Dr. Loren Steck. With that statement, the motion was amended to include Dr. Steck's name as co-designee liaison with Mr. Davis and the motion was passed by the Governing Board unanimously.

It was motioned by Dr. Steck, seconded by Dr. Tunney, and unanimously approved that Mr. Charles Page and Mr. Carl Pohlhammer be designated as the Board Subcommittee for the Governing Board Policies.

It was motioned by Mr. Davis, seconded by Dr. Tunney, and unanimously approved that Mr. Carl Pohlhammer be our representative to the Executive Council of the Monterey County School Boards Association. *This representative understands that the Executive Council will meet twice a year, once in February and once in May. The Executive Council will be responsible for nominating and electing the officers and alternates of MCSBA, adopting and/or amending the MCSBA bylaws, giving direction on the agenda for the Annual Organizational Dinner Meeting, and planning the calendar of events for MCSBA for each school year.*

The President, Vice President, Treasurer, and alternates of MCSBA shall be selected from members of the Executive Council.

It was motioned by Dr. Tunney, seconded by Mr. Page, and unanimously approved by the Trustees, that the Governing Board meet the fourth Tuesday of each month at 1:30 p.m. for Closed Session in the Stutzman Seminar Room in the Library and Technology Center; and meet at 3:00 p.m. for Open Session in the Sam Karas Room, Library and Technology Center, and that this be designated as the day, time, and place of the regular meetings of the Monterey Peninsula Community College District Governing Board, with the added provision that the Closed Session meeting time remains flexible depending upon how many items appear on the Closed Session agenda, and, that two meetings be held in the community: one in Marina and one in Seaside during evening hours to advocate interest in the communities for District Area Trustees. We will invite the Mayors and citizens of each of these cities to the meetings to ask for their assistance in identifying candidates for MPC Trustee.

It was motioned by Dr. Steck, seconded by Dr. Tunney, and unanimously approved that the standing Policies and Procedures of the Governing Board of the Monterey Peninsula Community College District be continued in force for 2009.

Recognition

Mr. Davis introduced Mr. Kevin Bransfield, Photography instructor, who spoke about the generous gift made by Mr. Shirrel Rhoades of an impressive collection of 132 photographs by famous photographers including some of Mr. Rhoades' own photographs. The photographs are an exciting view of the diversity found within the world of photography. The photographs span 140 years, from 1861 to 2001. The collection includes many well-known photographers such as Edward Steichen and Henri Cartier-Bresson, and many images that may be new to the viewer from photographers like Margaret Bourke-

White and Sebastian Salgado. The collection also spans the gamut from some of our celebrated hometown photographers such as Ansel Adams and Henry Gilpin to contemporary work by artists like Sally Mann and Annie Leibowitz. The exhibition, “The Eclectic Eye: Selected Photographs from the Shirrel Rhoades Collection,” has been on exhibit since November 18 and will continue through December 19th. It is truly an impressive collection of photographs, one he said could very easily be included in a museum or a four-year institution of higher education. Dr. John Anderson, Chair of the Creative Arts Division, spoke about how the collection was donated. Apparently John’s wife and Shirrel’s wife, Diane Brady, went to college together and the couples have remained good friends ever since. Mr. Anderson introduced Mr. Shirrel Rhoades to the Trustees and the audience. Mr. Rhoades said that he enjoyed collecting and viewing these photographs over the years, but he felt it was now time to share his collection with a broader audience to include students, faculty, and staff to view, to learn from and enjoy. He felt a little like Santa Claus and was happy to donate them to a college who would appreciate them.

On behalf of the Governing Board and College, Mr. Davis thanked Mr. Shirrel Rhoades for his generosity.

Communication

Mr. Davis asked if anyone wished to address the Governing Board. There was no response from the audience at this time.

Written Communications

Mr. Davis called attention to the following written communications:

- a) The Monterey County Herald, Wednesday, November 19, 2008, Edith Karas’ indelible imprint, written by Anna C. Panetta, Pebble Beach.
- b) The Monterey County Herald, Wednesday, November 19, 2008, Free Gentrain lecture on “Monterey’s History through Early Art.”
- c) GO! The Monterey County Herald, Thursday, November 20 – 26, 2008, MPC’s ‘Binge’ is irreverent, lighthearted and diverting, by Nathalie Plotkin.
- d) The Monterey County Herald, Thursday, November 20, 2008, I Cantori di Carmel’s 2008 Winter Concert “Noel!”
- e) The Monterey County Herald, Thursday, November 20, 2008, Local Roundup...MPC rallies late to beat Las Positas.
- f) GO! The Monterey County Herald, Thursday, November 20, 2008, Messiah Singalong...I Cantori di Carmel.
- g) The Monterey County Herald, Friday, November 21, 2008, Undefeated MPC football team deserves applause, written by David Armanasco, Monterey.
- h) The Monterey County Herald, Saturday, November 22, 2008, Lobos look to finish off perfect season, by John Devine.
- i) The Monterey County Herald, November 23, 2008, MPC’s Magic Ends...Perfect Season Slips Away in Final Minute of Bulldog Bowl, by Herald Staff Reports.
- *j) A letter addressed to Jamie Dagdigian, Graphic Design Department, from Susan Bein and Cara Weston, Beyond Tradition, Creative Immersion Workshop for Photographers,

- thanking MPC for its generosity in letting them use the MPC computer lab to teach Photoshop in a “beautiful, quiet, well-equipped glitch-free lab.”
- k) The Monterey County Herald, Wednesday, November 26, 2008, Women’s Basketball, MPC 50/Cuesta 37.
 - l) Monterey County Weekly, November 26 – December 3, 2008, assorted articles...World Aids Day; MPC Metal Arts Club Sale and Fundraiser; Winter Concert at MPC Music Hall.

Reports and Presentations

Institutional Report: Technology Refreshment – Dr. Sharon Colton

Dr. Sharon Colton stated that the purpose of the Technology Refreshment Plan for 2008-2009 is to replace on a regular basis institutional technology and those computers used for instructional purposes in classrooms and student labs. If the cycle of replacement meets the ideal goals of every three years, ample computers can then be cascaded to staff. In years when there are not enough cascaded computers to satisfy staff needs, the burden falls back on the Division/Departments to purchase new computers for staff as needed.

Dr. Colton spoke about the classroom and general campus equipment refreshment guidelines. Guiding premises include:

- Up-to-date classroom equipment in good working order.
- Classrooms are to function at an optimal level at all times.
- Standardized equipment when possible while recognizing different needs.
- Continue to support student learning and the functioning of the institution.

The priorities for the institution are as follows: 1st - Campus networking infrastructure including servers, networked printers, and the telephone system. 2nd - Instructional labs, classrooms, library student stations. 3rd - Desktop/office computers. She said the greatest need for refreshment this year is the replacement of old servers around campus and old, slow computers in the Library Technology Center building to include all three floors but not 203/204 or 216 which received new computers in June 2008. Additional needs include the 16 Macs in the LS 207 lab, 9 smart classroom computers, and some miscellaneous items. There are additional needs not addressed here. She indicated that after replacing many of the LTC computers and Nursing computers and the purchase of RAM for the old Nursing computers only a few of these can be cascaded to staff since all others are outdated and slower than present staff computers.

Dr. Colton reported that for 2008-2009, \$250,000 was allocated for refreshment. Of that amount, \$69,321 has been spent for the replacement of numerous campus servers directly or indirectly serving students’ needs. This leaves \$180,679 for PCs, etc. She added that presently the cost to replace 1 Dell computer with 4G RAM is approximately \$767, laptops are \$1,500.

Dr. Colton gave an overall assessment of the College’s situation. Everything is going fairly well right now. The College’s computer labs/Smart classrooms, Library classrooms are in good shape. Some ESL computers are being replaced. In the next couple of years, some machines will fail. The District will face major problems with equipment replacements:

1. We have more computers than we need. In fact, we are 20% over what we need.
2. We have more printers than we need. We have 340 full-

time staff and we have 284 printers; that's nearly one printer to every staff person. We need to reduce the number of computers as soon as possible. One of our computer labs has no classes scheduled in it.

Mr. Davis thanked Dr. Colton for her comprehensive report.

Superintendent's Report:

1. Dr. Garrison distributed an article from the Monterey County Herald entitled, "Only California Passes College Affordability." The article spoke favorably about the community college system and Dr. Garrison said this is one area we should address and focus on. We want to protect this situation.
2. Dr. Garrison reported that he, Marilyn Gustafson, and a Task Force are working on review of the Master Agreement between the College and the MPC Foundation. They hope to have an agreement by June 30, 2009, the end of the academic year. The Task Force will come back to both Boards (MPC/MPC Foundation) with a recommendation for a more relationship between and the College and the MPC Foundation.
3. Dr. Garrison reported that he, Dr. Susan Steele, and Tom Rebold met with the Deans from the Jack Baskin School of Engineering, UCSC. They are interested in increasing MPC transfer students to their institution. It was a good, productive meeting. Rich Montori and Jeanette Haxton will invite UCSC Engineering School representatives to visit our campus and talk with our students about attending UCSC.

The Trustees asked that one additional item be added to the Upcoming Calendar of Events listing: December 17, 2008, MPC Fire Academy Graduation, 4 p.m., McCone Auditorium at the Monterey Institute of International Studies.

Vice Presidents' Reports:

John Gonzalez, Vice President for Academic Affairs. Dr. Gonzalez reported on two items. The first was on articulation activities going on in the Engineering area with our four-year partners in which Tom Rebold has been very active. Outreach activities continue with our high schools and we need to keep the funnel of students coming from them. Andres Durstenfeld has been doing guest lecture appearances and making the connection with our local high school students. We are pleased with our efforts in both areas. Tom Rebold will be making a presentation to the Academic Affairs group soon. The second report has to do with the flow and function of the Library and Technology Center. The District hired Ruth Metz, a consultant to help us analyze the situation and her visit has taken place. Her report will be available to us in approximately 2 to 4 weeks. This is a timely effort and it is important for us to set up the best possible structure. We have had a couple of failed searches for the Library Director so the study was very important.

Carsbia Anderson, Vice President for Student Services. Mr. Anderson reported that Project Santa was again successful this year thanks to generous donors. He reminded everyone that this effort was the idea of Bonnie Compton, former MPC employee, who knew of the need of students, families, and employees on campus and wanted to do something to help them. The money collected is used to purchase presents, groceries, and gift cards to help students, families, and employees in need. Staff can nominate people who are in need. Mr. Anderson also reminded people of holiday parties. The EOPS party will be held Thursday, December 11th, at 5:00 p.m. The EOPS students raise funds through various projects through the year and host a party for approximately 90 needy kids from the Seaside and Marina areas. Mr. Anderson also spoke about the Football Banquet held on Sunday, December 7th, in the Student Center. Seventeen (17) members of the team made "All Conference," and that is quite a feat. They are: Puchi Lesu, Elbert Ojendis, Dave Brown, Corey Sanchez, Brett Taylor, Jeremy Haynes, Ian Hesse, Brian Reader, Dominic Jackson, Wes Samoa, Mark Mendoza, Obed Lologo, Shane Evans, AT Oaelua, and Chris Pinto. Conference Defensive Player of the Year went to Obed Lologo and Conference Offensive Player of the Year went to Brian Reader. The Scholar Athlete Award was presented to Corey Sanchez. The Special Teams Player of the Year went to Chris Pinto. The Iron Man Award was presented to Dominic Jackson and Wes Samoa. The Unsung Hero Award was present to Mark Mendoza. The Most Dedicated was presented to Shane Evans. The Most Valuable Player was presented to Obed Lologo. In closing about the Football Banquet, Mr. Anderson reported that Conference Coach of the Year honors went to Coach Mike Rasmussen, who was very humble about receiving his award.

Mr. Anderson reported on a few other items:

- The bleachers in the gym have arrived and will be fully functional by January 5.
- MPC counselors met with local high school counselors last Friday morning, December 5th, for breakfast and a special presentation by biology and geology instructors. A good time was had by all and, hopefully, this will help our recruitment efforts.
- A campus Veteran's Day activity was held near the flag pole. Musician Bob Johansen played his trumpet, Marilyn Townsend sang, and former Marina Mayor Ila Mettee McCutcheon made a short presentation.
- Ms. Claudia Martin, Student Financial Aid Director, is in the process of signing a Program Participation Agreement, which will allow the District to distribute federal financial aid to our students.

Joe Bissell, Vice President for Administrative Services. Mr. Bissell reported that the Chancellor's office budget proposal looks good for our District. January, February, and March apportionment funds will not come in until later in the year and this will probably happen again next year.

- The District received twenty additional speakers for informing the campus in emergency situations. Kitchell is working to decide where to place these speakers and to test out the system again to make sure everyone on campus can hear the message.

Academic Senate: No report this month.

MPCEA: No report this month.

MPCTA: No report this month.

ASMPC: Eleanor Morrice reported that Kathryn Bell resigned last Friday from ASMPC, and that she would give the report this month. She learned at the CCLC convention that most Student Trustees give the ASMPC report during the Governing Board meetings. She also reported that ASMPC donated \$100 to Project Santa, \$500 was donated to the Monterey County Food Bank, and 24 bags of food stuffs were given to needy students to keep them and their families going through the holidays. All of the bus passes were sold. New bus passes will be purchased again in February. The Council is reviewing bylaws making them more cohesive. A Council retreat is scheduled for this coming Friday, December 12th, at Me & Ed's Pizza in Seaside.

The Trustees asked Eleanor to pass on their thanks to Kathryn for doing an outstanding job of reporting to them in the past.

College Council: No report this month.

MPC Foundation: Director Marilynn Gustafson expressed her warm holiday wishes to everyone. She also said it was a pleasure to meet Mr. Shirrel Rhoades. The Foundation processed all the tax forms for the lovely and generous donation. Ms. Gustafson distributed her written report with the Trustees. Donations received in November were \$20,062.04. She received an additional \$7,500 this afternoon from Dr. Leon Stutzman, who served 12 years on the Foundation Board. She also commented on the Birdies for Charity, a fundraiser for the Foundation. New officers for the Foundation will be as follows: President: Allye Hobson-Robinson. Vice President of Programs: Charlie Keeley. Vice President of Development: Kelly Saunders. Secretary: Malcolm Weintraub. Leaving the Board: Nancy Green, Mary Ellen Harris, Jane Parker, Sidney Slade, and Leon Stutzman.

Board Reports: Dr. Steck reported that the written report for Community Human Services will suffice as his report for this month and the MPC Foundation report will stand as Ms. Gustafson reported.

Bond Report: Mr. Joe Demko reported on the following: • The Fitness Center elevator project is beginning. • The temporary modulars are in at Marina. • Infrastructure is in parking Lot B. There are now 17 extra parking spaces in that area. • The old Library is now the new Administration Building. He invited the Trustees to take a tour of the building over the holiday break and to let him know when they would like to take a peek at the new building. • The Student Services staff met with the architects today to review the drawings of their new building, which are almost finished. We want to go out to bid as soon as possible. The building should be complete by Summer 2010. • The bleachers in the gym are complete with DSA approval. • Family and Consumer Science building work has gone out to bid and local contractors have bid. Things are progressing well.

Mr. Davis asked if any items needed to be removed from the Consent Calendar or if anyone had any comments or questions. There were no comments at this time.

Consent Calendar

A. Routine Matters:

MSC Page, Steck

08-35

BE IT RESOLVED, That the following routine matters were approved:

1. The Governing Board minutes for the Special meeting held Thursday, November 13, 2008, are approved.
2. The Governing Board accepts \$4,095.99 and other gifts donated to the College with appropriate thanks to the donors.
3. The November 26th Regular Payroll in the amount of \$2,313,051.32 be approved.
4. 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.
5. 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.
6. The following courses are approved:

COOP 91.3, Astronomy Work Experience

COOP 91.4, Automotive Technology Work Experience

COOP 91.31, Physical Fitness Work Experience

ENSL 444, High-Intermediate Reading and Grammar

FIRE 128, Building Construction for Fire Protection

FIRE 129, Fire Prevention

LETP 146, Basic Police Requalification Course

ORNH 210.5, Current Topics in Ornamental Horticulture Shade Gardening

ORNH 210.6, Current Topics in Ornamental Horticulture Gardening with Low-Maintenance, Drought-Tolerant, Deer-Tolerant Plants

ORNH 210.7, Current Topics in Ornamental Horticulture Gardening with Colorful and Fragrant Plants

ORNH 210.8, Current Topics in Ornamental Horticulture Gardening with Australian, New Zealand and South African Plants

- ORNH 210.9, Current Topics in Ornamental Horticulture Creative Gardening with Children
- ORNH 210.10, Current Topics in Ornamental Horticulture Garden Tours of the Monterey Peninsula
- ORNH 210.11, Current Topics in Ornamental Horticulture Gardening with Herbs
- ORNH 210.12, Current Topics in Ornamental Horticulture Small Space and Container Gardening.

B. Academic Personnel

- 7. The Governing Board approves the following academic personnel items:
 - a) Authorize the full-time, tenure-track, replacement for Graphic Arts Instructor, Creative Arts.
 - b) Grant Equivalency to Minimum Qualifications to Sonia S. Banks, Esq. to teach Political Science, effective Spring 2009.
 - b) Each month individuals are hired as part-time, substitute, and overload. The list includes hires for Fall 2008.

C. Classified Personnel

- 8. The individuals on the recommended list (Short Term and Substitute Classified Employees) employed for short term and substitute assignments subject to future modifications, be approved.

New Business

In recognition of our visitor, Peter Baird, Mr. Davis asked the Trustees to discuss now New Business J, CITIZENS' BOND OVERSIGHT COMMITTEE ANNUAL REPORT FOR 2007-2008. It was the unanimous decision of the Trustees to do so.

CITIZENS' BOND OVERSIGHT COMMITTEE
ANNUAL REPORT FOR 2007-2008

INFORMATION

Chair of the Committee, Mr. Peter Baird, was introduced to everyone. He stated that the Committee's responsibility is to ensure compliance that the 2002 \$145 million bond has been properly spent for Proposition 39 and he was happy to report that the College is in compliance. He reported that the people who sit on the Committee are people who bring different skill sets to the table. They are very interested in digesting the information presented and are interested in probing the facts. They have asked for some changes in reporting so that the information is transparent. The reports are easier to read for the lay person and that was the intent of the Committee. He acknowledged the excellent service to the Committee provided by staff members Joe Bissell and Vicki Nakamura. One of the unexpected consequences of chairing the Committee has been the feeling of ownership and a feeling of

being a part of the campus. To illustrate that fact he shared a story. He was walking along campus the other day and saw a piece of litter. He bent down to pick it up, because he felt it was his campus and he wanted it to be the best campus it could be. He felt that the College has gone through a leadership transformation also. He told of a friend's experience with registration. Dr. Garrison called this person immediately and discussed his problem. Dr. Garrison assured his friend that corrective measures would be taken to remedy the situation and thanked him for calling attention to the problem with registration. Mr. Baird indicated that we are well on the way to being the best community college in the state of California.

Mr. Davis, on behalf of the Trustees, faculty, and staff, thanked Mr. Baird for his inspiring statement and for serving on this important Committee. He also asked everyone to look at pages 9 – 16 of the report which lists the campus renovation/construction projects completed, in process, and planned for the future.

MSC Steck, Tunney

08-36

BE IT RESOLVED, That the Quarterly Financial Status Report for the quarter ending September 30, 2008 as presented on form CCFS 311Q, be accepted and made part of the minutes of this meeting.

COUNTY OF MONTEREY INVESTMENT REPORT
FOR THE QUARTER ENDING SEPTEMBER 30, 2008

INFORMATION

The Trustees accepted the report as written and presented.

Mr. Bissell noted that the following item went through a formal bidding process, and the District is comfortable with the company.

MSC Steck, Page

08-37

BE IT RESOLVED, That the Governing Board approve the awarding of the Outside Plant Data Cabling Project to Direct Line Communication in the amount of \$321,660.00.

Mr. Bissell noted that C2G/Civil Consultants Group, Inc. is the same company that did Parking Lots D, E, and F, and the District was happy with their work.

MSC Tunney, Page

08-38

BE IT RESOLVED, That the Governing Board ratify the Project Assignment Amendment 04 (PAA) with C2G/Civil Consultants Group, Inc. at the fixed fee of \$84,200.00 to perform design services in conjunction with Parking Lots B and C expansion and repair.

BE IT RESOLVED, That the Governing Board approve the signing of the 2008/2009 contract with the California Department of Education for the purchase of instructional materials and supplies for the Child Development Program.

Ms. Barbara Lee, Associate Dean, Human Resources, reported that the Internal Revenue Code allows public and school employers to designate required employee contributions to the retirement system as being “picked-up” by the employer in order to defer taxes until the employee retires or withdraws contributions. In order to establish this “pick-up,” a resolution must be in place. This practice has been in effect for many years at MPC and to ensure that the proper documentation is on file, it is recommended that the resolution be adopted and sent to CalPERS.

Mr. Pohlhammer asked if the District was happy with PERS. Mr. Bissell indicated that this is a negotiable item. The District just can’t get out of CalPERS and it is a good deal for both the College and the employee. It is a defined benefit, and it is a good system. We don’t expect to see a PERS increase next year, but we could see an increase the year after. Dr. Garrison stated that defined benefit programs are disappearing in the United States. The College contribution rises and falls according to the portfolio.

BE IT RESOLVED, That the Governing Board adopt the following resolution designating employer pick-up for CalPERS member contributions.

MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT
EMPLOYER PICK-UP OF CALPERS MEMBER CONTRIBUTIONS

WHEREAS, the governing body of the Monterey Peninsula Community College District has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and,

WHEREAS, the Board of Administration of the Public Employees’ Retirement System adopted its resolution regarding section 414(h)(2) IRC on September 18, 1985; and,

WHEREAS, the Internal Revenue Service has stated in December 1985, that the implementation of the provision of section 414(h)(2) IRC pursuant to the Resolution of the Board of Administration would satisfy the legal requirements of section 414(h)(2) IRC; and,

WHEREAS, the governing body of the Monterey Peninsula Community College District has determined that even though the implementation of the provisions of section

414(h)(2) IRC should be provided to its employees who are members of the Public Employees' Retirement System;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Monterey Peninsula Community College District will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to California Government Code section 20691 to the Public Employees' Retirement System on behalf of its employees who are members of the Public Employees' Retirement System. "Employee contributions" shall mean those contributions to the Public Employees' Retirement System which are deducted from the salary of employees and are credited to individual employee's accounts pursuant to California Government Code section 20691; and,

BE IT FURTHER RESOLVED, that the contributions made by the Monterey Peninsula Community College District to the Public Employees' Retirement System, although designated as employee contributions, are being paid by the Monterey Peninsula Community College District in lieu of contributions by the employees who are members of the Public Employees' Retirement System; and,

BE IT FURTHER RESOLVED, that employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the Monterey Peninsula Community College District to the Public Employees' Retirement System; and,

BE IT FURTHER RESOLVED, that the Monterey Peninsula Community College District shall pay to the Public Employees' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary; and,

BE IT FURTHER RESOLVED, that the amount of the contributions designated as employee contributions and paid by the Monterey Peninsula Community College District to the Public Employees' Retirement System on behalf of an employee shall be the entire contribution required of the employee by the Public Employees' Retirement Law (Government Code section 20000, et. Seq.); and,

BE IT FURTHER RESOLVED, that the contributions designated as employee contributions made by Monterey Peninsula Community College District to the Public Employees' Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Public Employees' Retirement System.

Passed and Adopted by the Monterey Peninsula Community College District on December 9, 2008 by the following vote:

Ayes: Steck, Tunney, Davis, Page, Pohlhammer, and Morrice

Noes: 0
Abstain: 0
Absent: 0

Ms. Lee reported that this resolution is a clean-up resolution for the District. She thanked Vicki Nakamura and Victoria Phillips for their assistance in researching the issue. The resolution ensures that the proper documentation is on file with CalPERS that documents the resolution authorizing employer paid member contributions for regular classified employees included in the MPCEA; and regular classified managerial, confidential, and supervisory personnel.

MSC Pohlhammer, Tunney

08-41

BE IT RESOLVED, That the Governing Board adopt the following resolution designating the payment of employee CalPERS contributions for management, confidential and supervisory personnel; and classified employees.

MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT
EMPLOYER PAID MEMBER CONTRIBUTIONS TO CALPERS

WHEREAS, the governing body of the Monterey Peninsula Community College District has the authority to implement Government Code Section 20691; and,

WHEREAS, the governing body of the Monterey Peninsula Community College District has an agreement which specifically provides for the normal member contributions to be paid by the employer; and,

WHEREAS, one of the steps in the procedures to implement Sections 20691 is the adoption by the governing body of the Monterey Peninsula Community College District of a Resolution to commence said Employer Paid Member Contributions (EPMC); and,

WHEREAS, the governing body of the Monterey Peninsula Community College District has identified the following conditions for the purpose of its election to pay EPMC:

- This benefit shall apply to classified employees covered by the *Agreement between Monterey Peninsula Community College District and California School Employees Association Chapter #245-MPCEA/CSEA*; and classified managers, supervisors, and confidential employees of Monterey Peninsula Community College District.
- This benefit shall consist of paying 100% of the normal member contributions as EPMC.
- The effective date of this resolution shall be 12/1/2008.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Monterey Peninsula Community College District elects to pay EPMC, as set forth above.

Passed and Adopted by the Monterey Peninsula Community College District on December 9, 2008 by the following vote:

AYES: Pohlhammer, Tunney, Davis, Page, Steck, Morrice

NOES: 0

ABSTAIN: 0

ABSENT: 0

Ms. Lee stated that the following resolution states that volunteers be designated as employees to be covered under the workers' compensation program of the District. This enables the District to eliminate general liability exposure for injuries while still providing coverage for authorized volunteers. This resolution was adopted in the past and is being presented again to update District records.

MSC Steck, Pohlhammer

08-42

BE IT RESOLVED, That the Governing Board adopt the following resolution:

WHEREAS, Monterey Peninsula Community College District desires to provide workers' compensation coverage for persons authorized to perform volunteer services for the Monterey Peninsula Community College District; and,

WHEREAS, The Legislature of the State of California has provided authorization for inclusion of such coverage in the Monterey Peninsula Community College District's workers' compensation program;

NOW, THEREFORE, BE IT RESOLVED, The Monterey Peninsula Community College District hereby adopts the policy for purposes of workers' compensation benefits that unsalaried persons properly authorized by the Superintendent/President or designee to perform volunteer service for the Monterey Peninsula Community College District shall be deemed to be employees of the Monterey Peninsula Community College District should they sustain an injury while engaged in the services of the Monterey Peninsula Community College District under the direction and control of the Monterey Peninsula Community College District's Superintendent/President or designee.

Ms. Lee reported that the Internal Revenue Service changed its regulations governing 403(b) plans to shift more compliance requirements to individual employers. Employers desiring to allow employees to participate in 403(b) plans are required to have a compliant plan in place by January 1, 2009. National Benefit Services, LLC was selected as the third party administrator to oversee the District's plan and guide compliance with all IRS regulations. The following resolution incorporates the recommendations of National Benefit Services while offering the employees of Monterey Peninsula College the opportunity to tax defer retirement savings.

BE IT RESOLVED, That the Governing Board adopt the following resolution establishing Monterey Peninsula Community College’s 403(b) plan.

MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT
ESTABLISHMENT OF MONTEREY PENINSULA COLLEGE’S 403(b) PLAN

WHEREAS, The Monterey Peninsula Community College District believes that the availability of a 403(b) plan to its employees will provide valuable options for augmenting retirement plans; and

WHEREAS, The Monterey Peninsula Community College District desires to establish a 403(b) deferred compensation plan for the benefit of its employees; and

WHEREAS, The Internal Revenue Service requires that employers establish a 403(b) plan; and,

WHEREAS, The Board designated National Benefit Services to provide administrative services for the District’s 403(b) plan; and,

WHEREAS, The District’s 403(b) plan shall incorporate the provisions of the attached adoption agreement, as well as standard complaint provisions and language as recommended by National Benefit Services;

NOW, THEREFORE, BE IT RESOLVED, That Monterey Peninsula Community College District establishes a 403(b) plan for the benefit of its employees and authorizes the Vice President for Administrative Services to execute the attached adoption agreement on behalf of Monterey Peninsula Community College District.

Passed and Adopted by the Monterey Peninsula Community College District on December 9, 2008 by the following vote:

AYES: Tunney, Steck, Davis, Page, Pohlhammer, Morrice
NOES: 0
ABSTAIN: 0
ABSENT: 0

CALENDAR OF EVENTS

INFORMATION

The trustees reviewed the Calendar of Events.

Advance Planning

Regular Governing Board meeting: Tuesday, January 27, 2009

Closed Session: 1:30 p.m., Stutzman Seminar Room, Library and Technology Center

Open Session: 3:00 p.m., Sam Karas Room, Library and Technology Center.

Suggested future Agenda items:

1. Governing Board Policy 1000, Code of Ethics.
2. Governing Board Policy 1009, Board Self Evaluation.
3. Library Consultant Report.
4. Substantive Change Report
5. Preliminary Drawing for Education Center at Marina.
6. Student Services Categorical Site Visit Report.

Mr. Davis said that this will be the sixth time Dr. Tunney will be serving as Chair of the Board. Dr. Tunney said he was very pleased and honored to take over as Chair of the Board. Dr. Tunney reminded everyone of the memorial service for Edie Karas to be held in Lecture Forum 103 this Sunday, December 14th, from 2:00 – 4:00 p.m. A reception will be held in the Karas Room following the service. He also reminded everyone of Flex Days to be held January 28th and 29th.

Dr. Tunney thanked Mr. Davis for his able leadership. He also commented that 2007-2008 could be noted for its friendliness and great attitude of its leadership through the Board, the Superintendent/President, Dr. Garrison, and Ms. Phillips. A round of applause was heard.

Adjournment

The meeting was adjourned at 4:37 p.m.

Respectfully submitted,

Douglas R. Garrison, Ed.D.
Secretary to the Board