

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

Monterey Peninsula College
980 Fremont Street
Monterey, California 93940

Tuesday
March 24, 2009

6:00 p.m. – Open Session – Seaside City Hall Conference Room
6:05 p.m. - Closed Session – Seaside City Hall Conference Room
7:00 p.m. -- Public Session – Seaside City Hall Council Chambers

MINUTES

The Chair of the Board, Dr. Jim Tunney, called the Governing Board meeting to order at 6:00 p.m. Trustee Tunney called roll and declared a quorum present. Dr. Tunney read the Closed Session statement and reported that the following items would be covered: a. Public Employee Discipline/Dismissal/Release/Complaint. b. Conference with Legal Counsel Regarding Anticipated Litigation. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. There are two (2) potential lawsuits. c. Conference with Real Property Negotiator. Marina Landswap. Parcels: L23.1. and L23.1.5. Negotiating Parties: City of Marina and Monterey Peninsula Community College District - Mr. Joe Bissell.

At 6:05 p.m., the Open Session adjourned to the Closed Session. The Closed Session adjourned at 6:55 p.m. At 7:00 p.m., the Open Session was called to order by Dr. Tunney. Ms. Phillips called roll. Dr. Tunney remarked that the Board was delighted to be in the City of Seaside and he introduced Mayor Ralph Rubio who welcomed the group to the City. Mayor Rubio thanked the Trustees for giving the citizens an opportunity to engage with the Trustees. He hoped that the Trustees would come more often and that he would be open to having them use the Council Chambers for their meetings. He looked forward to discussing the Seaside/Sand City Trustee area candidates. He offered a little prayer for good decisions to be made.

MEMBERS PRESENT: Dr. Jim Tunney, Chair
 Mr. Charles Page, J.D., Vice Chair
 Mr. R. Lynn Davis, J.D.
 Mr. Carl Pohlhammer
 Dr. Loren Steck
 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
Mr. Michael Gilmartin, Dean of Instruction, Occupational and Economic
Development
Dr. John Gonzalez, Vice President for Academic Affairs
Ms. Barbara Lee, Associate Dean, Human Resources
Dr. Susan Steele, Interim Dean of Instruction, Liberal Arts
Mr. Pete Buechel, Purchasing Agent
Mr. Richard Montori, Public Information Officer
Ms. Vicki Nakamura, Assistant to the President
Ms. Victoria Phillips, Executive Assistant to the Superintendent/
President and the Governing Board
Mr. George Reed, Audio Visual Technician
Dr. Rosaleen Ryan, Director, Institutional Research

OTHERS PRESENT: Mr. Dennis Alexander
Mr. Charles Brown
Ms. Kathryn L. Badon
Ms. Maria Buell
Mr. David Casnocha
Mr. Joe Demko
Ms. Marilyn Gustafson
Mr. Ewalker James
Ms. Rosalee James
Mr. Todd Kruper
Mr. Mel Mason
Mr. Ian N. Oglesby
Mr. Randy Porter
Mr. Carlos Ramos
Mr. Ralph Rubio
Ms. Helen Rucker
Ms. Beryl Anderson Smith
Ms. Ruthie Watts

Dr. Tunney reported that there was action taken during the Closed Session. Employee #4518 was suspended for forty (40) hours without pay.

Recognition

Seaside Council member, Dennis Alexander, introduced himself. He said he was also a teacher at Seaside High School.

Dr. Tunney reported that the Monterey Peninsula College Foundation donations for February 2009 were \$4,845.00. Dr. Tunney thanked the Foundation for its efforts on behalf of the District.

Dr. Tunney acknowledged the passing of Dr. Marshall Chatwin, Counselor, from 1962 until he retired in 1995; Jerry Lebeck, Adjunct Photography Instructor, from 1968 until he retired in 1995; and Pearl Carey, long time community leader. A moment of silence was held for each of them.

Comments from Visitors

Mr. Ewalker James, President of the Citizens' League for Progress, reported that Seaside is part of MPC's district, and he said periodically MPC should schedule some of its meetings here at Seaside City Hall. Seaside is a working community and it would be best to schedule the meetings at 7:00 p.m. so that people could attend the meetings. The Board could update the people of Seaside about what is going on at MPC. He reported that MPC is his alma mater. He indicated that he was on campus the other day, and saw all the new renovations. He said MPC is a beautiful place.

Ms. Helen Rucker commented on the February 24th, Institutional Report: Employee Demographics, which were included in the meeting minutes. In reading that section of the minutes, she noted that we haven't come very far and more work needs to be done in diversifying our staff. Ms. Rucker asked that this become a higher priority. She also commented that we don't have to feel alone, since she sits on the Monterey Peninsula Unified School District Board, and they are facing the same challenge.

Mr. Carlos Ramos, League of United Latin American Citizens (LULAC) reported that he had recently participated in MPC's Equal Employment Opportunity Advisory Committee meeting. It is very important that the Board provide the vision and that the staff has the resources to work on diversifying students and staff. It doesn't appear that we are moving forward. "We encourage this Board to provide direction, vision, and resources to ensure that you are walking your talk."

Written Communications

Dr. Tunney read Ms. Joan Ackerman's letter taken from the 25 written communications listed.

- *a. A letter to Dr. Douglas R. Garrison dated February 11, 2009, from Ms. Joan Ackerman regarding the personal enrichment and educational opportunities offered by Monterey Peninsula College.
- b. The Monterey County Herald, Wednesday, February 18, 2009, MPC track.
- c. The Monterey County Herald, Thursday, February 19, 2009, Ohlone 84, MPC 69; Men's Basketball, MPC 81, DeAnza 63; College Baseball, MPC 7, CCSF 0.
- d. GO! The Monterey County Herald, February 19 – 25, 2009, MPC Theatre Company Auditions; MPC Players present Samuel Beckett's "Happy Days"; Rumpelstiltskin; February 28-March 1, MPC Theatre Company Auditions for Mel Brooks' "The Producers."
- e. Monterey County Weekly, February 19-25, 2009, A & E Calendar; Poetry, Poet Laureate Donald Hall at MPC; Events, 100th Anniversary of the NAACP with Dick Gregory at Embassy Suites.

- f. The Monterey County Herald, Wednesday, February 25, 2009, Extension expected to open fall 2010, serve enrollees in north end of service area...MPC ready to build Marina center, by Larry Parsons
 - g. GO! The Monterey County Herald, February 26 - March 4, 2009, Bare essentials...MPC Players Probe Existential Questions With Samuel Beckett's Minimalist 'Happy Days', by Lily Dayton
 - h. The Monterey County Herald, Your Town, Monterey, Presentation Kicks Off MPC Semester.
 - i. GO! The Monterey County Herald, February 26 – March 4, 2009, MPC Auditions for The Producers; and Samuel Beckett's "Happy Days."
 - j. Monterey County Weekly, February 26, 2009, MPC is offering a class in green building design.
 - k. The Monterey County Herald, Friday, February 27, 2009, Lobos top Cabrillo; and College Softball, Hartnell 10, MPC 2.
 - *l. A letter to Mr. David Beech dated March 2, 2009, from Dr. John Anderson thanking him for organizing and performing a wonderful recital to benefit MPC Music student scholarships on Sunday, February 22, 2009.
 - m. GO! The Monterey County Herald, March 5 – 11, 2009, MPC Theatre Company Opening Weekend, A Year with Frog & Toad.
 - n. Monterey County Weekly, Tuesday, March 10, 2009, Green Party Nominee.
 - o. GO! The Monterey County Herald, March 5 – 11, 2009, MPC Theater brings page to the stage with 'Frog and Toad; and MPC presents compellingly absurd 'Happy Days.'
 - p. The Monterey County Herald, Wednesday, March 11, 2009, College Baseball, West Valley 5 MPC 3.
 - *q. Biology at MPC...What do our graduates think?
 - r. The Monterey County Herald, Thursday, March 12, 2009, MPC Theatre Company, A Year with Frog & Toad.
 - s. The Monterey County Herald, Monday, March 16, 2009, Holman a Hall of Famer and Russo going to Canton.
 - t. The Monterey County Herald, Tuesday, March 17, 2009, MPC hosts orientation for online security.
- *Item included in the Board packet.*

Reports and Presentations

Institutional Report: MPC's Seaside Programs:

- Public Safety Training Center Project
- One-Stop
- Student Services in Seaside

Dr. Garrison thought it would be informative to showcase some of the activities Monterey Peninsula College hosts in Seaside.

Mr. Carsbia Anderson began the program with Student Services in the City of Seaside.

Mr. Anderson reported that Counselor, Kacey Giammanco, has been maintaining a specified appointment schedule at the One-Stop Center for a couple of years now. In addition, UCSC and MPC have formed a partnership and have been sponsoring a play in the City of Seaside at the Oldemeyer Center free of charge. This year's presentation is "The Piano Lesson." The acting troupe came from Santa Cruz and shared an afternoon with the Upward Bound students. The Upward Bound students took on a project and earned enough money to purchase 100 books for young students and had a grand afternoon playing and reading to youngsters. MPC is a member of Coalition of Scholarship Organizations (COSO), which gives scholarships to youths in our community. MPC held financial aid workshops, open to all students and prospective students. It was a very meaningful and helpful experience. Mr. Anderson reported that we are working on a new WorkAbility Program, sponsored by the Employment Development Department, toward connecting WorkAbility II and WorkAbility III Programs together. We housed a group of students from Seaside High School and used UCSC resources. Girls, Inc. is a good program, too. They all visited the State Capitol in Sacramento. The summer Math/Science Upward Bound Program will bring in high school students and they will study at U.C.S.C. Hopefully, these students will become MPC students in the future.

Dr. Tunney, on behalf of the Trustees, thanked Mr. Anderson for his report.

Dr. John Gonzalez spoke about the following topics. • MPC Public Safety Training Center. This will satisfy MPC's mission of meeting the needs of its police and fire agencies as well as training potential fire and police officers. At this point, he read MPC's Mission Statement. • 2010 Self-Study. Dr. Gonzalez stated that MPC has seven (7) Institutional Goals. Institutional Goal #5, Develop class and service delivery schedules...needs assessment survey. We are fulfilling Goal #5. Adhere to the planning. Provide support services that are sufficient in quantity, currency, depth, and variety....we man programs on Colonel Durham Road: Fire Academy and Fire Technology Programs; and the Police Academy . • FTES - We earned 337 FTES from Fire Academy and Fire Technology; and 250 FTES from Police Academy/Law Enforcement Training in 2008-2009. The site plan provides for lockers and showers so that trainees can take showers after their training. Phase II has already begun. Last year, we submitted our plans and are receiving matching funds for Parker Flats and at the MOUT. Phase II is more complex with the fire tower, EVOC, and the firing range. Nine million dollars of local bond funding has been earmarked for the first phase. We will continue the application process for matching funds from the State. The dedication ceremony for Phase I was well attended. The building will open in August 2009. It is a dream come true. In the meantime, we moved the public safety training to the Monterey College of Law and leased the building. We have three portable classrooms and they are now used as dedicated office spaces. We have other education sites in Seaside: Oldemeyer Center, where we teach English as a Second Language for the Older Adult Program and Creative Writing, Drawing, and Composition; Seaside High School, where we teach Theater Arts classes.

Dr. Gonzalez reported that two weeks ago Academic Affairs and Student Services met to begin exploring silos. We are entering a particularly difficult and exciting time. We are undertaking some productive initiatives such as the growth of the Education Center. The target date for opening is Fall 2010. Topics: Long-range planning for the Education Center ensuring quality and comfortable services; faculty prioritization process; program review process; and a planning and resource allocation process.

We conducted a survey at the MPC Marina Education Center. Over 400 students responded to the survey; that's nearly 60%. When asked, "Are the days and times of classes convenient?" Almost 60% said, "Yes." It appears that we are not stealing students from the Monterey Campus; we are serving the needs of the Seaside/Sand City and Marina populations. Dr. Gonzalez concluded that this is just a taste of what we found, and we should continue to conduct surveys of our students. Dr. Gonzalez reported that we are planning an activity room in the new Marina Education Center.

We will conduct a regular review of Women's Programs. We will conduct an examination of services that are provided. The dialog will be facilitated by Dr. Caroline Carney.

Dr. Tunney, on behalf of the Trustees, thanked Dr. Gonzalez for his report.

Dr. Tunney reported that Ms. Robin McCrae, Director of Community Human Services, was ill today and her Institutional Report was postponed until the next Governing Board meeting, April 28th.

Dr. Tunney reported that on November 3, 2009, there will be an election for two Trustees for Monterey Peninsula Community College District. We are out in the community seeking community help in encouraging people to run for the Board. Candidates must register by August 7th.

Dr. Garrison reported that Dr. Tunney and Mr. Pohlhammer's terms will end when the new Trustees are sworn in. He noted that the Monterey County Office of Education drew lots and District 1 and District 2 will be the first districts to elect a Trustee from their area. District 1 includes Seaside/Sand City and District II encompasses Marina. Dr. Garrison said he has scheduled three (3) orientations for the prospective Trustees. 1) April 22nd at the Seahorse Room, Oldemeyer Center. 2) May 14, at the MPC Administration Building Conference Room. 3) June 25, Marina Library. He noted that the filing period would be from July 17 through August 7, 2009. At these sessions, he will discuss the College, the District, the role of the Trustee, and answer any questions a prospective candidate might have. He added that candidates must reside in the District for which they are running.

Comments from Visitors

Mr. Ian Oglesby said that Monterey Peninsula College does wonderful things in our community. And he supports MPC. However, he wanted to make sure that the Board knew it will be the citizens of Seaside and Sand City who will be doing the selecting of the next Trustee from Seaside or Sand City, not the MPC Board.

Mr. Ralph Rubio said, "Thank you for the opportunity to address this Board in the City of Seaside. It will be very important to get the information out by using newspapers, flyers, etc., and that the community is looking for people to serve on the MPC Governing Board. It will be important that the community sponsor forums, too. We need numerous people to step up and be informed candidates."

Mr. Carlos Ramos, LULAC, stated that perception becomes reality. He said he was very much in line with what Mr. Oglesby's had to say...that it will be the citizenry of Seaside/Sand City and Marina who

will decide who will sit on the MPC Governing Board. It is important to have this dialog/conversation so that we are clear and walking the same path so that there will not be any misunderstandings.

Ms. Helen Rucker noted that a very significant part of Seaside was left out of Area II and this discussion just didn't start today. She thanked the Board for the advertisement about tonight's meeting in The Herald, which ran several times. She indicated that this community is well prepared to select a Trustee from Seaside/Sand City. She said that we will have the energy and commitment to see this process through that was started more than two years ago. She ended her comments by saying, "thank you for holding your meeting in Seaside during the evening," and she hoped that MPC would continue to do so.

Mr. Ewalker James applauded the Governing Board for what MPC is trying to do. Since 1980, the Citizens' League for Progress has been providing forums for discussions on education and voting wisely here on the Peninsula. We (CLFP) will hold a forum on the MPC Trustee Area I so that citizens will learn what this job entails. I don't think people realize how much time it will involve. Citizens can then make an informed decision. "I applaud you all for your help, but don't tell us what to do."

Ms. Kathryn Badon said she had a few logistical questions about the orientation sessions. She asked, "Would the information be provided in writing for those who cannot make the three orientation sessions? Will there be sufficient room in the Seahorse Room in the Oldemeyer Center for the first orientation session?" She thought the room would not be large enough to accommodate the session.

Mr. Todd Kruper applauded the efforts of the MPC Governing Board, and he just wanted everyone to know that Sand City was in the house.

Dr. Loren Steck stated that at the last Trustee orientation sessions, Dr. Garrison prepared binders for those interested in running for the MPC Governing Board.

Trustee Pohlhammer encouraged everyone interested in running for the Board to attend one of the orientation sessions as Dr. Garrison does a good job of explaining the position to prospective Trustees.

Everyone was thanked for their comments and participation in the discussion.

Superintendent's Report:

Dr. Garrison reported that he will let his written report, which was included in the Board packet, stand as presented, except he wanted to add a few comments as follows:

1. Dr. Garrison reported that, as with the last election, he plans to give prospective Board members as much background and valuable information as he can to help them learn about the District. He put together a binder chock-full of information concerning the District and pertinent information concerning the College, and he will facilitate the forums.
2. Dr. Garrison reported that on February 25th, he facilitated a meeting with the Community Outreach Advisory Committee, which included Carlos Ramos and Kathryn Badon, having to do with diversity statistics. He noted that the Management Team was given that same information. They talked about what those numbers mean. They would all like to bring about a positive change. He and the Vice Presidents have tried to effect positive changes in the hiring process.

Some of the finalists' numbers show some encouragement. We must understand that we must do a better job in recruiting minorities in our adjunct faculty, as they often apply for our full-time positions. He reported that he is committed to working with Barbara Lee and John Gonzalez to develop ways in which we can ensure we get more minorities on campus to reflect our diverse community. However, he noted that this is not a challenge at which we can just wave a "magic wand." Lots of attention has been given to this challenge, but more will need to be given.

3. Dr. Garrison reported that Marilynn Gustafson and he traveled to Cabrillo College and met with Brian King, President of Cabrillo College, and Melinda Silverstein, Director of the Cabrillo College Foundation, to discuss the relationship between Cabrillo College and their Foundation.
4. On March 20th, Dr. Garrison, Dr. Gonzalez, and Dean Laura Franklin met with Dr. Phoebe Helm, President of Hartnell College, and Dr. Esteban Soriano regarding economics from a regional planning perspective for career and technical programs.

Vice Presidents' Reports:

Carsbia Anderson, Vice President for Student Services: Mr. Anderson reported that nearly 300 people attended the play, The Piano Lesson, at Oldemeyer Center at 7 p.m. on March 7th. It was free to the public and was sponsored by UCSC and MPC. • Enrollment of non-duplicated students is up 5% overall. On the main campus it is up 8%. He reported on the minority enrollment statistics. He also reported that the District has decided to discontinue the FIELD Language Program. • Student Services is developing a Welcome Center/a One-Stop Center, which would include a counseling area and a place where a student would start his/her college experience. The first one would be at the Marina Education Center. One-Stop Centers are not new. • The Student Services building recently cleared Department of State Architect requirements. We will put the first shovel in the ground on June 1st. Larry Walker and he have been investigating wall systems and are now waiting for bids to come in. • Mr. Anderson said that the TRIO faculty contracts are on today's agenda and wanted to say that they are all great people, and he urged the Trustees to approve their contracts. • Dr. Karen Engelsen's resignation is on today's agenda, also. She is considering other personal and professional options at this time. We thank her for her work and service to the College. • MPC graduation will be held on Saturday, June 6th, at noon. The Nursing pinning ceremony will be held at 3 p.m.

The Trustees thanked Mr. Anderson for his report.

Mr. Joe Bissell, Vice President for Administrative Services: Mr. Bissell reported on two items. We received another check from PG&E for \$52,800. The College has received \$332,000 in rebate checks thus far. The second item was the American Reinvestment and Recovery bill which carries with it \$700+ billion. Three-hundred and thirty billion dollars (\$330 billion) will go to help states and \$287 billion will go toward tax relief. Thirty-one plus billion dollars (\$31+ billion) will be for competitive grants, and it could be more. One-third of that money will be used to balance the budget. Ten point four billion dollars (\$10.4 billion) will be from the stimulus package. We have been treated fairly. Six-hundred and seventy-eight million dollars (\$678 million) will fulfill already proposed projects.

The Trustees thanked Mr. Bissell for his short report.

At this time in the meeting, New Business K, District's 2009-2010 Scheduled Maintenance & Special Repairs Five -Year Plan was taken under discussion.

2009-2010 SCHEDULED MAINTENANCE & SPECIAL
REPAIRS FIVE-YEAR PLAN

INFORMATION

Mr. Bissell reported that the District is required to complete a Scheduled Maintenance and Special Repairs Five-Year Plan annually for the Chancellor's Office. The total for all projects listed in our five-year plan is \$3.7 million; \$2.59 million for top ten priorities. Scheduled Maintenance projects are eligible for State funding with a 50% match by the District. Seismic and hazardous materials projects are eligible for State funding without a match. The State provides a limited amount of funding that can only be used for projects included in the plan. The District's on-going allocation for the past several years has been \$100,000. The District should receive the same allocation in 2009-2010.

The total for the top ten priorities for scheduled maintenance projects totals \$2.59 million. The projects include: Replacement of Music Building exterior wood siding; repaint and repair exteriors of campus buildings; upgrade exterior doors with panic bars and re-key classrooms; re-key campus to master key/lock system – phase 2; roof replacement – art storage lockers; upgrade exterior lighting on campus; replace tennis court fence; multi-classroom upgrade (lighting, paint, HVAC, multimedia capability, and interiors); roof replacement – Theater building (27); road resurfacing, striping, and repair. Scheduled maintenance projects are eligible for State funding with a 50% match by the District. Seismic and hazardous materials projects are eligible for State funding without a match. The State provides a limited amount of funding that can only be used for projects included in the plan. The District will provide the 50% match of \$200,000 (\$100,000 each year) from Proposition 39 bond funds. There will be lots of training opportunities including the Workforce Investment Block Grants.

Academic Senate: No report for this month.

MPCTA: No report for this month.

MPCEA: No report for this month.

ASMPC: Ms. Eleanor Morrice reported that a successful St. Patrick's Day luncheon was held. A successful student march in Sacramento for support of community colleges was held. MPC, Hartnell, and Gavilan students shared a bus to travel and joined forces with other community college students in Sacramento. Student elections will take place on April 22nd along with our Earth Day celebration. On April 17th, a day of silence will be held, sponsored by the Women's Studies Program. ASMPC made a donation to the United Way 2-1-1 campaign and to Graduation. ASMPC and AGS will be hosting a faculty and staff appreciation luncheon. Invitations will be distributed soon. In closing, she noted that the ASMPC food bank has been experiencing increased use. Students are in need.

College Council – No report this month.

MPC Foundation: Director Marilyn Gustafson reported on a number of items. • She noted the President’s Community Luncheon is coming up on Friday, May 8th. Honorary Committee members are: The Honorable Dan Albert, Chair, Dr. Peggy Bates, Bert Cutino, Don Freeman, Dr. Douglas Garrison, Ewalker James, Gus Lewis, Bettye Lusk, Jane Parker, Billy DeBerry, Mel Mason, Jackie Craghead, Martin Puentes, Rich Montori, and Victoria Phillips. • Ms. Gustafson reported that the Foundation received thirty-three (33) grant applications totaling \$43,000 for the Academic Excellence Awards. The Foundation received a \$12,000 donation to go toward this cause from the Gentrain Society. Dr. Peggy Bates made a donation, as well. • Ms. Gustafson reported that the MPC Foundation Board of Directors meeting packet will be distributed tomorrow. The meeting will be held next Wednesday, April 1st. Dr. Loren Steck has agreed to Chair the Annual Giving Committee and Kelly Saunders will Chair the Major Gifts/President’s Circle Committee. The goal of these two committees is to meet with Melinda Silverstein (Cabrillo College Foundation) in the near future to better understand their formula for success. • Dean Flippo will Chair the Scholarship Committee for the Foundation. A schedule has been set for reviewing applications and selecting recipients. The Foundation will once again support the Office of Financial Aid with a contribution of funds in support of the reception and by distributing invitations to all scholarship donors, Board members, and Trustees. • The Peggy Downes Baskin Lecture Series spring event has been scheduled for Tuesday, April 28, at the Monterey Conference Center, entitled “Ethnical Dilemmas: California’s Legislative Budget Crisis” and will feature Fred Keeley, a former Santa Cruz County Supervisor and three-term Assemblyman, currently Santa Cruz County Treasurer and Drew Liebert, Chief Counsel of the Assembly Judiciary Committee for more than ten (10) years. General Admission tickets will be \$25, Special Friends tickets \$100 and Sponsor tickets will be \$500. Those contributing at the \$100 level and above will have the opportunity to attend a “no-host” dinner with the speakers following the event. She concluded her report by saying that the MPC Foundation Board members will be receiving a letter asking them to donate more money and more time to the Foundation.

Board Reports: It was reported that in the March 11th edition of Inside Higher Education, there was an article entitled, “The Information Super-Library,” regarding MPC. MPC is planning an online certificate program with the idea that liberal arts colleges and their students shouldn’t have a monopoly on the classics. Its instructors believe the electronic delivery of these classical materials will draw renewed student interest in writers from Homer to Hemingway. Next fall, MPC will launch its Great Books Program. By completing an introductory course and any four related courses, students can earn a certificate recognizing them as a “Great Books Scholar.” This idea was conceived by Dr. David Clemens and Dr. Alan Haffa. Giving students an opportunity to read the classics has just arrived on the curriculum.

Bond Report:

Mr. Joe Demko reported on construction projects. • Construction on the new PE/Fitness elevator has begun and completion is anticipated in early Fall 2009. • Work continues on the Public Safety Training Center. The first building will be completed in May 2009 and the second

in the Summer 2009. • The architect has submitted the drawings of the MPC Education Center (at Marina) to DSA. Bidding is anticipated in Summer 2009. • Infrastructure Phase I and Phase II projects have basically been completed. Infrastructure Phase III has begun and includes campus-wide data cabling, the PE elevator project, bridge removal and remaining site work (lighting, parking lots, and sidewalks). Parking Lot C will be upgraded this summer. After June 7th, we will lose 71 parking spaces. We will be doing other work on campus to recover spaces. • The cabling for AT&T is almost done for the new Administration Building. It's almost move-in ready. We will be using the old Administration Building for swing space consisting of six (6) classrooms. Design drawings for this project are now at DSA and construction is anticipated to begin in Summer 2009. We will bring in relocatables while we are working on the swing space. • The new Student Services Building project has been approved by DSA and bidding will take place in April. Construction is expected to start in June 2009 with completion in Fall 2010. • The PE/Gym upgrade is complete along with the seismic upgrade. • The architect is preparing drawings for the Auto Technology Building classroom addition to the existing structure. It is anticipated that classroom construction will begin in Summer 2009 and finish in December 2009. The architect is also working to define the scope of modifications to the existing structure. • An accessible walkway to the Baseball Field is completed. Installation of the new backstop is scheduled for June 2009. • The Facilities Committee is currently reviewing options for renovating the Business and Computer Science Building as a District-funded project. Similarly, the Committee is investigating the possibility of upgrading selected labs in the Science buildings and renovating selected Art complex buildings using District funds. In anticipation of the Humanities/Business-Humanities/Student Services project, swing space strategies are being actively pursued. • The water and sewer lines will be on and working by the time we are open at the Public Safety Training Center.

Mr. Demko reported that there is lots of action going on and we are receiving lots of good bids. Things are going well. On Friday, April 3rd, things will be shut down as far as communications are concerned. Over the weekend, we should be backup and running.

The Trustees thanked Mr. Demko for his report.

At this time in the meeting, Dr. Tunney asked that New Business A, CASH OUT REFUNDINGS UPDATE, Mr. David Casnocha, be taken as the next order of business. All of the Trustees agreed.

CASH OUT REFUNDINGS UPDATE

INFORMATION

Mr. David G. Casnocha of Stradling Yocca Carlson & Rauth, Attorneys at Law, reported that on October 25, 2005, the Board adopted the resolution authorizing the issuance and sale of 2005 General Obligation Refunding Bonds and the refunding of the District's Series A General Obligation Bonds on February 1, 2006. The District netted \$4,240,050 for limited use, and shortened the payment schedule by seven years (2027 to 2020) which was to the benefit of residents. However, some County Treasurers thought the refund benefit should be 100% reserved for the taxpayer. Lawyers submitted their written briefs and then nothing happened for two years. On January 9, 2009, the Attorney General

issued his advisory opinion concerning cash-out refundings. While different bond counsel firms used alternative approaches to cash-out refundings – direct issuance (our approach) versus issuance by a joint powers authority – each approach was addressed by the Attorney General and determined to violate the California Constitution for two reasons: 1) when cash-out refunding proceeds are not used to retire the designate outstanding bonds, they “result in the creation of new indebtedness for purposes of the constitutional debt limit, and therefore require new voter approvals before they may be issued,” and 2) a “district would lack the authority to levy taxes to support this additional debt without further voter approval.”

Mr. Casnocha said it is important to recognize that the Attorney General’s opinion did not examine any specific bond issuance, but rather addressed a hypothetical set of bond issuance assumptions. While the Attorney General opinion’s are non-binding and do not have the force of law, they are considered by courts to be “persuasive.” We are advising our school and community college district clients to not use cash-out refundings to finance bond projects until the concerns raised by the Attorney General are addressed by the courts or the Legislature,” he said.

Mr. Casnocha said as to the districts which have issued cash-out refunding bonds and have concerns regarding the validity of their bonds and expenditures, it is important to stress that the Attorney General’s opinion also concludes that cash-out refunding bonds approved by districts more than 60 days ago are valid and immune from successful challenge because of the 60-day statute of limitations to challenge the validity of bonds and bond expenditures has long since elapsed. He concluded that he didn’t think the District would see any lawsuits, but he advised against doing a cash-out refunding again.

Mr. Casnocha was thanked for waiting his turn in the meeting and staying late. At this time in the meeting, a short break was taken.

Dr. Tunney said he had one correction to the February 24, 2009 meeting minutes. He also noted that there was a replacement page of D.11. The dates of his visits to the Rotary Clubs need to be reversed. He asked if there were any comments and/or additions to the Consent Calendar. Mr. Page asked that Consent Agenda # 5, Purchase Orders, be removed from the Consent Agenda and taken up separately.

Consent Calendar

A. Routine Matters:

MSC Steck, Morrice

08-56

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

1. The Governing Board minutes for the Regular meeting held on Tuesday, February 24, 2009, are approved.

2. The Governing Board accepts \$5,195.00 and other gifts donated to the College with appropriate thanks to the donors.
3. The February 27th Regular Payroll in the amount of \$2,329,236.60, the March 5th Manual Payroll in the amount of \$294.57, and the March 10th Supplemental Payroll in the amount of \$75,890.09, be approved.
4. The Commercial Warrants #12694340 through #12694391, #12695153 through #12695230, #12696220 through #12696267, #12697362 through #12697416, #12699137 through #12699219, in the amount of \$3,238,069.09, be approved.
5. The following budget increases in the Restricted General Fund be approved.

Increase of \$10,718 in revenue and matching expenses, to reflect funds carried forward from FY 2007-2008 to FY 2008-2009.

6. The following budget adjustments in the Unrestricted General Fund be ratified:

Net increase in the 1000 Object expense category	\$ 7,004
Net decrease in the 5000 Object expense category	\$16,630
Net increase in the 6000 Object expense category	\$ 9,626.

7. The following course(s) and program changes be approved:

ART 83F, Special Jewelry Techniques I: Metal Arts Textile Techniques
 ART 84C, Metal Arts: Color with Metal
 ART 84D, Metal Arts and Pewter
 ART 85E, Coloring Titanium through Anodizing
 ART 86C, Toolmaking for Jewelry
 AUTO 282, Women and Wrenches
 COOP 91.16, Family & Consumer Science Work Experience
 COOP 91.36, Real Estate Work Experience
 DNTL 107, Coronal Polish
 DNTL 108, Pit and Fissure Sealants
 ENGL 100, Composition and Reading for Graduation
 ENGL 401, Introduction to Academic Writing Lab
 ENGL 421, Fundamentals of Writing Lab
 FIRE 131, Fire Training 1C – Instructional Development Techniques
 Human Services Program: Associate in Science
 Liberal Studies Program: Associate in Arts
 LING 30, Introduction to the History of the English Language
 PARK 147, Maintenance Leadership and Administration
 PARK 155, Cooperating Association Liaison Skill Building
 THEA 110, Film Study – The Western
 THEA 111, Film Study – The American Musical

THEA 112, Film Study – Horror, Fantasy and Science Fiction
THEA 113, Film Study – 20th Century Comedy
THEA 114, Film Study – Films of the 1970's
WOMN 282, Women and Wrenches
WRLD 99.01, Travel Study: Drama at the Ashland Festival

B. Administrative Personnel

8. The Governing Board approve the following item:
 - a) Accept the resignation of Dr. Karen Engelsen as Dean, Student Services, effective June 30, 2009.

C. Academic Personnel

9. The Governing Board approve the academic personnel actions listed to include:
 - a) Continue the employment of Grace Anongchanya, TRIO Coordinator/Counselor; Christopher Calima, Upward Bound Counselor; Sandra Washington, Upward Bound Counselor; and Janine Wilson, Math Science Upward Bound Coordinator as categorically funded employees be ratified for 2009/2010.
 - b) Grant Equivalency Based on Eminence to Karen Runyon to teach ORNH210.8, 210, 210.5, 210.6, 210.7 effective Fall 2009.
 - c) Grant Equivalency Based on Eminence to Cheryl Goetz to teach EMMS170: Emergency Medical Technician I: Basic Training, effective Spring 2009.
 - d) Grant Equivalency Based on Eminence to Arthur Webb to tech HLTH5 and HLTH205, effective Spring 2009.
 - e) Employment of individuals are hired as part-time, substitute, and overload. The lists include hires for Fall 2008 and Spring 2009.

D. Classified Personnel

10. The Governing Board approve the classified personnel actions listed to include:
 - a) Employment of Laura Mock, CurricUNET Specialist (\$3,107 per month), Academic Affairs, 40 hours per week, 12 months per year, effective March 30, 2009.
 - b) Employment of Gabino Valladares, Instructional Technology Specialist (\$19.56 per hour), Academic Affairs, 16 hours per week, 11 months per year, effective March 16, 2009.
 - c) Approve continuation of unpaid leave of absence requested by Jacquelyn Evans, Job Placement Specialist, Supportive Services, 10 hours per week

of Ms. Evans' scheduled 40 hours per week starting March 3, 2009 and ending April 30, 2009.

- d) Resignation of Steve English, Custodian, Facilities, 40 hours per week, 12 months, effective at the end of the day February 13, 2009.

- 11. 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

Mr. Bissell reported that the District is two-thirds through the fiscal year and the big unknown continues to be the uncertainty of State funding. With the March 13 report by the Legislative Analyst that revenues are down \$8 billion from what the Legislature and Governor projected when approving the 17-month budget last month, additional cuts are possible. The May Revise will take place after the election and there will be changes. The District is \$1 million in the hole. However, growth looks positive. For next year, however, it looks like we will have a potential deficit of \$612,000. Updating District budgets using the State's 17-month budget approved in February, P-1 FTES of 8,060, and a property tax shortfall of \$455,526 result in a projected unrestricted general fund deficit for the year of \$967,244. The District is working to offset the projected deficit through growth funding (increasing credit FTES by 342 over the P-1 estimate).

Mr. Bissell reported that revenues for operating funds are greater than expenses, 66.4% vs. 64.4%, resulting in positive operating cash for the District. Total expenses for all operating funds indicate accounts are generally tracking as budgeted. The exception is in restricted Child Development where expenses are at 80.3% compared to revenue at 52.7%. Expenses in the Self-Insurance Fund continue to track as projected. With bills tending to run 1 month behind, expenses at 61.6% are believed to be relatively in line with the budget.

Mr. Bissell indicated that the total cash balance for all funds is \$111,358,749, including bond cash of \$91,859,928 and \$19,498,821 for all the other funds. The 17-month budget approved by the State in February includes the deferral of \$540 million in payments to community colleges from the current year to the subsequent year. With the District's current level of reserves, projections indicate the District should be able to handle the deferral without borrowing. The Chancellor's Office has also agreed to help the District with cash flow as a means to help mitigate the negative impact on cash caused by the FTES payback from last year. In addition, the District will continue working with the League to be able to borrow money via a Tax Revenue Anticipation Note, should cash flow become a problem.

We will need to look at how we will deal with the budget challenge. Things are not looking as well as we had once thought. We will be looking at cutting the budget \$1.1 million and how we are going to achieve it.

BE IT RESOLVED, That the 2008-2009 Monthly Financial Reports for the period ending February 28, 2009 be accepted.

COUNTY OF MONTEREY INVESTMENT REPORT
FOR THE QUARTER ENDING DECEMBER 31, 2008

INFORMATION

Mr. Bissell reported that interest rates are terrible right now at 2.03% and they seem to be getting worse. The District has its investments on deposit with the Monterey County Treasury investment pool. Even though yields continue to trend lower, the projected earnings for the year should be in line with the budget. This is due to higher interest rates earlier in the year.

Mr. Bissell reported that the County continues aggressive recovery efforts for the \$30 million defaulted securities. Progress reports will be presented to the Board, all pool participants, and the Treasury Oversight Committee when more information is available.

MSC Morrice, Steck

08-58

BE IT RESOLVED, That the Governing Board authorize the creation of a new bank account, Monterey Peninsula College Section 125 Plan with First National Bank, for payment of unreimbursed medical and dependent day-care claims.

BE IT FURTHER RESOLVED, That effective March 24, 2009, Joseph Bissell, Vice President for Administrative Services; Rosemary Barrios, Controller; Robert M. Ottman, Sr. Vice President; Jason Goodroe, 2nd Vice President; be authorized as signatories for the Monterey Peninsula College Section 125 Plan bank account, maintained by Monterey Peninsula College at First National Bank.

Dr. Tunney adjourned the Open Session.

HOLD A PUBLIC HEARING ON INITIAL PROPOSAL OF
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION,
CHAPTER #245, MPCEA/CSEA FOR 2009-2010 NEGOTIA-
TIONS

INFORMATION

Dr. Tunney asked for public comments. Hearing none, the agenda moved forward.

HOLD A PUBLIC HEARING ON THE DISTRICT'S INITIAL
PROPOSAL FOR INTEREST-BASED BARGAINING WITH
THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION
CHAPTER #245, MPCEA/CSEA FOR 2009-2010.

INFORMATION

Dr. Tunney asked for public comments. Hearing none, the public hearing was closed and the Open Session was reconvened.

MSC Davis, Page

08-59

BE IT RESOLVED, That following comments from the public regarding the initial proposals of both MPCEA and the District, the 2009-2010 Monterey Peninsula College District initial proposal for interest-based bargaining with California School Employees Association, Chapter #245, MPCEA/CSEA be adopted.

Mr. Bissell is recommending that the Governing Board ratify the Architectural Services Agreement with TLCD Architecture at a fixed fee of \$15,000 to refine the scope for the Final Project Proposal for the Public Safety Training Center Phase II. Bond funds cannot be used for this purpose.

MSC Davis, Pohlhammer

08-60

BE IT RESOLVED, That the Governing Board ratify the Architectural Services Agreement with TLCD Architecture at a fixed fee of \$15,000 to refine the scope for the Final Project Proposal (FPP) for the Public Safety Training Center Phase II.

Mr. Bissell reported that the existing FPP for Life Science and Physical Science buildings was drafted several years ago and needs to be revised to take into account changes in the instructional programs of both divisions. HGHB services will include preparation of a construction cost budget. The District must get the most out of our Bond money.

MSC Steck, Page

08-61

BE IT RESOLVED, That the Governing Board ratify the Service Agreement with HGHB Architecture, Planning, Urban Design at the fixed fee of \$40,000 to perform design services in conjunction with the preparation of a Final Project Proposal for the Life Science and Physical Science Projects.

New Business items J and M were taken as one agenda item as it is an addition to the renovation of the Automotive Technology building. In April 2008, the Trustees approved Project Assignment Amendment #10, for initial start-up tasks in which the architect provided the normal architectural and structural, civil, mechanical and electrical engineering services, telecommunications/data cabling design services. In April and September 2008, the Trustees ratified PAAs #10 and #10A, for start-up architectural services and services for the building, earthwork, grading, paving and site utilities as a freestanding addition to the existing Automotive Technology Building separated by a seismic joint. PAA #10B is for additional design services and construction administration services for the project. This results in total architectural fees of \$90,000 for the Automotive Technology Building addition. The construction for this project is anticipated to begin in June 2009 and be completed in December 2009. The construction bid budget is estimated to be \$500,000. We will provide the actual drawings to the State.

In April 2008, design began on a freestanding classroom addition to the Automotive Technology Building. Design of the classroom addition has been completed and construction is anticipated to

begin in June 2009. As a separate project, the District now proposed to renovate the existing Automotive Technology building. Through the elimination of the existing classroom and restrooms, this project will increase the number of instructional bays in the building and create two new storage rooms. The fixed fee of \$24,000 in expenses will be funded from Bond funds budgeted for this project.

MSC Steck, Page

08-62

BE IT RESOLVED, That the Board ratify the Project Assignment Amendment #10-B (PAA) with HGHB Architecture, Planning, Urban Design, at a fixed fee of \$30,000 in conjunction with the freestanding classroom addition to the Automotive Technology Building.

BE IT RESOLVED, That the Board ratify the Project Assignment Amendment #16 (PAA) with HGHB Architecture, Planning, Urban Design, at a fixed fee of \$24,000 in conjunction with the renovation of the existing Automotive Technology Building.

Mr. Bissell reminded the Board that Article XIIB of the California State Constitution provides that agencies may recover costs associated with carrying out programs mandated by the State of California. The State has a number of programs that have mandated requirements, including Health Services, the Brown Act, and Negotiations. In order to fulfill this requirement, the District must track these various activities and compile a record of the costs in order to obtain maximum reimbursement. The consulting firm will be retained for the purpose of preparation and filing for reimbursable State mandated cost claims. The consulting firm will also provide guidance and training to District employees in order to keep the District updated on laws, programs, and information related to State mandated costs, collect appropriate data, prepare and file claims with the State Controller's Office.

It is recommended that we ratify the agreement with the consulting firm of Mandate Resource Services, LLC for the purpose of providing services related to the recovery of funds expended to fulfill State mandated programs for the fiscal years of 2007-2008 and 2008-2009. We will pay them in two installments of \$5,000 each. Once in October 2008 and once in October 2009.

MSC Steck, Morrice

08-63

BE IT RESOLVED, That the Board ratify the agreement with the consulting firm of Mandate Resources Services, LLC for the purpose of providing services related to the recovery of funds expended to fulfill State mandated programs for the fiscal years of 2007-2008 and 2008-2009.

Mr. Bissell reported that the Common Fund has closed out the short-term fund that they had with Wachovia as the trustee. The funds have been deposited with Law Debenture Trust Company of New York to liquidate. The balance with Law Debenture Trust Company of New York is approximately \$222,321 as of February 25, 2009. The District is recommending that the short-term fund accounts be transferred to First National Bank and placed into a six (6) month CD for the purpose of investment.

MSC Morrice, Steck

08-64

BE IT RESOLVED, That the Governing Board is going to transfer the short-term fund accounts with the Common Fund to the First National Bank. The balance will be deposited into a six-month CD for the purpose of investment.

MSC Steck, Davis

08-65

BE IT RESOLVED, That the Governing Board vote for the following persons to the CCCT Board of Directors: Cy Gulassa, Nancy C. Chadwick, Douglas W. Otto, Christopher Stampolis, Jeanette Mann, and Eva Kinsman.

CALENDAR OF EVENTS

INFORMATION

The Trustees reviewed the Calendar of Events.

Advance Planning

The next regular Governing Board meeting: Tuesday, April 28, 2009.

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

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

Suggested future Agenda items:

1. Governing Board Policies
2. Administration and Gymnasium Building Tours
3. LOBO TLC Report
4. Update on Norma Lewis Sculpture.

Adjournment

The Open Session was adjourned at 10:12 p.m.

Respectfully submitted,

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