



**MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD
JULY 24, 2012**

MINUTES

An executive session and regular meeting of the Maricopa County Community College District Governing Board were scheduled to be held at 5:30 p.m. at the District Support Services Center, 2411 West 14th Street, Tempe, Arizona, pursuant to A.R.S. §38-431.02, notice having been duly given.

PRESENT

GOVERNING BOARD

Doyle Burke, President
Dana Saar, Secretary
Donald Campbell, Member
Randolph Lumm, Member

Participating Via Teleconferencing;
Debra Pearson, Member

ADMINISTRATION

Maria Harper-Marinick for Rufus Glasper
Andrea Buehman for Maria Harper-
Marinick
Debra Thompson
George Kahkedjian
Mary O'Connor for Steve Helfgot
James Bowers for Nikki Jackson
Paul deRose for Anna Solley
Lee Combs
Paul Dale
Sonya Pearson for Shouan Pan
Janet Ortega for Shari Olson
Rene Willekens for Ernie Lara
Gene Giovannini
Todd Simmons for Chris Bustamante
Linda Lujan
Daniel Corr for Jan Gehler
Irene Kovala

CALL TO ORDER The regular meeting was called to order at 6:30 p.m.

**EXECUTIVE
SESSION** The executive session was called to order at 5:30 p.m.

**PLEDGE OF
ALLEGIANCE** The assembly pledged their allegiance to the United States of America led by Governing Board Member Donald Campbell.

**CLASS
ACKNOWLEDGEMENTS** There were no classes present.

SUBSTITUTIONS There were two substitutes this evening.

CITIZENS' INTERIM Two citizens came forward this evening.

Linda Brown, a citizen who had attended last month's meeting but was unable to speak during citizens' interim due to being late, came forward this evening and presented the following concerns regarding a request for an independent investigation into the IT department and Vice Chancellor George Kahkedjian.

My name is Linda Brown. For the past ten years I was a board member and executive director of the Arizona Advocacy Network. I was a founder of Maricopa Citizens for Safety and Accountability. After examining the MCSO's misplaced priorities and misuse of funds, we decided we had no choice but to organize and take action through the Board of Supervisors. I am here today to tell you that I have very similar concerns about gross mismanagement at MCCCDC, and I plan to pursue this issue until we in the community can feel confident that proper action has been taken.

I come here today as a concerned citizen and community advocate and my request is straightforward. I am asking that you order an independent investigation into the ITS department.

There is ample evidence that this department is grossly dysfunctional and wholly out of compliance with MCCCDC's vision and values. Last month you received a letter from Joyce McQueen, a longtime employee with a distinguished record who was so demoralized by the hostile working conditions that she chose to resign three years shy of her retirement. That should have been enough to launch an investigation.

Since then I have spoken with a number of people close to the department and learned that the list of reasons to hire an external investigator to review this department is mind-bogglingly long. It seems there is no area of this department that is operating effectively.

Among the concerns:

- Disregard for following required management procedures and processes in dealing with staff
- Disregard for following required policies and procedures regarding project management.
- Disregard for sound fiscal management bordering on reckless with multiple projects being delayed, having cost over-runs, or in some cases, being scrapped upon completion with Vice Chancellor George Kahkedjian requesting funds to start over again.

- Violation of copyright and licensing agreements
- Absence of due process, especially when Vice Chancellor George Kahkedjian wants to elevate cronies and demote or run out those he doesn't like.
- Rampant discrimination

Since that time, Vice Chancellor George Kahkedjian has stepped up his campaign of demoralizing, mistreating, demoting and otherwise abusing key staff members. He gives plum promotions to his pet employees even when they are not up to the tasks. Cronies who lack the required training and experience are put in charge of major costly projects that they have no business running while capable, experienced staffers are shunted aside. Vice Chancellor George Kahkedjian bullies and demotes those he doesn't like, regardless of their competence. What's most disconcerting - and I daresay, likely actionable-- is that the employees he has targeted are women and people of color.

Vice Chancellor George Kahkedjian is running his department in direct contradiction to our core values. This is not only deeply troubling on its face, there are potentially very serious consequences for this breach. I remind you that re-accreditation by the Higher Learning Commission is determined by whether an institution's actions are consistent with its mission, goals and values. In addition, his mismanagement of the department has resulted not only in tremendous waste, but in violations of software licenses, something that could cost the district dearly if it is not resolved quickly.

It is not all that surprising that the ITS department is in such disarray. I have worked in large corporations and I can tell you that most people's eyes glaze over when IT department budgets and operations are being discussed. This is all the more reason to hire an external investigator who can ferret out the issues and recommend a sound course of action. When departments are not scrutinized, and when those managing them feel their knowledge base is inadequate to properly judge what's going on, you create the perfect laboratory for dysfunction, waste and abuse. That's what we've got here. And I am asking you today to take these concerns very seriously. Please. Hire an external investigator and save all of us a lot of money.

Jessie McCarthy, former employee at Phoenix College, came forward to request that the contract for the Chancellor not be approved this evening because he had not abided by certain sections of his accountabilities, particularly in Section 2.3 (Interactions with the Public/Other Constituents) and 2.2 (Treatment of Faculty and Staff). She spoke about long-term employees who were being forced into early retirement and when they wrote the Chancellor, there was no response. She also called attention to another employee who had repeatedly harassed other

employees but yet remains on campus even though it has been reported to Public Safety. She stated that MCCCCD policies were not being followed at Phoenix College and that the public should be outraged. She also stated that there is a problem within the MCCCCD environment and was asking the Board to have this problem looked into.

**BOARD MEMBER
REPORTS**

Mr. Lumm reported that he, Mr. Burke and Mr. Saar had been able to attend a recent conference on policy governance and they learned many new things that would help the board be able to create a vision and make sure the organization is run properly. He plans to attend the Arizona School Boards Association Conference next week and hopes to be able to bring back helpful information.

Mr. Saar reported that he will be attending a governance leadership institute next week and hopes to be able to bring back good ideas.

Mr. Burke reported that he had attended a ribbon cutting ceremony early in the morning at Glendale Community College commemorating the opening of the Procurement Technical Assistance Center which is charged with helping small business find new avenues of revenue, especially from various government agencies.

**CHANCELLOR'S
REPORT**

There was no report.

**SECRETARY'S
REPORT**

There was no report.

**STUDENT LIFE
REPORTS**

There were no student groups present.

FACULTY REPORT

There was no report.

**EMPLOYEE GROUP
REPORTS**

Phil Jalowiec provided a report for the Adjunct Faculty Association. His remarks were as follows:

Two Items this month: College Representatives and Security.

The Adjunct Faculty Association has made some changes in the process and timing for the selection of College Representatives this Fiscal Year. We are transitioning the selection of College Representatives to the Fall semester to allow for more effective transfer of knowledge and responsibilities between outgoing and incoming representatives.

College Representatives for each of the Colleges will be selected through a common, open and inclusive process that includes a rubric driven review of application submissions and interviews by a Representative Selection Committee for each College. More information can be found on the Adjunct Faculty Association web site:

<http://www.myafa.org/positions/collegerepresentative.html>

The tragic events in Aurora, Colorado last week have revived Adjunct Faculty concerns regarding how and when to effectively engage the District's Public Safety System when the situation or student behavior move beyond the scope of academics.

How well trained are our over 6,000 Adjunct Faculty in activating Public Safety intervention? How well integrated are our Adjunct Faculty into the Maricopa Emergency Management System? In particular, how do we effectively train and orient our new Adjunct Faculty to our Public Safety infrastructure and its proper utilization?

We added 1,000 new Adjunct Faculty last year; have they been effectively trained? Vice Chancellor Nikki Jackson has said that a safe work environment for our employees is her Job 1. Adjunct Faculty want to ensure that they play their role in facilitating a safe environment for our students and staff.

VICE CHANCELLOR REPORTS There were no reports

COLLEGE REPORTS There were no reports.

AADGB REPORT There was no report

ASBA REPORT There was no report.

LEGISLATIVE UPDATE There was no report.

AWARDS AND RECOGNITIONS There were no awards or recognitions.

APPROVAL OF THE ORDER OF THE AGENDA President Burke requested a motion to approve the order of the agenda.

MOTION **MOTION NO. 9971**
Board Member Dana Saar made a motion for approval of the order of the Agenda. Board Member Randolph Lumm seconded. Motion approved 5-0.

**APPROVAL OF
CONSENT AGENDA**

President Burke asked if any Board Member wished to remove any action items. Governing Board Member Randolph Lumm requested that the two emeritus action items be elaborated upon and were therefore removed from the Consent Agenda for separate approval.

The following items were included on the Consent Agenda:

**A.1. APPROVAL OF MINUTES OF THE JUNE 26, 2012
REGULAR BOARD MEETING**

C.1. CONSIDERATION OF EMPLOYMENTS - approve the following personnel actions as proposed. Budget approvals have been granted and are on file for the recommended personnel actions in this item.

**C.2. CONSIDERATION OF SPECIALLY FUNDED
EMPLOYMENTS** - approve the following personnel actions as proposed. Budget approvals have been granted and are on file for the recommended personnel actions in this item.

C.3. CONSIDERATION OF SHORT TERM EMPLOYMENTS - approve the following personnel actions as proposed. Budget approvals have been granted and are on file for the recommended personnel actions in this item.

C.4. CONSIDERATION OF SEPARATIONS - approve the following personnel actions as proposed.

**D.1. APPROVAL OF SOUTH PHOENIX REGIONAL
PARTNERSHIP COUNCIL OF THE AZ EARLY CHILDHOOD
AND HEALTH DEVELOPMENT BOARD (FIRST THINGS
FIRST) AWARD – RIO SALADO COLLEGE** - accept a grant award for the Early Childhood/Human Development Program at Rio Salado College from the South Phoenix Regional Partnership Council of the AZ Early Childhood and Health Development Board (First Things First) totaling \$311,120. Approval of the twelve month allowable expenditure period is requested for July 1, 2012 through June 30, 2013.

**D.2. APPROVAL OF AGREEMENT FOR DUAL
ENROLLMENT WITH CHARTER SCHOOLS** - authorize entry into an Agreement on behalf of its colleges with the charter school listed below for its dual enrollment program.

American Leadership Academy

**D.3. APPROVAL OF U.S. DEPARTMENT OF EDUCATION
TITLE V GRANT – PHOENIX COLLEGE** - accept the awards for Year Five of a five-year grant from the United States Department of Education awarded to Phoenix College for the Title V, Developing

Hispanic-Serving Institutions Program. The grant fiscal year is from October 1 – September 30.

D.4. APPROVAL OF HIGH TECH TRANSFER PROGRAM SCHOLARS (HTTPS) GRANT - accept an award for year one of a four year grant from the National Science Foundation to Chandler-Gilbert Community College for the High-Tech Transfer Program Scholars. Year one project funding will be available from 7/1/2012 to 6/30/2013 and in the amount of \$147,317.

E.1. APPROVAL OF ACQUISITION OF THREE LAND PARCELS LOCATED AT THE SOUTHERN/PRICE PROPERTY – RIO SALADO COLLEGE - approve the purchase of three vacant land parcels totaling approximately .68 acres of land located within or adjacent to the Rio Salado property at Southern and Price Roads. The appraised value is \$347,000 (\$11.72 per square foot average). The purchase price has been set at \$105,000 (\$3.55 per square foot), plus closing costs. The seller is VREO XVI, LLC.

E.2. APPROVAL OF CHANGE ORDER FOR MASONRY ENCLOSURE AND GATE NORTH OF THE INTEGRATED EDUCATION BUILDING AT GATEWAY COMMUNITY COLLEGE - approve a change order in the amount of One Hundred Thirty Eight Thousand, Three and 00/100ths Dollars (\$138,003.00) to CORE Construction to add masonry enclosure and access gate along the northern side of the Integrated Education Building at GateWay Community College

MOTION

MOTION No. 9972

Governing Board Member Randolph Lumm moved for approval of the Consent Agenda. Board Member Debra Pearson seconded. Motion approved 5-0.

B.1. APPROVAL OF FACULTY EMERITUS DISTINCTION – GLENDALE COMMUNITY COLLEGE - award Faculty Emeritus Distinction to Dr. Michael P. McKinley, Faculty, Biology

B.2. APPROVAL OF EMERITUS DISTINCTION – MESA COMMUNITY COLLEGE - award Emeritus Distinction to Dr. Gene Parrish for his meritorious contributions to the students of the Maricopa County Community College District (MCCCD).

MOTION

MOTION No. 9973

Governing Board Member Randolph Lumm moved for approval of Items V.B.1 and V.B.2. Board Member Don Campbell seconded. Motion approved 5-0.

VI.A.1 APPROVAL OF CHANCELLOR'S CONTRACT OF

EMPLOYMENT 2012-2015 - approve the proposed extension of the Chancellor's Contract of Employment for an additional one year term. The Contract is dated as of July 1, 2012.

MOTION

MOTION NO. 9974

Governing Board Member Dana Saar moved for approval of Action Item VI.A.1 Board Member Don Campbell seconded. Motion approved 5-0.

VI.B.1 APPROVAL OF LICENSE AGREEMENT WITH ALLIANT INTERNATIONAL UNIVERSITY – RIO SALADO COLLEGE - approve, on behalf of Rio Salado College, a license agreement with Alliant International University. The license will allow Rio Salado to provide Rio Salado course content and related services delivered using RioLearn, the College's online education delivery system, to Alliant International University students.

MOTION

MOTION NO. 9975

Governing Board Member Dana Saar moved for approval of Action Item VI.B.1 as recommended. Board Member Randolph Lumm seconded. Motion approved 5-0.

VI.B.2 APPROVAL OF CONTRACT AWARD FOR REROOFING AT WOOD STREET WAREHOUSE - approve a contract award in the amount of Three Hundred Seventy Five Thousand Seven Hundred Seventy Seven and 00/100ths Dollars (\$375,777.00) to Sprayfoam Southwest, Inc. to replace the roof at the District's Wood Street Warehouse (4110 East Wood Street, Phoenix, AZ).

MOTION

MOTION NO. 9976

Governing Board Member Don Campbell moved for approval of Action Item VI.B.2 as recommended. Board Member Dana Saar seconded. Motion approved 4-1 (Mrs. Pearson – nay).

VI.B.3 APPROVAL OF LEASE WITH THE ARIZONA STATE BOARD OF REGENTS - approve a lease with the Arizona Board of Regents from August 1, 2012 to July 30, 2013, with the possibility of four (4) annual renewals at the mutual discretion of the parties. The recommended amount is \$16/square foot for the first year, adjusted by 2% compounded increases each following year.

MOTION

MOTION NO. 9977

Governing Board Member Randolph Lumm moved for approval of Action Item VI.B.3 as recommended. Board Member Dana Saar seconded. Motion approved 5-0.

**MONITORING
REPORTS**

VIII. MONITORING REPORTS

A. BUDGET ANALYSIS REPORT SUMMARY

FUND 1 – GENERAL UNRESTRICTED FUND

FOR THE TWELVE MONTHS ENDED JUNE 30, 2012 - Preliminary
Expenditure analysis indicates 84.4% of the budget has been expended this year as compared to 95.2% expended at this same point in time last year. 15.6% of the budget remains unexpended or unencumbered compared to 4.8% in the prior year. Revenue analysis indicates that 98.8% of the budget has been recognized as compared to 100.4% in the prior year. The projected fund balance will increase by ~\$4.6 million this fiscal year and the projected ending fund balance for June 2012 is \$154.9M.

B. 2004 GENERAL OBLIGATION BONDS

**SERIES A (2005), SERIES B (2007), SERIES C (2009), AND
SERIES D (2011) 2004 CAPITAL DEVELOPMENT PLAN
SUMMARY AS OF JUNE 30, 2012 - Preliminary**

As of June 30, 2012, \$673.9 million, representing approximately 84% of proceeds from the Series A, Series B, Series C, and Series D issuances of the 2004 bond, have been expended, encumbered or reserved for specific purposes. Bond proceeds are invested until expended. As of June 30, 2012 the net uncommitted balances on outstanding GO Bonds are categorized as follows:

<u>2004 GO Bond</u>	<u>Remaining Balance</u>
Bond Proceeds	\$126.3 million

Remaining earnings are invested and will be used for future debt service or capital projects.

**NEXT BOARD
MEETINGS**

President Burke announced the following future meetings:

August 22, 2012 9:00 a.m.
Governing Board Retreat – Capital Planning – Glendale Community College

August 28, 2012 6:30 p.m.
Regular Board Meeting

ADJOURNMENT

The meeting adjourned at 7:10 p.m.