



**Maricopa County Community College District
Governing Board Minutes
April 26, 2016**

A Regular Board Meeting of the Maricopa County Community College District Governing Board was scheduled to be held beginning at 6:30 p.m. at the District Support Services Center, 2411 West 14th Street, Tempe, Arizona, pursuant to ARS § 38-431.07, notice having been duly given.

GOVERNING BOARD

Alfredo Gutierrez, President
Johanna Haver, Secretary
Doyle Burke, Member
John Heep, Member
Jane McGrath, Member
Dana Saar, Member

Absent:

Tracy Livingston, Member

ADMINISTRATION

Maria Harper-Marinick
Debra Thompson
LaCoya Shelton-Johnson
Paul Dale
Edward Kelty
Christina Schultz
Chris Bustamante
Gene Giovannini
Bill Guerriero (Interim)
Steven Gonzales
Jan Gehler
Chris Haines (Interim)
Irene Kovala
Ernie Lara
Shari Olson
Shouan Pan
Mary Lou Mosely for Paul Dale
Maggie McConnell (Interim)

**CALL TO ORDER OF
REGULAR BOARD
MEETING**

The Regular Board Meeting of April 26, 2016 was called to order at 6:33 p.m.

SUBSTITUTIONS

There was one substitution for members of the CEC.

PLEDGE OF ALLEGIANCE

The assembly pledged allegiance to the United States of America led by Paradise Valley Student Leadership Group Member Christopher Figueroa.

**CLASS
ACKNOWLEDGEMENTS**

There were no classes present.

STUDENT LIFE REPORTS

There were reports from the South Mountain Community College Student Leadership Group and the Student Public Policy Forum.

The following students from South Mountain Community College were in attendance. They all announced the universities they would be attending following graduation.

Chair Adelina Almanza – NAU or U of A

Co-Chair Cierra Hemann - U of A

Secretary Patty Santillanes-Soto – ASU School of Social Work

Treasurer Andy Ortiz - ASU
Public Relations Gideon Nwiyaara - ASU
Co-Public Relations Sariah Mena – U of A
Senator Brian Herrera - ASU
Senator William "Kai" Knight
Senator Mario Villegas
Senator Son To – NAU
Senator Ricardo Arrellano

In addition, the SMC students spoke about the numerous club activities and campus events they had sponsored this past year. Ending their presentation was a video featuring students, faculty and administration doing the NAE-NAE dance routine.

The following Student Public Policy Forum students were in attendance:

Marcos Palacios
Oscar Hernandez
Sarah Chappell
Anne Prafada
Cynthia Brown
Jaime Schutt
Daniel Villa
Ryan Gudin
Brittany Harb
Darina Iurcu
Dinorah Fougere
Maria Varelas

The SPPF students spoke about their year-long learning curriculum regarding political issues, engagement and empowerment. They spoke about learning how to be active, engaged citizens, as well as learning how to communicate and advocate effectively.

COLLEGE REPORTS

The following Mesa Community College Phi Theta Kappa Students and Sponsor were in attendance:

Emmett Meehan
Kaycee Campbell
Sean West
Duane Oakes, Sponsor

Emmett, Kaycee, and Sean provided a detailed presentation about the numerous individual and group awards they received this past year as a result of their association with the Phi Theta Kappa Omicron Beta Chapter. Among these were the Distinguished Chapter Member Award, the Most Distinguished Chapter Officer and Chapter President, as well the Most Distinguished Officer Team.

Students from Paradise Valley Community College who were in attendance included:

Ben Corderman
Thirza Devereaux
Krista Devlin
Chris Figueroa
Sasha Leviev
Alane Lizarraga

PVC Students highlighted the activities of Club Zeitgeist which was part of their Industrial Organizational Psychology Class. They spoke on learning about entrepreneurship, identifying needs and filling them, as well taking the ordinary and making it extraordinary. Lastly, they spoke about the importance of being agents of change, the application of creativity, and being risk takers.

FACULTY EXECUTIVE COUNCIL (FEC) REPORT

Faculty Association President Salina Bednarek provided the following comments:

“ President Gutierrez, Members of the Board, Interim Chancellor, members of the CEC, and guests.

It is my pleasure to stand before you tonight in my final address as the Faculty Association President.

On Tuesday, April 12th the Faculty Executive Council elected Mr. Mike Mitchell, English Faculty at Paradise Valley Community College, to be the next President Elect for the Faculty Association. On May 10th, Dr. Robert Soza will assume the leadership of our faculty and I cannot think of a better duo to lead the faculty into Maricopa’s next phase.

I would like to take a moment publicly to thank Keith Heffner for his work and dedication. Keith has been instrumental in our institution’s progress in Shared Governance and improving the communication within our district. Keith has been a mentor and a dear friend of mine, and I am eternally grateful for his prior leadership and paving the way.

Having served as the Faculty Association President this past year, I have had the privilege to observe the wonderful and honorable work the faculty, staff, and administration perform, day in and day out, to continue Maricopa’s legacy as an exemplary community college district. All throughout the District we have incredible employees dedicated to our mission, and we all share a commitment to student learning and student success.

It has been a pleasure to work with each of the Governing Board members this past year. You have an incredible responsibility. As elected officials, you have the fiduciary responsibility to make difficult decisions that sets the strategic direction for our District. We rely on you to be ethical, knowledgeable, and responsible, and to work in the best interest of the students we serve.

Maricopa is a great institution, and it needs your support. If we are to be an extraordinary institution, the kind of extraordinary institution I believe we all want it to be, we need you, Governing Board members of Maricopa, to work together and in concert with our next Chancellor. We need the focus to be student learning and access to education. Our business and industry partners are counting on us to produce skilled graduates, ready to enter the workforce, to move the needle further on the already large economic impact we have on our state. I urge you to help us further our mission.

Thank you. It has been a pleasure and honor to serve.”

ADJUNCT FACULTY ASSOCIATION (AFA) REPORT

Leo Valverde, Adjunct Faculty Association President, came forward and announced that an Awards reception would be held on Thursday, April 28, honoring Adjunct Faculty. He remarked that adjunct faculty felt very proud to teach at MCCCDC but still felt isolated but all were willing to be more involved.

EMERITUS, AWARDS, AND RECOGNITION CITIZEN’S INTERIM

There were no Emeritus Distinction Recognitions on the agenda this evening.

No citizens came forward.

CHANCELLOR REPORT

Interim Chancellor Dr. Maria Harper-Marinick thanked the College Presidents, Staff, Faculty, and Adjunct Faculty for providing a safe environment for students and stated this was a time for great

LEGISLATIVE REPORT

celebration. Dr. Harper-Marinick announced that the national search for a Foundation CEO provided the opportunity for Christina Schultz to be in attendance this evening for her first meeting. Ms. Schultz served for nine years as the leader of institutional advancement and development at Dixie State University. In that role, she was responsible for leading several significant areas including fundraising, alumni relations, public relations, community outreach, marketing and cultural arts initiatives. Prior to her work with Dixie State University, she served as Director of Development at the Southern California Institute of Architecture, The Richard and Karen Carpenter Performing Arts Center at California State University, and the University of Southern California. In each of these roles she established comprehensive fundraising programs and developed the infrastructure and strategic initiatives to support them. In addition, Interim Chancellor Harper-Marinick announced that MCC President Dr. Shouan Pan would be leaving later this year to serve as Chancellor of the Seattle Community College System. She expressed her deep appreciation for his outstanding work at Mesa Community College. Lastly, Dr. Harper-Marinick expressed appreciation to Salina Bednarek for her service and tackling many hard issues before us.

Dr. Harper-Marinick then called on a Legislative Report by Ryan DeMenna of DeMenna and Associates. Mr. DeMenna provided the following legislative report:

“President Gutierrez, Members of the Board, Interim Chancellor Harper-Marinick, Members of CEC, And all others present, I’m here this evening to provide you with a brief legislative update. Today marks the 107th day of the 52nd Legislature, 2nd Regular Session.

This year, a total of 1,219 pieces of legislation and 112 memorials and resolutions were introduced. To date, 106 bills have been passed, and 105 of those have been signed by Governor Ducey. Only one piece of legislation has been vetoed.

In my last update, I was happy to report that the community college’s expenditure limitation legislation – Senate Bill 1322 – received the approval of the House Government & Higher Education Committee. At this hearing, we were very pleased to have Interim Chancellor Harper-Marinick in attendance, as well as Ms. Haver and Mr. Saar. The day before my last update, the House of Representatives passed SB 1322 by a vote of 39 ayes, 18 nays, and 3 not voting. I am now very pleased to report that the Governor signed SB 1322 into law on March 24th, 2016. That legislation is now Laws 2016, Chapter 58. I want to take a moment to thank everyone involved in this effort, and to thank you for the support we receive from everyone we work with at the District. The success of this legislation is the result of our coordinated team efforts.

In my previous update, I also mentioned legislation introduced by Representatives Anthony Kern and Paul Boyer attempting to address free speech on university and community college campuses. The Boyer legislation is currently awaiting a Third Read vote in the Senate, while the Kern bill is presently awaiting a Final Vote in the House.

I also mentioned the perennial issue of guns on campus legislation, and this year there were roughly 10 of these bills. The debate this year focused on HB 2338. As introduced, HB 2338 would prohibit the governing board of an educational institution from banning the possession of a concealed weapon in the person’s vehicle on a right-of-way. This bill was amended, however, to exclude property of an educational institution and is presently awaiting a Third Read vote in the Senate.

It is certainly worth noting that Legislative Leadership has reached an agreement on the broad strokes of the Fiscal Year 2017 State Budget. The budget proposal is currently being reviewed in small group meetings with other lawmakers, but budget bills have yet to be introduced. We believe that the

legislative session could adjourn Sine Die within the next two weeks, but there is still a budget to tackle, and over 300 pieces of legislation awaiting a Third Read or Final Vote.

As always, we will be sure to provide you with additional updates as the legislative session progresses.

And with that, I'm happy to answer any questions you may have. Thank you."

EMPLOYEE GROUP
REPORTS

There were no reports.

APPROVAL OF THE
ORDER OF THE AGENDA

Board President Gutierrez then requested a motion to approve the Order of the Agenda.

MOTION

Motion 10400

Board Member Burke made a motion to approve the Order of the Agenda. Board Member Saar seconded. Motion passed 6-0. (Board Member Livingston – absent)

APPROVAL OF
CONSENT AGENDA
MOTION

President Gutierrez asked if anyone wished to remove any items from the Consent Agenda. No items were removed.

The following items were included in the Consent Agenda:

10.1 APPROVE THE MINUTES OF THE MARCH 8, 2016 POLICY COMMITTEE MEETING, MARCH 8, 2016 AGENDA REVIEW AND WORK SESSION, MARCH 9, 2016 SPECIAL MEETING, AND MARCH 22, 2016 PUBLIC HEARING, SPECIAL SESSION, AND REGULAR BOARD MEETING

11.1 APPROVE CHANDLER-GILBERT COMMUNITY COLLEGE MISSION, VISION, AND VALUES - Adopt the revised vision, mission and value statements of Chandler-Gilbert Community College.

11.2 APPROVE SETTLEMENT AGREEMENT – MINOW CLAIM - Approve the payment of \$40,000 for the benefit of Marion Minow as consideration for the settlement of a tort liability claim arising out of Scottsdale Community College.

12.1 APPROVE CURRICULUM – Approve the curriculum proposals as submitted.

12.2 APPROVE INTERGOVERNMENTAL AGREEMENT BETWEEN ARIZONA DEPARTMENT OF TRANSPORTATION, TRANSPORTATION SERVICES GROUP, AND GATEWAY COMMUNITY COLLEGE - Approval is recommended for an Intergovernmental Agreement (IGA) between the Arizona Department of Transportation, Transportation Services Group (ADOT) and GateWay Community College (GWCC) for a five-year term starting on February 18, 2016.

12.3 APPROVE INTERGOVERNMENTAL AGREEMENTS FOR DUAL ENROLLMENT WITH PUBLIC SCHOOL DISTRICTS - It is recommended that the Maricopa County Community College District Governing Board authorize entry into Intergovernmental Agreements (IGA's) on behalf of its colleges with the public school districts listed below for their dual enrollment programs.

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| Agua Fria Union High School District No. 216 | Mesa Unified School District No. 4 |
| Buckeye Union High School District No. 201 | Paradise Valley Unified School District No. 69 |
| Cave Creek Unified School District No. 93 | Peoria Unified School District No. 11 |
| Chandler Unified School District No. 89 | Phoenix Union High School District No. 210 |
| Deer Valley Unified School District No. 97 | Queen Creek Unified School District No. 95 |
| Dysart Unified School District No. 89 | Saddle Mountain Unified School District No. 90 |
| East Valley Institute of Technology (EVIT) No. 401 | Scottsdale Unified School District No. 48 |
| Fountain Hills Unified School District No. 98 | Tempe Union High School District No. 213 |
| Gilbert Public Schools | Tolleson Union High School District No. 214 |
| Glendale Union High School District No. 205 | West-MEC |
| Higley Unified School District No. 4 | Wickenburg Unified School District No. 9 |

12.4 APPROVE AGREEMENTS FOR DUAL ENROLLMENT WITH CHARTER AND PRIVATE SCHOOLS - Authorize entry into agreements on behalf of its colleges with the private and charter schools listed below for their dual enrollment programs.

Charter Schools

- American Charter School Foundation
- American Leadership Academy
- American Virtual Academy
- Edkey, Inc. – Sequoia Schools
- EDUPRIZE Schools, LLC
- Foothills Academy College Preparatory
- Global Renaissance Academy of Distinguished Education
- Great Hearts Academies
- Heritage Academy
- Imagine Preparatory High School
- Lead Charter Schools, Inc.
- New School for the Arts and Academies
- Salt River Pima-Maricopa Indian Community Schools
- Tempe Preparatory

Private Schools

- Arizona Cultural Academy
- Arizona Lutheran Academy
- Brophy College Preparatory High School
- Northwest Christian School
- Notre Dame Preparatory High School
- Scottsdale Christian Academy
- Shearim Torah High School for Girls
- Valley Christian High School
- Xavier College Preparatory

13.1 APPROVE BUDGETED EXPENDITURE AMENDMENT FOR FY14-15 - Approve the amendment to budgeted expenditures (shown below) to match what was actually expended in each fund, as per the audited financial statements.

Motion 10401

Board Member Burke moved for approval of the Consent Agenda. Board Member Haver seconded. Motion passed 6-0. (Board Member Livingston – absent)

NON-CONSENT AGENDA

14.1 APPROVE CONCEPTUAL APPROVAL FOR THE BP BUILDING OFFICES REMODEL/REFRESHING AT MESA COMMUNITY COLLEGE - Provide Conceptual Approval for the BP Building Offices (Building BP43A) Remodeling/Refreshing Project at Mesa Community College with a Total Project Budget of \$563,346.00.

MOTION

Motion 10402

Board Member Burke moved for approval of Item 14.1. Board Member Haver seconded. Motion passed 6-0. (Board Member Livingston – absent)

14.2 APPROVE JOB ORDER CONTRACTING PURCHASE ORDER BP43A BUILDING OFFICES REMODEL/REFRESHING PROJECT - MESA COMMUNITY COLLEGE - Approve a Job Order Contracting (JOC) purchase order in the amount of Two Hundred Eighty-Four Thousand, Seventy-One and 40/100ths Dollars (\$284,071.40) to **Diamond Ridge Development** for remodel/refresh work at the BP43A Building at Mesa Community College.

MOTION

Motion 10403

Board Member Burke moved for approval of Item 14.2. Board Member Haver seconded. Motion passed 6-0. (Board Member Livingston – absent)

14.3 APPROVE JOB ORDER CONTRACTING PURCHASE ORDER FOR MECHANICAL AND ELECTRICAL WORK FOR THE NEW KBAQ/KJZZ AND ITS UPS SYSTEM - RIO SALADO COLLEGE - Approve a Job Order Contracting (JOC) purchase order in the amount of Three Hundred Thirty-Five Thousand Six Hundred Seventeen and 00/100ths Dollars (\$335,617.00) to **Caliente Construction, Inc.** to install a College supplied uninterruptible power system (UPS), provide related electrical and air conditioning systems work, and install UPS power to each data closet at Rio Salado College’s main location in Tempe.

MOTION

Motion 10404

Board Member Burke moved for approval of Item 14.3. Board Member Saar seconded. Motion passed 6-0. (Board Member Livingston – absent)

14.4 APPROVE JOB ORDER CONTRACTING PURCHASE ORDER TO PERFORM HVAC UPGRADES AT PHOENIX COLLEGE - Approve a Job Order Contract (JOC) purchase order in the amount of Three Hundred Eighty-Nine Thousand, Seven Hundred Eight Dollars and No Cents (\$389,708.00) to **DL Withers Construction** for HVAC upgrades at Phoenix College.

MOTION

Motion 10405

Board Member Saar moved for approval of Item 14.4. Board Member Burke seconded. Motion passed 6-0. (Board Member Livingston – absent)

14.5 APPROVE PURCHASE ORDER TO PROVIDE ENERGY MANAGEMENT SYSTEM UPGRADES – PHOENIX COLLEGE - Approve a purchase order in the amount of Three Hundred Fifty Thousand, Five Hundred Fifty-Eight Dollars and No Cents (\$350,558.00) to **Johnson Controls Inc.** for energy management system (EMS) upgrades at Phoenix College.

MOTION

Motion 10406

Board Member Burke moved for approval of Item 14.5. Board Member Saar seconded. Motion passed 6-0. (Board Member Livingston – absent)

14.6 APPROVE CONCEPTUAL APPROVAL FOR THE C BUILDING AT PHOENIX COLLEGE - Approve a purchase order in the amount of Three Hundred Fifty Thousand, Five Hundred Fifty-Eight Dollars and No Cents (\$350,558.00) to **Johnson Controls Inc.** for energy management system (EMS) upgrades at Phoenix College.

MOTION

Motion 10407

Board Member Burke moved for approval of Item 14.6. Board Member Saar seconded. Motion passed 6-0. (Board Member Livingston – absent)

14.7 APPROVAL OF IFB#3349-10 AWARD FOR NETWORK HARDWARE REPLACEMENT – PVCC - Approve a contract award to World Wide Technologies for the replacement of the Paradise Valley Community College network hardware. This procurement was accomplished through a competitive

Invitation to Bid (IFB) process, which followed all IFB purchasing guidelines. The bidding process was completed on March 15, 2016, and is currently awaiting an award to be granted to the lowest bidder, World Wide Technologies. Total dollar amount with tax included: \$925,597.12.

MOTION

Motion 10408

Board Member Burke moved for approval of Item 14.7. Board Member Saar seconded. Motion passed 6-0. (Board Member Livingston – absent)

INFORMATION ITEMS

15.1 REVIEW EMPLOYMENTS (REGULAR, SHORT-TERM, AND SPECIALLY FUNDED) AND REVIEW SEPARATIONS (March) - The following personnel actions were approved. Budget approvals have been granted and are on file for the recommended personnel actions in this item (March 1-31, 2016).

MONITORING REPORTS

16.1 BUDGET ANALYSIS REPORT, FUND 1—GENERAL UNRESTRICTED FUND FOR THE NINE MONTHS ENDING MARCH 31, 2016—Expenditure analysis indicates 63.8% of the budget has been expended this year as compared to 57.2% expended at this same point last year. 14.5% of the budget remained unexpended or unencumbered compared to 24.4% in the prior year. Revenue analysis indicated that 71.6% of the budget has been recognized as compared to 71.5% in the prior year. The projected fund balance will increase by ~\$4.8M this fiscal year and the projected ending fund balance for June 2016 is \$172.0M. The District should meet its financial stability requirements.

16.2 REVIEW 2004 GENERAL OBLIGATION BONDS SERIES A(2005), SERIES B (2007), SERIES C (2009), SERIES D (2011) AND SERIES 2013 2004 CAPITAL DEVELOPMENT PLAN SUMMARY AS OF MARCH 31, 2016 - As of March 31, 2016, \$876.3 million, representing approximately 92% of proceeds from the Series A, Series B, Series C, Series D and Series 2013 issuances of the 2004 bond have been expended and \$75.1 million remains available. Bond proceeds are invested until expended.

COMMUNITY LINKAGE

BOARD MEMBERS

18. GOVERNING BOARD REPORTS

Mr. Burke attended the groundbreaking event of Hope College Academy at South Mountain Community College. A number of community persons attended, including Phoenix Mayor Greg Stanton, City Council Members, Legislators, and business representatives. SMC sponsors the charter school in cooperation with the office of the County Superintendent of Schools to enroll disadvantaged youth in the area. In addition, with Mr. Saar and Mr. Heep, he attended the Association of Governing Boards Conference in Maryland where the Maricopa Community College District received an award for innovation. He also attended a meeting of the Maricopa Retirees Association, which holds an annual meeting for prospective retirees (a roomful every year). Last Thursday he attended the annual Heroes of Education dinner where J. Doug Pruitt received this year’s award. He gave a moving speech about career and technical education. He said he left appreciating his support of our efforts and his influence in the community to support us. Lastly, on Tuesday morning five board members visited with the Higher Learning Commission representatives at Phoenix College which is undergoing an accreditation review.

Mrs. Haver reported she attended the Artists of Promise event where she heard and saw many talented students.

Mr. Heep indicated he attended more meetings this year than the year before. His trip to AGB showed him that community colleges are in line with universities.

Mr. Saar reported there were many meetings attended this past month and more to come celebrating student success.

Mrs. McGrath reported she attended the twentieth anniversary of transfers commemorating a bill to accept community college credits. On February 25 she attended the Phoenix College Alumni Fundraiser which was very enjoyable.

President Gutierrez indicated he, as well as all the members of the Board, had been very busy with the Search Process. Many meetings had been held and these have taken up a huge amount of time. He expressed his thanks to fellow board members for their time. The process is about to be completed. Board Member Haver expressed appreciation to President Gutierrez for his leadership in the Search Process.

VICE CHANCELLORS 19. Vice Chancellor Reports – There were no reports

EXTERNAL COMMUNITY 20. External Community Reports

AADGB AADGB: Mr. Burke reported AADGB was scheduled to meet on Friday, May 6, here at the District Office. They will elect officers for 2016-17 and finalize plans for the Governance Institute for Student Success, which will be held September 8-9 here in Phoenix.

ASBA ASBA: Mr. Saar reminded everyone that the election had started for Prop 123.

ACCT ACCT: Mr. Saar reminded everyone that this conference will be held in October and nominations will be submitted for awards.

NEXT BOARD MEETINGS President Gutierrez announced the following future meetings.
April 28, 2016, 5:30 p.m., Executive Session, Governing Board Room
May 4, 2016, 5:30 p.m., Special Board Meeting, Governing Board Room
May 10, 2016, 5:30 p.m., Policy Committee, Governing Board Room
May 10, 2016, 6:30 p.m., Agenda Review, Governing Board Room
May 10, 2016, 7:30 p.m., Work Session, Governing Board Room
May 17, 2016, 5:30 p.m., Budget and Finance Committee Meeting, Governing Board Room
May 17, 2016, 6:30 p.m., Public Hearing & Special Meeting – Charter High School Proposed Budgets FY16-17
May 17, 2016 6:30 p.m. Regular Board Meeting, Governing Board Room

ADJOURNMENT President Gutierrez adjourned the regular board meeting at 8:22 p.m.

Johanna Haver
Governing Board
Secretary