



**Maricopa County Community College District
Governing Board Minutes
May 17, 2016**

Two Executive Sessions and a Regular Meeting of the Maricopa County Community College District Governing Board were scheduled to be held beginning at 5:30 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
Tracy Livingston, Member
Jean McGrath, Member
Dana Saar, Member

ADMINISTRATION

Maria Harper-Marinick
Debra Thompson
LaCoya Shelton-Johnson
Paul Dale, Interim
Veronica Garcia for PVC
Edward Kelty
Christina Schultz
Todd Simmons for Chris Bustamante
Gene Giovannini
Bill Guerriero
Steven Gonzales
Jan Gehler
Chris Haines
Irene Kovala
Sue Tavakoli for Ernie Lara
Janet Ortega for Shari Olson
Sasan Poureetezadi for Shouan Pan
Maggie McConnell

**CALL TO ORDER
OF EXECUTIVE SESSION**

President Gutierrez called to order the first Executive Session of the Maricopa County Community College District Governing Board for May 17, 2016 at 5:30 p.m. The Executive Session adjourned at 6:25 p.m.

**CALL TO ORDER OF
REGULAR BOARD MEETING**

President Gutierrez called to order the Regular Board Meeting of the Maricopa County Community College District Governing Board for May 17, 2016 at 6:35 p.m.

SUBSTITUTIONS

There were four substitutions for members of the CEC.

PLEDGE OF ALLEGIANCE

The assembly pledged allegiance to the United States of America led by Rio Salado Student Leadership President Eeva Morrow.

**CLASS
ACKNOWLEDGEMENTS**

There were no classes present.

STUDENT LIFE REPORTS

There was a report from the Rio Salado College Student Life and Leadership Group.

Evea Morrow from Rio Salado College came forward to present the philosophy of their college's student life organization which is to engage students in activities and organization outside of their classes even though they are an on-line institution. Although Rio Salado does not offer traditional campus life, they do provide ways for students to get involved and add value to their academic experience. She spoke about her experience with the National Society of Leadership and Success organization to which she devotes about twelve to thirteen hours per week. She stated that membership encourages students to try to change the world and create leaders who take others with them. They promote taking an interest in the community and making goals that involve others. Her own personal experience with the group has been life changing in that she was once very shy and disliked being involved with groups or friends. This is not the case any longer and her sense of self-confidence has really expanded itself. Oliva Mendez also came forward on behalf of Rio Salado to speak about her involvement with Phi Theta Kappa International Honor Society. The group has been encouraged to take research and put it into practice and action. She also emphasized a desire to want to change the world and the community around her. Their group is a 5 Star Chapter for the third consecutive year.

COLLEGE REPORTS

There were no reports

FACULTY EXECUTIVE COUNCIL (FEC) REPORT

Dr. Robert Soza, Incoming President of the Faculty Association for 2016-17, came forward to address those in attendance on behalf of the Faculty Association. Dr. Soza congratulated the new Chancellor, Dr. Maria Harper-Marinick and, in addition, offered his appreciation to Salina Bednarek for her excellent job as Faculty Association President last year. Dr. Soza thanked Ms. Bednarek for her mentorship to him personally and for being a strong advocate for faculty. He once again introduced the new leadership team for the Faculty Association which included Salina Bednarek (Phoenix College) as Past President, Mike Mitchell (PVCC) as President-Elect, Doug Deiss (GCC) in charge of Communications, Lucas Messer (SCC) in charge of Membership, Patty Finkenstadt (PC) in charge of Personnel. A vacancy still exists for Finance Officer. Dr. Soza stated they look forward to working with everyone during this time of transition and change. The Faculty Association looks forward to strengthening even further those areas of excellence that already exist, as well partnering to find solutions to the challenges being faced. He expressed confidence that working together, the District would negotiate these transitions and emerge as an organization that better serves students, the community, and those who work for Maricopa.

ADJUNCT FACULTY ASSOCIATION (AFA) REPORT

There was no report.

EMERITUS, AWARDS, AND RECOGNITION

There was one Faculty Emeritus Distinction Recommendation on the agenda this evening for Dr. Douglas Sawyer. Scottsdale Community College invited Vice President of Academic Affairs Dr. Daniel Corr to present the award. Dr. Corr made the following remarks:

"Doug discovered his love of teaching in 1983 as a graduate teaching assistant at Iowa State University. He continued to teach throughout his graduate school days, securing a lectureship at Iowa State in 1987-88. He accepted a position at ASU in 1988 as a Visiting Assistant Professor. His "visit" lasted until 1992 when he found SCC and its culture of instructional excellence. Dr. Sawyer then served SCC and the Maricopa District in many

capacities over the next 21 years. He was the Physical Sciences Department Chair 1998-2004, and the Math/Science Division Chair 2004–2013. He also served as the District Ocotillo Chair, the Chemistry Instructional Council Chair, a member of the MCCCDC Professional Growth Committee and the MCCCDC Strategic Planning Committee. At the national level, Doug has served as Vice Chair of the American Chemical Society Education Committee, and has been the recipient and co-recipient of numerous grants related to Science Education. Most recently, Doug served as the co-PI for a \$8.6 million NSF grant focused on middle school mathematics. In 1999-2000, Dr. Sawyer was invited to study Martian Meteorite samples for ASU and NASA. The results of this sabbatical work are recognized as the first direct chemical evidence for the existence of an ancient ocean on Mars. In addition to his academic accomplishments, Doug showcased his musical talent as a member of a high energy rock and blue band.”

Dr. Sawyer acknowledged the award, stating he felt very honored and fortunate to be affiliated with MCCCDC and SCC. Prior to working as Scottsdale Community College, he was a professor at ASU who wanted to focus on teaching. After searching all over the country, he found Scottsdale Community College where there was excellence in the classroom, administration, staff and faculty.

CITIZEN’S INTERIM

Lynn Mary, employee at Phoenix College

Ms. Mary provided the following comments:

“You have received information, in many different forms, through personal contact, emails, and also Citizen’s Interim communications. I want to be sure you truly understand the FEAR and APATHY employees, from all employee groups, including Faculty, are experiencing.

- Student Success is one of the Governing Board Metrics – why is it, employees are being written up by their supervisors for assisting students. OUR students who may have been waiting for an hour or more, because it’s time to close the office or for taking their lunches late? Case in point, it’s 4:30 p.m., the manager wasn’t on campus, and the employee was the only advisor in the building and yet when the employee communicates to the manager about helping the student, they are told “next time have the student come back – we can’t pay overtime for you to help a student.” How is that enhancing Student Success?
- One Maricopa Workforce (OMW) – The funding for the Classified Staff Council (CSC) takes Professional Growth funds away from all employees who want to further their education or attend a conference or workshop which would help them do their job in a more efficient manner – Are we not an EDUCATIONAL INSTITUTION not only educating our students, but also helping educate our employees?
- Classified Staff Council (CSC) – I know several employees who are retired or have resigned from Maricopa, they received emails regarding voting for the Classified Staff Council candidates. If the voting was anonymous, why do the candidates know how many votes they received and quite possibly who voted for which candidate? 2 Two employees applied to run for the open positions yet once OMW/CSC identified the individuals the criteria was restructured disqualifying the prospective candidates. This left the campus without a voice or representation. OMW/CSC has changed the criteria and process along the way to fit what they would consider their "ideal person" rather than putting vested employees on the ballot who have the best interests of the campus/organization at heart. This was not a transparent process but rather a form of dictatorship.
- CSC Policy, Constitution and By-laws – In my mind a true conflict of interest is present when CSC members, who assisted in writing processes, policy, By-laws and the Constitution, prior to elections, were on the ballot AND elected to CSC – the right thing for the VCHR and CSC to do

would have been to be transparent, by not allowing any contributor to the documents to be on the CSC ballot. As stated in the May 16 edition of The Maricopan, "...Representatives also decided they will ratify the CSC's Constitution and By-laws at a meeting May 19." Indicating, the documents were already in draft form and once again, proving CSC isn't interested in giving employees the opportunity for input or comment. Is CSC afraid of the comments they might receive from employees?

- Direct Appointments – It's my understanding Maricopa HR is processing direct appointments, with the favored new employees beginning their assignments while their paperwork is "pushed through the process." Also, promotions and increases are being approved for select employees who may receive multiple increases and promotions.
- Maricopa Community Colleges employees ARE Human Resources for the Maricopa District, our students, and the community. I'm saddened employee issues; concerns; morale; overall mental health and well-being are disregarded and unsupported.
- We have transitioned from EMPLOYEE driven representation to EMPLOYER driven representation. Employees won't speak up for fear of retaliation – hopefully you have been listening tonight to the examples, I have communicated to you, which lead to employee FEAR and APATHY.
- How much more are you going to allow District Administration to take away from employees? "

CHANCELLOR REPORT

Interim Chancellor Dr. Maria Harper-Marinick stated it had been a wonderful couple of weeks of convocations, graduations and other festivities. She thanked everyone who had done the planning for all of these activities.

REPORT ON VITA PROGRAM

Dr. Harper-Marinick then called on two guests present this evening, Professor Jim Simpson from Scottsdale Community College who also heads up the VITA Program (Volunteer Income Tax Assistance) and Linda Jackson from the Internal Revenue Service. Mr. Simpson and Ms. Jackson explained that some colleges have served as VITA sites helping students file their taxes. Mr. Simpson reported that five of the ten colleges have participated in this tax preparation program for the elderly or students. Four million in refunds have been received by people that have taken advantage of this tax preparation service and this money in turn has benefited recipients who have either paid bills or paid off tuition. The cost of the program is paper and ink. Volunteers who have been certified to prepare tax returns gain real world experience and also develop partnerships with organizations in the community. Ms. Jackson explained that VITA has been participating with the colleges for over twenty years and has spread with new championships at the colleges. Ms. Jackson presented Chancellor Harper-Marinick with a plaque commemorating the partnership with this program.

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 10410

Board Member Burke made a motion to approve the Order of the Agenda. Board Member Livingston seconded. Motion passed 7-0.

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

The following items were included on the Consent Agenda:

11.1 APPROVE THE MINUTES OF THE APRIL 13, 2016 POLICY COMMITTEE AND AGENDA REVIEW, THE APRIL 26, 2016 BUDGET AND FINANCE COMMITTEE MEETING, AND THE APRIL 26, 2016 REGULAR BOARD MEETING

12.1 APPROVE FACULTY EMERITUS DISTINCTION – DR. DOUGLAS SAWYER, SCOTTSDALE COMMUNITY COLLEGE - award Faculty Emeritus Distinction to Dr. Douglas Sawyer

13.1 APPROVE CURRICULUM – approve the curriculum proposals as submitted.

13.2 APPROVE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF SURPRISE, ARIZONA AND THE MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT ON BEHALF OF GATEWAY COMMUNITY COLLEGE - Approval is recommended for an Intergovernmental Agreement (IGA) between the City of Surprise (City), Arizona and the Maricopa County Community College District (MCCCD) on behalf of GateWay Community College (GWCC) for a five-year term and renewable for a period of twenty years to begin on June 1, 2016.

14.1 APPROVE LEASE OF 1,150 SF IN WIGWAM COMMONS OFFICE CONDOMINIUM – GATEWAY COMMUNITY COLLEGE - Approve the lease of office space in Suite 230 located at Wigwam Commons, 14970 W. Indian School Road, Goodyear, Arizona. The lease is for 39 months at an approximate cost of \$75,000 for the life of the lease. Average annual cost is \$23,077. The lease will begin on July 1, 2016 with access to begin on June 1, 2016. The property is owned by Wigwam 2020, LLC.

14.2 APPROVE LEASE OF 2,022 SF IN WIGWAM COMMONS OFFICE CONDOMINIUM – GATEWAY COMMUNITY COLLEGE - Approve the lease of office space in Suite 480 located at Wigwam Commons, 14970 W. Indian School Road, Goodyear, Arizona. The lease is for 39 months at an approximate cost of \$163,000 for the life of the lease. Average annual cost is \$50,154 The lease will begin on July 1, 2016 with access to begin on June 1, 2016. The property is owned by Castle Property Investments, LLP.

**APPROVAL OF
CONSENT AGENDA
MOTION**

Motion 10411

Board Member Burke moved for approval of the Consent Agenda. Board Member Saar seconded. Motion passed 7-0.

15.1 APPROVE SETTLEMENT OF ARVIZU LITIGATION- approve a payment of \$750,000 to settle litigation brought by former nursing students of Chandler Gilbert Community College.

MOTION

Motion 10412

Board Member Burke moved for approval of Item 15.1. Board Member Livingston seconded. Motion passed 7-0.

16.1 APPROVE RESOLUTION AUTHORIZING SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016 - Approve the attached Resolution authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2016, in an amount sufficient to refund any of the District’s outstanding general obligation bonds provided that the refunding produces net

present value savings of at least 3% of the par amount of the bonds being refunded plus associated costs of issuing the bonds; delegating the authority to approve certain matters with respect to the Bonds and the Bonds Being Refunded; providing for the annual levy of a tax for the payment of the Bonds; authorizing the acceptance of a proposal for the purchase of the refunding bonds from a syndicate of underwriting firms competitively selected by the Vice Chancellor for Business Services; authorizing the appointment of a registrar, transfer agent and paying agent and a depository trustee by the Vice Chancellor for Business Services; approving the form of certain documents and authorizing completion, execution and delivery thereof; delegating the authority to approve and deem final a form of official statement; and ratifying all actions taken or to be taken to further the Resolution.

MOTION

Motion 10413

Board Member Burke moved for approval of Item 16.1. Board Member Haver seconded. Motion passed 7-0.

16.2 APPROVAL OF CYBER RISK INSURANCE— approve the increased limits of the primary coverage and second layer coverage (excess over primary) - Cyber Risk Insurance to the incumbent carriers Ascent (primary) and Barbican (secondary) with Lloyds of London for a 16 month policy effective June 1, 2016 thru September 30, 2017 for a total of \$25,000,000 in limits – Ascent (primary) \$10,000,000 and Barbican (excess) \$15,000,000 for a total premium of \$681,990. This is an increase in coverage of \$15 million.

MOTION

Motion 10414

Board Member Burke motioned for approval of Item 16.2. Board Member Livingston seconded. Motion passed 7-0.

16.3 APPROVE 2016-17 STUDENT INSURANCE PROGRAM RENEWAL — approve the renewal of our student insurance policies per the attached schedule for FY 2016-17 – effective August 1, 2016 through July 31, 2017 to Starr Indemnity (accident), Mutual of Omaha (catastrophic) and Nationwide (International). These policies are renewed annually.

MOTION

Motion 10415

Board Member Burke moved for approval of Item 16.3. Board Member Livingston seconded. Motion passed 7-0.

16.4 APPROVE CONTRACT AWARD FOR THE 2016 ANNUAL SUMMER PAVEMENT MAINTENANCE PROGRAM DISTRICT-WIDE - approve a contract award in the amount of Five Hundred Seventy-Five Thousand, Eight Hundred Thirty-Eight and 27/100 Dollars (\$575,838.27) to **Ace Asphalt of Arizona, Inc.** to provide annual preventive maintenance and minor replacement of asphalt paving at thirty-five parking lots and driveways at the following District locations: CGCC, CGCC-Williams, GCC, GCC-North, GWCC, MCC, MCC-Red Mountain, PC, SCC, SMCC, DSSC-Tempe, DSSC-Emerald Point and DSSC-Wood Street.

MOTION

Motion 10416

Board Member Livingston moved for approval of Item 16.4. Board Member Burke seconded. Motion passed 7-0

16.5 APPROVE JOB ORDER CONTRACTING PURCHASE ORDER REMODELING FOR FINANCIAL AID – WOOD STREET BUILDING – DISTRICT SUPPORT SERVICES CENTER – approve a Job Order Contract (JOC) purchase order in the amount of Two Hundred and Sixty-Four Thousand, One Hundred Forty-Eight and 73/100 dollars (**\$264,148.73**) to **SD Crane**

Builders, Inc. to remodel a portion of the District Office's Wood Street building for Financial Aid support offices.

MOTION

Motion 10417

Board Member Burke moved for approval of Item 16.5. Board Member Livingston seconded. Motion passed 7-0.

16.6 APPROVE JOB ORDER CONTRACTING PURCHASE ORDER FOR REPLACEMENT OF THE EXISTING ROOF AT THE DISTRICT OFFICE– approve a Roofing Job Order Contract (JOC) Purchase Order in the amount of Two Hundred Eighty-One Thousand One Hundred Forty-One and 98/100ths Dollars (**\$281,141.98**) to: **Progressive Roofing** to replace the existing roof on the District Office, District Support Services Center.

MOTION

Motion 10418

Board Member Saar moved for approval of Item 16.6. Board Member Burke seconded. Motion passed 7-0.

INFORMATION ITEMS

17.1 REVIEW EMPLOYMENTS (REGULAR, SHORT-TERM, AND SPECIALLY FUNDED) (FEBRUARY) AND REVIEW SEPARATIONS (APRIL) - the following personnel actions were approved. Budget approvals have been granted and are on file for the recommended personnel actions in this item (April 1-30, 2016).

MONITORING REPORTS

20.1 BUDGET ANALYSIS REPORT, FUND 1—GENERAL UNRESTRICTED FUND FOR THE TEN MONTHS ENDING APRIL 30, 2016—Expenditure analysis indicates 70.3% of the budget has been expended this year as compared to 63.8% expended at this same point last year. 16.6% of the budget remained unexpended or unencumbered compared to 22.2% in the prior year. Revenue analysis indicated that 86.2% of the budget has been recognized as compared to 87.1% 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.

COMMUNITY LINKAGE**BOARD MEMBERS**

18. GOVERNING BOARD REPORTS

Mr. Burke reported he had a very busy month starting with the Vortex Awards at SCC, and the Veterans, MCBA, and Asian Convocations, the Rio Commencement, the SCC Nursing Pinning, and the Awards Event at the District Office, as well as the AADGB Meeting.

Mrs. Livingston indicated that although her attendance at District events were minimal, she assisted students signing up for EMCC and GCC.

Mrs. Haver attended graduations and pinnings at PVC, as well the Southwest Pathways Conference where Governing Ducey was a speaker.

Mr. Heep attended numerous programs at the various colleges and success motivation programs.

Mr. Saar reported he had attended the same events as Mr. Burke which evidenced efforts were paying off in student success. He thanked all for their involvement in these events.

Mrs. McGrath reported she participated in the graduation event at Estrella Mountain Community College which was a very festive event.

Mr. Gutierrez attended graduations for South Mountain Community College, Glendale Community College, and Rio Salado College. Students at all colleges were very excited about their accomplishments. He also attended the Hispanic Convocation at which they had record attendance. He participated in the Veterans Convocation but felt not enough of the veterans were participating. Lastly, President Gutierrez mentioned that the Phoenix College women's softball team would be going to Nationals and would probably be the champions. He wanted to know what was going to be done to celebrate the occasion.

VICE CHANCELLORS

19. Vice Chancellor Reports – There were no reports

**EXTERNAL COMMUNITY
AADGB**

20. External Community Reports

Mr. Burke reported AADGB met in May and elected new officers. Jane Strain from Cochise College was elected President; Maria Chavoya from Arizona Western College was elected Vice President, and Julie Bare from Mohave College was elected Secretary-Treasurer. The next meeting would be held September 8-10 here in Tempe.

ASBA

There was no report.

ACCT

There was no report.

NEXT BOARD MEETINGS

President Gutierrez announced the following future meetings.

June 14, 2016, 3:00 p.m., Policy Committee, Governing Board Room

June 14, 2016, 4:30 p.m., Agenda Review, Governing Board Room

June 14, 2016, 5:30 p.m., Charter School Special Meeting, Governing Board Room

June 28, 2016, 5:30 p.m., Budget and Finance Committee Meeting, Governing Board Room

June 28, 2016, 6:30 p.m., Public Hearing Proposed FY16-17 Budget Adoption – Charter Schools

June 28, 2016, 6:45 p.m., Regular Board Meeting, Governing Board Room

ADJOURNMENT

President Gutierrez adjourned the regular board meeting at 7:33 p.m. and announced that the Board would reconvene in Executive Session in the Maricopa Room on the First Floor.

Johanna Haver
Governing Board
Secretary