



**MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD
DECEMBER 13, 2011**

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

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

Attending via Teleconferencing:
Debra Pearson, Member

ADMINISTRATION

Rufus Glasper
Maria Harper-Marinick
Debra Thompson
George Kahkedjian
Steve Helfgot
Kathy Brooks for Nikki Jackson
Anna Solley
Lee Combs
Paul Dale
Shouan Pan
Janet Ortega for Shari Olson
Ernie Lara
Gene Giovannini
Chris Bustamante
Linda Lujan
Jan Gehler
Irene Kovala

CALL TO ORDER The regular meeting was called to order at 6:33 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 Dr. Don Campbell.

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

SUBSTITUTIONS There were two substitutes this evening.

CITIZEN'S INTERIM One citizen came forward this evening.

James Kraft, representing self, came forward to offer his congratulations to the Maricopa Community College District for the fine work they are providing citizens of Maricopa County. On a recent visit with Dr. Paul Dale, President of PVCC, he was directed to drive by the Rio @Northern Campus and was pleasantly surprised to see this facility. He said he has received a number of phone calls about the new location and is spreading the word out to have more citizens become aware of the services being provided and how their dollars are being spent to foster education. He praised Dr. Chris Bustamante for the efforts Rio is providing to on-line education and the good team in place representing education.

BOARD MEMBER REPORTS There were no reports.

CHANCELLOR'S REPORT Chancellor Glasper expressed best wishes for a happy holiday season and indicated he the semester had just concluded with a very encouraging 3%+ student increase and as the numbers climb we need to think about the student success agenda.

SECRETARY'S REPORT There was no report.

STUDENT LIFE REPORTS The following PC Staff and Students from the Associated Student Life Council were in attendance:
Genesis Toole - Director of Student Life & Leadership
Diana Martinez, Program Specialist, Student Life and Leadership

Students:
Ali Abdulla
David Palladini
Sonya Tarango
Huynh Thanh
Julie Felicetta
Jordan Zah
Ariana Castro-Soto

The students thanked the Board Members for their support and indicated that they wanted to bring Phoenix College to their doorstep. They spoke about Phoenix College basics which included Engagement, Integrity, Innovation, Respect, Stewardship, and Excellence. Some of their initiatives this semester were establishing relationships, attending student athletic events, homecoming, fundraisers, adopting club mascots, reaching out to students needing assistance, and volunteering at Andre House to serve meals to those less fortunate. They reported that they were anxiously looking forward to the grand opening of the newly

renovated Student Union. Lastly, they reported on events meant to promote inclusiveness during Heritage Month, serving on college committees, and participating in leadership skills activities.

FACULTY REPORT

There was no report.

EMPLOYEE GROUP REPORTS

Mark Banas, Vice President of the Adjunct Faculty Association, provided the following comments:

“The Adjunct Faculty Association has been very active this year in advocating on behalf of Adjunct Faculty within the District. We appreciate the opportunity that Dr. Glasper and Dr. Maria Harper-Marinick have afforded us to fill a seat at the table to give voice to the District’s largest employee group on issues of specific concern such as communication, load limits, indemnity and “When is an Adjunct Faculty an Employee?” but more importantly we appreciate the opportunity to share an Adjunct Faculty perspective on the broad issues, the many challenges and opportunities for Maricopa Community Colleges in pursuing improvement in Student Success. We would also like to thank each of the Governing Board members for affording the Adjunct Faculty Employee Group the opportunity to present its concerns, initiatives and progress as we pursue many initiatives to encourage Adjunct Faculty increased effectiveness. In the upcoming year, we will continue to pursue these and additional initiatives on recognition designed to further encourage increased effectiveness as well as facilitating dialog within our disciplines. We had our second joint Adjunct Faculty and Faculty meeting on Student Success this past Sunday and see many opportunities for Faculty to make concrete contributions to forwarding the Student Completion Agenda. There is a lot to do and we look forward to the New Year with great excitement and anticipation.

Best wishes to each of you for a safe and joyous holiday season and a healthy and happy new year.”

VICE CHANCELLOR REPORTS

Executive Vice Chancellor and Provost Dr. Maria Harper-Marinick introduced Dr. Andrea Buehman who provided an informational presentation on Information Technology Programs Offered by the various colleges. A copy of the powerpoint presentation is included with these minutes. Dr. Harper-Marinick offered to send President Lumm further information so that he might be able to respond to requests for information on IT programs that the colleges offer and would provide potential students the ability to become employable in this field.

COLLEGE REPORTS

Mesa Community College President Dr. Shouan Pan introduced Niccole Villa Cervený, Ph.D. who provided a report and experience on undergraduate research at community colleges. She had the opportunity to meet with members of Congress on November 1, 2011 in an effort to appeal to funding sources for the purpose of transforming undergraduate research at the community college level. Ms. Cervený indicated that one

of the objectives of student research is to promote student engagement and persistence. Ms. Cerveny teaches Geography at Mesa Community College.

AADGB REPORT

Governing Board Member Doyle Burke reported the AADGB meeting would be held at the State Capitol on January 19 to be following by a joint meeting with community college presidents. Both presidents and board members will be able to meet with House and Senate members that day regarding legislation pertaining to community colleges.

ASBA REPORT

Governing Board Member Dana Saar reported that the Arizona School Board Association Conference would begin Wednesday, December 14. In response to a fellow board member's questions, Mr. Saar responded that the Maricopa Community College District is an associate member of ASBA but since we are not part of the K-12 system we do not have to pay as much in membership dues and do not have voting rights.

**LEGISLATIVE
UPDATE**

There was no report.

**AWARDS AND
RECOGNITIONS**

There were no awards or recognitions.

**APPROVAL OF THE
ORDER OF THE
AGENDA**

President Lumm requested a motion to approve the order of the agenda.

MOTION

MOTION NO. 9886

Board Member Doyle Burke made a motion for approval of the order of the Agenda. Board Member Dana Saar seconded. Motion approved 5-0.

**APPROVAL OF
CONSENT AGENDA**

President Lumm asked if any Board Member wished to remove any action items.

The following items were included on the Consent Agenda:

A.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.

A.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.

A.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.

A.4. CONSIDERATION OF SEPARATIONS - approve the following personnel actions as proposed. Budget approvals have been granted and are on file for the recommended personnel actions in this item.

B.1. APPROVAL OF PROPOSED CURRICULUM – approve the proposals as submitted.

B.2. APPROVAL OF CORPORATE TRAINER FOR FORD MOTOR COMPANY – GLENDALE COMMUNITY COLLEGE - approve a one-year extension of the contract agreement in the amount of \$96,007 to provide technical training for Ford Motor Company dealership automotive technicians throughout the state. This contract agreement is between Ford Motor Company and the Maricopa Community College District through THE INSTITUTE for Business, Industry and Technology at Glendale Community College. The contract period will be from January 1, 2012 - December 31, 2012.

B.3. APPROVAL OF GENERAL MOTORS TRAINING CENTER – GLENDALE COMMUNITY COLLEGE - approve a two-year extension of the Raytheon contract agreement in the amount of \$307,750 to provide technical training and assessment for General Motors' dealership automotive technicians throughout the state. This extension pertains to the facilities and one corporate trainer at Glendale Community College. This contract agreement is between Raytheon Professional Services, on behalf of General Motors Corporation and the Maricopa Community College District through THE INSTITUTE for Business, Industry and Technology at Glendale Community College. The contract period will be from January 1, 2012 – December 31, 2013.

~~B.4. APPROVAL OF 2011-2012 ALLIED HEALTH PROGRAMS COURSE PREFIX MODIFICATION AT ESTRELLA MOUNTAIN COMMUNITY COLLEGE – SOUTHWEST SKILL CENTER~~ – PULLED FROM AGENDA PRIOR MEETING

C.1. APPROVAL OF LEASE AGREEMENT WITH 29 BELL LLC, MARICOPA EDUCATION CENTER FOR A NORTHWEST CAMPUS OF THE MARICOPA SKILL CENTER - approve a 15 year lease between 29 Bell LLC and the Maricopa Community Colleges on behalf of the Maricopa Skill Center for the creation of a Northwest Campus of the Maricopa Skill Center.

C.2. APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN MCCCCD AND THE SUN SOUNDS FOUNDATION,

INC. - approve a Memorandum of Understanding between MCCCCD and the Sun Sounds Foundation, Inc. (“SSF”) to formalize a relationship with SSF as the fundraising arm for an MCCCCD program similar to those MOUs approved by the Governing Board in 2008 and 2010 respectively with the Maricopa County Community College District Foundation and the Friends of Public Radio Arizona.

C.3. APPROVAL OF RATIFICATION OF A CHANGE ORDER FOR THE GYMNASIUM LOCKER ROOMS IMPROVEMENT PROJECT AT SOUTH MOUNTAIN COMMUNITY COLLEGE -

ratify a change order in the amount of Two Hundred Thirty Four Thousand, Seventy Eight Dollars and 32/100ths (\$234,078.32) to Jokake Construction for labor, materials, equipment, and supervision related to remodeling work and improvements in the gymnasium locker rooms and adjacent corridors at South Mountain Community College.

C.4. APPROVAL OF CONTRACT AWARD FOR CAMPUS-WIDE DOOR ACCESS SYSTEM UPGRADE AT PARADISE VALLEY COMMUNITY COLLEGE -

approve a contract award in the amount of One Hundred Twenty-Two Thousand, Three Hundred Ninety and 00/100ths Dollars (\$122,390.00) to DH Pace to replace door security systems campus-wide and convert to a new system (S2).

C.5. APPROVAL OF SELECTION OF CONSULTANTS FOR DISTRICT-WIDE ANNUAL SERVICES PERFORMING ARTS CENTERS TECHNICAL SYSTEMS -

approve the selection of the five firms listed below to provide consulting services in three categories of performing arts technical systems, on an on-call/as-needed basis.

D.1. APPROVAL OF REVISED FIRST AMENDED INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MESA, MESA PUBLIC SCHOOL DISTRICT NO. 4, AND THE MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT FOR INFORMATION AND TECHNOLOGY AND RELATED SERVICES -

approve a revised First Amended Intergovernmental Agreement between the City of Mesa, Mesa Public School District No.4, and the Maricopa County Community College District to support collaboration among them regarding use of information technology resources.

MOTION

MOTION No. 9887

Governing Board Member Doyle Burke moved for approval of the Consent Agenda. Board Member Dr. Don Campbell seconded. Motion approved 5-0.

~~**VI.A.1. APPROVAL OF FIRE SCIENCE PROGRAM FIRE TRUCK — SCOTTSDALE COMMUNITY COLLEGE - PULLED FOR FURTHER DEVELOPMENT AS A ONE**~~

MARICOPA INITIATIVE BY CHANCELLOR DR. RUFUS GLASPER

VIA.2. APPROVAL OF TRANSFER TO QUASI-ENDOWMENT FUND FOR THE WORKERS COMPESATION LOSS RESERVE AND APPROVAL OF USE FOR WORKERS COMPENSATION CLAIMS IN EXCESS OF AMOUNTS SET ASIDE FOR WORKERS COMPENSATION CLAIMS

- approve the transfer of up to \$1,000,000 from the General Fund to the Workers Compensation Claim Reserve in the Quasi Endowment Fund in FY11-12. These funds are being accumulated for use, if needed, to cover the workers compensation claims beyond the level that is set aside for such claims. It is further recommended that the Board approve the use of this amount as well as existing balances for workers compensation claims in excess of the amount set aside for workers compensation claims.

DISCUSSION: Mrs. Pearson expressed a concern about the money being put back if it was not needed. Mrs. Thompson responded that the Quasi Endowment Fund was set up by the Board and are highest form of internally restricted funds. Funds can only be used for the purpose of funding the workers compensation funds as needed. If we were not self-insured the funds would be in the General Fund. Moving money where it needs to be so that we can properly self-insure ourselves. Board Member Dana Saar asked if there was the ability to put it back. Mrs. Thompson responded that it can be moved back if the funds are not needed. Chancellor Glasper commented that the only rationale for moving it back would be that the Board has decided that it does not want to self-insure but then it would be subject to the liability and the upper limits. Right now we are self-insuring. If we do not want to self-insure, then we need to buy an insurance policy to provide some level of coverage so that we would not be totally exposed. This way we have done the actuarial review and are setting aside the upper limit of the claims.

MOTION

MOTION No. 9888

Governing Board Member Don Campbell moved for approval of Action Item VI.A.2 as recommended. Board Member Dana Saar seconded. Motion approved 5-0.

FIRST READINGS

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A. APPROVAL OF AMENDMENT TO BOARD RESOURCE POLICY 6.10 – FACILITY RENTALS - approve an amendment to board policy 6.10 to set facility rental rates for non-profit organizations and civic groups at one-half the market rate established by the Chancellor. The proposed amendment is set forth for first reading as follows:

6.10 Facility Rentals

With respect to the setting of fees for the one-time or limited use of facilities that are owned and operated by the Maricopa Community Colleges, the Chancellor shall direct that rental rates reflect fair rates based upon supply and demand throughout the district, the availability of other facilities near the colleges and peak/low times of facilities/classroom usage at each college. **RATES FOR NONPROFIT AND CIVIC ORGANIZATIONS SHALL BE ONE-HALF THE MARKET-BASED RATE SET BY THE CHANCELLOR.** Rates that fall within these parameters may be implemented without specific Governing Board approval. Any rates or charges that involve the use of facilities that do not conform to these parameters must be approved by the Governing Board before the fee is assessed.

Accordingly the Chancellor shall:

1. Develop and implement a rate structure for the use of college/district facilities;
2. Develop and implement charges for related expenses including equipment and personnel services;
3. Develop and implement charges for utilities;
4. Develop and implement a rate structure related to the taxation of rental income.

DISCUSSION: President Lumm requested that General Counsel Lee Combs read and explain this item. Mr. Combs explained that this was an agenda item that had been requested by Governing Board Member Debra Pearson and was up for first reading and might be subject to change. He commented that there were legal issues that he had raised for the Board and had suggested amendments related to those things. This is a Board decision to be made and the Administration is not advancing the agenda item in this forum. The suggested concept of Mrs. Pearson's proposal is that any discounted facility use rates would have to be available to affiliated organizations or to any organizations that we would offer our facilities to because they advance the educational opportunities on our campuses. Mrs. Pearson expressed appreciation for putting this on the agenda and allowing her the opportunity to address something she felt very strongly about which was that we needed to open up the campuses to taxpayers and give them the opportunity to become more of our campuses and community college systems. Based on comments she is receiving from taxpayers, these buildings are already costing the same amount of money whether they sit there empty or being used. To let the taxpayers feel a greater connection with the campus is crucial to our future especially when we need to go back to these same people for bonds, she feels it is necessary to build that relationship with these people. She stated she had done a lot of research and Yavapai College charges up to \$200 for up to four hours; Pima charges \$200 for up to eight hours; Northern Pioneer charges \$40 per hour; EAC charges \$17 per hour as a fund raising stream for Student Life. For her this

information helps to set what the market value should be with our sister related colleges. In the K-12 system, Tempe charges \$22-28 per hour depending on the building and Washington it is \$25 up to two hours. This indicates to her that the market value is a whole lot less than what we have been asking instead of using our prices to discourage the involvement of the public on our campuses and felt that we were driving away our relationship with members of the public. She felt we needed to be equal across the board and allow everyone the opportunity to be on our campuses. President Lumm requested that the item be re-crafted as he didn't feel the item read correctly. Board Member Dana Saar commented that in looking at the facility rental rates he had in front of him, each college has created their own facility rental rates based on the size of the facilities. He felt before the Board could take this issue on, he would like to see an analysis done since he felt it required more detail. He questioned if we were going to adopt one single rate for one purpose for the whole district, use the existing fees for others and discounted rates for others. He wanted to see more detail to make sure we were not upside down with not only the state but our internal rates. President Lumm agreed that we needed to meet state requirements since there appeared to be some discretion based upon the groups wanting to use our facilities. He would like to see the lowest rates possible without becoming a rental agency. Mr. Saar commented that he saw some conflicts in the policies and indicated we should take our time in looking at all the policies and rules and make sure that it is done as something understandable and not use different parts of the rule book. President Lumm remarked that he felt it was the consensus of the Board that more work needed to be done before it was brought back. Chancellor Glasper asked for clarification from Mrs. Pearson. He stated that this particular policy comes from the policy governance documents and the only additional words that have been added are that "rates for nonprofit and civic organizations shall be one-half the market-based rate set by the Chancellor," however, in the opening sentence of the policy on Facility Rentals, it read "with respect to the setting of fees for the one-time or limited use of facilities" and Mrs. Pearson had asked that this be removed and be open-ended. He asked Mrs. Pearson to confirm this understanding as the analysis moves forward. Mrs. Pearson confirmed that his understanding was correct. Mr. Saar indicated this needed to be kept as simple as possible. Dr. Campbell asked if any of these people or groups had ever come before the Board asking for a reduction in fees and were they indeed tax paying organizations and if they had an affiliated mission. The Chancellor responded that two groups had approached him for reduced fees and in working with the colleges they had tried to state that there must be a direct affiliation and at a minimum we were looking to recover costs for the use of the facility being requested. As mentioned by President Lumm, the presidents have the authority to waive or reduce costs as appropriate, dependent on their affiliation and those that were not

affiliated according to state statute would be assessed the full market rate as compared to the market area they might have. What the Board is asking the District to do is to see if we can propose a rate that at a minimum is one-half of whatever that might be without falling below what would be considered a gift of public funds and does not put the District into any other form of jeopardy with affiliated organizations. These are the parameters he will work with based on this discussion.

**MONITORING
REPORTS**

MONITORING REPORTS

**A. BUDGET ANALYSIS REPORT SUMMARY
FUND 1 – GENERAL UNRESTRICTED FUND
FOR THE FIVE MONTHS ENDED NOVEMBER 30, 2011**

Expenditure analysis indicates 32.8% of the budget has been expended this year as compared to 32.8% expended at this same point in time last year. 34.0% of the budget remains unexpended or unencumbered compared to 33.5% in the prior year. Revenue analysis indicates that 61.7% of the budget has been recognized as compared to 60.7% in the prior year. The projected fund balance will decrease by ~\$4.0 million this fiscal year and the projected ending fund balance for June 2012 is \$146.3M.

**NEXT BOARD
MEETINGS**

President Lumm announced the following future meetings:

January 10, 2012 9:00 a.m.
Election of Officers & Governing Board Retreat – Red Mt.
Campus

January 24, 2012 6:30 p.m.
Regular Board Meeting

ADJOURNMENT The meeting adjourned at 7:40 p.m.

Doyle W. Burke
Governing Board Secretary