MONTGOMERY COLLEGE
BOARD OF TRUSTEES

RECORD OF RESOLUTIONS
June 21, 2010

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BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 7A
June 21, 2010

PERSONNEL ACTIONS CONFIRMATION REPORT

BACKGROUND

The Board of Trustees by State Law has the authority and the responsibility for appointments to the College. Each month the Board receives a summary of personnel actions from the Office of Human Resources on new hires and employees who have separated from the College.

RECOMMENDATION

It is recommended that the Board adopt the attached report.

BACK-UP INFORMATION

Board Resolution
Personnel Actions Confirmation Report

RESOURCE PERSON(S)

Ms. Lawyer
Ms. Bokor

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-041** Agenda Item Number: 7A
Adopted on: **6/21/2010** June 21, 2010

Subject: Personnel Actions Confirmation

WHEREAS, by State Law the Board of Trustees has the authority and responsibility for appointments to the College; and

WHEREAS, the attached summary indicates related personnel actions taken by the College during the period from and including May 1, 2010, to and including May 31, 2010; and

WHEREAS, the President of the College recommends that the Board adopt the following resolution; now therefore be it

Resolved, that the Board of Trustees accepts the attached report and confirms the action of the President.

Attachments

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including May 1, 2010, to and Including May 31, 2010

STAFF

STAFF EMPLOYMENTS

Effective Date	Name	Position Title	Grade	Location
05/10/2010	Pressman, Gale A	Child Care Lead Teacher	F	Aux Services Child Care - RV
05/10/2010	Ruiz-Stupi, Benjamin M	Human Resources Associate	G	Human Resources Office
05/10/2010	Schrack, Lynda I	WD&CE Program Assistant	F	Continuing Education GT
05/24/2010	Seton, Randy O	Safety & Security Officer	E	Facilities Security - TP/SS
05/24/2010	Siyoum, Dereje D	Safety & Security Officer	E	Facilities Security - TP/SS

STAFF SEPARATIONS

05/15/2010	Bogley, Bernard D	Gen Maintenance Wkr	C	Facilities Maintenance GT
05/14/2010	Canada, Nancy E	Librarian / PT	K	IT Learning Center TP/SS
05/03/2010	Edwards, Jennifer D	Phys Educ Equip Aide/PT	F	Health/Exercise/PE RV
05/15/2010	Makris, Antoinette P	Safety & Security Officer	E	Facilities Security - TP/SS
05/28/2010	Speight, Bobby R	Building Service Worker	A	Facilities Operations - TP/SS
05/24/2010	Wingate, Joseph V	Office Assistant	D	Facilities Security - TP/SS

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	**TOTAL**
Female	2	0	0	0	0	**2**
Male	1	2	0	0	0	**3**
TOTAL	**3**	**2**	**0**	**0**	**0**	**5**

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	**TOTAL**
Female	2	1	0	0	0	**3**
Male	1	2	0	0	0	**3**
TOTAL	**3**	**3**	**0**	**0**	**0**	**6**

FACULTY

FACULTY EMPLOYMENTS: None

Effective Date	Name	Position Title	Location

FACULTY SEPARATIONS

05/21/2010	Akmal, Arya	Assistant Professor	Physics/Eng/Geoscience RV
05/21/2010	Dobres, Howard L	Professor	Chemistry RV
05/21/2010	Dong, Zhou	Assistant Professor	Business/Science/Math/Tech GT
05/21/2010	Franklin, Veronica R	Associate Professor	Health/Exercise/PE RV
05/21/2010	Hernandez, Shinta H	Assistant Professor	Sociol/Anthr/Crim Justice RV

05/21/2010	Kavalec, Linda M	Professor	Health Sciences
05/21/2010	Mora, German	Associate Professor	Physics/Eng/Geoscience RV
05/21/2010	Slacks, Jarvis J	Assistant Professor	English/Lit/Prof Writing RV
05/21/2010	Venerable-Joyner, Angela	Associate Professor	Health Sciences
05/21/2010	Windom, Parvine S[1]	Professor	World Languages & Philosophy

FACULTY SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	**TOTAL**
Female	2	2	0	2	0	**6**
Male	2	1	1	0	0	**4**
TOTAL	**4**	**3**	**1**	**2**	**0**	**10**

[1] Retirement

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-042** Agenda Item Number: 7B1
Adopted on: **6/21/2010** June 21, 2010

Subject: Retirement Recognition and Bronze Medallion for Ms. Lornelle Blankenship

WHEREAS, Ms. Lornelle Blankenship served Montgomery College with dedication and distinction as an administrative professional at the Rockville Campus for 21 years and retired on October 1, 2009; and

WHEREAS, Ms. Blankenship is respected by her colleagues for her extraordinary professionalism and courteous rapport with the college community; and

WHEREAS, she has consistently demonstrated a commitment to quality and efficiency as a senior administrative aide in the Instructional Deans Office for 16 months, and as an administrative aide in the Biology Department during her 20-month tenure and in the Business and Economics Department, where she has served since 1992; and

WHEREAS, Ms. Blankenship also served admirably in a voluntary capacity as the Staff Senate secretary, as the unofficial administrative assistant to Phi Theta Kappa, as the campus ambassador for newly hired administrative professionals, and as a member of the Emergency Scholarship Fund Committee and several search committees; and

WHEREAS, she was the recipient of the Outstanding Service Award on two occasions, was recognized as Employee of the Month, and earned a Staff Appreciation Award; and

WHEREAS, Phi Theta Kappa presented her with an honorary membership in 2007 for her exemplary service to the organization; and

WHEREAS, she embraced life-long learning, unstintingly engaging in at least two professional development activities every year she has been at the College; and

WHEREAS, Ms. Blankenship is credited with developing and maintaining the Web site for the Business and Economics Department; and

WHEREAS, College policy provides for the awarding of a Bronze Medallion to recognize distinguished service to the College; and

WHEREAS, the Instructional Dean, the Vice President and Provost, the Senior Vice President for Educational Services, and the President of the College recommend this public recognition of Ms. Blankenship on the occasion of her retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation of Ms. Lornelle Blankenship for her service to the College and extend to her their best wishes that her retirement years be fulfilling and productive; and it be further

Resolved, That Ms. Blankenship is awarded the Bronze Medallion in recognition of her distinguished service to the College, and as an expression of gratitude for her dedication and professional commitment to the College; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy of this resolution be presented to Ms. Lornelle Blankenship.

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-043** Agenda Item Number: 7B2
Adopted on: **6/21/2010** June 21, 2010

Subject: Retirement Recognition and Award of Bronze Medallion for Ms. Linda J. Griffin

WHEREAS, Ms. Linda J. Griffin has served Montgomery College in Admissions and Enrollment Management with dedication and distinction for more than 39 years and retired from the College on July 31, 2009; and

WHEREAS, Ms. Griffin served as a staff member within Admissions and Enrollment Management as a General Clerk, Senior Clerk, Office Assistant and most recently as a Course Scheduling Assistant; and

WHEREAS, throughout her College career, Ms. Griffin exhibited exemplary, professional, positive, and service-oriented image, and demonstrated outstanding leadership; and

WHEREAS, Ms. Linda J. Griffin was recognized by her peers by being selected to receive the Bebee Award four times for outstanding, dependable service and continually cheerful and positive attitude; and

WHEREAS, she was recognized by being selected six times to receive the Admissions Records and Registration Special Recognition Award; and

WHEREAS, Ms. Griffin was recognized by being selected three times to receive the Admissions Records and Registration Outstanding Service Award; and

WHEREAS, she was a member of the Banner Implementation Team when the College implemented the Banner system as well as other key mission-critical scheduling projects; and

WHEREAS, Ms. Linda J. Griffin received five College service awards for her outstanding and sustained service to the College; and

WHEREAS, she received many letters of appreciation from faculty, staff and administrators for her hard work and dedication; and

WHEREAS, in her role of Course Scheduling Assistant Ms. Griffin contributed significantly to the success of the Course Scheduling Department through her exceptional planning skills, resourcefulness in problem solving, and technical knowledge that contributed to a close working relationship among academic departments (deans and chairs), facilities, IT and students, which has resulted in many successful registration periods and printed course schedules including most recently the restructuring of the printed course schedule; and

WHEREAS, College policy provides for the awarding of a Bronze Medallion to recognize distinguished service to the College; and

WHEREAS, the Director of Admissions and Enrollment Management, the Interim Senior Vice President for Educational Services and the Interim President of the College recommend this public recognition of Ms. Griffin on the occasion of her retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Ms. Linda J. Griffin for her valuable contributions and service to the College, and also extend to her their best wishes for many happy and productive retirement years; and be it further

Resolved, That Ms. Linda J. Griffin is awarded the Bronze Medallion in recognition of her distinguished service to the College and as an expression of gratitude by the College for her exceptional dedication and professional commitment to further the goals of the College; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy of this resolution and the Bronze Medallion be presented to Ms. Linda J. Griffin.

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-044** Agenda Item Number: 7B3
Adopted on: **6/21/2010** June 21, 2010

Subject: Tribute, Posthumous Silver Medallion Award and Emeritus Status for Dr. James T. O'Brien

WHEREAS, the death on March 7, 2010, of Dr. James T. O'Brien, Professor in the Department of Physics, Engineering, and Geoscience at the Rockville Campus, has deeply saddened and left a void with his colleagues and friends at Montgomery College; and

WHEREAS, since 1972, as a superior educator, Dr. O'Brien devoted thirty-eight years of distinguished service to the college and retired in November 30, 2009; and

WHEREAS, he performed his duties in the Department of Physics, Engineering, and Geoscience with diligence and dedication, teaching and advising a wide diversity of both engineering and non-engineering students; and

WHEREAS, during his long tenure at the College, Dr. O'Brien was a highly successful teacher who inspired and motivated students to reach their fullest potential; and

WHEREAS, as Department Chair, Dr. O'Brien led one of the largest and most prominent two-year college engineering programs in the nation, working to ensure that students successfully transferred to prestigious four-year university engineering programs; and

WHEREAS, Dr. O'Brien's keen interest in technology galvanized the efforts of various ad hoc groups and committees, including the Advisory Committee on Academic Computing and the Web Maintenance Team, which he chaired; and

WHEREAS, he visualized, developed and evaluated the first Montgomery College website; and

WHEREAS, his passion about the role of governance in higher education was evidenced by his leadership roles as Chair of the Rockville Department Chairs, as faculty Governance Liaison to the Academic Assembly, and as President and a member of the Executive Committee of College's Chapter of AAUP, perpetually championing the rights, responsibilities, status and stature of faculty; and

WHEREAS, Dr. O'Brien's professional associations included a Research Professorship in physics at Catholic University, and a special appointment as Archivist of the Continuous Electron Beam Accelerator Facility (CEBAF) Large Acceptance Spectrometer, or CLAS collaboration, at the Thomas Jefferson National Accelerator Facility in Newport News, Virginia; and

WHEREAS, his community involvement was both local and global, ranging from Visiting Scientist at the Massachusetts Institute of Technology (MIT) Lab for Nuclear Science to Visiting Foreign Expert at Institute for Nuclear Physics Research in Amsterdam, Netherlands; and

WHEREAS, Dr. O'Brien's exemplary teaching career gently meshed with a rich personal life with pleasures including family time, reading, book collecting, bird watching, listening to classical music, and completing puzzles and games; and

WHEREAS, his untimely death represents a profound loss for students, faculty, staff, and friends at Montgomery College; and

WHEREAS, Dr. O'Brien truly provided truly distinguished service and consistently performed in an exemplary manner; and

WHEREAS, the Board of Trustees policy provides that "All faculty members and administrators holding faculty rank who retire with a minimum of ten years service with Montgomery College shall be designated faculty emeritus with appropriate rank or title, subject to the approval of the Board of Trustees; and

WHEREAS, College policy provides for the awarding of a Silver Medallion to recognize distinguished service to the College; and

WHEREAS, the Vice President and Provost, the Interim Senior Vice President for Academic and Student Services, and the Interim President the College recommend that the Board adopt the following resolution; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Dr. James O'Brien and extend their deepest sympathy to his family members, friends, and colleagues; and be it further

Resolved, That Dr. James O'Brien be awarded the Silver Medallion in recognition of his service to the College and community, and as an expression of gratitude of the College for his dedication and professional commitment to the College; and be it further

Resolved, That Dr. James O'Brien be granted posthumously the status of Professor Emeritus, and that he be accorded such recognition and honors as may be appropriate to persons holding this rank; and be it further

Resolved, That this resolution becomes a part of the minutes of this Board of Trustees meeting, and a copy of this resolution be presented to the family of
Dr. James T. O'Brien.

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-045** Agenda Item Number: 8
Adopted on: **6/21/2010** June 21, 2010

Subject: Recognition and Bronze Medallion to Trustee Kenneth Massada

WHEREAS, the Governor of the State of Maryland appointed Mr. Kenneth Massada as student member to the Board of Trustees of Montgomery College effective July 1, 2009 for a one-year term and his term of office will end June 30, 2010; and

WHEREAS, during his tenure, Mr. Massada served the Board of Trustees with distinction and dedication while also challenging himself as a student; and

WHEREAS, Mr. Massada's perspective as a student of the College, his interest in the concerns of students, and his understanding of the role of the Board as a corporate entity that must exercise sound judgment in the interest of the total College, have contributed significantly to the deliberations and effective decision-making of the Board; and

WHEREAS, he brought to the Board an energy and interest that encouraged the Board as a whole to ensure that the best interests of the College and its students were being served; and

WHEREAS, during his appointment to the Board, Mr. Massada was an outstanding student leader at Montgomery College serving as Student Senate President at the Rockville Campus in FY2008, serving as a tutor for the Math Club, a member of the *Advocate* Newspaper, a member of the Robotics Team, the Latino Student Union, and the African Caribbean Club; and

WHEREAS, Mr. Massada has been recognized and honored by the College to include the Dr. Harry Harden, Jr. Memorial Scholarship, Dean's List achievement from 2006-2010, and a member of Phi Theta Kappa; and

WHEREAS, Mr. Massada led, with enthusiastic and well-spoken testimony, several student advocacy efforts with State and local government officials, which helped obtain the needed public support for the College; and

WHEREAS, Mr. Massada has conducted himself in an exemplary manner, and his demeanor, dependability, cooperation, and responsiveness to Board and College issues and events combine to make him a highly valued member of the Board; and

WHEREAS, in recognition of his distinguished service to the Board of Trustees of Montgomery College, the students, and the College community, the Board recommends this recognition and tribute to Mr. Kenneth Massada; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Mr. Kenneth Massada for his conscientious and significant contributions to Montgomery College, to its Board of Trustees, to its students, and to the citizens of Montgomery County, and extend their best wishes to him for continued good health, happiness, and academic success and invite his continued interest in and support of the College in the years ahead; and be it further

Resolved, That in recognition of his dedication, support, and association with Montgomery College and Montgomery County, Mr. Kenneth Massada is awarded the College's Bronze Medallion for distinguished service; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy of this resolution and the Bronze Medallion be presented to Mr. Kenneth Massada.

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 9A
June 21, 2010

ESTABLISHMENT OF CONSULTANT CONTRACT LIST
FOR
COLLEGEWIDE TASK-ORDER STRUCTURAL DESIGN, ENGINEERING AND RELATED SERVICES - BID NO. #610-011

BACKGROUND

The FY2011 Capital and Operating Budgets include funds for various structural engineering design tasks including those related to the correction of the building and site deficiencies identified in the VFA Facilities Condition Assessment update conducted at all three campuses. Implementing these various projects requires professional structural engineering design services to evaluate conditions, prepare plans and specifications, and provide construction administration and building commissioning services. Due to the on-going nature of the anticipated structural engineering tasks, and the often iterative process required to determine the correct solution, the Facilities and Procurement Offices have determined that providing on-call, task order-based services is the most efficient and cost effective procurement method over the next several years. This method of procurement is currently used by County and State agencies, as well as the University of Maryland and other public educational institutions.

In accordance with the College's qualification-based selection process for consultant services, a request for proposals for Task-order Structural Engineering and Related Services Engineering Design Services was advertised on April 6, 2010. On April 27, 2010, twenty-three (23) proposals were received. A selection committee composed of three members of the Central Facilities Office staff thoroughly reviewed all submissions. Based on the evaluation of each firm's qualifications, two (2) firms are recommended for appointment to the College's Task-order Structural Design, Engineering and Related Services list. At its sole discretion, the College will seek, on a task order basis, negotiated or competitive fee proposals from one or more project designers for work within the defined categories. If the proposal fee does not exceed the fund limit for the task, and it is in the best interest of the College to accept the offer, a contract/purchase order may at that point be awarded to the project designer for the specified task. References provided were checked and favorable responses were received.

The recommended firms are:

Century Engineering (Hunt Valley, MD)
Smislova, Kehnemui & Associates, PA. (Potomac, MD)

Based on the Board's anticipated action, the two firms named above will be eligible for future task order projects for an initial two-year term of FY2011 and FY2012. Thereafter, the College has the right to annually retain any or all of the recommended firms on the list, based upon their satisfactory performance, for up to three (3) subsequent fiscal years (FY2013 through FY2015) for additional design services. During the initial two-year term, a fiscal limit of $2,000,000 is established for the combined total of all anticipated multiple task order contracts/purchase

orders that will be negotiated with the individual firms. Subsequent fiscal years will also have a $1,000,000 limit per fiscal year for the multiple task order contracts/purchase orders. It is anticipated that typical task orders will range in value from $5,000 to $1,000,000.

RECOMMENDATION

It is recommended that the following two (2) firms - Century Engineering (Hunt Valley, MD); and Smislova, Kehnemui & Associates, P.A. (Potomac, MD) - be named to College's Task-order Structural Design, Engineering and Related Services List, from which the College may select a firm to provide professional services on a project basis.

BACK-UP INFORMATION

Board Resolution
Consultant Respondent List

RESOURCE PERSONS

Mr. Capp
Mr. Johnson

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: 10-06-046 Agenda Item Number: 9A
Adopted on: 6/21/2010 June 21, 2010

Subject: Establishment of Consultant Contract List for Collegewide Task-order Structural Design, Engineering and Related Services - Bid No. #610-011

WHEREAS, the Associate Vice President for College Facilities requested a consultant contract list for the provision of on-call, task order-based collegewide structural design, engineering and related services to prepare drawings, specifications and other associated activities to implement capital projects and correct building and site deficiencies on the three campuses; and

WHEREAS, the Acting Director of Procurement certifies that a Request for Proposals was developed by appropriate College staff; and

WHEREAS, the Chief Business Officer certifies that funds have been requested in the FY 2011 Capital and Operating Budgets, subject to Montgomery County Council approval, for planning, design and supervision services; and

WHEREAS, a Request for Proposals for Task-order Structural Design, Engineering and Related Services was publicly advertised on April 6, 2010, in the *Baltimore Sun*; the *Washington Post*; the *Washington Examiner;* and posted on the Montgomery College Procurement web site, and Montgomery County web site; and

WHEREAS, one hundred and twelve (112) firms received the Request for Proposals and twenty-three (23) responses were received in the Office of Procurement and were publicly opened beginning at 3:00 p.m. local time on April 27, 2010; and

WHEREAS, in conformance with the College's consultant selection process, a selection committee composed of Facilities Office professional staff reviewed and evaluated all of the submissions; and

WHEREAS, based upon a full discussion of the merits of each of the firms, the committee made a consensus recommendation that the firms of Century Engineering (Hunt Valley, MD), Smislova, Kehnemui & Associates, P.A. (Potomac, MD) be named to the College's consultant contract list for collegewide task-order structural design, engineering and related services; and

WHEREAS, based upon the acceptance of this recommendation, the College will negotiate individual on-call, task order-based structural design and engineering services contracts/purchase orders with the firms on the consultant contract list for an initial two-year term of FY2011 and FY2012 within a fiscal limit of $2,000,000 for the combined total of all anticipated multiple task order contracts that will be negotiated with the individual firms, and that the College has the right to annually reappoint any or all of the recommended firms, based upon their acceptable work effort, for up to three (3) subsequent fiscal years (FY2013 through FY2015) for additional structural engineering services within a $1,000,000 limit per fiscal year for the multiple task order contracts/purchase orders; and

WHEREAS, the President of the College recommends the following action; now therefore be it

Resolved, That the firms of Century Engineering (Hunt Valley, MD), and Smislova, Kehnemui & Associates, P.A. (Potomac, MD) be named to the College's consultant contract list to provide structural design and engineering services for various College projects; and be it further

Resolved, That the firms are designated to provide services by which the College, at its sole discretion, will seek, on a task order basis, negotiated or competitive fee proposals from one or more project designers for work:

Century Engineering (Hunt Valley, MD)
Smislova, Kehnemui & Associates, P.A. (Potomac, MD)

Resolved, That the College may negotiate individual on-call, task order-based contracts/purchase orders with the firms on the consultant contract list for an initial two-year term of FY2011 and FY2012 within a fiscal limit of $2,000,000 for the combined total of all anticipated multiple task orders, and that the College has the right to annually reappoint any or all of the recommended firms, based upon their satisfactory performance, for up to five (5) subsequent fiscal year appointments (FY2013 through FY2015) for additional consultant services within a $1,000,000 limit per fiscal year for all anticipated multiple task order contracts/purchase orders.

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number:
June 21, 2010

AWARD OF CONTRACT
NOVELL ACADEMIC LICENSE SOFTWARE AND SERVICES
BID #510-027

BACKGROUND

The Vice President of Instructional and Information Technology/Chief Information Officer has requested a contract for the purchase of Novell Academic License Software and Services, which runs the College's Network Operating System (NOS). The current Novell Academic Software License will expire on July 31, 2010. The College has approximately 7,000 workstations, both instructional and administrative, that must access the NOS through the Novell operating system to authenticate users, share files, and print data. This operating system requires periodic updates and upgrades in order to run optimally and to qualify for continued support from the software manufacturer. The purchase of the Novell Academic License Software and Services will provide ongoing maintenance, updates, and upgrades which will enhance the management of academic computer labs and maintain and improve student access to data and resources on College networks. Without the Novell software product, there would be no application security or connectivity to server-based applications, no workstation policies restricting user access to workstation settings, no security patches or software updates to workstations, and no access to shared network printers and services. This purchase will continue support of College Goal IV, to provide state-of-the-market information technology resources that facilitate communication and support our learning organization.
On April 21, 2010, a solicitation was issued for the purchase of Novell Academic License Software and Services. The solicitation was downloaded from the College Procurement website by 22 bidders. Seven responses, including one no bid, were received on May 7, 2010. En Pointe Technologies, Gardena, California, was declared the lowest responsive, responsible bidder meeting College requirements with a total annual price of $141,540. Board approval is required for competitive sealed bids valued above $100,000.

RECOMMENDATIONS

It is recommended that the Board of Trustees award a contract for the purchase of Novell Academic License Software and Services to En Pointe Technologies, Gardena, California, for a total annual price of $141,540. It is also recommended that the contract be renewed, at the sole option of the College, for two additional one-year terms, provided funds are available, service is satisfactory, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolution
Bidders List (Board Members Only)

RESOURCE PERSONS

Mr. Johnson Mr. Moore Mr. Russell Mr. Sorrell

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-047** Agenda Item Number: 9B
Adopted on: **6/21/2010** June 21, 2010

Subject: AWARD OF CONTRACT, NOVELL ACADEMIC LICENSE SOFTWARE AND SERVICES, BID NO. 510-027

WHEREAS, the Vice President of Instructional and Information Technology/Chief Information Officer has requested a contract for the purchase of Novell Academic License Software and Services which authorize the College to run the Novell operating system. The current Novell Academic Software License will expire on July 31, 2010; and

WHEREAS, the Novell operating system runs the College's instructional and administrative primary network servers. The College has approximately 7,000 workstations, both instructional and administrative, that must access the College network through the Novell network operating system to authenticate users, share files, and print data; and

WHEREAS, the Acting Director of Procurement certifies that specifications were developed by appropriate College staff, and the Chief Business Officer certifies that funds are available in the FY2010 Operating Budget; and

WHEREAS, pursuant to Md. (Educ.) Code Ann. Sec. 16-311(c), an invitation to bid was publicly advertised in a County newspaper on April 21, 2010, posted on the College Procurement and the State of Maryland websites, and downloaded by 22 vendors; seven (7) responses were received, including one (1) no-bid, read aloud, and recorded, beginning at 3:00 p.m. on May 7, 2010; and

WHEREAS, it was determined that the bid submitted by En Pointe Technologies, Gardena, California, was the lowest responsive, responsible bidder, meeting all College specifications; and

WHEREAS, awards resulting from competitive sealed bids valued above $100,000 require the approval of the Board of Trustees; and

WHEREAS, the Interim President of the College recommends the following action; now therefore be it

Resolved, That a contract be awarded for the purchase of Novell Academic License Software and Services, to En Pointe Technologies, Gardena, California, for a total annual price of $141,540.

Resolved, That the contract be renewed for two (2) additional one-year periods, at the sole option of the College, provided funds are available, service is satisfactory, and it is in the best interest of the College.

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 10A
June 21, 2010

FINAL ADOPTION OF THE FY2011 COLLEGE CAPITAL BUDGET

BACKGROUND

On May 27, 2010, the County Council approved the College's FY2011 Capital Budget by appropriating $25,020,072 to fund 16 projects. The Council's approved budget (Council Resolution No. 16-1366) is made up of the following:

Project	FY11 Request	Council Final Action
ADA Compliance – College	$ 50,000	$ 50,000
Capital Renewal	2,394,000	2,394,000
Elevator Modernization – College	580,000	580,000
Energy Conservation – College	125,000	125,000
Facility Planning – College	300,000	270,000
Gtown Science & Technology Park Infrastructure	165,072	165,072
Instructional Furniture & Equipment – College	300,000	150,000
IT Information Technology	11,100,000	2,914,000
IT Student Learning Support Systems	1,600,000	700,000
IT Network Operating Center	2,000,000	1,000,000
IT Network Infrastructure & Support Systems	2,000,000	1,000,000
Planned Life-Cycle Asset Replacement–College	4,000,000	4,000,000
Planning, Design & Construction	1,455,000	1,413,000
Rockville Science Center	8,488,000	8,488,000
Roof Replacement – College	1,071,000	1,071,000
Site Improvements	700,000	700,000
TOTAL	$36,328,072	$25,020,072

The FY2011 Capital Budget provides full funding of furniture, fixtures, and equipment for the Rockville Science Center. The funding is split equally between the State and the County. The remaining projects shown above are funded 100% by the County.

Citing fiscal reasons, the County decreased a number of the College's FY2011 funding requests, namely: Facility Planning – College ($30,000 decrease); Instructional Furniture and Equipment ($150,000 decrease); IT Information Technology ($8,186,000 decrease); IT Network Operating Center ($1,000,000 decrease); IT Network Infrastructure and Support Systems ($1,000,000 decrease); IT Student Learning Support Systems ($900,000 decrease); and Planning, Design, and Construction ($42,000 decrease).

The approved FY2011 Capital Budget also provides funding for many on-going level-of-effort projects, such as Site Improvements, PLAR, and Elevator Modernization.

It should be noted that a part of the FY2011 action includes reductions to the cumulative appropriations to date on the project description forms for several current revenue projects. These were originally discussed as restrictions, but became actual reductions. The following projects had additional reductions in funding for FY10: Facility Planning – College ($171,000 decrease); IT Network Infrastructure and Support Systems ($533,000 decrease); IT Network Operating Center ($146,000 decrease); and IT Student Learning Support Systems ($1,000,000 decrease). The County and the College worked closely together during deliberations on the FY2010 reductions and the FY2011 final appropriations for the IT projects.

RECOMMENDATION

The Board is asked to adopt the FY2011 Capital Budget as appropriated by the Montgomery County Council and authorize the Interim President to implement the approved budget. The attached resolution provides for the formal action taken each year following the Council's appropriation of the College's Capital Budget.

BACK-UP INFORMATION

Board Resolution
Other Approved Projects

RESOURCE PERSON

Mr. Capp

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-048** Agenda Item Number: 10A
Adopted on: **6/21/2010** June 21, 2010

Subject: Final Adoption of the FY2011 College Capital Budget

WHEREAS, on November 16, 2009, by Board Resolution #09-11-115, the Board of Trustees adopted amendments to the FY2011-2012 Biennial College Capital Budget; and

WHEREAS, on May 27, 2010, by Council Resolution #16-1366 the Montgomery County Council approved the College's FY2011-2016 Capital Improvements Program and approved the FY2011 Capital Budget with new appropriations totaling $25,020,072 to fund 16 projects; and

WHEREAS, the Interim President recommends the following action; now therefore be it

Resolved, That the Board of Trustees adopts the FY2011 College Capital Budget, and authorizes the Interim President to implement the budget as amended, approved, and appropriated by the Montgomery County Council for the College, pursuant to Council Resolution #16-1366.

MONTGOMERY COLLEGE
FY2011 Capital Budget
Other Approved Projects (No Funds Requested in FY2011)

Projects with prior-year appropriations (Approved as submitted):
Germantown Bioscience Education Center
Germantown Childcare Center
Germantown Observation Drive Reconstruction
Life Safety Systems
Outdoor Athletic Facilities
Rockville Computer Science Alterations
Rockville Macklin Tower Alterations
Rockville Parking Lot and Tennis Court Relocation
Rockville Science East Renovation
Rockville Science West Renovation
TP/SS Campus Expansion
TP/SS Commons Renovation
TP/SS Health Sciences Expansion
TP/SS West Campus Parking Garage

Outyear projects with no previous appropriation (FY2011-2016):
Germantown Student Services Center
Rockville Student Services Center
TP/SS Math & Science Center

Deleted outyear projects with no previous appropriations (FY2011-2016):
Rockville Library Resource Center
Rockville Physical Plant Building

Projects pending close out:
None

Projects closed out as of July 1, 2010:
Germantown Goldenrod Building Renovation

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 10B
June 21, 2010

FINAL ADOPTION OF THE FY2011 CURRENT FUND AND SPECIAL FUNDS BUDGETS

BACKGROUND

On February 15, 2010, the Board of Trustees adopted a budget in the amount of $223,003,199 for the Current Fund and $16,136,583 for the Workforce Development and Continuing Education Fund and $6,464,561 for the Auxiliary Enterprises Fund. It is necessary to readopt the budget since the County Council's final appropriation for the current fund is 215,024,676.

The FY2011 final Operating Budget represents a .8% decrease ($1.8 million) from the prior year and a 7.9% decrease in County funding ($8.4 million). State Aid decreased $1,890,672 in the Current fund and decreased $1,722,044 in WD & CE for a total decrease of $3,612,716 less than the FY2010 budget. The Board of Trustees increased tuition $5/$10/$15 (in-county, in-State, out-of-State) per credit hour. This budget includes use of fund balance of $6.8 million, of which $3.3 million is from budget savings programs.

The budget the County Executive recommended on March 15th was $15 million less in County funding than requested. The County Council restored $4.4 million. Another $2.1 million in revenue was generated by 1) increasing tuition an additional $2/$4/$6 per credit hour from the February adopted budget (+$1.4 million); 2) accepting the County Executive's recommendation of additional use of fund balance (+$525,426); 3) eliminating the Federal Work Study and Supplemental Educational Opportunity Grants match (+ $450,000); and 4) offset by another reduction in State aid (-$336,408).

This budget is able to fund enrollment growth, the opening of the Rockville Science Center, benefit cost increases, BOT grants and utilities. As with all County agencies, the College is unable to fund any salary improvement or postretirement benefits in FY2011. This budget includes a reduction of 21.75 positions which are offset by 18 new faculty positions and 5 academic positions for the Rockville Science Center.

The Other Funds (Emergency Plant Maintenance & Repair Fund, Cable TV, Student Activities and Athletics, and Grants) do not need to be readopted because Board Resolution #10-02-017 did not specify amounts.

There is a provision in this resolution to reappropriate encumbered FY2010 balances in FY2011. This action will allow funding for items encumbered in the current fiscal year to automatically be reappropriated in the next fiscal year.

RECOMMENDATION

Members of the Board are asked to readopt the FY2011 Current Fund and Special Funds Budgets as presented, and authorize the Interim President to implement the budgets which are subject to final County Council funding actions in June, 2010.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Moore
Ms. Dimon

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-049** Agenda Item Number: 10B
Adopted on: **6/21/2010** June 21, 2010

Subject: Final Adoption of the FY2011 Current Fund and Special Funds Budgets

WHEREAS, the Board of Trustees originally adopted the College's Fiscal Year 2011 Operating Budget on February 15, 2010, by Board Resolution #10-02-17; and

WHEREAS, the Montgomery County Council considered the budget in work sessions during April and May, 2010 and approved $215,024,676 for the Current Fund, and $22,601,144 for the Enterprise Funds; and

WHEREAS, the County Council recognized the valuable contribution that Montgomery College makes to the community and restored County funding by $4.4 million to fund enrollment growth and the Rockville Science Center; and

WHEREAS, the Council has approved the College's Fiscal Year 2011 Operating Budget for State-mandated functions and appropriated a Current Fund expenditure authority of $215,024,676; and

WHEREAS, by the same resolution, the Council appropriated the expenditure authority for the Special Funds as follows: Workforce Development and Continuing Education Fund, $16,136,583, and Auxiliary Enterprises Funds, $6,464,561; and

WHEREAS, the College, seeking to be consistent with other County agencies and colleges in Maryland, requests the authority for encumbered expenditures to carry into the next fiscal year; and

WHEREAS, the foregoing expenditure appropriation has been applied to functional expense categories to reflect Council actions; now therefore be it

Resolved, That the Board of Trustees hereby readopts the FY2011 College Current Fund Operating Budget in the amount of $215,024,676, Workforce Development and Continuing Education Fund in the amount of $16,136,583; and the Auxiliary Enterprises Fund in the amount of $6,464,561; and be it further

Resolved, That the Board of Trustees authorizes reappropriation and expenditures of encumbered FY2010 appropriations for all funds, permitting the funds to be spent in FY2011 (unencumbered appropriations lapse at the end of FY2010); and be it further

Resolved, That the functional totals for the Fiscal Year 2011 Operating Budget will be in the amounts listed below:

		CURRENT FUND	SPECIAL FUNDS
10	Instruction	$ 82,471,262	$ 16,040,583
40	Academic Support	28,896,440	-0-
50	Student Services	25,751,672	-0-

60	Operations & Maint. Of Plant	32,821,727	-0-
70	Institutional Support	41,786,700	-0-
80	Scholarships & Fellowships	3,296,875	96,000
	Auxiliary Expenditures	-0-	6,464,561
TOTAL		$215,024,676	$22,601,144

and be it further

Resolved, That the estimated budgeted source of funds projected by the Board of Trustees to fund the College's Operating Budget during FY2011 are in the amounts listed below, subject to final County Council funding actions in June, 2010.

	CURRENT FUND	**SPECIAL FUNDS**
County Contribution	$ 98,051,990	$ -0-
State Aid	30,610,336	4,372,136
Tuition & Fees	78,073,592	8,250,000
Miscellaneous	1,465,000	2,074,000
Fund Balance	6,823,758	3,222,808
Income from Sales & Service	-0-	4,682,200
Net Transfers	-0-	-0-
TOTAL	$ 215,024,676	$22,601,144

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 11
June 21, 2010

PETITIONS FOR STATE FUNDING

BACKGROUND

On May 27, 2010, the Montgomery County Council appropriated the College's FY2011 Capital Budget including funds for one (1) State-assisted project: the Rockville Science Center project. The County Executive and the County Council have been informed that the College will petition the State for final approval of this project's funding.

The State and County funding levels for the project are outlined below. The FY2011 appropriation for the Rockville Science Center project furniture, fixtures, and equipment is $8,488,000 ($4,244,000 County and $4,244,000 State Aid).

The attached resolution and County Council petition are in the format prescribed by the State and County. In addition, the petition outlines the contingent nature of the Council's approval which requires State approval of the College's projects as part of the FY2011 bond bill. With the Board's adoption of this resolution, the request is forwarded to the County Council for action on the State grant petition.

RECOMMENDATION

It is recommended that the Board of Trustees formally request the County Council to petition the State for the following grant: $4,244,000 for the Rockville Science Center project furniture, fixtures, and equipment.

BACK-UP INFORMATION

Board Resolution
County Council Resolutions
Project Description Forms (Board members only)

RESOURCE PERSON

Mr. Capp

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-50** Agenda Item Number: 11
Adopted on: **6/21/2010** June 21, 2010

Subject: Proposal to Construct a Public Junior/Community College or Additions Thereto, Rockville Science Center Project Furniture, Fixtures, and Equipment

WHEREAS, the General Assembly of Maryland has enacted various community college construction loan acts that provide State funds to assist the various counties in financing the costs of acquiring land and constructing public junior, community, or regional community college buildings and facilities, the costs of which were incurred after the effective dates of the acts; and

WHEREAS, the Board of Trustees of Montgomery Community College proposes undertaking purchases of furniture, fixtures, and equipment for the Rockville Science Center project on the Rockville Campus of the College and has determined that the sum of $4,244,000 in State financial assistance available under the loan acts is needed for this purpose; now therefore be it

Resolved, That the Board of Trustees of Montgomery Community College requests that the Montgomery County Council approve the proposal to purchase the furniture, fixtures, and equipment for the Rockville Science Center project on the Rockville Campus of the College as set forth in the application for financial assistance; file, as required by the loan acts and contingent on enactment of the FY2011 State of Maryland Capital Budget by the 2010 Session of the General Assembly and its approval by the Governor, the necessary petition with Maryland Higher Education Commission for a State grant in the amount of $4,244,000, and make available the necessary local funds for completion of the project.

A True Copy.

ATTEST:

_____, Secretary-Treasurer
Board of Trustees of
Montgomery Community College

Date: _____

HP:abg

Resolution No.:_____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

Subject: Petition for State Grant of $4,244,000 for the furniture, fixtures, and equipment purchases for the Rockville Science Center project on the Rockville Campus of the College.

Background

1. The General Assembly of Maryland has enacted various community college construction loan acts that provide State funds to assist the counties in financing the costs of acquiring land and constructing public junior, community, or regional community college buildings and facilities, the costs of which were incurred after the effective dates of the acts.

2. The County Council must file a petition to participate in the financial assistance provided in the acts with the Maryland Higher Education Commission.

3. The Board of Trustees of Montgomery Community College proposes undertaking furniture, fixtures, and equipment purchases for the Rockville Science Center project on the Rockville Campus of the College in Montgomery County. Upon resolution duly adopted by the Board, the Board requests the County Council to petition the Maryland Higher Education Commission for a grant of $4,244,000 needed to assist the financing of the public community college project which is described in the application for financial assistance.

2. In the FY2011 Capital Budget for Montgomery College, the Board of Trustees proposed undertaking certain furniture, fixtures, and equipment purchases for the Rockville Science Center project on the Rockville Campus of the College. On May 27, 2010, the County Council approved $8,488,000 for this project, contingent on the receipt of $4,244,000 from the State in FY 2011.

3. In April 2010, the State General Assembly and the Governor approved the FY2011 State of Maryland Capital Budget, which included $4,244,000 for the Rockville Science Center project on the Rockville Campus of the College. However, the Board of Public Works must still approve the specific grant and the necessary contracts. Before this approval, the County Council must file a petition to participate in the financial assistance provided in the acts with the Maryland Higher Education Commission. After the Commission receives this petition, the Commission will recommend to the Board of Public works that the Board approve the grant and the contracts.

Action

The County Council for Montgomery County, Maryland, approves the following action:

1. In accordance with the enactment by the 2010 session of the General Assembly of the FY2011 State of Maryland Capital Budget and approval by the Governor, the County petitions the Maryland Higher Education Commission for a grant of $4,244,000 from the available funds of the various community college construction loan acts in order to participate in the available financial assistance.

2. If the Maryland State Board of Public Works approves a grant of less than fifty percent (50%) of the estimated total cost for the furniture, fixtures, and equipment of the Rockville Science Center project on the Rockville Campus of the College, the College must notify the County Executive and the County Council by requesting an amendment to the College's Capital Improvements Program. The amendment must show the actual project funding schedule proposed and the Council must approve the amendment before the College awards a contract.

This is a correct copy of Council action.

_____
Linda M. Lauer
Clerk of the Council

Attachments: Montgomery College Board of Trustees Resolution No. 10-06-050
Rockville Science Center PDF #036600

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 12
June 21, 2010

MODIFICATION OF LEASE AGREEMENT FOR WORKFORCE DEVELOPMENT & CONTINUING EDUCATION PROGRAMS WHEATON PLAZA SOUTH BUILDING, WHEATON, MARYLAND

BACKGROUND

In December 1998, the Board approved a lease for 2,243 square feet of instructional space in the Wheaton Plaza South Building. In July 2000, the Board approved a modification to the lease to include an adjoining 1,353 square feet of instructional space. In November 2001, the Board approved a modification to the lease to include an additional 7,197 square feet. The total rented space as of November 2001 is 10,793 square feet. The current space now contains nine instructional spaces that have been extremely well received by the community. The present nine-classroom community training site is once again at capacity. In particular demand in the Wheaton area is English as a Second Language programming and all offerings are at capacity.

This building is a multi-story office and retail building located next to the Wheaton Plaza shopping mall and is co-located in the same building as Montgomery Works. This building is exceptional in regard to ample free parking and Metro access. Space for student parking has been a consistent limitation in off-site location searches. As we have staffed this center and can draw on existing infrastructure of IT connectivity, the opportunity to expand services at this location would minimize additional capital expenditures and staffing requirements.

Additional space in this building has become available on the second floor. The additional space is 2,885 square feet, which will provide space for 12 offices and a conference area for staff meetings. In addition, this space extension facilitates the conversion of two room spaces in the existing rented square footage to classrooms for revenue generating activity.

In order to expand the service delivery of the Wheaton site, the College requested a lease proposal from the representatives of the building owner. The outcome of the lease negotiations is now before the Board and includes an eleven-year, full-service lease for the combined total of 13,678 rentable square feet of space. The new lease will extend the current lease term for the current space so that it is coterminous with a new eleven-year term for the expansion space.

The modified lease agreement will be at an average rental rate of $24.14 per square foot for the total rentable space of 13,678 square feet. As of the August 2010 anticipated commencement date, the base rental rate will be $27,511.33 per month or $330,136 per year for a new eleven-year term with an annual 3% escalation cost. Rent abatement of 2 months on extended space and 1 month rent abatement on existing space in the first year of the lease curtails a cost increase to the College initially. Build-out of the extension space will be at the cost of the owner. Funding for this project is from Workforce Development & Continuing Education's FY2011 Operating Budget.

RECOMMENDATION

It is recommended that the lease agreement with Wheaton Plaza Regional Shopping Center LP be modified to include an additional 2,885 square feet of space and an eleven-year lease term for a total of 13,678 square feet of space at an initial average annual rental of $24.14 per rentable square foot, full service, in the Wheaton Plaza South Building, Wheaton, Maryland, at an initial annual cost of $330,136 annually, including an annual escalation 3% clause as enumerated in the lease agreement.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSON(S)

Mr. Moore
Mr. Capp
Mr. Johnson
Mr. Payne

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-051** Agenda Item Number: 12
Adopted on: **6/21/2010** June 21, 2010

Subject: Modification of Lease Agreement for Workforce Development & Continuing Education Programs, Wheaton Plaza South Building, Wheaton, Maryland

WHEREAS, the Vice President and Provost for Workforce Development & Continuing Education requests to modify the existing lease agreement with Wheaton Plaza Regional Shopping Center LP for rental space in the Wheaton Plaza South Building, Wheaton, Maryland, for the purpose of providing additional space for various educational programs; and

WHEREAS, the Chief Business Officer certifies that funds are available in Workforce Development & Continuing Education's FY2011 Operating Budget to enable the College to award a lease agreement as recommended; and

WHEREAS, the Chief Facilities Officer requested and received a proposal from the leasing agent that meets all College requirements, at a reasonable cost, and the Director of Procurement certifies that no other firm or location can meet the College needs due to building ownership and location and that the request for a sole source procurement is justified; and

WHEREAS, Board policy states that the formal bidding process may be dispensed with in the event of a sole source procurement; and

WHEREAS, the Interim President of the College recommends the following action; now therefore be it

Resolved, That the existing lease agreement be modified to include 2,885 additional rentable square feet of space and that an eleven-year lease agreement for a total of 13,678 rentable square feet of space in the Wheaton Plaza South Building, Wheaton, Maryland, is awarded to Wheaton Plaza Regional Shopping Center LP at an initial cost of $27,511.33 per month, or an initial annual lease payment of $330,136, including an annual lease payment escalation clause as enumerated in the lease agreement.

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 13
June 21, 2010

HIGHER EDUCATION CONSERVATION EASEMENTS
GERMANTOWN CAMPUS

BACKGROUND

At the February 2007 meeting, the Board awarded the design contract for the Bioscience Education Center on the Germantown Campus. The Bioscience Education Center will be a signature campus building located at the high point of the Campus and the project will provide for the expansion of the Campus to a second quadrangle to the south of the existing Campus development, as well as a new Campus entrance road with the extension of Observation Drive south to Middlebrook Road. As part of the planning for developing this site, the College recently completed the mandatory referral process for the project with a work session on May 20, 2010, with the Montgomery County Planning Board and a resulting letter from the Chairman dated May 24, 2010, containing comments on the project. Part of this work session also included the Planning Board's approval of the preliminary forest conservation plan for the entire Campus. The final forest conservation plan was recently concluded with the Maryland-National Capital Park & Planning Commission staff. The establishment of the necessary easements and a response to the mandatory referral comments are now required to complete this process.

Under State law, any entity seeking to develop property must prepare a forest conservation plan and implement the required conservation measures as outlined in the adopted plan. For the Germantown Campus this will include a Modified Category I easement covering 75.47 acres of the Campus and a Category II easement covering 0.73 acre. The Modified Category I easement is comprised of two principal segments as shown on the attached campus map. One segment is the stream valley buffer located along Gunners' Branch and totaling 28.05 acres. The second main segment is made up of the Priority One forest identified by the County Council in its approval of the Germantown Sector Plan and totaling 47.42 acres. The Category II easement is limited to a champion American elm tree and its root zone which is located adjacent to the Hughes Network property along the southern portion of the Campus, as shown on the attached campus map.

With regard to Board policy on easement requests, in April 1995, the Maryland Department of General Services informed the College that according to the Department's Principal Counsel "there is no need for the College to request Board of Public Works approval for [a] property rights transfer" when it comes to easements. This conclusion was confirmed by Maryland Higher Education Commission staff in 1997 during a similar easement request review. No action is required of the State with regard to this easement request.

The College submitted the project to the Planning Board for mandatory referral under State law several months ago. Because of the failure of the Planning Board to act within the 60 days required by the statute, the project was deemed approved by law; however, the College invited the Planning Board to submit any comments that it deemed germane for appropriate

consideration. In order to meet all requirements of the mandatory referral law, the Board of Trustees is requested to authorize the President or designee to respond to the comments contained in the May 24 letter.

In addition to the forest conservation easements presented to the Board, the Bioscience Education Center project will also require a number of additional future easements and road dedications by the Board. These various easements and eventual road right-of-way dedication are all part of the development of the new Campus entrance road to Middlebrook Road which is ultimately part of the western alignment of Observation Drive that was adopted by the County Council as part of the Germantown Sector Plan. An initial list of anticipated easements and road dedications include WSSC water and sewer easements, Washington Gas easement, PEPCO easement, Montgomery County stormwater management pond maintenance easement, and a Montgomery County road right-of-way dedication (perhaps in three sections linking MD-118 to Middlebrook Road). In addition, there will likely be various utility easements requested of the College by future tenants of the Science & Technology Park, as well as a potential road right-of-way dedication to the east linking the Park to MD-355 which will also be associated with future development within the Park.

RECOMMENDATION

A Board resolution for approving this request for easements and authority to respond to the mandatory referral comments is presented for the Board's action at the June meeting.

BACKUP INFORMATION

Board Resolution
Exhibit "A" (Board members only)
Exhibit "A-1" (Board members only)
Exhibit "B-1" (Board members only)

RESOURCE PERSON

Mr. Capp
Mr. Sorrell

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-052** Agenda Item Number: 13
Adopted on: **6/21/2010** June 21, 2010

Subject: Higher Education Conservation Easements, Germantown Campus

WHEREAS, the College desires to construct the Bioscience Education Center and related site improvements on the Germantown Campus (the "Project") in accordance with the College's adopted Facilities Master Plan; and

WHEREAS, the proposed construction of the Project includes the recent comments contained in the response of the Montgomery County Planning Board to the mandatory referral of the project and the approval by the Montgomery County Planning Board of the Preliminary Forest Conservation Plan and establishment of a Higher Education Conservation Easement (Modified Category I Easement) and a Category II Easement; and

WHEREAS, College staff have prepared certain easement agreements that identify the land required and that these easement agreements are consistent with the College's requirements for such documents; and

WHEREAS, College staff have identified the land required for the conservation easements as follows:

PART 1

BEING part of that parcel or tract of land identified as a higher education conservation easement (Modified Category I) containing 75.47 acres of land as shown on Exhibits "A" and "A-1" attached hereto and made a part hereof by this reference; and

PART 2

BEING part of that parcel or tract of land identified as a forest conservation easement (Category II) containing 0.73 acre of land as shown on Exhibit "A" and "B-1" attached hereto and made a part hereof by this reference; and

WHEREAS, these easement agreements should be recorded among the Land Records of Montgomery County, Maryland, and

WHEREAS, the Interim President of the College recommends the following action; now therefore be it

Resolved, That the Board of Trustees grants conservation easements to the Maryland-National Capital Park and Planning Commission for right of ingress and egress for said purpose, the said easements being described as follows:

PART 1

BEING part of that parcel or tract of land identified as a higher education conservation easement (Modified Category I) containing 75.47 acres of land as shown on Exhibits "A" and “A-1” attached hereto and made a part hereof by this reference; and

PART 2

BEING part of that parcel or tract of land identified as a forest conservation easement (Category II) containing 0.73 acre of land as shown on Exhibit "A" and “B-1” attached hereto and made a part hereof by this reference; and

Resolved, That the College will record the various easements among the Land Records of Montgomery County, Maryland; and be it further

Resolved, That the Chair of the Board of Trustees and/or the President are authorized to execute any easement, right-of-entry and/or other agreement documents necessary to implement the terms of this resolution and the President is authorized to respond on behalf of the Board of Trustees to the comments received from the Montgomery County Planning Board as part of the mandatory referral of the Project.

Attachments: Exhibit “A”
Exhibit “A-1”
Exhibit “B-1”

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 14
June 21, 2010

APPROVAL OF
MONTGOMERY COLLEGE PROGRAMS OF CULTURAL DIVERSITY
ANNUAL PROGRESS REPORT

BACKGROUND

In 2008, Maryland House Bill 905 and Senate Bill 438 Education Article, Annotated code of Maryland, §11-406 (b) (1) (iii) were passed. With the passing of these two Bills, legislation requires each private and public institution of higher education in the State of Maryland to develop and implement a plan for a program of cultural diversity. Accordingly, each "cultural diversity plan must include an implementation strategy and time line for meeting the goals;" and the plan must also include following "required elements":

- a description of the way the institution addresses cultural diversity among its students, faculty and staff populations;
- a description of how the institution plans to enhance cultural diversity, if improvement is needed;
- a process for reporting campus-based hate crimes;
- a summary of resources needed to effectively recruit and retain a culturally diverse student body; and
- the enhancement of cultural diversity programming and sensitivity to cultural diversity through instruction and training of the student body, faculty, and staff of the institution.

The aforementioned legislation includes a proviso that,

> Each year by May 1, each public institution must submit its plan to its governing board for its review. Thereafter, the governing board must submit a progress report on the institution's implementation of the plan to the Maryland Higher Education Commission (MHEC) by August 1. The Maryland Higher Education Commission must review the progress report and monitor compliance with the diversity goals of the State Plan for Higher Education; and MHEC must report to the General Assembly on the extent to which the institutions are in compliance with the diversity goals of the State Plan for Higher Education.

Pursuant to the requirements of this legislation, Montgomery College has developed a multi-year diversity plan to be implemented over a period of three years—Academic Years 2010 through 2012. Ensuring and sustaining institutional diversity and inclusive excellence among our faculty, staff and students were the guiding tenets for developing the College diversity plan. The Plan identifies action-oriented diversity goals and objectives in five key areas—(a) Policies, Procedures and Practices; (b) College Climate; (c) Outreach and Recruitment; (d) Supporting Student Success; and (e) Professional Development. The goals and objectives demonstrate Montgomery College's good faith, commitment and intention to remove barriers for expanding

and sustaining diversity and producing measurable results. Because of the importance of implementing this Plan and producing measurable results, the Board of Trustees will be provided data and information in the Trustee Information Program reports, where appropriate, throughout the upcoming academic year.

RECOMMENDATION

The Board of Trustees is requested to review and approve the Montgomery College Programs of Cultural Diversity Annual Progress Report and request the Interim President to forward it to the Maryland Higher Education Commission. This review and approval includes highlights of some of the ways Montgomery College addresses diversity among its students, faculty and staff through programming, training, professional development, recruitment, support, retention, financial assistance, and access. It demonstrates the College's good faith commitment and efforts for removing barriers to expand and sustain diversity and produce measurable results, in compliance with mandates as outlined by the State.

BACK-UP INFORMATION

Board Resolution
Montgomery College Programs of Cultural Diversity Annual Progress Report (Trustees only)

RESOURCE PERSONS

Mr. Moore
Ms. Matuskey
Dr. Scott

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-053** Agenda Item Number: 14
Adopted on: **6/21/2010** June 21, 2010

Subject: Montgomery College Programs of Cultural Diversity Annual Report, 2010

WHEREAS, 2008 Maryland legislation requires that annually each public and private institution's governing board submit a progress report on the institution's implementation of a plan for a program of cultural diversity to the Maryland Higher Education Commission; and

WHEREAS, the Maryland Higher Education Commission must review the progress report and monitor compliance; and

WHEREAS, pursuant to Maryland legislation, Montgomery College has developed an annual report of the College's programs of cultural diversity that provides insight into the way the College addresses diversity among its students, faculty and staff through programming, training, professional development, recruitment, support, retention, financial assistance, and access; and

WHEREAS, the Plan demonstrates the College's good faith commitment and efforts for removing barriers to expand and sustain diversity and producing measurable results, in compliance with mandates as outlined by the State; and

WHEREAS, the Office of Equity and Diversity has coordinated contributions from administrative offices and each campus in the development of the annual progress report; and

WHEREAS, the Interim President recommends that the following be taken; now therefore be it

Resolved, that the attached Montgomery College Programs of Cultural Diversity Annual Report be approved, and that the Report be sent to the Maryland Higher Education Commission by August 1, 2010.

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 15
June 21, 2010

COMPENSATION IN FY2011 FOR ADMINISTRATIVE, ASSOCIATE AND SUPPORT STAFF

BACKGROUND

Each year, during the spring, the Board acts on salary for Administrative, Associate and Support Staff. Salaries for Bargaining Unit Staff are negotiated with the AFSCME representative. Board action is necessary at this time, for Non-Bargaining Administrative, Associate and Support Staff.

RECOMMENDATION

The President recommends approval of the following resolutions:

1. Salary Schedule for Non-Bargaining Administrative, Associate and Support Staff for FY2011. This resolution outlines the pay schedule for all Non-Bargaining Unit Staff and Administrative employees, effective July 1, 2010.

2. Special Recognition and Outstanding Service Awards for FY2011. This resolution authorizes one-time, lump sum awards of up to $2,000 for special recognition and outstanding service for eligible employees.

3. Non-Bargaining Associate and Support Staff Shift Differential for FY2011. This resolution authorizes the continuation of a shift differential of $.98 for hours actually worked for those Non-Bargaining Associate and Support Staff who are regularly scheduled to work more than 25 hours in a work week between the hours of 10:00 p.m. and 6:30 a.m.

BACK-UP INFORMATION

Board Resolutions (3)

RESOURCE PERSON(S)

Ms. Lawyer

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-054a** Agenda Item Number: 15A
Adopted on: **6/21/2010** June 21, 2010

Subject: Salary Schedule for Non-Bargaining Administrative, Associate and Support Staff for FY2011

WHEREAS, while the College strives to maintain a competitive salary schedule to attract and retain highly qualified employees, given the failure to meet projected revenues, it would not be feasible to modify the College pay scheduled for FY2011 for Non-Bargaining Administrative, Associate and Support Staff; and

WHEREAS, the Salary Schedule for Non-Bargaining Administrative, Associate and Support Staff in effect for FY2010 will not change in FY2011; and

WHEREAS, failure to meet projected revenues has led to the implementation of furloughs in accordance with College Procedure 35001, Compensation Programs, separate from this salary schedule; and

WHEREAS, the President recommends adoption of the following resolution; now therefore be it

Resolved, That the salary schedule for Non-Bargaining Administrative, Associate and Support Staff be approved for FY2011 as shown on the attachment.

Attachment

HP:abg

Proposed
Salary Schedule for
Non-Bargaining Staff
Montgomery College
FY11
(Effective 7/1/10)

	HOURLY RATE		ANNUAL RATE*	
GRADE	MIN	MAX	MIN	MAX
A	$12.47	$21.33	$25,937.60	$44,366.40
B	$13.22	$22.60	$27,497.60	$47,008.00
C	$14.01	$23.95	$29,140.80	$49,816.00
D	$14.86	$25.38	$30,908.80	$52,790.40
E	$16.04	$27.40	$33,363.20	$56,992.00
F	$17.33	$29.57	$36,046.40	$61,505.60
G	$18.72	$31.94	$38,937.60	$66,435.20
H	$20.21	$34.49	$42,036.80	$71,739.20
I	$22.24	$37.92	$46,259.20	$78,873.60
J	$24.46	$41.70	$50,876.80	$86,736.00
K	$26.90	$45.86	$55,952.00	$95,388.80
L	$29.59	$50.43	$61,547.20	$104,894.40
M	$31.96	$54.46	$66,476.80	$113,276.80
N	$34.52	$58.80	$71,801.60	$122,304.00
O	$37.28	$63.50	$77,542.40	$132,080.00
P	$40.26	$68.56	$83,740.80	$142,604.80
Q	$42.67	$72.67	$88,753.60	$151,153.60
R	$45.24	$77.02	$94,099.20	$160,201.60
S	$47.95	$81.63	$99,736.00	$169,790.40

*ANNUAL EQUIVALENT RATE FOR FULL-TIME, 12-MONTH EMPLOYEES

SALARY SCHEDULE IS SEPARATE FROM THE COLLEGE'S FURLOUGH PLAN

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-054b** Agenda Item Number: 15B
Adopted on: **6/21/2010** June 21, 2010

Subject: Special Recognition and Outstanding Service Awards for FY2011

Resolved, That the Board of Trustees authorizes up to $2,000 as the lump sum amount for special recognition and outstanding service awards to be presented to those employees of the College who are eligible and approved for such an award during FY2011.

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-054c** Agenda Item Number: 15C
Adopted on: **6/21/2010** June 21, 2010

Subject: Non-Bargaining Associate and Support Staff Shift Differential for FY2011

Resolved, That the Board of Trustees authorizes the continuation of a shift differential of $0.98 in FY2011 for hours actually worked for those Non-Bargaining Associate and Support Staff who are regularly scheduled to work more than 25 hours in a work week between the hours of 10:00 p.m. and 6:30 a.m.

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 16
June 21, 2010

MEMORANDUM OF SETTLEMENT – COLLECTIVE BARGAINING AGREEMENT

BACKGROUND

Representatives of the Board of Trustees and the Montgomery College Chapter, American Association of University Professors reached an agreement as a result of re-opener negotiations resulting in amendments to the full-time faculty collective bargaining agreement. The amendments to the agreement include: bargaining unit composition, lengthening rolling term contracts (from 6 years to 8 years), altering the performance evaluation cycle, clarifying language related to discipline, no compensation increases, and the ability to furlough for up to four non-instructional duty days in Fiscal Year 2011. The parties also codified a prior agreement to establish a labor management fiscal advisory committee. The membership of bargaining unit ratified the agreement on May 19, 2010.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the attached resolution approving the collective bargaining agreement, authorizing the Board Chairman to execute the Memorandum of Settlement and delegating to the Interim President the authority and responsibility to implement and administer the agreement.

BACK-UP INFORMATION

Memorandum of Settlement, April 20, 2010

RESOURCE PERSON(S)

Ms. Lawyer
Ms. Miller

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-055** Agenda Item Number: 16
Adopted on: **6/21/2010** June 21, 2010

Subject: Memorandum of Settlement - Collective bargaining agreement

WHEREAS, the Montgomery College Chapter, American Association of University Professors, is the exclusive representative authorized to negotiate on behalf of certain full-time faculty members at Montgomery Community College; and

WHEREAS, a Memorandum of Settlement with amendments to the collective bargaining agreement effective August 20, 2001 to August 2015, has been negotiated by teams representing the Board of Trustees and the AAUP; and

WHEREAS, on May 19, 2010, the members of the AAUP ratified the Memorandum of Settlement; and

WHEREAS, the Board negotiating team recommends approval of the Memorandum of Settlement by the Board; and

WHEREAS, the Interim President recommends that the Board take the following action; now therefore be it

Resolved, That the Board of Trustees approve the amendments to the collective bargaining agreement set forth in the attached Memorandum of Settlement; and be it further

Resolved, That the Board of Trustees authorizes the Chairman to execute the Memorandum of Settlement between the Board of Trustees of Montgomery Community College and Montgomery College Chapter, American Association of University Professors; and be it further

Resolved, That the Board of Trustees delegates to the Interim President the responsibility and authority to implement and administer the collective bargaining agreement and to further delegate responsibility for the implementation and administration of the agreement to appropriate College staff.

Attachments: Memorandum of Settlement (Board members only)

HP:abg

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 20
June 21, 2010

SOLE SOURCE AWARD OF CONTRACT, SCREENVISION MOVIE THEATRE ADVERTISING

BACKGROUND

The College, through the Office of Institutional Advancement, has partnered with Screenvision, a movie theatre advertising provider, for the past two-plus years and has been very pleased with the results. Audiences have seen 30-second spots including Health Sciences program, Workforce Development and Continuing Education, Spanish, and testimonial spots (including credit and non-credit students). All have benefited from the partnership with Screenvision. This particular medium provides an opportunity to reach a wide and diverse audience in a captive setting which is a challenge with other more traditional mediums, such as radio and television.

Screenvision is proposing a unique advertising opportunity that the College has not had before with any other advertising medium – 4-minute spots at the Majestic Silver Spring for a 32-week period chosen by the College. This is the first opportunity the College has had to market the College in this manner at the county's largest movie theater. The College would also be the first and only local advertiser (this format is typically reserved for national advertisers) to claim this 4-minute spot. With box office surges in attendance by nearly 16% in 2009, with no signs of slowing down, it is logical to pursue an opportunity of this nature. (Data taken from excerpts from *Los Angeles Times* article by Michael Cieply and Brooks Barnes: published February 28, 2009, "In a Downturn, Americans Flock to the Movies".)

This is a unique opportunity at the largest movie theater in the county; further Screenvision is the sole source provider of cinema advertising and the only cinema advertising company that can display onscreen advertising at The Majestic Silver Spring 20 Screen. Accordingly, this request for a sole source procurement is justified.

The ad will appear approximately 7-15 minutes before the feature presentation begins. Most people arrive 20 minutes before the show begins, making this prime real estate time. The Majestic boasts 20 movie screens with 700 movies shown each week to more than 24,000 movie goers. A 4-minute format will allow the College to reach a wide audience and give the freedom to expand on the College as a whole, to market programs that support Workforce Development and Continuing Education or particular departments, ESL and other academic programs, partnerships, campuses, green efforts, etc. The possibilities are endless given this unique format. This would help elevate and generate awareness for the College and all aspects therein.

The total dollar amount for this project ($96,000) is planned for next fiscal year and is within the Marketing Department's budget of the Office of Institutional Advancement. We are seeking the Board's approval for the amount requested.

RECOMMENDATION

It is recommended that the Montgomery College Board of Trustees approve the proposed resolution to continue advertising with Screenvision in a new four- minute format.

RESOURCE PERSONS

Mr. Sears
Ms. Burl
Mr. Sorrell

BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **10-06-056** Agenda Item Number: 20
Adopted on: **6/21/2010** June 21, 2010

Subject: Sole Source Award of Contract, Screenvision Movie Theatre Advertising

WHEREAS, The College has partnered with Screenvision, a sole source movie theatre advertising provider, for the past two-plus years on 30-second advertising spots including Health Sciences programs, Workforce Development and Continuing Education, Spanish, and testimonial spots; and

WHEREAS, This particular advertising medium provides a unique opportunity to reach a wide and diverse audience in a captive setting which is a challenge with other more traditional mediums, such as radio and television; and

WHEREAS, Screenvision is proposing a unique advertising opportunity that the College has not had before with any other advertising medium – 4-minute spots at the Majestic Silver Spring for a 32-week period; and

WHEREAS, as the county's largest movie theater, The Majestic boasts 20 movie screens with 700 movies shown each week to more than 24,000 movie goers and the 4-minute format will allow the College to reach a wider audience and to market programs that support Workforce Development and Continuing Education or particular departments, ESL and other academic programs, partnerships, campuses, green efforts, etc.; now therefore be it

Resolved, That the Board of Trustees approves the awarding of a sole source contract in the amount of $96,000 to Screenvision to significantly increase the marketing and branding opportunities to a wide and captive audience of prospective students and county residents and expand the awareness of credit and non-credit offerings at Montgomery College.

HP:abg