The Board shall act on posted items and shall not deliberate items that are not on the posted agenda. Persons desiring to address the Board may fill out a card and give it to the Recording Secretary.

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact Bob Balestreri at 485-9414. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.

If you wish to speak, complete card available at entrance, give card to recording secretary, get recognition from the Chair. Persons desiring to address the Board on items not on the agenda may speak under item number “C.3” on the agenda. Public comment presentations will be limited to no more than 3 minutes each.

A. Board Study Session – 2:30 to 4:30 p.m., Staff Lounge, Deedy Student Services, Kentfield

1. Call to Order, Roll Call and Adoption of Agenda
2. Modernization Workshop
   a. Response to Questions about the IVC Main Building (2:30 to 3:15 p.m.)
   b. Response to Questions about the Number of Restrooms in the Fine and Performing Arts Buildings (3:15 to 3:30 p.m.)
   c. Science/Math/Central Plant Update (3:30 to 3:50 p.m.)
   d. Building Foundation - IVC Main Building (3:50 to 4:00 p.m.)
   e. Matching State Funds for Kentfield Gateway Project (4:00 to 4:10 p.m.)

B. Closed Session – 4:30 p.m. in SS A&B, Kentfield Campus

1. Call to Order, Roll Call and Adoption of Agenda
   a) Request for Public Comment on Closed Session Agenda

2. Closed Session: To consider and/or take action upon any of the following items:
   
   (a) With respect to every item of business to be discussed in closed session pursuant to Government Code Section 54957.6:
   
   CONFERENCE WITH LABOR NEGOTIATOR
   
   Relative to the following organizations representing employees: United Professors of Marin (AFT/UPM), California School Employees Association (CSEA), Service Employees International Union (SEIU), Unrepresented Employees (Confidential, Supervisors, Managers)
C. Regular Meeting

1. Call to Order (1 minute)

2. Approval of Minutes (2 minutes)
   - Minutes of June 26, 2007 Board Meeting
   - Minutes of July 10, 2007 Special Board Meeting

3. Citizens’ Requests to Address the Board on Non-Agenda Items (10 minutes)

4. Board Reports and/or Requests (15 minutes)
   a. Commendation Resolutions and Other Resolutions
      Resolution in Support of Water Management and Technology Education Center (WaMTEC)
   b. Legislative Report
   c. Committee Chair Reports
   d. Individual Reports and/or Requests
   e. CEO Report to Board on WASC Compliance
   f. CEO Report to Board on Compliance with Grand Jury Recommendations

5. Chief Executive Officer’s Report (5 minutes)
   a. Staff Reports (45 minutes)
      (1) COMet Update (Al Harrison)
      (2) Modernization Update (V-Anne Chernock)
      (3) Quarterly Update on SFSU Partnership (Nanda Schorske)
      (4) Program Review Update (Anita Martinez)
      (5) Equity Study (Linda Beam)

6. Academic Senate Report (5 minutes)

7. Classified Senate Report (5 minutes)
8. Student Senate and Student Associations Report (5 minutes)

9. Board Study Session (15 minutes)
a. Educational Pathways (Yolanda Bellisimo & Robert Kennedy)

10. Items for Possible Future Board Agendas (5 minutes)
a. Reserve Policies (August)
b. Unfunded Liability Options (August)
c. Shared Use Agreement – Sustainable Horticulture Program at IVC (August)

11. Consent Calendar Items (Roll Call Vote) (10 minutes)
The Superintendent/President recommends that the Board of Trustees approve the following Consent Calendar Items:

A. Calendar of Upcoming Meetings & Other Special Events

All regular Board meetings are at 6:30 p.m. with Board Retreats (Special Meetings) and other special events as noted:

July 17  Regular Meeting – 6:30 p.m. – Staff Lounge, Deedy Student Services, Kentfield
August 28 Regular Meeting – 6:30 p.m., Ohlone 106, IVC
         Final Budget Adoption
September 18 Regular Meeting – 6:30 p.m. – Staff Lounge, Deedy Student Services, Kentfield
October 9  Regular Meeting - 6:30 p.m. – Ohlone 106, IVC
November 7 Regular Meeting – 6:30 p.m. – Staff Lounge, Deedy Student Services, Kentfield
December 11 Organizational and Regular Meetings – 6:30 p.m. – Staff Lounge, Deedy Student Services, Kentfield

Other Special Events:

WaMTEC Dedication Celebration, July 19, 11:30 a.m. to 1:00 p.m., Lawn between Miwok and POMO Clusters, Indian Valley Campus

Fall Convocation, August 17, 10:00 a.m. to 12:00 p.m., Fine Arts Theater, Kentfield

B. Classified Personnel Recommendations. Approve the Classified Personnel Recommendations:
   1. Appointment of Classified Personnel
   2. Permanent Increase in Classified Assignment

C. Academic Personnel Recommendations
   1. Part-Time Temporary and Regular Credit Instructors Appointments for Summer Session 2007
   2. Temporary Non-Credit and ESL Community Education and Services Instructors Appointments for Summer Session 2007
D. Educational Management Personnel Recommendations
   1. Appointment and/or Change of Educational Management Personnel

E. Short-Term Hourly Positions

F. Budget Transfers – Month of June - FY 2006/07

G. Warrant Approval for Month of June 2007

H. Declaration of Surplus Property – Miscellaneous Equipment

I. Approve Student Record Destruction

J. Modernization (Measure C) Contracts
   1. Professional Services Contracts – Short Form Contract
      a. Approve McGinnis Chen Associates, Inc. Short Form Contract
         PE Complex Modernization Project #308B
         Evaluation of Glu-Lam Beams
   2. Construction Contract – Notice of Completion
      a. Notice of Completion – PE Conduit Crossing Project (#308E)
         D&D Pipelines, Inc.

K. Approve New Credit Courses

L. Approve Credit Course Revisions

M. Approve Credit Course Deletions

N. Approve Revised Purchase Order for Printing of Fall, Winter, Spring and Summer 2007/08 Community Education Schedules

12. Other Action Items (10 minutes)

   The Superintendent/President recommends the Board of Trustees approve the following Action Items:

A. Reject Claim – Austin Hogan

B. Friends of Corte Madera Creek Project

C. Authorize Request to Apply to Marin County Office of Education and Marin County Office of Education and Marin County Auditor for Fiscally Accountable Status

D. Modernization (Measure C) Contracts
   1. Professional Services Contracts – Long Form Amendments
      a. Approve Steinberg Architects Long Form Contract Amendment #5
         DSPS Relocation Design
            · Project #850G, Kentfield Campus
b. Approve Royston Hanamoto Alley & Abey (RHAA) Long Form Contract Amendment #5
   Landscape Design – IVC Bridges & Pathways Project #413A & Parking Lot & Bioswale Project #401B

c. Approve Alfa Tech Cambridge Group, Inc. – Long Form Contract Amendment #11
   Relocation Costs – PE Complex Project #850F at Kentfield Campus

d. Approve CSW /Stuber-Stroeh – Long Form Contract Amendment #9
   PE Portables Project 850F at Kentfield Campus
   Engineering Services

e. Approve Fugro West, Inc. – Long Form Contract Amendment #4
   Geotechnical Services for PE Photovoltaic Project #308D

2. Authorization to Initiate Projects
   a. IVC Power Plant 1 – Pool Heater Replacement - Project #407A
      Project Approval, Authorization to Bid, Pre-Authorization to Award

3. New Construction Contracts
   a. Approve Community Reconstruction Solutions Contract
      PE Complex Modernization Project #308B Evaluation of Glu-Lam Beams

4. Construction Contract – Change Order
   a. Approve Change Order #1 and Resolution for Approval of Change Order #1 to Existing Contract with D&D Pipelines, Inc. for PE Conduit Crossing Project #308E

E. Modernization (Measure C) - Miscellaneous
   1. Approve Reserve Allocation for Building Foundation
      IVC Main Building Project (#417)

F. Approve Office of Civil Rights Resolution Agreement

13. Information Items (5 minutes)

14. Correspondence
   Correspondence in Board Packets

15. Board Meeting Evaluation (5 minutes)

16. Adjournment
A. Closed Session

1. Call to Order, Roll Call, Adoption of Agenda, Closed Session

The meeting of the Board of Trustees of the Marin Community College District was called to order at 4:35 p.m. by Board Vice President Hayashino in the AS101 conference room at the Indian Valley campus, all members having received notice as prescribed by law. All publicly elected Trustees were present except Trustee Treanor, who arrived at 4:55 p.m. Dr. Frances White, Anita Martinez, and Al Harrison were also in attendance.

M/s (Long/Moore) to approve the agenda as presented. The motion passed unanimously (6-0).

There was no one present who wished to address the Board on the items listed to be discussed in closed session, and the Board went into closed session.

The closed session recessed at 6:35 p.m.

B. Regular Meeting

1. Reconvene in Open Session

The meeting of the Board of Trustees of the Marin Community College District was reconvened in open session at 6:55 p.m. in Ohlone 106 at the Indian Valley campus by Board President Treanor. She announced that the meeting was being recorded to facilitate the preparation of minutes. All Trustees were present except Trustee Long, who arrived at 7:05 p.m. Student Trustee Tam was also present.

2. Approval of Minutes and Report of Closed Session

M/s (Dolan/Brockbank) to approve the minutes of the June 12, 2007 Board meeting. Student Trustee Tam requested these changes to the minutes: specifying that the Student Trustee's advisory vote was an aye vote on these agenda items: C.12, C.13.B.4.a, and C.13.B.4.b and adding the results of the vote on the motion to approve C.13.A. The motion passed unanimously.
Board Clerk Kranenburg reported that the Board had met in closed session earlier that afternoon on the items listed on the agenda, and that no action was taken.

3. **Citizens’ Requests to Address the Board on Non-Agenda Items**
   None.

4. **Board Reports and/or Requests**
   a. **Commendation Resolutions and Other Resolutions**
      None

   b. **Legislative Report.**
      None

   c. **Committee Chair Reports**
      1) **Update on Grand Jury Report**
      Board President Treanor reviewed the draft of the Board’s Response to the Grand Jury Report and asked for feedback and comments. She stated that she will finalize the response and submit it to the Grand Jury on time. Student Trustee Tam shared part of ASCOM’s response to the Grand Jury Report with fellow Board members. Board President Treanor expressed thanks on behalf of the Board to the Grand Jury for their work.

   d. **Individual Reports and/or Requests**
      Trustee Long reported that she attended the dental assisting graduation and that it was a wonderful ceremony and a great chance to greet the graduates.

      Board members decided to change the November Board meeting date from Tuesday, November 13, to Wednesday, the 7th of November.

   e. **CEO Report to Board on WASC Compliance**
      None

5. **Chief Executive Officer's Report**
Dr. White called the Board’s attention to her written report in their packets. She asked Chief Lacy, our campus police chief, to report on the response of our campus police to an incident that occurred on the IVC campus on June 25.

   a. **Staff Reports**

      1) **Modernization Update**
      V-Anne Chernock, Director of Modernization, reported that the modernization team is preparing a detailed response to Board questions about the main building at IVC, developing parameters and wish lists for the Project Stabilization Agreement (PSA), wrapping up draft EIR’s for both campuses, and making ongoing revisions to the reporting process. They are also working on a milestones for contracts report for the July meeting and are instituting a “question of the month” process. Board members were encouraged to submit questions to Dr. White, and a detailed response will be prepared to the "question of the month."
2) **Response to Grand Jury Report**
President White called the Board's attention to the Responses of the Administration to the Grand Jury Report in their Board packets. She noted that staff will give monthly updates to the Board on our responses to the Grand Jury recommendations.

3) **Fiscal Accountability Independence from Marin County**
Al Harrison, Vice President of College Operations, made a presentation (copy attached) on the college's desire to become fiscally accountable ("independent") from the Marin County Office of Education (MCOE) and the Marin County Auditor's Office in order to improve operational efficiency and fully optimize our new Enterprise Resource Planning (ERP) Information System. If the college becomes fiscally accountable, our staff will be able to process and sign vendor and payroll checks. Vice President Harrison stated that the Board will be asked to authorize staff to apply for fiscally accountable status from the MCOE and Marin County Auditor's Office at the next Board meeting.

6. **Academic Senate Report**
Yolanda Bellisimo, Academic Senate President, reported that the Senate leadership is working on a plan to address our near crisis problem over new full-time hires. The current thinking of the Senate leadership is to have the Curriculum Committee set the criteria for full-time faculty hires. A copy of Ms. Bellisimo's statement is attached to the minutes as part of the official record.

7. **Classified Senate Report**
No report.

8. **Student Senate and Student Associations Report**
Student Trustee Hoa-Long Tam reported that both the ASCOM and Student Senate Constitutions will be revised over the next year. He announced that Students for Social Responsibility (SSR) and the Marin Interfaith Task Force on the Americas sponsored a successful speaking engagement by best-selling author John Perkins in Olney Hall on June 25 and that SSR would also be hosting a panel discussion on Iraq and Iran on July 14 at 7:30 p.m. in Olney Hall. Student Trustee Tam reported that ASCOM finalized its response to the Grand Jury Report at its final meeting of the term. A copy of Student Trustee Tam's report is attached to the minutes as part of the official record.

9. **Board Study Session**
   a. **Tentative Budget Presentation**
      Al Harrison, Vice President of College Operations, made a presentation (copy attached) on the 2007-2008 tentative budget, a vehicle which allows us to spend money on July 1. The final budget will be brought to the Board for approval at the August 28 meeting. He stated that he hopes our revenue will increase, as we are currently looking at deficit spending of $800,000 or cutting operating budgets. Trustees noted that we will have to develop a plan that will make the best use of our resources.

10. **Items for Possible Future Board Agendas**
    a. Unfunded Liability Options
    b. Reserve Policies
c. Educational Pathways (July)
d. Equity Study

11. Consent Calendar Items (Roll Call Vote)
M/s (Long/Krakenburg) to approve all items on the Consent Calendar with one change to B.11.A: a change in the date of the November Board meeting from the 13th to the 7th. The motion passed unanimously with a roll call vote (7-0) plus an advisory aye vote by Student Trustee Tam.

A. Calendar of Upcoming Meetings & Other Special Events

All regular Board meetings are at 6:30 p.m. with Board Retreats (Special Meetings) as noted and other special events:

July 17
Regular Meeting – 6:30 p.m. – Staff Lounge, Deedy Student Services, Kentfield

August 28
Regular Meeting – 6:30 p.m., Ohlone 106, IVC
Final Budget Adoption

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Regular Meeting – 6:30 p.m. – Staff Lounge, Deedy Student Services, Kentfield

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Regular Meeting - 6:30 p.m. – Ohlone 106, IVC

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December 11
Organizational and Regular Meetings – 6:30 p.m. – Staff Lounge, Deedy Student Services, Kentfield

Other Special Events:

WaMTEC Dedication Celebration, July 19, 11:30 a.m. to 1:00 p.m., Lawn between Miwok and POMO Clusters, Indian Valley Campus

Fall Convocation, August 17, 10:00 a.m. to 12:00 p.m., Fine Arts Theater, Kentfield

B. Classified Personnel Recommendations. Approve the Classified Personnel Recommendations:
1. Appointment of Hourly Personnel
2. Temporary Increase/Decrease in Classified Assignment

1. Appointment and/or Change of Academic Personnel

D. Short Term Hourly Positions

E. Declaration of Surplus Property – Miscellaneous Equipment
12. Other Action Items
   
   A. M/s (Long/Brockbank) to Approve Barnes & Noble Bookstore Agreement Renewal. The motion passed unanimously.

   B. M/s (Moore/Long) to Approve Tentative Budget 2007/08. The motion passed unanimously.

   C. M/s (Long/Moore) to Approve Resolutions Granting Authorization to Sign on Behalf of Governing Board. The motion passed unanimously with a roll call vote (7-0) plus an advisory aye vote by Student Trustee Tam.

   D. M/s (Moore/Hayashino) to Approve Resolution Authorizing Governing Board to Enter into Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and Designation of Personnel to Sign Contract Documents for Fiscal Year 2007/08. The motion passed unanimously with a roll call vote (7-0) plus an advisory aye vote by Student Trustee Tam.

   E. M/s (Moore/Kranenburg) to Approve Board's Response to Grand Jury Report. The motion passed unanimously.

13. Information Items

14. Correspondence
   Board members were asked to review the correspondence in their Board Packets.

15. Board Meeting Evaluation

16. Adjournment
   M/s (Brockbank/Long) to adjourn the meeting. The motion passed unanimously and Board President Treanor adjourned the meeting at 10:20 p.m.
Fiscally Accountable, Ed Code Section 85266.

The College desires to become fiscally accountable from the Marin County Office of Education (MCOE) and the Marin County Auditor’s Office in order to improve operational efficiency and fully optimize our new our Enterprise Resource Planning (ERP) Information System. Becoming fiscally accountable means that the College will process and sign vendor and payroll checks.

As part of our ERP rollout, we will be implementing the Human Resource / Payroll Module, which will improve the college’s ability to capture and use personnel data to make decisions that are more effective. Under our current system, college staff enter payroll information into the Marin County Office of Education (MCOE) computer system. MCOE, based on the information entered, produces the payroll checks and reports required by various federal and state agencies. After each payroll, the information is electronically transferred from MCOE’s system to the College of Marin’s HP system. With the Banner system in place, staff will be able to maintain and control an internal payroll system, including check writing and agency reporting. Any information required by MCOE can be electronically transmitted from the college system.

If the College remains on the current MCOE system for payroll purposes, staff will be required to input the information twice, into the Banner system and into MCOE’s system.

The College’s Accounts Payable department already processes and prepares vendor checks; however, checks are still signed by the Marin County Treasurer. After the checks are signed, they are returned to the College for mailing. The current process adds both time and additional cost for preparing checks. Under the proposed change to Fiscal Accountability, the college’s disbursement system would be more efficient and less costly.

Ed Code Section 85266 permits the District to be fiscally accountable with approval of the Marin County Office of Education. This will permit the college to draw warrants on County Treasury from all funds other than debt service.

Approval Process:

- Requires District to file written application with MCOE and County Auditor on MCOE forms.
- MCOE to cause an audit of District's management and accounting controls, in accordance with MCOE standards.
- Requires CPA to provide report to MCOE and District.
- Permits audit report to include Department of Finance Guidelines and other assessments.
- Permits audit report to be annual District audit pursuant to Ed Code Section 84040 if acceptable to MCOE.
- Requires MCOE and County Auditor to review District's application and report of financial management and control.
- Permits MCOE and County Auditor to approve the application.
- Requires MCOE to state steps required to permit approval if disapproved.
- Requires stated MCOE changes to be audited.

**Timelines:**

- Requires District to file written application prior to September 1.
- Requires audit report prior to January 1.
- Permits approval by March 1.
- Requires, upon approval, the issuance of warrants by the District effective on July 1, 2008 if approved by March 1, 2008.

**MCOE Oversight:**

- Requires MCOE to have periodic review of District Financial transactions and internal controls.
- Permits MCOE and / or County Auditor to revoke approval immediately if they determine financial management or accounting controls of the District are inadequate.

**District Disbursing Officer:**

- Requires District disbursing officer to be bonded.
- Requires warrants be issued by District Disbursing Officer.

**Reports to MCOE**

- Requires District provide monthly financial statements to MCOE.
- Requires listing of warrants issued forwarded to MCOE or County Auditor on day of issue.
- Requires District provide MCOE data for retirement reports.
CURRENT PROCEDURES

CASH PROCEDURES
1. CASH DEPOSITED IN COUNTY TREASURY
2. EXCESS CASH INVESTED BY TREASURER

ACCOUNTS PAYABLE
1. COLLEGE PREPARES CHECKS
2. COLLEGE TAKES CHECKS TO COUNTY AUDITOR FOR STAMPED SIGNATURE.
3. COUNTY RETURNS CHECKS TO COLLEGE.
4. COLLEGE MAILS CHECKS TO VENDORS.

PAYROLL PROCESS
1. COLLEGE INPUTS PAYROLL INFORMATION INTO THE MARIN OFFICE OF EDUCATION COMPUTERS SYSTEM (MCOE).
2. MCOE WRITSES CHECKS AND MAKES DIRECT DEPOSITS.
3. MCOE RETURNS CHECKS & DIRECT DEPOSIT STUBS TO COLLEGE
4. COLLEGE MAILS CHECKS AND DISTRIBUTES DIRECT DEPOSIT STUBS.
5. MCOE SUBMITS INFORMATION TO RETIREMENT SYSTEMS STRS & PERS.
6. MCOE FILES MONTHLY PAYROLL FORMS AND MAKES DEPOSITS
7. MCOE PREPARES W-2 'S AT YEAR END.
8. COLLEGE MAILS W-2'S

PROPOSED PROCEDURES

CASH PROCEDURES
1. NO CHANGE

ACCOUNTS PAYABLE
1. COLLEGE PREPARES CHECKS
2. COLLEGE SIGNS CHECKS
3. COLLEGE MAILS CHECKS

PAYROLL PROCESS
1. COLLEGE INPUT INFORMATION INTO BANNER HR SYSTEM
2. COLLEGE PREPARES & SIGNS CHECKS
3. COLLEGE MAKES DIRECT DEPOSITS, MAILS CHECKS AND DISTRIBUTES DIRECT DEPOSIT STUBS
4. COLLEGE SUBMITS RETIREMENT INFO. TO MCOE.
5. MCOE REPORTS INFORMATION TO STRS & PERS.
6. COLLEGE FILES MONTHLY PAYROLL FORMS AND MAKE DEPOSITS
7. COLLEGE PREPARES W-2 AT YEAR END AND MAILS.
ACADEMIC SENATE PRESIDENT'S REPORT
TO THE BOARD OF TRUSTEES

Two weeks ago I attended the State Senate Leadership Conference for senate officers. We spent a good deal of time reviewing the senate’s responsibilities under 10 + 1 of Title V. Under 10 + 1 the faculty, in the form of the senate, is to be consulted on academic and professional matters and the senate represents the faculty in these areas. The 10+1 areas include:

- Curriculum, including establishing prerequisites
- Degree and certificate requirements
- Grading policies
- Educational program development
- Standards or policies regarding student preparation and success
- College governance structures, as related to faculty roles
- Faculty roles and involvement in accreditation processes
- Policies for faculty professional development activities
- Processes for program review
- Processes for institutional planning and budget development
- Other academic and professional matters as mutually agreed upon

In addition, the Education Code assigns myriad additional responsibilities to academic senates, such as minimum qualifications and equivalency processes, faculty evaluation and tenure review, administrative retreat rights, faculty service areas and faculty hiring.

SECTION 87360 (b) HIRING CRITERIA

Hiring criteria, policies, and procedures for new faculty members shall be developed and agreed upon jointly by the representatives of the governing board and the academic senate.

There is a segue here with our current near-crisis problem over new full time hires. We are currently dependent upon a formula for selecting departments or programs eligible to hire full time faculty. This formula deals the senate and the faculty out of the process. Instead, we use a Rube Goldberg designed mathematical formula that divorces our choices from common sense or the subtle nuances of program needs. As an example, small programs, like chemistry or anthropology, have a disadvantage because the formula favors large programs, and programs like modern languages suffer because they need faculty with specific language skills. This year, all three of these programs are
desperate for a full time hire and the faculty’s senate has no rational, institutionalized method to intercede.

We, incidentally, do not see the notion of a wild card as rational.

Decisions regarding full time hires should be based on academic considerations and that is the purview of the senate.

Our Senate leadership is working on a plan that will address this problem. Derek Wilson has been asked by the senate to write a White Paper on the transition of Discipline Review to the new Program Review process. As a part of his charge, Derek is addressing the issue of the use of Program Review as a tool for determining which departments are eligible for full time hires and what the priority order of those hirings should be. Our current thinking is to have the Curriculum Committee, which is a standing committee of the Senate, set the criteria for full time faculty hires. Derek is suggesting we do this using a rubric designed by the Curriculum Committee. The rubric would be completed by program participants while going through program review. The completed rubrics would then be used by IPC and the Budget Committee to determine ranking for full time hires while the Budget Committee would address the number of full time hires each year. In this process, the Curriculum Committee, and the Senate, would set the criteria that will be implemented through the rubric and we would have the opportunity to re-evaluate and update the rubric as needed.

Derek is working on the first draft of the rubric and this will be presented to the senate for review in early fall.

We wanted you to know that this is something we are working on and that we take our role in 10 + 1, as it is set forth by Title V and the state senate, seriously. We have an obligation to represent the faculty in academic and professional matters. We don’t think this is optional nor is it a responsibility that we can surrender to any other body. It is not a privilege of the senate, it is an obligation and we will live up to that obligation.
I am giving this report to the Board on behalf of both the Student Senate and the Associated Students. Inna Shapiro, whom you met at the last meeting, will be assuming her duties as ASCOM President on 1 July. At that time, I will also take over the Presidency of the Student Senate.

The month of June has been relatively quiet in student quarters as Student Government gears up for the July transfer of power. As we mentioned at the last meeting, we have dedicated students who are willing and able to fulfill the vacancies that were left in the chaos of the Spring elections: Treasurer, Secretary, and SSCC Delegate are among these positions. We are also preparing for heavy recruiting efforts in August to bolster the ranks of Student Government to make it an effective organization like it has been in years past. We are already getting a team of dedicated and competent students to serve in the Colleges Participatory Governance System.

One of the major projects that we are undertaking over the next year is revising our governing documents. We will be revising both the ASCOM and Student Senate Constitution to help foster better communication and cooperation between the organizations. We will be revising ASCOM’s to make it more clear, concise and coherent, as it has suffered from the confusion of many minor amendments that have made the document very difficult to read and understand. We will be revising the Student Senate’s Constitution to encompass issues that should not be left to easily changed by-laws and procedures, reflect changes in the college’s new governance system and clarify some jurisdictional conflicts, and most importantly bring it up to date – it was last revised in 1999. ASCOM constitutional revisions must be voted on by the student body, and changes in the Student Senate Constitution must be ratified by the Board; and you should hear more about it by the end of this academic year.

Even though this is the summer, the Students have not given up on events. Last night, Students for Social Responsibility partnered with the Marin Interfaith Taskforce on the Americas to bring John Perkins, New York Times bestselling author of Confessions of an Economic Hit Man, to campus to speak on his work and his new book, The Secret History of the American Empire: Economic Hit Men, Jackals, and the Truth About Global Corruption. The event was a huge success and packed the Olney Hall auditorium and we would like to thank Mr. Perkins for speaking and SSR and MITF for sponsoring the event.

SSR will also be hosting a panel discussion featuring Lynn Woolsey, Reese Erlich, and Michael Nagler on Iraq and Iran on Saturday, July 14, 2007 in Olney Hall 96 at 7:30PM. The discussion will be moderated by Norman Solomon and is co-sponsored by Democracy for America and Progressive Democrats of Marin. More information can be found at http://www.pdamerica.org/ and http://comstudentgovernment.blogspot.com/.

ASCOM had its final meeting of the term on last Thursday and we finalized our response to the Grand Jury report at that time.

Thank you and I yield the floor to the representative from Emeritus College and the COM Foundation.

Hoa Long Tam
President, Associated Student of the College of Marin, Inc.
Student Trustee, Marin Community College District
Student Senate President Elect, College of Marin

hoalong.tam@marin.edu
Response to Grand Jury Findings

Facilities Modernization

F1.  COM facilities at both campuses are in extremely poor condition. Voters passed a $249.5 million bond in November 2004 to modernize them.

We agree with this statement.

F2.  The modernization project is proceeding at a significantly slower pace than previously anticipated, mainly due to a prior lack of detailed plans.

Many other factors have played a part in delaying the modernization project. For example, the committee structure in place—the District Modernization Committee (DMC) and its subcommittees—that collects feedback was very inefficient; there were also many questions raised as to the proper relationship of the DMC to the Board of Trustees (BOT) and the new Participatory Governance System (PGS). This frustrated many campus constituencies and stalled progress on the modernization. Also delaying the modernization was the lack of necessary planning documents that was overlooked by the then new administration. Finally, the Western Association of Schools and Colleges’ (WASC) Accrediting Commission for Community and Junior Colleges (ACCJC) decision to place the college on warning status further hindered bond progress, consuming the time and energy of many administrators, staff, faculty and students.

F3.  Costs per project are significantly higher than past estimates, so less will be done. Spending is not longer budgeted for two of the nine buildings previously targeted for modernization. Only one of the remaining seven buildings has a budget for solar panels to generate electricity.

Although only the Physical Education center is currently slated to have solar panels, there is nothing keeping the board from opting to make solar panels a part of other bond projects. However, the original bond did not mention photovoltaic (PV) panels; and PV was brought into discussion relatively late into the process. Although PV may reduce the amount of building that can be done under this bond, it should save the district money in the long run by cutting down on electricity costs.

F4.  Detailed plans now exist to provide the tools to track future modernization schedules and spending.

We agree with this statement; however, more planning should be done specifying the number and size of classrooms to ensure that there is adequate space when construction is completed.
Enrollment Management

F5. COM has experienced a general enrollment decline extending back 20 years, mainly attributable to demographic factors of Marin County. Because enrollment represents the lifeblood of a college, it is vitally important that this trend be reversed.

Enrollment figures for the 2006-2007 academic year increased in comparison to other years. However, credit students do not constitute the entire student population. The college enrolled more than 1,600 non-credit English as a Second Language (ESL) students in spring 2007 and maintains a waiting list of approximately 200 more. Community Education Services (CES) enrolled almost 2200 students during the winter quarter, of which there were more than 700 Emeritus College older-adult students. This brings the total College of Marin enrollment to more than 10,000. The rate of growth in the CES and non-credit programs has been encouraging; nine new ESL sections were added in the last academic year, adding 200 students to the program. Starting this summer ESL classes will be offered at the Indian Valley Campus (IVC) for the first time in 20 years.

F6. Enrollment efforts intensified in 2006-2007, with $500,000 budgeted to support an enrollment work plan. Results are encouraging. Overall, enrollment held steady for both terms this academic year versus a year ago.

This only includes credit student enrollment – see response to F5, above.

F7. The enrollment work plan has the necessary details for tracking progress on goals and accountability, but it lacks data collection tools to assess which programs are most effective, and guide future enrollment project funding.

The district recently installed an electronic data tracking system, but one must bear in mind that enrollment management is very complex and separating so many variables may be entirely impossible.

F8. Using IVC to focus on vocational development is appropriate, given projections that the supply of college-educated workers will not meet the future workforce needs of California.

We agree with this statement.

F9. Until recently, insufficient attention has been paid to the timely and successful formation of college/community partnerships.

Because of the constantly rotating nature of leadership in the Associated Students, we can neither agree nor disagree with this statement.
Accreditation Warning

F10. COM has always been fully accredited, but it was placed on warning by WASC in early 2005 and was given five recommendations to fulfill.

We agree with this statement.

F11. The college has made great strides, completing four of the five WASC recommendations. Warning status has been continued for a third year due to delays in approval and implementation of a program review process.

A pilot program review process was implemented in spring 2007 after a program review plan was approved in fall 2006. The students were involved in the drafting and approval process of the plan and are confident that the college will be taken off warning in January 2008.

F12. A “pilot” program review process is now being implemented. COM is expected to remain on warning status at least until WASC makes its next decision in January 2008.

See response to F11.

Fiscal

F13. COM is one of only three of California’s 109 community colleges that qualify for funding under Basic Aid, which provides much higher revenue from property taxes than the state’s enrollment-based formula (Apportionment).

We agree with this statement.

F14. Due to small average class size and Basic Aid funding, COM spends well over twice as much per student as the average of California community college receives from the state’s Apportionment formula.

Average class size is independent of funding sources; and smaller classes usually benefit student learning. Under-enrolled classes are governed in the Marin Community College District (MCCD) collective bargaining agreement (CBA) with the United Professors of Marin (UPM), AFT Local 1610. However, student fees only cover a small portion of the cost to offer a class. Relative to the entire cost of the course (e.g., faculty salary, etc.), fluctuations in student fees received do not drastically affect the amount of money the district must pay to offer the class. For example, a 3-unit class with 25 students gets the district approximately $1,500 in student fees (at $20 per unit per semester).

F15. Possible loss of the COM’s “Basic Aid Increment” is a risk not faced by most other community colleges.

We agree with this statement.
Response to Grand Jury Recommendations

R1. The Board and administration closely scrutinize progress on approved target dates and spending plans, requiring stricter accountability to ensure construction projects stay on time and within budget.

R2. Administration perform more research to determine which aspects of the enrollment work plan are most effective, as an aid to future funding decisions.

R3. The board and administration provide more focus on efforts to develop IVC college/community partnerships. Such efforts should include specific milestones, timelines, completion dates and individuals responsible.

R4. The board closely monitor progress on program review through monthly reports from administration, to ensure successful implementation and COM's removal from WASC warning status.

While the success of program review is vitally important to the future of the College, we would caution the board and administration from taking too active and authoritative stance that could impede on the Title V rights of the students, faculty and staff in driving the decision making of program review.

R5. COM's Fiscal Services Department establish for board approval a policy for gradually increasing reserves, with a goal of having reserves equal the Basic Aid Apportionment funding differential ($14 million in 2006-2007).

R6. The board work with administration to establish a standardized, systematic approach to management and accountability for all board goals and priorities each year. This would include detailed definitions for goal priorities each year. This would include detailed definitions for goal priorities of expected progress, outcomes and effectiveness, monitored continually throughout the year.

As with Recommendation R4, the board and administration must be weary of trampling student and faculty rights under Title V and Education Code. We feel that the board and administration cannot work in a vacuum of sorts; isolated from input in the greater college community. We recommend, therefore, that the board and administration work through the new Participatory Governance System to address these goals to broaden the sense of community in the College decision making process and ensure proper representation of all those with vested interest in the continued success of the College of Marin.
College Of Marin

Budget Update for the Board of Trustees

Tentative Budget 2007-2008

Dr. Frances White, President / Superintendent

Marin Community College District

2007-08 Expenditures
All Funds $117.5 Million

All Funds
- General Fund $54 Mil
- Special Funds $63 Mil

All Special Funds
- Measure C $60 Mil
- Other Special Funds $3 Mil
### Marin Community College District

#### Composition of All Funds

<table>
<thead>
<tr>
<th>General Fund</th>
<th>All Special Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted</td>
<td>Investment Trust Fund</td>
</tr>
<tr>
<td>Community Services</td>
<td>Child Development Fund</td>
</tr>
<tr>
<td>Contract Education</td>
<td>Capital Outlay Fund - Hamilton</td>
</tr>
<tr>
<td>Restricted</td>
<td>Capital Outlay Fund - Measure C</td>
</tr>
<tr>
<td></td>
<td>Hamilton Redevelopment Bond Fund</td>
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<tr>
<td></td>
<td>Measure C Interest/Redemption Fund</td>
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<tr>
<td></td>
<td>Self-Insurance Fund</td>
</tr>
<tr>
<td></td>
<td>Retiree Unfunded Medical Benefits</td>
</tr>
<tr>
<td></td>
<td>Associated Students Organizations</td>
</tr>
</tbody>
</table>

### HIGHLIGHTS

- STILL A BASIC AID DISTRICT
- 4.53% COLA IN CATEGORICAL PROGRAMS
- 2007 / 08 10.5% FUND BALANCE
- 2006 / 07 13.3% ENDING BALANCE
HIGHLIGHTS

- 4.73% INCREASE PROPERTY TAX
  - $1.6 Million

- 0.9% INCREASE TOTAL REVENUE
  - $388 Thousand

- SALARIES
  - STEP & COLUMN INCREASES

- 16% INCREASE MEDICAL RATES

- 23% DECREASE WORKERS COMP.
  - SB899 & Experience; $135,000

HIGHLIGHTS

- Fixed Expenses
- Other Operating Expenses
- Capital Outlay and Other Outgo
- $150,000 Educ. Excellence Reserve
  - Institutional Planning
  - Faculty & Staff Training
  - Innovation In Teaching & Learning
- $400,000 Board Goals & Priorities
HIGHLIGHTS

☐ WE DO NOT HAVE:

☐ A BUDGETED OPERATING RESERVE.
   (We have a projected ending funding balance only)

☐ BUDGETED DOLLARS TO INCREASE DISCRETIONARY BUDGETS

UNRESTRICTED GENERAL FUND

☐ Estimated Actuals  ☐ Tentative Budget

☐ $42,013,000  REV.  ☐ $42,401,000  REV.
☐ $40,605,000  EXP  ☐ $43,258,000  EXP.

☐ $ 5,414,000  F. BAL  ☐ $ 4,558,000  F. BAL
☐ 13.3% RESERVES ☐ 10.5% RESERVES
College Of Marin

REVENUE SOURCES - $42.4 Million

- Enrollment Fees
  $1,300,000 3.4%
- Property Taxes
  $37,468,000 96.6%
- Program-Based Funding
  $38,756,000 91.4%
- Other Revenues
  $1,937,000 4.6%
- P for E
  $1,696,000 4.0%

2007-08 Unrestricted General Funds

College Of Marin

Expenditure Budget - $43.3 Million

How are dollars spent?

- Salaries & Benefits
  $37,460,000 86.8%
- Reserves
  $4,598,000 10.5%
- Fixed Costs
  $1,314,000 4.3%
- BENEFITS
  $9,339,000 24.9%
- SALARIES
  $28,121,000 75.1%

2007-08 Unrestricted General Funds
HIGHLIGHTS OF OTHER FUNDS

- Community Services
  - Short Courses/Workshops
  - Facilities Rentals
  - Recreational Courses

- Restricted General Fund
  - Federal
  - State
  - Local

General Fund Restricted

- **Federal Sources**
  - Financial Aid Programs – 90%

- **State Sources**
  - DSPS, EOPS, Matriculation – 56%

- **Local Sources**
  - Health, Parking, SR Redevelopment – 80%
Investment Trust Fund

- Limited Revenues/Expenditures activities

- Fund Balance
  - Instructional Improvement
    - Gomez $ 54,256
    - Diamond 9,411
  - Counseling
    - Dunlap 3,816
  - General Use
    - Misc 7,265
    - Kipp Estate 5,645
    - Maurer/Bolinas 192,085
    - DeBorba
      - Grounds 127,542
      - Unrestricted 236,574

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Capital Outlay Hamilton

- Limited State Funded Projects
- Misc. Facilities Renewal at IVC and Capital Equipment
Capital Outlay Measure C

Construction and Modernization $51.2 Million

- KTD $32.9 Mil
- Program, incl. ERP $7.9 Mil
- IVC $10.4 Mil

Debt Service $8.7 Million

- Principal $5.5 Mil
- Interest Expense $3.2 Mil

Selected Funds

- Interest & Redemption Funds
  - Hamilton
  - Measure C
- Self-Insurance
  - No rate increase
- Child Care
- Retiree Unfunded Medical Benefits Liability
- Associated Student Organizations
  - Revenues – FTEs, ID cards, commissions
  - Expenditures benefit general student population
CLOSED SESSION – AC108, Kentfield

1. Call to Order, Roll Call and Adoption of Agenda, Closed Session

The Board of Trustees of the Marin Community College District met in AC 108 on the Kentfield campus, members having received notice as prescribed by law. Board Clerk Kranenburg called the meeting to order at 4:40 p.m. and called the roll. All publicly elected Trustees were present except Trustee Hayashino, who arrived at 4:45 p.m., and Trustee Treanor, who arrived at 4:50 p.m. Larry Frierson was also in attendance.

M/s (Long/Dolan) to approve adoption of the agenda as printed. The motion passed unanimously (5-0).

(a) Request for Public Comment on Closed Session Agenda

There was no one present who wished to address the Board on the items listed to be discussed in closed session, and the Board went into closed session at 4:45 p.m.

The closed session recessed at 6:20 p.m.

SPECIAL MEETING – AC 108, Kentfield Campus

1. Call to Order

The open session was reconvened at 6:20 p.m. in AC 108 on the Kentfield campus by Board President Treanor. All publicly elected Trustees were present, and Student Trustee Tam was also present at this time.

2. Report of Action Taken in July 10, 2007 Closed Session

Board Clerk Kranenburg reported that no action was taken.
3. Adjournment

M/s (Long/Brockbank) to adjourn the meeting. The motion passed unanimously, and Board President Treanor adjourned the meeting at 6:30 p.m.
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Water Management and Technology Education Center (WaMTEC)

Date: July 17, 2007
Item & File No. C.4.a
Resolution: Water Management Technology Education Center

BACKGROUND:

The vision of WaMTEC is to establish a center at the College of Marin’s Indian Valley campus for the education and demonstration of environmentally sustainable water management tools and technologies.

The mission of WaMTEC is to engage and educate students, community members, industry leaders, and the broader community in state-of-the-art water and landscape management practices.

The partners providing support for the awareness building and education to the residents and organizations in Marin County include the College of Marin, Marin Municipal Water District, the North Marin Water District, the Marin County Board of Supervisors, Joint Venture Marin County, and the California Landscape Contractors Association.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees review and approve the attached Resolution.

Administrator Initiating Item: Nanda Schorske, Dean of Workforce Development and College-Community Partnerships
MARIN COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

RESOLUTION No. 7/17/07 C.4.a

IN SUPPORT OF THE WATER MANAGEMENT AND TECHNOLOGY EDUCATION CENTER (WaMTEC)

WHEREAS, 30%-50% of domestic water use in Marin County is for outdoor irrigation and principally occurs during summer months; and

WHEREAS, due to capacity limitations, primarily during summer months, Marin County’s residents are highly vulnerable to water supply disruptions during these periods; and

WHEREAS, the uncertainties associated with meeting summer water deliveries and costs associated with increasing supply for future demand require that Marin’s water districts, business and residential users, and the landscape industry work together to promote efficient use of water; and

WHEREAS, the most promising opportunities to address the uncertainties and to meet water demand requirements are through landscape water conservation; and

WHEREAS, the most important strategy is state-of-the-art landscape water management practices and technologies, especially landscape applications; and

WHEREAS, applying state-of-the-art, water-conservative tools and strategies will promote the responsible use of water of our landscapes.

The Marin Community College District Board of Trustees
is proud to host the

The Water Management and Technology Education Center
WaMTEC

A world-class center for the utilization of environmentally sustainable water management tools and technologies

at the College of Marin’s Indian Valley Campus, Marin County, California

RESOLVED, that this resolution be made a part of the official Minutes of the meeting and of the permanent files of the District.
PASSED AND ADOPTED this 17th day of July, 2007, by the Board of Trustees of the Marin Community College District of Marin County, California, by the following vote:

AYES:
NOES:
ABSENT:

STATE OF CALIFORNIA  
COUNTY OF MARIN  

I, Frances L. White, Superintendent/President of the Marin Community College District of Marin County, California, do hereby certify that the Board of Trustees adopted the foregoing resolution at a regular meeting at the time and by the vote stated above.

__________________________
Frances L. White, Ph.D.
Secretary to Board of Trustees
<table>
<thead>
<tr>
<th>Wanden Treanor</th>
<th>Eva Long</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carole Hayashino</td>
<td>Greg Brockbank</td>
</tr>
<tr>
<td>Philip J. Kranenburg</td>
<td>Barbara Dolan</td>
</tr>
<tr>
<td>Harry Moore</td>
<td>Hoa-Long Tam</td>
</tr>
<tr>
<td></td>
<td>Student Trustee</td>
</tr>
</tbody>
</table>
President’s Report
Board of Trustees Meeting
July 17, 2007

Self Service Banner Finance Training Workshops
Over 80 staff, faculty and administrators attended Self Service Banner Finance Training Workshops at IVC last week. End user training was provided for both requisitioners and approvers who will be using the college’s new Banner ComET Finance module starting July 1. This is the first of several modules that will replace the college’s outdated systems. Banner ComET will provide an integrated software solution for Fiscal Services, Human Resources, Student Services and Financial Aid. Additional training workshops are scheduled during August Flex week. An overview of the Banner ComET system will be presented at a Flex workshop on Thursday, August 16, from 1:30-3:30 p.m. in OH 96. Contact Kathleen Kirpatrick at 485-9344 or kathleen.kirpatrick@marin.edu for more information.

Kudos
At the 14th Hispanic Chamber of Commerce luncheon COM Superintendent/President Dr. Frances White will receive the Spirit of Marin Award for her dedication and time invested in serving our community. The event takes place on Friday, September 28, 2007 at Father David Ghiorsio’s Courtyard at St. Vincent’s School for Boys in San Rafael.

The COM Physical Education and Athletics Department, in conjunction with the EEIF Center for Health and Sustainability Grant Project, supported an extremely successful booth in the Prevention Pavilion at the Marin County Fair. Shawn Purell, Cheryl Goldman-Rogow, Kathleen Smyth, and Fernando Agudelo-Silva developed a "Spin the Wheel of Wellness" concept that was enjoyed by fair goers of all ages.

Sara McKinnon has been appointed by the Academic Senate for California Community Colleges to the Noncredit Ad Hoc Committee for the 2007-2008 academic year.

Roz Hartman, Director of Health Sciences at COM, was recently quoted in the trade publication Advance for Nurses for her participation in the National League for Nursing Ambassador Program. Hartman commented on her role in getting faculty interested in the National League for Nursing. “Our teachers need to adapt how they’re teaching to meet the learning needs of this new generation,” said Hartman.

The COM general information booth at the Marin County Fair was a hit with fair goers! Many thanks to all of the fair volunteers for their time, including Michelle Meyers, Diana Verdugo, Vivian Olsen, Pam Scoggin, Rene Sayles, Becky Brown, Xenia Zarrehparvar, Heather Holliday, Hoa-Long Tam, Sara McKinnon, Michelle Meyers, Diana Verdugo, Sara Oser, Becky Brown, Barbara Jackson, Gloria Lopez-Gutierrez, John Petrovsky, Vonda Riley, Becky Brown, Linda Beam, Melinda Molloy, Gloria Lopez, Deirdre Martinez, Vonda Riley, Diana Verdugo, Gina Longo, Wanden Treanor, Sandi Weldon, Arnulfo Cedillo, and Jessica Sutter.

Upcoming
College of Marin presents: Free Summer Band Concert on the Lawn
Saturday, July 21, 6:00 p.m. on the lawn in front of the Fine Arts Building on the College of Marin Kentfield campus. For more information, call the Performing Arts office at: 415.485.9460.
Marin Community College District
Measure C Bond Modernization Program

Modernization Director's Report to Board of Trustees
July 17, 2007

BUDGET UPDATE

- Bond spending plan: $254.5 million ($249.5 m bond, $15 m interest)
- Reserves (after this date): $8,589,000
- Expended to date: $18.5 million (7.4% of bond spending plan)
  - Assessment $5.4 million
  - Planning/design $10.6 million
  - Construction $2.5 million

Attached for reference: Updated version of Measure C Bond Program Facilities Plan

PROFESSIONAL SERVICES (PS) CONTRACTS

- Open PS contracts: 20

- Milestones this month (June 12 – July 17):
  - Kwan Henmi June 15 Submittal to DSA
    Submitted June 15
  - MWDL Architects June 19 Schematic design for Performing/Fine Arts
    Submitted June 19
  - Transitions June 30 End disposal coordination tasks
    Ended early 2007
  - CSW Stuber/Streeh July 1 Bid Pkg for Kentfield Bridge
    Delayed by change in Science Complex architect, influencing bridge location. Cost impact: negligible
  - Amy Skewes-Cox July 2 Public draft EIR
    Slipped to July 13 to accommodate additional staff comments and change to Science Complex. Cost impact: negligible
CONSTRUCTION SCHEDULES – BUILDINGS

- KTD PE Complex: January 2008 – June 2009
- IVC Main Building Complex: Summer 2008 – Fall 2009
- KTD Fine Arts Building: Summer 2008 – Fall 2009
- KTD Science/Math/CP Complex: Fall 2008 – Spring 2010
- KTD Performing Arts Building: Spring 2010 – Spring 2011
- KTD Gateway Complex: Fall 2010 – Fall 2012

PROJECTS - BUILDINGS

- IVC Main Building Complex: Design development

Attached for Study Session: responses to BOT questions of June 12, with pertinent photographs

- IVC Trans. Technology Complex: Design development
- KTD Fine Arts Building: Design development

Question: What restroom/storage facilities are included in the new Fine Arts Bldg?
Answer: will be available at meeting

- KTD PE Complex: DSA submittal – June 15
- KTD Performing Arts Building: Design development
- KTD Science/Math/CP Complex: Final re-concept nearly done

PROJECTS – INFRASTRUCTURE / RELOCATION

- IVC boiler replacement: Project approval July 17
- IVC bridges / pathways: Architect authorization June 16
- IVC creek erosion mitigation: Design development
- IVC greenhouse relocation: Project approval August 28
- IVC parking lot / bioswale: Architect authorization June 16
- IVC Pomo 4 roof: Ready to bid
- KTD DSPS relocation: Architect authorization July 17
Marin Community College District
Measure C Bond Modernization Program

- KTD PE conduit crossing: Change Order, Notice of Completion July 17
- KTD PE photovoltaics: Design development
  Geotechnical authorization July 17
- KTD PE portables: Utility designs (2) authorization July 17

Attached for reference: Schedule for PE portable placement

- KTD West Bridge: Pending location w/ Science Complex architect

Note: The maintenance building next to the West Bridge will not need to be relocated. This change will save several hundred thousand dollars.

- KTD, IVC Geothermal Fields: Conceptual design

Question: what was the cost of the initial geotechnical investigation?
Answer: $97,200 ($70,400 KTD and $26,800 IVC)

PLANNING / OTHER TOPICS

- LEED: All 6 projects registered
- Environmental Impact Report: Draft EIR issued July 13

Attached for reference: Schedule for completion of Environmental Impact Report

- Project Stabilization Agreement: Negotiations to start week of July 23
  Owner-controlled insurance

FUTURE QUESTIONS OF THE MONTH

- Contractor prequalification/OCIP
- Pool chemicals
- Increases in construction costs
Spent to Date: $18,500,000
<table>
<thead>
<tr>
<th>3D/I #</th>
<th>SMC #</th>
<th>3D/I Project Name</th>
<th>Bond Project Name</th>
<th>Project Description</th>
<th>Size (gsf)</th>
<th>October 2006 Budget</th>
<th>July 2007 Budget</th>
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<tbody>
<tr>
<td>K.01</td>
<td>301</td>
<td>Site Roadways / Infrastructure Development Plans and Impact Reports</td>
<td>Infrastructure</td>
<td>Improve accessibility, wayfinding, sidewalks, parking lots, landscaping and site FF&amp;E; repair or replace underground utilities; add bridge across creek; prepare Old Science Building and other facilities for swing space, then demolish; demolish Larkspur Annex; construct geothermal field</td>
<td>n/a</td>
<td>$21,000,000</td>
<td>$22,800,000</td>
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<td>K.02</td>
<td>302</td>
<td>Modernization of Learning Resource Center, Conversion to Technology Center</td>
<td>LRC Complex</td>
<td>Moved to Priority 2</td>
<td>73,000</td>
<td>$13,200,000</td>
<td>-</td>
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<tr>
<td>K.03</td>
<td>n/a</td>
<td>Modernization of Harlan Hall</td>
<td>Fusselman Hall</td>
<td>Included in 303; replacement building instead of</td>
<td>n/a</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>K.04</td>
<td>304</td>
<td>Modernization of Fusselman Hall</td>
<td>Fusselman Hall</td>
<td>Moved to Priority 2</td>
<td>6,000</td>
<td>$5,300,000</td>
<td>-</td>
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<tr>
<td>K.05</td>
<td>305</td>
<td>Modernization of Science Center</td>
<td>Science / Math / Central Plant Complex</td>
<td>Construct new classroom building to house Science, Math, Nursing programs, Central Plant and Data Center</td>
<td>77,000</td>
<td>$42,800,000</td>
<td>$69,500,000</td>
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<tr>
<td>K.06</td>
<td>306</td>
<td>Modernization of Fine Arts Center (Fine Arts)</td>
<td>Arts Complex - Fine Arts Bldg</td>
<td>Construct new classroom building to house Fine Arts programs</td>
<td>30,000</td>
<td>$18,300,000</td>
<td>$19,000,000</td>
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<tr>
<td>K.06</td>
<td>TBD</td>
<td>Modernization of Fine Arts Center (Performing Arts)</td>
<td>Arts Complex - Performing Arts Bldg</td>
<td>Minor Utility replacement; new roof; patch, paint, repair; ADA upgrades, reconfigure to add dance program and new theater lobby 200-seat assembly space</td>
<td>58,000</td>
<td>$10,700,000</td>
<td>$17,200,000</td>
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<tr>
<td>K.07</td>
<td>307</td>
<td>Modernization of Student Center</td>
<td></td>
<td>Priority 2 (refers to Student Services Building; some functions to be relocated to Gateway Complex)</td>
<td>34,000</td>
<td>-</td>
<td>-</td>
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<tr>
<td>K.08</td>
<td>308</td>
<td>Modernization of Diamond PE Center</td>
<td>Diamond PE Center</td>
<td>Reconfigure and upgrade classrooms and locker rooms; upgrade gym, pool, utilities; improve technology and accessibility</td>
<td>44,000</td>
<td>$21,700,000</td>
<td>$26,900,000</td>
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<tr>
<td>K.09</td>
<td>309</td>
<td>New Campus Accessibility Improvements</td>
<td>Included in 301</td>
<td>n/a</td>
<td>$</td>
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<tr>
<td>K.10</td>
<td>310</td>
<td>Fire Alarm Replacement</td>
<td>Included in all projects</td>
<td>n/a</td>
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<td>K.11</td>
<td>311</td>
<td>New Way-Finding System</td>
<td>Included in 301</td>
<td>n/a</td>
<td>$</td>
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<td>K.12</td>
<td>n/a</td>
<td>Addition to Student Center</td>
<td>Not included in bond language</td>
<td>n/a</td>
<td>$</td>
<td>-</td>
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<td>K.13</td>
<td>313</td>
<td>New Child Care /Development Center</td>
<td>Included in 303</td>
<td>n/a</td>
<td>$</td>
<td>-</td>
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<td>K.14</td>
<td>n/a</td>
<td>Entrance Plaza</td>
<td>Not included in bond language</td>
<td>n/a</td>
<td>$</td>
<td>-</td>
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<tr>
<td>K.15</td>
<td>315</td>
<td>New Facilities Management Center</td>
<td>Priority 2</td>
<td>27,000</td>
<td>$</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>K.16</td>
<td>303</td>
<td>New Multi-Purpose Academic &amp; Support Facility</td>
<td>Gateway Complex</td>
<td>Remove Harlan Center, Olney Hall, Business Management, Admin/Child Care and Taqueria; replace with multi-purpose instructional facility to house Humanities, Student Services, Administration, Child Care Center and other programs as appropriate</td>
<td>48,000</td>
<td>$ 50,600,000</td>
<td>$ 17,500,000</td>
</tr>
<tr>
<td>K.17</td>
<td>n/a</td>
<td>Landscape, amphitheater and creek bank</td>
<td>Amphitheater and creek bank not in bond language. Landscape included in 301</td>
<td>n/a</td>
<td>$</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>K.18</td>
<td>n/a</td>
<td>Campanile</td>
<td>Not included in bond language</td>
<td>n/a</td>
<td>$</td>
<td>-</td>
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<tr>
<td>K.19</td>
<td>n/a</td>
<td>New Learning Resource Center</td>
<td>LRC to be modernized; Science Building to be replaced</td>
<td>n/a</td>
<td>$</td>
<td>-</td>
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<tr>
<td>K.20</td>
<td>n/a</td>
<td>Parking Structure</td>
<td>Not included in bond language</td>
<td>n/a</td>
<td>$</td>
<td>-</td>
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<tr>
<td>K.23</td>
<td>n/a</td>
<td>Academic Facility</td>
<td>Not included in bond language</td>
<td>n/a</td>
<td>$</td>
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facilities bond measure program plan updated
7/10/2007
<table>
<thead>
<tr>
<th>3D/I #</th>
<th>SMC #</th>
<th>3D/I Project Name</th>
<th>Bond Project Name</th>
<th>Project Description</th>
<th>Size (gsf)</th>
<th>October 2006 Budget</th>
<th>July 2007 Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>Indian Valley</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I.01</td>
<td>401</td>
<td>Site Roadways /</td>
<td>Infrastructure</td>
<td>Improve accessibility, wayfinding, sidewalks, roads, parking lots, landscaping and</td>
<td>n/a</td>
<td>$12,300,000</td>
<td>$12,311,000</td>
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<tr>
<td></td>
<td></td>
<td>Infrastructure</td>
<td></td>
<td>site FF&amp;E; repair or replace underground utilities; add bridge across creek;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Development Plans</td>
<td></td>
<td>demolish Miwok; add fire road</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I.02</td>
<td>402</td>
<td>Modernization of</td>
<td>Transportation</td>
<td>Modernize or construct new facility for Transportation Technology programs (Pomo 1,2)</td>
<td>19,000</td>
<td>$7,400,000</td>
<td>$13,200,000</td>
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<tr>
<td></td>
<td></td>
<td>Pomo Cluster</td>
<td>Technology</td>
<td>upgrade Machine Metals (Pomo 4) as needed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Complex / Machine</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I.02</td>
<td>402</td>
<td>Pomo (3, 5, 6, 7)</td>
<td>Deferred</td>
<td></td>
<td>3,000</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>I.03</td>
<td>403</td>
<td>Ohlone preservation</td>
<td>Deferred</td>
<td></td>
<td>27,000</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>I.04</td>
<td>404</td>
<td>Miwok</td>
<td>Included in 401</td>
<td></td>
<td>n/a</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>I.05</td>
<td>405</td>
<td>Admin/Children's Center</td>
<td>Deferred</td>
<td></td>
<td>20,000</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>I.06</td>
<td>406</td>
<td>Library</td>
<td>Deferred</td>
<td></td>
<td>14,000</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>I.07</td>
<td>407</td>
<td>Central Plant</td>
<td>Included in 401</td>
<td></td>
<td>n/a</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>I.08</td>
<td>501</td>
<td>Bolinas Marine Lab</td>
<td>See 0.01</td>
<td></td>
<td>n/a</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>I.09</td>
<td>409</td>
<td>Fire Alarm</td>
<td>Included in all</td>
<td></td>
<td>n/a</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td></td>
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<td>Replacement</td>
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<td></td>
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<td>I.10</td>
<td>410</td>
<td>Gas Main</td>
<td>Included in 401</td>
<td></td>
<td>n/a</td>
<td>$ -</td>
<td>$ -</td>
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<td>I.11</td>
<td>411</td>
<td>Accessibility</td>
<td>Included in 401</td>
<td></td>
<td>n/a</td>
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<td>$ -</td>
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<td>I.12</td>
<td>412</td>
<td>New Way-Finding</td>
<td>Included in 401</td>
<td></td>
<td>n/a</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td></td>
<td></td>
<td>System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I.13</td>
<td>413</td>
<td>Bridges etc.</td>
<td>Included in 401</td>
<td></td>
<td>n/a</td>
<td>$ -</td>
<td>$ -</td>
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<td>I.14</td>
<td>414</td>
<td>Landscape</td>
<td>Included in 401</td>
<td></td>
<td>n/a</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>I.15</td>
<td>n/a</td>
<td>Community Center</td>
<td>Not included in</td>
<td></td>
<td>n/a</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>bond language</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>I.16</td>
<td>416</td>
<td>Commons/Quad</td>
<td>Included in 401</td>
<td></td>
<td>n/a</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>3D/I #</td>
<td>SMC #</td>
<td>3D/I Project Name</td>
<td>Bond Project Name</td>
<td>Project Description</td>
<td>Size (gsf)</td>
<td>October 2006 Budget</td>
<td>July 2007 Budget</td>
</tr>
<tr>
<td>-------</td>
<td>-------</td>
<td>-------------------</td>
<td>-------------------</td>
<td>-------------------------------------------------------------------------------------</td>
<td>------------</td>
<td>---------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>I.17</td>
<td>417</td>
<td>New Building</td>
<td>Main Building</td>
<td>Construct multi-purpose instructional/administrative building north of creek near Pomo, to house Allied Health, Court Reporting, MultiMedia, administrative and instructional spaces all college functions except Transportation-Technology/Machine-Metals</td>
<td>35,000</td>
<td>$21,400,000</td>
<td>$22,300,000</td>
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<tr>
<td>I.18</td>
<td>n/a</td>
<td>Planetarium / Observatory</td>
<td></td>
<td>Not included in bond language</td>
<td>n/a</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>I.19</td>
<td>n/a</td>
<td>Amphitheater / Clock Twr</td>
<td></td>
<td>Not included in bond language</td>
<td>n/a</td>
<td>$</td>
<td>$</td>
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<tr>
<td>I.20</td>
<td>418</td>
<td>Fire Mitigation</td>
<td></td>
<td>Not in 3D/I, added in bond language, included in 401</td>
<td>n/a</td>
<td>$</td>
<td>$</td>
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<tr>
<td>I.21</td>
<td>419</td>
<td>Erosion Mitigation</td>
<td></td>
<td>Not in 3D/I, added in bond language, included in 401</td>
<td>n/a</td>
<td>$</td>
<td>$</td>
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</table>

Other Projects

<table>
<thead>
<tr>
<th>O.01</th>
<th>200</th>
<th>Technology Infrastructure</th>
<th>Technology</th>
<th>Banner software, technology infrastructure and equipment</th>
<th>n/a</th>
<th>$10,000,000</th>
<th>$9,953,200</th>
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<tbody>
<tr>
<td>O.02</td>
<td>501</td>
<td>Bolinas</td>
<td>Program Costs</td>
<td>Operating expenses and program management</td>
<td>n/a</td>
<td>$12,000,000</td>
<td>$16,046,800</td>
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<tr>
<td>n/a</td>
<td>220</td>
<td>Program Planning</td>
<td>Priority 2</td>
<td>Unallocated funds available as needed with BOT approval</td>
<td>18,000</td>
<td>$</td>
<td>$</td>
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<tr>
<td>n/a</td>
<td>n/a</td>
<td>IVC Pool / Lockers / Central Plant</td>
<td></td>
<td></td>
<td></td>
<td>$17,800,000</td>
<td>$17,789,000</td>
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</tbody>
</table>

Totals                                           | 533,000 | $264,500,000 | $264,500,000 |

Funding Sources

Measure C Bond Funds
Projected Interest Income
Total

Notes:
facilities bond measure program plan updated
7/10/2007
<table>
<thead>
<tr>
<th>3D/I #</th>
<th>SMC #</th>
<th>3D/I Project Name</th>
<th>Bond Project Name</th>
<th>Project Description</th>
<th>Size (gsf)</th>
<th>October 2006 Budget</th>
<th>July 2007 Budget</th>
</tr>
</thead>
</table>

- Update includes all BOT approvals of budget and reserve transfers as of June 12, 2007.
- Changes to Project Descriptions since October 2006 are indicated in strikeout or underscore
- Priority 2 projects are not funded but are included as a high priority for completion as funds become available
- Deferred projects are buildings to be held without funding until a future date when disposition (lease, partnership or demolition) is determined.
- Program assumes no State funding. Funds have been requested for Gateway Complex and Child Development Center.
## Swing Space - Portables Schedule

**Date:** June 27, 2007

<table>
<thead>
<tr>
<th>Milestones</th>
<th>Weeks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1 BOT Approval - July 17</strong></td>
<td></td>
</tr>
<tr>
<td>ALFATECH - amendment # 11</td>
<td></td>
</tr>
<tr>
<td>design - utilities for portables</td>
<td></td>
</tr>
<tr>
<td><strong>2 BOT Approval - July 17</strong></td>
<td></td>
</tr>
<tr>
<td>CSW - amendment # 9</td>
<td></td>
</tr>
<tr>
<td>design - civil/site utilities</td>
<td></td>
</tr>
<tr>
<td><strong>3 Design Phase</strong></td>
<td></td>
</tr>
<tr>
<td>Transitions - user plans &amp; locations</td>
<td></td>
</tr>
<tr>
<td>ALFATECH - utilities for portables</td>
<td></td>
</tr>
<tr>
<td>CSW - civil/site utilities</td>
<td></td>
</tr>
<tr>
<td><strong>4 BOT Approval - Aug. 28</strong></td>
<td></td>
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<tr>
<td>Bid &amp; Award Utilities</td>
<td></td>
</tr>
<tr>
<td>Relocate Portables</td>
<td></td>
</tr>
<tr>
<td><strong>5 Bid &amp; Award</strong></td>
<td></td>
</tr>
<tr>
<td>Advertise</td>
<td></td>
</tr>
<tr>
<td>Bid &amp; Award</td>
<td></td>
</tr>
<tr>
<td><strong>6 Construction - Site Utilities</strong></td>
<td></td>
</tr>
<tr>
<td><strong>7 Construction - Relocate Portables</strong></td>
<td></td>
</tr>
<tr>
<td><strong>8 Move In</strong></td>
<td></td>
</tr>
<tr>
<td>Milestones</td>
<td>Dates</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>1 Process &amp; File EIR</td>
<td>Jul 15</td>
</tr>
<tr>
<td>2 45 Day - Public Review</td>
<td>Jul 19</td>
</tr>
<tr>
<td>3 BOT - Review Public Comments</td>
<td>Jul 19</td>
</tr>
<tr>
<td>4 Incorporate Public Comments</td>
<td>Jul 19</td>
</tr>
<tr>
<td>5 BOT - Update &amp; Optional Workshop</td>
<td>Sep 18</td>
</tr>
<tr>
<td>6 BOT - Review &amp; Certification</td>
<td>Sep 18</td>
</tr>
<tr>
<td>7 Submit Projects to DSA</td>
<td>Nov 8</td>
</tr>
<tr>
<td>8 30 Day Appeals</td>
<td>Nov 7</td>
</tr>
<tr>
<td>9 BOT - Report Status of EIR</td>
<td>Dec 12</td>
</tr>
</tbody>
</table>
Marin Community College District
Measure C Bond Modernization Program

Instructions for Review of Draft Environmental Impact Report

Document Components

1. Introductory remarks
An Environmental Impact Report (EIR) is required by the California Environmental Quality Act (CEQA) for any project that could have an adverse impact on various aspects of the environment. The need for an EIR is determined after completion of an Initial Study as prescribed by CEQA. The EIR itself is prepared by a team of professionals who are experts in EIR development.

The introductory remarks include a list of objectives that the proposed project is intended to meet.

2. Project descriptions
This section describes the projects that will be covered by the EIR. It is not limited to bond projects, nor are all bond projects included. The projects are those that can be legally completed under the auspices of the EIR. The District at this time has two EIRs: one for each campus.

3. Environmental impacts
This section describes the anticipated environmental impacts of the covered projects, both during and after construction. The impacts are described in terms of [number] topics (e.g., noise, transportation, hydrology), all of which are prescribed by CEQA.

4. Mitigation Measures
This section proposes various activities and tasks that can reduce the adverse effects of identified impacts. The mitigation measures for this EIR have been developed by the CEQA team in consultation with District administration, legal counsel and program management.

5. Project Alternatives
CEQA requires that the owner identify three or four alternatives to the proposed project, including a "no-project" alternative, and specify whether any alternative is superior to the proposed project in terms of project objectives.

The project alternatives are also ranked to identify which of the alternatives has the least impact on the environment ("environmentally superior"). The District is not legally required to select the environmentally superior alternative but must be able to show that the selected alternative is best in terms of project objectives and environmental impacts.
Marin Community College District
Measure C Bond Modernization Program

Process (DEIR forward)

1. A Draft Environmental Impact Report (DEIR) will be published for public review and comment on or about July 19, 2007. The DEIR was developed by the CEQA team and has been reviewed extensively in the form of an Administrative Draft EIR (ADEIR) by District administration, legal counsel, and program management. The DEIRs will be posted on the Measure C website; sent to the State Clearinghouse for public review; advertised to the community at large; and distributed to all Board members and interested District personnel.

2. Any group or individual who wishes to comment on the DEIR may submit comments in writing during a 45-day review period following the date of publication (anticipated July 19 through September 3). A public hearing is not required, and is not scheduled at this time. Review comments are to be sent to Debra Mathau, Construction Manager for Swinerton Management & Consulting. Complete instructions for public comment will be included in the DEIR.

3. All comments received by the end of the 45-day review period will be answered in the Administrative Final Environmental Impact Report (AFEIR, which is scheduled for release on September 17. The CEQA team will review the entire document (including and all comments received) with the Board at its September 18 meeting. While all comments will be answered, the District is not legally required to change the EIR in response to any specific comment.

4. The District will review and comment on the AFEIR within two weeks after its receipt. The Final EIR (FEIR) will be prepared and distributed by October 26.

5. At its November 7 meeting, the Board will be asked to:
   a. Select its preferred alternative for each campus
   b. Certify the Final EIR
   c. Make findings in the event that

6. Following certification:
   a. No further Board action is required
   b. The public has 30 more days to make final comments
   c. Projects may be submitted to the Division of the State Architect for review and approval
   d. The District is committed to completing all mitigation measures included in the EIR
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees

From: Superintendent/President

Date: July 17, 2007

Item & File No. C.10.c

Subject: Proposal for Center for Sustainable Horticulture

Reason for Board Consideration:

Information

Enclosure(s):

Center for Sustainable Horticulture Proposal

BACKGROUND:

At the regularly scheduled Board meeting of April 17, 2007, the Board passed a Resolution of Intent to consider proposals for joint occupancy for a Sustainable Horticultural Program to be located at the Indian Valley Campus.

The Board has received one (1) proposal for such joint occupancy to establish a Center for Sustainable Horticulture at the Indian Valley Campus. The attached proposal was submitted by the Marin Conservation Corps. The District will submit a Shared Use Agreement to be considered for approval by the Board at the August 28, 2007 regularly scheduled Board meeting.

The Shared Use Agreement will be reviewed by legal counsel before submission to the Board for action on August 28, 2007.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees review the attached proposal for Center for Sustainable Horticulture.

Administrator Initiating Item Nanda Schorske, Dean of Workforce Development and College-Community Partnerships
MEMO

TO: College of Marin Board of Trustees
FROM: Marilee Eckert, Executive Director, Marin Conservation Corps
RE: Proposal to the College of Marin for the Marin Center for Sustainable Horticulture, Indian Valley Campus
DATE: July 17, 2007

A. Project Background

The Center for Sustainable Horticulture has its origins in the Marin County Education Farm and Garden Study conducted by Marin Agriculture Education Alliance. This two-year study, supported primarily by grants from the Marin Community Foundation and the Marin County Board of Supervisors, demonstrated the broad interest in and practical viability of creating a public facility where County residents will gain a better understanding and appreciation for local agriculture, healthy food, the environment, and the application of environmentally sustainable practices to our daily lives. The study also helped catalyze the partnership between the Marin Conservation Corps and the College of Marin to develop the planned Center for Sustainable Horticulture at the College of Marin’s Indian Valley Campus. The Marin Agriculture Education Alliance study group identified the following needs which the planned Marin Center for Sustainable Horticulture (MCSH) is designed to meet:

**Need A.** Students, youth, job seekers, and incumbent workers preparing for post-secondary education, career exploration, and career advancement will benefit from programs focused on sustainable horticulture, agriculture, food systems, and landscape management. The integration of academic and work-based learning opportunities in these fields will promote knowledge and application of sustainability practices, career-technical skills, and entrepreneurship.

**Need B.** Emphasize dissemination and application of best practices in eco-efficient energy systems and sustainable environmental practices among Marin's educational providers and employers in agriculture, building, and environment-related industries. Establish an Educational Center where residents can gain the knowledge and skills needed to model sustainable living.

B. Current Project Status: Initial plans for the Center for Sustainable Horticulture developed rapidly in the summer of 2006. In the Fall of 2006, a planning/early pilot phase was designed and launched, beginning with 18 Corps members taking the Principles of Landscape Design course and piloting the “Corps-to-College” program. (This program includes Spanish language translation and vocational English elements). As of the Spring, 2007, these students were enrolled in Landscape Construction – Special Projects, and in the Fall they will be engaged in Principles of Irrigation. The pilot-phase students have already built a large-scale garden with MMWD and other community partners for display at the San Francisco Art and Garden Show. In addition, if approved by the College of Marin Board of Trustees for to enter into a Shared Use Agreement, the Corps members will design and build a two-acre demonstration garden at the heart of the Indian Valley campus with work commencing in late Spring or Summer 2008.

An Advisory Committee is in formation with participation of key local employers and organizations, including MMWD, North Marin Water District, UC Cooperative Extension, Marin County Master Gardeners and others. If approved, a Pilot Project has been identified for the period July 1, 2007 – August 30, 2008. The garden will be constructed beginning in Summer, 2007, and full Corps programs will begin in Fall of 2008.
C. Pilot Phase Program Activities

The following activities will be completed in the Center’s 2007-08 Pilot Phase (August 2007 – August 2008):

1. Develop Garden Design for Garden (September 2007 – April 2008): The two acre garden will be developed in alignment with the goals described in the Marin Agriculture Education Alliance study, and will demonstrate state-of-the-art sustainable horticulture practices, for the purpose of training our future agriculture and landscaping workforce.

2. Host Project ReGeneration to provide 140 youth with Environmental Science Instruction, Services, and Recreation: (Planning in Spring 2008 for startup in 2008.) Middle and high school students will participate in a summer experience combining community service, recreational activities and environmental science classes through Marin Conservation Corps’ Project ReGeneration. The program accommodates a total of 140 youth (ages 11 – 17) in the two four-week sessions. This program consists of 140 junior corpsmembers, 9 AmeriCorps members and 9 professional staff members.

3. Host Restoration Team to Enhance Natural & Riparian Environments and Learn Sustainable Landscaping (Starting in Spring 2008): The Restoration Team consists of Marin Conservation Corps corpsmembers who are also full-time College of Marin students. These students will be enrolled at College of Marin for 12 units of Environmental Landscaping and General Education classes. They will also have a work-study program, which is focused on local projects recommended by the Advisory Committee, such as creek restoration and other projects on campus.
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Classified Personnel Recommendations
Date: July 17, 2007
Item & File No. C.11.B

Reason for Board Consideration:
APPROVAL
Enclosure(s):
Recommendations

BACKGROUND:

The following actions are included in the Classified Personnel Recommendations:

A. Appointment of Classified Personnel
B. Permanent Increase in Classified Assignment

BUDGET IMPLICATIONS: All recommendations are within budgeted FTE and are on both the instructional and non-instructional side of the 50% law.

A. Dieli is on the instructional side of the 50% law.
K. Gaffney & J. Baniqued are on the non-instructional side of the 50% law.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the Classified Personnel Recommendations.

Administrator Initiating Item: Linda Beam, Executive Dean of Human Relations & Labor Relations
### A. APPOINTMENT OF CLASSIFIED PERSONNEL

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Division/Department</th>
<th>FTE</th>
<th>MPY</th>
<th>Effective Date</th>
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<tr>
<td>1.</td>
<td>Dieli, Alice</td>
<td>Lab Technician, Computer Science</td>
<td>1.0</td>
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<td>07/02/2007</td>
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<td>2.</td>
<td>Gaffney, Keli</td>
<td>Office Technician – Admissions and Records</td>
<td>1.0</td>
<td>12</td>
<td>07/09/2007</td>
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**BACKGROUND INFORMATION:**

1. Ms. Diele has accepted the 1.0 FTE/12MPY position of Lab Technician in Computer Science effective July 2, 2007.

2. Ms. Gaffney has accepted the 1.0 FTE/12MPY position of Office Technician in the Office of Admissions and Records effective July 9, 2007.
### B. PERMANENT INCREASE/DECREASE IN CLASSIFIED ASSIGNMENT/STAFF PLAN

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**BACKGROUND INFORMATION:**

1. Ms. Baniqued has been appointed to the full time Administrative Assistant position in the Non-Credit ESL Department effective July 2, 2007.
BOARD AGENDA ITEM

To: Board of Trustees                      Date: July 17, 2007
From: Superintendent/President            Item & File No. C.11.C
Subject: Academic Personnel Recommendations
Reason for Board Consideration:

APPROVAL

Enclosure(s): Part-Time Credit and Noncredit Faculty Listings for Summer Session

BACKGROUND:

The following actions are included in the Academic Personnel Recommendations:

A. Part-Time Temporary and Regular Credit Instructors Appointments for Summer Session 2007

   A1. Temporary Non-Credit and ESL Community Education and Services Instructors Appointments for Summer Session 2007

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the Academic Personnel Recommendations.

Administrator Initiating Item: Linda Beam, Executive Dean for Human Resources and Labor Relations
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16.7220
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

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<th>To:</th>
<th>Board of Trustees</th>
<th>Date: July 17, 2007</th>
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<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. C.11.D</td>
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<td>Educational Management Personnel Recommendations</td>
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<tr>
<th>Reason for Board Consideration:</th>
</tr>
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<tbody>
<tr>
<td>APPROVAL</td>
</tr>
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Enclosure(s):

Recommendations

BACKGROUND:

The Educational Management Personnel Recommendations are attached.

A. Appointment and/or Change of Educational Management Personnel

FISCAL IMPLICATIONS: All recommendations are within budgeted FTE.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the Educational Management Personnel Recommendations.

Administrator Initiating Item: Linda Beam, Executive Dean of Human Resources and Labor Relations
## A. APPOINTMENT AND/OR CHANGE OF EDUCATIONAL MANAGEMENT PERSONNEL

<table>
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<th>Item No.</th>
<th>Name</th>
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<th>Appt. Type</th>
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<td>1.0</td>
<td>Temporary</td>
<td>July 2, 2007-December 31, 2007</td>
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**BACKGROUND INFORMATION:**

1. Mr. Balestreri will serve as Interim Director of Enrollment Services from 7/2/07-12/31/07 or until the position is filled permanently.

2. Mr. Maas will serve as Interim Director of Physical Education and Athletics from 7/16/07-12/31/07 or until the position is filled permanently.
BOARD AGENDA ITEM

To: Board of Trustees  Date: July 17, 2007
From: Superintendent/President Item & File No. C.11.E
Subject: Short-Term Hourly Positions
Reason for Board Consideration:

APPROVAL

Enclosure(s):
Job Descriptions

BACKGROUND

Pursuant to A.B. 500 a Short-Term hourly employee cannot begin working until the Board has taken action at a regularly scheduled meeting to approve these positions. The attached job descriptions are submitted for approval:

Short-Term Hourly Positions.

BUDGET IMPLICATIONS: All recommendations are within budget and are on the non-instructional and instructional side of the 50% law.

Office Aide III in Admissions and Records, Bookstore Clerk and Office Aide III in the Bookstore and House Manager/Stage Manager in Music are on the non-instructional side of the 50% law.

Dept. Aide IV in Business and Information Systems, and Tutors in Tutoring are on the instructional side of the 50% law.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the Short-Term Hourly Positions.

Administrator Initiating Item: Linda Beam, Executive Dean of Human Resources & Labor Relations
## A. SHORT TERM HOURLY POSITIONS – July 17, 2007

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<th>DEPT.</th>
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<th>NUMBER OF POSITONS</th>
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<th>END DATE</th>
<th>HOURLY RATE</th>
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<td>Admissions and Records</td>
<td><strong>Office Aide III</strong> – Assist Classified Staff: (Peak period only). Credit Fall '07 registration and late enrollment period extends through second week of September. Non-credit/Community Ed. registration for Fall 1 and Fall 2 begins September 10 and extends through the end of November.</td>
<td>3</td>
<td>07/18/2007</td>
<td>11/30/2007</td>
<td>$10.75 hour</td>
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<td>*Business &amp; Information Systems</td>
<td><strong>Dept. Aide IV</strong> – Assist Classified Staff. Assist students in the CIS computer labs with their assignments during nights and Saturdays at Kentfield and Indian Valley campuses.</td>
<td>5</td>
<td>06/18/2007</td>
<td>12/14/2007</td>
<td>$10.75 hours</td>
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<td>*Bookstore</td>
<td><strong>Bookstore Clerk</strong> – Assist Classified Staff. Cashier, stock, price, customer service, shipping, receiving, prep for rush, and buy back, as needed. <strong>Office Aide III</strong> – Assist Classified Staff. Cashier, stock, price, customer service, shipping/receiving, also prep for rush as needed.</td>
<td>3</td>
<td>07/01/2007</td>
<td>09/30/07</td>
<td>$ 9.75-$15.00 hour DOE</td>
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<td>10</td>
<td>07/01/2007</td>
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<td>$ 8.25-$ 9.75 hour DOE</td>
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<td>Children’s Center</td>
<td>Teacher’s Aide – Assist classroom teachers with implementing child centered curriculum and maintaining an optimal physical learning environment</td>
<td>1 (JVC)</td>
<td>08/20/2007</td>
<td>12/14/2007</td>
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<td></td>
<td></td>
<td>1 (KTD)</td>
<td>08/20/2007</td>
<td>12/14/2007</td>
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<tr>
<td></td>
<td>*Music</td>
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<td></td>
<td><strong>House Manager/Stage Manager</strong> – Set up for and house manage summer music concerts on June 30th, July 21st and August 4th.</td>
<td>2</td>
<td>06/30/2007</td>
<td>08/04/2007</td>
<td>$10.25 – $11.25 hour DOE</td>
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<td></td>
<td>*Tutoring</td>
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<td></td>
<td><strong>Peer Tutor</strong> – Assist Classified Staff. Provide peer tutoring to currently enrolled COM students. Complete appropriate paperwork including applications, attendance sheets, and time cards. Attend STSK 161 2 unit tutor training course. Develop and maintain professional Relationships with staff, faculty, and students.</td>
<td>30</td>
<td>07/01/2007</td>
<td>12/31/2007</td>
<td>$11.25 hour</td>
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**BACKGROUND:**

Pursuant to A.B. 500 a Short-Term hourly employee cannot begin working until the Board has taken action at a regularly scheduled meeting to approve these positions. The above job descriptions are submitted for approval.

*Human Resources did not receive necessary paperwork from the department until after the individual’s worked. These hourly employees need to be paid for work that has already been completed.*

July 17, 2007
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Date: July 17, 2007
Item & File No. C.11.F

Subject: Budget Transfers – Month of June – FY 2006/07

Reason for Board Consideration: APPROVAL

BACKGROUND:

The accompanying transfer information includes forty budget transfers in June, totaling $54,411.95 from Unrestricted Funds. There was one transfer from Unrestricted Reserve for $1,000.00 for supplies for EOPS.

There were sixty transfers from Restricted Funds for $224,645.98. There were thirteen additional transfers from Restricted Reserves Contingency, totaling $3,509.00, for Disabled Student, DHH Revisions and the cost of a printer.

There was one budget transfer from the Childcare Fund for services, in the amount of $94.00.

There were two transfers from the Measure C Fund, totaling $460.00, for computer software and supplies. There was one transfer from Reserves Contingency for 6,922.00 from Tree Removal Budget, for repairs of fences after tree removal.

Net effect of transfers.

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<th>Object Code</th>
<th>General Fund</th>
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<th>Capital Outlay</th>
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* Includes utilities, consultants, travel, legal services, maintenance contracts etc.

** Includes contingency reserves, financial aid awards, and inter-fund transfers.

RECOMMENDATION:
The Superintendent/President recommends that the Board of Trustees approve the Budget Transfers – FY 2006/07.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
## BUDGET TRANSFERS

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**TOTAL GENERAL FUND**

43,918.19  (112,902.45)  (40,327.03)  12,100.68  9,767.53  85,024.08  2,509.00  -  153,319.48  281,566.93

**Children’s Center**

|  |  |  |  |  |  |  |  |  |
|---|---|---|---|---|---|---|---|
| 1 | 94.00 | 94.00 | 0 | 94 |
| 2 | 94.00 | 0 | 0 | 94.00 |

**Measure C**

|  |  |  |  |  |  |  |  |  |
|---|---|---|---|---|---|---|---|
| 2048 | 100.00 | (100.00) | 0 | 100 |
| 2102 | 360.00 | (360.00) | 0 | 360 |
| 2108 | 6,922.00 | (6,922.00) | 0 | 6,922 |
| 2119 | 6,462.00 | (6,462.00) | 0 | 6,462 |
| 2120 | 7,382.00 | 224,645.98 |
| 2121 | 3,509.00 |

**TOTAL ALL FUND**

43,918  (112,992)  (40,327)  12,301  10,394  98,042  (11,335)  0  164,654.48  290,042.93

Budget Inter-project transfers were funds remained within the same object code and transfers offset to zero, not included in totals.
<table>
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<th>BT #</th>
<th>10000</th>
<th>20000</th>
<th>30000</th>
<th>40000</th>
<th>50000</th>
<th>60000</th>
<th>70000</th>
<th>OTHER</th>
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<td>* 1909</td>
<td>(18,500)</td>
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<td>0</td>
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<td></td>
<td></td>
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<tr>
<td>* 1995</td>
<td>(130,064)</td>
<td>130,064</td>
<td>0</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>* 2048</td>
<td>(171,050)</td>
<td>171,050</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>* 2054</td>
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<td>* 2146</td>
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</tr>
<tr>
<td></td>
<td>(515,304.00)</td>
<td>515,304.00</td>
<td>0</td>
<td></td>
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</tr>
</tbody>
</table>

Total Measure C Building transfers were funds remained within same object code
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Warrant Approval for Month of June 2007

Reason for Board Consideration: Enclosure(s):

APPROVAL Warrant Listing

BACKGROUND:

Attached is the amount of warrants prepared for purchase orders already issued, purchase orders previously approved for purchases over $15,000 for labor or $50,000 for materials and supplies and direct charges. Warrant registers are available in Fiscal Services for review.

For the period 06/04/2007 through 06/25/2007, warrants 67981-68412 were issued in the total amount of $2,294,158.68.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the payments for goods and services.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
DATE: July 17, 2007

TO: Members of the Board of Trustees

SUBJECT: Payment for Goods and/or Services
Per Board Bylaw 1.5310, Section b-7, it is recommended that warrants 67981-68412 in the amount of $2,294,158.68. for all funds for the period 06/04/2007 through 06/24/2007 be approved for payment. Copies of invoices for individual warrants are available for review in the Fiscal Services Office. I certify that the warrants listed are proper payments of invoices for previously approved purchase orders, agreements, contracts, utilities, materials, services and claims. The General Fund expenditures represent $770,514.71 of the above amount.

______________________________
President or Designee

EXPENDITURE SUMMARY
2006/2007
General Fund – All Programs
Period Ending 05/31/2007

Expenditure Summary is from May 31, 2007, as June 30 was still being processed.

<table>
<thead>
<tr>
<th>Category</th>
<th>Budget</th>
<th>Encumbered</th>
<th>Expended</th>
<th>Balance</th>
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</thead>
<tbody>
<tr>
<td>Certificated Salaries</td>
<td>19,979,692</td>
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<td>18,385,370</td>
<td>1,594,322</td>
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<tr>
<td>Classified Salaries</td>
<td>10,784,225</td>
<td>6,530</td>
<td>9,353,962</td>
<td>1,423,733</td>
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<tr>
<td>Employee Benefits</td>
<td>9,614,211</td>
<td>0</td>
<td>8,544,804</td>
<td>1,069,406</td>
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<tr>
<td>Books &amp; Supplies</td>
<td>1,421,612</td>
<td>142,337</td>
<td>698,810</td>
<td>580,465</td>
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<tr>
<td>Other Operating Expense*</td>
<td>5,348,629</td>
<td>420,174</td>
<td>3,870,862</td>
<td>1,057,593</td>
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<tr>
<td>Capital Outlay</td>
<td>1,750,399</td>
<td>244,117</td>
<td>645,551</td>
<td>860,731</td>
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<td>Other Outgo**</td>
<td>3,691,739</td>
<td>2,000</td>
<td>3,345,269</td>
<td>344,470</td>
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<tr>
<td>Total</td>
<td>52,590,507</td>
<td>815,158</td>
<td>44,844,628</td>
<td>6,930,721</td>
</tr>
</tbody>
</table>

* Includes utilities, consultants, travel, legal services, maintenance contracts, etc.

** Includes financial aid awards and inter-fund transfers.
BACKGROUND:

In accordance with Board Policy 6.0008, the District will submit to the Board a list of equipment to declare surplus. The items listed on the attachment(s) have been determined to have no further value to the District. Some of the items have been replaced and are no longer used. Some items are simply old and repair and/or maintenance is not cost effective. Items that have no value will be disposed of. The District may be able to sell some of the equipment. Some equipment will used for parts. No one item or item lot is valued at $5,000 or more.

In accordance with Board Policy and Education Code Section 81452(a), a unanimous vote is required declaring the value of any one item or item lot to be less than $5,000. Upon a unanimous vote, the items may then be disposed of pursuant to the provisions of Education Code Section 81452(c).

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees vote to declare the items described on the attachment(s) surplus and that no single item or item lot is valued at $5,000 or more and further authorize the District to dispose of the equipment, pursuant to Education Code Section 81452(c), as the District sees fit.
<table>
<thead>
<tr>
<th>Campus</th>
<th>Location</th>
<th>Quantity</th>
<th>Detailed Description</th>
<th>Inventory #</th>
<th>Age</th>
<th>Condition</th>
<th>Recommendation</th>
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</thead>
<tbody>
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<td>IVC</td>
<td>Toddler Cent</td>
<td>1</td>
<td>Gateway Computer/Monitor/</td>
<td>1787</td>
<td>Unk.</td>
<td>Obsolete</td>
<td>Junk</td>
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<td>IVC</td>
<td>Toddler Cent</td>
<td>1</td>
<td>Yamaha Computer/Monitor</td>
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<td>Unk.</td>
<td>Obsolete</td>
<td>Junk</td>
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<tr>
<td>KTD</td>
<td>Maint Yard</td>
<td>1</td>
<td>1981 Ford Van E761090</td>
<td>Vehicle #15</td>
<td>26+ yrs</td>
<td>Unsafe/Unrepairable</td>
<td>Junk</td>
</tr>
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<td>KTD</td>
<td>Maint Yard</td>
<td>1</td>
<td>1981 Ford Pickup E760132</td>
<td>Vehicle #23</td>
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<td>Unsafe/Unrepairable</td>
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<td>1</td>
<td>1978 Chev Van E710971</td>
<td>Vehicle #37</td>
<td>29+ yrs</td>
<td>Unsafe/Unrepairable</td>
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<tr>
<td>KTD</td>
<td>DSPS</td>
<td>1</td>
<td>HP Color LaserJet Printer</td>
<td>JPDB018978</td>
<td>5+ yrs</td>
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<td>KTD</td>
<td>LRC 160</td>
<td>4</td>
<td>Black Desk Chairs</td>
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<td>Unsafe</td>
<td>Junk</td>
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<td>Junk</td>
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<td>Broken</td>
<td>Junk</td>
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BOARD AGENDA ITEM

To: Board of Trustees  Date: July 17, 2007

From: Superintendent/President  Item & File No. C.11.1

Subject: Student Record Destruction

Reason for Board Consideration: Approval  Enclosure(s):

BACKGROUND:

In accordance with Title 5, California Administrative Code, Section 59020-59029, the Marin Community College Board of Trustees adopted a Policy of Student Record Retention and Destruction on June 4, 1980. This Policy established the annual review of documents and papers received during the school year and designation of same as Class 1 - Permanent, Class 2 - Optional, or Class 3 - Disposable. It also requires the Board to subsequently authorize the destruction of all Class 3 - Disposable records which have been maintained for the legal requirement of three years.

RECOMMENDATION:
The Superintendent/President recommends that the Board of Trustees approve that all Class 3 - Disposable records generated in the 2003-2004 academic year be authorized for destruction.

Administrator Initiating Item:
Robert P. Balestreri, Interim Dean of Enrollment Services
**BOARD AGENDA ITEM**

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>July 17, 2007</th>
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<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No.</td>
<td>C.11.J.1(a)</td>
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<tr>
<td>Subject:</td>
<td>PE Complex Modernization Project 308B – Evaluation of Glu-Lam Beams to be conducted by McGinnis Chen Associates, Inc.</td>
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<tr>
<td>Reason for Board Consideration:</td>
<td>ACTION APPROVAL</td>
<td>Enclosure(s):</td>
<td>SF Contract</td>
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</table>

**BACKGROUND:**

Glu-lam beams ends were covered by copper end caps in the 1980’s to protect the exposed laminations from weather and deterioration. As part of the roof replacement scope of work for the PE Complex Modernization project, diligent evaluation of these beam ends is necessary.

McGinnis Chen Associates (MCA) is assisting Kwan Henmi, Project Architect, as a sub-consultant in other aspects of the PE Complex building envelope design systems. Because this proposed investigation is beyond the current scope of services of Kwan Henmi, MCA will perform the necessary scope of work under a separate contract, presented herein for approval, as follows:

**Short Form Contract dated July 17, 2007:** $ 4,000

The scope of work is to coordinate the necessary investigations and evaluations to determine existing conditions and prepare recommendations on reasonable repair or replacement programs.

This removal activity is considered Phase II of two required to expose the glu-lam beams and perform an evaluation of the beam material. Under Phase I, Community Reconstruction Solutions (CRS) will provide the labor to remove the existing copper beam protection assemblies for MCA to conduct a direct examination and evaluation of the exposed beam material. Once MCA has completed the examination, CRS will provide the labor to re-install the beam covers.

**FISCAL IMPACT:**

This contract will be paid from Measure C bond funds.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve a short form contract with McGinnis Chen Associates, Inc. in the amount of $4,000 for consulting services associated with the PE Complex glu-lam beams.
CONSULTANT:
McGINNIS CHEN ASSOCIATES LLP
10 NOTTINGHAM PLACE
SAN FRANCISCO, CA 94133

JULY 17, 2007

I. SCOPE OF THE SERVICES

The Services to be rendered ("Services") shall generally consist of the following:

A. Diamond PE Center Glu-Lam Beam Evaluation Study and Report

1. The Consultant shall coordinate the preliminary investigation and evaluation of the glulam beam projections at the PE Complex. In junction with Community Reconstruction Solutions Company, Consultant shall observe and evaluate existing conditions of the glulam beam sections covered by copper end cap assemblies. Consultant shall provide recommendations for glulam repairs based on findings. Such findings and recommendations will be incorporated with the PE Complex Modernization Project 308B Scope of Work.

II. COMPENSATION FOR SERVICES

Consultant’s total compensation for Services performed under this Agreement is $4,000 inclusive of reimbursable expenses to be paid as: (1) □ lump sum; (2) ■lump sum with progress payments; (3) □ per attached schedule of rates and charges, with a guaranteed not to exceed price of $4,000.

III. SCHEDULE OF PERFORMANCE

Consultant shall commence the Services by July 18, 2007 and complete the Services by August 31, 2007 or within [___] days of commencement of the Services.
IV. TERMS AND CONDITIONS

(1) Consultant shall perform the Services in accordance with the terms and conditions of this Agreement, INCLUDING THE GENERAL TERMS AND CONDITIONS ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

(2) The requisition number, purchase order number, District project number, consultant’s invoice number, and project name must appear on all invoices and correspondence. Send invoices, in duplicate, immediately upon performance to:

By U.S. Postal Service:
Marin Community College District
c/o Swinerton Management & Consulting
P.O. Box 144003
Kentfield, CA 94914

By overnight and express delivery services:
Marin Community College District
c/o Swinerton Management & Consulting
835 College Avenue, Building MS-3
Kentfield, CA 94904

(3) Changes made to printed Terms and Conditions on this Agreement are null and void unless approved in writing by the District.

(4) Consultant must comply with Appendix A.

(5) Consultant has read, negotiated (if desired) and expressly accepts all terms incorporated herein, including Section 5 relating to indemnity and liability.

(6) This instrument is void to the extent it requires payment by the District of more than $4,000.00 [Four Thousand Dollars].

CONSULTANT

[Signature]
Principal

[Signature]
Vice President College Operations

MARIN COMMUNITY COLLEGE DISTRICT

[Signature]
Date

[Signature]
Date
GENERAL TERMS AND CONDITIONS

1. **Agreement Force and Effect.** District is not responsible for services rendered without the authority of an Agreement on this form. This Agreement shall supersede and control over all inconsistent provisions in any proposal. The provisions of this Agreement (which may include attachments) constitute the entire agreement between the Consultant and District regarding the work and services described herein. No representation, term or covenant not expressly specified in this Agreement shall, whether oral or written, be a part of this agreement. No modification of this Agreement shall be effective unless it is in writing. This Agreement shall supersede all other prior purchase Agreements and agreements between Consultant and District with respect to the work and services described herein. This Agreement may not be modified, nor may compliance with any of its terms be waived, except by written instrument executed and approved by fully authorized representatives of District and Consultant. The headings in this Agreement are for convenience only and do not affect the construction of this Agreement.

2. **Performance of Services/No Assignment.** Time is of the essence in the performance of the Services. Consultant represents that it is skilled in the professional discipline necessary to perform the services ("Services") under this Agreement. Consultant will perform its Services in a skillful manner, comply fully with criteria established by District, and with applicable laws, codes, and all applicable professional standards, including by not limited to, the California Education Code and Title 24. Consultant shall not contract any portion of the Services or otherwise assign this Agreement without prior written approval of District. (Consultant shall remain responsible for compliance with all terms of this Agreement, regardless of the terms of any such assignment.) Consultant’s authorized representative is the individual signing this Agreement unless Consultant otherwise informs District in writing. The granting of any payment, and any inspections, reviews, approvals or oral statements by any District representative, or certification by any governmental entity, shall in no way limit Consultant’s obligations under this Agreement.

3. **Records and Payment Requests.** Consultant shall submit all billings with all necessary invoices or other appropriate evidence of performance, after which District shall make payment within thirty (30) days. District shall have the right to audit the Consultant’s work records. Consultant shall make available to District, its authorized agents, officers, or employees, any and all ledgers, books of accounts, invoices, vouchers, cancelled checks, and other records or documents evidencing or relating to the expenditures and disbursement charged to District, for examination. Consultant shall furnish to District, its authorized agents, officers, or employees, such other evidence or information as District may require with regard to any such expenditure or disbursement charged by Consultant. Consultant shall maintain all documents and records prepared by or furnished to Consultant during the course of performing the services for at least three (3) years following completion of the Services, except that all such items pertaining to hazardous materials shall be maintained for at least thirty (30) years. Such records include, but are not limited to, correspondence, internal memoranda, calculations, books and accounts, accounting records documenting its work under its Agreement, and invoices, payrolls, records and all other data related to matters covered by this Agreement. Consultant shall permit District to audit, examine and make copies, excerpts and transcripts from such records. The State of California or any federal agency having an interest in the subject of Agreement shall have the same rights conferred to District by this section. Such rights shall be specifically enforceable.

4. **Independent Contractor.** Consultant is an independent Contractor and does not act as District’s agent in any capacity, whatsoever. Consultant is not entitled to any benefits that District provides to District employees, including, without limitation, worker’s compensation benefits or payments, pension benefits, health benefits or insurance benefits. Terms within this Agreement regarding direction apply to and concern the result of the Consultant’s provision of Services not the means, methods, or scheduling of the Consultant’s work. Consultant shall be solely responsible for the means, methods, techniques, sequences and procedures with respect to its provision of Services under this Agreement. Consultant shall pay all payroll taxes imposed by any governmental entity and will pay all other taxes not specifically identified in this Agreement as District’s responsibility.

5. **Indemnity/Liability.** To the extent of its proportionate fault, Consultant shall defend, indemnify and save the District, and all of its officers, directors, representatives, agents and employees (together "Indemnities"), from and against any and all claims and liability of any type resulting directly or indirectly from Consultant’s negligent performance of this Agreement. Consultant shall also defend, indemnify and save harmless, to the extent of its proportionate fault, the Indemnities, from and against all claims, suits, actions, liability, damages, expense or costs of every nature and description to which the Indemnities may be subject or put by reason of bodily injury to or death of any person or damage to any property, which directly or indirectly arises out of the Consultant’s performance of this Agreement, Consultant’s provision of Services, or Consultant’s activities related thereto. Defense counsel retained under this section shall be subject to the Indemnity’s reasonable approval. Notwithstanding any provision of this Agreement, the Indemnities shall not be liable, in contract or tort, for any special, consequential, indirect or incidental damages arising out of or in connection with this Agreement or the Services. The Indemnites’s rights and remedies, whether under this Contract or other applicable law, shall be cumulative and not subject to limitation.
6. Conflict of Interest. Consultant represents and warrants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of work and services required under this Agreement. Without limitation, Consultant represents to and agrees with District that Consultant has no present, and will have no future conflict of interest between providing District services hereunder and any interest Consultant may presently have, or will have in the future, with respect to any other person or entity (including but not limited to any federal or state wildlife, environmental or regulatory agency) which has any interest adverse or potentially adverse to District, as determined in the reasonable judgment of District.

7. Confidentiality. Any information, whether proprietary or not, made known to or discovered by Consultant during the performance of or in connection with this Agreement for District, will be kept confidential and not be disclosed to any other person. Consultant will immediately notify District in writing if it is requested to disclose any information made known to or discovered by during the performance of or in connection with this Agreement. These conflict of interest, confidentiality and future service provisions and limitations shall remain fully effective indefinitely after termination of services to District hereunder.

8. Ownership of Results. Consistent with Education Code Section 17316, any interest (including copyright interests) of Consultant or its contractors or subconsultants (together, "Subconsultants"), in studies, reports, memoranda, computational sheets, drawings, plans or any other documents (including electronic media) prepared by Consultant or its Subconsultants in connection with the Services, shall become the property of District. To the extent permitted by Title 17 of the United States Code, work product produced under this Agreement shall be deemed works for hire and all copyrights in such works shall be the property of District. In the event that it is ever determined that any works created by Consultant or its Subconsultants under this Agreement are not works for hire under U.S. law, Consultant hereby assigns to District all copyrights to such works. With District's prior written approval, Consultant may retain and use copies of such works for reference and as documentation of experience and capabilities. Consultant shall, however, retain the copyright in its standard details, and grants District an unlimited license to use such details for the purposes stated herein. Should the District desire to reuse the Documents specified above and not use the services of the Consultant, then the District agrees to require the new consultant to assume any and all obligations for the reuse of the documents and process the same through the Division of the State Architect as the project Consultant, and the District releases Consultant and its Subconsultants from liability associated with the reuse of the documents.

9. Non-Discrimination Policy. Consultant shall not discriminate against any employee or applicant for employment, nor against any Subconsultant or applicant for a subcontract, because of race, color, religious creed, age, sex, actual or perceived sexual orientation, national origin, disability as defined by the ADA or veteran's status. To the extent applicable, Consultant shall comply with all federal, state and local laws (including, without limitation, all County and District ordinances, rules and regulations) regarding non-discrimination, equal employment opportunity, affirmative action and occupational-safety-health concerns, shall comply with all applicable rules and regulations hereunder, and shall comply with same as each may be amended from time to time. Consultant shall provide all information reasonably requested by District to verify compliance with such matters. Consultant stipulates, acknowledges and agrees that District has the right to monitor Consultant's compliance with all applicable non-discrimination requirements, and may impose sanctions upon a finding of a willful, knowing or bad faith noncompliance or submission of information known or suspected to be false or misleading.

10. Termination and Suspension. District may direct Consultant to terminate, suspend, delay or interrupt Services, in whole or in part, for such periods of time as District may determine in its sole discretion. District may issue such directives without cause. District will issue such directives in writing, and compensate Consultant for its costs expended up to the termination plus reasonable profit thereon only in the event District terminates this Agreement for District's convenience. Consultant may recover no other cost, damage, or expense. Suspension of Services shall be treated as an excusable delay. District may terminate performance of the Services under this Agreement in whole, or from time to time in part, for default, should Consultant commit a material breach of the Agreement, or part thereof, and not cure such breach within ten (10) calendar days of the date of District's written notice to Consultant demanding such cure. In the event District terminates the Agreement for default, Consultant shall be liable to District for all loss, cost, expense, damage and liability resulting from such breach and termination. Consultant shall continue its work throughout the course of any dispute, and Consultant's failure to continue work during a dispute shall be a material breach of this Agreement. Either party's waiver of any breach, or the omission or failure of either party, at any time, to enforce any right reserved to it, or to require strict performance of any provision of this Agreement, shall not be a waiver of any other right to which any party is entitled, and shall not in any way affect, limit, modify or waive that party's right thereafter to enforce or compel strict compliance with every provision hereof.

11. Execution; Venue; Limitations. This Agreement shall be deemed to have been executed in the City of Kentfield, Marin County, California. Enforcement of this Agreement shall be governed by the laws of the State of California, excluding its conflict of laws rules. The exclusive venue for all litigation arising from or relating to this Agreement shall be in Marin
County, California. Except as expressly provided in this Agreement, nothing in this Agreement shall operate to confer rights or benefits on persons or entities not party to this Agreement. As between the parties to this Agreement, any applicable statute of limitations for any act or failure to act shall commence to run on the date of District’s issuance of the final Certificate for Payment, or termination of this Agreement, whichever is earlier, except for latent defects, for which the statute of limitation shall begin running upon discovery of the defect and its cause.

12. District Responsibilities. The District shall furnish the required information and services and shall render approvals and decisions expeditiously for the orderly progress of the consultant’s work. The District shall not significantly increase the budget allocated for the cost of the work without agreement of the consultant.
Appendix A to Professional Services Agreement

INSURANCE

This is an Appendix attached to, and made a part of and incorporated by reference with the Agreement dated June 12, 2007 between the Marin Community College District (the “District”), and McGinnis Chen Associates LLP (“Consultant”) providing for professional services.

1. Consultant’s Duty to Show Proof of Insurance. Prior to the execution of this Agreement, Consultant shall furnish to District Certificates of Insurance showing satisfactory proof that Consultant has taken out for the entire period required by this Agreement, as further described below, the following insurance, in a form satisfactory to District and with an insurance carrier satisfactory to District, authorized to do business in California and rated by A. M. Best & Company A or better, financial category size IX or better, which will protect these described below from claims described below which arise or are alleged to have arisen out of or result from the acts or omissions of Consultant for which Consultant may be legally liable, whether performed by Consultant, or by those employed directly or indirectly by it, or by anyone for whose acts Consultant may be liable:

1.1 Commercial General Liability Insurance

Commercial general liability insurance, written on an “occurrence” basis, which shall provide coverage for bodily injury, death and property damage resulting from operations, products liability, liability for slander, false arrest and invasion of privacy arising out of professional services rendered hereunder, blanket contractual liability, broad form endorsement, products and completed operations, personal and advertising liability, with per location limits of not less than $2,000,000 annual general aggregate per project and $1,000,000 each occurrence.

1.2 Business Automobile Liability Insurance

Business automobile liability insurance with limits not less than $1,000,000 combined single limit including coverage for owned, non-owned and hired vehicles.

1.3 Workers’ Compensation Insurance

Workers’ Compensation Employers’ Liability limits required by the laws of the State of California. Consultant’s Worker’s Compensation Insurance policy shall contain a Waiver of Subrogation. In the event Consultant is self-insured, it shall furnish Certificate of Permission to Self-Insure signed by Department of Industrial Relations Administration of Self-Insurance, State of California.

1.4 Professional Liability Insurance

Professional Liability Insurance, either (a) specific to this Project only, with limits not less than $1,000,000 each claim, or (b) limits of not less than $2,000,000 each claim and aggregate, all with respect to negligent acts, errors or omissions in connection with services to be provided under this Agreement, with no exclusion for claims of one insured against another insured and with tail coverage for a period of five (5) years after the completion of the Services.
2. Insurance terms and conditions:

2.1 Status of MARIN COMMUNITY COLLEGE DISTRICT as Additional Insured.

On Consultant’s Commercial General Liability policy, the MARIN COMMUNITY COLLEGE DISTRICT, and its Trustees, officers, officials, representatives, employees, Consultants, and agents, shall be named as additional insureds, but only with respect to liability arising out of the activities of the named insured, and there shall be a waiver of subrogation as to each named and additional insured.

2.2 The policies shall apply separately to each insured against whom claim is made or suit is brought except with respect to the limits of the company’s liability.

2.3 Certificates of Insurance shall include the following statement: “Written notice of cancellation, non-renewal or of any material change in policy shall be mailed to District thirty (30) days in advance of the effective date thereof.”

2.4 Consultant’s insurance shall be primary insurance and no other insurance or self-insured retention carried or held by any named or additional insureds other than that amount Consultant shall be called upon to contribute to a loss covered by insurance for the named insured.

2.5 Nothing herein contained shall be construed as limiting in any way the extent to which Consultant or any of its employees may be held responsible for payment of damages resulting from their operations.

2.6 If Consultant fails to maintain any required insurance, District may obtain such insurance, and deduct and retain amount of premium from any sums due Consultant under this Agreement.

3 Provide Proof of Insurance

3.1 Address Certificate Holder to:

Marin Community College District
835 College Avenue, Building MS-3
Kentfield, CA 94904

3.2 Send Insurance Certificate and Endorsement to:

Copy by fax to:
Marin Community College District
c/o Swinerton Management & Consulting
phone: 415-884-3142
fax: 415-721-7039

Original by mail to:
Marin Community College District
c/o Swinerton Management & Consulting
P.O. Box 144003
Kentfield, CA 94914

END OF APPENDIX A
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904  

BOARD AGENDA ITEM  

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>July 17, 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. C.11.J.2(a)</td>
<td></td>
</tr>
<tr>
<td>Subject:</td>
<td>Notice of Completion – PE Conduit Crossing Project (#308E) D&amp;D Pipelines, Inc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>Enclosure(s):</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ACTION APPROVAL**  
Notice of Completion

**BACKGROUND:**

On May 15, 2007 the Board approved a contract with D&D Pipelines, Inc. for the PE Conduit Crossing Project (#308E) on the Kentfield campus. At this time the Board is asked to give notice and certify that the project has been inspected and that it complies with the plans and specifications; that the contractor has completed the work; that the contract is accepted as complete; and that a Notice of Completion (attached) is ready to be filed.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees give notice and certify that the PE Conduit Crossing Project (#308E) has been inspected and that it complies with the plans and specifications; that the contractor has completed the work; that the contract is accepted as complete; and that a Notice of Completion is ready to be filed.

Administrator Initiating Item  
V-Anne Chernock  
Director of Modernization

Administrator Approving Item  
Albert J. Harrison  
Vice President, College Operations
Notice of Completion
(In pursuant to Civil Code Section 3093, must be recorded within 10 days after completion)

In execution of this Notice, notice is hereby given that:
1. The undersigned is an owner or agent of an owner of the estate or interest stated below.
2. The name of the owner is Marin Community College District.
3. The address of the owner is 835 College Ave, Kentfield CA 94904.
4. The nature of the estate or interest is: Marin Community College District.
5. The name and addresses of all co-owners, if any, who hold any title or interest with the above-named owner in the property are:

<table>
<thead>
<tr>
<th>NAMES</th>
<th>ADDRESSES</th>
</tr>
</thead>
</table>

6. Work of alteration on the property hereinafter described was completed on: June 6, 2007
7. The Project Name & Number are PE CONDUIT CROSSING, 308E
8. The contractor for such work of modernization is D&D PIPELINES, INC.
9. The name of the contractor's Surety Co is FIDELITY AND DEPOSIT CO. OF MARYLAND
10. The date of contract between the contractor and the above owner is MAY 7, 2007
11. The street address of said property is 835 COLLEGE AVE,
12. The property on which said work of modernization was completed is in the Town of Kentfield/City of Larkspur, County of Marin, State of California, and is described as follows: PARKING LOT #9 AND COLLEGE AVE, street portion between 835 College Ave. and the Physical Education Complex

__________________________  ______________________________
Date                             Signature of Owner
Marin Community College District

Verification

I, undersigned, say:
I am ____________________________
("President," "Owner," "Manager," etc.)

Of the declarant of the foregoing completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.
I declare under penalty of perjury that the foregoing is correct and true.

Executed on ____________________, at __________________, California.
(City or Town where signed)

(Personal signature of the individual swearing that the contents of the notice are true)
BACKGROUND:

New courses are developed by faculty at the discipline level. They are proposed to the Curriculum Committee, a standing committee of the Academic Senate. Courses are reviewed and approved according to Board policy 2.0001 and 2.0001 DP.1.

The Academic Program will offer the following new credit courses. The courses are recommended by the appropriate academic departments, the Curriculum Committee, and the Vice President of Student Learning. The proposed new courses may be categorized as follows:

**Liberal Arts and Sciences**

Courses of freshman and sophomore level in the area of liberal arts and sciences transfer education.

- **HED 119**  
  Effective Teaching Strategies in Wellness and Fitness

  This course is designed to help students become more effective wellness and fitness professionals by developing a toolbox of practical teaching, learning, and evaluation methods that can be implemented in this field.

- **P E 117**  
  Basketball

  This course is designed for all students interested in playing basketball. Individual offensive, defensive and team concepts of basketball will be emphasized.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the proposed new credit courses.

Administrator Initiating Item
Anita Martinez, Vice President of Student Learning
PE 129 Golf

This course will focus on skill development and acquiring the knowledge to participate in and enjoy the sport of golf. Demonstration, audio-visual aides, lecture, and active participation will be utilized to achieve improvement and enjoyment of golf.

PE 147 Soccer

This course emphasizes the development of soccer technical skills, knowledge of game rules, indoor and outdoor soccer team tactics, and systems of play. This course teaches and builds upon the fundamentals of soccer in order to enhance the future soccer performance of all students.

PE 150 Softball

This course is designed to familiarize the student with the game of softball by introducing the rules, fundamental technical and tactical skills. Focusing on offensive and defensive strategies will emphasize team play. This course is for the student who needs skill development in all areas of softball.

PE 155 Swimming

This course will present a variety of strokes and skills necessary to be competent in the aquatic environment. An emphasis will be placed on stroke and endurance development.

PE 160 Tennis

This course is designed to familiarize the student with game of tennis. The course offers the student an experience in learning the skills of tennis emphasizing fundamental skills and strategy for all skill levels.

PE 195A Water Polo Theory

An intensive course designed to help each student understand and utilize the fundamentals and theory of training for and competing in the sport of water polo. The emphasis of the class is development of team and individual technique and skills.
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Credit Course Revisions
Reason for Board Consideration: APPROVAL
Date: July 17, 2007
Item & File No. C.11.L

BACKGROUND:

Revised courses are developed by faculty at the discipline level. Revisions are proposed by departments to the Curriculum Committee, a standing committee of the Academic Senate. Courses are reviewed and approved according to Board Policy 2.0001 and 2.0001 DP.1.

The following course revisions are recommended by appropriate academic departments, the Curriculum Committee, and the Vice President of Student Learning.

DENT 178
Dental Specialties II
Change prerequisite from ENGL 98 or ENGL 92SL to ENGL 92 or ENGL 92SL, High School diploma or equivalency. Revise catalog description, schedule description, and texts/assigned reading.

DENT 183
Advanced Dental Procedures

DENT 183L
Advanced Dental Procedures Lab
Change course title from “Dental Specialties Lab” to “Advanced Dental Procedures Lab”. Change prerequisite from DENT 176 to none. Revise catalog description and schedule description.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the proposed credit course revisions.

Administrator Initiating Item
Anita Martinez, Vice President of Student Learning
Credit Course Revisions – Continued

ENGL 150
Reading and Composition (1A)
Revise catalog description, course content, schedule description, and student outcomes.

ENGL 150 (Online)
Reading and Composition (1A)
Revise catalog description, course content, schedule description, and student outcomes.

HED 115
Weight Control, Exercise, And Nutrition
Revise catalog description, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.

PE 120
Introduction to Sport and Exercise Psychology
Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and text/assigned reading.

PE 122
Exercise for Adults with Special Needs - Instructor Certification Training
Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.

PE 124
Athletic Coaching Education: A Positive Coaching Alliance Certification
Revise catalog description and methods of instruction.

PE 125A
Fitness
Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.

PE 125C
Aerobic Fitness
Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.

PE 125D
Fitness, Intercollegiate Sports
Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.
Credit Course Revisions – Continued

PE 125F
Fitness Aquatic Calisthenics
Revise catalog description and course content.

PE 125H
Fitness Cross Training
Revise catalog description and course content.

PE 125K
Fitness Walking
Revise catalog description and schedule description.

PE 143
Basic Athletic Injuries
Revise student outcomes and methods of instruction.

PE 156
Instructional Lap Swimming
Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.

PE 164
Sports Conditioning
Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.

PE 167
Volleyball
Revise catalog description, course content, schedule description, critical thinking, student outcomes, methods of evaluation, methods of instruction, and texts/assigned reading.

PE 169
Weight Training
Revise student outcomes and texts/assigned reading.

PE 173A
Yoga, Beginning
Revise catalog description, course content, schedule description, critical thinking, and student outcomes.

PE 175
Intercollegiate Athletics, Baseball
Revise catalog description and schedule description.

PE 176
Intercollegiate Athletics, Basketball (Men and Women)
Revise catalog description, course content, schedule description, critical thinking, and texts/assigned reading.
Credit Course Revisions – Continued

P E 178
Intercollegiate Athletics, Football
Revise catalog description, course content, schedule
description, critical thinking, student outcomes, methods of
instruction, and texts/assigned reading.

P E 180
Intercollegiate Athletics, Soccer (Men and Women)
Revise critical thinking and student outcomes.

P E 183
Intercollegiate Athletics, Swimming and Diving
(Men and Women)
Revise catalog description, course content, schedule
description, critical thinking, student outcomes, methods of
evaluation, methods of instruction, and texts/assigned reading.

P E 185
Intercollegiate Athletics, Track and Field (Men and Women)
Revise critical thinking and student outcomes.

P E 187
Intercollegiate Athletics, Water Polo (Men and/or Women)
Revise catalog description, course content, schedule
description, critical thinking, student outcomes, methods of
evaluation, methods of instruction, and texts/assigned reading.

P E 267
Advanced Volleyball
Revise catalog description, course content, schedule
description, critical thinking, student outcomes, methods of
evaluation, methods of instruction, and texts/assigned reading.

W E 298ABCD
Occupational Work Experience
Revise catalog description, course content, schedule
description, critical thinking, student outcomes, methods of
evaluation, methods of instruction, and texts/assigned reading.

W E 299ABC
General Work Experience
Revise catalog description, course content, schedule
description, critical thinking, student outcomes, methods of
evaluation, methods of instruction, and texts/assigned reading.
BOARD AGENDA ITEM

To: Board of Trustees                Date: July 17, 2007
From: Superintendent/President        Item & File No. C.11.M
Subject: Credit Course Deletions

Reason for Board Consideration: APPROVAL

BACKGROUND:

Credit courses are recommended for deletion status by the faculty at the discipline level. These deletions are proposed by the academic departments to the Curriculum Committee, a standing committee of the Academic Senate. Deletions are reviewed and approved according to Board policy 2.0001 and 2.000 DP.1.

The following courses are recommended for deletion by the Curriculum Committee from the College of Marin credit curriculum. These courses have not been taught for a period of time or have been replaced by other courses more relevant to student needs.

DELETIONS

<table>
<thead>
<tr>
<th>ART</th>
<th>136</th>
<th>Drawing for storytelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>ART</td>
<td>137</td>
<td>Caricature and Cartooning</td>
</tr>
<tr>
<td>ART</td>
<td>161</td>
<td>Textiles I</td>
</tr>
<tr>
<td>ART</td>
<td>162</td>
<td>Textiles II</td>
</tr>
<tr>
<td>ART</td>
<td>261</td>
<td>Textiles III</td>
</tr>
<tr>
<td>ART</td>
<td>262</td>
<td>Textiles IV</td>
</tr>
</tbody>
</table>

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the proposed credit course deletions.

Administrator Initiating Item
Anita Martinez, Vice President of Student Learning
### DELETIONS - Continued

<table>
<thead>
<tr>
<th>Code</th>
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<th>Course Title</th>
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<tbody>
<tr>
<td>BIOL</td>
<td>244</td>
<td>Environmental Microbiology</td>
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<tr>
<td>BUS</td>
<td>109</td>
<td>Business and Economics Problem Solving</td>
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<tr>
<td>BUS</td>
<td>146</td>
<td>Business Presentation Tools</td>
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<td>COMM</td>
<td>111</td>
<td>Television Production</td>
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<td>COMM</td>
<td>112</td>
<td>Broadcast Studio Operations I</td>
</tr>
<tr>
<td>COMM</td>
<td>113</td>
<td>Broadcast Studio Operations II</td>
</tr>
<tr>
<td>COMM</td>
<td>154</td>
<td>16mm Filmmaking Production II</td>
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<tr>
<td>COMM</td>
<td>155</td>
<td>16mm Filmmaking: Sync Sound</td>
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<td>COOM</td>
<td>180</td>
<td>Intro to Film Animation</td>
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<tr>
<td>COMM</td>
<td>212</td>
<td>Broadcast Studio Operations III</td>
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<td>COMM</td>
<td>253</td>
<td>16mm Filmmaking: Production III</td>
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<tr>
<td>COMM</td>
<td>254</td>
<td>16mm Filmmaking: Production IV</td>
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<tr>
<td>DANC</td>
<td>105A</td>
<td>History of Dance: Primitive through Classical Ballet</td>
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<td>DANC</td>
<td>105B</td>
<td>History of Dance: The Twentieth Century</td>
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<td>DANC</td>
<td>107</td>
<td>Dance Across Cultures</td>
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<td>DANC</td>
<td>110</td>
<td>Introduction to Creative Dance</td>
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<td>Modern Jazz I</td>
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<td>Modern Jazz II</td>
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<td>DANC</td>
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<td>American Theatre – Dance Workshop</td>
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<td>Dance Improvisation I</td>
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<td>Medieval and Modern</td>
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<tr>
<td>P E</td>
<td>213</td>
<td>Introduction to Adaptive Physical Education and Therapeutic Recreation</td>
</tr>
</tbody>
</table>
DELETIONS - Continued

SPCH 110L Introduction to Speech Communication Lab
To: Board of Trustees
From: Superintendent/President
Subject: Revised Purchase Order Approval for Printing of Fall, Winter, Spring and Summer 2007/08 Community Education Schedules

Reason for Board Consideration: APPROVAL

Bid Results

BACKGROUND:

At the June 12, 2007 Board meeting the Board of Trustees authorized approval of a purchase order to the lowest responsible bidder, Liberty Press, for $72,146 to print the Community Education 2007/08 schedules.

Liberty Press has contacted the College and notified us that they are unable to meet the timeline requirement to print the first schedule due to an excessive workload.

District staff have contacted the next responsive bidder, Folgergraphics, and they are able to do the work. Folgergraphics’ bid was for $78,725.00, a difference of $6,579.00 more than the low bid.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees authorize approval of a purchase order to Folgergraphics for $78,725 for the printing of the Community Education 2007/08 schedules.

Administrating Initiating Item

Albert J. Harrison II, Vice President, College Operations
MARIN COMMUNITY COLLEGE DISTRICT
COLLEGE OF MARIN, KENTFIELD CAMPUS AND INDIAN VALLEY CAMPUS
CONFERENCE ROOM/INDIAN VALLEY COLLEGE

Printing Community Education Schedule Fall 2007 to Summer 20078
NOVATO, MARIN COUNTY, CALIFORNIA

BID RESULTS - 2:00 P.M., Monday June 11, 2007

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<thead>
<tr>
<th>BIDDER</th>
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<tr>
<td>Liberty Press</td>
<td>72,146.00</td>
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<tr>
<td>Folgergraphics</td>
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<td>Westminster Press</td>
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<td>American Lithographers</td>
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**BOARD AGENDA ITEM**

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>July 17, 2007</td>
</tr>
<tr>
<td>Subject:</td>
<td>Reject Claim – Austin Hogan</td>
<td>Item &amp; File No. C.12.A</td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>APPROVAL</td>
<td>Enclosure(s):</td>
</tr>
</tbody>
</table>

**BACKGROUND:**

The District has received a claim from Austin Hogan for loss of personal property.

The District’s third-party insurance administrator, Keenan & Associates, has recommended that the District reject the claim.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees reject the claim from Austin Hogan and refer the claim for handling to the District’s insurance administrator.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
# MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

**BOARD AGENDA ITEM**

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
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<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
</tr>
<tr>
<td>Date:</td>
<td>July 17, 2007</td>
</tr>
<tr>
<td>Subject:</td>
<td>Friends of Corte Madera Creek Project</td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>APPROVAL</td>
</tr>
<tr>
<td>Enclosure(s):</td>
<td>Letter from Friends of Corte Madera Creek</td>
</tr>
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## BACKGROUND:

The Friends of Corte Madera Creek (Friends) have worked at the College’s ecology area along the Corte Madera Creek for many years removing invasive non-native shrubs, vines, and trees, and planting native plants, with the ultimate goal of establishing oak trees on the site. The efforts of this group have resulted in the removal of dead trees and vegetation, which were a fire hazard and a concern of neighbors in the area.

In December 2005, the Board of Trustees authorized Friends to access the watershed area to treat invasive “Spartina” as part of a large scope project supported by the California State Coastal Conservancy, Marin County Flood Control District, Parks Department of Marin County, and the Marin County Agricultural Commissioner. Friends also worked closely with our Gardening Services Supervisor, Tom Burke, and instructors Paul Da Silva and James Locke. This project is currently in process through January of 2009. In 2003, the Board authorized a 2-year habitat enhancement project. For both of the projects, the College gave permission to Friends to complete the work through a letter of authorization. There were no Memorandums of Understanding for either project.

Friends is currently applying for grant funding from the State Coastal Conservancy for another phase of work in the College’s Ecology Study area and the surrounding area along the Corte Madera Creek. Attached is a letter from Friends that identifies what work will be accomplished if they are successful in obtaining the grant. The letter also requests permission for Friends to continue habitat enhancement at the College Ecology study area.

The letters of authorization require that Friends provide liability insurance, with the College of Marin added as additional insured, to cover volunteers and students that work on the projects. The liability coverage amount provided by Friends is $1 million per occurrence and $2 million aggregate.

The Request for Proposals for the State Coastal Conservancy funding stipulates that improvements that will not be maintained for a minimum of 20 years are not eligible for funding.

## RECOMMENDATION:

Since the College currently has no plans to use the space for alternative purposes, the Superintendent/President requests that the Board of Trustees permit Friends of Corte Madera Creek to continue habitat enhancement at the College ecology area should they be successful in obtaining the grant funds.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
Friends of Corte Madera Creek Watershed
P.O. Box 415 · Larkspur · California 94937
info@friendsofcortemaderacreek.org (415) 457-6045 www.friendsofcortemaderacreek.org

From: Sandra Guldman, President

July 1, 2007

Request for the permission of the Board of Trustees for continuation of
habitat enhancement work at the COM’s Ecology Study Area

Friends of Corte Madera Creek Watershed (Friends) is applying for funding from the
State Coastal Conservancy for this phase of our work. The Conservancy’s deadline for
applications is July 20, 2007. The work on college property would start in Summer 2008
and be completed in Spring 2009, at a cost of approximately $18,000.
Friends is requesting a letter from the college giving permission for the project to proceed
if the funding application is successful. The Project Lead Agency (i.e. Friends) also has
to agree to maintain the project for at least twenty years. This is the wording in the
application for funding:

“Please provide a letter or other evidence from the property owner and/or project sponsor
granting permission for the site to be used for applicant’s program.”

“Project Lead Agency will maintain and operate the property acquired, developed,
rehabilitated, or restored for the life of the resultant facility(ies), or for a period of at least
20 years. With the approval of the State Coastal Conservancy, the applicants or its
successors in interest in the property may transfer the responsibility to maintain and
operate the property.”

The 20-year requirement is so that state-funded improvements will not be removed before
they have had a reasonable life. It is our understanding that in all the facilities planning
for Kentfield, no development has been envisioned for the Ecology Study Area. It is at a
very low elevation, with standing water in the winter in wet years; the soil consists of
unengineered dredge spoils placed on tidal wetlands.

Historical Background of the Ecology Study Area
The Ecology Study Area (ESA) is an approximately 3-acre area identified in the 1970s as
a natural area for the use of College of Marin (COM) biology classes. It is bounded on
one side by a tidal slough, the original course of Corte Madera Creek, which was cut off
from freshwater flows when the U.S. Army Corps of Engineers constructed the flood
control channel in Kentfield in 1969 and 1970. Circulation into the slough, which is
under the jurisdiction of the Marin County Flood Control District (MCFCD), is through a
single culvert that is inadequate to maintain good water quality. The other side of the
ESA is bounded by a flood control berm bordering the current main channel of Corte
Madera Creek. The berm carries a heavily traveled multi-use public pathway, part of the
Cross-Marin Trail; the berm is owned by the MCFCD and maintained by the Marin
County Parks and Open Space District. For approximately 25 years, very little use was made of the site. Before Friends of Corte Madera Creek Watershed began the habitat enhancement effort in the mid-1990s, it was mostly vegetated by broom, eucalyptus, black acacia, Vinca, and blackberry.

A second slough is on State Lands between the ESA and private property along Berens Drive. It is also connected to the main channel through a single culvert that needs repair.

Following COM Board approval (12.9.03) of a project funded by MMWD, in 2005 Friends removed a considerable number of eucalyptuses and acacias and replaced them with native trees and shrubs.

Project Description
This phase of the project, for which Friends of Corte Madera Creek Watershed is seeking funding from the Coastal Conservancy, comprises the following tasks:

Task 1: Repair Culverts
**The Marin County Flood Control District will repair the culverts, neither of which are on COM property.**
Culvert repair would entail three steps: cleaning out the existing impaired culverts, installing inserts to restore the design flow of the original culverts, and planting native wetland and upland vegetation in the areas disturbed by construction. This project requires permits from the Regional Water Quality Control Board, the U.S. Army Corps of Engineers, and the California Department of Fish and Game. We will also conduct informal consultations with NOAA Fisheries and US Fish and Wildlife Service.

Task 2: Remove Invasive Non-natives
Volunteers remove non-natives from the site and replace them with natives on a regular basis; however, to make more headway, we propose to hire Marin Conservation Corps crews for seven days to continue removing Vinca, blackberry and broom; they will also remove smaller eucalyptus and black acacia, although at this stage we do not propose to remove the larger eucalyptus and black acacia trees until the native trees that we have already planted are larger.

Task 3: Install Native Plants at ESA
Volunteers will install plants and extend the irrigation system.

Task 4: Administration
Friends would provide volunteer project management. This includes letting contracts for work, coordinating participants, preparing invoices, and writing progress reports. Friends is a 501(c)(3) corporation. We maintain general liability insurance that covers volunteers and students who work on our projects.
**BACKGROUND:**

To improve operational efficiency and fully optimize our new Enterprise Resource Planning (ERP) Information System, the administration is requesting the Board’s authorization, under Education Code Section 85266, to seek fiscally accountable status from the Marin County Office of Education (MCOE) and the Marin County Auditor’s Office. To become fiscally accountable means that the College will process, sign, and issue the College of Marin vendor and payroll checks. The District’s cash shall continue to be deposited and invested by the Marin County Treasurer’s Office.

In accordance with Education Code Section 85266, the first step in this process is to file a written application with MCOE and the Marin County Auditor before September 1, 2007 to become effective July 1, 2008.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees authorize staff to file a written application to the Marin County Office of Education and the Marin County Auditor on the required forms from the Marin County Office of Education.
Fiscally Accountable, Ed Code Section 85266

The College desires to become fiscally accountable from the Marin County Office of Education (MCOE) and the Marin County Auditor’s Office in order to improve operational efficiency and fully optimize our new our Enterprise Resource Planning (ERP) Information System. Becoming fiscally accountable means that the College will process and sign vendor and payroll checks.

As part of our ERP rollout, we will be implementing the Human Resource / Payroll Module, which will improve the college’s ability to capture and use personnel data to make decisions that are more effective. Under our current system, college staff enter payroll information into the Marin County Office of Education (MCOE) computer system. MCOE, based on the information entered, produces the payroll checks and reports required by various federal and state agencies. After each payroll, the information is electronically transferred from MCOE’s system to the College of Marin’s HP system. With the Banner system in place, staff will be able to maintain and control an internal payroll system, including check writing and agency reporting. Any information required by MCOE can be electronically transmitted from the college system.

If the College remains on the current MCOE system for payroll purposes, staff will be required to input the information twice, into the Banner system and into MCOE’s system.

The College’s Accounts Payable department already processes and prepares vendor checks; however, checks are still signed by the Marin County Treasurer. After the checks are signed, they are returned to the College for mailing. The current process adds both time and additional cost for preparing checks. Under the proposed change to Fiscal Accountability, the college’s disbursement system would be more efficient and less costly.

Ed Code Section 85266 permits the District to be fiscally accountable with approval of the Marin County Office of Education. This will permit the college to draw warrants on County Treasury from all funds other than debt service.

Approval Process:

- Requires District to file written application with MCOE and County Auditor on MCOE forms.
- MCOE to cause an audit of District’s management and accounting controls, in accordance with MCOE standards.
- Requires CPA to provide report to MCOE and District.
- Permits audit report to include Department of Finance Guidelines and other assessments.
- Permits audit report to be annual District audit pursuant to Ed Code Section 84040 if acceptable to MCOE.
- Requires MCOE and County Auditor to review District's application and report of financial management and control.
- Permits MCOE and County Auditor to approve the application.
- Requires MCOE to state steps required to permit approval if disapproved.
- Requires stated MCOE changes to be audited.

Timelines:

- Requires District to file written application prior to September 1.
- Requires audit report prior to January 1.
- Permits approval by March 1.
- Requires, upon approval, the issuance of warrants by the District effective on July 1, 2008 if approved by March 1, 2008.

MCOE Oversight:

- Requires MCOE to have periodic review of District Financial transactions and internal controls.
- Permits MCOE and/or County Auditor to revoke approval immediately if they determine financial management or accounting controls of the District are inadequate.

District Disbursing Officer:

- Requires District disbursing officer to be bonded.
- Requires warrants be issued by District Disbursing Officer.

Reports to MCOE

- Requires District provide monthly financial statements to MCOE.
- Requires listing of warrants issued forwarded to MCOE or County Auditor on day of issue.
- Requires District provide MCOE data for retirement reports.
CURRENT PROCEDURES

CASH PROCEDURES
1. CASH DEPOSITED IN COUNTY TREASURY
2. EXCESS CASH INVESTED BY TREASURER

ACCOUNTS PAYABLE
1. COLLEGE PREPARES CHECKS
2. COLLEGE TAKES CHECKS TO COUNTY AUDITOR FOR STAMPED SIGNATURE.
3. COUNTY RETURNS CHECKS TO COLLEGE.
4. COLLEGE MAILS CHECKS TO VENDORS.

PAYROLL PROCESS
1. COLLEGE INPUTS PAYROLL INFORMATION INTO THE MARIN OFFICE OF EDUCATION COMPUTERS SYSTEM (MCOE).
2. MCOE WRITES CHECKS AND MAKES DIRECT DEPOSITS.
3. MCOE RETURNS CHECKS & DIRECT DEPOSIT STUBS TO COLLEGE
4. COLLEGE MAILS CHECKS AND DISTRIBUTES DIRECT DEPOSIT STUBS.
5. MCOE SUBMITS INFORMATION TO RETIREMENT SYSTEMS STRS & PERS.
6. MCOE FILES MONTHLY PAYROLL FORMS AND MAKES DEPOSITS
7. MCOE PREPARES W-2’S AT YEAR END.
8. COLLEGE MAILS W-2’S

PROPOSED PROCEDURES

CASH PROCEDURES
1. NO CHANGE

ACCOUNTS PAYABLE
1. COLLEGE PREPARES CHECKS
2. COLLEGE SIGNS CHECKS
3. COLLEGE MAILS CHECKS

PAYROLL PROCESS
1. COLLEGE INPUT INFORMATION INTO BANNER HR SYSTEM
2. COLLEGE PREPARES & SIGNS CHECKS
3. COLLEGE MAKES DIRECT DEPOSITS, MAILS CHECKS AND DISTRIBUTES DIRECT DEPOSIT STUBS
4. COLLEGE SUBMITS RETIREMENT INFO. TO MCOE.
5. MCOE REPORTS INFORMATION TO STRS & PERS.
6. COLLEGE FILES MONTHLY PAYROLL FORMS AND MAKE DEPOSITS
7. COLLEGE PREPARES W-2 AT YEAR END AND MAILS.
BOARD AGENDA ITEM

To: Board of Trustees

From: Superintendent/President

Subject: Relocation of DSPS - Project #850G, Kentfield Campus
Steinberg Architects - LF Contract Amendment #5

Reason for Board Consideration:

CONSENT APPROVAL

LF Contract Amendment #5

BACKGROUND:
In advance of demolition of Dickson Hall, Dance/Landscape and DSPS structures, the affected faculty, staff and program space must be relocated. Steinberg Architects has been asked to provide architectural services to assist the District with the programming and conceptual design for DSPS relocation. Amendment #5 to Steinberg Architects in the amount of $19,350 is presented herein for approval. This amendment is considered “additional service” to the architect’s long form contract.

FISCAL IMPACT:

This amendment, for $19,350, will be paid from Measure C bond funds. The total amount of Steinberg’s contract to date is as follows:

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<th>Description</th>
<th>Amount</th>
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<tr>
<td>Original Long Form Contract Amount</td>
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<tr>
<td>Total Amendment # 1</td>
<td>$146,025</td>
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<tr>
<td>Total Amendment # 2</td>
<td>$444,017</td>
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<td>Total Amendment # 3</td>
<td>$174,236</td>
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<tr>
<td>Total Amendment # 4</td>
<td>$ 64,500</td>
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<tr>
<td>Total Amendment # 5</td>
<td>$ 19,350</td>
</tr>
<tr>
<td>Total Contract Amount</td>
<td>$1,804,524</td>
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RECOMMENDATION:
The Superintendent / President recommends that the Board approve a contract to Steinberg Architects in the amount of $19,350 for development of DSPS relocation program.

1 The tentative location for the DSPS program, recommended by faculty and administration, will be in the Student Services Building. Steinberg’s task is to determine the feasibility of this proposal and/or develop other recommendations.
Measure C Bond Modernization Program
Checklist for Consultant Contract Review

Date: 7/17/07  Consultant: Steinberg Architects
Project(s) (name and number): Relocation Costs - SMCP Proj #850G

Type of contract (check all that apply):

___ Full service (architecture)  ___ Task contract (specialty consultant)
___ Short form  ___ Long form

Original _____ or Amendment # 5

Amount of this contract/amendment: $19,350

Total amount of contract to date including this amendment: $1,804,524

________________________________________________________________________

Documents to be included in Board packet (check and initial):

___ Full agreement  ___ Changes to agreement  Reviewed:

___ Appendix A  ___ Changes to Appendix A  Reviewed: RJS

___ Appendix B  ___ Changes to Appendix B  Reviewed: RJS

___ Appendix C  ___ Changes to Appendix C  Reviewed: RJS

___ Appendix D  ___ Changes to Appendix D  Reviewed: RJS

___ Appendix E  ___ Changes to Appendix E  Reviewed: 

___ Other backup materials?  Reviewed: 

________________________________________________________________________

Legal review required?  ___ Yes  ___ No  If yes, counsel's initials: 

If not, why not?  NO CHANGE TO LEGAL LANGUAGE 

________________________________________________________________________

Agenda cover page prepared by: DM  Reviewed by: RJS

________________________________________________________________________

Submittal sign-off:
Program Manager: D.C.  Director: A. Chinnock
Measure C Bond Modernization Program
Checklist for Consultant Contract Review

Amendments
Reviewed by: [Signature]

☐ Are there changes to the master agreement? [Yes] [No]  
Have they been reviewed by legal counsel? [Yes] [No]

☐ Appendix A: is the scope of work consistent with the requirements of the master agreement? [Yes] [No]

☐ Appendix B: is the fee appropriate to the scope of work? [Yes] [No]

☐ Is the fee within budget? [Yes] [No]  
If not, does it require a budget transfer? [Yes] [No]

☐ Do the numbers all add up correctly? [Yes] [No]

☐ Appendix C: is the milestone schedule appropriate, reasonable, and sufficient to manage the scope of work? [Yes] [No]

☐ Appendix D: are the deliverables sufficient to manage the scope of work? [Yes] [No]

☐ Appendix E: has the insurance requirement changed? [Yes] [No]  
Reviewed by legal counsel? [N/A] [Yes] [No]

☐ Coordination: cross-check all items in amendment with one another

Agenda cover page
Reviewed by: [Signature]  
Vice President Al Harrison

☐ Is the type of contract clearly defined? [Yes] [No]  
Basic or additional service? [Basic] [Add'l]

☐ Is the reason for the amendment clearly stated? [Yes] [No]

☐ Do the amendment amounts match the amended Appendix B? [Yes] [No]

☐ Are the project title and number included and correct? [Yes] [No]
AMENDMENT 5

To the Professional Services Agreement between the
MARIN COMMUNITY COLLEGE DISTRICT
and
Steinberg Architects

July 17, 2007

AMENDMENT 5 TO APPENDIX A – SCOPE OF SERVICES

This is an AMENDMENT attached to, and made a part of, Appendix A – Scope of Services of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Steinberg Architects (Architect).

1. Additional Services

   General Description - Assist District to program DSPS in advance of relocation prior to demolition of current space and construction of Science/Math/Central Plant facility on the Kentfield campus.

   Task List:

   Task 1 – Space Verification
   Task 2 – Program Review/Space Needs
   Task 3 – Conceptual Design
   Task 4 – Final Report/Conceptual Design

2. Compensation

   4.6 District shall retain ten percent (10%) of each invoice until completion of all Services under this Agreement by the Consultant. Retained portions shall be released with the final payment provided Consultant has satisfactorily performed its obligations under this Agreement. Except to the extent provided by California Civil Code §3320 (including successor statutes), in no event shall District be liable for interest, late charges, or other amounts for any late payments.

Per this Amendment delete Section 4.6 in its entirety.

END OF AMENDMENT 5 TO APPENDIX A
AMENDMENT 5 to Appendix B – Payments to Architect

This is an AMENDMENT attached to, and made a part of, Appendix B – Payments to Architect of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Steinberg Architects (Architect).

1. **Amount of Compensation for Services to Architect**

   1.1. **Original Long Form Contract Amount**
       $956,396

   1.2. **Total Amendment # 1**
       $146,025

   1.3. **Total Amendment # 2**
       $444,017

   1.4. **Total Amendment # 3**
       $174,236

   1.5. **Total Amendment # 4**
       $64,500

1.6. The Task List for Work as described in AMENDMENT 5 to Appendix A shall be as follows:

   Task 1 - Task 1 – Space Verification
   Total Task 1
   $3000

   Task 2 – Program Review/Space Needs
   Total Task 2
   $6100

   Task 3 – Conceptual Design
   Total Task 3
   $8,250

   Task 4 – Final Report/Conceptual Design
   Total Task 4
   $2,000

   **Total Amendment # 5**
   $19,350

   **Total Contract Amount**
   $1,804,524

**Notes**

1. The specific fee for work authorized under AMENDMENT 5 to Appendix A – Scope of Services shall not exceed $19,350 inclusive of 5% maximum for reimbursable expenses.

2. Invoices for all tasks in Appendix A above shall be invoiced by percentage complete.

3. The fees associated with Amendment 4 represent the total fee for the final FPP for the Gateway Complex on the Kentfield Campus, reports and all associated work as described in the project proposal from Steinberg Architects dated May 31, 2007 and listed in Amendment #5.

END OF AMENDMENT 5 TO APPENDIX B
AMENDMENT 5 to Appendix C – Milestone Schedule

This is an AMENDMENT attached to, and made a part of, Appendix C – Milestone Schedule of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Steinberg Architects (Architect).

The following table is a list of activities to be performed by Architect, District and other parties with regard to work authorized under AMENDMENT 5 to Appendix A – Scope of Services under this Agreement, for which specific time deadlines for performance shall be set as follows:

<table>
<thead>
<tr>
<th>ACTIVITY:</th>
<th>MILESTONE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Kick-off, Goal Setting</td>
<td>Week 7-23-07 to 7-27-07-07</td>
</tr>
<tr>
<td>Program Review/Space Needs</td>
<td>Week 7-3-07 to 8-10-07</td>
</tr>
<tr>
<td>Conceptual Design</td>
<td>Week 8-13-07 to 8-31-07</td>
</tr>
<tr>
<td>Final Report/Conceptual Design</td>
<td>Week 9-3-07 to 9-7-07</td>
</tr>
</tbody>
</table>

END OF AMENDMENT 5 TO APPENDIX C
AMENDMENT 5 to Appendix D – Deliverables

This is an AMENDMENT attached to, and made a part of, Appendix D – Deliverables of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Steinberg Architects (Architect).

1. Deliverables for Work Authorized under AMENDMENT 5 to Appendix A – Scope of Work

   The deliverables required include without limitation the following items in electronic format:

   Item 1 Program Document and Report

   Item 2 Conceptual Space Diagrams

END OF AMENDMENT 5 TO APPENDIX D

IN WITNESS WHEREOF, the parties hereto have executed this AMENDMENT 5 to the Professional Services Agreement dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT and Steinberg Architects.

MARIN COMMUNITY COLLEGE DISTRICT

By ________________________________ Date __________________

Al Harrison
Vice President College Operations

Steinberg Architects
Ernie Yamane, AIA

By ________________________________ Date __________________

________________________________________ Its __________________

4
BOARD AGENDA ITEM

To:        Board of Trustees
From:      Superintendent/President
Subject:   Landscape Design – IVC Bridges & Pathways Project (#413A) & Parking Lot & Bioswale Project (#401B), Royston Hanamoto Alley & Abey (RHAA) – LF Amendment #5
Reason for Board Consideration: ACTION APPROVAL

Date:      July 17, 2007
Item & File No. C.12.D.1(b)
Enclosure(s):
LF Contract Amendment # 5

BACKGROUND:

The Board of Trustees approved Royston Hanamoto Alley & Abey (RHAA) as the District Landscape Architect on June 14, 2005 and approved a contract for $451,875 on August 31, 2005. The Board has previously approved Amendments #1, #2, #3 and #4 for Urban Forestry Inspection Services; Landscape Assessment Report; and landscape design services associated with various other projects. Amendment #4 was approved for design services through schematic design only for IVC Bridges & Pathways (# 413A) and IVC Parking Lot- Bioswale (# 401B).

Amendment #5 is presented herein for approval, as follows:

Amendment # 5 $90,300

This amendment covers design development documents through construction administration services associated with the following projects: IVC Bridges &Pathways (# 413A) and IVC Parking Lot- Bioswale (# 401B).

FISCAL IMPACT:

Amendment # 5 will be paid from Measure C bond funds.

Long Form Contract: $451,875
Amendment #1: $36,605
Amendment #2: $76,790
Amendment #3: $49,824
Amendment #4: $50,060
Amendment #5: $90,300

Total amended long form contract: $755,454

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve Amendment # 5 to RHAA in the amount of $90,300 for landscape design services associated with the above projects on the Indian Valley campus.
Measure C Bond Modernization Program
Checklist for Consultant Contract Review

Date: 7/17/07  Consultant: VHA

Project(s) (name and number): Landscape Design - 1VC Bridges & Pathways (413A) & Parking Lot & Bioswale (401B)

Type of contract (check all that apply):

___ Full service (architecture)  ___ Task contract (specialty consultant)

___ Short form  __ Long form

Original ______  or Amendment # 5

Amount of this contract/amendment: $90,300

Total amount of contract to date including this amendment $755,454

Documents to be included in Board packet (check and initial):

___ Full agreement  ___ Changes to agreement  Reviewed:

___ Appendix A  __ Changes to Appendix A  Reviewed: PJS

___ Appendix B  ___ Changes to Appendix B  Reviewed: PJS

___ Appendix C  ___ Changes to Appendix C  Reviewed: PJS

___ Appendix D  ___ Changes to Appendix D  Reviewed: PJS

___ Appendix E  ___ Changes to Appendix E  Reviewed: PJS

___ Other backup materials?  

Legal review required?  ___ Yes  __ No  If yes, counsel’s initials: 

If not, why not?  __ CHANGE TO LEGAL LANGUAGE

Agenda cover page prepared by: DM  Reviewed by: PJS

Submittal sign-off: 
Program Manager:  Director:

Amendment Checklist  6/27/2007
Measure C Bond Modernization Program
Checklist for Consultant Contract Review

Amendments

☑ Are there changes to the master agreement? Yes No
Have they been reviewed by legal counsel? N/A Yes No

☑ Appendix A: is the scope of work consistent with the requirements of the master agreement? Yes No

☑ Appendix B: is the fee appropriate to the scope of work? Yes No
Is the fee within budget?
If not, does it require a budget transfer? N/A Yes No

☑ Do the numbers all add up correctly? Yes No

☑ Appendix C: is the milestone schedule appropriate, reasonable, and sufficient to manage the scope of work? Yes No

☑ Appendix D: are the deliverables sufficient to manage the scope of work? Yes No

☑ Appendix E: has the insurance requirement changed?
Reviewed by legal counsel? N/A Yes No

☑ Coordination: cross-check all items in amendment with one another

---

Agenda cover page

☑ Is the type of contract clearly defined?
Basic or additional service? Yes No

☑ Is the reason for the amendment clearly stated? Yes No

☑ Do the amendment amounts match the amended Appendix B? Yes No

☑ Are the project title and number included and correct? Yes No

Reviewed by: Vice President Al Harrison

Amendment Checklist 6/28/2007
AMENDMENT 5

To the Professional Services Agreement between the
MARIN COMMUNITY COLLEGE DISTRICT
and
Royston Hanamoto Alley & Abey

July 17, 2007

AMENDMENT 5 to APPENDIX A – SCOPE OF SERVICES

APPENDIX A

1. Additional Services

   Task List:
   1. Design Development
   2. Construction Documents
   3. Bidding and Award
   4. Construction Administration

END OF AMENDMENT 5 TO APPENDIX A
AMENDMENT 5 to Appendix B – Payments to Consultant

This is an AMENDMENT attached to, and made a part of, Appendix B – Payments to Consultant of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Royston Hanamoto Alley & Abey (Consultant).

1. **Amount of Compensation for Services to Consultant**

   **Original Contract Amount**
   District-wide landscape master planning and assessment
   $451,875

   **Total Amendment #1**
   Urban Forestry Inspection Services for the implementation phase of the IVC Fire Mitigation Project and for the Tree Removal project implementation phase at both campuses; Management and Tree Protection plans for tree removal and protection in construction zones and zone access areas on the Kentfield Campus.
   $36,605

   **Total Amendment #2**
   Landscape Assessment Report; Ignacio Creek Erosion Mitigation Plan; Fire Mitigation Plan; Tree Removal Plan; Gas Main Replacement Project; Diamond PE Complex Renovation
   $76,790

   **Total Amendment #3**
   Kentfield Campus Construction Phasing Diagrams; Indian Valley Construction Phasing Diagrams; and Diamond PE Complex Construction Phasing Diagrams.
   $49,824

   **Total Amendment #4**
   Design Documents through Schematic Design and LEED services for IVC Parking Lots and Bioswales Project 401B; Bridges and Pathways Project 413A; and Fire Mitigation Landscape Maintenance / Manpower Plan 418A
   $50,060

   **Total Amendment #5**
   $90,300

The Task List for Work as described in AMENDMENT 5 to Appendix A shall be as follows:
For the IVC Parking Lots - Bioswales Project 401B and Bridges and Pathways Project 413A:

1. Design Development Documents $23,625
2. Construction Documents $39,550
3. Bidding & Award $5,275
4. Construction Administration $21,850

**Total Contract Amount**
$755,454

1.1 The specific Guaranteed Maximum Price ("GMP") for work authorized under AMENDMENT 5 to Appendix A – Scope of Services shall not exceed $90,300.
Payments made for services authorized under AMENDMENT 5 to Appendix A shall be considered to be part of the GMP agreed to in Appendix B – Payments to Consultant.

END OF AMENDMENT 5 TO APPENDIX B
AMENDMENT 5 to Appendix C – Milestone Schedule

This is an AMENDMENT attached to, and made a part of, Appendix C – Milestone Schedule of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Royston Hanamoto Alley & Abey (Consultant).

The following table is a list of activities to be performed by Consultant, District and other parties with regard to work authorized under AMENDMENT 5 to Appendix A – Scope of Services under this Agreement, for which specific time deadlines for performance shall be set as follows:

<table>
<thead>
<tr>
<th>ACTIVITY:</th>
<th>MILESTONE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design Development Documents</td>
<td>8/31/07</td>
</tr>
<tr>
<td>Construction Documents</td>
<td>10/31/07</td>
</tr>
<tr>
<td>Bidding &amp; Award</td>
<td>TBD*</td>
</tr>
<tr>
<td>Construction Administration</td>
<td>TBD*</td>
</tr>
</tbody>
</table>

*The schedule for these tasks is dependent upon DSA final stamp out of the project and will run concurrent with the construction of the new Main Building Complex work as required.

END OF AMENDMENT 5 TO APPENDIX C
AMENDMENT 5 to Appendix D – Deliverables

This is an AMENDMENT attached to, and made a part of, Appendix D – Deliverables of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Reyston Hanamoto Alley & Abey (Consultant).

Deliverables for Work Authorized under AMENDMENT 5 to Appendix A – Scope of Work

The deliverables required include without limitation the following items in electronic format and as described in the original long form contract design services to be provided and attached RHAA proposals as noted below:

Task List:

1. Design Development Documents
2. Construction Documents
3. Bidding & Award
4. Construction Administration

END OF AMENDMENT 5 TO APPENDIX D
AMENDMENT 5 TO APPENDIX E – INSURANCE

This is an AMENDMENT attached to, and made a part of, Appendix E – Insurance of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Royston, Hanamoto, Alley & Abey (Consultant).

No Changes.

END OF AMENDMENT 5 TO APPENDIX E

IN WITNESS WHEREOF, the parties hereto have executed this AMENDMENT 5 to the Professional Services Agreement dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT and Royston, Hanamoto, Alley & Abey.

MARIN COMMUNITY COLLEGE DISTRICT

By ________________________________ Date __________________

Al Harrison
Vice President College Operations

Royston Hanamoto Alley & Abey

By ________________________________ Date __________________

__________________________________ Its __________________
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees  
From: Superintendent/President  
Subject: Relocation Costs – PE Complex Project # 850F at Kentfield Campus  
Alfa Tech Cambridge Group, Inc. – Amendment # 11

Reason for Board Consideration: ACTION APPROVAL

Enclosure(s): LF Amendment # 11

BACKGROUND:

Due to the construction activities planned for the PE Complex, temporary housing or swing space is required for the displaced programs. Five portable classroom units will be placed in the area of Parking Lot #11, adjacent to the PE Tennis Courts. The units will require utility connections including electrical, water, sewer and telecommunications systems. This effort will require design services of both MEP (mechanical/electrical/plumbing) and civil disciplines to develop a comprehensive bid package for construction of the necessary utilities.

The District recommends assigning the MEP portion of the design to its mechanical/electrical/plumbing consultant, Alfa Tech Cambridge Group, Inc. Alfa Tech’s contract, executed on August 31, 2005, includes ten previously approved amendments. Amendment #11 is presented herein for approval as follows:

Amendment # 11 $19,680

This scope includes full design and construction phase services to support placement of temporary housing program space at KTD campus. Because this is a “task” assignment, only portions of the long form contract are incorporated into the task.

FISCAL IMPACT:

Amendment # 11 will be paid from Measure C bond funds.

The total amount of this contract to date is as follows:

<table>
<thead>
<tr>
<th>Original Contract Amt</th>
<th>$487,035.00</th>
<th>District-wide master planning</th>
<th>District-wide Security Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amendment # 1</td>
<td>$64,080.00</td>
<td>Photometric Study, exterior lighting; assessment &amp; evaluation report; Master Planning assistance; grant funding application assistance; develop baseline data for gas, water, sewer &amp; electrical utilities for each building &amp; develop evaluation of primary utility infrastructure. Project specific expanded design &amp; construction phase scopes for Larkspur Annex Demolition (Project # 321A)</td>
<td></td>
</tr>
<tr>
<td>Amendment # 2</td>
<td>$139,110.00</td>
<td>Energy modeling for KTD projects</td>
<td></td>
</tr>
<tr>
<td>Amendment # 3</td>
<td>$68,500.00</td>
<td>Study on Emerging Solar Technologies</td>
<td></td>
</tr>
<tr>
<td>Amendment # 4</td>
<td>$40,000.00</td>
<td>Develop District Security Standards</td>
<td></td>
</tr>
<tr>
<td>Amendment # 5</td>
<td>$6,907.50</td>
<td>Geothermal field test bores; KTD and IVC</td>
<td></td>
</tr>
<tr>
<td>Amendment # 6</td>
<td>$97,200.00</td>
<td>Photovoltaic energy system design for PE Complex (Project #308D)</td>
<td></td>
</tr>
<tr>
<td>Amendment # 7</td>
<td>$198,740.00</td>
<td>IVC Power Plants – (Project #407A) – Boiler Replacement</td>
<td></td>
</tr>
<tr>
<td>Amendment # 8</td>
<td>$20,000.00</td>
<td>KTD: Replace Chiller (Project #850A)</td>
<td></td>
</tr>
<tr>
<td>Amendment # 9</td>
<td>$191,800.50</td>
<td>District-wide Technology Infrastructure Standards (Project # 210C)</td>
<td></td>
</tr>
<tr>
<td>Amendment # 10</td>
<td>$449,189.00</td>
<td>KTD: Development construction bid documents for geothermal exchange field (Project #305B)</td>
<td></td>
</tr>
<tr>
<td>Amendment #11</td>
<td>$19,680.00</td>
<td>IVC: Development construction bid documents for geothermal exchange field (Project #417B)</td>
<td></td>
</tr>
<tr>
<td>Total Contract</td>
<td>$1,782,242</td>
<td>Provide design and construction phase services for temporary housing space for PE Complex Modernization (Project #850F)</td>
<td></td>
</tr>
</tbody>
</table>
RECOMMENDATION:

The Superintendent/President recommends that the Board approve Amendment # 11 to Alfa Tech Cambridge Group, Inc. in the amount not to exceed $19,680 for engineering design/construction administration services in support of portable placement at the PE Complex.
Measure C Bond Modernization Program
Checklist for Consultant Contract Review

Date: 7/17/07  Consultant: Alfa Tech Cambridge Grp, Inc.

Project(s) (name and number): Relocation Costs - PE Complex Proj # 850F

Type of contract (check all that apply):

___ Full service (architecture)  ___ Task contract (specialty consultant)

___ Short form  ___ Long form

Original _____  or  Amendment # 11

Amount of this contract/amendment: $19,080

Total amount of contract to date including this amendment $1,782,242

Documents to be included in Board packet (check and initial):

___ Full agreement  ___ Changes to agreement  Reviewed:

___ Appendix A  ___ Changes to Appendix A  Reviewed: RBS

___ Appendix B  ___ Changes to Appendix B  Reviewed: RBS

___ Appendix C  ___ Changes to Appendix C  Reviewed: RBS

___ Appendix D  ___ Changes to Appendix D  Reviewed: RBS

___ Appendix E  ___ Changes to Appendix E  Reviewed: _______

___ Other backup materials?  Reviewed: _______

Legal review required?  ___ Yes  ___ No  If yes, counsel’s initials: _______

If not, why not?  NO LEGAL CHANGES TO CONSIDER

Agenda cover page prepared by: JS  Reviewed by: RBS

Submittal sign-off: Program Manager: Chula Garnier  Director: Archimack
Measure C Bond Modernization Program
Checklist for Consultant Contract Review

Amendments

☐ Are there changes to the master agreement?
  Have they been reviewed by legal counsel?  
  Yes  No

☐ Appendix A: is the scope of work consistent with the requirements of the
  master agreement?  
  Yes  No

☐ Appendix B: is the fee appropriate to the scope of work?  
  Yes  No

☐ Is the fee within budget?
  If not, does it require a budget transfer?  
  N/A  Yes  No

☐ Do the numbers all add up correctly?  
  Yes  No

☐ Appendix C: is the milestone schedule appropriate, reasonable, and sufficient to
  manage the scope of work?  
  Yes  No

☐ Appendix D: are the deliverables sufficient to manage the scope of work?  
  Yes  No

☐ Appendix E: has the insurance requirement changed?
  Reviewed by legal counsel?  
  Yes  No

☐ Coordination: cross-check all items in amendment with one another

Agenda cover page

☐ Is the type of contract clearly defined?
  Basic or additional service?  
  Yes  No

☐ Is the reason for the amendment clearly stated?  
  Yes  No

☐ Do the amendment amounts match the amended Appendix B?  
  Yes  No

☐ Are the project title and number included and correct?  
  Yes  No
AMENDMENT 11

To the Professional Services Agreement between the
MARIN COMMUNITY COLLEGE DISTRICT
and
Alfa Tech Cambridge Group, Inc.

July 17, 2007

AMENDMENT 11 TO APPENDIX A – SCOPE OF SERVICES

This is an AMENDMENT attached to, and made a part of the Professional Services Agreement
(Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT
(District) and Alfa Tech Cambridge Group, Inc. (Consultant).

APPENDIX A

1. Additional Services

   Task:
   Provide Design Services and Construction Administration Services for construction of
   utilities to support temporary housing and program spaces at PE Complex

   END OF AMENDMENT 11 TO APPENDIX A
AMENDMENT 11 to Appendix B – Payments to Consultant

This is an AMENDMENT attached to, and made a part of, Appendix B – Payments to Consultant of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Alfa Tech Cambridge Group, Inc. (Consultant).

1. **Amount of Compensation for Services to Architect**

   1.1. **Original Long Form Contract Amount**
       $487,035.00

   1.2. **Total Amendment #1**
       District-wide Security Assessment
       $64,080.00

   1.3. **Total Amendment #2**
       Photometric Study, exterior lighting; assessment & evaluation report;
       Master Planning assistance; grant funding application assistance;
       develop baseline data for gas, water, sewer & electrical utilities for
       each building & develop evaluation of primary utility infrastructure.
       * Project specific expanded design & construction phase scopes for
       Larkspur Annex Demolition (Project #321A)
       $139,110.00

   1.4. **Total Amendment #3**
       Energy modeling for KTD projects
       $68,500.00

   1.5. **Total Amendment #4**
       Study on Emerging Solar Technologies
       $40,000.00

   1.6. **Total Amendment #5**
       Develop District Security Standards
       $6,907.50

   1.7. **Total Amendment #6**
       Perform test bores at Kentfield and Indian Valley to determine thermal
       conductivity for application in heating and cooling systems.
       Included are tests and computer modeling for each site.
       $97,200.00

   1.8. **Total Amendment #7**
       Develop construction documents for crystalline PE Complex PV solar
       Energy panels and supporting structures. Provide bidding assistance and
       Construction phase services.
       $198,740.00

   1.9. **Total Amendment #8**
       Develop specification documents for replacement of one boiler in Power
       Plant #1 at the IVC campus.
       $20,000.00

   1.10. **Total Amendment #9**
       Task 1: KTD Replace Chiller at Dance/Landscape. Provide design and
       limited construction phase services.
       Task 2: District-wide Technology Infrastructure Plan and Standards.
       Develop and update District IT standards.
       $191,800.50

   1.11 **Total Amendment #10**
       Task 1: KTD - Provide Design Services and Construction Administration Services for
       Geothermal Exchange Field to provide heating/cooling for SMCP, FA/PA, SS [“Basic
       Services”]. Basic Services to be performed on a lump sum basis in the amount of $294,069.
       Task 2: IVC – Provide Design Services and Construction Administration Services for
       geothermal exchange field to provide heating/cooling for New Main Building (Project #417B).
       Services to be performed on a lump basis in the amount of $155,129.

$449,189.00
1.12 The Task List for Work as described in AMENDMENT 11 to Appendix A shall be as follows:
Provide Design and Construction Administrative Services for construction of utilities to support temporary housing and program spaces at PE Complex

Total Amendment # 11 $19,680.00

Total Contract Amount $1,782,242

Notes. Invoices for all tasks in Appendix B above shall be invoiced by percentage complete.

END OF AMENDMENT 11 TO APPENDIX B
AMENDMENT 11 to Appendix C – Milestone Schedule

This is an AMENDMENT attached to, and made a part of, Appendix C – Milestone Schedule of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Alfa Tech Cambridge Group, Inc. (Consultant).

The following table is a list of activities to be performed by Consultant, District and other parties with regard to work authorized under AMENDMENT 11 to Appendix A – Scope of Services under this Agreement, for which specific time deadlines for performance shall be set as follows:

<table>
<thead>
<tr>
<th>ACTIVITY:</th>
<th>MILESTONE DATES</th>
</tr>
</thead>
</table>
| Design and construction documents for temporary housing at PE Complex | Design phase: 7/18/07 - 8/28/07  
Bid phase: 8/29/07 – 10/1/07  
Construction Phase: 10/10/07 – 11/9/07 |

END OF AMENDMENT 11 TO APPENDIX C
AMENDMENT 11 to Appendix D – Deliverables

This is an AMENDMENT attached to, and made a part of, Appendix D – Deliverables of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Alfa Tech Cambridge Group, Inc. (Consultant).

1. Deliverables for Work Authorized under AMENDMENT 11 to Appendix A – Scope of Work

The deliverables required include without limitation the following items:

Complete set of design drawings and specification documents suitable for bid and construction purposes; construction cost estimates; Record Documents based on as-built drawings provided by the contractor.

END OF AMENDMENT 11 TO APPENDIX D
AMENDMENT 11 TO APPENDIX E – INSURANCE

This is an AMENDMENT attached to, and made a part of, Appendix E – Insurance of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Alfa Tech Cambridge Group, Inc. (Consultant).

“No Changes"

END OF AMENDMENT 11 TO APPENDIX E

IN WITNESS WHEREOF, the parties hereto have executed this AMENDMENT 11 to the Professional Services Agreement dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT and Alfa Tech Cambridge Group, Inc.

MARIN COMMUNITY COLLEGE DISTRICT

By _______________________________ Date ______________

Al Harrison
Vice President College Operations

Alfa Tech Cambridge Group, Inc.

By _______________________________ Date ______________

_______________________________ Its __________________
MARIAN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Relocation Costs – PE Portables Project 850F at Kentfield Campus
Engineering Services – CSW/Stubber-Stroeh Engineering Group – Amendment #9

Date: July 17, 2007
Item & File No. C.12.D.1(d)
Enclosure(s): Amendment # 9

BACKGROUND:

Due to the construction activities planned for the PE Complex, temporary housing or swing space is required for the displaced programs. Five portable classroom units will be placed in the area of Parking Lot #11, adjacent to the PE Tennis Courts.¹ The units will require utility connections including electrical, water, sewer and telecommunications systems. This effort will require design services of both MEP (mechanical/electrical/plumbing) and civil disciplines to develop a comprehensive bid package for construction of the necessary utilities.

The District recommends assigning the site utility portion of the design to the District civil engineer, CSW/Stubber-Stroeh. CSW’s contract and eight amendments have been previously approved. Amendment #9 is presented herein for approval as follows:

Amendment #9

$14,950

This scope includes full design and construction phase services to support placement of temporary housing program space at KTD campus. Because this is a “task” assignment, only portions of the long form contract are incorporated into the task.

FISCAL IMPACT:

Amendment #9 will be paid from Measure C bond funds.

The total amount of CSW’s contract to date is as follows:

<table>
<thead>
<tr>
<th>Original Contract</th>
<th>$436,067</th>
<th>District-wide master planning and assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amendment #1</td>
<td>$21,560</td>
<td>Larkspur Annex Design (#321A)</td>
</tr>
<tr>
<td>Amendment #2</td>
<td>$188,755</td>
<td>District-wide additional boundary, Local agency reviews, surveys, expanded scope at Lark Annex (#321A), initial scope analysis of IVC Creek Erosion (#419A) and IVC Storm Drain Repairs (#401A)</td>
</tr>
<tr>
<td>Amendment #3</td>
<td>$87,010</td>
<td>Master planning of Kentfield campus utility systems in support of proposed Bond Spending Implementation Plan</td>
</tr>
<tr>
<td>Amendment #4</td>
<td>$12,040</td>
<td>Initial utility surveying for new IVC Main Building (#417A), DSA submittal for Lark Annex (#321A)</td>
</tr>
<tr>
<td>Amendment #5</td>
<td>$86,170</td>
<td>Design services for Kentfield West Bridge (#301A), supplemental topographic surveying for PE Complex (#308B)</td>
</tr>
<tr>
<td>Amendment #6</td>
<td>$18,550</td>
<td>Design services for utility extensions to PE Complex (#308B)</td>
</tr>
<tr>
<td>Amendment #7</td>
<td>$285,988</td>
<td>Design and investigation services for IVC infrastructure projects Topographic Services for FA/PA boundary area; Supplemental topographic base map for the IVC Greenhouses project (#408A); Full Design Services for the Pedestrian Access and Fire Access Road for Transportation Technology project (#402A)</td>
</tr>
<tr>
<td>Amendment #8</td>
<td>$30,220</td>
<td>Provide design and construction phase services for temporary housing space for PE Complex Modernization (Project #850F)</td>
</tr>
</tbody>
</table>

¹ This placement is intended for the PE Complex modernization only. If the portables are needed for other projects, they will be moved to a more suitable location.
RECOMMENDATION:

The Superintendent/President recommends that the Board approve Amendment #9 to CSW/Stuber-Stroeh Engineering Group, Inc. in the amount of $14,950 for engineering design/ construction administration services in support of portable placement at the PE Complex.
Measure C Bond Modernization Program
Checklist for Consultant Contract Review

Date: 7/17/07  Consultant: CSHD Stuber-Stroeh

Project(s) (name and number): Relocation Costs - PE Complex Proj. # 850F

Type of contract (check all that apply):

___ Full service (architecture)  ___ Task contract (specialty consultant)

___ Short form  ___ Long form

Original _____  or  Amendment # _____ 9

Amount of this contract/amendment: $14,950

Total amount of contract to date including this amendment $1,181,310

Documents to be included in Board packet (check and initial):

___ Full agreement  ___ Changes to agreement  Reviewed: [Initial]

___ Appendix A  ___ Changes to Appendix A  Reviewed: [Initial]

___ Appendix B  ___ Changes to Appendix B  Reviewed: [Initial]

___ Appendix C  ___ Changes to Appendix C  Reviewed: [Initial]

___ Appendix D  ___ Changes to Appendix D  Reviewed: [Initial]

___ Appendix E  ___ Changes to Appendix E  Reviewed: [Initial]

___ Other backup materials?  Reviewed: [Initial]

Legal review required?  ___ Yes  ___ No  If yes, counsel’s initials: [Initial]

If not, why not?  NO CHANGES TO LEGAL LANGUAGE

Agenda cover page prepared by: [Initial]  Reviewed by: [Initial]

Submittal sign-off: [Signature]  Program Manager: [Signature]  Director: [Signature]

Amendment Checklist  6/27/2007
# Measure C Bond Modernization Program
## Checklist for Consultant Contract Review

<table>
<thead>
<tr>
<th>Amendments</th>
<th>Reviewed by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Are there changes to the master agreement? Have they been reviewed by legal counsel?</td>
<td>Yes □ No</td>
</tr>
<tr>
<td>□ Appendix A: is the scope of work consistent with the requirements of the master agreement?</td>
<td>Yes □ No</td>
</tr>
<tr>
<td>□ Appendix B: is the fee appropriate to the scope of work?</td>
<td>Yes □ No</td>
</tr>
<tr>
<td>□ Is the fee within budget? If not, does it require a budget transfer?</td>
<td>Yes □ No</td>
</tr>
<tr>
<td>□ Do the numbers all add up correctly?</td>
<td>Yes □ No</td>
</tr>
<tr>
<td>□ Appendix C: is the milestone schedule appropriate, reasonable, and sufficient to manage the scope of work?</td>
<td>Yes □ No</td>
</tr>
<tr>
<td>□ Appendix D: are the deliverables sufficient to manage the scope of work?</td>
<td>Yes □ No</td>
</tr>
<tr>
<td>□ Appendix E: has the insurance requirement changed? Reviewed by legal counsel?</td>
<td>Yes □ No</td>
</tr>
<tr>
<td>□ Coordination: cross-check all items in amendment with one another</td>
<td></td>
</tr>
</tbody>
</table>

## Agenda cover page

Reviewed by: **Vice President Al Harrison**

| □ Is the type of contract clearly defined? Basic or additional service? | Yes □ No |
| □ Is the reason for the amendment clearly stated? | Yes □ No |
| □ Do the amendment amounts match the amended Appendix B? | Yes □ No |
| □ Are the project title and number included and correct? | Yes □ No |
AMENDMENT 9

To the Professional Services Agreement between the
MARIN COMMUNITY COLLEGE DISTRICT
and
CSW/Stuber-Stroeh Engineering Group, Inc.

July 17, 2007

AMENDMENT 9 to APPENDIX A – SCOPE OF SERVICES

This is an AMENDMENT attached to, and made a part of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and CSW/Stuber-Stroeh Engineering Group (Consultant).

APPENDIX A

1. Additional Services

   Task: Provide Design and Construction Administrative Services for construction of utilities to support temporary housing and program spaces at PE Complex. (Project 850F)

END OF AMENDMENT 9 TO APPENDIX A
AMENDMENT 9 to APPENDIX B – PAYMENT TO CONSULTANT

This is an AMENDMENT attached to, and made a part of, Appendix B - Scope of Services of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and CSW/Stuber-Streeh Engineering Group, Inc. (Consultant).

I. Amount of Compensation for Services to Consultant

Original Contract Amount $436,067
District-wide master planning and assessment

Total Amendment # 1
Larkspur Annex Design (#321A) $21,560

Total Amendment # 2
District-wide additional boundary, Local agency reviews, surveys, expanded scope at Lark Annex (#321A), initial scope analysis of IVC Creek Erosion (#419A) and IVC Storm Drain Repairs (#401A) $188,755

Total Amendment # 3
Master planning of Kentfield campus utility systems in support of proposed Bond Spending Implementation Plan $87,010

Total Amendment # 4
Initial utility surveying for new IVC Main Building (#417A), DSA submittal for Lark Annex (#321A) $12,040

Total Amendment # 5
Design services for Kentfield West Campus Bridge (#301A), supplemental topographic surveying for PE Complex (#308B) $86,170

Total Amendment # 6
Design services for utility extensions to PE Complex (#308B) $18,550

Total Amendment # 7
Misc. geotechnical, survey and design services (11 tasks) related to both KTD and IVC. $285,988

Amendment # 8
Task 1 Perform a detailed survey as per attached requirements from Marcy Wong Donn Logan Architects within the area of the Fine Arts and Performing Arts boundaries. $11,470
Task 2 Develop Provide a supplemental Topographic base map for the Greenhouses project at IVC. $7,750
Task 3 Provide design services for the Pedestrian Access/Fire Vehicle Access Road for the Transportation Technology project at IVC per the Novato Fire Department requirements. $11,000 $30,220

Amendment # 9
Provide Design and Construction Administrative Services for construction of utilities to support temporary housing and program spaces at PE Complex. $14,950

Total Amendment # 9 $14,950
Total Contract Amount: $1,181,310

1.1 The specific Guaranteed Maximum Price ("GMP") for work authorized under AMENDMENT 9 to Appendix A – Scope of Services shall not exceed $14,950. Payments made for services authorized under AMENDMENT 9 to Appendix A shall be considered to be part of the GMP agreed to in Appendix B – Payments to Consultant.

END OF AMENDMENT 9 TO APPENDIX B
AMENDMENT 9 TO APPENDIX C – MILESTONE SCHEDULE

This is an AMENDMENT attached to, and made a part of, Appendix C – Milestone Schedule of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and CSW/Stuber-Stroeh Engineering Group, Inc. (Consultant).

The following table is a list of activities to be performed by Consultant, District and other parties with regard to work authorized under AMENDMENT 9 to Appendix A – Scope of Services under this Agreement, for which specific time deadlines for performance shall be set as follows:

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>MILESTONE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design and construction documents for temporary housing at PE Complex</td>
<td>Design Phase: 7/18/07 – 8/28/07</td>
</tr>
<tr>
<td></td>
<td>Bid Phase: 8/29/07 – 10/1/07</td>
</tr>
<tr>
<td></td>
<td>Construction Phase: 10/10/07 – 11/9/07</td>
</tr>
</tbody>
</table>

END OF AMENDMENT 9 TO APPENDIX C
AMENDMENT 9 to Appendix D – Deliverables

This is an AMENDMENT attached to, and made a part of, Appendix D – Deliverables of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and CSW/Stuber-Stroeh Engineering Group. (Consultant).

1. Deliverables for Work Authorized under AMENDMENT 9 to Appendix A – Scope of Work

The deliverables required include without limitation the following items in electronic format:

<table>
<thead>
<tr>
<th>Task</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Complete set of design drawings and specification documents suitable for bid and construction purposes; construction cost estimates; Record Documents based on as-built drawings provided by the contractor</td>
</tr>
</tbody>
</table>

END OF AMENDMENT 9 TO APPENDIX D
AMENDMENT 9 TO APPENDIX E – INSURANCE

This is an AMENDMENT attached to, and made a part of, Appendix E – Insurance of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and CSW Stuber-Stroeh Engineering Group, Inc. (Consultant).

No Changes.

END OF AMENDMENT 9 TO APPENDIX E

IN WITNESS WHEREOF, the parties hereto have executed this AMENDMENT 9 to the Professional Services Agreement dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT and CSW Stuber-Stroeh Engineering Group, Inc.

MARIN COMMUNITY COLLEGE DISTRICT

By _______________________________ Date ________________

Al Harrison
Vice President College Operations

CSW Stuber-Stroeh Engineering Group, Inc

By _______________________________ Date ________________

_________________________________ Its ________________
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Geotechnical Services for PE Photovoltaic Project #308D
Fugro West, Amendment #4.
Reason for Board Consideration: ACTION APPROVAL
Enclosure(s): LF Contract Amendment # 4

BACKGROUND:

The Board of Trustees approved Fugro West as the District Geotechnical Engineer on June 14, 2005 and approved a contract for $139,300 on August 31, 2005. The Board previously approved Amendments #1, #2 and #3. Amendment #4 is presented herein for approval, as follows:

 Amendment # 4 $7,000

This amendment covers geotechnical investigation services associated with the PE Complex Photovoltaic Project (#308D). Because the work needed to be started immediately, the Board President gave verbal authorization to the President to designate approval of the amendment prior to the Board meeting.

FISCAL IMPACT:

Amendment # 4 will be paid from Measure C bond funds. The total amount of this contract to date is as follows:

Long Form Contract: $139,300
Amendment #1: $8,750
Amendment #2: $16,025
Amendment #3: $72,000
Amendment #4: $ 7,000
Total amended long form contract: $243,075

Because this contract is a “task order” professional services agreement, each task assigned to the consultant is a separate amendment.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees ratify Amendment # 4 to Fugro West in the amount of $7,000 for geotechnical investigation services associated with the PE Photovoltaic Project (#308D) on the Kentfield campus.
Measure C Bond Modernization Program
Checklist for Consultant Contract Review

Date: 7/17/07  Consultant: FugroWest, Inc.

Project(s) (name and number): PE Complex PV Project # 308D

Type of contract (check all that apply):

___ Full service (architecture)  ___ Task contract (specially consultant)

___ Short form  ___ Long form

Original ______ or Amendment # ______

Amount of this contract/amendment: $ 7,000

Total amount of contract to date including this amendment $ 243,075.

Documents to be included in Board packet (check and initial):

___ Full agreement  ___ Changes to agreement  Reviewed: ______

___ Appendix A  ___ Changes to Appendix A  Reviewed: PE

___ Appendix B  ___ Changes to Appendix B  Reviewed: PE

___ Appendix C  ___ Changes to Appendix C  Reviewed: PE

___ Appendix D  ___ Changes to Appendix D  Reviewed: PE

___ Appendix E  ___ Changes to Appendix E  Reviewed: ______

___ Other backup materials?  Reviewed: ______

Legal review required?  ___ Yes  ___ No  If yes, counsel’s initials: ______

If not, why not? PREVIOUS REVIEW OF LONG FORM

NO CHANGE TO LEGAL LANGUAGE

Agenda cover page prepared by: JS  Reviewed by: PE

Submittal sign-off:
Program Manager: [Signature]  Director: [Signature]

Amendment Checklist 6/27/2007
Measure C Bond Modernization Program
Checklist for Consultant Contract Review

Amendments

☐ Are there changes to the master agreement? Yes  No
  Have they been reviewed by legal counsel? N/A  Yes  No

☐ Appendix A: is the scope of work consistent with the requirements of the master agreement? Yes  No

☐ Appendix B: is the fee appropriate to the scope of work? Yes  No

☐ Is the fee within budget? Yes  No
  If not, does it require a budget transfer? N/A  Yes  No

☐ Do the numbers all add up correctly? Yes  No

☐ Appendix C: is the milestone schedule appropriate, reasonable, and sufficient to manage the scope of work? Yes  No

☐ Appendix D: are the deliverables sufficient to manage the scope of work? Yes  No

☐ Appendix E: has the insurance requirement changed? Yes  No
  Reviewed by legal counsel? N/A  Yes  No

☐ Coordination: cross-check all items in amendment with one another

Agenda cover page

☐ Is the type of contract clearly defined? Yes  No
  Basic or additional service? Basic  Add'l

☐ Is the reason for the amendment clearly stated? Yes  No

☐ Do the amendment amounts match the amended Appendix B? Yes  No

☐ Are the project title and number included and correct? Yes  No
AMENDMENT 4

To the Professional Services Agreement between the
MARIN COMMUNITY COLLEGE DISTRICT
and
Fugro West, Inc.

June 14, 2007

AMENDMENT 4 TO APPENDIX A - SCOPE OF SERVICES

This is an AMENDMENT attached to, and made a part of, Appendix A - Scope of Services of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Fugro West, Inc. (Consultant).

I. Additional Services

Task List:

1. PE Complex Photovoltaic Project
   
   • Data review and field exploration activities
   • Laboratory testing
   • Geotechnical engineering analysis, Geologic evaluation and prepare report

END OF AMENDMENT 4 TO APPENDIX A
AMENDMENT 4 to Appendix B - Payments to Consultant

This is an AMENDMENT attached to, and made a part of, Appendix B - Scope of Services of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Fugro West, Inc. (Consultant).

I. **Amount of Compensation for Services to Consultant**

Original Long Form Contract Amount $139,300
Total Amendment #1 $ 8,750
Total Amendment #2 $ 16,025
Total Amendment #3 $ 72,000

1.1 The task list for Work as described in AMENDMENT 4 to Appendix A shall be as follows:

1.1.1 Kentfield Campus –PE Complex Photovoltaic Project

a. Data Review and Pre-Field Exploration Activities
   - Review existing geotechnical and geologic information
   - Obtain drilling permit, USA site, prepare Health & Safety Plan, and coordinate site access with Swinerton
   - Site meeting with Swinerton and District to determine exact boring locations
   - Site reconnaissance by Engineering Geologist

b. Subsurface Exploration (Field)
   - Conduct one test boring by hollow-stem method
   - Site access control
   - Collect soil samples, perform groundwater measurements
   - Drum and dispose of cuttings offsite

c. Laboratory Testing
   - Conduct geotechnical laboratory testing

d. Geotechnical Engineering Analysis, Geologic Evaluation and Prepare Report
   - Develop geotechnical engineering and foundation design recommendations
   - Prepare combined geotechnical / geologic hazard report

Total Amendment # 3 $7,000
Total Contract Amount $243,075

END OF AMENDMENT 4 TO APPENDIX B
AMENDMENT 4 to Appendix B - Payments to Consultant

This is an AMENDMENT attached to, and made a part of, Appendix B - Scope of Services of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Fugro West, Inc. (Consultant).

I. Amount of Compensation for Services to Consultant

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Long Form Contract Amount</td>
<td>$139,300</td>
</tr>
<tr>
<td>Total Amendment #1</td>
<td>$ 8,750</td>
</tr>
<tr>
<td>Total Amendment #2</td>
<td>$16,025</td>
</tr>
<tr>
<td>Total Amendment #3</td>
<td>$ 72,000</td>
</tr>
</tbody>
</table>

1.1 The task list for Work as described in AMENDMENT 4 to Appendix A shall be as follows:

1.1.1 Kentfield Campus –PE Complex Photovoltaic Project

a. Data Review and Pre-Field Exploration Activities
   - Review existing geotechnical and geologic information
   - Obtain drilling permit, USA site, prepare Health & Safety Plan, and coordinate site access with Swinerton
   - Site meeting with Swinerton and District to determine exact boring locations
   - Site reconnaissance by Engineering Geologist

b. Subsurface Exploration (Field)
   - Conduct one test boring by hollow-stem method
   - Site access control
   - Collect soil samples, perform groundwater measurements
   - Drum and dispose of cuttings offsite

c. Laboratory Testing
   - Conduct geotechnical laboratory testing

d. Geotechnical Engineering Analysis, Geologic Evaluation and Prepare Report
   - Develop geotechnical engineering and foundation design recommendations
   - Prepare combined geotechnical / geologic hazard report

| Total Amendment # 4               | $7,000   |
| Total Contract Amount             | $243,075 |

END OF AMENDMENT 4 TO APPENDIX B
AMENDMENT 4 to Appendix C – Milestone Schedule

This is an AMENDMENT attached to, and made a part of, Appendix C – Milestone Schedule of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Fugro West, Inc. (Consultant).

The following table is a list of activities to be performed by Consultant, District and other parties with regard to work authorized under AMENDMENT 3 to Appendix A – Scope of Services under this Agreement, for which specific time deadlines for performance shall be set as follows:

<table>
<thead>
<tr>
<th>ACTIVITY:</th>
<th>MILESTONE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Field Investigation/Soil Boring</td>
<td>6/20/07 – 7/15/07</td>
</tr>
<tr>
<td>Final Report</td>
<td>7/31/07</td>
</tr>
</tbody>
</table>

END OF AMENDMENT 4 TO APPENDIX C
AMENDMENT 4 to Appendix D — Deliverables

This is an AMENDMENT attached to, and made a part of, Appendix D — Deliverables of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Fugro West, Inc. (Consultant).

Deliverables for Work Authorized under AMENDMENT 4 to Appendix A — Scope of Work

The deliverables required include without limitation the following items in electronic format:

1. Letter Report of Analysis on Field Investigation and Laboratory Testing

END OF AMENDMENT 4 TO APPENDIX D
AMENDMENT 4 TO APPENDIX E – INSURANCE

This is an AMENDMENT attached to, and made a part of, Appendix E – Insurance of the Professional Services Agreement (Agreement) dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT (District) and Fugro West, Inc. (Consultant).

No Changes.

END OF AMENDMENT 4 TO APPENDIX E

IN WITNESS WHEREOF, the parties hereto have executed this AMENDMENT 4 to the Professional Services Agreement dated August 31, 2005 between the MARIN COMMUNITY COLLEGE DISTRICT and Fugro West, Inc.

MARIN COMMUNITY COLLEGE DISTRICT

By ___________________________ Date ____________
Al Harrison
Vice President College Operations

Fugro West, Inc.

By ___________________________ Date ____________
Principal Engineer
Its
BACKGROUND:

Last year, controls on one of IVC's two pool heaters burned out, permanently damaging the heater and leaving it in disrepair. With the winter season 2007/08 approaching, the pool operations have insufficient heating capacity to maintain desired operating temperatures during inclement and cold weather.

On April 17, 2007 the Board approved the design of the pool heater replacement. Now, in order to complete this project before winter, the project must be bid and awarded prior to the next Board meeting. Therefore, the District asks the Board at this time to:

1. Approve the pool heater replacement project as designed
2. Authorize the District to accept bids for the project
3. Authorize the Superintendent/President to award the contract, with ratification by the Board at the next Board meeting

FISCAL IMPACT:

Power plant repairs at IVC are included in the bond modernization effort. The final construction cost estimate for Pool Heater Replacement project is $50,000, including a re-sequencing of the controls operations for optimal operating efficiency. The project will be funded from the bond program.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the Power Plant 1-Pool Heater Replacement (Project # 407A); authorize the District to proceed with bidding; and authorize the Superintendent/President to award the project to the lowest responsible bidder, with ratification by the Board on August 28, 2007.
Marin Community College District  
Kentfield, CA 94904

Board Agenda Item

To: Board of Trustees  
From: Superintendent/President  
Subject: PE Complex Modernization Project 308B – Evaluation of Glu-Lam Beams to be exposed by Community Reconstruction Solutions  
Reason for Board Consideration: ACTION APPROVAL

Date: July 17, 2007
Item & File No.C.12.D.3(a)

Background:

Glu-lam beams ends were covered by copper end caps in the 1980’s to protect the exposed laminations from weather and deterioration. As part of the roof replacement scope of work for the PE Complex Modernization project, diligent evaluation of these beam ends is necessary. To support that evaluation, a contract with Community Reconstruction Solutions (CRS) is presented herein for approval, as follows:

Short Form Construction Contract $8,751

CRS will work directly with McGinnis Chen Associates (MCA), the investigative consultant, to physically remove and reinstall 20 selected copper beam end caps.

This removal activity is considered Phase I of two required to expose the glu-lam beams for evaluation. Under Phase II, MCA will perform a separate examination and evaluation of the exposed beam material. Once MCA has completed the examination, CRS will provide the labor to re-install the beam covers.

Fiscal Impact:

This contract will be paid from Measure C bond funds.

Recommendation:

The Superintendent/President recommends that the Board of Trustees approve a construction contract with Community Reconstruction Solutions in the amount of $8,751 for removal and re-installation of glu-lam beams at the PE Complex.

Administrator Initiating Item  
V-Anne Chernock  
Director of Modernization

Administrator Approving Item  
Albert J. Harrison II  
Vice President, College Operations
Marin Community College District
CONSTRUCTION CONTRACT
Short Form (Under $15,000)

This AGREEMENT to furnish certain services is made as of by and between the Marin Community
College District (hereinafter called District) and

Vendor: Community Reconstruction Solutions (contact: Victor Juan-Chang)
Address: 855 Hinckley Road, Burlingame, CA 9400 (tel: 415-495-1920; fax: 415-520-5755)

I. NATURE AND EXTENT OF SERVICE
Vendor shall furnish the following services: Remove and reinstall 20 (twenty) existing copper beam end caps for inspection of
the glu-lam beams. All work to be performed under McGinnis Chen Associates direction in association with Swinerton
Management & Consulting.

II. COMPENSATION
Payment will be made based on submission of invoices. Normally, payment will be made about four weeks following receipt of
invoice by Fiscal Services. Total Payment: Eight Thousand Seven Hundred Fifty-One Dollars ($8,751). Note: Invoices must be
submitted for payment.

III. SCHEDULE OF WORK: Work is to be scheduled between July 18, 2007 and August 31, 2007.

IV. TAXES
The compensation stated herein includes all applicable taxes and will not be changed hereafter as the result of Vendor’s failure to
include any applicable tax, or as the result of any change in the Vendor’s Tax Liabilities.

V. ASSIGNMENT OF SUBCONTRACTING
Vendor may not assign or transfer this Agreement, or any interest therein or claim thereunder, nor subcontract any portion of the
work thereunder, without the written approval of the Marin Community College District.

VI. REPORTING
Vendor shall report to Jake Skaer, Construction Manager, Swinerton Management & Consulting, Inc., after completing this
Agreement.

VII. CONFLICT OF INTEREST
Vendor affirms that to the best of his/her knowledge, there exists no actual or potential conflict between Vendor’s family,
business, or financial interests and his/her services under this Agreement, and in the event of change in either his/her private
interests or service under this agreement, he/she will raise with The District any question regarding possible conflict of interest
which may arise as a result of such change.

VIII. CHANGES
No change or modification in terms quantities, or specification may be made without express authorization from The District.
This will be followed by a written change order. No other department/campus, officer, or employee may authorize changes.

IX. RULES AND REGULATIONS
All work and materials shall be in full accordance with the latest rules and regulations of the Safety Orders of the Division of
Industrial Safety, current OSHA requirements, the National Electric Code, the Uniform Plumbing Code published by the
Western Plumbing Officials Association, Title 24 CCR and all other applicable State and local laws or regulations.

X. AGREEMENT AUTHORITY
It is understood that the aforementioned terms and conditions are the complete and exclusive statement of the agreement
between the parties, which supersedes all proposals or prior agreements, oral or written, and all other communications between
the parties relating to the subject matter hereof.
XI. PREVAILING WAGES
For all public works contracts in excess of one thousand dollars ($1,000.00), contractor shall pay prevailing wages in accordance with Labor Code Sections 1770 to 1777 inclusive.

XII. HOLD HARMLESS
Contractor shall indemnify, hold harmless and defend District and its Board of Trustees, officers, agents and employees from and against all claims, damages, losses and expenses, including reasonable costs and attorneys' fees, arising out of or resulting from Contractor's performance of the Work, or work performed by the Contractor's agents or employees, or subcontractors employed on the project, their agents or employees, or products installed on the project by Contractor or subcontractors, excepting only such injury of harm as may be caused solely and exclusively by District's fault or negligence. Such indemnification shall extend to all claims, demands, or liabilities occurring after completion of the project as well as during the progress of the work.

XIII. INSURANCE
Contractor shall obtain public liability and workers compensation insurance in an amount of $1,000,000 or unless otherwise agreed to by the District with a company or companies licensed to do business in the State of California and acceptable to District. Contractor shall provide The District with a certificate of insurance and endorsement naming The District as additional insured.

XIV. NO DISCRIMINATION
It is the policy of the District that in connection with all work performed under contracts, there will be no discrimination against any prospective or active employee engaged in the work because of race, color, ancestry, national origin, religious creed, sex, age or marital status. The Contractor agrees to comply with applicable Federal and California laws, including but not limited to, the California Fair Employment Practice Act, beginning with Government Code Section 12900 and Labor Code Sections 1735, 1777.5, 1777.6 and 3077.5. In addition, the Contractor agrees to require like compliance by any subcontractors employed on the work.

XV. CONTRACTOR'S LICENSE
Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, PO Box 26000, Sacramento, CA 95826.

XVI. APPLICABLE LAW
This agreement shall be governed by the laws of the State of California.

---

CONTRACTOR

(Signature) (Date) (Title)

---

DISTRICT

(Signature) (Date)
Al Harrison
Vice President of College Operations

*Updated 6/10/05 by Ben Cardinale*
BACKGROUND:

On May 7, 2007 the District executed a contract with D&D pipelines, Inc. to complete the Measure C PE Conduit Crossing Project (# 308E). Change Order #1 is presented herein for approval, as follows:

**Change Order #1**

$12,991

**Changed Routing; Unforeseen Conditions; Increase in MMWD (Marin Municipal Water Department) Fees:**

1. The contractor was confined to a short construction duration. When the original routing was not possible and the County shortened the actual working hours in the street from 8 to 4 hours for certain conditions, reportedly to facilitate traffic flow and contrary to the existing Encroachment Permit, the contractor was exposed to substantially different working conditions than were bid.

2. The negotiated changes reflect these changed conditions and address unforeseen subsurface conditions that could not have been anticipated by the designers.

**FISCAL IMPACT:**

Change Order #1 will be paid from bond funds and San Rafael Redevelopment Fund. The total value of this contract to date is $110,591, including 13.3% in change orders, as follows:

<table>
<thead>
<tr>
<th>Total</th>
<th>Measure C</th>
<th>San Rafael Redev. Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Contract:</td>
<td>$97,600</td>
<td>$32,000</td>
</tr>
<tr>
<td>Change Order 1^1</td>
<td>$12,991</td>
<td>$3,791</td>
</tr>
<tr>
<td><strong>Adjusted Total Contract Value:</strong></td>
<td><strong>$110,591</strong></td>
<td><strong>$35,791</strong></td>
</tr>
<tr>
<td><strong>Budget</strong></td>
<td><strong>$126,000</strong></td>
<td><strong>$46,000</strong></td>
</tr>
</tbody>
</table>

Because the cumulative value of the change orders exceeds 10%, the Board is asked to attest by resolution that the District would not benefit from bidding the work separately.

The final construction budget was $126,000; the final contract value is below the budgets for both the redevelopment fund and bond funding. No further change orders are expected on this contract.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve Change Order #1 to D&D Pipelines, Inc. in the amount of $12,991 and Resolution 7/17/07 C.12.D.4(a) attesting that the District would not benefit from bidding the work separately.

---

^1 The contractor requested $18,681. The final negotiated amount is $12,991.
**PROJECT:** PE Conduit Crossing  
**CONTRACTOR:** D&O Pipelines  
**OWNER:** Marin Community College District  
**ARCHITECT:** CSW/ST2

---

**TO:** Dennis McEligott  

You are directed to make the following Changes in this Contract:

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Description</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Replace native soil</td>
<td>$2,600.00</td>
</tr>
<tr>
<td>2</td>
<td>Maintenance Bond</td>
<td>$428.00</td>
</tr>
<tr>
<td>3</td>
<td>Erosion Permit revision</td>
<td>$396.00</td>
</tr>
<tr>
<td>4</td>
<td>Install tracer wire</td>
<td>$856.00</td>
</tr>
<tr>
<td>5</td>
<td>Change Christy Box Rating</td>
<td>$1,638.00</td>
</tr>
<tr>
<td>6</td>
<td>Extra Potholing</td>
<td>$1,107.00</td>
</tr>
<tr>
<td>7</td>
<td>Concrete Cap</td>
<td>$900.00</td>
</tr>
<tr>
<td>8</td>
<td>Subsurface obstacles: Concrete and AC</td>
<td>$2,872.00</td>
</tr>
<tr>
<td>9</td>
<td>MMWD USA</td>
<td>$2,336.00</td>
</tr>
<tr>
<td>10</td>
<td>Delay</td>
<td>$0.00</td>
</tr>
<tr>
<td>11</td>
<td>Subsurface drain not shown</td>
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</tr>
<tr>
<td>12</td>
<td>Routing of trench #2</td>
<td>-$787.00</td>
</tr>
</tbody>
</table>

**TOTAL:** $12,991.00

---

**NOTE:** Unless otherwise noted in the specific item description above, the costs detailed in this Change Order represent the total cost of the work, complete supply and installation of materials and equipment, Contractor’s fees, profit, and overhead; administration; general conditions; all other indirect costs; and associated additional bond and insurance premiums.

---

**AGREEMENT**

When this Change Order is signed by all parties, it constitutes their agreement:

- A. That the Contract Price / Time is adjusted as shown and that no further adjustment by reason of the change(s) provided herein shall be made; and
- B. That all the Terms and Conditions of the Contract, except as modified by this and any previous changes, shall remain in full force and effect and apply to the work so changed.

**CONTRACT VALUE ADJUSTMENT**

<table>
<thead>
<tr>
<th>Description</th>
<th>Original Contract Price</th>
<th>$97,600.00</th>
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<tbody>
<tr>
<td>Net Change By Previously Authorized Change Order</td>
<td></td>
<td>$0.00</td>
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<tr>
<td>Contract Price Prior To This Change Order</td>
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<td>$97,600.00</td>
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<td>Contract Price Will Be</td>
<td>Increased:</td>
<td>$13,991.00</td>
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<tr>
<td></td>
<td>Decreased By this Change Order:</td>
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<tr>
<td></td>
<td>Unchanged:</td>
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<tr>
<td>New Contract Price Including This Change Order</td>
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<td>$110,991.00</td>
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**TIME ADJUSTMENT**

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<tr>
<th>Description</th>
<th>Original Contract Time</th>
<th>Contract Time Will Be</th>
<th>Increased:</th>
<th>Decreased By this Change Order:</th>
<th>Unchanged:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ISSUED BY PROJECT MANAGER**

Swinerton Management & Consulting

By: Dan Eggan, Project Manager  
Date: 

**AGREED BY CONTRACTOR**

D&O Pipelines

By: Dennis McEligott, President  
Date: 

**RECOMMENDED BY PROGRAM MANAGER**

Swinerton Management & Consulting

By: Rich Graziano, Program Manager  
Date: 

**APPROVED BY OWNER**

Marin Community College District

By: V-Jane Chernock, Director of Modernization  
Date: 

**AUTHORIZED BY OWNER**

Marin Community College District

By: Albert Hurst, VP College Operations  
Date: 

Distribution: Owner, Consultant, Program Management, Dan Eggan, Contractor, C.O. File, Other
<table>
<thead>
<tr>
<th>Description</th>
<th>Comments</th>
<th>Estimate</th>
<th>DDP</th>
<th>Negotiated</th>
<th>Non Bond Funding</th>
<th>Date</th>
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<tbody>
<tr>
<td>18-May Replace native soil</td>
<td>schedule concern</td>
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<td>$2,680.00</td>
<td>$2,660.00</td>
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<td>21-May Maintenance Bond MMWD</td>
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<td>$800.00</td>
<td>$438.00</td>
<td>$438.00</td>
<td>$800.00</td>
<td>06/05/07</td>
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<td>18-May Ecroachment Permit revision</td>
<td>County Requirements</td>
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<td>$266.00</td>
<td>$266.00</td>
<td>$266.00</td>
<td>06/05/07</td>
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<td>22-May Install tracer wire</td>
<td>Check contract</td>
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<td>$564.00</td>
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<td>Extra sawcutting and traffic</td>
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<td>$2,872.00</td>
<td>$2,872.00</td>
<td>$2,872.00</td>
<td>06/05/07</td>
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<tr>
<td>5/21&amp;5/22 MMWD USA</td>
<td>Extra excav, welding and dirt removal</td>
<td>$1,900.00</td>
<td>$2,336.00</td>
<td>$2,336.00</td>
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<td>06/05/07</td>
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<td>25-May Delay!</td>
<td>Alleged waiting for County and MMWD</td>
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<td>$4,913.00</td>
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<td>$1,017.00</td>
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<td>06/05/07</td>
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<td>$0.00</td>
<td>-$787.00</td>
<td>-$787.00</td>
<td>06/05/07</td>
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<tr>
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<td>$18,891.00</td>
<td>$12,991.00</td>
<td>$9,200.00</td>
<td>06/05/07</td>
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</table>

Note: See narrative for detail explanations of changes
RESOLUTION 7/17/07 C.12.D.4(a) FOR APPROVAL OF CHANGE ORDER NO. 1
TO THE EXISTING CONTRACT WITH
D&D Pipelines, Inc.
FOR
PE Conduit Crossing Project (#308E)

WHEREAS, Marin Community College District (the “District”) previously awarded a contract for work for the PE Conduit Crossing (the “Project”) to D&D Pipelines, Inc. (“Contractor”); and

WHEREAS, subsequent to the award of the Project, it was determined that additional work was necessary as part of the Project (the “Change Order”); and

WHEREAS, the Change Order provides for the work set forth in Exhibit “A”; and

WHEREAS, the total cost for the Change Order is $12,991 and exceeds the limitations set forth in Public Contracts Code Section 20659; and

WHEREAS, it will be more costly and time-consuming to bid this additional work since it is integral to the Project and the work being performed by the Contractor; and

WHEREAS, competitively bidding the additional work covered by the Change Order would result in the delay of the completion of the Project and result in coordination issues if another contractor is performing similar work at the Project site at the same time as Contractor; and

WHEREAS, it would work an incongruity and not produce any advantage to the District to competitively bid the Change Order since such competitive bid work could result in multiple contractors being required to performed work more efficiently and effectively performed by one contractor; and

WHEREAS, a change in contractors in the middle of the Project may cause an inability to enforce the warranty provisions of the Contract; and

WHEREAS, Los Angeles Dredging v. Long Beach (1930) 210 Cal. 348 holds that statutes requiring competitive bidding do not apply when competitive bidding would work an incongruity or not produce any advantage; and

WHEREAS, while pursuant to Public Contract Code section 20659, a community college district is required to competitively bid any change or alteration to a contract that has a value over 10% of the original contract price, California law provides that, “[w]here competitive proposals work an incongruity and are unavailing as affecting the final result or where they do

-1-
not produce any advantage . . . the statute requiring competitive bidding does not apply." Hiller v. City of Los Angeles (1961) 197 Cal.App.2d 685, 694;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Marin Community College District makes the following findings:

1. That the above recitals are true and correct.

2. That it would work an incongruity and not produce any advantage to the District to bid the completion of the work set forth in the Change Order under the competitive process.

3. That the District approves the immediate completion of the work stated in the Change Order without competitively bidding such work and approves the District’s payment in the amount set forth in the Recitals to the Contractor upon the terms and conditions set forth in the Change Order.

PASSED AND ADOPTED by the Governing Board of the Marin Community College District, on July 17, 2007.

AYES: ______________________________

NOES: ______________________________

ABSENT: ____________________________

ABSTAIN: ____________________________

______________________________
President, Governing Board

I, Dr. Frances White, Secretary of the Governing Board of the Marin Community College District, State of California, do hereby certify that the foregoing resolution was duly adopted by the said Board at a regular meeting held July 17, 2007.

______________________________
Secretary, Governing Board
Wanden Treanor

Carole Hayashino

Philip J. Kranenburg

Harry Moore

Eva Long

Greg Brockbank

Barbara Dolan

Hoa-Long Tam
Student Trustee
MARIN COMMUNITY COLLEGE DISTRICT
MEASURE C BOND PROGRAM

EXHIBIT A

CHANGE ORDER WORK
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: IVC Main Building Project (#417)
Reason for Board Consideration: Enclosure(s):
Date: July 17, 2007
Item & File No. C.12.E.1

ACTION APPROVAL None

BACKGROUND:

The revised bond spending plan approved by the Board in February 2007 was based on data available at the time, with the expectation that new data would and will warrant periodic budget adjustments and/or reserve allocations. At this time the District requests a reserve allocation based on the following new information:

The original budget for the Main Building at IVC was based partially on preliminary geotechnical investigations, which indicated that the ground conditions in Parking Lot 2 (the chosen location for the building) were less than ideal. More detailed investigations completed in June 2007 indicate that (1) the ground conditions are even worse than was originally indicated, and (2) the Main Building will need to be built on pilings instead of a slab.

FISCAL IMPACT:

The District requests an allocation of $1 million from reserves to the project budget for the IVC Main Building project (#417). Reserves remaining after this allocation are $16,789,000 (see attached spreadsheet).

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees allocate $1 million from program reserves to the Main Building project budget (#417) to cover the additional anticipated cost of the building foundation.

Administrator Initiating Item
V-Anne Chernock
Director of Modernization

Administrator Approving Item
Albert J. Harrison
Vice President, College Operations
Marin Community College District  
Revised Bond Spending Plan  
Prepared by V-Anne Chernock, Director of Modernization  
July 2007 revision based on new data

<table>
<thead>
<tr>
<th>Program Budgets</th>
<th>BOT 4/07</th>
<th>Requested</th>
<th>New Balance if approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program costs</td>
<td>$16,000,000</td>
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<td></td>
</tr>
<tr>
<td>ERP (technology program)</td>
<td>$10,000,000</td>
<td>$10,000,000</td>
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</tr>
<tr>
<td>Reserves</td>
<td>$17,789,000</td>
<td>$(9,200,000)</td>
<td>$8,589,000</td>
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</table>

<table>
<thead>
<tr>
<th>Projects Approved by Board 10/06</th>
<th>BOT 4/07</th>
<th>Requested</th>
<th>New Balance if approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>KTD Science/Math/CP Complex</td>
<td>$69,540,000</td>
<td>$69,540,000</td>
<td></td>
</tr>
<tr>
<td>KTD Arts Complex - Fine Arts Building</td>
<td>$19,000,000</td>
<td>$19,000,000</td>
<td></td>
</tr>
<tr>
<td>KTD Arts Complex - PA Building modernization</td>
<td>$17,200,000</td>
<td>$17,200,000</td>
<td></td>
</tr>
<tr>
<td>KTD PE Complex modernization</td>
<td>$26,900,000</td>
<td>$26,900,000</td>
<td></td>
</tr>
<tr>
<td>IVC Transportation Complex (incl. machine metals)</td>
<td>$13,200,000</td>
<td>$13,200,000</td>
<td></td>
</tr>
<tr>
<td>IVC Main Building</td>
<td>$22,300,000</td>
<td>$1,000,000</td>
<td>$23,300,000</td>
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</table>

<table>
<thead>
<tr>
<th>Projects w/ Approval Pending</th>
<th>BOT 4/07</th>
<th>Requested</th>
<th>New Balance if approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>KTD Gateway Complex (Admin, Humanities, CC)</td>
<td>$17,500,000</td>
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<td>$25,700,000</td>
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</table>

<table>
<thead>
<tr>
<th>Infrastructure Budgets</th>
<th>BOT 4/07</th>
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<tbody>
<tr>
<td>KTD Demolition</td>
<td>$900,000</td>
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<td></td>
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<tr>
<td>KTD Tree Removal</td>
<td>$500,000</td>
<td>$500,000</td>
<td></td>
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<tr>
<td>KTD West Campus Bridge</td>
<td>$2,000,000</td>
<td>$2,000,000</td>
<td></td>
</tr>
<tr>
<td>KTD Geothermal Field</td>
<td>$8,900,000</td>
<td>$8,900,000</td>
<td></td>
</tr>
<tr>
<td>KTD Larkspur Annex</td>
<td>$1,200,000</td>
<td>$1,200,000</td>
<td></td>
</tr>
<tr>
<td>KTD Swing Space</td>
<td>$1,639,000</td>
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<td></td>
</tr>
<tr>
<td>KTD Additional Site Development</td>
<td>$7,621,000</td>
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</tr>
<tr>
<td>IVC Bridge and Pathways</td>
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</tr>
<tr>
<td>IVC Fire Mitigation</td>
<td>$800,000</td>
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<tr>
<td>IVC Gas Main Replacement</td>
<td>$600,000</td>
<td>$600,000</td>
<td></td>
</tr>
<tr>
<td>IVC Creek Erosion</td>
<td>$1,600,000</td>
<td>$1,600,000</td>
<td></td>
</tr>
<tr>
<td>IVC Storm Drain</td>
<td>$500,000</td>
<td>$500,000</td>
<td></td>
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<tr>
<td>IVC Tree Removal</td>
<td>$100,000</td>
<td>$100,000</td>
<td></td>
</tr>
<tr>
<td>IVC Geothermal</td>
<td>$1,500,000</td>
<td>$1,500,000</td>
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</tr>
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<td>IVC Parking, Bioswale</td>
<td>$1,000,000</td>
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<tr>
<td>IVC Power Plants</td>
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<tr>
<td>IVC Swing Space</td>
<td>$2,100,000</td>
<td>$2,100,000</td>
<td></td>
</tr>
</tbody>
</table>

| Total                  | $264,500,000 | $264,500,000 |                         |
| Bond Funds             | $249,500,000 | $249,500,000 |                         |
| Interest earned to date | $3,500,000  | $3,500,000   |                         |
| Projected additional interest | $11,500,000 | $11,500,000 |                         |
Marin Community College District  
Measure C Bond Program  
Reserve Allocations - Program Reserve 

<table>
<thead>
<tr>
<th>BOT Date</th>
<th>Amount</th>
<th>Item</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/13/2007</td>
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<td>Approved Bond Spending Plan</td>
<td>$17,800,000</td>
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<tr>
<td>6/12/2007</td>
<td>$(11,000)</td>
<td>Add'l fire road IVC - CSW #8, design services</td>
<td>$17,789,000</td>
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<tr>
<td>7/14/2007 (@)</td>
<td>$(1,000,000)</td>
<td>Add'l building foundations for IVC Main Building</td>
<td>$16,789,000</td>
</tr>
<tr>
<td>7/17/2007 (@)</td>
<td>$(8,200,000)</td>
<td>Gateway and Child Develop. Center State fund matching</td>
<td>$8,589,000</td>
</tr>
</tbody>
</table>

© = Requested
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees Date: July 17, 2007
From: Superintendent/President Item & File No. C.12.F
Subject: Office of Civil Rights: Resolution Agreement

Reason for Board Consideration:

APPROVAL

Enclosure(s):
Resolution Agreement
Budgets & Transition Plan

BACKGROUND:

In the Spring of 2005, the Department of Education’s Office of Civil Rights (OCR) contacted the College of Marin regarding a Title IX compliance complaint, specifically in the area of gender equity in athletics. After a review of the existing facilities, programs, and student interest surveys, a proposed resolution agreement has been proposed.

The concerns associated with the existing athletic facilities (locker rooms, training rooms, and team rooms) have been remedied through the Diamond Physical Education modernization project.

The Office of Civil Rights is recommending that the District initiate two new intercollegiate sports teams – Co-ed Tennis and Women’s Volleyball – to help attract additional female scholar-athletes.

The resolution agreement would have a three-year implementation timeline to facilitate the PE Building modernization project, identification of coaching staff, and conference application processes. There is a fiscal impact associated with adding two additional sport teams (see attached projected budget analysis).

This resolution agreement was presented for a first review at the June 12th Board Meeting. The resolution agreement has been reviewed and approved by the district’s legal counsel.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the Resolution Agreement.

Administrator Initiating Item: Linda Beam, Executive Dean, Human Resources and Labor Relations
RESOLUTION AGREEMENT
College of Marin
Case No. 09-05-2092

In order to resolve the issues raised in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), the College of Marin (College), without admitting to any violation of law, agrees to take the actions outlined in this Resolution Agreement.

I. PROVISIONS

A. Accommodation of Interests and Abilities

1. Addition of Teams

(a) The College agrees to add women’s volleyball and either co-ed or women’s tennis to its intercollegiate athletics program. The College agrees to provide sufficient resources to ensure that the teams will be able to undertake a full competitive intercollegiate varsity schedule during the 2009-2010 academic year. To this end, the College will provide volleyball and tennis, in a manner comparable to its other intercollegiate varsity teams, with sufficient funds in its budget to cover expenses including, but not limited to, coaching, and equipment and supplies.

(b) During the 2008-2009 academic year, the College will provide transitional funding and increase the College’s non-financial support to the team to allow it to begin preparations for the intercollegiate varsity status.

2. Monitoring of Future Interest

(a) The College agrees to continue to maintain a system that identifies and responds to the athletic interests and abilities of the historically underrepresented sex (females).

B. Quality, Availability and Exclusive use of Locker Room Facility

1. The College agrees to provide a women’s locker room that is comparable to the men’s locker room facility. This locker room will be constructed to include a team room of equal quality to that located in the men’s locker room. The locker room is anticipated to be completed by the end of 2008-2009.

II. REPORTING PROVISIONS

A. Accommodation of Interests and Abilities
1. During the 2008-2009 academic year, the College will report on its progress in hiring coaches for intercollegiate volleyball and tennis, recruitment of prospective female athletes for these teams, and evaluation of resources to ensure that the volleyball and tennis programs will have facilities and equipment comparable to those of other intercollegiate teams.

2. During the 2008-2009 academic year, the College will provide copies of the itemized budget for the volleyball and tennis programs.

3. During the 2009-2010 academic year, the College will provide documentation that the tennis and volleyball teams are participating in Bay Valley Conference, including the team rosters and season schedules.

4. Eight weeks after the start of the spring and fall semesters of the 2008-09 academic year, the College will provide OCR with the results of its survey of fulltime students, conducted when they registered for semesters. This includes the raw data, the analysis, and the recommendations based on the survey results.

B. Quality, Availability and Exclusive use of Locker Room Facility

1. By July 2009, the College will provide documentation, such as photographs and implemented architecture plans, that the locker rooms are complete and comparable.

Frances L. White, President
College of Marin
College of Marin
Athletics Transition Plan

Attached you will find the resolution document issued by the Office of Civil Rights which mandates the addition of women’s tennis and women’s volleyball.

I have listed dates and deadlines for additional coaches’ and the process for inclusion for these sports into the Bay Valley Conferences. The projected cost for each additional sport is also included in this report.

1. **2007-2008**
   - Physical Education Building begins modernization project.

2. **2008-2009**
   - Hire coaches’ in these sports to recruit student-athletes for the 2008-2009 seasons.
   - Prepare for transitional funding to support both sports for 2009-2010.
   - Apply to the Bay Valley Conference for intercollegiate competition in 2008-2009.
   - Physical Education Building modernization anticipated to be completed.

3. **2009-2010**
   - Intercollegiate competition in the Bay Valley Conference for women’s tennis and women’s volleyball.
   - Completion of locker rooms and team rooms.
   - Provide itemized budget for both women’s volleyball and women tennis to OCR.
All costs will vary depending on the number of athletes on each team. The list below is compiled with a list with Minimum, Average, and High student participants. The quality of supplies and materials may also affect the budget. For the anticipated 2009-2010 budget, the “High” number of participants were used for budget calculations, along with allocation for expected cost increases.

**WOMEN’S VOLLEYBALL**  
**MEN’S TENNIS**  
**WOMEN’S TENNIS**

- Minimum: 6 team members  
- Average: 8 team members  
- High: 12 team members

**APPROXIMATE OPERATING COSTS FOR VOLLEYBALL & MEN/WOMEN’S TENNIS TEAMS**

<table>
<thead>
<tr>
<th></th>
<th>VOLLEYBALL</th>
<th>MEN &amp; WOMEN’S TENNIS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation</td>
<td>$4,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>Uniforms Equipment</td>
<td>$5,000</td>
<td>$8,300</td>
</tr>
<tr>
<td>Officials Fees</td>
<td>$2,015</td>
<td>N/A</td>
</tr>
<tr>
<td>Head Coach</td>
<td>$27,000 (9 teaching units x $3,000)</td>
<td>$27,000 (9 teaching units x $3,000)</td>
</tr>
<tr>
<td>Assistant Coach</td>
<td>$1,250.00</td>
<td>$1,250.00</td>
</tr>
<tr>
<td>Total</td>
<td>$39,265</td>
<td>$40,550</td>
</tr>
</tbody>
</table>
## INVENTORY AND PRICE LIST

### WOMEN'S VOLLEYBALL

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost in 2007</th>
<th>Number of Participants</th>
<th>Total Estimated Cost - 2007</th>
<th>Anticipated 2009-2010 Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Game Jerseys (Home)</td>
<td>Low $20.00</td>
<td>Min. 6</td>
<td>Min. $120</td>
<td>$450</td>
</tr>
<tr>
<td>(Away)</td>
<td>Mid $25.00</td>
<td>Ave. 8</td>
<td>Ave. $200</td>
<td></td>
</tr>
<tr>
<td></td>
<td>High $35.00</td>
<td>High 12</td>
<td>Plus $420</td>
<td></td>
</tr>
<tr>
<td>Practice Jersey</td>
<td>$19.00</td>
<td>6-12</td>
<td>$114-$228</td>
<td>$250</td>
</tr>
<tr>
<td>Shorts</td>
<td>$25.00</td>
<td>6-12</td>
<td>$150-$300</td>
<td>$300</td>
</tr>
<tr>
<td>Balls (Practice)</td>
<td>$34.50</td>
<td>20-30</td>
<td>$690-$1035</td>
<td>$1100</td>
</tr>
<tr>
<td>Balls (Game)</td>
<td>$44.95</td>
<td>6</td>
<td>$269.70</td>
<td>$300</td>
</tr>
<tr>
<td>Warm-ups</td>
<td>Low $60</td>
<td>Min. 6</td>
<td>Min. $360</td>
<td>$1,200</td>
</tr>
<tr>
<td></td>
<td>Mid $75</td>
<td>Ave. 8</td>
<td>Ave. $600</td>
<td></td>
</tr>
<tr>
<td></td>
<td>High $100</td>
<td>High 12</td>
<td>Plus $1200</td>
<td></td>
</tr>
<tr>
<td>Bags</td>
<td>$30.00</td>
<td>Min 6</td>
<td>Min. $180</td>
<td>$400</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ave. 8</td>
<td>Ave. $240</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>High 12</td>
<td>High $360</td>
<td></td>
</tr>
<tr>
<td>Misc. Pads Platform</td>
<td>$800-$1000</td>
<td></td>
<td>$800 - $1000</td>
<td>$1,000</td>
</tr>
</tbody>
</table>

### MEN'S TENNIS

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost in 2007</th>
<th>Number of Participants</th>
<th>Total Estimated Cost - 2007</th>
<th>Anticipated 2009-2010 Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jersey/Shirt (Home &amp; Away)</td>
<td>$25-$35</td>
<td>6-12</td>
<td>$150-$420</td>
<td>$500</td>
</tr>
<tr>
<td>Shorts</td>
<td>$20-$25</td>
<td>6-12</td>
<td>$120-$150</td>
<td>$200</td>
</tr>
<tr>
<td>Warm-ups</td>
<td>$75-$110</td>
<td>6-12</td>
<td>$450-$1,320</td>
<td>$1,400</td>
</tr>
<tr>
<td>Bag</td>
<td>$30</td>
<td>6-12</td>
<td>$180-$360</td>
<td>$400</td>
</tr>
<tr>
<td>Balls (Practice)</td>
<td>$80-$100 (6DZ)</td>
<td>12-24DZ</td>
<td>$160-$400</td>
<td>$500</td>
</tr>
<tr>
<td>Balls (Game)</td>
<td>$108-$120 (6DZ)</td>
<td>12-24DZ</td>
<td>$216-$480</td>
<td>$500</td>
</tr>
<tr>
<td>Misc. Nets</td>
<td>$500</td>
<td></td>
<td>$500</td>
<td>$500</td>
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</tbody>
</table>

Anticipated Cost in 2009-2010

$5,000

$4,000
WOMEN'S TENNIS

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost in 2007</th>
<th>Number of Participants</th>
<th>Total Estimated Cost - 2007</th>
<th>Anticipated 2009-2010 Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jersey/Shirt</td>
<td>$25-$35</td>
<td>6-12</td>
<td>$150-$420</td>
<td>$500</td>
</tr>
<tr>
<td>(Home &amp; Away)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Skirt/Short</td>
<td>$30-$35</td>
<td>6-12</td>
<td>$180-$420</td>
<td>$500</td>
</tr>
<tr>
<td>Warm-ups</td>
<td>$75-$110</td>
<td>6-12</td>
<td>$450-$1,320</td>
<td>$1,400</td>
</tr>
<tr>
<td>Bag</td>
<td>$30</td>
<td>6-12</td>
<td>$180-$360</td>
<td>$400</td>
</tr>
<tr>
<td>Balls (Practice)</td>
<td>$80-$100 (6DZ)</td>
<td>12-24DZ</td>
<td>$160-$400</td>
<td>$500</td>
</tr>
<tr>
<td>Balls (Game)</td>
<td>$108-$120 (6DZ)</td>
<td>12-24DZ</td>
<td>$216-$480</td>
<td>$500</td>
</tr>
<tr>
<td>Misc. Nets</td>
<td>$500</td>
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<td></td>
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</tbody>
</table>

**Anticipated Cost in 2009-2010**

$4,300
Marin Community College District
Kentfield, CA 94904

Board Agenda Item

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>July 17, 2007</td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td></td>
<td>Enclosure(s):</td>
</tr>
</tbody>
</table>

** INFORMATION **

** BACKGROUND:**

In accordance with Board Policy 6.0017 on External Consultants and Evaluators, attached for your information is a listing of all External Consultants and External Evaluators with whom we entered into a contract in excess of $1,000 with a description of services provided.

---

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
<table>
<thead>
<tr>
<th>Agreement Number</th>
<th>Vendor/Description</th>
<th>Location/Dept.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>S60221</td>
<td>Erin Constantine</td>
<td>Foster Care/Independent Living</td>
<td>$1,600.00</td>
</tr>
<tr>
<td></td>
<td>Support services for the Foster Parenting Program.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>S60222</td>
<td>Megan Chestnut</td>
<td>Foster Care/Independent Living</td>
<td>$1,000.00</td>
</tr>
<tr>
<td></td>
<td>Facilitation of training services for the Foster Care Education Program.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>S60224</td>
<td>Education to Go</td>
<td>Community Education</td>
<td>$1,768.00</td>
</tr>
<tr>
<td>P105388</td>
<td>Falcon Waterfree Technologies</td>
<td>Maintenance</td>
<td>$6,000.00</td>
</tr>
<tr>
<td></td>
<td>Provide and install 40 Falcon Waterless Urinals at Kentfield, Marin Municipal Water District rebates available.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P105409</td>
<td>Ajilon Finance</td>
<td>Fiscal Services</td>
<td>$7,770.00</td>
</tr>
<tr>
<td></td>
<td>Temporary services for a restricted fund accountant.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P105410</td>
<td>United Site Services of California</td>
<td>Maintenance</td>
<td>$1,199.17</td>
</tr>
<tr>
<td></td>
<td>Replacement of damaged ADA portapotties.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P105461</td>
<td>Student Insurance</td>
<td>District Wide</td>
<td>$1,260.00</td>
</tr>
<tr>
<td></td>
<td>Mandatory insurance for International Students. Fees have ready been collected by Admissions and Records.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P105462</td>
<td>College Board</td>
<td>Testing</td>
<td>$3,528.00</td>
</tr>
<tr>
<td></td>
<td>Accuplacer testing units/services for student’s English placement tests.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P105477</td>
<td>Fast Signs</td>
<td>Maintenance</td>
<td>$1,077.50</td>
</tr>
<tr>
<td></td>
<td>Sign making services for Board of Trustee parade signs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P105495</td>
<td>3M Library System</td>
<td>Library</td>
<td>$1,149.00</td>
</tr>
<tr>
<td></td>
<td>Service/Maintenance agreement for Library security system.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P105506</td>
<td>Accreditation Commission For</td>
<td>District Wide</td>
<td>$12,063.60</td>
</tr>
<tr>
<td></td>
<td>Community Colleges</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Annual accreditation and 2nd installment of 05/06 legal assessment.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Restricted**
<table>
<thead>
<tr>
<th>Agreement Number</th>
<th>Vendor/Description</th>
<th>Location/Dept.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>P105369</td>
<td>Red Robin Catering</td>
<td>Human Resources</td>
<td>$1,122.22</td>
</tr>
<tr>
<td></td>
<td>Catering services for district sponsored retirement reception for recent retirees.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P105523</td>
<td>Mark Hall Associates, LLC</td>
<td>Disabled Students Program</td>
<td>$7,911.01</td>
</tr>
<tr>
<td></td>
<td>Assembly services for the Caption mic speech system, includes all software.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P105527</td>
<td>Simpedia Networks</td>
<td>Job Placement</td>
<td>$1,350.00</td>
</tr>
<tr>
<td></td>
<td>Service/Maintenance services for Ease Basic, for student online Job Placement services.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P105511</td>
<td>Print Incorporated/Paul Giampaoli</td>
<td>Student Development</td>
<td>$8,000.00</td>
</tr>
<tr>
<td></td>
<td>Printing and binding services for Banner user handbooks.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Capital Outlay**

<table>
<thead>
<tr>
<th>Agreement Number</th>
<th>Vendor/Description</th>
<th>Location/Dept.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>P105379</td>
<td>Andrew Fesekes Architect</td>
<td>Maintenance</td>
<td>$10,000.00</td>
</tr>
<tr>
<td></td>
<td>Investigation and develop project scope for dry rot in wall of the IVC Locker/Shower rooms.</td>
<td></td>
<td></td>
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</tbody>
</table>

**Measure C**

<table>
<thead>
<tr>
<th>Agreement Number</th>
<th>Vendor/Description</th>
<th>Location/Dept.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>P105391</td>
<td>TouchNet</td>
<td>Measure C Bond</td>
<td>$5,030.64</td>
</tr>
<tr>
<td></td>
<td>Maintenance Renewal contract for year 2, to cover 6/1/07 to 5/31/08.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>