COLLEGE OF
MARIN

BOARD OF TRUSTEES
REGULAR MEETING AGENDA

JUNE 26, 2007
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 Josué Hoyos at 485-9619. Notification at least 24 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 “B.3” on the agenda. Public comment presentations will be limited to no more than 3 minutes each.

A. Closed Session – 4:30 p.m. in AS 101, Indian Valley 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 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)
       Agency Negotiator: Larry Frierson
   (b) Significant exposure to litigation pursuant to subdivisions (b) of Government Code Section 54956.9:
       CONFERENCE WITH LEGAL COUNSEL-Potential & Existing Litigation
   (c) PUBLIC EMPLOYEE DISCIPLINE/DISCUSSION/DISMISSAL/RELEASE/SEPARATION
   (d) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
       (Government Code Section 54957)
       Title: Superintendent/President
B. Reconvene to Regular Meeting

1. Call to Order (1 minute)

2. Approval of Minutes (4 minutes)
   - Minutes of June 12, 2007 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
      None
   b. Legislative Report
   c. Committee Chair Reports
      (1) Update on Grand Jury Report
   d. Individual Reports and/or Requests
   e. CEO Report to Board on WASC Compliance

5. Chief Executive Officer's Report (5 minutes)
   a. Staff Reports (25 minutes)
      (1) Modernization Update (V-Anne Chernock)
      (2) Response to Grand Jury Report
      (3) Fiscal Accountability Independence from Marin County (Al Harrison)

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 (30 minutes)
   a. Tentative Budget Presentation

10. Items for Possible Future Board Agendas (5 minutes)
    a. Unfunded Liability Options
    b. Reserve Policies
    c. Educational Pathways (July)
    d. Equity Study

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) 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

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 13
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 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 (10 minutes)
The Superintendent/President recommends the Board of Trustees approve the following Action Items:

A. Approve Barnes & Noble Bookstore Agreement Renewal

B. Approve Tentative Budget 2007/08

C. Approve Resolutions Granting Authorization to Sign on Behalf of Governing Board
D. 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

E. Approve Board’s Response to Grand Jury Report

13. Information Items (5 minutes)

14. Correspondence
   Correspondence in Board Packets

15. Board Meeting Evaluation (5 minutes)

16. Adjournment
A. Board Study Session

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

The meeting of the Board of Trustees of the Marin Community College District was called to order at 1:15 p.m. by Board President Treanor in the cafeteria at the Kentfield campus, all members having received notice as prescribed by law. All publicly elected Trustees were present in addition to Hoa-Long Tam, the new Student Trustee-elect.

2. Project Status Updates

The Board was updated on the status of the following projects:

a. Main Building at IVC by Charles Higueras and Tim Craig of VBN Architects and Aditya Advani (landscape architect) of Royston, Hanamoto, Alley & Abey (RHAA).

b. Transportation Technology Complex at IVC by Dara Youngdale and Mike McGuire of Hardison, Komatsu, Ivelich & Tucker (HKIT).

c. Fine/Performing Arts Buildings at Kentfield by Donn Logan of Marcy Wong & Donn Logan Architects (MWDL).

d. New bridge on the west side of the campus across Corte Madera Creek by Don Curry of CSW/Stuber-Stroeh Engineering, Inc.

e. Signage plan for both campuses by Kate Keating of Kate Keating Associates.

Copies of these presentations are posted on our website.

Board members asked questions, made suggestions, and offered feedback on the drawings and models. Board President Treanor asked staff to provide written responses, including budget considerations, to concerns expressed by Board members.

g. Don Flowers, Maintenance Supervisor, reviewed the 2009-2013 Five-Year Construction Plan which we are required to submit to the State Chancellor's Office by July 1. Our plan includes one Initial Project Proposal for state funding for a Child
Development Center at the Larkspur Annex and one Final Project Proposal for state funding for the Gateway Complex at Kentfield (replacement buildings for Administration, Olney Hall, Business/Management Center, and Harlan Center). Trustees asked questions and provided feedback.

Rob Barthelman of Steinberg Architects reviewed plans for the Gateway Complex (copy of presentation on website) and responded to Board member questions and comments.

h. V-Anne Chernock, Director of Modernization, presented a LEED update to the Board, focusing on current status and next steps (copy of presentation on website). Director Chernock answered questions posed by Board members and responded to comments.

The Study Session was recessed at 4:35 p.m.

B. Closed Session

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

Board President Treanor reconvened the meeting of the Board of Trustees of the Marin Community College District at 4:45 p.m. in the SS A&B Conference Rooms in the Student Services Building on the Kentfield campus. All publicly elected Trustees were present. Dr. Frances White, Al Harrison, Anita Martinez, Linda Beam, and Larry Frierson were also in attendance.

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 6:40 p.m.

C. Regular Meeting

1. Reconvene in Open Session, Adoption of Agenda, Administration of Oath of Office to Student Trustee.

The meeting of the Board of Trustees of the Marin Community College District was reconvened in open session at 6:55 p.m. in the cafeteria on the Kentfield campus by Board President Treanor. She announced that the meeting was being recorded to facilitate the preparation of minutes. All Trustees were present, including Student Trustee-elect Tam.

M/s (Dolan/Hayashino) to approve the agenda with these changes:

- Action item 13.B.4.a was moved up on the agenda to follow the Board Study Session on the proposed Project Stabilization Agreement.
- Items 12.1, J and N were moved from the Consent Calendar to the Action Calendar as items 13.E, F and G.
- Action item 13.B.4.c was pulled from the agenda.

The motion passed unanimously.
Board President Treanor administered the Oath of Office to Hoa-Long Tam, the new Student Trustee.

2. Approval of Minutes and Report of Closed Session

M/s (Dolan/Hayashino) to approve the minutes of the May 15, 2007 Board meeting. 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

Karen van Kriedt, CSEA President, addressed the Board re. concerns about the CSEA contract not being honored in the areas of compensation for working out-of-class, reclassification, and the Equity Study. A copy of Ms. Van Kriedt’s statement is attached to the minutes as part of the official record.

Tim West of SEIU 1021 introduced himself to the Board, noting that he will be negotiating with the District on behalf of SEIU, and that he hopes for fair and equitable treatment for SEIU members.

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

b. Legislative Report.
None

c. Committee Chair Reports
Board President Treanor reminded the Trustees to provide her with written comments on Grand Jury Report issues.

d. Individual Reports and/or Requests
Trustee Kranenburg reported that the Ad Hoc Budget Committee had recently met and that several Trustees attended the Golden Bell Awards dinner.

Board President Treanor reported that she had received a request from JoAnn London to participate in a meeting with EAH re. senior housing at IVC. Trustees Long, Moore, Treanor, and Brockbank expressed interest in participating in this meeting.

Trustee Long thanked Dr. White and the staff for all of their work on graduation and other end-of-year events. She asked to amend the “Housing at IVC” portion of the minutes of the May 15, 2007 meeting as follows: “The Board also suggested that Ms. Swenson and her associates seek philanthropist funding (i.e., Marin Community Foundation) for a consultant to develop a more concrete proposal (including funding) for a joint use project to present to the Board. Trustee Long offered to help as a community member and to visit Mackey Terrace.”
Trustee Dolan commented on the excellent graduation ceremony and stated that she particularly enjoyed the speeches of Betty Goerke, Board President Treanor, and the student speaker.

e. **CEO Report to Board on WASC Compliance**
President White reported that we are putting documents together for our Progress Report which is due to the Accreditation Commission on October 15. We hope to have a draft ready by August.

5. **Chief Executive Officer's Report**
Dr. White called the Board's attention to her written report in their packets.

a. **Staff Reports**

1) **COMet Update**
   Al Harrison, Vice President of College Operations, reported that we are testing the financial module this month before going live July 1 and that everything is going well.

2) **Modernization Update**
   Rich Graziano, Swinerton Project Manager, summarized results of the recent geothermal study on both campuses which were very positive.

3) **Update on Media Center Discussions with the Marin Telecommunications Agency**
   Frank Crosby updated the Board on efforts to bring a media center to our campus in conjunction with the Marin Telecommunications Agency (MTA). He has submitted (on behalf of COM) a Joint-Use Agreement Proposal to the MTA and reported that we will be working on a Memorandum of Understanding.

4) **Office of Civil Rights Draft Resolution Agreement**
   Linda Beam, Executive Dean of Human Resources & Labor Relations, reviewed the OCR draft resolution agreement (in response to a 2005 gender equity complaint in our PE Department) in the Board packets. She noted that we will initiate two new sports: women's volleyball and co-ed tennis.

5) **Response to Grand Jury Report**
   Dr. White called the Board's attention to the draft copy of the administrative response to the Grand Jury in their Board packets, noting that this needs to be completed by the June 26 Board meeting.

6. **Academic Senate Report**
No report.

7. **Classified Senate Report**
   Kathleen Kirkpatrick, Classified Senate President, thanked the Board for the resolution passed last month recognizing classified staff in honor of Classified School Employees Week. She reported on the Classified Staff Appreciation Picnic held on June 6 and described a summer fitness program called "Boogie to Baja" that the Classified Senate
will be sponsoring as a community-building project. A copy of Ms. Kirkpatrick’s statement is attached to the minutes as part of the official record.

8. **Student Senate and Student Association Report**
Student Trustee Tam announced the winners of the student government elections held last month and stated that he will become President of the Student Senate on July 1. He noted several goals of the Student Senate for the coming year: to improve communication, reduce costs, increase participation at the statewide level, promote the sustainability portion of the bond, and improve disabled access.

Inna Shapiro, the new ASCOM President, introduced herself and shared some of ASCOM’s goals for the coming year: making student government more united, growing the budget, and sending more students to conferences.

9. **COM Foundation Report**
No report.

10. **Board Study Session**
a. **Project Stabilization Agreement**
   (1) **Presentation by Swinerton on Fact-Finding Study**
Jeff Gee of Swinerton Management & Consulting and Mike Vlaming of Scarth-Lyons & Associates made a presentation (copy on website) entitled “Comments on a Project Stabilization Agreement for the Marin County Community College District” and responded to Trustee comments and questions. Dr. Anita Grier, President of the Board of Trustees of City College of San Francisco, Richard Holober, Vice President of the Board of Trustees of the San Mateo Community College District, and Charles Ramsey, a Trustee on the Board of the West Contra Costa School District, shared their positive experiences with project labor agreements (PLA’s) in bond implementation in their districts.

13.B.4.a M/s (Hayashino/Brockbank and Kranenburg) to **Authorize Project Stabilization Agreement.** The following members of the public spoke in favor of this item: Jack Buckhorn, Paul Cohen, Sandra Benson, Tom Curran, Anisa Thompson, Tangi Tunoa, Dennis Rose, Dan Shea, Michael Allen, and Andre Gardner. These individuals spoke in opposition to the PSA agenda item: Eric Christen, John Braun, Frank Tallarida, and Basia Crane. Mr. Buckhorn’s written statement is attached to the minutes as part of the official record.

Board members expressed their opinions on the PSA staff recommendation. Trustee Brockbank submitted a written statement which is attached to the minutes as part of the official record. Trustee Hayashino offered and later withdrew a friendly amendment to allow staff to consider and identify additional projects to include under a PSA. She withdrew the amendment with the understanding that many items need to be negotiated and that in the future we may be looking at other projects to include in a PSA.

The original motion was approved by a vote of 6-1 (plus an advisory vote by Student Trustee Tam) with Trustee Dolan casting the no vote. Trustee Dolan stated that her reason for opposing this agenda item is that she sees a PSA as
discrimination.

11. Items for Possible Future Board Agendas
   a. Reserve Policies
   b. Unfunded Liability Options
   b. Budget Presentation & Approval of Tentative Budget (June 26)

12. Consent Calendar Items (Roll Call Vote)
M/s (Hayashino/Brockbank) to approve all items on the Consent Calendar. The motion passed unanimously with a roll call vote (7-0) plus an advisory 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) and other special events as noted:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>June 26</td>
<td>Board Study Session – 1:00 to 5:00 p.m. – Ohlone 106, IVC</td>
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<tr>
<td></td>
<td>Regular Meeting – 6:30 p.m. – Ohlone 106, IVC</td>
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<td></td>
<td>Tentative Budget Adoption</td>
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<tr>
<td>July 17</td>
<td>Regular Meeting – 6:30 p.m. – Staff Lounge, Deedy Student Services, Kentfield</td>
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<tr>
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<td>December 11</td>
<td>Organizational and Regular Meetings – 6:30 p.m. – Staff Lounge, Deedy Student Services, Kentfield</td>
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Other Special Events:

Dental Assisting Graduation Ceremony – June 21, 6:30 p.m., Student Services Courtyard, Kentfield Campus

B. Classified Personnel Recommendations. Approve the Classified Personnel Recommendations:
   1. Permanent Reassignment of Classified Personnel
   2. Temporary Increase/Decrease in Assignment/Salary for Classified Personnel
   3. Resignation/Separation of Classified Personnel

   1. Appointment and/or Change of Educational Management Personnel
   2. Resignation.Retirement of Educational Management Personnel

D. Academic Personnel Recommendations
1. Resignation/Retirement of Academic Personnel
2. Phased-In-Early Retirement of Academic Personnel

E. Short-Term Hourly Positions

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

G. Warrant Approval for Month of May 2007

H. Declaration of Surplus Property – Miscellaneous Equipment

K. Authorization to Initiate Projects (Measure C)
   I. Authorization to Bid - none

L. Miscellaneous (Measure C) – none

M. Approve Purchase Order for Printing of Fall, Winter, Spring and Summer 2007-08 Community Education Schedules

13. Other Action Items

A. Approve Barnes & Noble Bookstore Agreement Renewal
   M/s (Brockbank/Hayashino) to move this item to the June 26 meeting to allow
time for counsel to review the contract.

B. Modernization (Measure C) Contracts
   1. M/s (Long/Kranenburg) to approve Professional Services Contracts
      C.13.B.1.a(i), C.13.B.1.b(ii) & (ii), C.13.B.1.e(ii), (ii) & (iii). The motion
      passed unanimously.
      a. New Short Form Contracts
         i) Austin Science Center Roof Condition Survey Project 850E
            Design Services – McGinnis Chen Associates, Inc.
      b. New Long Form Contracts
         i) Science-Math-CP Complex Project #305A
            Design Services – ED2 International Architects/Planners
         ii) Master Signage Planning Services
            Design Services – Kate Keating Associates, Inc.
      c. Full Contracts/Ratifications – none
      d. Amendments (Short Form Contract) - none
      e. Amendments (Long Form Contract)
         i) Geothermal Exchange Field Projects at Kentfield & IVC
            Design Services – Alfa Tech Cambridge Group – Amendment
            #10
         ii) Landscape Site Work Project #413A
            Design Services – Royston, Hanamoto, Alley & Abey
            (RHAA) – Amendment #4
         iii) Indian Valley Campus and Kentfield Site Projects
            Engineering Services
            CSW Stuber-Stroeh – Amendment #8

2. Construction Contracts
a. Bid Awards
   i) Project Approval Authorization to Bid
      Pre-Authorization to Award
      POMO 4 Roof Replacement Project #402B
      M/s (Long/Kranenburg) to Approve POMO Roof Replacement
      Project #402B, Authorize Bidding and Pre-Authorize Award.
      The motion passed unanimously.

b. New Contracts - none

c. Full Contracts/Ratifications - none

d. Change Orders – none

e. Notices of Completion – none

3. Authorization to Initiate Projects
   a. Authorization to Bid – none

4. b. M/s (Long/Kranenburg) to Approve Submittal of 2009-2013 Five-
      Year Construction Plan with IPP and FPP, The motion passed by
      a vote of 6-1 with Trustee Dolan casting the no vote.

d. M/s (Long/Kranenburg) to Approve Budget Transfer for
   Technology Infrastructure Plan and Standards.
   The motion passed unanimously.

C. Public Hearing on MCCD/CSEA 196 Collective Bargaining Agreement
   Board President Treanor opened the public hearing for comment. There
   being no one who wished to speak on this issue, she then declared the public
   hearing closed.

D. Public Hearing on MCCD/SEIU 1021 Collective Bargaining Agreement
   Board President Treanor opened the public hearing for comment. There
   being no one who wished to speak on this issue, she then declared the public
   hearing closed.

E. M/s (Brockbank/Hayashino) to Approve New Community Education Courses
   Summer 2007. The motion passed unanimously.

F. Modernization (Measure C) Contracts
   M/s (Hayashino/Brockbank) to approve Professional Services Contracts
   C.13.F.1.a(i) & (ii) and Amendment C.13.F.1.d(i).
   The motion passed unanimously.
   1. Professional Services Contracts
      a. New Short Form Contracts
         i) Contract Renewal
            Miller Brown & Dannis – District Legal Consultant
         ii) Contract Renewal Endorsement
            Ford Graphics - Reprographics Services
      b. New Long Form Contracts - none
      c. Full Contracts/Ratifications - none
      d. Amendments (Short Form Contract)
         i) Special Advisor Services
            Vanir Construction Management and Parsons/3Di –
Amendment #1
  e. Amendments (Long Form Contract) - none

2. Construction Contracts
   a. Bid Awards - none
   b. New Contracts - none
   c. Ratifications – none
   d. Change Orders - none
   e. Notices of Completion – none

G. M/s (Long/Kranenburg) to Approve Notice of Completion for Miscellaneous Roof Repairs – Kentfield and Indian Valley Campuses. The motion passed unanimously.

14. Information Items


   B. Contracts for Designated Approval

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

16. Board Meeting Evaluation

17. Adjournment
    M/s (Long/Kranenburg) to adjourn the meeting. The motion passed unanimously and Board President Treanor adjourned the meeting at 11:00 p.m.
President Treanor, President White, Members of the Board:

My name is Karen van Kriedt, and I work in the Community Education department at the College of Marin.

However, tonight I address you in my role as President of CSEA Chapter 196.

I am aware that President Treanor was quoted in the IJ this May, saying that “we need to make some adjustments” for classified employees and administrator salaries. I agree and applaud that statement.

I am aware that President White is interested in conducting an Equity Study for both classified employees and administrators. I also think an Equity Study is needed and I applaud that activity.

However, we have a problem.

The majority of Classified Staff are frustrated, confused and impatient.
How did they get that way?

For the members of CSEA Chapter 196, the answer is simple:
Our contract has not been honored.

I have provided a hand out which includes 3 important portions of the CSEA Contract:
1. Working Out of Classification
2. Reclassification
3. The Equity Study

Consider this: The portion on Working Out of Class has been in the contract for many years.

Yet, over the past 7 years, there has been only ONE instance of an employee receiving payment for working out of class.

In contrast, there have been 61 reclassification applications submitted over the past 3 years, 31 this year alone.

31 reclassification applications submitted in one year! That’s over a quarter of the bargaining unit.

And I happen to personally know of at least another dozen bargaining unit employees who either missed the deadline, or were advised to wait for the Equity Study, and did not submit an application even though they wanted to.

This would have raised the total this year to 44, or a full third of the bargaining unit.

Think of it: A full third of the bargaining unit currently believes that they are working above their classification.

And, yet, 0 employees are currently compensated for working out of class, in spite of the fact that employees have routinely been required and expected to perform duties outside those stated within their respective job descriptions.
It doesn’t take an advanced degree to recognize that something is wrong with this picture.

From a contractual point of view, this area is beyond ripe for grievances.

Looming large on everyone’s radar is the Equity Study.

You’ll notice in your handout that the unit contracted for an Equity Study to be done in 03-04.

However, it is now nearly 4 years later and no Equity Study is in sight.

The Chapter’s Executive Board has been asking for a timeline for an Equity Study for a year and a half.

We have asked for a timeline at each of the monthly Labor Management Council meetings we have had this year.

Where have we gotten? We have gotten nowhere.

The Equity Study has achieved mythical status with bargaining unit members at this point in time.

In my first letter to CSEA members, which I hope you read, I stated that I am more than willing to collaborate, that I want to work together to create the COM of our dreams.

My intent will always be to create win-win solutions.

However, I will NOT participate in any solution that is not a win for my constituency.

In fact, I will empower bargaining unit members, to the best of my ability, to further their own interests through the contract.

We all want to be proud of the college and the work that we do here.
We all want fair salaries for administrators and classified staff.

What are the building blocks that we have to work with?
The classified staff have their contracts and not much else.

I propose that we use the contracts as written to get where we want to go.
Rather than fight the processes which are already in place, let’s use the contract to facilitate reaching our goals.

This approach will save money and time.

For instance, I hope that the Board will consider the current reclassification process as the first step in the Equity Study and recommend that this year’s reclassifications be placed equitably on the salary schedule.
If that happens, as CSEA President, I can support reclassifications accomplished this year as a first phase of the Equity Study.

This would mean about a third of the Equity Study for Chapter 196 would already be accomplished.

The classified staff here at COM are deserving of first-class treatment. We have stepped up to the plate in many ways over the last several years.

We have filled many holes left vacant by new and absent managers.

We did more than our part for WASC and the threat of losing our accreditation.
We did more than our part in developing the participatory governance system.
We did more than our part in furthering the Bond.
We are indispensable to Program Review.

We do more than our part every day to further the success of the college and to serve the students and community of Marin County.

We have done significantly more than our part in raising the standard of work here at the college.

We are deserving of first-class treatment.

However, falling short of that, we will depend upon our contract and enforce it as necessary to get the recognition, and financial compensation, we so richly deserve.

Thank you for your time and attention.
ARTICLE 7
SALARY

9. **Compensation for Working-Out-Of-Class**

Employees of the unit shall not be required to perform duties which are not fixed and prescribed for their positions by the Governing Board unless the duties reasonably relate to those fixed for the position by the Board for any period of time which exceeds five (5) work days within a fifteen (15)-calendar day period except as authorized herein. An employee may be required to perform duties outside of his/her classification for a period of time which exceeds five (5) work days provided that his/her salary is adjusted upward for the entire period he/she is required to work outside of his/her classification as provided herein:

a. If assigned the duties performed by employees in a higher classification, the employee shall be paid in accordance with temporary promotion, Section 2.c. above.

b. If assigned to duties of a position not currently found on the salary schedule, an adjustment shall be negotiated between the District and CSEA as soon as possible.

c. Employees in the unit may be assigned duties within an equal (i.e. same salary range) classification with no change in compensation. Employees may be assigned to duties of a lower classification with no change in compensation until demoted through the layoff or disciplinary process.

d. Duties set forth within job descriptions are those which are customarily assigned to incumbents in those positions. Duties which are reasonably related are included.

e. Use of new or additional equipment brought about by the development or application of new technology shall be incorporated into job descriptions consistent with the level of responsibility and complexity of the job description.
ARTICLE 14
CLASSIFICATION, RECLASSIFICATION, AND ABOLITION OF POSITIONS

4. **Reclassification**

   a. **Definition:** Reclassification is a change in range for any of the following reasons:

   1. New job duties with significantly increased difficulty and/or significantly higher level of responsibility are either gradually added or eventually added to the requirements of the position.

   2. An extraordinary need for change has been identified such as the shortage of applicants, excessive turnover, or unique skills required.

   3. In order to be considered for reclassification, the employee must be consistently asked to perform tasks not contemplated in his/her job.

   4. Increase in workload is NOT considered to be a valid reclassification request.

   b. **Process:** The process consists of the following steps:

   1. Employee obtains appropriate forms from Human Resources. This form must be fully completed and sent back to Human Resources Dean by February 1st.

   2. The Human Resources Dean, or designee, will forward the application to the employee’s immediate supervisor who will be asked to review and comment on the request.

   3. The Human Resources Dean, or designee, will convene a Reclassification Committee to consider all fully completed, timely submitted requests. The Reclassification Committee will meet in the Spring of each school year and will convene as many times as necessary for full consideration of applications. The process shall be completed by June 30th of each year.

   4. The date on which the reclassification takes effect, for purposes of salary and seniority in classification, shall be the date on which the reclassification duties commenced, but no earlier that July 1 of the fiscal year in which the reclassification occurs.

   5. The Reclassification Committee shall notify any employee whose reclassification request is refused. The employee may request a meeting with a District representative and a CSEA representative regarding the decision.

   6. The Reclassification Committee shall make its recommendations each year to the negotiations committee to negotiate funding and implementation issues.
ARTICLE 14
CLASSIFICATION, RECLASSIFICATION, AND ABOLITION OF POSITIONS

1. **Placement in Class**

Every bargaining unit position shall be placed in a classification. On a five (5) year cycle, the District and CSEA agree to contract a mutually agreeable third party to conduct a unit-wide “equity study” including salary placement, internal and external alignment and comparability analysis and job description review. The first “equity study” will commence in the school year 2003-2004. The study results and the implementation issues will be negotiated in the subsequent year contract negotiation.
Good evening.

First, I want to take this opportunity to thank the Board for the resolution you presented last month recognizing classified staff in honor of Classified School Employees Week. I’m sorry I was not here to acknowledge the resolution, but do want to thank you on behalf of the staff. I promise next year we'll be here!

The classified staff celebrated Classified School Employees week by holding a Classified Staff Appreciation Picnic last week co-sponsored by CSEA, SEIU and the Senate in our continuing effort to work collaboratively. This event provided an opportunity for team-building among the staff from both campuses and leadership recognition. We introduced and welcomed new staff, acknowledged those who have reached 20 years of employment with the College, and wished our retirees well. We also recognized several individuals who have completed academic degrees or received various honors and awards for leadership and professional accomplishments. A good time was had by all.

On May 24, the Classified Senate presented its first Outstanding Achievement Award at the annual Faculty and Staff Luncheon. This award is intended to recognize a department or group that provides outstanding leadership in supporting teaching and learning or institutional effectiveness. We were very pleased that our first honorees were the 13 Lab Techs who serve both students and faculty in the following instructional programs: Music, Physics, Biology, Business Information Systems, Film & Communication, Chemistry, Fine Arts, Microbiology, Auto Technology, Dental Assisting and Nursing. Their support and commitment to students truly creates a learner-centered environment that puts students first.

Finally, in keeping with the Health & Wellness theme the Classified Senate has promoted this year through a series of workshops, we’re launching a summer fitness program, called “Boogie to Baja” as a community building project. Staff will be signing up for teams and logging the 600 "virtual" miles it takes to get from Marin to Baja, Mexico by walking with at least one co-worker during breaks & doing other activities. We’ll track the teams as they walk, exercise, maybe shed a few pounds and otherwise boogie their way down the coast to Baja and celebrate the team that arrives in Mexico first with a night out at a local Mexican Restaurant in the fall.

As you probably know, companies and organizations that support health and wellness activities have less absenteeism and healthier employees --- something we wish to promote.

If all goes well, we'd like to launch this kind of activity as a college-wide project to build community among faculty, staff and students next year.

Thank you very much.
Opening Comments

Good evening President Treanor and Governing Board Members. My name is Jack Buckhorn and I am the Secretary-Treasurer of the Building and Construction Trades Council representing hundreds of Marin County construction workers. I would like to thank you for allowing public comment tonight on Project Stabilization Agreements.

The goal of any public sector construction project is to get a quality product with the most efficient use of taxpayer money. That is exactly what the PSA is designed to do: GET THE PROJECT DONE ON TIME AND ON BUDGET.

A PSA is a negotiated agreement used primarily for complex construction projects involving the coordination of multiple contractors and tight time schedules. They provide for a high degree of coordination among the trades through the use of “mark-up” meetings where potential problems are identified and solved prior and concurrent with the construction project.

These agreements are intended to eliminate potential delays, to provide a steady supply of skilled labor, and to ensure that all contractors are maintaining decent working conditions. In other words, it is a pre-hire agreement designed to reduce risks to the owner by providing a blueprint for handling labor relations and construction management for specific construction projects.

Components in a PSA

No two PSA’s are identical, however all have common components. I’ll just touch on a few of them.

Owners’ rights

The rights the district has today are the same rights the district would have should the board decide to adopt a PSA. The PSA is a working document that can be tailored to meet the needs of the customer.
Scope of work
You have the ability to define the number of projects included in the PSA. The COM staff report recommends the two largest projects be covered. You may want to consider adding other projects to fully support and link the COM’s Careers in Construction course with construction jobs through state certified apprenticeship programs.

Wouldn’t it be great if those COM students after graduating this summer and enrolling in apprenticeship programs found themselves working on the COM Projects?

All contractors to sign the PSA
This is an important component because a PSA supersedes all Collective Bargaining Agreements. PSA’s enable cooperation in a complex work environment by providing uniform work rules and conditions while also providing a means to resolve grievances through agreed upon mechanisms of dispute resolution. It binds Union and Non-union contractors to abide by the terms & conditions set forth in the Project Stabilization Agreement.

Benefits to the District
A PSA combined with the pre-qualification of contractors has proven to be a BEST PRACTICE construction risk management tool that 7 out of 10 Bay Area Community College districts have used for avoiding unnecessary construction delays and cost overruns.

Safety and cost savings go hand in hand as benefits to the district. Many studies have PROVEN that Contractors employing skilled, productive workers have far fewer injuries & lost time accidents resulting in lower workman’s comp & liability insurance premiums. Those savings can be passed on directly to the district in the form of a lower competitive bid.
The effectiveness of a PSA as a construction risk management tool is clear but it can be much more because the PSA can be tailored specifically to meet the goals of the COM such as:

- Projects completed on time and on budget
- Green design and building standards
- Hiring local workers and business enterprises
- Promoting small business with women or minority ownership
- Providing for increased recruitment and training aimed at workforce development
- Supporting the COM Careers in Construction class

In Conclusion
Please remember, a PSA is a construction risk management tool being used to protect the district and the taxpayers' investment when it comes to constructing new and modernized facilities. They also encourage higher quality contractors & subcontractors to bid the District's projects, use local skilled workers, ensures apprenticeship training with State approved programs with a well documented record of graduating apprentices, prevents work stoppages, keeps the money in the local economy, and increases worksite safety.

On Time.....On Budget.....and additional benefits the community values; Project Stabilization Agreements deliver the results.

I respectfully request that the Governing Board adopt the COM staff report and approve a PSA for their Measure C construction projects.
This has been an unprecedented issue at College of Marin that has generated not only an IJ article, but dozens of e-mails, a dozen snail-mailed packets (correspondence, articles, studies, samples PLAs, etc.), a very large 3-ring binder full of articles and studies, two mailers to tens of thousands of Marin households, and our two major political parties pitted against each other. In summary, I’m dismayed that clearly inaccurate and misleading charges of anti-competitiveness, increased costs, and bait-and-switch by the ABC has resulted in so much unjustified furor and worry in the public, and I strongly support the Swinerton study and support the use of PLAs for as many of our projects as is feasible.

I don’t think “shameful” is too strong a word to use for the ABC tactics of what I consider to be throwing up a bunch of mud and seeing if any of it sticks. They seem to subscribe to the philosophy that if you repeat something often enough, not matter how blatantly untrue, that some people will come to believe it, so they keep saying PLAs exclude non-union members, increase project costs, and that we somehow hid our intent from the public when we went on the ballot, when in fact I doubt most of us had even heard of PLAs at that time.

Just as we use one standardized long-form contract for all our architects, it makes equal sense to have one set of rules to operate all our projects under, or at least all of our projects costing more than a certain amount, to ensure that needed labor will be available, that the labor will be well-trained, operate safely, provide jobs for local people and for underserved populations. A PLA is indeed just a risk management tool, and ABC knows that prevailing wage statutes require wages to be the same for union and non-union workers, that non-union workers can’t be forced to join the union, and that non-union contractors can bid and non-union workers can apply equally.

One can only wonder at the blatantly anti-union political agenda of ABC – are they that afraid of allowing building trade unions to negotiate a PLA with us – as they have done successfully in the vast majority of other community colleges after bond measures? Do they fear having their contractors and workers working alongside well-trained union workers and fear operating under a system which will make it harder for anyone – union or non-union – to cut corners?

If any of these charges were true, how is it possible that elected officials would use a PLA, then go out for a second bond, and use an expanded PLA for the second bond, without getting booted out of office? The answer is that PLAs work, and as even a cursory glance at the studies show (and we’ve spent many hours), PLAs make it more likely that a project will come in on time, within budget, with high quality work, under safe working conditions, without undue disruption, delays, or labor strife.

Shame on ABC, and I apologize to the misled people who understandably believed their untrue charges, and thank you to the union officials for setting the record straight.
**COM goes waterless**

This summer workers at the College of Marin (COM) will begin the process of replacing and installing waterless urinals campus-wide in an effort to conserve resources. By replacing 40 urinals the district will conserve more than 2,500,000 gallons of water a year while saving over $17,000 a year on maintenance, water and sewer costs. Also, the Marin Municipal Water District (MMWD) is providing an incentive to cut down on water usage by giving a $400 rebate for each urinal replaced. That means the district will only spend $6,000 of its operation and maintenance funds to install all the fixtures. Installation of the waterless urinals will get underway Monday, June 11, at the Science Center on the Kentfield campus. COM is at the forefront in using this new technology to conserve water. Other school districts are expected to follow suit as they learn about the cost savings and how to use new, greener technology.

**Grand Opening Set for World-Class Water Conservation Center at the College of Marin**

College of Marin, Marin County water districts, community leaders, and industry professionals are joining forces to bring state-of-the-art water technology practices to county residents. The grand opening of the Water Management and Technology Education Center (WaMTEC) gets underway Thursday, July 19, 11:30 a.m. to 1:00 p.m. on the lawn between the Pomo and Miwok buildings at the Indian Valley Campus. WaMTEC is a public and private partnership comprised of the following founders: College of Marin, North Marin Water District, Marin Municipal Water District, County of Marin Board of Supervisors, Joint Venture Marin, and California Landscape Contractors Association.

**COM Exhibits at County Fair**

COM will have two exhibits at the County Fair, June 30 through July 4.

**Free summer concerts at COM**

Saturday, June 30, 6 pm—Free summer band concert on lawn at Kentfield

Saturday, July 21, 6 pm—Free summer band concert on lawn at Kentfield
BOARD AGENDA ITEM

To:     Board of Trustees
From:   Superintendent/President
Date:   June 26, 2007
Item & File No. B.11.B

Subject:   Classified Personnel Recommendations

Reason for Board Consideration:   Enclosure(s):

APPROVAL   Recommendations

BACKGROUND:

The following actions are included in the Classified Personnel Recommendations:

A. Appointment of Hourly Personnel
B. Temporary Increase/Decrease 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.

S. Lumsdaine, V. Riley, S Oser, R. Plum and P. Staton are on the 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 HOURLY PERSONNEL

<table>
<thead>
<tr>
<th>Name</th>
<th>Division/Department</th>
<th>Start Date</th>
<th>Expiration Date</th>
<th>Hourly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Oser, Sara</td>
<td>Intensive ESL Program</td>
<td>07/01/2007</td>
<td>06/30/2008</td>
<td>$25.74</td>
</tr>
<tr>
<td>2. Plum, Rebecca</td>
<td>Workforce Development/Community Partnerships</td>
<td>07/01/2007</td>
<td>12/30/2007</td>
<td>$30.00</td>
</tr>
<tr>
<td>3. Patricia Staton</td>
<td>Independent Living Program</td>
<td>07/01/2007</td>
<td>12/30/2007</td>
<td>$40.00</td>
</tr>
<tr>
<td>4. Patricia Staton</td>
<td>Workforce Development/Community Partnerships</td>
<td>07/01/2007</td>
<td>12/30/2007</td>
<td>$40.00</td>
</tr>
</tbody>
</table>

#### BACKGROUND INFORMATION

1. Ms. Oser will serve as a Professional Expert and assist in the organizational and planning for the fee-based Non-Credit Intensive ESL Program for Fall 2007 semester.

2. Ms. Plum will serve as a Professional Expert and assist the Foster and Kinship Care Education Program which is categorically funded effective July 1, 2007 through December 30, 2007.

3 & 4. Ms. Staton will serve as a Professional Expert/Program Director to the Independent Living Program and the Foster and Kinship Care Education Program which are categorically funded effective July 1, 2007 through December 30, 2007.
B TEMPORARY INCREASE/DECREASE IN ASSIGNMENT/SALARY FOR CLASSIFIED
PERSONNEL.

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Position</th>
<th>FTE</th>
<th>MPY</th>
<th>Appt. Type</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Lumsdaine, Silver</td>
<td>Lab Technician – Health Sciences</td>
<td>From -.40 To -.4933</td>
<td>10</td>
<td>Perm. Temp.</td>
<td>08/14/2007 – 01/02/2008</td>
</tr>
<tr>
<td>2.</td>
<td>Riley, Vonda</td>
<td>Bookstore Clerk Add Office Technician</td>
<td>.53 Add .40</td>
<td>12</td>
<td>Perm. Temp.</td>
<td>08/01/2007 – 01/02/2008</td>
</tr>
</tbody>
</table>

BACKGROUND INFORMATION:

1. Temporary increase in assignment to assist the Health Sciences Department during the Fall 2007 semester.

2. Ms. Riley has accepted an additional increase in assignment to assist the Health Sciences Department during the Fall 2007 semester.
BOARD AGENDA ITEM

To: Board of Trustees                  Date: June 26, 2007
From: Superintendent/President       Item & File No. B.11.C
Subject: Academic Personnel Recommendations
Reason for Board Consideration: APPROVAL
Enclosure(s): Recommendations

BACKGROUND:

The following actions are included in the Academic Personnel Recommendations:

A. Appointment and/or Change of Academic Personnel

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

RECOMMENDATION:

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

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

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Title/Discipline</th>
<th>FTE</th>
<th>Appt. Type</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Bykle, Tron</td>
<td>Instructor, Fine Visual Arts</td>
<td>1.0</td>
<td>Temporary</td>
<td>Fall 2007</td>
</tr>
<tr>
<td>2.</td>
<td>Waldman, Les</td>
<td>Instructor, Biology</td>
<td>1.0</td>
<td>Temporary</td>
<td>Fall 2007</td>
</tr>
<tr>
<td>3.</td>
<td>Pieper-Warren, Mary</td>
<td>Instructor, Nursing</td>
<td>1.0</td>
<td>Temporary</td>
<td>Fall 2007</td>
</tr>
</tbody>
</table>

**BACKGROUND INFORMATION:**

1. Mr. Tron Bykle has been appointed to a 1.0 sabbatical leave replacement position in Fine/Visual Arts for fall 2007.

2. Mr. Les Waldman has been appointed to a 1.0 sabbatical leave replacement position Biology for fall 2007.

3. Ms. Mary Pieper-Warren has been appointed to a 1.0 sabbatical leave position in Nursing for fall 2007.
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA  94904

BOARD AGENDA ITEM

To: Board of Trustees          Date: June 26, 2007
From: Superintendent/President Item & File No. B.11.D
Subject: Short-Term Hourly Positions
Reason for Board Consideration: Enclosure(s):
APPROVAL 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.

Adapted P.E. Aide and In-Class aide in DSPS 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 POSITONS – June 26, 2007

<table>
<thead>
<tr>
<th>DEPT.</th>
<th>JOB TITLE</th>
<th>NUMBER OF POSITONS</th>
<th>START DATE</th>
<th>END DATE</th>
<th>HOURLY RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>DSPS</td>
<td><strong>Adapted P.E. Aide</strong> – Assist with physically disabled students in Adaptive P.E. classes on an as needed basis. This position is needed to address health and safety issues.</td>
<td>8</td>
<td>06/18/2007</td>
<td>12/31/2007</td>
<td>$9.75 – $10.75 hour DOE</td>
</tr>
<tr>
<td>DSPS</td>
<td><strong>In-Class Aide</strong> – Provide one on one instructional support for disabled students taking College of Marin classes. Hours and salary depend on needs of students and different levels of expertise.</td>
<td>8</td>
<td>06/18/2007</td>
<td>12/31/2007</td>
<td>$9.75 – $10.75 hour DOE</td>
</tr>
</tbody>
</table>

### 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.*
BOARD AGENDA ITEM

To: Board of Trustees

From: Superintendent/President

Date: June 26, 2007

Item & File No. B.11.E

Subject: Declaration of Surplus Property – Miscellaneous Equipment

Reason for Board Consideration: List of Equipment

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>Quan.</th>
<th>Campus Location</th>
<th>Detailed Description</th>
<th>Inventory #</th>
<th>Age</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>IVC Toddler Cent</td>
<td>Computer</td>
<td>14495</td>
<td>Unk.</td>
<td>Obsolete</td>
</tr>
<tr>
<td>1</td>
<td>IVC Toddler Cent</td>
<td>Monitor</td>
<td>14496</td>
<td>Unk.</td>
<td>Obsolete</td>
</tr>
<tr>
<td>1</td>
<td>IVC Toddler Cent</td>
<td>Keyboard</td>
<td>1006</td>
<td>Unk.</td>
<td>Obsolete</td>
</tr>
<tr>
<td>2</td>
<td>IVC Oh 147/148</td>
<td>Monitors</td>
<td>980101/22746</td>
<td>Unk.</td>
<td>Obsolete</td>
</tr>
<tr>
<td>1</td>
<td>IVC Oh 147/148</td>
<td>Computer</td>
<td>981006</td>
<td>Unk.</td>
<td>Obsolete</td>
</tr>
<tr>
<td>Misc</td>
<td>IVC Oh 147/148</td>
<td>2 keyboards, speakers, mouse</td>
<td></td>
<td>Unk.</td>
<td>Obsolete</td>
</tr>
<tr>
<td>10</td>
<td>KTD LC 136</td>
<td>Gateway Desktop Computers</td>
<td>See Attached</td>
<td>6+ yrs</td>
<td>Functions/Dated</td>
</tr>
<tr>
<td>2</td>
<td>KTD LC 136</td>
<td>Gateway Tower Computers</td>
<td>See Attached</td>
<td>6+ yrs</td>
<td>Functions/Dated</td>
</tr>
<tr>
<td>6</td>
<td>KTD LC 136</td>
<td>Snyaptics DSPS Computers</td>
<td>See Attached</td>
<td>6+ yrs</td>
<td>Functions/Dated</td>
</tr>
<tr>
<td>2</td>
<td>KTD LC 136</td>
<td>PC Plus Tower Computers</td>
<td>See Attached</td>
<td>6+ yrs</td>
<td>Functions/Dated</td>
</tr>
<tr>
<td>1</td>
<td>KTD LC 136</td>
<td>Acer Mini Tower Case</td>
<td>See Attached</td>
<td>6+ yrs</td>
<td>Functions/Dated</td>
</tr>
<tr>
<td>1</td>
<td>KTD LC 136</td>
<td>HP 722C Deskjet Printer</td>
<td>See Attached</td>
<td>6+ yrs</td>
<td>Functions/Dated</td>
</tr>
<tr>
<td>1</td>
<td>KTD LC136</td>
<td>HP930C Deskjet Printer</td>
<td>See Attached</td>
<td>6+ yrs</td>
<td>Functions/Dated</td>
</tr>
<tr>
<td>1</td>
<td>KTD LC136</td>
<td>HP Scanjet 5500C Scanner</td>
<td>See Attached</td>
<td>6+ yrs</td>
<td>Functions/Dated</td>
</tr>
<tr>
<td>20+</td>
<td>KTD LC136</td>
<td>Keyboards</td>
<td>See Attached</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20+</td>
<td>KTD LC136</td>
<td>Mice</td>
<td>See Attached</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>KTD BC 104</td>
<td>Gateway Monitors</td>
<td>See Attached</td>
<td>6-7 yrs</td>
<td>Functional</td>
</tr>
<tr>
<td>3</td>
<td>KTD BC 104</td>
<td>KDS Monitors</td>
<td>See Attached</td>
<td>6-7 yrs</td>
<td>Functional</td>
</tr>
</tbody>
</table>
Recommendation

Junk or Parts
?
?
?
Junk or Parts
Junk

Dispose of
Dispose of
Dispose of
Dispose of
Dispose of
Dispose of
Dispose of
Dispose of
Dispose of
Dispose of
EQUIPMENT TO BE DISPOSED:

10 Gateway E3000 Desktop Computers: P233MMX, 20GB Hard Drive
2 Gateway E3000 Tower Computers: P200MMX, 10GB Hard Drive
6 Synaptics DSPS Computers: PIII 500MHZ, 10 GB Hard Drive
2 PC Plus Tower Computers: PIII 866MHZ, 20GB Hard Drives
1 Acer Mini Tower Case
1 HP 722C Deskjet Printer
1 HP 930C Deskjet Printer
1 HP Scanjet 5500C Scanner
20+ Keyboards
20+ Mice

Gateway EV700 Model 107003-01
KDS Model US-7i 17"

Serial numbers
Gateway
HDE2K3033432
HDE2K3033437
HDE2K3033438
HDE2K3033439
HDE2K303440
HDE2K3033441
HDE2K3033442
HDE2K3033479
HDE2K3033480
HDE2K3033481
HDE2K3033492
HDE2K3033493
KTS
1745AAA3207080
1745AAA3272035
1745AAA3202047
To: Board of Trustees
Date: June 26, 2007

From: Superintendent/President
Item & File No. B.12.A

Subject: Barnes & Noble Bookstore Agreement Renewal

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

BACKGROUND:

Barnes and Noble has operated the College Bookstore for the past twenty-one years. Attached is a renewal agreement with Barnes and Noble for an additional two-year period from July 1, 2007 through June 30, 2009.

The renewal resulted in renegotiating the commission rate for the College because of the absence of profit by Barnes & Noble in operating the Bookstore for the past four years. The lower profit margin is a direct result of the cost of paying bookstore staff salaries and benefits, and all Bookstore staff members are college employees. The college salaries and benefits structure, as a percent of bookstore sales, are significantly higher than what Barnes & Noble pays their employees.

The new commission rates are as follows:

On an annualized basis, Barnes & Noble will pay College of Marin the following applicable percentage of gross sales at the Bookstore:

2% of all sales up to $1,700,000.00
3% of all sales up to $2,500,000.00
4% of all sales above $4,000,000.00

This agreement has been reviewed by School & College Legal Services.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the attached agreement with Barnes and Noble for Bookstore Services for the period July 1, 2007 through June 30, 2009.

Administrator Initiating Item
Albert J. Harrison II, Vice President, College Operations
Agreement for Bookstore Services
between
College of Marin
and
Barnes & Noble College Booksellers, Inc.

1. Engagement of Barnes & Noble:

College of Marin hereby engages Barnes & Noble College Booksellers, Inc. ("Barnes & Noble") to operate and provide services for the bookstore of College of Marin (the "Bookstore") on the terms and subject to the conditions set forth herein, and Barnes & Noble hereby accepts such engagement.

2. Term, Amendment and Notices:

This agreement shall govern the relationship between College of Marin and Barnes & Noble with regard to the Bookstore for the period July 1, 2007 through June 30, 2009.

No change, modification or amendment of this agreement shall be valid unless the same shall be in writing and signed by both parties hereto. All notifications shall be sent to the following individual by certified mail: Yulian Lizio, Director Fiscal Services for College of Marin located at 1800 Ignacio Blvd, Novato, CA 94949 and Kimberly Otte for Barnes & Noble College Booksellers, Inc. located at 120 Mountain View Blvd, Basking Ridge, NJ 07920.

3. College of Marin Shall Provide to Barnes & Noble at College of Marin's Expense:

a) Heat, light, utilities, and air conditioning as is reasonably required for operation of the Bookstore.

b) Office equipment (including computer equipment, cash registers and safes), furniture and fixtures, file cabinets, telephone equipment and wiring and telephone service (including campus telephones and campus telephone service), and office machines currently available for Bookstore use.

c) All repairs and maintenance for the building and the physical structure in which the Bookstore is located.

d) Trash removal and extermination services for the Bookstore.

e) All debit or credit card or other financial services made available by College of Marin to its students.

4. Environmental Matters:

To the best of its knowledge, College of Marin is not aware of any health or environmental problems which currently exist or are likely to develop in the building or physical facility which houses the Bookstore. College of Marin shall be responsible for remediating promptly any health or environmental problem at the Bookstore, other than those caused by Barnes & Noble, and notifying Barnes & Noble accordingly.
5. **Barnes & Noble Shall Provide to College of Marin at Barnes & Noble's Expense:**

   All operating expenses of the Bookstore other than those described in Section 3 above, including those related to:

   a) Bill paying and accounting, including sales tax collection, reporting and payment for merchandise sold, except any property or municipal taxes on the bookstore.

   b) Office equipment maintenance and repair.

   c) General custodial services.

   d) Loss prevention services.

   e) Long distance telephone services, through a vendor selected by Barnes & Noble.

6. **Insurance:**

   Barnes & Noble shall procure at its own expense, and maintain during the existence of this agreement, the following policies of insurance in connection with the operation of the Bookstore:

   a) Worker’s Compensation and Employer’s Liability Insurance and such other insurance as may be required under applicable state statutes.

   b) Comprehensive General Liability Insurance subject to $3,000,000 limits.

   c) Property Damage Liability Insurance in the amount of $1,000,000.

   d) Motor Vehicle Liability Insurance with limits of $100,000 per person, $300,000 per occurrence, and $50,000 property damage.

   At the request of College of Marin, Barnes & Noble shall obtain and deliver certificates evidencing such insurance from its insurers. Barnes & Noble shall indemnify, defend with counsel acceptable to the College of Marin, and hold harmless to the full extent permitted by law, College of Marin, its governing board, officers, agents, employees, and volunteers from and against any and all liability, demands, loss, damage, claims, settlements, expenses, and costs (including, without limitation, attorney fees, expert witness fees, and costs and fees of litigation) (collectively, "Liability") of every nature arising out of or in connection with Barnes & Noble’s operation of the Bookstore facilities specified herein and sales of products or performance of any service under this contract, except such Liability caused by the active negligence, sole negligence, or willful misconduct of College of Marin, for which College of Marin shall hold Barnes & Noble harmless. This indemnification obligation is not limited by any limitation on the amount or type of damages or compensation payable under workers' compensation acts, disability benefit acts, other employee benefit acts, or by insurance coverage limits, and shall survive the expiration or early termination of this Agreement.

   Barnes & Noble’s insurance policies for the Bookstore shall name College of Marin as an additional insured and loss payee, but only with respect to liability arising out of operations performed for such insured by or on behalf of the name insured, and shall contain covenants requiring thirty (30) days written notice to College of Marin before cancellation of such coverage. These policies shall be primary and noncontributing with any insurance carried by College of Marin.
7. **Compliance with all Laws:**

Barnes & Noble shall comply with all laws, ordinances, rules, orders, and regulations of federal, state and municipal governments, and of any and all of their departments, divisions, bureaus, and subdivisions, applicable to the operation of the Bookstore.

8. **Management and Staff:**

All persons employed in the Bookstore shall be employees of the District. Barnes & Noble shall reimburse District for the salary and benefits of District’s permanent employees assigned to the Bookstore. Barnes & Noble shall reimburse the District for the salaries and benefits of hourly employees assigned to the Bookstore. College of Marin is to provide the bookstore manager a reserved parking space in Lot 5.

9. **Calendar of Operating Hours:**

Barnes & Noble shall maintain a schedule of operating hours and weeks of business for the Bookstore in accordance with the official **College of Marin** calendar and in mutual agreement with **College of Marin** in meeting the needs of the students, faculty and staff. Bookstore hours will be extended during each registration period, during the first two weeks of the fall and spring semesters, and the first week of each summer session.

10. **Book Orders and Deadlines:**

Barnes & Noble shall fill orders for books and required supply items from term to term in accordance with textbook and supply adoptions by the faculty. The Bookstore manager shall be given notice by the faculty or authorized department designees of the textbook and supply adoptions for all courses offered as follows:

a) On or before October 1 for the spring semester.

b) On or before March 1 for the summer sessions.

c) On or before April 1 for the fall semester.

Barnes & Noble shall be responsible, at its cost and expense, for contacting in a timely manner all faculty members for their textbook and supply adoptions. **College of Marin** shall not be responsible for compiling, nor shall it maintain, a list of such adoptions.

11. **Booklist:**

In the course of providing the services contracted for in this contract, Barnes & Noble collects certain information from the faculty on its Course Book Information forms. Barnes & Noble also creates a computer database containing, among other things, course book information. These forms and the database are Barnes & Noble’s proprietary information, created at substantial cost and expense to Barnes & Noble and used in connection with its business, the retail sale of textbooks.

Should **College of Marin** require any information that may be contained within the forms or the database either for its educational purposes, or in order to comply with any public records request where no exemption is available (such as an exemption for commercial information), **College of Marin** understands that it will be responsible for collecting that information from the faculty.
Subject to the “exclusive campus bookseller provision” set forth above, nothing set forth in this paragraph shall be construed to limit in any manner the right of any other off-campus vendor to use its own course book information form to obtain this information from the faculty.

12. Services Expected:

Barnes & Noble shall operate the Bookstore as an independent contractor and with its own credit and preferred vendors, with the facility and equipment agreed upon. Services of the Bookstore shall include the following:

a) The Bookstore shall be College of Marin’s exclusive buyer and seller of all required, recommended or suggested course materials and tools, including books, course packs, computer software, and materials published or distributed electronically, or sold over the Internet. As used in this Agreement, “Internet” includes the World Wide Web and any proprietary on-line service (e.g., America On Line). Barnes & Noble will provide exclusive on-line services through our web site and have first right of refusal to fulfill any distance learning material needs during the term of this agreement.

b) The Bookstore shall be designated the exclusive agent to accept all debit card and financial aid transactions for Bookstore merchandise typically sold in college bookstores. Payments for charge sales will be guaranteed by College of Marin and are payable within 30 days. Any unpaid balances days will be subject to 1% interest per month.

c) The Bookstore shall also be College of Marin’s exclusive “on-campus” and Internet seller of other items typically sold in college bookstores, such as books in addition to those described in (a) above, educational supplies, notebooks, stationery, desk and room accessories, gift items, class and alumni rings and jewelry, and clothing, including any and all such items bearing a College of Marin emblem, logo, insignia or other identifying mark. “On campus shall mean the campus grounds and any area within a 10-block radius of the campus grounds.

d) College of Marin shall not contract with any third party to provide any services of the type outlined in this agreement on campus grounds or any area within a ten block radius of the campus grounds.

e) The Bookstore shall be the exclusive agent for the rental and/or sale of graduation caps and gowns and commencement invitations.

f) The Bookstore shall have exclusive rights to manage all service programs customarily handled by college bookstores such as magazine subscription, telecommunication and credit card application programs. Revenue generated from all such programs shall be commissionable.

g) The Bookstore shall also have a non-exclusive right to sell convenience store items such as food, health and beauty items, and other sundries.

h) College of Marin Duplicating Department will provide exclusive custom publishing services for the College of Marin Bookstore. Such services will include the development of course packs for faculty members, securing the appropriate copyright clearances, printing and binding of course packs and distribution and sale of the course packs in the Bookstore. Complimentary desk copies of course packs will be provided to faculty members.

i) Barnes & Noble shall provide special book order services for students, faculty, and staff and make every effort to obtain the earliest possible delivery of such books.
j) Barnes & Noble shall provide charge sales for supplies for College of Marin departments and offices. Payments for such charge sales shall be guaranteed by College of Marin and payable within 30 days. Any unpaid balances will be subject to 1% interest per month.

k) Barnes & Noble will allow full-time faculty and staff of College of Marin a 10% discount on all merchandise available at the Bookstore except adopted textbooks, special orders, sale books, class and alumni rings, computer software, periodicals, discounted merchandise, computer hardware, stamps, health and beauty aids, food snacks, and beverages. Barnes & Noble will offer a minimum 30% discount on all District purchases of office supplies.

l) If College of Marin accepts advertising for any of its materials or publications that it distributes or makes available to its students, including without limitation any course offering list, or if College of Marin permits tabling or other third-party promotional activities at any event sponsored by College of Marin or located on the College of Marin campus, College of Marin agrees that:

(a) it shall give the Bookstore reasonable advance notice of the deadline for placing such advertising or participating in such tabling or other promotional activities;

(b) the Bookstore shall have the right to place its desired advertising in such materials and to participate in such tabling or other promotional activities; and

(c) College of Marin shall not accept advertising in such material from, or permit tabling or other promotional activities at any of such events by any seller of college textbooks and/or course supplies other than the Bookstore.

13. Used Book Purchase and Resale:

Barnes and Noble shall buy books from College of Marin faculty, staff and students at the following prices:

a) When the Bookstore has been notified that the book will be used at College of Marin the following semester: 50% of the selling price (provided the book is a good used copy) until the Bookstore has filled its quota.

b) In the absence of such notification, or if the book will not be used for the following semester, or is to be replaced shortly by a revised edition according to an announcement of the publisher, the book will be purchased at the wholesale price.

c) Used books in good condition will be sold by Barnes & Noble at 25% less than the new selling price.

14. Refunds and Exchanges:

The Bookstore will issue refunds in the original form of payment for textbooks purchased at the Bookstore if returned in the original condition, with a valid receipt and within the first (one) week of classes. Within 30 days of the first day of classes, textbooks will be refunded with a valid receipt and a signed add/drop slip.
15. Policy Posting:

Barnes & Noble shall post conspicuously and without equivocation Bookstore policies concerning refunds, buybacks, and exchanges.

16. Repurchase of Inventory:

College of Marin shall repurchase, or require a successor contractor to purchase, Barnes & Noble’s inventory at cost in the event of cancellation of this agreement, in the same manner as purchased by Barnes & Noble.

In the event College of Marin changes any name or logo used on its insignia merchandise, College of Marin agrees to purchase from Bookstore at Bookstore’s cost and upon its request, all insignia merchandise with the prior name or logo.

17. Sales Markup Basis:

Barnes & Noble represents that the sale markup basis at the Bookstore will be as follows:

a) New textbooks will be sold at no greater than (i) the publisher’s list price or (ii) a 27% gross margin on net priced books, inclusive of restocking fees, return penalties and freight surcharges. Net priced books are defined as books purchased from publishers that do not have a publisher’s suggested list price or when the publisher’s discount to the bookstore is less than 20%.

b) Used textbooks will be sold at 25% less than the new selling price.

c) Course packs and textbooks purchased from publishers with restrictive or non-returnable text policies will be priced at up to a 30% gross margin.

d) School supplies will be priced at or below manufacturers’ suggested retail prices.

Barnes & Noble shall, upon request, provide proof of conformity to pricing policies as specified herein.

18. Financial Consideration - Percentage of Sales:

On an annualized basis, Barnes & Noble will pay College of Marin the following applicable percentage of gross sales at the Bookstore:

2% of all sales up to $1,700,000.00
3% of all sales up to $2,500,000
4% of all sales above $4,000,000.00

(Gross sales shall be defined as all collected sales at the Bookstore less voids, refunds, sales tax, discounted departmental sales, discounted faculty/staff sales, pass-through income, or other merchandise mutually designated as non-commissionable, etc.)

If annual gross sales of the Bookstore shall materially decline as a result of declining enrollment (i.e. decrease 5% or more), online textbook sales, or other reasons outside of the control of Barnes & Noble, College of Marin agrees to negotiate in good faith with Barnes & Noble an appropriate reduction in the payments set forth above.
19. Payment Schedule:

Applicable commission payments as set forth above hereof shall be made quarterly by Barnes & Noble to College of Marin and shall be paid within thirty (30) days after the close of the quarter in which they were earned. The final payment for any year shall be made within thirty (30) days after the end of the applicable contract year, and will include any adjustments required by the percentage of gross sales formula set forth above.

Each payment shall be accompanied by a detailed statement of its computation and Barnes & Noble shall furnish supporting documentation to College of Marin upon request.

20. Access to Accounting Records and Cash Registers:

College of Marin shall have full access at all times to the Bookstore accounting records, including all cash registers at the Bookstore being used by Barnes & Noble, with or without notice. Cash register control totals will be used to verify the cash sales reported. In addition, all registers shall have:

a) Cumulative, non-resettable counters of either the total reset-clearings or the total cumulative activity.

b) Receipt and detail tape provisions.

c) Display window for customer viewing.

21. Benefit and Binding Effect:

This agreement shall be binding upon and shall inure to the benefit of College of Marin and Barnes & Noble and their successors and assigns.

22. Headings; Interpretation:

The headings used in this agreement are for convenience only and do not constitute substantive matter to be considered in construing its terms. The use in this agreement of the terms “include”, “includes”, “including”, and “such as” shall be deemed in all cases to be followed by the words “without limitation”.

When used in this agreement College of Marin includes all segments of the institution including all alumni, athletic and academic departments.

23. Associated Student Body Card.

Barnes and Noble representatives, representatives form the College of Marin Associated Student Organizations, and the Director of Student Activities will meet to discuss Bookstore items (less textbooks and convenience items) to be discounted for any purchase with a valid, current College of Marin Associated Students Student Body Card. A written list of agreed upon items and the discount percentage will be prepared. This list will be reviewed at the start of each academic year and may be reviewed more frequently with the agreement of Barnes and Noble and Associated Students representatives.
24. Severability:

The presence in the text of this agreement of any clause, sentence, provision, paragraph or article held to be invalid, illegal or ineffective by a court of competent jurisdiction shall not impair, invalidate or nullify the remainder of this agreement. The effect of any such holding shall be confined to the portion so held invalid.

25. Choice of Law and Venue:

This Agreement is entered into, and shall be construed and interpreted in accordance with the laws of the State of California and venue shall be in the County of Marin, California, and no other place

IN WITNESS WHEREOF, the parties hereto have set their hands as at the day and year written below.

College of Marin

By: 
Name: 
Title: 
Date: 

Barnes & Noble College Booksellers, Inc.

By: 
Name: 
Title: 
Date: 

Modified by College 6/19/07
BN: ver. MSW. 05/19/03
**BACKGROUND**

The enclosed Tentative Budget is the first formal step of the District’s budgeting process for 2007/08. The State of California requires that the District’s Board of Trustees adopt a budget no later than July 1 of each year, the start of the new fiscal year. The Tentative Budget provides an interim financial plan, within which the District operates until the Board approves a final budget typically approved late in August of each year.

The Tentative Budget is based on estimates in two crucial areas. First, the previous fiscal year’s business has not ended, so we are projecting information for the 2007/08 Tentative Budget based on an estimate of financial results for 2006/07. Second, the Tentative Budget forecasts revenues and expenses for 2007/08. The District’s primary revenue source is property tax, but this revenue is an estimate until the secured roll is assembled, sometime in July. The secondary revenue source is the State, and until the legislators approve and the governor signs a State budget, major reductions in funding may yet occur. Expense forecasting is easier, because the bulk of the District’s expenses are program-based and salary-driven.

Staff will make a summary presentation and answer questions.

**RECOMMENDATION**

The Superintendent/President recommends that the Board of Trustees approve the attached 2007/08 Tentative budget.
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Approve Resolutions Granting Authorization to Sign on Behalf of Governing Board

Reason for Board Consideration:

APPROVAL

BACKGROUND:

The Marin County Office of Education (MCOE) annually requires that the College Board of Trustees renew resolutions granting signature authorization on behalf of the governing board for orders or documents that MCOE monitors for the College of Marin. Resolutions for staff that process or may process Cash Receipt/Disbursement Authorizations with the Marin County Office of Education are attached for Board approval and signature.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees adopt the attached resolutions numbered 6/26/07 B.12.C.1, 2, 3, and 4.

Administrator Initiating Item
Albert J. Harrison II, Vice President, College Operations
RESOLUTION 6/26/07 B.12.C.1 of the Governing Board of the Marin Community College District County of Marin, State of California

AUTHORIZATION TO SIGN ON BEHALF OF THE GOVERNING BOARD

Kentfield, California June 26, 2007

Pursuant to the provisions of Education Code Section 42630 to 42633 (School Districts) and 85230 to 85233 (Community College Districts) and other legal provisions, the members of the governing board of the above-named school/college district hereby authorize the officer or employee whose name and signature appear below to sign orders and other documents on behalf of the governing board of said school/college district during the period 7/1/07 - 6/30/08 (not to exceed one fiscal year), subject to further board action limiting or extending this authority and notification to the County Superintendent and the County Auditor of such action.

Frances L. White
Name (Typed)
Superintendent/President
Title
Signature

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Other (Please Specify) _____________________________________________

Signed by a majority of trustees (Original signatures required on all copies):

__________ ___________________________ ___________________________

Distribution:
1 Copy - School District
1 Copy - Marin County Superintendent of Schools
5/25/07
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RESOLUTION 6/26/07 B. 12.C.2
of the Governing Board of the

Marin Community College District
County of Marin, State of California

AUTHORIZATION TO SIGN ON BEHALF OF THE GOVERNING BOARD

Kentfield, California June 26, 2007

Pursuant to the provisions of Education Code Section 42630 to 42633 (School Districts) and 85230 to 85233 (Community College Districts) and other legal provisions, the members of the governing board of the above-named school/college district hereby authorize the officer or employee whose name and signature appear below to sign orders and other documents on behalf of the governing board of said school/college district during the period 7/1/07 - 6/30/08 (not to exceed one fiscal year), subject to further board action limiting or extending this authority and notification to the County Superintendent and the County Auditor of such action.

Albert J. Harrison II
Name (Typed)
Vice President, College Operations
Title
Signature

Cash Receipt / Disbursement Authorization
Endorsement Checks
Journal Vouchers Requests
Loan Request—Tax Anticipation Note (TAN)
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Request for Hand Warrant
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Attendance Certifications
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State and Federal Reporting
Applications for K-3 Class Size Reduction Operations
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Independent Auditor Selection Form
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Morgan-Hart Class Size Reduction Program Application (J10)
Reduction to Categorical Program Funding Basic Aid Districts
Report of Enrollment for K-3 Class Size Reduction Program (J7)
Salary and Benefit Schedule (J90)

Other (Please Specify)

Signed by a majority of trustees (Original signatures required on all copies):

Distribution:
1 Copy - School District
1 Copy - Marin County Superintendent of Schools
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RESOLUTION  6/26/06  B.12.C.3  
of the Governing Board of the  
Marin Community College District  
County of Marin, State of California  

AUTHORIZATION TO SIGN ON BEHALF OF THE GOVERNING BOARD  

Kentfield, California  
June 26, 2007  

Pursuant to the provisions of Education Code Section 42630 to 42633 (School Districts) and 85230 to 85233 (Community College Districts) and other legal provisions, the members of the governing board of the above-named school/college district hereby authorize the officer or employee whose name and signature appear below to sign orders and other documents on behalf of the governing board of said school/college district during the period 7/1/07 - 6/30/08 (not to exceed one fiscal year), subject to further board action limiting or extending this authority and notification to the County Superintendent and the County Auditor of such action. 

Margaret Inozaki  
IS AUTHORIZED TO SIGN THE FOLLOWING ON BEHALF OF THE BOARD:  

Name (Typed)  

Accountant:  

Signature:  

Please Indicate “Yes” or “No”  

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Signed by a majority of trustees (Original signatures required on all copies):  

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5/25/07  
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1
RESOLUTION 6/26/07 B.12.C.4
of the Governing Board of the
Marin Community College District
County of Marin, State of California

AUTHORIZATION TO SIGN ON BEHALF OF THE GOVERNING BOARD

Kentfield, California June 26, 2007

Pursuant to the provisions of Education Code Section 42630 to 42633 (School Districts) and 85230 to 85233 (Community College Districts) and other legal provisions, the members of the governing board of the above-named school/college district hereby authorize the officer or employee whose name and signature appear below to sign orders and other documents on behalf of the governing board of said school/college district during the period 7/1/07 - 6/30/08 (not to exceed one fiscal year), subject to further board action limiting or extending this authority and notification to the County Superintendent and the County Auditor of such action.

Yulian Ligioso
Name (Typed)
Director, Fiscal Services
Title
Signature

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<td>Request for Hand Warrant</td>
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<td>Vendor Payment Certification</td>
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<tr>
<th>Attendance Reporting</th>
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<tr>
<td>Attendance Certifications</td>
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<td>Request for Inter-district Attendance Permit</td>
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<tr>
<th>State and Federal Reporting</th>
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<tr>
<td>Applications for K-3 Class Size Reduction Operations</td>
<td>N/A</td>
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<td>Audit Findings-Certification of Corrective Action</td>
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<td>Certification of IDEA Funds, (Resource 3310)</td>
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<td>Deferred Maintenance Certification</td>
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<td>Independent Auditor Selection Form</td>
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<td>K-12 Revenue Limit Certifications</td>
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<td>Morgen-Hart Class Size Reduction Program Application (J10)</td>
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<td>Reduction to Categorical program Funding Basic Aid Districts</td>
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<tr>
<td>Report of Enrollment for K-3 Class Size Reduction Program (J7)</td>
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<td>Salary and Benefit Schedule (J60)</td>
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<th>Other (Please Specify)</th>
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Signed by a majority of trustees (Original signatures required on all copies):


Distribution:

1 Copy - School District
1 Copy - Marin County Superintendent of Schools
503597
G-I/RERG32FormsFORMA35 doc modified 5-20-07.doc
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA  94904

BOARD AGENDA ITEM

To: Board of Trustees                  Date:       June 26, 2007
From: Superintendent/President        Item & File No. B.12.D
Subject: Authorization 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
Reason for Board Consideration:

APPROVAL

BACKGROUND:

This is the local agreement for Child Development Services and authorization to designate the Dean of Enrollment Services, the Director of Student Affairs, and the Program Director as authorized to sign contract documents for the fiscal year 2007/2008.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the attached resolution.

Administrator Initiating Item    Dr. Frances L. White, Superintendent/President
RESOLUTION

6/26/07 B.12.D

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract documents for Fiscal Year 2007/08.

RESOLUTION

BE IT RESOLVED that the Governing Board of Marin Community College District

authorizes entering into local agreement number/s 21-6538-00-7 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elizabeth Root</td>
<td>Director of Childcare Program</td>
<td></td>
</tr>
<tr>
<td>Arnulfo Cedillo</td>
<td>Director of Student Services</td>
<td></td>
</tr>
<tr>
<td>Robert Balestreri</td>
<td>Int. Dean of Enrollment Services</td>
<td></td>
</tr>
</tbody>
</table>

PASSED AND ADOPTED THIS 26th day of June 2007/08, by the
Governing Board of Marin Community College District

of Marin County, California.

I, __________________________, Clerk of the Governing Board of

Marin Community College District of Marin County, California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a regular Board meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.

(Clerk's signature) __________________________ (Date) __________________________
BACKGROUND:

The Grand Jury Report was received on April 10, 2007. The Grand Jury requested responses on specific Findings and Recommendations contained in the report as follows:

From the Board of Trustees: Findings #9, 12, 14-17, and Recommendations 1, 3-6;
From the Administration: Findings 1-15, Recommendations 1-6

The Grand Jury also invited responses from the Academic Senate, Classified Senate, Associated Students, and Associated Students of Emeritus College.

The Administration’s response is attached for review.

The Board of Trustees will review and finalize its response to the requested findings and recommendations at the June 26, 2007 meeting. The Board must submit its response no later than July 9, 2007 to the Marin County Grand Jury and to the Presiding Judge of the Marin County Superior Court.

RECOMMENDATION:

The President of the Board of Trustees recommends that the Board of Trustees acknowledge receipt of the administrative response to the Grand Jury Report. The President of the Board of Trustees recommends that the Board approve its response and authorize the President to submit it to the proper authorities in a timely manner.

Recommendation submitted by Wanden P. Treanor, President of the Board of Trustees