BOARD OF TRUSTEES
REGULAR MEETING AGENDA

December 9, 2008
The Board shall act on posted items and shall not deliberate items that are not on the posted agenda.

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

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

Government Code §54957.5 states that public records which relate to any item on the open session agenda for a regular Board meeting should be made available for public inspection. These records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Board. The Board has designated the Office of the Superintendent/President at 835 College Avenue, Administrative Center 123, Kentfield for the purpose of making those public records available for inspection.

A. Board Study Session – 3:30 to 4:30 p.m., Deedy Staff Lounge, Kentfield Campus

1. Call to Order, Roll Call and Adoption of Agenda
2. Modernization Workshop
   a. MWDL – Final Design Review – Fine Arts Building
   b. ED2 International – Final Design Review – SMCP Incelements 2 & 3

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

1. Call to Order, Roll Call and Adoption of Agenda
   a) Request for Public Comment on Closed Session Agenda
2. Closed Session: To consider and/or take action upon any of the following items:

   a) With respect to every item of business to be discussed in closed session pursuant to
      Section 54957.6
      CONFERENCE WITH LABOR NEGOTIATOR
      Relative to the following organizations representing employees: United Professors of Marin

MCCD Board of Trustees Meeting Agenda
December 9, 2008
(AFT/UPM), California School Employees Association (CSEA), Service Employees International Union (SEIU), Unrepresented Employees (Confidential, Supervisors, Managers)

UPM Impasse
Agency Negotiator: Larry Frierson

(b) Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL-Potential & Existing Litigation
Six cases — Complaint filed by Ms. Mize-Kurzman under Education Code 87164
Mizae-Kurzman vs. MCCD (Marin Superior Court)
UPM/Fang, T., Christensen P. vs. MCCD Grievance
UPM/D. Rollinson vs. MCCD Grievance Arbitration
UPM/Christensen vs. MCCD Arbitration
UPM/D. Martin, G. Hrite, B. Wilson, R. Pugani vs. MCCD Grievance

(c) PUBLIC EMPLOYEE DISCIPLINE/DISCUSSION/DISMISSAL/RELEASE/SEPARATION

C. Board Organizational Meeting – 6:30 p.m., Deedy Staff Lounge, Kentfield

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

2. Readoption of Bylaws and Policies

   • It is recommended that the Board of Trustees, in accordance with Board Bylaws Section 1.5010, Organizational Meeting, adopt Bylaws, Policies and Procedures for its own operation and the operation of the District (thereby rescinding all Bylaws, Policies and Procedures not readopted) with recommended changes.

3. Meeting Schedule 2009

   It is recommended that the Board of Trustees adopt a schedule for 2009 meetings as shown, in accordance with Board Bylaws Section 1.5020, Regular Meetings.

   (All Regular Meetings begin at 6:30 p.m. unless otherwise noted.)

January 20    Regular Meeting - 6:30 p.m., Staff Lounge, Deedy Student Services, Kentfield
February 6    Board Retreat
             Location to be determined
February 17   Regular Meeting – 6:30 p.m., Ohlone 106, IVC
March 17      Regular Meeting – 6:30 p.m., Staff Lounge, Deedy Student Services, Kentfield
April 21      Regular Meeting – 6:30 p.m., Staff Lounge, Deedy Student Services, Kentfield
May 12  Regular Meeting – 6:30 p.m., Ohlone 106, IVC
June 9   Regular Meeting – 6:30 p.m., Staff Lounge, Deedy Student Services, Kentfield
June 23  Regular Meeting – 6:30 p.m., Ohlone 106, IVC
         Tentative Budget Adoption
July 21   Regular Meeting – 6:30 p.m., Ohlone 106, IVC
August 25 Regular Meeting – 6:30 p.m., Ohlone 106, IVC
         Final Budget Adoption
September 15  Regular Meeting – 6:30 p.m., Staff Lounge, Deedy Student Services, Kentfield
October 13  Regular Meeting – 6:30 p.m., Ohlone 106, IVC
November 17 Regular Meeting – 6:30 p.m., Staff Lounge, Deedy Student Services, Kentfield
December 8 Organizational and Regular Meetings – 6:30 p.m., Staff Lounge, Deedy Student Services, Kentfield

4. Election of Officers

It is recommended that the Board of Trustees elect a President, Vice President and Clerk of the Board for the year 2008, in accordance with Board Bylaws Section 1.3020, Manner of Election and Term of Office.

a. President of the Board
b. Vice President of the Board
c. Clerk of the Board

5. Appointment of Trustee Representatives

It is recommended that the following representatives be appointed by the Board President:

- Marin County School Boards Association and Trustee Representative to Elect Members of the County Committee on School District Organization
- Legislative Representative to California Community Colleges Trustees/California School Board Association (CCCT/CSBA) and liaison with the Community College League of California (CCLC)
- The Education Task Force/Marin Teachers Network
Board Representatives, Standing Committees & Discretionary Committees

College of Marin Foundation
President Evaluation Committee
President Compensation Committee
Board of Trustees Evaluation Committee
Alumni Association Liaison
Kentfield Advisory Committee
Corte Madera Creek Linison
Board Policy Committee
District Modernization Committee
IVC Advisory Committee
Fund Development Committee

6. Board Comments & Acknowledgments

7. Adjournment

REGULAR MEETING AGENDA
6:45 p.m. – Deedy Staff Lounge, Kentfield Campus

D. Reconvene to Regular Meeting

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

2. Approval of Minutes (4 minutes)
   • Minutes of November 11, 2008 Board Meeting
   • Minutes of November 26, 2008 Special Board Meeting
   • Report of Closed Session for December 9, 2008

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

4. Board Reports and/or Requests (15 minutes)
   a. Commendation Resolutions and Other Resolutions
      1. Resolution in Recognition of Anita Martinez’s Service as Vice President of Student Learning
   b. Legislative Report
   c. Committee Chair Reports
   d. Individual Reports and/or Requests
   e. WASC Report Status

5. Chief Executive Officer’s Report (5 minutes)
a. Textbook Cost Containment Update
b. COM/MTA Agreement Update
c. Staff Reports (10 minutes)
  1. COM Webpage Update (Sumiko-Wolfe)
  2. Fiscal Accountability Update (Harrison)
  3. Modernization Update (Chernock)

6. Academic Senate Report (5 minutes)
7. Classified Senate Report (5 minutes)
8. Student Senate and Student Association Report (5 minutes)
9. Board Study Session
   The Bolinas Field Station Proposal

10. 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**

   All Campus Holiday Party – December 11, 4:00 to 6:00 p.m., Deedy Staff Lounge, Kentfield Campus

   Poetry reading featuring Poet Laureate Kay Ryan – December 11, 7:00pm
   Olney Hall, Kentfield Campus

   Marin County Joint Legislative Action Seminar – January 14 & 15, 2009,
   State Capitol, Sacramento

   Opening Day Convocation - January 16, 2009, 10:00 a.m. to 12:00 p.m.,
   Location TBD, Kentfield

   Effective Trustee Workshop, January 25-26, 2008, Sheraton, Grand
   Sacramento, CA

   Board Retreat, February 6, 2009
   Location to be determined

   Marin Superintendents and Trustees/Marin County Council of Mayors and
   Councilember's Meeting – March 25, 2009, Servino's Restaurant,
   9 Main Street, Tiburon

   President's Breakfast – May 6, 2009 7:30am, Embassy Suites

   **B. Classified Personnel Recommendations.** Approve the Classified Personnel
   Recommendations:
1. Appointment of Classified Personnel
2. Temporary Increase in Assignment for Classified Personnel
C. Educational Management Personnel Recommendations
D. Short-Term Hourly Positions
E. Budget Transfers – Month of November - FY 2008/09
F. Warrant Approval
G. Declaration of Surplus Property – Miscellaneous Equipment
H. District Mileage Rate
I. Approval of New Community Services Courses
J. Approval of Revised Board Policies
   1. BP 1100: The Marin Community College District
   2. BP 1200: Mission
   3. BP 3430: Prohibition of Harassment
K. Modernization (Measure C)
   1. Ratify Construction Contracts for Various Projects
      a. Transportation Relocation Project ($50H)
      B. Cantarutti Electric, Inc. ($3,292)
      Tarps & Tie-Downs, Inc. ($8,388)
   2. Ratify Professional Services Contract Amendment
      a. Dance Relocation Project ($850N)
         Testing & inspection services
         Kleinfelder, Inc. – Amendment 3 ($17,750)
      b. Transportation Tech: Relocation Project ($50H)
         Moving services
         Crossroads Relocation Services, Inc. – Amendment 2 ($741)
      c. Diamond PE Center Alterations Project (308B), Parking Lot-Bioswale &
         Pathways Projects (401B & 413A), West Campus Utilities Extension Project
         (407D) & Ignacio Creek Erosion Mitigation Project (419A)
         Civil engineering services & construction administration services
         CSW/Stuber Strock Engineering - Amendment 22 ($82,562)
      d. Parking Lot-Bioswale & Pathways Projects (401B & 413A)
         Paragon Office subscription
         Royston, Hanamoto, Alley & Abey (RHAA) – Amendment 12 ($1,000)
      e. Transportation Technology Complex Project (402A)
         i. Paragon Office subscription
         Hardison, Komatsu, Ivelich & Tucker (HKIT) – Amendment 12
         ($2,000)
         ii. Testing and inspection services
         Sensible Environmental Solutions, Inc. – Amendment 5 ($18,265)
      f. Main Building Complex Project (417A)
11. Other Action Items (10 minutes)
   The Superintendent/President recommends that the Board of Trustees approve the following Action Items:

   B. Approve Five-Year Scheduled Maintenance Plan (2009-10 through 2013-14)
   C. Acknowledge Receipt of District Financial and Measure C Bond Program Audits for 2007/08
   D. Approve Resolution Declaring Intention to Lease Real Property & Publication of Notice Thereof (Ross School District)
   E. Approve Board Compensation Annual Adjustment
   F. Modernization (Measure C)
      1. Award Construction Contracts
         a. West Campus Bridge Project (301A)
            TBD
         b. Main Building Signage Phase 1 (812A)
            TBD
         c. Health Services Portables Project (850G)
            TBD
     2. Approve Construction Change Orders
        a. Ignacio Creek Erosion Mitigation Project
           Bay Pacific Pipelines, Inc. – Change Order 1 ($22,725)
        b. Main Building Complex Project (417A)
           Di Giorgio Contracting Company, Inc. – Change Order 1 ($43,000)
        c. DSPS Relocation Project (850L)
           Hannibal's Inc. Electrical Construction – Change Order 2 ($1,140)
        d. West Campus Utility Extension Project (470D)
           Di Giorgio Contracting Company, Inc. – Change Order 4 ($0)
              time extension
        e. Diamond PE Center Alterations Project (308B)
           Alten Construction, Inc. – Change Order 7 ($158,830)
3. Special Approvals
   a. All Building Projects on the Kentfield & Indian Valley Campuses
      1. Sole Source Delta Controls for EMS
      2. Sole Source Best locks, keyways, hardware (clarification)
      3. Sole Source Panduit technology Connections
      4. Sole Source Primes Clocks

12. Items for Possible Future Board Action (5 minutes)
   A. Revised Board Policies (January)
      1. BP 3570: Environmental Tobacco and Smoke Control
      2. BP 6340: Contracts
      3. BP 6500: Property Management
      4. BP 6560: Environmental Responsibility
      5. BP 6570: Integrated Pest Management
      6. BP 6600: Capitol Construction
      7. BP 6750: Parking
   B. Clinical Agreement with California Pacific Medical Center (January)
   C. Bond Sale Resolution/Required Documents (January)
   D. Final Project Approval for Fine Arts & SMCP (January)
   E. Unfunded Liability (Workshop)
   F. Bolinas Lab Recommendations

13. Information Items (5 minutes)
   B. Modernization Update
      1. Director’s Report
      2. Sustainability Report
      3. Master Schedule with Spent to Date through November 2008
   C. Revised Administrative Procedures
      1. AP 4021: Program Discontinuance
      2. AP 4100: Graduation Requirements for Degrees and Certificates
      3. AP 4225: Course Repetition
      4. AP 4240: Academic Renewal
      5. AP 6340: Contracts – Goods
      6. AP 6345: Goods – Professional Services
7. AP 6350: Goods – Construction
8. AP 6500: Property Management
9. AP 6560: Environmental Responsibility
10. AP 6570: Integrated Pest Management
11. AP 6750: Parking
D. First Quarter Financial Status Report 311 Q

14. Correspondence
   Correspondence in Board Packets

15. Board Meeting Evaluation

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 3:38 p.m. by Board Vice President Kranenburg in the Deedy Staff Lounge on the Kentfield campus, all members having received notice as prescribed by law. All publicly elected Trustees were present except Trustee Namath, who arrived at 3:41 p.m.; Trustee Treanor, who arrived at 3:47 pm; and Trustee Long, who arrived at 3:52 p.m. M/s (Dolan/Paterson) to approve the agenda as presented. The motion passed unanimously (3-0).

2. Bond Fiscal Update

V-Anne Chernock, Director of Modernization presented an update to the bond spending plan as well as an overview of the possibilities for the Gateway project. Director Chernock indicated that the only change to the bond spending plan is that of movement between line items within the same project budget. Specifically, the construction bid for the Trans-Tech project came in under budget and that money was moved to the Trans-Tech swing space budget, which has exceeded its original budget.

Director Chernock spoke on the Gateway Complex project, presenting Trustees with some of their options with which to move the project forward. These options include placing the project on hold for state money in 2010, start design in 2011, with completion of construction in 2014 or moving forward with the project, possibly starting design in 2010. Decisions do not need to be made tonight; this presentation is designed to get Trustees thinking about their options.

Program Manager, Leigh Sata from Swinerton Management & Consulting presented information on two of the Board items that will be voted on during the open session later in the evening. These items are requesting re-authorization of construction changes and consultant changes. This re-authorization asks the Board to grant authority to District staff to approve changes to construction contracts for a period of one year, using an additional 5% (for a total of 10%) of the contingency amount already budgeted within the project. The second item will request the Board authorize District Staff to approve amendments to professional services consulting contracts for the period of one year.
Following the presentation, Trustees were invited to discuss and ask questions about the material presented. Mr. Sata and Director Chernock addressed the concerns, questions, and comments of the Board.

The Study Session (open session) was recessed at 4:47 p.m. by Board Vice President Kranenburg.

B. Closed Session

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

   Board Vice President Kranenburg reconvened the meeting of the Board of Trustees of the Marin Community College District at 4:55 p.m. in the Student Service A & B conference Room on the Kentfield campus. All publicly elected Trustees were present except Trustee Hayashino. Dr. Frances White, Al Harrison, Anita Martinez, Linda Bean, 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 6:00 p.m.

C. Regular Meeting

1. Reconvene in Open Session

   The meeting of the Board of Trustees of the Marin Community College District was reconvened in open session at 6:42 p.m. in the Deady Staff Lounge on the Kentfield campus by Board Vice President Kranenburg. He announced that the meeting was being recorded to facilitate the preparation of minutes. All publicly elected Trustees were present except Trustee Hayashino. Student Trustee McCleary was excused.

2. Approval of Minutes and Report of Closed Session

   M/s (Treasurer/Long) to approve the minutes of the October 14, 2008 Board meeting. The motion passed unanimously (6-0).

   M/s (Paterson/Long) to approve the minutes of the October 22, 2008 Special Board meeting. The motion passed unanimously (6-0).

   Board Clerk Long 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

   Jon Gudmundsson read a statement and presented graphic data on the salary schedules of CSEA in comparison with UPM. He spoke in support of an on-schedule salary increase for CSEA in order to remain inline with the cost of inflation. A copy of Mr. Gudmundsson's statement is attached to the minutes as part of the official record.
Karen van Kriek read a statement addressing the proposed change in medical coverage and the equity study. She is concerned that the proposed increased in co-pay will become a hardship for workers and their families. Regarding the equity study she is concerned about the implementation of findings. A copy of Ms. Van Kriek's statement is attached to the minutes as part of the official record.

Markey Lees read a statement addressing the negotiation tactics of the District to this point. She cites that the district continues to come to the table unprepared and unwilling to negotiate. A copy of Ms. Lees' statement is attached to the minutes as part of the official record.

Don Pickford read a statement to encourage Trustees to continue the re-entry program. He indicated that he has benefited greatly from the program in facilitating his return to school. A copy of Mr. Pickford's statement is attached to the minutes as part of the official record.

Inna Shapiro read a statement based on her experience at College of Marin. She addressed specific teachers and instances where she has benefited from their expertise. A copy of Ms. Shapiro's statement is attached to the minutes as part of the official record.

Debra Schwartz read a statement in support of the teachers at College of Marin. A copy of Ms. Schwartz's statement is attached to the minutes as part of the official record.

Sandra Douglas read a statement outlining contributions she has made to the College as well as many others that work for the District. She asks that these contributions be rewarded through collective bargaining. A copy of Ms. Douglas' statement is attached to the minutes as part of the official record.

Elizabeth Odishoo read a statement based on her educational history and what brought her to College of Marin. She spoke to the availability of professors at the College and believes this quality has enhanced her education. A copy of Ms. Odishoo's statement is attached to the minutes as part of the official record.

Ira Lansing read a statement prepared by Carla Steinberg. A copy of Dr. Steinberg's statement is attached to the minutes as part of the official record.

Ryan Schaefer addressed the Board with hopes that the professors at College of Marin quality instructors and hope they are compensated accordingly.

Rebecca Foust read a statement praising the education her child, diagnosed with Asperger's Syndrome, has received. She acknowledges the effort put forth by many departments at College of Marin and credits them with the success. A copy of Ms. Foust's statement is attached to the minutes as part of the official record.

4. Board Reports and/or Requests
   a. Commendation Resolutions and Other Resolutions
      None.
b. Legislative Report.
Trustee Paterson reported on the financial changes to Community Colleges expected in the coming months. These changes include, in part, a $322 million dollar cut to the system and to offset this decrease in funding an increase in tuition has been announced. Tuition will be raised to $28 per unit beginning in January 2009 and go up again for fall semester 2009, making the cost $30 per unit.

c. Committee Chair Reports
None.

d. Individual Reports and/or Requests
Trustee Long thanked the College of Marin Community for their work on the Educational Master Plan. She further indicated that she is looking forward to reading the draft of chapter 2, which was sent out earlier in the day. Trustee Long continued to address a item included in her correspondence packet on the accreditation status of Solano Community College District. She indicated that she hoped they were able to help them resolve their accreditation recommendations.

Trustee Dolan reported on the production of the dance department will be starting on. She encouraged anyone who has some free time to attend the performance.

e. WASC Report Status
Dr. White reported on the Educational Master Plan. She indicated that it is well under way and will be completed in time to include with the report to WASC that is due into the commission by March 15. She also indicated that the integrated planning model continues to be developed and implemented and will also be included in the report to WASC. She concluded her report addressing Trustee Long’s statement about Solano Community College, indicating that College of Marin has been invited to several conferences to speak on how we addressed our sanctions and will also be helping other community college address these same issues.

f. Discussion of Board Officers
Board Vice President Kranenburg invited Trustees to express the interest in becoming a Board Officer in the 2009 year. Trustee Kranenburg stated he would be happy to serve the Board as its President. Trustee Long indicated that she is becoming increasingly concerned about the fiscal status of the country and the state; she would be happy to work in the capacity discussed last month. Trustee Dolan indicated that her offer is still open. Trustee Paterson indicated her continued interest in working for the Board as one of its officers.

5. Chief Executive Officer’s Report
Dr. White addressed the requestors from agenda item 3, indicating her pleasure in hearing from students at the College. She continued to by stating that the District is currently participating in fact finding with UPM because of their decision to file for impasse instead of continuing to negotiate. The status of their contract is virtually out of the District’s hands.

a. Staff Reports

1. Update of Meeting with County Treasurer
This update is a written report in the Board packet.

2. Potential Partnership with Romberg/Tiburon Center
   The information on this partnership is included as a written report in the Board packet.

6. Academic Senate Report
   Academic Senate President Yolanda Bellismo read a statement from the Academic Senate expressing its concern about the Bolinas Lab and any entity that wishes to take it over. The Senate requests that faculty, specifically Joe Mueller, be involved with the transition to new caretakers/owners. A copy of President Bellismo’s statement is attached to the minutes as part of the official record.

7. Classified Senate Report
   Classified Senate President Kathleen Kirkpatrick updated the Board on the Classified senate, including a governance update and disaster preparedness efforts. A copy of Classified Senate President Kirkpatrick’s statement is attached to the minutes as part of the official record.

8. Student Senate and Student Association Report
   None.

9. Board Study Session
   None

10. Consent Calendar Items (Roll Call Vote)
    M/s (Trenor/Long) to approve all items on the Consent Calendar. The motion passed with a unanimous roll call vote (8-0)

   A. Calendar of Upcoming Meetings
      Board Retreat, February 6, 2009
      Location to be determined

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

   C. Classified Employee Changes

   D. Academic Personnel Recommendations
      1. Retirement/Resignation of Academic Personnel

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

   F. Short-Term Hourly Positions

   G. Budget Transfers – Month of October - FY 2008/09
H. Warrant Approval
I. Declaration of Surplus Property – Miscellaneous Equipment
J. Approval of New Credit Courses
K. Approval of Credit Course Revisions
L. Modernization (Measure C)
   1. Ratify Construction Contracts for Various Projects
      a. Main Building Complex, Parking Lot-Bioswale & Pathways Projects (417A-401B-413A)
         Di Giorgio Contracting Company, Inc. ($14,097,250)
      b. Transportation Technology Relocation Project (#850H)
         Shade & Greenhouse Structures Project (#850C)
         Ignacio Creek Erosion Mitigation Project (#419A)
         Kingsborough Atlas Tree Surgery ($1,575)
      c. PE Complex Portables Project (#850F)
         Al Villa Builder ($2,620)
   2. Ratify Professional Services Contract Amendment
      a. DPS Relocation Project (#850L)
         Crown Worldwide Moving & Storage, Inc. – Amendment 2
         ($0) time extension

11. Other Action Items
   A. M/s (Long/Namrath) to Approve the Sabbatical Leave Revision – Recommendation for Rescission of Approval of One Sabbatical Leave. The motion passed unanimously (6-0).
   B. M/s (Patonson/Dolan) to Approve the Resolution to Enter in Transaction with the California Department of Education for the purpose of Providing Child Care and Developmental Services and to Authorize the Designated Personnel to Sign Contract Documents for Fiscal Year 2008/09. The motion passed with a unanimously (6-0) roll-call vote.
   C. M/s (Treasor/Long) to Approve the Bid Award for Learning Resource Center Relocation Project. The motion passed unanimously (6-0).
   D. M/s (Treasor/Long) to Approve the Memorandum of Understanding by and between the State of California Department of Water Resources, the North Marin Water District, and the Marin Community College District. The motion passed unanimously (6-0).
   E. M/s (Patonson/Long) to Approve the Memorandum of Understanding with California Partnership for Achieving Student Success. The motion passed unanimously (6-0).
   F. Modernization (Measure C)
      1. Special Approvals
         a. M/s (Treasor/Dolan) to Approve the Revised Bond Spending Plan. The motion passed unanimously (6-0).
b. District Wide
   1. M/s (Treasor/Paterson) to Authorize District staff to approve amendments to professional services consulting contracts through April 2009 under the conditions outlined in the agenda item. The motion passed unanimously (6-0).
   2. M/s (Treasor/Paterson) to Authorize District staff to approve changes to construction contracts through April 2009 under the conditions outlined in the agenda item. The motion passes (6-1) with Trustee Dolan casting the no vote.

c. Dance Relocations Project (#850N)
   M/s (Namnath/Treasor) to Approve Project and Authorize Bidding for Building; Approve Resolution Declaring Non-School Building for Instructional Purposes. The motion passes with a unanimous (6-0) roll-call vote.

d. Campus Corner Health Relocation Project (#850G)
   M/s (Long/Treasor) to Approve the Campus Corner Health Relocation Project and authorize the District to proceed with bidding the work. The motion passed unanimously (6-0).

e. Building Signage Phase 1 (#812A)
   M/s (Long/Treasor) to Authorize the District to proceed with bidding of the Building Signage Project. The motion passed unanimously (6-0).

f. PE Complex Portables Project (850 F)
   M/s (Treasor/Long) to Approve Notice of Completion for the Portables Project electric work. The motion passed unanimously (6-0).

2. Approve New Professional Services Consultant Agreements
   a. Transportation Technology Complex Project (402A)
      M/s (Paterson/Dolun) to Approve a short form professional services agreement for testing and inspection services with Inspection Services, Inc. for the Transportation Technology Complex Project. The motion passed unanimously (6-0).

3. Approve Construction Change Orders
   a. PE Complex PV Project (#850D)
      M/s (Paterson/Dolun) to Approve Change Order 1 for Alten Construction for the PE Complex PV Project. The motion passed unanimously (6-0).

   b. Diamond PE Center Alterations Project (#3088)
      M/s (Treasor/Namnath) to Approve Change Order 6 for Alten Construction for the Diamond PE Center Alterations Project. The motion passed unanimously (6-0).

G. M/s (Treasor/Dolun) to Approve the compensation payments and benefit increase to the unrepresented groups. The motion passed unanimously (6-0).

12. Items for Possible Future Board Action (5 minutes)
   A. Textbook Cost Containment (December)
B. COM/MTA Agreement (December)
C. Bolinas Lab Recommendations (December)
D. Revised Board Policies (December)
   1. BP 1100 Marin Community College District
   2. BP 1200 Mission
   3. BP 3430 Prohibition of Harassment
E. Clinical Agreement with California Pacific Medical Center (December)
F. Annual Audit Report (December)
G. Sale of Bonds (January)
H. Final Design Reviews for Fine Arts & SMCP (January)

13. Information Items (5 minutes)
   B. Modernization Update
      1. Director’s Report
      2. Sustainability Report
      3. Master Schedule with Spent to Date through October 2008
   C. Revised Administrative Procedures
      1. AP 3430 Prohibition of Harassment
      2. AP 3435 Discrimination and Harassment Investigations
   D. Five-Year Scheduled Maintenance Plan 2009-10 through 2013-14
   E. Calendar of Special Events
      Marin Economic Commission Tenth Annual Awards of Excellence Luncheon,
      November 14, 11:30 a.m., Embassy Suites, San Rafael
      Marin County Committee on School District Organization
      November 17, 2008, 6:00 p.m., Marin County Office of Education
      Board Room, 1111 Las Gallinas Avenue, San Rafael
      CCLC Conference, November 20-22, Anaheim Hilton
      All Campus Holiday Party, December 11, 2008, 4:00 to 6:00 p.m.,
      Deedy Staff Lounge

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

15. Board Meeting Evaluation
   Trustee Treanor requested that the Modernization Updates be removed from the packet
   and sent together (all four documents) in a separate envelope.
I have been in regular attendance at Board Meetings and have got to know you pretty well. You appear to be on the progressive side of the Spectrum. If we continue business as usual your looking at Class Separation you know the Rich get Richer the poor get poorer and I don't think you would support this. Incidentally the 9% is close to the 10% the Equity Study indicated we cut off the market.
What you see here is a chart representing salary increases for CSEA UPM and SSU since 1980. As you see UPM is a head of all the other units. You will also note that we are currently above inflation. However if we do not receive our on schedule increase in the future we will not stay there.

This is the spreadsheet from which I made the chart from. Let's see if we got a 3% increase. Oh we're still not caught up with the faculty. 6% no still not its not until we get a on schedule increase of 9% do we catch up.
Members of the Board of Trustees:

Thank you for the opportunity to speak.

My name is Karen van Krielt and I am the President of CSEA, Chapter 196.

When my two sons were young and I was a full time employee at the College of Marin, I was also my sons' sole support. At the end of each month, I often found myself at the grocery store having to choose between bread, milk and eggs because I didn't have enough money to make ends meet. I am now asking those in the audience for a show of hands of those who currently find themselves in a similar position.

(Here, many people raised their hands, most wearing CSEA blue.) Thank you.

I was amazed when I discovered – oh, so long ago – that you can work full time and not make a living wage. It was shocking.

There are two things currently under negotiation that strongly affect CSEA bargaining unit members' ability to support ourselves and our families: #1) The proposed $20 co-pay on health insurance; and #2) the Equity Study.

First the co-pay: The CSEA negotiation team is being pressured to sign off on a $20 co-pay without being given any meaningful reason to do so, and without discussion of potential options. We have asked and not been told how much the District saves per employee under the new policy. I am asking you to compare the District's savings to the financial affects on CSEA members and their families. Perhaps there is a win-win alternative to the $20 co-pay.

Regarding the Equity Study: Every CSEA bargaining unit member is anxious for the Equity Study to be implemented. Do you realize that CSEA salaries were matched to the median of the 10 Districts we were compared to? Pretty much across the Board, CSEA-represented employees are 10% under the median of the Equity Study. Not the top, but the median.

I also want to share with you that when Executive Dean Linda Beam asked Mr. Ewing at an Equity Study Committee meeting: "What is the worst thing a District can do in implementing an Equity Study?" He said, "Nothing – the worst thing a District can do is Nothing."

We know troubled times are coming.

I ask you, on behalf of the CSEA bargaining unit members, to do your best to equitably offer livable wages to all college employees, especially the Classified Staff who are beyond deserving of a wage increase.

Thank you.
He wants us to agree to a contract that is already expired so that we have to come right back and continue to negotiate endlessly. We have provided a reasonable proposal that allows the college flexibility to appropriately respond to the economic constraints we are all facing.

Let's work together and not waste the precious dollars in the college's budget.

I urge you to give your designated direction now to agree to a reasonable contract duration and let employees who are wasting time at the table get back to work.

My name is Mark Lez and I am the CSEA Labor Rep for the Classified CSEA represented employees here at College of Marin as well as 13 other districts here in Marin County.

I am here tonight to urge you to recognize the way your designated negotiate. Will while I am not here to negotiate, I can tell you that negotiations move at a snails pace over and over again we come to the table reached and willing to move forward only to be stalled by your designated that are unprepared and unwilling to have meaningful negotiations.

This pulls your employees away from their jobs and costs the college money in unnecessary legal costs. The only person who gains from this is our District's legal council whose billable hours mount with every session. No one else benefits. Thank you.
To: The College of Marin Board of Trustees
From: Don Pickford – Graduating Student

Thank you for allowing me to address you tonight regarding a non-agenda topic namely Re-Entry Services at the college.

I was directed to Re-Entry by one of the counselors upon my return to school several years ago. Re-Entry Services have proven indispensable to me.

Joetta Scott in particular has made it possible for me to excel as an older student. Due to her help I am graduating from College of Marin with an Associates Degree at the end of this semester and plan to transfer to Sonoma State next semester.

I speak with many persons like myself who have come to a dead end in their careers and are searching for a change. I have directed people to the College of Marin catalog that has featured Re-Entry Services for the returning student.

I believe that having this resource available to students like myself is a real plus in our society today. I hope that you will consider keeping Re-Entry information in the catalog.

Thanks again for your time,

Sincerely, Don Pickford
Good evening. Dr. White, Valedictorians, Teachers.

My name is Irina Shapiro. I've been a student of Columbia College since Spring 2003. As it now I am applying to universities and likely to graduate from Columbia College next year. I've been involved in Student Council, the Science and Literature Club, the past two 1/2 years, and have even written which held some complications that is going on between the faculty and administration.

For the past two 1/2 years I took a
had an amazing time and enjoyed all of the classes I took. All of the classes at Columbia College were wonderful, caring, and inspiring. Professors included.

Ira Leving, Leroy Godin, Mark Finley, Sandy Douglas, Don Foss, Mr. Kennedy, Tom Graiz, and more.

They have always been motivated me to keep
high academic standards even though they were a little tough sometimes but they helped. Professor Leving was always there for whenever I needed help.

For example, Don Foss sat with me until midnight after his night class explaining the concepts. And I am sure he was not even paid for that. Teachers care about us;

I am not sure how they wanted us to succeed.

For example, but I have noticed when they bring up an issue about our student it not always take care of. For example, George Adams was

trying to work something out, his student care very Convener

about student safety. Indeed it is one of the few his there is no heat and dorms block from now. His issue.

About student safety. Indeed it is one of the few his
have not been taken seriously nor has his need have not been met. Today I am embarrassed!

I believe they have good reasons for it so I ask the Administration & Faculty to please negotiate to work together and come to an agreement that will benefit everyone especially the students.

If the teachers won't teach it will detrimental to their goals to graduate and transfer to universities.

We are all like a big family and we need to work out our differences & work together to keep a healthy household.

Thank you.
Hello, my name is Debra Schwartz.

Thanks for the opportunity to speak this evening. In 1976 I dropped out of college. In 2006 I returned because I wanted to improve my understanding of the world around me, and I was thirsty for knowledge. Now that I’ve made the transition back to school, I cannot imagine a life without continuing education. Returning to school has made me a better person. I think education as a whole, makes society better.

Many suffer from ignorance. Not many suffer from knowledge.

Rowena Southard, my first English teacher here at College of Marin advised our class: when preparing a project, consider your audience.

(Pause)

I ask the Board ...who is YOUR audience.

What is your place in this college? What is your designated directive? Who are you trying to reach, and on whose behalf do you act.

Because I am a taxpayer, a parent with a child here at COM, and a student here myself ...I believe I am your audience. And I believe the citizens of this community are your audience. And with all my heart, I believe all the students of this school are your audience. Will you look
after our well being? Will you protect our right to improve ourselves with education? Will you support the people who support us?

My classes are taught primarily by conscientious and hard working men and women who have dedicated themselves to a life of service in the name of higher education, and they share with us the things they love, like history, literature, art, philosophy, math, and science. And for my part, I am extremely grateful for everything my teachers do for me. Are you?

How do we show gratitude? How do we demonstrate respect and appreciation? As a mother, I’ve tried to impress upon my son the concept that when someone serves you well... you serve them back. As they support you, you give back the same.

College of Marin has such an advantage in its location. Location alone draws exceptional teachers who are willing to forgo more exclusive positions with higher paying jobs in order to live here where it is safe and beautiful. It seems to me that the college should secure this good fortune by supporting their employees in every way possible. What is it the teachers of this college want? Many already cannot afford to live in Marin County, and must commute. The Cost of living has soared. The teachers ask for reasonable working conditions, a salary that allows for inflation, and finally...respect. These are not unreasonable requests.
From a student’s point of view it seems very clear. If this administration does not do all it can to support our teachers in their work, then in a very real and direct way, you do not support us, the students of this school, because our teachers are the fundamental link to our academic success. Thank you.
Good Evening members of the board and President White. My name is Sandra Douglass and I have been an employee at College of Marin for 34 years. During this time, I have served as an hourly tutor, a part-time non-credit instructor and a full-time permanent instructor. In 1985, after nine years of creating, designing and developing the ESL Program, which had grown from 3 students to 3000 students county-wide, I joined the administrative team as ESL Director when the position was placed into management. Over the next 3½ years, I held the positions of Director of Student Development, Acting Dean of Community Education and Services and Acting Vice-president of Student and Special Services, a position I left in 1989 to return, at my request, to the classroom. While in administration, I was also a member of the District’s bargaining team. After my return, I served as Department Chair for Communications for 10 years and as Curriculum Committee Chair for 3 years. I have taught ESL, English Skills, English Composition and Literature. My classes usually have waiting lists and high retentions rates.

But I do not stand before you to enumerate my personal contributions to the College of Marin. I stand here because I represent the level of dedication, service, and, yes, love of College of Marin demonstrated by the people who work for you. Day after day, we welcome students into our classrooms, our offices, our programs and services, onto our campus. We are the face of College of Marin - all of the
people whose faces grace the schedule, the JJ ads, the website and the many more
who are only known to the students- all of the people who deserve to be treated
fairly- to be recognized and compensated as the professionals we are- Ask the
students- past and present- and they will tell you WHO the College of Marin is-
I would ask you all to consider why it is so difficult for you to simply use the
means open to you- the collective bargaining process- to demonstrate your
dedication to these faces of the College of Marin and, ultimately, to all of our
students.
Good evening.

My name is Elizabeth, and I am a full-time student here at College of Marin. While this is only my second semester, I have already lived through a lot. I grew up in Newark, New Jersey, and graduated from Newark High School. Unfortunately, I was one of the few students who went on to college, and I worked very hard to get accepted. I was a hard worker in school, and I always did my best to get good grades. I worked hard to get into college, and I was very excited to be there. I was looking forward to a new adventure, and I was determined to succeed.

I was very excited to start college, and I was ready to learn. I was ready to meet new people and to make new friends. I was ready to start a new chapter in my life. I was ready to start a new adventure. I was ready to start a new journey. I was ready to start a new life.

I was very excited to start college, and I was ready to learn. I was ready to meet new people and to make new friends. I was ready to start a new adventure, and I was determined to succeed. I was ready to start a new chapter in my life. I was ready to start a new journey. I was ready to start a new life.
and I'd be fighting another kid's who
then had to do again, a kid's had to getting an
appointment 1 office hour. My GPA is 1. 8 at 1 semester and 2. 4 in 5 credit course.

had to do it. I was too hard to make a living
and get the attention I needed—until I came to
College of Marin. The small class sizes allow the kind
of quality teaching where every student can get what they
need. I can e-mail with my teacher and get near-
instant replies and dropping in during office hours
affords me a kind of help I never thought I'd have.

Colo teachers are the time and energy to not
just teach a subject but educate and nudge
their students through even classes I thought I'd never
like. I'm taking Introductory Algebra for the third
time, and I'm happy to report I have gotten. As on
both tests so far I don't think drop there.

My first report card from last semester left me
shocked. My GPA was 3. 2 - I hadn't
done that well since my freshman year at high
school. CO has something special—its
a brand of education you just can't find in the (now-
impacted) community and junior college system and
for someone like me—it allowed me the possibilities
of making it to my dream university. To damage
that would be a great dis-service to those of us
who have found CO and thrived because of
it.

Thank you.
I have been an educator for many years and I'd like us to remember that the main business of any school is education. A college or university faculty has enjoyed academic freedom since the late middle ages when our guild protected its members from the consequences of the charges of heresy (the rack, iron maiden or stake) at a time when church orthodoxy challenged such eminent lights as Galileo. We have traditionally elected from among our members those who would administer our precepts. In most departments, serving as chair was considered a duty, one that required time and attention away from one's work: research, scholarship, transmitting the body of knowledge to the next generation of workers in the field as well as inspiring them to think. The tragedy of education we are witnessing lies in the jettisoning of a long established and functional institution and a replacement, an appropriation of the the rights and prerogatives of our guild by a virus like corporate model of executive, top-down administration which has made College of Marin dysfunctional. I sense the Board of Trustees who know business practices have sanctioned this takeover because they did not consider that the business model isn't appropriate to the academic setting. It's as if the methods and techniques of baking were suddenly applied to surgery. No. Do not put the patient in a 350 degree oven and bake. What good is education if we don't listen to the ones who know?

Respectfully,

Dr. Carla Steinberg
English and Humanities COM since 1993
My friend likes a bookkeeper and 2/3 2015
organized a fund raiser for Oregon State. 6000
plus 5 hours. She collected all hours
in her community.

But I'm having a camping tonight.
I'm going on my second or a camp student
who has been to the park. Some of you may know that
this is a form of autism.
We're going to a camp at high ISO
combined with some challenges,
some of them immediately,
but others that slowly.
It is said that Bill Gates has ASD.

I'm happy to know that camp is teaching
about an outdoor program and employed
for what has been a life-changing experience
for so many. I'll be applying to all this
semester and trying to follow on, you know,
and you too to stand a good chance
to get in.

There is a tsunami wave at kids on learning
about to hit our CA schools. Thank our
friends at a place for them that has worked
depend on being able to have
the traditional way. Uranium vs. Com
education. It's done this right.

becy@ymail.com
647-127-2
College of Marin  
Academic Senate President’s Report to the Board of Trustees  
November 11, 2008

We are all familiar with the history of the Bolinas Marine Laboratory. From its heyday many years ago, to its less well-known but educationally brilliant recent past, the College of Marin Bolinas Marine Lab has touched students of all ages for decades. We also know that the lab was included in bond Measure C and seems to have a vast support among community members. We know that a task force was formed and, while acknowledging serious issues surrounding the physical state of the premises, it also recognized that, “There is potential for the Bolinas Marine Laboratory in terms of its future use as a center for environmental education in West Marin County...The location on Bolinas Lagoon and in proximity to the heavily-used Duxbury Reef intertidal ecosystem, make it attractive for this type of education.” That is a quote from the report.

Since the task force recommendations, the issue has come before the Senate a number of times, but has not gotten much traction other than the Senate’s interest. The president did mention to Senators Mueller and Kelly that, “A community group from Bolinas is providing a proposal to the Board of Trustees sometime during the next month.” We assume this proposal will suggest a private nonprofit take over the lab.

It is important to keep in mind that it was faculty members who first proposed handing over the Marine Lab to a non-profit group. I say this because I don’t want anyone to think we are trying to throw a wrench into the works, and that we, as much as anyone, realize the benefits of bringing in a third party to oversee the lab.

However, we are concerned that we know nothing of this group or what their intentions are. Of equal concern is the fact that the District may very well be embarking on signing over the deed to a piece of property that may be worth well over one million dollars and we as faculty have never spoken to them and it doesn’t seem that the members of this group were asked to speak with the faculty users of the lab before moving forward in any way. There has been no contact with faculty and no point person from the group has come forward to seek out faculty input.

We are hopeful that a non-profit group will be willing to take over the lab; we look forward to seeing the lab rise again and become the excellent educational center it has the potential to be. We look forward to taking advantage of both the expertise of the college faculty and students as well as the numerous environmental and community groups with an interest in the area. But, the only way we can support this is if the Board of Trustees ensures that the faculty are involved in any transitions to a new owner/caretaker. Joe Mueller, among others has a wealth of knowledge and potential fundraising resources so it only seems logical that he, as representative of the Academic Senate, would be a part of any transition and future-use planning.
Also, in order to ensure the College of Marin faculty and students have access to the lab, we insist that any transfer of deed include the legal equivalent of an easement for us. We realize that any outside group willing to put time and effort into rehabilitating the lab may not want us to have unlimited access to the lab, but this is all the more reason to bring faculty into the process early on. Whoever this group is, they need to sit with the appropriate departments and discuss calendars and timelines for use that will be equitable for all parties.

The members of the Academic Senate believe that no decision about the disposition of this property should be made without faculty involvement. Further, any group that takes over the lab must consent to legally binding use of the facility for the college’s educational purposes.

Once this has been achieved we can move on to the more enjoyable part of the venture, collaboration in developing educational programs.
Good evening.

As you know, I haven’t been here for a while. What you may not know is I had foot surgery and was incapacitated for a much longer period of time than I had anticipated. I even had to miss Commencement which I look forward to every year. Then the Classified Senate was on hiatus over the summer. Last month, I asked Jon Gudmundsson to give a brief report on my behalf and now here it is November already!

I believe Jon mentioned that we used a new staff appointment system this fall that CSEA, SEIU and the Senate developed to appoint classified staff to governance committees. I’m very happy to report we have full representation on all governance committees. The Senate is also initiating a systematic reporting system so that our representatives can more easily report back to the Senate on governance committee work and progress.

The Senate will again be co-sponsoring along with CSEA & SEIU the 4th annual all-staff Holiday party at McGinnis Park on December 10. The Senate will take this opportunity to give special recognition to staff who have been with the College 20 plus years.

As part of our ongoing concern with Disaster Preparedness, Classified Senator Bob Chamberlain is investigating a portable water filtration system that could be placed the emergency boxes that are located throughout the buildings on both campuses. The goal is to provide a source of clean water that far exceeds what is currently available in the boxes. Bob is working with Jamie Deneris of the Biology Department to determine the effectiveness of the system being studied. Preliminary results show it removes all potentially harmful organisms. We hope to have a recommendation about this to forward to College Council in the near future.

Thank you very much.
A. Closed Session

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

The meeting of the Marin Community College District Board of Trustees was called to order by President Krienenburg at 3:45 p.m. in AC108 on the Kentfield campus, all Trustees having received notice as prescribed by law. All publicly elected Trustees were present except Trustee Treanor, who arrived at 3:48 p.m., Trustee Dolan, who was absent, and Trustee Paterson, who was absent. Dr. Fran White, Al Harrison, Anita Martinez, Linda Bean, and Larry Frierson were also in attendance.

M/s (Long/Namnath) to approve the agenda as presented. The motion passed unanimously (4-0).

a) Request for Public Comment on Closed Session Agenda

Jon Gudmundsson, representing CSEA, spoke on negotiations. He requested that the District agree to a 2 year contract.

Karen van Kriech, representing CSEA, spoke on the equity study and the status of future implementation of it.

2. Recess to Closed Session

The Board went into closed session at 3:50 p.m.

The closed session recessed at 4:48 p.m.

B. Special Meeting

1. Call to Order

Board President Hayashino reconvened the Special Meeting of the Marin Community College District Board of Trustees at 4:50 p.m. in AC108 on the Kentfield campus.

The Board of Trustees, acting in Closed Session, accepted and ratified the 2007-2008 Collective Bargaining Agreement between the District and Service Employees International Union, local 1021. M/s (Treasurer/Kranenburg) the vote was unanimous (5-0).

3. Adjournment

M/s (Treasurer/Namnath) to adjourn the meeting. The motion passed unanimously (5-0) and President Hayashino adjourned the meeting at 4:55 p.m.
Marin Community College District Board of Trustees

Commendation Resolution No. 12/09/2008 D.4.a(1) in Recognition of Anita Martinez's Service as Vice President of Student Learning

Whereas Vice President of Student Learning Anita Martinez consistently demonstrated and lived by the motto of “Students First;”

Whereas Anita without fail gave above and beyond the call for the good of the College of Marin; and

Whereas Anita Martinez worked in a calm, evenhanded and fair manner to adjudicate problems and disputes, thereby calming tensions; and

Whereas Anita Martinez brought her deep well of experience and knowledge from a wide range of areas into her administrative duties, including instruction, faculty governance, labor negotiations, and testing among others; and

Whereas Anita thoughtfully contributed many hours of expertise and experience to the development and implementation of the Measure C modernization program; and

Whereas Anita patiently persisted and provided extraordinary support for enrollment growth and revitalization at College of Marin’s Indian Valley Campus; and

Whereas Anita worked to the highest standards of integrity, and provided a role model for community college Vice Presidents everywhere; and

Whereas Anita will be sorely missed by her College of Marin colleagues; and

Therefore let it be resolved that the College of Marin Board of Trustees, on behalf of students, faculty and staff, thank Anita Martinez for her many contributions, and wish her well on all of her future endeavors.

Frances L. White, Ph.D.
Superintendent/President

Carole Hoyashino
Board of Trustees President

Philip J. Krenenburg
Board of Trustees Vice President

Eva Long, Ph.D.
Board of Trustees Clerk

Barbara Dolan
Board of Trustees

James Namrotch, Ph.D.
Board of Trustees

Axman Paterson
Board of Trustees

Wanden Treasurer
Board of Trustees

Todd McCleary
Board of Trustees, Student Member
I, __________________, do hereby certify that the foregoing Resolution No. 12/09/2008 D.4.a(1) was duly adopted by the Board of Trustees of the Marin County Community College District at a meeting thereof held on the 9th day of December, 2008 and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By:

Frances L. White, Ph.D.
Secretary of the Board of Trustees
of the Marin Community College District
Annual Peer Summit
On Friday, November 14, 2008, the 13th Annual Peer Summit, sponsored by Healthy Teens Marin, was held at College of Marin's Kentfield Campus. Dr. Juan Carlos Arauz, a trainer and writer specializing in areas related to immigration, youth, and education, was the keynote speaker. Following opening events, 450 middle school students attended two sessions of more than 30 workshops facilitated by youth and agency experts. More students attended this year than in previous years. Topics covered include global warming, social and criminal justice, safe cosmetics, mental health, transitioning to high school, college, healthy eating, alcohol, tobacco, and prescription drug use. This increasingly popular event provides outstanding opportunities for Marin County middle school students to have a positive personal experience with College of Marin. Special thanks to Jorge Alfonso for helping organize the event.

New online employment application system
The Human Resource Office is pleased to announce the launching of an online employment application system beginning next week, November 24. This web-based application process allows candidates to view vacancy announcements and apply for positions via the web. With this online capability, interview committee members will be able to view application materials online. The Human Resource Office anticipates the first month to be a time to test, train, and fine-tune this initiative.

Drama Alumni Speaker Series
Former College of Marin drama student, the reigning Miss Marin County 2008, and current Harvard ART (American Repertory Theatre) student, Heather Gordon kicked off the new Drama Alumni Speaker Series at the College of Marin Drama Department Monday, November 24, 2008, in the Studio Theatre on the Kentfield Campus. About 30 people attended the event, including students, community members, and staff. Robin Jackson helped organize the event, which was sponsored by the COM Drama Club.

Poetry reading featuring Poet Laureate Kay Ryan
Book Passage and College of Marin are co-hosting a poetry reading and book signing featuring Poet Laureate Kay Ryan on Thursday, December 11, 2008, starting at 7 p.m., in Olsey Hall. The event is open to the public and free of charge. This will be a wonderful opportunity for students and all to enjoy the work of an extraordinary talent.

Holiday Party
Please hold Thursday, December 11, from 4 p.m. to 6 p.m. for an all-campus holiday party in the Deady Staff Lounge. Additional details will be provided at a later date.

Marin Oratorio (formerly COM Community Chorus)
Boyd Jarrott, Director
Saturday, December 13, at 8 p.m./Sunday, December 14, at 3 p.m.
Fine Arts Theatre
Admission $15 general / $10 students, staff, seniors, and COM alumni. Free parking.

Beethoven Birthday Celebration
COM Music Faculty Recital
Tuesday, December 16, at 7:30 p.m.
Lefort Recital Hall (FA 72)
Donation suggested, parking $3
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Date: December 9, 2008
Item & File No.: D.10.B
Subject: Classified Personnel Recommendations
Reason for Board Consideration: APPROVAL
Enclosure(s): Recommendation

BACKGROUND:

The following action is included in the Classified Personnel Recommendation:

A. Appointment of Classified Personnel
B. Temporary Increase in Assignment for Classified Personnel

BUDGET IMPLICATIONS:

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

RECOMMENDATION:

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

Administrator Initiating Item: Linda Beann, Executive Dean for Human Resources and Labor Relations
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Division/Department</th>
<th>FTE</th>
<th>MPY</th>
<th>Effective Date</th>
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<tbody>
<tr>
<td>1</td>
<td>Fraila, Alicia</td>
<td>Office Technician</td>
<td>0.53</td>
<td>9.5</td>
<td>12/8/2008</td>
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</table>

**Background Information:**

1. Ms. Fairley has accepted the 0.53 FTE/9.5 MPY position of Office Technician in the Workforce Development, College & Community Partnerships department, effective December 8, 2008.

*Probationary employee for six-months.
### TEMPORARY INCREASE IN ASSIGNMENT FOR CLASSIFIED PERSONNEL

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Position</th>
<th>FTE</th>
<th>MPY</th>
<th>Type</th>
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<tr>
<td>1.</td>
<td>Molloy, Melinda</td>
<td>Executive Assistant</td>
<td>1.0</td>
<td>12</td>
<td>Temp</td>
<td>11/13/2008</td>
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</table>

**Office of the**
**Superintendent/President**

### BACKGROUND INFORMATION:

1. Temporary Out-of-Class assignment from *Administrative Assistant* to *Executive Assistant* to meet the needs of the Office of the Superintendent/President during leave of absence of Executive Assistant, B. Schlaepfer, effective November 13, 2008 through January 4, 2009.
To: Board of Trustees
From: Superintendent/President
Date: December 9, 2008
Item & File No. D.10.C
Subject: Educational Management Personnel Recommendations
Reason for Board Consideration: Enclosure(s):
APPROVAL
Recommendations

BACKGROUND:

The Appointment of Educational Management Personnel Recommendations are attached.

A. Appointment and/or Change of Educational Management Personnel

FISCAL IMPLICATIONS: All recommendations are within budgeted FTE.

RECOMMENDATION:

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

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

<table>
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<th>Item No.</th>
<th>Name</th>
<th>Title/Discipline</th>
<th>FTE</th>
<th>Appi. Type</th>
<th>Effective</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>TBA</td>
<td>Director of Child Care Programs</td>
<td>1.0</td>
<td>10.5 MPY.</td>
<td>Permanent</td>
</tr>
</tbody>
</table>

**BACKGROUND INFORMATION:**

1. Director of Child Care Programs (Name to be announced.)
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Date: December 9, 2008
Item & File No. D.10.D

Subject:
Short-Term Hourly Positions

Reason for Board Consideration:

APPROVAL

Enclosure(s):
Job Descriptions

BACKGROUND

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

Short-Term Hourly Positions.

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

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

RECOMMENDATION:

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

Administrator Initiating Item: Linda Beam, Executive Dean of Human Resources & Labor Relations
A. SHORT TERM HOURLY POSITIONS – December 9, 2008

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<th>DEPT.</th>
<th>JOB TITLE</th>
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<td>Business and Information Systems</td>
<td>Dept. Aide IV – Assist Classified Staff</td>
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<td>01/20/2009</td>
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<td>Computer labs with their assignments during nights and Saturdays at Kentfield and Indian Valley Campuses.</td>
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<td>Tutoring</td>
<td>Peer Tutor – Assist Classified Staff</td>
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<td>Provide peer tutoring to currently enrolled COM students. Complete appropriate paperwork including applications, attendance sheets, and time cards. Attend STSK 161 2-unit tutor training course. Develop and maintain professional relationships with staff, faculty and students.</td>
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BACKGROUND:

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

*Human Resources did not receive necessary paperwork from the department until after these individuals worked. These hourly employees need to be paid for work that has already been completed.
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
Date: December 9, 2008

From: Superintendent/President
Item & File No. D.10.E

Subject: Budget Transfers – Month of November – FY 2008/09

Reason for Board Consideration: APPROVAL

Enclosure(s):

BACKGROUND:

The accompanying transfer information includes eight budget transfers in November, totaling $67,638, in Unrestricted Funds.

There were fifty-six transfers in Restricted Funds for $214,503, in November 2008. There were two budget transfers from Restricted Reserves for $37,880, of which $34,238 was to establish a Hazardous Materials Fund and $33,642 was to allocate schedule maintenance funds.

There was one budget transfers from Measure C Bond Funds of $5,000, for the rental of portables.

Net effect of transfers for the Month.

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<tr>
<th>Object Code</th>
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<th>Capital Outlay</th>
<th>Measure C Bond</th>
<th>Foundation Trust Fund</th>
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*Includes utilities, consultants, travel, legal services, maintenance contracts etc.

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

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the November Budget Transfers – FY 2008/09.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
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*Note: The account code transfers total is adjusted to zero, not included in totals.*

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3.329.03 (57,800.00) 0 153,746.11 340,002.98

| 2565   | 5,000.00 | (5,000.00) | 0 | 5,000 | Porta Pottie rental |
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| 3      | 0        | 0          | 0 | 0     | 0          | 0 | 0     | 0          |
| 4      | 0        | 0          | 0 | 0     | 0          | 0 | 0     | 0          |

*Note: The account code transfers total is adjusted to zero, not included in totals.*

1.674.97 (57,800.00) 0 155,420.08 198,746.11

1.674.97 (57,800.00) 0 155,420.08 198,746.11

<table>
<thead>
<tr>
<th>Project Code</th>
<th>4000</th>
<th>5000</th>
<th>7000</th>
<th>OTHERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2362</td>
<td>8,500</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2363</td>
<td>(10,000)</td>
<td>13,500</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2364</td>
<td>(4,500)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2365</td>
<td>(3,100)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
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<td>2366</td>
<td>(3,000)</td>
<td>0</td>
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</tr>
<tr>
<td>2367</td>
<td>(4,000)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

*Note: The account code transfers total is adjusted to zero, not included in totals.*

158,746.11 5,000.00

158,746.11 5,000.00

<table>
<thead>
<tr>
<th>Measure C Building transfers</th>
<th>40,906.00</th>
<th>45,905.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL Measure C Building transfers</td>
<td>40,906.00</td>
<td>45,905.00</td>
</tr>
</tbody>
</table>
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Date: December 9, 2008
Item & File No. D.10.F

Subject: Warrant Approval for Month of November 2008

Reasons for Board Consideration: Enclosure(s):

APPROVAL

Warrant Listing

BACKGROUND:

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

For the period 11/04/2008 through 11/25/2008, warrants 80112-80664 were issued in the total amount of $3,918,977.

RECOMMENDATION:

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

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
DATE: December 9, 2008

TO: Members of the Board of Trustees

SUBJECT: Payment for Goods and/or Services

Per Board Bylaw 1.5310, Section b-7, it is recommended that warrants 80112-80664 in the amount of $3,918,977 for all funds for the period 11/04/2008 through 11/26/2008 be approved for payment. Copies of invoices for individual warrants are available for review in the Fiscal Services Office. I certify that the warrants listed are proper payments of invoices for previously approved purchase orders, agreements, contracts, utilities, materials, services and claims. The General Fund expenditures represent $1,059,133 of the above amount. Expenditure Summary includes payroll through October 31, 2008.


President or Designee

EXPENDITURE SUMMARY
2008-2009
General Fund – All Programs
Period Ending 11/26/2008

<table>
<thead>
<tr>
<th>Category</th>
<th>Budget</th>
<th>Encumbered</th>
<th>Expended</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificated</td>
<td>21,213,194</td>
<td>0</td>
<td>6,618,642</td>
<td>14,594,552</td>
</tr>
<tr>
<td>Salaries</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Classified</td>
<td>11,362,724</td>
<td>0</td>
<td>3,439,150</td>
<td>7,923,574</td>
</tr>
<tr>
<td>Salaries</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>10,059,155</td>
<td>0</td>
<td>3,709,920</td>
<td>7,149,235</td>
</tr>
<tr>
<td>Books &amp; Supplies</td>
<td>1,360,049</td>
<td>176,162</td>
<td>222,341</td>
<td>961,546</td>
</tr>
<tr>
<td>Other Operating</td>
<td>6,103,552</td>
<td>972,305</td>
<td>1,852,879</td>
<td>3,278,368</td>
</tr>
<tr>
<td>Expense*</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>1,700,691</td>
<td>42,142</td>
<td>310,674</td>
<td>1,347,875</td>
</tr>
<tr>
<td>Other Outgo**</td>
<td>4,571,201</td>
<td>0</td>
<td>1,794,516</td>
<td>2,776,685</td>
</tr>
<tr>
<td>Total</td>
<td>57,170,566</td>
<td>1,190,609</td>
<td>17,948,122</td>
<td>38,031,835</td>
</tr>
</tbody>
</table>

* Includes utilities, consultants, travel, legal services, maintenance contracts, etc.
** Includes financial aid awards and inter-fund transfers.
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>December 9, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. D.10.G</td>
<td></td>
</tr>
<tr>
<td>Subject:</td>
<td>Declaration of Surplus Property – Miscellaneous Equipment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td></td>
<td>Enclosure(s):</td>
<td>List of Equipment</td>
</tr>
</tbody>
</table>

APPROVAL

**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 be 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(c), 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 declare the items described on the attached 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 feels is appropriate.

Administrator Initiating Item

Albert J. Harrison II, Vice President of College Operations
<table>
<thead>
<tr>
<th>Campus</th>
<th>Bldg</th>
<th>Qnt</th>
<th>Item Description</th>
<th>Inventory #</th>
<th>Age</th>
<th>Condition</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>KTD</td>
<td>SS B</td>
<td>1</td>
<td>Computer monitor/keyboard</td>
<td>10776</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>FI St</td>
<td>2</td>
<td>IBM Selectric Typewriter</td>
<td>11234567</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>FI St</td>
<td>1</td>
<td>Sharp Desktop Copier/Printer</td>
<td>10123456</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>FI St</td>
<td>1</td>
<td>IBM i Selectric Typewriter</td>
<td>109713</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>FI St</td>
<td>1</td>
<td>HP DeskJet 7120 Printer</td>
<td>10097800</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>FI St</td>
<td>1</td>
<td>HP DeskJet 220 Printer</td>
<td>10097801</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>SS 202</td>
<td>1</td>
<td>HP DeskJet Printer</td>
<td>11234567</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>SS 202</td>
<td>1</td>
<td>Small Black Box</td>
<td>10123456</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>HC 224</td>
<td>1</td>
<td>Computer CPU w/monitor</td>
<td>1234567</td>
<td></td>
<td>6 yrs</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>SS 202</td>
<td>1</td>
<td>Compaq Computer</td>
<td>10097800</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>SS 202</td>
<td>1</td>
<td>Compaq Computer</td>
<td>10097801</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>SS 202</td>
<td>1</td>
<td>HP DeskJet 5900C</td>
<td>10123456</td>
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<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>SS 202</td>
<td>1</td>
<td>Photosmart 7600</td>
<td>10097800</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>SS 202</td>
<td>1</td>
<td>EnergyStar Class 2 Battery Charger</td>
<td>10097801</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>SS 202</td>
<td>1</td>
<td>VHS Video Editing Unit</td>
<td>10123456</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
<tr>
<td>KTD</td>
<td>AC 103</td>
<td>1</td>
<td>Paper Shredder</td>
<td>1234567</td>
<td></td>
<td>6 yrs</td>
<td>Dispose</td>
</tr>
<tr>
<td>KTD</td>
<td>SS 202</td>
<td>1</td>
<td>Small Black Box</td>
<td>10123456</td>
<td></td>
<td>Unk</td>
<td>Dispose or Recycle</td>
</tr>
</tbody>
</table>

#2301 Unk | Not Working | Dispose |
BACKGROUND:

The District reimburses its employees for mileage as required by State Education Code, Board Policies, and collective bargaining agreements. This rate has been established at the federally approved standard mileage reimbursement rate. The Internal Revenue Service has announced that beginning January 1, 2009 the standard mileage rate will be 55 cents per mile.

The Board of Trustees must approve reimbursement rates for mileage per District Procedure 6.0009 DP.1.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the mileage reimbursement rate to 55 cents per mile as allowed by the Internal Revenue Service for employees and Board members effective January 1, 2009.
To:        Board of Trustees 
From:       Superintendent/President 
Subject:  New Community Services Courses 
Reason for Board Consideration:  APPROVAL

BACKGROUND:
New courses are developed by faculty in the Community Education area. Courses are reviewed and approved according to Board policy 3.0001 and 3.0002.

The Community Education Program will offer the following new Community Services courses during Winter 2009. These fee-based courses are recommended by the appropriate Community Education faculty and staff as well as the Vice President of Student Learning, and are “designed to meet the educational, social, economic, cultural, and recreational needs” of Marin County residents, as specified in Board policy. The proposed new courses are listed below, along with brief descriptions.

COMMUNITY SERVICES classes for Winter 2009:

ADV. PHOTOSHOP ELEMENTS: DIGITAL SCRAPBOOKING
The focus of this course is to build layer and selection skills necessary in compositing collages, montages and digital scrapbooking. We will perform more advanced level enhancements and provide step-by-step exercises to develop skills in selection and layer techniques, creative composition and layout tips, borders, patterns and type effects and an overview of how to create a digital photo album.

AN ABSURDLY BRIEF REVIEW OF ITALIAN HISTORY
This course will offer a succinct, concise and breathless review of the varied and complex history and culture of the Italian peninsula from pre-Roman times to the present day.

ANTHROPOLOGY THROUGH LITERATURE: ABORIGINAL AUSTRALIA
Go Walkabout in the vastness of Australia, country and continent. Meet the earliest human inhabitants, the linguistically and culturally varied Aborigines who arrived about 60,000 years ago. Consider the impact of European explorers such as Cook and of settlers who followed willingly and unwillingly. Students are encouraged to learn about the turbulent 1788–1855 period via Robert Hughes’ celebrated social history The Fatal Shore. The class discusses The Secret River, the English deportee immigrant novel by Kate Grenville, and Riders in the Chariot, the fictional masterpiece of Nobel Prize winner (1973) Patrick White.
BOXING FOR FITNESS
Train in the Art of Boxing and feel healthier and more alive! This fitness class is suitable for any reasonably active adult. It offers a workout that will build strength and endurance, helps you to lose weight and burn fat. Using boxing skills and drills, you will increase your muscular and cardiovascular endurance and engage your core. Both the upper and lower body will be toned and strengthened. Exercises will be tailored to student's level of fitness. One-on-one training and style development as time allows. This class will not include contact.

DESIGNING AND BUILDING GREEN ARCHITECTURAL MODELS
This class is for future students of architecture, Real Estate professionals and investors, home owners and building contractors. The goal is to design and build a sustainable, green architectural model by hand. Course includes an introduction to the features of a green house, basics of architectural design and planning and the tools, materials, techniques and resources of building an architectural green model.

FAMOUS TEXTS THAT CHANGED THE COURSE OF THE WORLD
Can a text change the course and evolution of the world? Yes, it has and it will! During this engaging and humorous class, we will discuss texts and letters written by Pharaoh Akhenaten, Confucius, Buddha, Plato, Aristotle, Emperor Theodore I of Byzantium, Mahomet and Christopher Columbus. Our discussions will explore the meaning of each text and address how, and why, each changed forever the course of the world. We will also learn about the historical circumstances, and personal lives and motivations of each author. Join us to discover the thrill of witnessing (through literature) established norms being challenged and overturned by innovative visioning.

OUT OF YOUR MIND: UNIQUE STRATEGIES FOR PARENTS OF ADULT CHILDREN
What do you do when your adult child, who "should" be both financially and emotionally settled, comes to you again and again for help, or even asks to move back in? The new international social phenomenon Time magazine called "twisters," which Wikipedia defines as young people "betrovists...adolescence and adulthood," calls for new answers.

STRATEGIES FOR WEIGHT LOSS AND HEALTHY MAINTENANCE
There are two main categories of issues which keep people from achieving and maintaining their desired weight. The first is behavior issues surrounding dieting, exercise and lifestyle; the second is identity issues, learned in childhood, which are based on the perception of lack of safety and survival. The goal of this class is to give you more effective tools to dealing with weight issues, including a deeper understanding of, and how to honor and update identity-level safety and survival issues. This workshop is for anyone who is concerned about losing weight and keeping it off.

STRENGTH N'STRETCH I: FOUNDATIONS FOR ADULTS 50 PLUS
Get stronger and improve your flexibility safely through a comprehensive and foundational program. You will learn and practice strength and flexibility exercises for every major muscle group. Participants must be able to get down to and up form the floor. Free weights and bands are provided.

STRENGTH N'STRETCH II: BUILDING ON THE FOUNDATION
This course is designed for students who are proficient with the foundational program exercises. Each class includes one or two exercises for every major muscle group and the respective stretches, as well as a group warm up and cool down. You will be expected to know how to execute the Level I exercises correctly with minimal instruction, and must have completed at least 2 consecutive quarters of Strength n' Stretch I (or comparable training) to be eligible for this class.

THE MODERN ARABIC NOVEL
In this class we will look at Arab society and culture through two modern novels - Cities of Salt by Saudi writer Abdelehman Muis and Palace Walk by the Egyptian Nobel Laureate Naguib Mahfouz. Cities of Salt dramatizes the convergence of American and Arabic cultures and the impact of oil. Palace Walk is a comprehensive portrayal of Egyptian life and society. These works will allow us to explore the influence of religion, dispossession, geopolitics, orientalism and the changing relations between the Middle East and the West.
WOMEN'S WELLNESS: ACCESSING INTUITION
Using meditation and visualization, this experiential workshop will help you to differentiate your concept of being female from all other concepts. You will learn techniques that will allow you to recognize your unique female creative energy and show you how to use it with intention. Increase your intuitive ability and inner knowing. By placing your attention on this dynamic, innate energy within, you can heal yourself physically, mentally, emotionally and spiritually.

WRITER'S BOOT CAMP: HOW TO WRITE NONFICTION AND GET PAID FOR IT
Dream of seeing your name as a byline in your favorite magazine, or of writing a book that makes you an expert in your field? The mysteries of research, hooks, leads, transitions, and satisfying endings are part of the craft of nonfiction writing; you'll learn the basics here. Stringing words together is only the beginning: this course includes how to find markets and pitch your work. By course end, you'll have an outline and lead paragraph of an at least one article you intend to write plus a list of possible markets.

RECOMMENDATION:
The Superintendent/President recommends that the Board of Trustees approve the proposed new Community Services Courses.

Administrator Initiating Item

Anita Martinez, Vice President of Student Learning
BOARD AGENDA ITEM

To:        Board of Trustees                        Date: December 9, 2008
From:      Superintendent/President                Item & File No. D.10.J (1-3)
Subject:   Second Reading and Approval of Revised Board Policies

Reason for Board Consideration: Approval
Enclosure(s): Proposed revised policies

BACKGROUND:

At the May 13, 2008 Board of Trustees meeting, a set of recommended proposals to revise Board Policies in Chapter 6, Business and Fiscal Affairs, was included in the agenda for a first reading. After review by the Board the following Board Policies are hereby presented for a second reading and Board approval:

- BP 1100 - The Marin Community College District
- BP 1200 – Mission
- BP 3430 – Prohibition of Harassment

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve adoption of Board Policies 1100, 1200, and 3430.

Administrator Initiating Item     Dr. Frances L. White, Superintendent/President
BP 1100    MARIN COMMUNITY COLLEGE DISTRICT

References:
Education Code, Section 72000(b);
Elections Code, Section 18304

The District has been named the Marin Community College District.

The name is the property of the District. No person shall, without the permission of the
Board, use this name or the name(s) of any college(s) or other facilities of the District, or
any abbreviation of them, to imply, indicate or otherwise suggest that an organization,
product or service is connected or affiliated with, or is endorsed, favored, supported, or
opposed by, the District.

- From current College of Marin Policy 1.1010 titled Official Name of the
  District

The official name of the District, established under and by virtue of the laws of the State
of California, shall be "Marin Community College District" hereinafter referred to as the
"District." The official name of the District shall be used in all instances where the
statutory name of the District is legally required, e.g., contracts and other legal
documents and notices.

- From current College of Marin Policy 1.1011 titled Name of the College

The District shall maintain a single college to be designated as named College of Marin
of which there are two campuses, known as the Kentfield Campus and the Indian Valley
Campus.

- From current College of Marin Policy 7.0004 titled Name of Institution

The official name of the College, which is comprised of two campuses, shall be College
of Marin. The District will remain designated as the Marin Community College District.
The two campuses will be designated as the Kentfield Campus and the Indian Valley
Campus.

NOTE: The underlined bold text signifies language that is legally required and recommended from the
Community College League and legal counsel (Lisbert Cassidy Whitmore). The language in regular text
is from current College of Marin Policies 1.1010 titled Official Name of the District adopted on 12-10-80
and last revised on 5-10-05, 1.1011 titled Name of the College adopted on 12-10-80 and last revised on
5-10-05, and 7.0004 titled Name of the Institution adopted on 4-11-89 and last revised on 3-18-03. The
language in underlined italics is new language recommended during the administrative review process.
The Policy and Procedure Task Force reviewed this policy on November 15, 2007 and September 17, 2008. The Task Force recommends this policy move forward to College Council. College Council reviewed this policy on October 11, 2008 and recommends it go forward to the Board of Trustees for adoption.

Date Adopted:
(Replaces current College of Marin Policies
1.1010, 1.1011, and 7.0004)
BP 1200  MISSION

The District

Reference:
ACCJC Accreditation Standard I

The mission of the Marin Community College District:

College of Marin’s commitment to educational excellence is rooted in our mission to provide excellent educational opportunities for all members of our diverse community by offering:

- preparation for transfer to four-year schools and universities;
- workforce education;
- basic skills improvement;
- intellectual and physical development; and lifelong learning; and
- cultural enrichment.

The College of Marin is committed to responding to community needs by offering student-centered programs and services in a supportive, innovative learning environment with a strong foundation of sustainability, which will instill environmental sensitivity in our students.

- From current College of Marin Policy 1.7020 titled Review Mission Statement Annually

In order to assure that the College of Marin Mission Statement continues to be current and up-to-date, the Board will review it annually, at the March-Board-of-Trustees Meeting and will be considered for approval by the Board at the April Board of Trustees Meeting.

NOTE: The underlined bold text signifies language that is legally required and recommended from the Community College League and legal counsel (Llebert Cassidy Whitmore). The language in regular text is from current College of Marin Policy 1.7020 titled Review Mission Statement Annually adopted on 5-10-05. The language in underlined italics reflects the most current College of Marin Mission Statement approved by the Board of Trustees on April 17, 2007 and reaffirmed by the Board of Trustees on April 15, 2008. The Policy and Procedure Task Force reviewed this policy on November 15, 2007 and September 17, 2008. The Task Force recommends this policy move forward to College Council. The Task Force recommends this policy move forward to College Council. College Council reviewed this policy on October 11, 2008 and recommends it go forward to the Board of Trustees for adoption.

Date Adopted:
(Replaces current College of Marin Policy 1.7020)
BP 3430  PROHIBITION OF HARASSMENT

References:
Education Code Sections 200, 212.5, 44100, 66252, and 66281.5;
Government Code Sections 12920 and 12950.1;
Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e

All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation. It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation of any person, or because he or she is perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees and students feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. All allegations of retaliation will be swiftly and thoroughly investigated. If the District determines that retaliation has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any student or employee who believes that he or she has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435 titled Discrimination and Harassment Investigations. Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of
employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities, and compensation.

To this end, the Superintendent/President shall ensure that the institution undertakes education and training activities to counter discrimination and to prevent, minimize, and/or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Superintendent/President shall establish procedures that define harassment on campus. The Superintendent/President shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination and procedures for students to resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

This policy and related written procedures shall be widely published and publicized to administrators, faculty, staff, and students, particularly when they are new to the institution. They shall be available for students and employees in all administrative offices.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion.

- From current College of Marin Policy 5.0004 titled Harassment (EC 200, GC 12320)

It is the policy of the Board to prohibit harassment of an employee, applicant, or student by any District employee on the basis of race, religious creed, color, ancestry, national origin, physical handicap, medical condition, marital status, sexual preference, sex, or age. Conduct of non-employees while on District property is also expected to follow these guidelines.

Specifically, employees shall not threaten or suggest, either explicitly or implicitly, that an employee’s, student’s, or applicant’s refusal to submit to any form of harassment will interfere or adversely affect the employee’s, student’s, or applicant’s employment, work performance, academic performance, academic status, academic progress, evaluation, wages, advancement, career development, assigned duties, hours, or any other condition of employment; nor shall employees create an adverse or offensive working or academic environment.

There shall be a procedure to receive and resolve complaints concerning harassment.
Harassment includes, but is not limited to:

1. Verbal Harassment — For example, epithets, derogatory comments, jokes, or slurs on the basis of race, religious creed, color, national origin, sexual preference, ancestry, physical handicap, medical condition, marital status, sex, or age.

2. Physical Harassment — For example, physical gestures, assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sexual preference, sex, or age.

3. Visual Forms of Harassment — For example, derogatory posters, notices, object, bulletins, cartoons, or drawings on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sexual preference, sex, or age.

4. Sexual Harassment — Sexually harassing conduct in the workplace or academic environment, committed by employees, is also prohibited. This includes unwanted sexual flirtations, unwanted advances or propositions, unwanted physical conduct of a sexual nature, verbal abuse of a sexual nature, sexually degrading words used to describe an individual, in the workplace, in conjunction with any work related activity, or in the academic setting.

The District shall provide training and education for all staff on the topic of harassment.

NOTE: The underlined text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The struck-through language is from current College of Marin Policy 5.0004 Eiled Harassment adopted on 1/12/09. This policy was reviewed at the 11/12/09 Policy and Procedure Task Force Meeting, it was recommended to go forward at the 11/8/09 College Council meeting.

Date Adopted:
(Replaces current College of Marin Policy 5.0004)
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Various Projects
        Construction Contracts

Date: December 9, 2008
Item & File No. D.10.K.1

Reasons for Board Consideration:
Enclosure(s):

CONSENT RATIFICATION
None

BACKGROUND:
Under the current District procurement procedures, the Board is asked to take action on construction contracts in the following sequence (all of which are presented to the Board as agenda items):
1. Approve and authorize bidding
2. Award contract
3. Ratify the fully executed contract

After the formal bid process (item 1) and project bid opening, the Board is asked to award the contract to the lowest responsive bidder (item 2). A “Notice of Award” is then presented to the contractor and documents are prepared and submitted by the contractor to the District for review. These documents include the Construction Contract (Specification Section 00 52 13 – Agreement Form – Stipulated Sum (Single-Prime Contract)). The Contractor has seven (7) calendar days to prepare and submit these documents. The District then issues a Notice to Proceed (NTP), and work can begin.

Following execution of the Construction Contract, the Board is asked to ratify the fully executed contract (item 3). This ratification does not prevent work from starting, but has been a part of the Board ratification process. The time frame between NTP and contract ratification may be several weeks, depending on the Board meeting schedule.

This Board item is a request to the Board for ratification of the following (previously executed) contracts:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Contract Amount</th>
<th>Project Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>None to report at this time.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In addition, construction service contracts executed Construction contracts under $15,000 are also brought to the Board for ratification. This Board item is a request to the Board for ratification of the following (previously executed) contracts under $15,000:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Contract Amount</th>
<th>Project Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. Cantaruti Electric, Inc.</td>
<td>$ 3,292</td>
<td>Transportation Tech Relocation Project (850H)</td>
</tr>
<tr>
<td>Tarps &amp; Tie-Downs, Inc.</td>
<td>$ 8,388</td>
<td>Transportation Tech Relocation Project (850H)</td>
</tr>
</tbody>
</table>

FISCAL IMPACT:
These construction contracts will be paid from Measure C bond funds. Copies of the executed contracts are on file in the modernization office.

RECOMMENDATION:
The Superintendent/President recommends that the Board ratify the above-listed construction contracts for projects for the Measure C Bond Program as stipulated.
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees  
Date: December 9, 2008

From: Superintendent/President  
Item & File No. D.10.K.2 (s-g)

Subject: Various Projects  
Professional Service Contract Amendments

Reason for Board Consideration:  
Endorse(s): None

CONSENT RATIFICATION

BACKGROUND:

On November 11, 2008 the Board of Trustees authorized the District Staff to approve amendments to professional services consulting contracts with subsequent ratification by the Board. The following contract amendments are presented herein for ratification:

<table>
<thead>
<tr>
<th>Firm</th>
<th>No.</th>
<th>Amount</th>
<th>Project(s)</th>
<th>Service(s)</th>
<th>Total Contract to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kleinfielder, Inc.</td>
<td>3</td>
<td>$17,750</td>
<td>Dance Relocation (850N)</td>
<td>Testing &amp; inspection services</td>
<td>$80,750</td>
</tr>
<tr>
<td>Crossroads Relocation Services, Inc.</td>
<td>2</td>
<td>$7,411</td>
<td>Transportation Tech Relocation (850H)</td>
<td>Moving services</td>
<td>$13,811</td>
</tr>
<tr>
<td>CSW/Stuber-Streith Engineering</td>
<td>22</td>
<td>$82,562</td>
<td>Diamond PE Center Atr(308B), Parking Lot-Bioswale &amp; Pathways (401B &amp; 413A), West Campus Utility Ext (407D) &amp; Ignacio Creek Erosion Mitigation (419A)</td>
<td>Civil engineering &amp; construction admin services</td>
<td>$1,608,106</td>
</tr>
<tr>
<td>RHAA</td>
<td>9</td>
<td>$1,000</td>
<td>Parking Lot-Bioswale &amp; Pathways (401B &amp; 413A)</td>
<td>Paragon Office subscription</td>
<td>$734,112</td>
</tr>
<tr>
<td>HKT</td>
<td>12</td>
<td>$2,000</td>
<td>Transportation Technology Complex (402A)</td>
<td>Paragon Office subscription</td>
<td>$1,771,962</td>
</tr>
<tr>
<td>Sensible Environmental Solutions, Inc.</td>
<td>5</td>
<td>$18,265</td>
<td>Transportation Technology Complex (402A)</td>
<td>Testing &amp; inspection services</td>
<td>$123,693</td>
</tr>
<tr>
<td>VBN Architects</td>
<td>4</td>
<td>$3,000</td>
<td>Main Building Complex (417A)</td>
<td>Paragon Office subscription</td>
<td>$2,002,305</td>
</tr>
<tr>
<td>Ballard &amp; Watkins Construction Services</td>
<td>1</td>
<td>&lt;$12,600</td>
<td>credit Various projects on the Indian Valley Campus</td>
<td>Inspection services</td>
<td>$60,800</td>
</tr>
<tr>
<td>Inspection Services, Inc.</td>
<td>1</td>
<td>$0</td>
<td>Various projects on the Indian Valley Campus</td>
<td>Reallocation for inspection services</td>
<td>$33,266</td>
</tr>
</tbody>
</table>

FISCAL IMPACT:

None. Copies of the executed amendments are on file in the modernization office.
RECOMMENDATION:

The Superintendent/President recommends that the Board ratify the above-listed amendments for a professional services consulting contract as stipulated.

<table>
<thead>
<tr>
<th>Administrator Initiating Item</th>
<th>Administrator Approving Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>V-Anne Chernock</td>
<td>Albert J. Harrison</td>
</tr>
<tr>
<td>Director of Modernization</td>
<td>Vice President, College Operations</td>
</tr>
</tbody>
</table>
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Date: December 9, 2008
Item & File No. D11.A

Subject:

Reason for Board Consideration:
APPROVAL
Enclosure(s):
Job Descriptions

BACKGROUND

More information will be provided once CSEA has ratified the agreement.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees accept and ratify the 2007-2008/2008-2009 Collective Bargain Agreement between the District and California School Employees Association, local 196.

Administrator Initiating Item: Linda Bevan, Executive Dean of Human Resources & Labor Relations
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904  

BOARD AGENDA ITEM  

To: Board of Trustees  
From: Superintendent/President  
Date: December 9, 2008  
Subject: Scheduled Maintenance Five Year Plan  
2009/10 through 2013/14  

Reason for Board Consideration: APPROVAL  
Enclosure(s):  
2009/10 through 2013/14  
Scheduled Maintenance Plan  

BACKGROUND:  
The Board received the proposed Five-Year Scheduled Maintenance Plan for 2009/10 through 2013/14 for information at the November 11, 2008 Board meeting. As requested, the buildings have been identified by name and building number.  
The Program Plan reflects current knowledge of the District’s facilities needs; however, the Chancellor’s Office allows Districts considerable freedom to redirect money to respond to changing conditions. Projects for 2009/10 through 2013/14 reflect areas that are in sufficient need of repair or replacement. The District’s proposed Program Plan is oriented heavily towards basic repairs, e.g. roofs, ADA compliance, and life/safety, and will be changed as the District identifies facility needs through the Educational Master Plan and subsequently, the Facilities Master Plan and Measure C Modernization program.  

RECOMMENDATION:  
The Superintendent/President recommends that the Board of Trustees approve the attached Scheduled Maintenance Plan for 2009/10 through 2013/14.  

Administrator Initiating Item  

Albert J. Harrison II, Vice President, College Operations
# 5-Year Scheduled Maintenance and Special Repairs Program (SMSR) Plan for 2009/10 through 2013/14

**October 23, 2008**

## 2009-2010

1. KTD – ADA Access Barrier and Signage $100,000
2. IVC – Re-Roof Pool Locker/Shower Building 21 $302,000
   $402,000

## 2010-2011

1. IVC – Re-Roof Pomo Building 3 $257,680
2. IVC – Fire Alarm System Replacement, Pomo Building 4 $71,951
   $328,631

## 2011-2012

1. IVC – Re-Roof Pomo Building 6 $225,840
2. KTD – ADA Access Barrier Removal $100,000
   $355,840

## 2012-2013

1. IVC – Re-Roof Pomo Building 7 $224,485
2. KTD ADA Access Barrier Removal $100,000
   $324,485

## 2013-2014

1. KTD – ADA, Access Barrier Removal, Student/Counseling Center, Phase 1 $345,000
2. KTD/IVC – ADA Access Barrier Removal $100,000
   $445,000
BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
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</thead>
<tbody>
<tr>
<td>Date:</td>
<td>December 9, 2008</td>
</tr>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
</tr>
<tr>
<td>Item &amp; File No:</td>
<td>D.11.C</td>
</tr>
<tr>
<td>Subject:</td>
<td>District Financial and Measure C Bond Program Audits for 2007/08</td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>ACCEPTANCE</td>
</tr>
</tbody>
</table>

**BACKGROUND:**

The audits of the District's financial position and the Measure C Bond Program for 2007/08 were performed by the firm of Perry-Smith, LLP.

Fiscal year 2007/08 is the sixth year the District has complied with the financial statement presentation format as described in Governmental Accounting Standards Board (GASB) statement No. 34/35, which aggregates operations institution-wide rather than the historic reporting by fund. The District Financial Audit is the standard audit, required and performed on an annual basis. The special audit and report on the Measure C Bond Program is also included as required by Proposition 39.

Mr. Jeffrey Jensen of Perry-Smith, LLP will present the findings of the audits and be available for discussion and questions.

The College appreciates Perry-Smith's commitment in completing the audit in such a timely manner, thus enabling us to submit the Audit to the State by the required December 30 deadline.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees acknowledge receipt of the independent auditor’s reports on the financial statements of the Marin Community College District and the Measure C Bond Program for Fiscal Year 2007/08.

Administrator Initiating Item

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

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Notice of Intent to Lease Property

Reason for Board Consideration: APPROVAL

Enclosure(s): Resolution

BACKGROUND:

Ross School District has embarked upon a multi-year construction project to upgrade their school and does not have space to accommodate the associated construction needs for the project. The District has received a request from Ross School District to lease the fenced and paved area of the Larkspur Annex located at 1144 Magnolia Avenue, Larkspur. Ross School District would use the space for contractor vehicle parking, pick-up and drop-off of workers, staging of materials and equipment, placement of project trailer(s) and for general construction storage.

Before administration can negotiate a lease, the Board must unanimously approve a Resolution of Intent to lease property and advertise that notice in a local publication for three weeks prior to acting on the lease at a public meeting. The attached Resolution defines the general terms of the lease.

During the advertising period, administration will work with legal counsel and Ross School District to negotiate the details and develop a lease agreement. The intent is to have a lease ready for board approval at the January 20, 2009 Board meeting.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees unanimously adopt the attached Resolution declaring the College’s intent to lease real property to the Ross Valley School for construction related staging and storage as described in the Resolution.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
**BOARD AGENDA ITEM**

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>December 9, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No.</td>
<td>D.11.E</td>
</tr>
<tr>
<td>Subject:</td>
<td>Approve Board Compensation Annual Adjustment</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Reason for Board Consideration:**

<table>
<thead>
<tr>
<th>Enclosure(s):</th>
</tr>
</thead>
</table>

**APPROVAL**

**BACKGROUND:**

Education Code Section 72425 (e) establishes provisions for the governing board, on an annual basis, to increase its compensation for individual Board members in an amount not to exceed 5% based on the present monthly rate of compensation. Currently, the monthly compensation rate is $306.77. An increase of 5% would bring the total compensation amount to approximately $322.11 per month.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve a 5% increase in Trustee monthly compensation from $306.77 to $322.11 with the Student Trustee amount being 50% of this amount or $161.06.
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>December 9, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No.</td>
<td>D.11.F.1(a)</td>
</tr>
<tr>
<td>Subject:</td>
<td>West Campus Bridge Project (301A)</td>
<td>Award Construction Contract</td>
<td></td>
</tr>
</tbody>
</table>

ACTION – AWARD

None

BACKGROUND

On February 19, 2008 the Board of Trustees approved and authorized bidding for the West Campus Bridge Project (301A). This project is currently out to bid with the bid opening scheduled for December 9, 2008.

The Board of Trustees is asked to award a construction contract to the lowest responsive bidder, whose name will be announced at the meeting, following the five (5) business day bid protest period (December 16, 2008) or upon successful resolution of any bid protests. The construction contract will be brought to the Board for ratification at the first scheduled meeting following execution of the contract.

FISCAL IMPACT

The final construction cost estimate for this contract is $800,000. The contract will be paid from bond funds budgeted for the West Campus Bridge Project (301A).

RECOMMENDATION

The Superintendent/President recommends that the Board award a construction contract for the West Campus Bridge Project (301A) to the lowest responsive bidder subject to successful completion of the five (5) business day bid protest period.
BOARD AGENDA ITEM

To: Board of Trustees

Date: December 9, 2008

From: Superintendent/President

Item & File No. D.III.F.1(b)

Subject: Building Signage Phase 1 (812A) Award Construction Contract

Reason for Board Consideration:

ACTION – AWARD

None

BACKGROUND

On November 11, 2008 the Board of Trustees approved and authorized bidding for Building Signage Phase 1 (812A). This project is currently out to bid with the bid opening scheduled for December 2, 2008.

The Board of Trustees is asked to award a construction contract to the lowest responsive bidder, whose name will be announced at the Board meeting, following the five (5) business day bid protest period (December 9, 2008) or upon successful resolution of any bid protests. The construction contract will be brought to the Board for ratification at the first scheduled meeting following execution of the contract.

FISCAL IMPACT

The final construction cost estimate for this contract is $136,039. The contract will be paid from bond funds budgeted for the Building Signage Phase 1 (812A).

RECOMMENDATION

The Superintendent/President recommends that the Board award a construction contract for the Building Signage Phase 1 (812A) to the lowest responsive bidder subject to successful completion of the five (5) business day bid protest period.
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees

From: Superintendent/President

Date: December 9, 2008

Item & File No. D.11.F.1(c)

Subject: Health Services Portable Project (850G)
Award Construction Contract

Reason for Board Consideration:

ACTION – AWARD

None

BACKGROUND

On November 11, 2008 the Board of Trustees approved and authorized bidding for the Health Services Portable Project (850G). This project is currently out to bid with the bid opening scheduled for December 9, 2008. The project is currently being reviewed by DSA with an expected “stamp-out” on December 2nd, 2008.

The Board of Trustees is asked to award a construction contract to the lowest responsive bidder, whose name will be announced at the meeting, following the five (5) business day bid protest period (i.e., December 16, 2008) or upon successful resolution of any bid protests. The construction contract will be brought to the Board for ratification at the first scheduled meeting following execution of the contract.

FISCAL IMPACT

The final construction cost estimate for this contract is $273,000. The contract will be paid from bond funds budgeted for the Health Services Portable Project (850G).

RECOMMENDATION

The Superintendent/President recommends that the Board award a construction contract for the Health Services Portable Project (850G) to the lowest responsive bidder subject to successful completion of the five (5) business day bid protest period.

Administrator Initiating Item

V-Anne Chernock
Director of Modernization

Administrator Approving Item

Albert J. Harrison
Vice President, College Operations
BACKGROUND:

On July 22, 2008 the Board awarded a contract to Bay Pacific Pipelines, Inc. for the Ignacio Creek Erosion Mitigation Project (419A).

Change Order 1 consists of two (2) Potential Change Orders (PCOs) in the aggregate amount of $22,725 with no time extension.

None of the individual PCOs exceeds the Board approved threshold for advance notification. The work was attributable to remobilization costs due to an unannounced release of water into the creek during construction by the North Marin Water District, as well as one unforeseen condition.

<table>
<thead>
<tr>
<th>Total compensation</th>
<th>$ 22,725</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total time extension</td>
<td>zero days</td>
</tr>
</tbody>
</table>

FISCAL IMPACT:

This change order will be paid from Measure C bond funds. The total amount of the contract to date is as follows:

| Original Contract Amount | $ 339,000 | Previously approved |
| Change Order 1 | $ 22,725 |
| Total Contract Amount | $ 361,725 |

The cumulative value of all change orders to date is 6.7% of the original contract value.

RECOMMENDATION:

The Superintendent/President recommends that the Board approve Change Order 1 for Bay Pacific Pipelines, Inc. in the amount of $ 22,725 for the Ignacio Creek Erosion Mitigation Project (419A).
**CONTRACT CHANGE ORDER**

**PROJECT:** Sweeney Creek District Mitigation Project  
**CONTRACTOR:** Ray Pacific Piping  
**OWNER:** North Carolina Community College District  
**ENGINEER:** CWA Hydro-tech  
**DATE:** 11/01/2022

**DETAILED DESCRIPTION OF WORK PERFORMED:**

- **PCG-5** Supply of all ducts, materials and equipment associated with the replacement water intake/dam from the dam spillway to new intake structure at the new dam site.  
  - Contract: A-0064-A6  
  - Cost: $51,610.20
  - Time: 90 days

- **PCG-6** Supply of all ducts, materials and equipment associated with the replacement of the intake structure at the new dam site.  
  - Contract: A-0064-A6  
  - Cost: $16,503.40
  - Time: 90 days

**TOTAL:** $68,113.60

**AGREEMENT VALUE ADJUSTMENT**

<table>
<thead>
<tr>
<th>Factor</th>
<th>Original Contract Price</th>
<th>Cost Change (by Program Project Manager)</th>
<th>Total Contract Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>$322,032.00</td>
<td>- $68,113.60</td>
<td>$253,918.40</td>
</tr>
<tr>
<td>B.</td>
<td>$253,918.40</td>
<td></td>
<td>$253,918.40</td>
</tr>
</tbody>
</table>

**AGREED BY CONTRACTOR:**  
By: ray@ pacificpiping.com  
Date: 11/01/2022

**APPROVED BY ARCHITECT/ENGINEER:**  
By: CWA Hydro-tech  
Date: 11/01/2022

**AUTHORIZED BY OWNER:**

**AUTHORIZED BY PROJECT MANAGER:**  
By: Designated Authority, Project Manager  
Date: 11/01/2022

**AUTHORIZED BY PROGRAM MANAGER:**

**AUTHORIZED BY PROGRAM MANAGER:**  
By: Designated Authority, Program Manager  
Date: 11/01/2022

**AUTHORIZED BY OWNER:**

**AUTHORIZED BY OWNER:**  
By: Authorized Signature  
Date: 11/01/2022

**AUTHORIZED BY CONTRACTOR:**

**AUTHORIZED BY DESIGNATED AUTHORITY:**  
By: Authorized Signature  
Date: 11/01/2022

**AUTHORIZED BY PROGRAM MANAGER:**

**AUTHORIZED BY PROGRAM MANAGER:**  
By: Authorized Signature  
Date: 11/01/2022

**AUTHORIZED BY OWNER:**

**AUTHORIZED BY OWNER:**  
By: Authorized Signature  
Date: 11/01/2022

**AUTHORIZED BY DESIGNATED AUTHORITY:**  
By: Authorized Signature  
Date: 11/01/2022

**AUTHORIZED BY PROGRAM MANAGER:**

**AUTHORIZED BY PROGRAM MANAGER:**  
By: Authorized Signature  
Date: 11/01/2022
BACKGROUND:


Change Order 1 consists of one (1) Potential Change Order (PCO) in the amount of $43,000 with no time extension.

The individual PCO does not exceed the Board approved threshold for advance notification. The work is for scope included in Alternate B from the original bid package. Alternate B is added at the District’s request and represents the best value for the District.

Total compensation $43,000
Total time extension zero (0) days

FISCAL IMPACT:

This change order will be paid from Measure C bond funds. The total amount of the contract to date is as follows:

Original Contract Amount $14,097,250 Previously approved
Change Order 1 $43,000
Total Contract Amount $14,140,250

The cumulative value of all change orders to date is 0.03% of the original contract value.

RECOMMENDATION:

The Superintendent/President recommends that the Board approve Change Order 1 for Di Giorgio Contracting Company, Inc. in the amount of $43,000 for the Main Building Complex, Parking Lot-Bioswale & Pathways Projects (417A-401B-413A).
**CONTRACT CHANGE ORDER**

**PROJECT:** Javelina Parking Lot & Pedestrian Project (40888)

**CONTRACTOR:** Hendi Enterprises, Inc.

**OWNER:** Maricopa Community College District

**ARCHITECT:** BDS Architects

**AMOUNT:** $43,000.00

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total Installation of Paving &amp; Concrete Replacement</td>
<td>$43,000.00</td>
</tr>
<tr>
<td>2</td>
<td>Total Implementation of Changes</td>
<td>$43,000.00</td>
</tr>
</tbody>
</table>

**NOTES:**
- Total change order is for the specified description above.
- All costs associated with this Change Order represent the total cost of work completed.
- All change orders must be approved by the Architect and authorized by the Owner.

**AGREED BY CONTRACTOR**

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**APPROVED BY ARCHITECT/ENGINEER**

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

**SIGNED BY PROJECT MANAGER**

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**RECOMMENDED BY PROGRAM MANAGER**

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**APPROVED BY OWNER**

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
To: Board of Trustees
From: Superintendent/President
Date: December 9, 2008
Item & File No. D.11.F.2(c)

Subject: DSPS Relocation Project (850L)
Hannibal’s Inc. Electrical Construction – Change Order 2

Reason for Board Consideration: ACTION APPROVAL
Enclosure(s):
Change Order 2

BACKGROUND:

On August 26, 2008 the Board awarded a contract to Hannibal’s Inc. Electrical Construction for the DSPS Relocation Project (850L). Change Order 1 was previously approved.

Change Order 2 consists of two (2) Potential Change Orders (PCOs) in the aggregate amount of $1,410, with no time extension. These PCOs do not exceed the Board’s approved threshold for advance notification. The work was attributable to a request to better facilitate ADA access to the new DSPS space (electrical work to wire an automatic door for the DSPS space).

- Total compensation $1,410
- Total time extension zero days (no cost)

FISCAL IMPACT:

This change order will be paid from Measure C bond funds. The total amount of the contract to date is as follows:

- Original Contract Amount $40,692 Previously approved
- Change Order 1 $1,495 Previously approved
- Change Order 2 $1,410
- Total Contract Amount $43,597

The value of this change order to date is 7.1% of the original contract value.

RECOMMENDATION:

The Superintendent/President recommends that the Board approve Change Order 2 for Hannibal’s Inc. Electrical Construction in the amount of $1,410 for the DSPS Relocation Project (850L).
## CONTRACT CHANGE ORDER

**To:**

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

### Item Number | Description | Amount
---|---|---
P.C.O. #2 | Provide and Install device at new door Learning Resource Center Room 136, future DSPS space to make the automatic opener wireless. | $730.00
P.C.O. #3 | Labor to install 25 pair of CAT 3 copper wire for fix and phones in LRC 136. | $680.00

**End of Items**

SUBTOTAL: $1,410.00

---

**NOTE:** Unless otherwise noted in the specific item description above, the costs detailed in this Change Order represent the total cost of the work; complete supply and installation of materials and equipment; Contractor's fees, profit, and overhead; administration; general conditions; all other indirect costs; and associated additional bond and insurance premiums.

<table>
<thead>
<tr>
<th>AGREEMENT</th>
<th>CONTRACT VALUE ADJUSTMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>When this Change Order is signed by all parties, it constitutes their agreement:</td>
<td>Original Contract Price: $40,692.00</td>
</tr>
<tr>
<td></td>
<td>Net Change By Previously Authorized Change Order:</td>
</tr>
<tr>
<td></td>
<td>Contract Price Prior To This Change Order: $41,892.00</td>
</tr>
<tr>
<td>A. That the Contract Price / Time is adjusted as shown and that no further adjustment by reason of the change(s) provided herein shall be made; and</td>
<td>Contract Price Will Be:</td>
</tr>
<tr>
<td></td>
<td>Increased: $1,140.00</td>
</tr>
<tr>
<td></td>
<td>Decreased:</td>
</tr>
<tr>
<td></td>
<td>Unchanged:</td>
</tr>
<tr>
<td>New Contract Price Including This Change Order: $43,032.00</td>
<td></td>
</tr>
<tr>
<td>TIME ADJUSTMENT</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Contract Time Will Be:</td>
</tr>
<tr>
<td></td>
<td>Increased:</td>
</tr>
<tr>
<td></td>
<td>Decreased: 0 days</td>
</tr>
<tr>
<td></td>
<td>Unchanged:</td>
</tr>
<tr>
<td>Date of Substantial Completion As Of The Date Of This Change Order: 12/31/2008</td>
<td></td>
</tr>
</tbody>
</table>

---

**AGREED BY CONTRACTOR**

Contractor name: Harrah's Inc. Electrical Construction

By: ____________________________

Date: ____________________________

---

**ISSUED BY PROJECT MANAGER**

Swinerton Management & Consulting

By: ____________________________

Date: ____________________________

**RECOMMENDED BY PROGRAM MANAGER**

Marin Community College District

By: ____________________________

Date: ____________________________

Leigh Sain, Program Manager

---

**APPROVED BY OWNER**

Marin Community College District

By: ____________________________

Date: ____________________________

V. Ann Cernack, Director of Modernization

---

**AUTHORIZED BY OWNER**

Marin Community College District

By: ____________________________

Date: ____________________________

Albert J. Harrison II

VP College Operations

---

Distribution: ■ Owner ■ Consultant ■ Construction Manager ■ Contractor ■ C. O. File ■ Other
BACKGROUND:

On May 13, 2008 the Board awarded a contract to Di Giorgio Contracting Company, Inc. for the West Campus Utility Extension Project (407D). Change Orders 1 through 3 were previously approved.

Change Order 4 has one PCO that represents a no cost time extension only due to the revised construction schedule for the installation of a 16 inch water main and new paved emergency access road required by the North Marin Water District (NMWD). The individual PCO does not exceed the Board approved threshold for advance notification. The work was attributable to a revised construction schedule from the North Marin Water District.

Total compensation $ 0  
Total time extension 47 days

FISCAL IMPACT:

This change order will be paid from Measure C bond funds. The total amount of the contract to date is as follows:

| Original Contract Amount | $874,000 | Previously Approved |
| Change Order 1            | $18,360  | Previously Approved |
| Change Order 2            | $0       | Previously Approved |
| Change Order 3            | $65,445  | Previously Approved |
| Change Order 4            | $0       |
| Total Contract Amount    | $957,805 |

The cumulative value of all change orders to date is 9.6% of the original contract amount.

RECOMMENDATION:

The Superintendent/President recommends that the Board approve Change Order 4 for Di Giorgio Contracting Company, Inc. for a no cost time extension for the West Campus Utility Extension Project (407D).
**To:**

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

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Description</th>
<th>Cost:</th>
<th>Time:</th>
<th>End of Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Change Order 2 is a no cost time extension due to NMWD's revised construction schedule for the installation of their 20 foot section of 16&quot; water main pipe. The final connections and testing of the new and domestic water portion of the project will be completed after NMWD completes their portion of the water main installation.</td>
<td>$0.00</td>
<td>47 days</td>
<td></td>
</tr>
</tbody>
</table>

**NOTES:** Unless otherwise noted in the specific item description above, the costs detailed in this Change Order represent the total cost of the work, complete supply and installation of materials and equipment; Contractor's fees, profit, and overhead; administration; general conditions; all other indirect costs; and associated additional bond and insurance premiums.

---

<table>
<thead>
<tr>
<th>AGREEMENT</th>
<th>CONTRACT VALUE ADJUSTMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Price:</td>
<td>$874,009.00</td>
</tr>
<tr>
<td>Net Change By Previously Authorized Change Order:</td>
<td>$83,802.24</td>
</tr>
<tr>
<td>Contract Price Prior To This Change Order:</td>
<td>$957,802.24</td>
</tr>
</tbody>
</table>

**A.** That the Contract Price / Time is adjusted as shown and that no further adjustment by reason of the change(s) provided herein shall be made; and

<table>
<thead>
<tr>
<th>Contract Price Will Be:</th>
<th>New Contract Price Including This Change Order:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased:</td>
<td>$957,802.24</td>
</tr>
<tr>
<td>Decreased:</td>
<td></td>
</tr>
<tr>
<td>Unchanged:</td>
<td></td>
</tr>
</tbody>
</table>

**TIME ADJUSTMENT**

Contract Time Will Be: 47 days

Date of Substantial Completion As Of The Date Of This Change Order: 12/31/2008

---

**AGREED BY CONTRACTOR**

<table>
<thead>
<tr>
<th>Contractor Name:</th>
<th>A/E name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Di Giorgio Contracting Co., Inc.</td>
<td>CSW - Studer Stroeh</td>
</tr>
</tbody>
</table>

Date:  

---

**APPROVED BY ARCHITECT/ENGINEER**

Date:  

---

**ISSUED BY PROJECT MANAGER**

<table>
<thead>
<tr>
<th>Swinerton Management &amp; Consulting</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Debra Roche-Matthew, Project Manager</th>
</tr>
</thead>
</table>

Date:  

---

**RECOMMENDED BY PROGRAM MANAGER**

<table>
<thead>
<tr>
<th>Marin Community College District</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Leigh Sato, Program Manager</th>
</tr>
</thead>
</table>

Date:  

---

**APPROVED BY OWNER**

Date:  

---

**AUTHORIZED BY OWNER**

Date:  

---

Distribution:  

- Owner  
- Consultant  
- Construction Manager  
- Contractor  
- C. O. File  
- Other
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>December 9, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. D.11.F.2(e)</td>
<td></td>
</tr>
<tr>
<td>Subject:</td>
<td>Diamond PE Center Alterations Project (308B)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Alten Construction – Change Order 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>ACTION APPROVAL</td>
<td>Enclosure(s):</td>
<td>Change Order 7</td>
</tr>
</tbody>
</table>

BACKGROUND:

On March 4, 2008 the Board awarded a contract to Alten Construction for the Diamond PE Center Alterations Project (308B). Change Orders 1 through 6 were previously approved.

Change Order 7 consists of seventeen (17) Potential Change Orders (PCOs) in the aggregate amount of $158,830, with no time extension. None of the individual PCOs exceeds the Board approved threshold for advance notification. Two of the PCOs are attributable to code interpretation, with the balance attributable to design clarifications and unforeseen conditions, both of which are common in modernization work. The average of the sixteen (16) additional-cost PCOs is $9,927; nine (9) PCOs exceed $10,000, and three (3) exceed $20,000. The largest PCO is $23,474.

Total compensation $158,830
Total time extension 0 days

FISCAL IMPACT:

This change order will be paid from Measure C bond funds. The total amount of the contract to date is as follows:

<table>
<thead>
<tr>
<th>Original Contract Amount</th>
<th>$10,552,807</th>
<th>Previously approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change Order 1</td>
<td>$ 17,454</td>
<td>Previously approved</td>
</tr>
<tr>
<td>Change Order 2</td>
<td>$ 26,061</td>
<td>Previously approved</td>
</tr>
<tr>
<td>Change Order 3</td>
<td>&lt;$ 5,390 &gt;</td>
<td>Previously approved</td>
</tr>
<tr>
<td>Change Order 4</td>
<td>$ 39,567</td>
<td>Previously approved</td>
</tr>
<tr>
<td>Change Order 5</td>
<td>$ 47,333</td>
<td>Previously approved</td>
</tr>
<tr>
<td>Change Order 6</td>
<td>$ 39,907</td>
<td>Previously approved</td>
</tr>
<tr>
<td>Change Order 7</td>
<td>$ 158,830</td>
<td></td>
</tr>
<tr>
<td><strong>Total Contract Amount</strong></td>
<td><strong>$10,876,569</strong></td>
<td></td>
</tr>
</tbody>
</table>

The cumulative value of all change orders to date is 3.1% of the original contract value.

RECOMMENDATION:

The Superintendent/President recommends that the Board approve Change Order 7 for Alten Construction in the amount of $158,830 for the Diamond PE Center Alterations Project (308B).
**PROJECT:** Diamond FE Center Alterations  
**PROJECT No.:** 3088  
**CONTRACTOR:** Alien Construction  
**OWNER:** Marin Community College District  
**ARCHITECT:** Kwan Henmi Architecture/Planning  

**EFFECTIVE ONLY WHEN SIGNED BY OWNER**  
**CHANGE ORDER:** 7  
**DATE:** 12/9/2008  
**BSA FILE #:** 21-Cl  
**APPLICATION #:** 01-108939

---

**To:** Alien Construction  

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

<table>
<thead>
<tr>
<th>PCO #</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>See Page 2 for details</td>
</tr>
</tbody>
</table>

**SUBTOTAL Page 2:** $158,830  
**TOTAL:** $158,830

**NOTE:** Unless otherwise noted in the specific item description above, the costs detailed in this Change Order represent the actual cost of the work, complete same and installation of materials and equipment, Contractor's fees, profit, and overhead, administration, general conditions, all other indirect costs, and associated additional bond and insurance premiums.

---

**AGREEMENT**  
When this Change Order is signed by all parties, it constitutes their agreement:  

<table>
<thead>
<tr>
<th>CONTRACT VALUE ADJUSTMENT</th>
</tr>
</thead>
</table>
| Original Contract Price:  | $10,557,807  
| Net Change By Previously Authorized Change Order:  | $164,932  
| Contract Price Prior To This Change Order:  | $10,721,739  
| A. That the Contract Price / Time is adjusted as shown and that no further adjustment by reason of the change(s) provided herein shall be made: and  
| Contract Price Will Be:  |  
| Increased:  |  
| Decreased:  |  
| Unchanged:  |  
| New Contract Price Including This Change Order:  | $10,876,560  
| TIME ADJUSTMENT  
| Contract Time Will Be:  |  
| Increased:  |  
| Decreased:  |  
| Unchanged:  |  
| 0 calendar days  
| Date of Substantial Completion As Of The Date Of This Change Order:  | 9/13/2009  

---

**AGREED BY CONTRACTOR**  
Alien Construction  
By:  
Date:  

**APPROVED BY ARCHITECT/ ENGINEER**  
Kwan Henmi Architecture/ Planning  
By:  
Date:  

---

**ISSUED BY PROJECT MANAGER**  
Swinerton Management & Consulting  
By: Christine Tal, Project Manager  
Date:  

**RECOMMENDED BY PROGRAM MANAGER**  
Swinerton Management & Consulting  
By: Leigh Sato, Program Manager  
Date:  

---

**APPROVED BY OWNER**  
Marin Community College District  
By: V-Anne Chernock, Director of Modernization  
Date:  

**AUTHORIZED BY OWNER**  
Marin Community College District  
By: Albert J. Harrison II, VP of College Operations  
Date:  

**Distribution:**  
- Owner  
- Consultant  
- Construction Manager  
- Contractor  
- C. O. File  
- Other
To: Allen Construction

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

<table>
<thead>
<tr>
<th>FCO #</th>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>010</td>
<td>Additional slab removal required to access underslab plumbing. Reason: Unforeseen condition</td>
<td>$10,304</td>
</tr>
<tr>
<td>039</td>
<td>Relocate wall outlets to floor monuments at storefront locations per Bulletin 9. Reason: Design clarification</td>
<td>$23,474</td>
</tr>
<tr>
<td>042</td>
<td>Eliminate plywood at line 7E per Bulletin 8. No change to contract time. Reason: Design clarification</td>
<td>-$3,282</td>
</tr>
<tr>
<td>048</td>
<td>Provide structural support for (64) gym fixtures per RFI 149. No change to contract time. Reason: Unforeseen condition</td>
<td>$7,132</td>
</tr>
<tr>
<td>058</td>
<td>Install missing underground storm drain lines for lower gym roof per RFI 116. Reason: Unforeseen condition</td>
<td>$3,685</td>
</tr>
<tr>
<td>059</td>
<td>Furnish and install leaky backflow preventer assembly, cage, and pad. Reason: Unforeseen condition</td>
<td>$10,024</td>
</tr>
<tr>
<td>061</td>
<td>Replace installed fire hydrants per local fire department. Reason: Code interpretation</td>
<td>$14,294</td>
</tr>
<tr>
<td>062</td>
<td>Install domestic water line to garden shed. Reason: Unforeseen condition</td>
<td>$13,312</td>
</tr>
<tr>
<td>064</td>
<td>Replace installed remote control irrigation valves (RCV) with bronze RCV per Bulletin 35. Reason: Design clarification</td>
<td>$20,697</td>
</tr>
<tr>
<td>065</td>
<td>Revise landscaping in courtyard to preserve tree near Serenity Garden per Bulletin 15. Reason: Unforeseen condition</td>
<td>$4,581</td>
</tr>
<tr>
<td>083</td>
<td>Clarify fire department connection per Bulletin 3, RFI 145. Reason: Design clarification</td>
<td>$5,450</td>
</tr>
<tr>
<td>084</td>
<td>Add shims and welding at CMU angle per RFI 214. Reason: Unforeseen condition</td>
<td>$1,212</td>
</tr>
<tr>
<td>086</td>
<td>Add trench drain at east wing atrium per RFI 197. Reason: Design clarification</td>
<td>$22,039</td>
</tr>
<tr>
<td>088</td>
<td>Construct a fake glam beam tail to replace a deteriorated member per RFI 202. Reason: Unforeseen condition</td>
<td>$1,733</td>
</tr>
<tr>
<td>090</td>
<td>New routing for domestic water loop tangent from main per RFI 217. Reason: Unforeseen condition</td>
<td>$12,423</td>
</tr>
<tr>
<td>094</td>
<td>Install curb walls at sidewalks to retain planting area soil per Bulletin 40, 41. Reason: Unforeseen condition</td>
<td>$11,264</td>
</tr>
<tr>
<td>098</td>
<td>Add structural straps at West breezeway roof openings. Reason: Code interpretation</td>
<td>$488</td>
</tr>
</tbody>
</table>

End of Items

SUBTOTAL This page: $158,836
Marin Community College District
Kentfield, CA 94904

Board Agenda Item

To: Board of Trustees  Date: December 9, 2008
From: Superintendent/President Item & File No. D.11.F.2(f)
Subject: PE Complex PV Project (308D)  Enclosure(s):
Alten Construction, Inc. – Change Order 2

Reason for Board Consideration: ACTION APPROVAL

Change Order 2

Background:

On July 22, 2008 the Board awarded a contract to Alten Construction for the PE Complex PV Project (308D).

Change Order 1 was previously approved. Change Order 2 consists of three (3) Potential Change Orders (PCOs) in the aggregate amount of $51,183 with a 109-day time extension. Two of the PCOs are for unforeseen underground conditions (and are cost related) and one PCO is a (no-cost) time extension while waiting for the Photovoltaic panels to arrive on site.

None of the individual PCOs exceeds the Board approved threshold for advance notification. One PCO is for $48,229.

The 109-day time extension accommodates the long lead time required for the solar panels, which are currently in high demand.

- Total compensation $51,183
- Total time extension 109 days

Fiscal Impact:

This change order will be paid from Measure C bond funds. The total amount of the contract to date is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract</td>
<td>$3,030,000</td>
<td>Preceding approved</td>
</tr>
<tr>
<td>Change Order 1</td>
<td>$49,904</td>
<td>Preceding approved</td>
</tr>
<tr>
<td>Change Order 2</td>
<td>$51,183</td>
<td></td>
</tr>
<tr>
<td>Total Contract</td>
<td>$3,131,087</td>
<td></td>
</tr>
</tbody>
</table>

The cumulative value of all change orders to date is 3.4% of the original contract value.

Recommendation:

The Superintendent/President recommends that the Board approve Change Order 2 for Alten Construction in the amount of $51,183 for the PE Complex PV Project (308D).

Administrator Initiating Item
V-Anne Chernock
Director of Modernization

Administrator Approving Item
Albert J. Harrison II
Vice President, College Operations
To:

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

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>P.C.O. 8</td>
<td>Time and materials for additional material to splice onto the existing rohr eugs to provide 10 feet of length to each pier. This request includes concrete and labor for the added depth (unforeseen condition).</td>
<td>$8,228.52</td>
</tr>
<tr>
<td>P.C.O. 9.2</td>
<td>No cost 109 calendar day time extension to the Alien Construction contract due to long lead time on the PV panels.</td>
<td>$0.00</td>
</tr>
<tr>
<td>P.C.O. 10.1</td>
<td>Move three light poles 10 feet north and one light pole 14 feet north to avoid a culvert. Price includes time and materials to relocate conduit that was already installed for future light (unforeseen condition).</td>
<td>$2,953.77</td>
</tr>
</tbody>
</table>

End of Items

SUBTOTAL: $51,182.29

Owner's Unspecified Allowance: $0.00
Less previous authorizations against Allowance: $0.00
Amount authorized to be paid from the Allowance by this Change Order: $0.00
Remaining Owner's Unspecified Allowance: $0.00
Amount required to be added to Total Contract Amount (in case Allowance is exhausted): $0.00

TOTAL: $51,182.29

NOTE: Unless otherwise noted in the specific item description above, the costs detailed in this Change Order represent the total cost of the work; complete supply and installation of materials and equipment; Contractor’s fees, profit, and overhead; administration; general conditions; all other indirect costs, and associated additional labor and insurance premiums.

AGREEMENT

When this Change Order is agreed by all parties, it constitutes their agreement:

A. That the Contract Price / Time is adjusted as shown and that no further adjustment by reason of the changes provided herein shall be made; and

B. That all the Terms and Conditions of the Contract, except as modified by this and any previous changes, shall remain in full force and effect and apply to the work so changed.

AGREED BY CONTRACTOR

Alten Construction

By: ________________________________
Date: ______________________________

APPROVED BY ARCHITECT/ENGINEER

Alta Tech Cambridge Group

By: ________________________________
Date: ______________________________

ISSUED BY PROJECT MANAGER

Swinerton Management & Consulting

By: Summer Byrom, Assistant Project Manager

Date: ______________________________

RECOMMENDED BY PROGRAM MANAGER

Marin Community College District

By: Leigh Sine, Program Manager

Date: ______________________________

APPROVED BY OWNER

Marin Community College District

By: ________________________________
Date: ______________________________

AUTHORIZED BY OWNER

Marin Community College District

By: ________________________________
Date: ______________________________

Distribution: ■ Owner ■ Consultant ■ Construction Manager ■ Contractor ■ C.O. File ■ Other
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904 

BOARD AGENDA ITEM 

To: Board of Trustees  
From: Superintendent/President  
Date: December 9, 2008  
Item & File No. D.11.F.3.a(1-3)  

Subject: All Building Projects on the Kentfield & Indian Valley Campuses 
Sole Source of various systems 

Reason for Board Consideration: Enclosure(s): None 

ACTION APPROVAL 

BACKGROUND: 

In order to standardize systems for all new construction and modernization projects for the Measure C Bond Program, the District recommends the following: 

- Delta Controls for the Building’s Energy Management System (EMS) 
- Best locks, keyways, and hardware (clarification to previous approval) 
- Panduit Technology Connections 
- Primex Clocks 

Pursuant to California Public Contract Code section 3400 (“PCC § 3400”) and other applicable law, the District may make a finding that a particular material, product, thing or services may be designated by specific brand or trade name in order to match other products in use on a particular public improvement either completed or in the course of completion [PCC § 3400 (b) (2)]. The products listed above. These products will be specified as a **brand only** sole source items; suppliers and installers will be included in competitive bids from general contractors. 

FISCAL IMPACT: 

None 

RECOMMENDATION: 

The Superintendent/President recommends that the Board authorize the “brand only” sole sourcing of the systems noted above for all construction and modernization projects on the Kentfield and Indian Valley campuses associated with the Measure C Bond Program.
BACKGROUND:

The Marin Community College District is in the process of updating and aligning the District’s Board Policies with the recommended policies developed through the legal firm of Liebert Cassidy Whitmore in conjunction with the Community College League of California (CCLC). The District is a member of the Board Policy and Administrative Procedure Subscription Service coordinated by the CCLC.

ANALYSIS:

The District’s current Board Policy Manual has not been revised for quite some time. Therefore, the Board Policy Manual is being reorganized and updated to align with the recommended policy information provided by the Policy and Procedure Subscription Service. Fifty-nine community college districts throughout the state are embarking on or have completed this same process.

There are seven chapters of the Board Policy Manual that include the following sections: 1) The District, 2) Board of Trustees, 3) General Institution, 4) Academic Affairs, 5) Student Services, 6) Business and Fiscal Affairs, and 7) Human Resources. The goal will be to review the current Board Policies and align them with the recommended policy information provided by the Policy and Procedure Subscription Service.

Board Policies and Administrative Procedures for Chapters 1 and 2 will undergo administrative review by Dr. Jane Wright and Dr. Frances White. After this review, the new draft will be evaluated by the Board Subcommittee on Policy for suggested revisions. Revisions will then be reviewed as information items at the BP/AP Revision Task Force and College Council. Once these steps have been completed, finished Board Policies will be submitted to the full Board for first reading and adoption. Administrative procedures will be presented as information items.

Board Policies and Administrative Procedures for Chapters 3 through 7 will undergo administrative review by Dr. Jane Wright and Dr. Frances White. After this review, the new draft will be evaluated by the BP/AP Revision Task Force for suggested revisions. Revisions will then be reviewed as information items at College Council. Once these steps have been completed, finished Board Policies will be submitted to the full Board for first reading and adoption. Administrative Procedures will be presented as information items.

Administrative Procedures 4021, 4100, 4225, 4240, 6340, 6345, 6350, 6500, 6560, 6570, and 6750 are presented herein for information.
FISCAL ANALYSIS:

No fiscal impact for the District.

RECOMMENDATION:

For information only. No action is required.

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

AP 4021 PROGRAM REVITALIZATION AND DISCONTINUANCE

References:
Education Code Section 78016;
Title 5 Sections 51022 and 55130

The District has established procedures for program revitalization and discontinuance based on the philosophy that:

- The District will rely primarily on the Academic Senate in the implementation of program revitalization and discontinuance procedures;
- Program revitalization and discontinuance is different from program review;
- Program revitalization and discontinuance shall be an academic and professional matter for the Academic Senate and may have a potential impact on employment of individuals and therefore may be a matter for collective bargaining;
- Grant-funded programs whose source of funding is no longer available may be discontinued without following the program revitalization and discontinuance procedure;
- Criteria for identifying programs at-risk for program discontinuance are clear and include evidence supported by qualitative and quantitative data, including but not limited to: long-term trends over three to seven years for enrollment history, projections for continued declining enrollment, changes in the academic discipline or career/technical field, labor market changes, articulation changes established by transfer colleges and universities that affect the viability of program offerings, or other factors that demonstrate that the program is in decline and predict it will continue to decline.
  - Those criteria are applied uniformly and consistently
- Program discontinuance should not adversely affect students who are in the middle of a program;
- The program revitalization and discontinuance procedure may be implemented after a program has been identified through program review or by the Institutional Planning Committee as being in need of revitalization.
- The Academic Senate may recommend program revitalization and discontinuance. If 60% of the faculty members teaching in a discipline agree to submit to the Academic Senate a request for the discontinuance of a program, the Academic Senate may recommend program discontinuance without a formal procedure being implemented.
- Once a program is identified, formal notice will be sent to the program staff, President of the Academic Senate, the President of the United Professors of
Marin (UPM), the President of the CSEA, and the College Superintendent/President.

- The Vice President and Dean, working with program faculty and staff and using established criteria, will present preliminary findings to the Superintendent/President and the Academic Senate President.
- If it is mutually agreed upon that the program revitalization and discontinuance process should be initiated, the process will proceed.
- Following an initial finding to proceed, program faculty and staff will have one academic year to compile evidence supported by quantitative and qualitative data to assess the program for its viability and its fit with College goals, mission, and vision. They will form a Program Revitalization Task Force to prepare a report. The Task Force will consist of all members of the department, the appropriate Dean, two faculty members from outside of the department appointed by the Academic Senate, and one Dean from outside of the Division. If the program has an advisory committee, two members of the Advisory Committee would be included. The Dean in charge of the program and a faculty member selected by the faculty would co-chair the task force. Other personnel from the College may serve as resources to the committee – student service professional, articulation officer, research director, etc.

- The Revitalization Task Force’s report will include:
  - a summary of the process used by the task force
  - a review of all data consulted
  - an assessment of the recommendations’ impact on the College’s overall educational program and budget, as well as its impact on all students, faculty, and staff involved.

- A Program Assessment Committee, appointed by the Superintendent/President and the Academic Senate, will serve as a review committee for the final report; it may also serve in an advisory capacity while the assessment is ongoing. The committee will review the final report and present its findings to the Academic Senate and the Superintendent/President. The Program Assessment Committee’s recommendations shall also be forwarded to the Institutional Planning Committee and the Office of Student Learning for review and comment.

- Specific steps for Program Revitalization and Discontinuance shall be developed by the Program Assessment Committee.

- Findings may result in recommendations that would result in program improvement or revitalization. In such case, the program may continue, but will need to complete a follow-up progress report within one year and not to exceed two years.
- Should the findings be inconclusive, a recommendation for additional review for one more year may be made.
• Findings may result in a recommendation for discontinuance, including a timeline for phasing it out within one year.

• Students who are already enrolled in the program will be allowed to complete requirements within the year of review or will be assisted to transfer to other programs. New students will not be allowed to enroll in the program while the program is being considered for discontinuance.

• The District will consult with the appropriate collective bargaining agents about the potential impact of program discontinuance on the employment of unit members. Applicable law and contract provisions will apply.

• The Superintendent/President, upon the recommendation of the Academic Senate and the Program Assessment Committee, will forward a final recommendation to the Board of Trustees. Any party may submit a different recommendation. While the final decision rests with the Board of Trustees, except in exceptional circumstances, the district shall rely primarily upon the recommendation of the Academic Senate.

Career/Technical programs

The District is legally required to establish a procedure for the discontinuance of career and technical programs that differs in some ways (Education Code Section 78016). Career/technical programs must be reviewed every two years to ensure that they meet legal standards. If legal and other District standards are not met, the same procedures for all other programs shall be followed except for the timeline which shall be accelerated to comply with legal requirements.

Legal standards for career and technical programs include that the program:

• Meets a documented labor market;

• Does not represent unnecessary duplication of other manpower training program in the area; and

• Demonstrates effectiveness as measured by the employment and completion success of its students.

Other legal requirements include:

• Any program that does not meet the requirements and the standards promulgated by the Board of Trustees shall be terminated within one year;

• The required review process shall include the review and comments of the local Private Industry Council and the review and comments shall occur prior to any decision by the Board of Trustees; and

• A written summary of the findings of each review shall be made public.

Office of Primary Responsibility: Vice President of Student Learning
Note: This is a College of Marin "10 plus 1" Administrative Procedure developed by the Academic Senate. It was reviewed by the Office of Student Learning and the Academic Senate and passed by the Senate 10/23/08. It was presented to the Task Force as an Information Item 11/12/08 and to College Council 12/4/08. See related BP 4021 passed by the BOT March 18, 2008.
AP 4100 GRADUATION REQUIREMENTS FOR DEGREES AND CERTIFICATES

References:
Title 5 Sections 55060 et seq.

Degree
The Associate of Arts (A.A.) Degree or Associate of Science (A.S.) Degree will be awarded to any student upon satisfactory completion of all of the following requirements:

1. Competence in reading, written expression, and mathematics.
   a. Math Proficiency - One of the following options:
      1) A satisfactory score on the Math Assessment Test, i.e., eligibility for Intermediate Algebra (Math 103) or
      2) Completion of Elementary Algebra (Math 101 or Math 101A plus 101B or Math 101X plus 101Y) with a grade of "C" or higher. Students entering College of Marin in Fall 2009 or after, must fulfill this requirement with Math 103, intermediate Algebra.
   b. English competence (reading and written expression): English 120 or 150 with a "CR," "Pass" or a grade of "C" or higher, depending on the Major requirement. Students entering College of Marin in Fall 2009 or after, must fulfill this requirement with English 150.

2. Sixty (60) units of accredited lower division college credit in courses that have been properly approved pursuant to Title 5 Section 55002(a).
   a. Remedial Courses: English classes numbered under English 120 and Math classes below Math 101 may not be used toward a degree.
   b. Basic skills courses under 100 do not apply toward the 60 units required for graduation, even though they may be listed as part of a major vocational program major.

3. At least 18 semester units in general education and at least 18 semester units in a major approved at the College of Marin.
   a. Majors and major requirements are listed in the catalog.

4. At least 12 units successfully completed in residence at the College of Marin in the major.
a. When injustice or an undue hardship would result, students may file a petition at the Admissions and Records Office to have this requirement waived. The petition will be forwarded to the department for review.

5. An overall grade point average of 2.0 in all courses taken at College of Marin and all other courses transferred from other colleges used toward a Degree or Certificate, a 2.0 grade point average in Major requirements, and be in good academic standing at the college. For the Dental Assisting, Early Childhood Education, Medical Assisting, and Registered Nursing Education Majors, a grade of “C” or higher is needed in each course.

6. Completion of general education requirements that include a minimum of work in the natural sciences, social and behavioral sciences, humanities, and language and rationality as outlined in the college catalog.
   a. A course in ethnic studies must be offered in at least one of the areas listed above.

7. Course Substitution: Substitution for any required course must be approved through student petition. An official transcript and catalog description must accompany the petition. For non-comparable courses, Department Chairs will be consulted to determine course acceptability.

8. Transfer Units:
   a. From U.S. Accredited Colleges: Students may only transfer units from regionally accredited colleges or universities. Upper division units may not be used toward an AA or AS degree. Students may, however, submit a petition to the Admissions and Records Office for a waiver of requirements with relevant upper division work.

   b. From Foreign Colleges: transcripts from foreign colleges and universities will be accepted only when evaluated by U.C., C.S.U., or an evaluating service recognized by the College of Marin. Credit will be granted when the academic level of the course work is deemed to be comparable to that of classes taught in fully accredited United States colleges and universities.

   c. In order to apply units completed at another institution toward a degree, official transcripts may be mailed or hand-delivered provided they arrived in an officially stamped and sealed envelope by the issuing institution. Official transcripts have an embossed or water seal. Transcripts should be sent via U.S. Mail to College of Marin. Transcripts from other colleges received by the College of Marin will not be copied for release to the student.

9. The completion of an Application for Graduation/Certificate and any relevant official transcripts or petitions by the established deadline.
a. Graduation requirements must come from a single catalog.

b. A student who receives a Degree/Certificate in one discipline may subsequently or simultaneously work on a Degree/Certificate in another discipline, provided there are 12 different unit requirements in the Major.

10. Outstanding Debt: A Diploma and/or Certificate may not be released until the student has paid all outstanding debts to the college.

A student who receives a Certificate may subsequently complete requirements and earn a Degree in the same discipline, since the Degree represents a higher level of accomplishment. A Certificate in the same discipline will not be granted after receipt of a Degree in the same discipline. A student, who at the time of applying is eligible for a degree, will not be issued a certificate in the same discipline.

District policies and procedures regarding general education and degree requirements are updated and published in the college catalog and filed with the State Chancellor's Office.

Certificates
Certificate of Achievement will be awarded upon satisfactory completion of the following requirements:

1. Successful completion of a course of study or curriculum that consists of 18 or more semester units of degree-applicable credit coursework.

2. Demonstration that the student has completed coursework and developed capabilities relating to career or general education.

3. A "C" grade point average (2.0) for all courses taken at the college or elsewhere, which are to be applied toward the Certificate.
   a. Courses numbered below 100 are non-degree applicable but may be used for a Certificate when listed as a Major requirement.


Skills Certificates
Skill Certificates are shorter credit programs established by the District that:

- are consistent with the mission of the District,
- meet a demonstrated need,
- are feasible and adhere to guidelines on academic achievement,
- do not require California Community College Chancellor's Office approval, and
- may be given any name or designation deemed appropriate except for certificate of achievement, certificate of completion, or certificate of competency.
Students should check with the director or department chair of the program for specific requirements.

- From current College of Marin Procedure 4.0003 DP.10 titled Academic Standards (From Pages 26-31)

Degree/Certificate Title V. 55800-55810

Catalog Rights
The catalog sets forth requirements for achieving an Associate Degree or Certificate and these requirements may change from one catalog to the next. Catalog rights are established for any semester that a student is in attendance. The specific catalog employed toward graduation requirements and all implied rights cease after two consecutive semesters of nonattendance. State of California and federal law, as well as College of Marin Board Policy, shall take precedence over catalog rights. Students not enrolled when applying for a Degree or Certificate must use the current catalog.

Official Transcripts Title V. 48803
In order to apply units completed at another institution toward a degree, official transcripts may must be mailed or hand-delivered provided they arrive in an officially stamped and sealed envelope by from the issuing institution and arrive in a sealed envelope. Official transcripts have an embossed or water seal. Transcripts should be sent via U.S. Mail to: the Counseling Department, College of Marin, Kentfield, CA 94904. Transcripts from other colleges received by the College of Marin will not be copied or released to the student.

Outstanding Debt
A Diploma and/or Certificate will may not be released until the student has paid all outstanding debts to the college.

Transfer Units
Students may only transfer units from fully-accredited colleges or universities as listed in the AACRAO Transfer Credit Practices of Selected Educational Institutions. Upper division units may not be used toward an AA or AS degree. Students may, however, petition for a waiver of requirements with relevant upper-division work. The student must still have 60 lower-division units.

Requirements from a Single Catalog
Requirements must come from a single catalog for a semester of recorded enrollment. Summer session is considered the end of the school year.

Course Substitution
Substitution for any required course must be approved through student petition to the Academic Standards Committee. An official transcript and catalog description must accompany the petition. For non-comparable courses, Department Chairs will be
consulted to determine course acceptability. Students should be encouraged to request substitution in their first semester of attendance.

Procedures for Substitution of Requirement Courses for College of Marin Nursing Program

There are two methods for students to obtain credit for required courses:

Evaluation Separate from Application to the Nursing Program

1. Petitions for Substitution may be submitted before applying to the Nursing Program. It will be the student’s responsibility to request official transcripts and course descriptions for the year the course was completed and attach catalog course descriptions to the Petition. Official transcripts must be mailed directly from the issuing college to: College of Marin Counseling Department, Kentfield, CA 94904. The Petition for Substitution must then be submitted to Admissions and Records. The Academic Standards Committee will then review the petition and notify the student of the decision. A copy of the petition will be sent to the student and the original petition will be kept on file in the Counseling Office no longer than five years. Decisions will be made part of the official record.

2. Students who obtain substitution approval in advance need to retain a copy of the approved petition and attach it to their Application for the Nursing Program.

Evaluation as Part of the Nursing Application

4. The Nursing Application will include two forms. One will require the student to list all pre- and co-requisites completed at College of Marin. The other will be a Petition for Substitution for courses required for the R.N. Program, which were completed at another college. Catalog descriptions for the year in which the class was completed must accompany the Petition for Substitution.

2. The Nursing Department will send the Petitions for Substitution to the Dean of Enrollment Services together with catalog descriptions and copies of the students’ transcripts for evaluation.

3. The student, the Nursing Department and the Academic Standards Committee will receive a copy of the petition indicating which courses are approved/denied. The original petition will be kept on file in the Counseling Office no longer than five years. All decisions made will become a part of the official record.

Remedial Courses

English classes below English 120 and Math classes below Math 101 may not be used toward a degree. Courses numbered below 100 are non-degree applicable but may be used for a Certificate when listed as a Major requirement. Basic skills courses under 100 do not apply toward the 60 units required for graduation, even though they may be listed as part of a major vocational program major.
Awarding a Degree and Certificate
A student who receives a Certificate may subsequently complete requirements and earn a Degree in the same discipline, since the Degree represents a higher level of accomplishment. A Certificate in the same discipline will not be granted after receipt of a Degree in the same discipline. A student who, at the time of applying, is eligible for a degree will not be issued a certificate in the same discipline.

Multiple Degrees and Certificates
A student who receives a Degree/Certificate in one discipline may subsequently or simultaneously work on a Degree/Certificate in another discipline, provided there are 12 different unit-requirements in the Major.

A student may qualify for more than one degree, provided that 12 of the required units for the major are not applied toward any other major and are completed at the College of Marin. Each specialty must have 12 independent units.

Skills Certificates
Generally all required courses must be completed at College of Marin. Transfer work must be approved by the appropriate Director or Department Chair. All work for the Certificate must be completed within 2 years. Check with the specific Director or Department Chair for requirements.

Military Units
Military units may not be used toward a Degree or Certificate unless the courses are fully accredited by the University of Maryland or another fully accredited college or university (as listed in the AACRAO Guide).

Nursing
Thirty units of credit may be granted to students who have attended unaccredited diploma schools and graduated. The students must have a current California nursing license. These students must have successfully completed 12 units in residence and secure the approval of the Director of Nursing and Allied Health Programs.

Foreign Colleges
Transcripts from foreign colleges and universities will be accepted only when evaluated by UC, CSU, or an evaluating service recognized by the College of Marin. The service recommended by College of Marin is International Education Research Foundation, Inc., P.O. Box 66940, Los Angeles, CA 90066, telephone (310) 390-6276. Credit will be granted when the academic level of the course work is deemed to be comparable to that of classes taught in fully accredited United States colleges and universities.

Degree Title V: 55800-55810
The Associate of Arts (A.A.) Degree or Associate in Science (A.S.) Degree will be awarded to any student upon satisfactory completion of all of the following requirements:

1. Sixty-(60)-units of accredited lower division college credit.

2. An overall grade point average of 2.0 in all courses taken at College of Marin and all other courses transferred from other colleges used toward a Degree or Certificate, a 2.0 grade point average in Major requirements and be in good academic standing at the college.

3. At least 12 units successfully completed at College of Marin in the Major requirements.

4. Major requirements listed in the catalog.

5. Math Proficiency – One of the following options:
   a) A satisfactory score on the Math Assessment Test, i.e., eligibility for Intermediate Algebra (Math 103) or
   b) Completion of Elementary Algebra (Math 101 or Math 101A plus 101B or Math 101X plus 101Y) with a grade of “C” or higher.

6. An Application for Graduation/Certificate and any relevant official transcripts or petitions by the established deadline.

7. English 120 or 150 with a grade of "C" or higher, depending on the Major requirement.

Certificate
Certificate of Completion will be awarded upon successful completion of the following requirements:

1. All courses for a particular Certificate, which are listed as the Major requirements in the catalog. A minimum of 12 units of these courses must be successfully completed at College of Marin.

2. A "C" grade point average (2.0) for all courses taken at the college or elsewhere, which are to be applied toward the Certificate.

3. An Application for Graduation/Certificate together with relevant petitions and official transcripts by stipulated deadlines.

Office of Primary Responsibility: Vice President of Student Learning

Date Approved:
(Replaces portions of current College of Marin Procedure 4.0003 DP.10)
NOTE: The *underlined regular text* signifies *legally required* language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in *underlined italics* reflects revisions from the Student Learning Office and the Academic Standards Committee. The language in *regular text* is from current College of Marin Procedure 4.0003 DP.10 titled Academic Standards approved on 2/8/05. The language struck-through is recommended for deletion. The Academic Senate approved this procedure on 10-16-08. It was reviewed as an Information Item by College Council on 11/6/08 and the Task Force on 11/12/08.
AP 4225  COURSE REPETITION

References:
Education Code Section 76224;
Title 5 Sections 55040-55043 and 58161

Non-Repeatable Courses (Substandard Grades)

Students may repeat any non-repeatable course taken at College of Marin for which a substandard grade of “D,” “F,” “FW,” “NP,” or “NC” symbol has been recorded two times. Upon completion of a repeated course, only the most recent grade earned will be computed in the cumulative grade point average or non-progress grades (NPG) percentage.

After three substandard grades or the “W” symbol in the course, students may petition to repeat a course for the fourth enrollment provided there is verifiable documentation that extenuating circumstances occurred which justify an additional repetition. Grades awarded in the same course will count in computing the student’s cumulative grade point average or NPG percentage.

- If approved, the student must wait one week after the start of new and returning student registration to register for the course.
- Courses granted Academic Renewal will not be included for course repetition limits. (See Academic Renewal Policy for specific requirements.
- Equivalent coursework completed at other accredited colleges and universities may be accepted when approved by the appropriate department chair and the student has successfully completed 12 units at College of Marin.

Annotating the permanent academic record shall be done in a manner that all work remains legible, insuring a true and complete academic history.

Non-Repeatable Courses (Absent Substandard Grades)

The following are circumstances under which students may repeat courses in which a “C” or better grade was earned: (Such course repetition requires a finding that circumstances exist which justify such repetition.)
1. **Students may petition to repeat a course in which a “C” or better was earned after 2 or more years have elapsed since successfully completing the course provided there are compelling circumstances which warrant such a repetition. Grades awarded for courses repeated under these provisions shall not be counted in calculating a student’s grade point average.**

   - *If approved, the student must wait one week after the start of new and returning student registration to register for the course.*

2. **Mandated Training:** Students are allowed to repeat a course without petition when repetition is necessary to enable that student to meet a legally mandated training requirement as a condition of volunteer or paid employment. Students can repeat such courses any number of times, even if they received a grade of C or better, however, grade received by the student each time will be included in calculations of the student’s grade point average or NPG percentage.

Admissions and Records will maintain a list of courses that meet a legally mandated training requirement and such course may be identified on the course outline.

Annotating the permanent academic record shall be done in a manner that all work remains legible, insuring a true and complete academic history.

**Repeatable Course:**

1. **Activity Courses:** Students may repeat courses that have been designated as activity courses and where it is found that the course content differs each time it is offered to enhance the skills and proficiencies of the student. Activity courses are defined as career-technical courses where the content differs each time the course is offered but the primary educational activity remains the same. Examples of activity courses include physical education and courses in music, fine arts, theater, and dance. Absent substandard academic work, courses may not be repeated for more than three semesters including summers and intersessions. Consult the catalog to determine which courses are designated as repeatable. Prior approval is not required.

2. **Courses for Students with Disabilities:** Students with disabilities can repeat a special class for students with disabilities any number of times when an individualized determination verifies that such repetition is required as a disability-related accommodation.

Annotating the permanent academic record shall be done in a manner that all work remains legible, insuring a true and complete academic history.
Course Repetition

Repetition of Courses for Lineout

Students may repeat any non-repeateable course taken at College of Marin for which a substandard grade of "D", "F", or "NC" has been recorded one time. Upon successful repetition of the course at College of Marin, the student may request that the substandard grade of "D", "F" or "NC" be lined out. The lower grade and units completed shall not be computed in the student's grade point average or non-progress grade percentage. A "W" grade may not be lined out. Equivalent coursework completed at other accredited colleges and universities may be accepted when approved by the appropriate department chair and the student has successfully completed 12 units at College of Marin. A student with 2 substandard grades in a non-repeatable class may not, however, line them out with work successfully completed at another college.

Repeatable Courses

Certain courses, as defined in the college catalog may be taken more than once. Students may enroll up to the maximum number of times allowed but no course may be taken more than four times. Consult the catalog to determine which courses are designated as repeatable.

Additional repetitions of DSPS courses designed for students with disabilities, such as Adaptive PE and Study Skills classes, will be based on measurable progress determined by the DSPS staff. No Petition to Repeat is necessary for DSPS courses. Students should contact the Disabled Students Program & Services for more information.

Non-Repeatable Courses

1. A student may repeat any non-repeatable course taken at the College of Marin for which a substandard grade of "D", "F", or "NC" has been recorded one time. Upon successful repetition of the course, the student may file a petition to have the original substandard grade lined out. (See Course Lineout Policy for specific requirements.)

2. A course may not be designated as repeatable unless the course content differs each time it is offered, and the student who repeats it is gaining an expanded educational experience for one of the following reasons:

   a. Skills or proficiencies are enhanced by supervised repetition and practice within class periods.
b. Active participatory experience in individual study or group assignments are the basic means by which learning objectives are obtained.

3. A student may not register for or be placed on a waiting list of a non-repeatable course for more than one section of the same course per semester.

4. A student may petition to repeat a non-repeatable course based on one of the following circumstances listed below:

   a. Two semesters with a substandard grade of "D", "F", or "NC" was due at least in part to extenuating circumstances. Extenuating circumstances are verified cases of accidents, illness, or other circumstances beyond the control of the student.

   If approved, the student must wait until one week before the semester/session begins to register for the course. In addition, the grade received will not be calculated into the student’s grade point average, and the student will not receive credit for that enrollment. The grade and units on the student’s transcript will be annotated accordingly.

   b. Two years or more must have elapsed since successfully completing the course with a C, CR or better grade.

   If approved, the student must wait until one week before the semester/session begins to register for the course. In addition, the grade received will not be calculated into the student’s grade point average, and the student will not receive credit for that enrollment. The grade and units on the student’s transcript will be annotated accordingly.

   c. The course is needed to meet a legally mandated training requirement as a condition of continued employment (paid or volunteer). A verification letter is required at the time of registration.

   d. A student has already enrolled twice in a non-repeatable course but has a documented disability verified by the DSPS counselor and has been making measurable progress.

5. A student who has received the symbol “W” after withdrawing from a course may re-enroll in the course without a petition. After receiving 4 “W” grades in a given course, a student may not enroll in that course again.

6. Courses granted Academic Renewal will not be included for course repetition limits. (See Academic Renewal Policy for specific requirements.)
Date Approved:
(Replaces portions of current College of Marin
Procedure 4.0003 DP.10)

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whilmore). The language in underlined italics reflects revisions recommended by Vice President Martinez and the Academic Standards Committee. The struck-through language is from current College of Marin Procedure 4.0003 DP.10 titled Academic Standards approved on 2/8/05. The language in this procedure has been revised to reflect the CC League's Update #13 distributed on September 21, 2007. The Academic Senate approved this procedure on 10-16-08. It was reviewed as an Information Item by College Council on 11/6/08 and the Task Force on 11/12/08.
AP 4240  ACADEMIC RENEWAL

Reference:
Title 5 Section 55044

Academic renewal provides students with an opportunity to reverse the negative impact of past academic failures at College of Marin without course repetition. Academic renewal may only be requested once at any California Community College in accordance with state regulation. Academic renewal is not automatic. Academic renewal actions are irreversible.

All course work granted academic renewal status shall not be computed in the student's grade point average or non-progress grade percentage and this shall be noted on the student's permanent record.

All work shall remain legible to assure a true and complete academic history. The Admissions and Records Office shall maintain a record of action taken under academic renewal.

Academic renewal does not guarantee that other institutions outside the District will approve such action. This determination will be made by the respective transfer institution.

Specific courses and/or categories of courses that are exempt from academic renewal will be described in the current College Catalog.

Academic renewal procedures may not conflict with the District's obligation to retain and destroy records or with the instructor's ability to determine a student's final grade.

Students may file a petition at the Admissions and Records Office to have their academic record reviewed for academic renewal of substandard academic performance under the following conditions:

1. Students must have achieved a 3.00 grade point average (GPA) in 12 letter-graded units or a 2.00 GPA in 24 units; work from other colleges with recognized accreditation may be considered.

2. A maximum of 24 units of substandard course work may be eliminated from consideration in the cumulative grade point average. Substandard grades are any grades lower than a "C", "CR", or "Pass".
3. At least one year must have elapsed from the time the substandard course work to be removed was completed.

4. Students' most recent semesters utilized to demonstrate that the substandard work is not a reflection of the student's ability must not include "D", "F", "I", "NC," or "NP" grades. (Semesters with lined out "D", "F", "NC," and "NP" grades do not count toward Academic Renewal.)

5. Course used to demonstrate improved academic ability cannot be all physical activity courses.

- From current College of Marin Procedure 4.0003 DP.10 titled Academic Standards (From Pages 11-12)

**Academic Renewal** Title V. 55765

Students who have successfully completed 12 units at College of Marin may petition for Academic Renewal. Academic Renewal provides students with an opportunity to reverse the negative impact of past academic failures at College of Marin without course repetition. Students may petition the Academic Standards Committee for a review of their academic record. Students can request Academic Renewal for up to 3 semesters of substandard course work. Academic Renewal may only be requested once at any California Community College in accordance with Title V. 55764. Academic Renewal is not automatic.

The following criteria will be used in the Committee's determination:

1. One year must have elapsed subsequent to the semesters to be renewed and there can be no "D", "F" or "NC" grades in that year.

2. Students shall present evidence that the substandard work does not reflect the student’s academic abilities. Work from other colleges with recognized accreditation will be considered.

3. Students must have completed a minimum of 12 units with a GPA of 3.0 or 24 units with a GPA of 2.0 subsequent to the semesters requested for Academic Renewal. Course work with "CR" grades will be averaged as "C" grades when computing grade point averages for Academic Renewal.

4. Students’ most recent semesters utilized to demonstrate that the substandard work is not a reflection of the student's ability must not include "D", "F", "I" or "NC" grades. (Semesters with lined out "D", "F" & "NC" grades do not count towards Academic Renewal.)
5. Course work with grades of "C", "CR" or higher will remain on the record for the semester granted Academic Renewal status. All course work granted Academic Renewal status shall not be computed in the student's grade point average or non-progress grade percentage and this shall be noted on the student's permanent record; all work shall remain legible to assure a true and complete academic history.

6. In computing grade point average toward honors at graduation all work, including semesters designated as Academic Renewal, shall be included.

7. The Committee will consider level of rigor of course work used to demonstrate improved academic ability. Courses used to demonstrate improved academic ability can not be all physical activity courses.

Office of Primary Responsibility: Vice President of Student Learning

Date Approved:
(Replaces portions of current College of Marin Procedure 4.0003 DP.10)

NOTE: The underlined regular text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics was added by the Academic Senate and the Student Learning Office. The language struck-through comes from current COM Procedure 4.0003 DP.10 titled Academic Standards (pages 11-12) and is recommended for deletion. The Academic Senate approved this procedure on 10-16-08. It was reviewed as an Information Item by College Council on 11/6/08 and the Task Force on 11/12/08.
AP 6340  CONTRACTS – GOODS

References:
  Education Code Sections 81641 et seq.;
  Public Contract Code Sections 20112, 20650 et seq., and 22000 et seq.;
  Labor Code Sections 1770 et seq.

Limits
The District shall enter into contracts for goods (supplies, materials, apparatus, and equipment) except construction as necessary to the efficient operation of the District in accordance with Board policies, state laws, and other pertinent regulations, with limits as follows:

- **Informal procurement (typically, less than $30,000 or in accordance with Public Contract Code):** The Chief Business Officer may sign contracts;
- **Written quotes (typically, $30,000 to the Public Contract Code limit):** The District shall solicit written quotations from at least three independent vendors; and
- **Formal bids (above the Public Contract Code limit):** The District shall solicit formal bids per Public Contract Code Section 20651, as described below.

Bid Specifications
Bid specifications shall include a definite, complete statement of what is required and, insofar as practical, shall include pertinent details of size, composition, construction, and/or texture of what is specified, and minimum standards of efficiency, durability, and/or utility required of what is specified.

Notice Calling for Formal Advertised Bids
The District shall publish at least once a week for two weeks in a newspaper of general circulation circulated within the District or if there is no such paper, then in some newspaper of general circulation, circulated in the county, and may post the information on the District’s web site or through an electronic portal, a notice calling for bids or proposals, stating the goods to be furnished and the time and place when bids will be opened. The District may accept a bid that was submitted either electronically or on paper.

Bid and contract forms shall be prepared and maintained by the Chief Business Officer or designee. All applicable statutory provisions and Board Policies shall be observed in preparation of the forms.
The Chief Business Officer or designee shall be responsible for insuring that the bid specifications are sufficiently broad to encourage and promote open competitive bidding.

When required or determined to be appropriate, bids shall be accompanied by a certified or cashier's check, or bid bond, in the amount specified in the bid form, as a guarantee that the bidder will enter into contract and furnish the required contract bonds. When no longer required for the protection of the District, any certified or cashier's check received shall be returned to the respective bidder.

The Chief Business Officer or designee shall make available to the prospective bidders bid forms with sets of specifications and drawings and shall provide a convenient place where bidders, subcontractors, and materiel personnel may examine the specifications and drawings.

A deposit for sets of plans and specifications may be required and may be refunded when such documents are returned.

Awarding of Contracts
The awarding of contracts for goods shall be subject to the following conditions:

- Any and all bids may be rejected by the District for any reason.
- All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received.
- Contract award recommendations to the Board of Trustees shall show a tabulation of the bids received in reasonable detail.

Contract awards shall be made to the lowest responsible, responsive bidder substantially meeting the requirements of the specifications. The District reserves the right to make its selection of goods purchased based on its best judgment as to which bid substantially complies with the quality required by the specifications.

Duration of Continuing Contracts for Services and Supplies
Continuing contracts for goods furnished to the District are not to exceed three years.

Unlawful to Split Bids
It is unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of the Public Contract Code requiring work to be done by contract after competitive bidding.

Office of Primary Responsibility: College Operations

Date Approved:
(This is a new procedure recommended by the CC League and the League's legal counsel)
NOTE: The underlined regular type signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The underlined italics text is language added by College Operations. The Policy and Procedure Task Force approved this procedure on October 15, 2008. College Council recommended this go forward 11/6/08.
AP 6345  CONTRACTS – PROFESSIONAL SERVICES

References:
Public Contract Code Section 6106:
Government Code Section 4526

Limits
The District shall enter into contracts for professional services (typically design and engineering services) as necessary to the efficient operation of the District in accordance with Board Policies, state laws, and other pertinent regulations, with limits as follows:

- Written proposals (typically, $0 - $30,000): The District shall solicit written proposals from at least three independent vendors and the Chief Business Officer may sign contract.
- Formal proposals (typically, more than $30,000): The District shall solicit formal competitive proposals as described below.

Procedure
- Requests for Proposals (RFPs)
  Requests for proposals shall include a definite, complete statement of what is required and, insofar as practical, shall include pertinent details of scope, duration, and cost.

- Notice of Publication of Requests for Proposals
  The District shall publish at least once a week for two weeks in a newspaper of general circulation circulated within the District or if there is no such paper, then in some newspaper of general circulation, circulated in the county, and may post the information on the District’s website or through an electronic portal, a notice calling for proposals, stating the services to be furnished and the time and place when proposals are due.

  RFPs shall be prepared and maintained by the Chief Business Officer or designee. All applicable statutory provisions and Board Policies shall be observed in preparation of the RFPs.

  The Chief Business Officer or designee shall be responsible for insuring that the RFPs are sufficiently broad to encourage and promote open competition.

- Awarding of Purchase Orders and Contracts
The awarding of purchase orders and contracts for professional services shall be subject to the following conditions:

- Any and all proposals may be rejected by the District for any reason.
- All proposals shall be screened by a pre-determined set of unbiased criteria.
- The District may interview a short list of firms from among all proposers.
- Purchase order and contract award recommendations to the Board of Trustees shall identify the short-listed firms and recommended finalist.

Office of Primary Responsibility: College Operations

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Date Approved:
(This is a new procedure recommended by the College of Marin's College Operations Department)

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NOTE: The underlined language is recommended by College Operations. The Policy and Procedure Task Force approved this procedure on October 15, 2008. College Council recommended it move forward 11/6/08.
Marin Community College District Procedure

No. 6350

Business and Fiscal Affairs

AP 6350  CONTRACTS – CONSTRUCTION

References:

Education Code Sections 81800 and 81147;
Public Contract Code Sections 20650 et seq. and 22000 et seq.

Limits

The District shall enter into construction contracts as necessary to the efficient operation of the District in accordance with Board Policies, state laws, and other pertinent regulations, with limits as follows:

- Informal procurement (typically, $30,000 or less or as revised in Public Contract Code): The District shall solicit bids from at least three independent vendors and the Chief Business Officer may sign the contract.
- Formal bids (typically, more than $30,000 or as revised in Public Contract Code): The District shall require the solicitation of formal bids (Public Contract Code Section 20651), as described below.

The Chief Business Officer or designee shall be responsible for the planning and programming of new construction, alterations and repairs of existing plants, and leasing of facilities that require state approval. This includes the planning and programming of District-initiated new construction, additions to existing plants, and major alterations and repairs of buildings and grounds.

The Chief Business Officer or designee shall be responsible for preparation of drawings and specifications for new buildings, leased facilities, additions, major alterations, and improvements of buildings and grounds together with estimates of costs.

The preliminary drawings, which shall cover all proposed facilities together with construction cost estimates, shall be submitted to the Board of Trustees for approval and authorization to proceed with the working drawings and specifications. Upon completion, the working drawings, specifications, and revised cost estimates, if any, will be submitted for approval to the Division of the State Architect and State Chancellor's Office, if applicable and as required by statute in the name of the Board of Trustees.

The final working drawings and specifications, approved by the Division of the State Architect and State Chancellor's Office, if applicable together with revised estimates, if any, shall then be submitted to the Board of Trustees for adoption.

Bid Specifications
Bid specifications shall include a definite, complete statement of what is required and, insofar as practical, shall include pertinent details of size, composition, construction, and/or texture of what is specified, and minimum standards of efficiency, durability, and/or utility required of what is specified.

**Notice Calling for Formal Advertised Bids**
The District shall publish at least once a week for two weeks in a newspaper of general circulation circulated within the District or if there is no such paper, then in some newspaper of general circulation, circulated in the county, and may post the information on the District’s web site or through an electronic portal, a notice calling for bids or proposals, stating the materials or supplies to be furnished and the time and place when bids will be opened. The District may accept a bid that was submitted either electronically or on paper.

Bid and contract forms shall be prepared and maintained by the Chief Business Officer or designee. All applicable statutory provisions and board policies shall be observed in preparation of the forms.

The Chief Business Officer or designee shall be responsible for insuring that the bid specifications are sufficiently broad to encourage and promote open competitive bidding.

All bid notices for work to be done shall contain an affirmative statement requiring compliance with Labor Code Sections 1775 and 1776 governing payment of prevailing wages and Labor Code Section 1777.5 governing employment of apprentices. All bid submissions shall contain all documents necessary to assure compliance with these Labor Code Sections. Failure to provide such documentation shall cause any such bid to be deemed incomplete.

When required or determined to be appropriate, bids shall be accompanied by a certified or cashier’s check, or bid bond, in the amount specified in the bid form, as a guarantee that the bidder will enter into contract and furnish the required contract bonds. When no longer required for the protection of the District, any certified or cashier’s check received shall be returned to the respective bidder.

The Chief Business Officer or designee shall make available to the prospective bidders bid forms with sets of specifications and drawings and shall provide a convenient place where bidders, subcontractors, and material personnel may examine the specifications and drawings.

A deposit for sets of plans and specifications may be required and may be refunded when such documents are returned.

**Awarding of Contracts**
The awarding of contracts shall be subject to the following conditions:
- Any and all bids may be rejected by the District for any reason.
• All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received.
• Contract award recommendations to the Board of Trustees shall show a tabulation of the bids received in reasonable detail.

Contract awards shall be made to the lowest responsible, responsive bidder meeting the requirements of the specifications.

Kindergarten-University Public Education Bond Act Projects

For projects funded by State Bond Funds, the Chief Business Officer or designee will initiate and enforce, or contract with a third party to initiate and enforce, a labor compliance program for that project under Labor Code Section 1771.7. The program will include:
• Appropriate language concerning the wage requirements of Labor Code Sections 1720 et seq. in all bid invitations and public works contracts.
• A pre-job conference with the contractor and subcontractors to discuss applicable state and federal labor law requirements.
• Project contractors and subcontractors shall be required to maintain and, at designated times, furnish certified copies of weekly payroll containing a statement of compliance signed under penalty of perjury.
• The District shall review, and if appropriate audit, the payroll records of the employees of the contractor and/or subcontractor. The review and audit shall be conducted by the Chief Business Officer, designee, or an independent third party (but not the third party with whom the District contracts to initiate and enforce a labor compliance program under Labor Code Section 1771.7).
• If an investigation establishes that an underpayment of wages has occurred, the District shall withhold any contract payments, equal to the amount of underpayment and any applicable penalties.
• The Chief Business Officer or designee shall transmit a written finding that the District has initiated and enforced, or has contracted with a third party to initiate and enforce, the required labor compliance program, to the Director of the Department of Industrial Relations, or any successor agency that is responsible for the oversight of employee wage and work hour laws.

Unlawful to Split Bids
It is unlawful to split or separate into smaller contracts any construction project for the purpose of evading the provisions of the Public Contract Code requiring work to be done by contract after competitive bidding.
From current College of Marin Policy 8.0022 titled formal Acceptance and Release of Retainage – Construction Projects

(EC-81147)
The Superintendent/President shall be responsible for determining that all obligations have been met by the contractor and for recommending to the Board that the project be formally accepted. All construction projects shall be formally accepted by the Board on completion before the retainage is released and final payment is made to the contractor.

From current College of Marin Policy 8.0023 titled Visitation to Construction Sites

District construction sites are under the administrative jurisdiction of the contractor during the period of construction. Therefore, it is the policy of the Board that visitations to construction sites shall be limited to those whose business requires their presence at the site.

Office of Primary Responsibility: College Operations

Date Approved:
(Replaces current College of Marin Policies 8.0022 and 8.0023)

NOTE: The underlined regular text signifies legally advised language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The struck-through text is from current College of Marin Policies 8.0022 titled Formal Acceptance and Release of Retainage – Construction Projects adopted on 8/5/81 and revised on 4/9/85 and 8.0023 titled Visitation to Construction Sites adopted on 8/5/81 and is recommended for deletion. The underlined italics text is language added by College Operations. The Policy and Procedure Task Force approved this procedure on October 15, 2008. College Council recommended this Procedure move forward 11/6/08.
AP 6500 PROPERTY MANAGEMENT

References:

Education Code Sections 70902 and 81300 et seq.

The Chief Business Officer shall be responsible for supervising acquisitions of real property, including appraisals and valuations of real property and improvements; securing title insurance policies; dedications or conveyance of easements; vacation of streets and alleys, street lighting and other special assessments; and the condemnation of real property.

From current College of Marin Policy 8.0028 titled Criteria for Lease or Sale of College Land

(EC-81360-81380)

According to Sections 81360-81380 of the California Education Code, the Board of Trustees of the District has the power to acquire, buy, sell, or lease real property belonging to the District. Before an action is taken by the Board of Trustees on the lease or sale of College-owned land, the following criteria must be met:

1. No obvious academic, athletic, or administrative need must exist for the property under consideration;

2. The proposed lease or sale must generate positive educational and/or financial benefits for the College, or make possible improvements to its physical facilities;

3. The proposed use of the leased or sold property must be supportive or at least compatible with the activities of the College;

4. The proposed use must comply with legal government land use all applicable procedures statutes and regulations;

5. The principal leasing or purchasing the property must identify itself;

6. The process must allow for a full public hearing or workshop before any action is taken by the Board of Trustees.

❖ From current College of Marin Policy 8.0026 titled Environmental Evaluation of MCCD Property

The Governing Board hereby adopts the procedures and guidelines set forth here and in the Environmental Quality Handbook for the environmental evaluation of projects which it may undertake. These procedures augment the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 et seq. and the Regulations of the California Resources Agency Establishing Guidelines for Implementation of the California Environmental Quality Act (Division 6, Title 14, California Administrative Code). The objective of these procedures and guidelines is to provide the District with a means of orderly compliance with the requirements of CEQA, thereby furthering the protection of environmental quality in California.

The Board shall review and consider all final Environmental Impact Reports and Negative Declarations prior to approving any project not exempt from the requirements of the California Environmental Quality Act, and shall make such findings as are required by law. (Public Resources Code SS24000 et seq.; 14 Cal. Adm. Code SS15000 et seq.; SS15055.)

Office of Primary Responsibility: College Operations

Date Approved:
(Replaces current College of Marin Policies 8.0026 and 8.0028)

NOTE: The underlined text signifies language suggested as good practice recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in regular text is from current College of Marin Policies 8.0026 titled Environmental Evaluation of MCCD Property adopted on 2/2/84 and 8.0028 titled Criteria for Lease or Sale of College Land adopted on 5/9/89 revised on 12/12/00. The underlined italics language was added by Maintenance and Operations. Language struck through is recommended for deletion. The Policy and Procedure Task Force reviewed this Administrative Procedure on September 17, 2008 and recommended that it move forward to College Council. College Council reviewed this procedure on 10/9/08 and recommends it move forward. This note will be deleted from the final Procedure.
AP 6560  ENVIRONMENTAL RESPONSIBILITY

References:
Title 5 Sections 57050-57055
California Environmental Quality Act

Practices implemented to conduct environmentally responsible instructional and operational programs will include at least the following:

Instructional and Operational Programs
The District will encourage and support programs and curricula that teach and acknowledge sustainable practices, and will develop and implement sustainable operational practices (e.g., recycling, sustainable design, water management, waste reduction, renewable energy).

California Environmental Quality Act (CEQA)
The District will comply with the legal guidelines and procedures of the California Environmental Quality Act (CEQA) when developing capital construction projects.

Leadership in Energy and Environmental Design (LEED)
The District will design and construct or renovate its facilities in keeping with criteria established by the U.S. Green Building Council as measured by the Leadership in Energy and Environmental Design (LEED) rating system, and will seek LEED certification whenever possible. Programs and practices designed to earn LEED credits will address:

- Erosion and sediment control (LEED-EB\textsuperscript{1} Credit SS-PR 1)
- Waste reduction (LEED-EB MR credits)
- Low-impact site and green building exterior management (LEED-EB Credits SS 1.1 and 1.2)
- Mercury-containing light bulbs (LEED-EB Credit MR-PR 2 and MR-6)
- Sustainable purchasing (LEED-EB Credits MR-4.1-4.3)\textsuperscript{2}
- Occupant recycling (LEED-EB Credit MR-5)

\textsuperscript{1} EB = existing buildings; NC = new construction
\textsuperscript{2} Including, but not limited to, a requirement to purchase ENERGY STAR certified products in all areas for which such ratings exist.
• *Environmental tobacco smoke control* *(LEED-EB Credit EQ-PR 2, LEED-NC Credit EQ-PR 2, and Board Policy 3570)*

• *Low environmental impact cleaning* *(LEED-EB Credit EQ 10-3)*

• *Low environmental impact (integrated) pest management* *(LEED-EB Credit EQ 10.4/5 and Board Policy 6570)*

**Transportation Demand Management**

The District will encourage its faculty, staff, and students to reduce dependence on single occupant, petroleum-driven vehicles. Programs and practices will address:

• *Construction, operation and maintenance of parking facilities (lots and structures);*

• *Preferred parking programs (e.g., carpools, vanpools, and alternative fuel vehicles); and*

• *Pedestrian, bicycle, and public transit options.*

❖ From current College of Marin Procedure 8.0024 DP.1 titled Environmental and Energy Conservation

The purpose of this procedure is to establish a College Environmental-and Energy Awareness Committee which will give advice on campus environmental issues to the Vice President, Administrative Services. The existence of the Committee affirms that the College recognizes, and exemplifies for the College community, the urgent need to take measures which sustain the environment and conserve energy. The Committee will make recommendations on issues such as:

—— Water and Energy Conservation
—— Use of Non-Biodegradeable Materials
—— Purchase of Recycled Materials
—— Campus Recycling Procedures
—— College Land Development
—— Waste and Use of Toxics

Membership of the Committee will be for two-year terms except for students who shall serve for one year, and will consist of the following:

—— A. Two certificated members appointed by the Academic Senate

—— B. Two classified members appointed by the Classified Senate

—— C. Two student members appointed by the Student Senate

—— D. One manager appointed by the College President
Date Approved:
(This replaces current College of Marin Procedure 8.0024 DP.1)

NOTE: This is a College of Marin Administrative Procedure. The text struck through is from current College of Marin Procedure 8.0024 DP.1 titled Environmental and Energy Conservation approved on 4/30/91. The text in underlined italics is language recommended by College Operations. The Policy and Procedure Task Force reviewed this procedure 9/17/08 and recommended it move forward to College Council. College Council reviewed it on 10/9/08 and recommended it to move forward. This note will be removed from the final copy.
AP 6570  INTEGRATED PEST MANAGEMENT

References:

❖ From current College of Marin Policy 8.0029 titled Integrated Pest Management Policy

The Marin Community College District (MCCD) recognizes that maintenance of a safe, clean and healthful environment for faculty, students and staff is essential to learning. It is the goal of MCCD to provide for the safest and lowest risk approach to control pest problems while protecting faculty, students, staff, the environment, and MCCD property.

MCCD adopts a Least-Toxic Integrated Pest Management (IPM) Policy. Pests and weeds will be controlled to protect the health and safety of faculty, students and staff and to maintain the integrity of college buildings and grounds. Control procedures will be the policy of MCCD to focus on long-term pest prevention and give non-chemical methods first consideration when selecting appropriate control techniques. The full range of alternatives will be considered, giving preference to non-chemical use, and then chemicals that pose the least possible hazard to people and the environment.

A Least-Toxic Integrated Pest-Management (IPM) plan contains the following elements: Maintenance practices for integrated pest management will contain at least the following elements:

A. Monitoring to determine pest population levels and identify decisions and practices that could affect pest populations.

B. Setting of injury and action levels to determine when vegetation or a pest population at a specific site cause(s) unacceptable economic or medical damage wherein corrective action should be taken.

C. Modification of pest habitats to deter pest populations and minimize pest infestations.

D. Consideration of a range of potential treatments for the pest problem, including physical, horticultural and biological methods of pest control, using synthetic chemical controls only as a last resort and only those chemicals that pose the least possible hazard to people and the environment.
Date Approved:
(Replaces current College of Marin Policy 8.0029)
Office of Primary Responsibility: College Operations

NOTE: The wording in regular text is from current College of Marin Policy 8.0029 titled Integrated Pest Management Policy adopted on 8/28/01. The italics text is language added by College Operations. The Policy and Procedure Task Force approved this procedure on October 15, 2008. College Council recommended it move forward 11/6/08
References:

Education Code Section 76360;
Vehicle Code Section 21113

Parking procedures are intended to promote safe and orderly movement of traffic within District property for the safe and orderly parking of vehicles and bicycles.

All applicable provisions of the California Vehicle Code are expressly applicable both on and off paved roadways.

Parking of motor vehicles and bicycles is limited to specially designated areas. Permits are required. Vehicles or bicycles parked in violation of the provisions of state and local codes are subject to citation, fines, towing, or impoundment.

All persons who enter District property are charged with knowledge of the provisions of this procedure and are subject to the penalties for violations of such provisions.

Detailed parking and permitting regulations are developed and maintained by the District Police Department and will be posted on the District web site.

No person may leave any vehicle on the campus of the College of Marin without the approval of Campus Police.

- From current College of Marin Policy 7.0053 titled Removal of Vehicles from Campus

The Board of Trustees authorizes, pursuant to Vehicle code section 21113, that no person may leave any vehicle on campus of the College of Marin without the permission of and subject to the regulation of the President or designee.

The President or designee shall prepare a written statement that shall be available to all interested parties specifying all those special conditions and regulations adopted pursuant to this delegation.

The President or designee is authorized to place appropriate signs giving notice of any special conditions or regulations with respect to leaving vehicles on campus.
In the event anyone leaves a vehicle on campus contrary to the posted signs or written statement, the President or designee Campus Police Department is authorized to have the owner cited the owner for a violation of the Vehicle Code, and may also have the vehicle. The owner may be subject to fines, penalties, towing, and impound fees, removed to the owner’s residence or by contract with private towing services to another facility maintained for such purposes.

All reasonable expenses incurred in removing vehicles under this policy may be charged to the owner of the vehicle.

With respect to the Auto-Body/Auto-Technology program, the President or designee may adopt a regulation under which students who wish to use a personal vehicle as a class project must first secure permission from the classroom instructor. If the vehicle is not registered in the name of the student, written approval of the registered owner shall be provided to the instructor. The regulations shall also provide that the student and registered owner must also agree to remove the vehicle from campus upon the demand of the classroom instructor and to pay the cost of removal if he/she fails to remove the vehicle in a timely fashion. The regulation may authorize the collection of a refundable deposit from the owner sufficient to pay for the costs of removal.

In accordance with Vehicle Code Section 21113a, it shall be a misdemeanor for any person to do any forbidden act or fail to perform any act required in these procedures.

Office of Primary Responsibility: College Operations

Date Approved:
(Replaces current College of Marin Policy 7.0053)

NOTE: The underlined regular text signifies legally required language recommended by the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in regular text is from current College of Marin Policy 7.0053 titled Removal of Vehicles from Campus adopted on 4/9/02. The language struck-through is recommended for deletion. The underlined italics text is language added by College Operations. The Policy and Procedure Task Force approved this procedure on October 15, 2008. College Council recommended this procedure go forward 11/6/08.
BOARD AGENDA ITEM

To:       Board of Trustees         Date:   December 9, 2008
From:     Superintendent/President Item & File No. D.12.C
Subject:  Measure C Capital Program Bond Sale

Reason for Board Consideration:  FUTURE ACTION Enclosure(s): Resolution
                                 January 2009

BACKGROUND:

Based on our projected cash flow needs for the Measure C Capital Program, the college needs to sell the second series of General obligation Bonds. Attached is a draft resolution authorizing the issuance of $75 million of Series B General Obligation Bonds. While the resolution is dated for action on January 13th, we are submitting it to the Board for review and first reading at their December meeting. This draft recognizes that the District will issue the bonds in its own name and that no action of the County Board of Supervisors will be required. The resolution permits both a competitive sale and a negotiated sale, which will allow the District and our Financial Advisors (PFM) the necessary options in selling the bonds into a difficult market.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
BACKGROUND:

In accordance with Board Policy 6.0017 on External Consultants and Evaluators, attached for your information is a listing of all External Consultants and External Evaluators with whom we entered into a contract in excess of $1,000 with a description of services provided.
<table>
<thead>
<tr>
<th>Agreement Number</th>
<th>Vendor/Description</th>
<th>Location/Dept.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>P0204379</td>
<td>National League for Nursing Accrediting Commission, Inc</td>
<td>Health Sciences</td>
<td>$1,875.00</td>
</tr>
<tr>
<td></td>
<td>Annual accreditation servicing fees for Associated Degree Nursing Program for Period January 1 through December 31, 2009.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204419</td>
<td>Weatherproofing Technologies, Inc</td>
<td>Maintenance</td>
<td>$4,800.00</td>
</tr>
<tr>
<td></td>
<td>Roof repair services for both Campuses.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204425</td>
<td>Perfect Timing, Inc</td>
<td>Learning Resources Center</td>
<td>$4,078.14</td>
</tr>
<tr>
<td></td>
<td>Temporary services for IT person in Library, for three weeks.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204447</td>
<td>Law Office of Larry Frierson</td>
<td>College Operations</td>
<td>$19,850.00</td>
</tr>
<tr>
<td></td>
<td>Negotiations for CSEA, SIEU and UPM for October 2008.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204448</td>
<td>Law Office of Larry Frierson</td>
<td>College Operations</td>
<td>$8,350.00</td>
</tr>
<tr>
<td></td>
<td>Legal services for UPM and miscellaneous for October 2008.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204449</td>
<td>Keenan &amp; Associates</td>
<td>College Operations</td>
<td>$1,172.00</td>
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<tr>
<td></td>
<td>Fine Arts Insurance Premium</td>
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<tr>
<td>P0204458</td>
<td>Casey Printing</td>
<td>Community Relations</td>
<td>$3,000.00</td>
</tr>
<tr>
<td></td>
<td>Printing services for the IVC Spring flyer.</td>
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</tr>
<tr>
<td>P0204461</td>
<td>National League For Nursing</td>
<td>Health Sciences</td>
<td>$1,020.00</td>
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<tr>
<td></td>
<td>Membership services for 2009.</td>
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<td></td>
</tr>
<tr>
<td>P0204458</td>
<td>Marin Independent Journal</td>
<td>Community Relations</td>
<td>$5,000.00</td>
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<tr>
<td></td>
<td>Advertising services for the TV section of the paper for Spring 2009.</td>
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<td></td>
</tr>
<tr>
<td>P0204489</td>
<td>Student Insurance</td>
<td>District Wide</td>
<td>$26,940.00</td>
</tr>
<tr>
<td></td>
<td>Insurance services for mandatory International Student Health Insurance coverage.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204492</td>
<td>Fire King Fire Protection</td>
<td>Maintenance</td>
<td>$1,584.73</td>
</tr>
<tr>
<td></td>
<td>Testing and maintenance services for the sprinklers in Administration Services and the Library buildings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204498</td>
<td>Fire King Fire Protection</td>
<td>Maintenance</td>
<td>$1,171.15</td>
</tr>
<tr>
<td></td>
<td>Testing and maintenance services for the sprinklers in Student Services building.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204500</td>
<td>Fire King Fire Protection</td>
<td>Maintenance</td>
<td>$1,776.73</td>
</tr>
<tr>
<td></td>
<td>Testing and maintenance services for the sprinklers in Fine Arts building.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Contracts and Agreement for Services
OVER $1,000.00
MONTHLY REVIEW November 26, 2008

<table>
<thead>
<tr>
<th>Agreement Number</th>
<th>Vendor/Description</th>
<th>Location/Dept.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>P0204541</td>
<td>Perfect Timing, Inc</td>
<td>Learning Resources Center</td>
<td>$1,359.38</td>
</tr>
<tr>
<td></td>
<td>Temporary services for IT person in Library, for one week.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204547</td>
<td>Brandon Tires</td>
<td>Maintenance</td>
<td>$1,000.00</td>
</tr>
<tr>
<td></td>
<td>Tire alignment services for Maintenance and Police vehicles.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204551</td>
<td>Perfect Timing, Inc</td>
<td>Learning Resources Center</td>
<td>$1,359.38</td>
</tr>
<tr>
<td></td>
<td>Temporary services for IT person in Library, for one week.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204558</td>
<td>Fahy Tree Service</td>
<td>Maintenance</td>
<td>$2,800.00</td>
</tr>
<tr>
<td></td>
<td>Tree removal services for the College.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204563</td>
<td>Firemaster</td>
<td>Maintenance</td>
<td>$2,500.00</td>
</tr>
<tr>
<td></td>
<td>Inspection services for annual fire extinguisher service at Kentfield, Campus.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204564</td>
<td>3M Library Systems</td>
<td>Maintenance</td>
<td>$1,000.00</td>
</tr>
<tr>
<td></td>
<td>Removal and installation services for the 3500 Library security system, before and after painting and carpeting of the Learning Resource Center.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restricted</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204057</td>
<td>Dentsply Rinn</td>
<td>Dental Assisting</td>
<td>$3,465.07</td>
</tr>
<tr>
<td></td>
<td>Repair services for the Dexter head.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**MEASURE C BOND**

<table>
<thead>
<tr>
<th>Agreement Number</th>
<th>Vendor/Description</th>
<th>Location/Dept.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>P0204381</td>
<td>Marin Independent Journal</td>
<td>Measure C</td>
<td>$1,350.00</td>
</tr>
<tr>
<td></td>
<td>Advertising services for the Community Forums for both the Kentfield and Indian Valley Campuses for run dates of 9/14, 9/21, 10/12, 10/19/08.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204392</td>
<td>Sterling Environmental Corporation</td>
<td>Measure C</td>
<td>$1,264.00</td>
</tr>
<tr>
<td></td>
<td>Mold removal services for the Austin Science Center Room 4, sump pump area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0204452</td>
<td>Evisions, Inc</td>
<td>Measure C</td>
<td>$4,000.00</td>
</tr>
<tr>
<td></td>
<td>Training services for ARGOS, Banner report writing tool.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**BACKGROUND:**

The Marin Community College District is in the process of updating and aligning the District’s Board Policies with the recommended policies developed through the legal firm of Liebert Cassidy Whitmore in conjunction with the Community College League of California (CCLC). The District is a member of the Board Policy and Administrative Procedure Subscription Service coordinated by the CCLC.

**ANALYSIS:**

The District’s current Board Policy Manual has not been revised for quite some time. Therefore, the Board Policy Manual is being reorganized and updated to align with the recommended policy information provided by the Policy and Procedure Subscription Service. Fifty-nine community college districts throughout the state are embarking on or have completed this same process.

There are seven chapters of the Board Policy Manual that include the following sections: 1) The District, 2) Board of Trustees, 3) General Institution, 4) Academic Affairs, 5) Student Services, 6) Business and Fiscal Affairs, and 7) Human Resources. The goal will be to review the current Board Policies and align them with the recommended policy information provided by the Policy and Procedure Subscription Service.

Board Policies and Administrative Procedures for *Chapters 1 and 2* will undergo administrative review by Dr. Jane Wright and Dr. Frances White. After this review, the new draft will be evaluated by the Board Subcommittee on Policy for suggested revisions. Revisions will then be reviewed as information items at the BP/AP Revision Task Force and College Council. Once these steps have been completed, finished Board Policies will be submitted to the full Board for first reading and adoption. Administrative Procedures will be presented as information items.

Board Policies and Administrative Procedures for *Chapters 3 through 7* will undergo administrative review by Dr. Jane Wright and Dr. Frances White. After this review, the new draft will be evaluated by the BP/AP Revision Task Force for suggested revisions. Revisions will then be reviewed as information items at College Council. Once these steps have been completed, finished Board Policies will be submitted to the full Board for first reading and adoption. Administrative Procedures will be presented as information items.

Board Policies 3570, 6340, 6500, 6560, 6570, 6600, and 6750 are now ready for review by the Board of Trustees.
FISCAL ANALYSIS:

No fiscal impact for the District.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees receive Board Policies 570, 6340, 6500, 6560, 6570, 6600, and 6750 for first reading and discussion.

| Administrator Initiating Item | Dr. Frances L. White, Superintendent/President |
BP 3570 ENVIRONMENTAL TOBACCO SMOKE CONTROL

References:

Government Code Sections 7596, 7597, and 7598;
Labor Code Section 6404.5

The Board recognizes that smoking presents a health and safety hazard which can have serious consequences: the relationship between smoking and various health risks, including lung disease, cancer and heart disease. Furthermore, a strong link between environmental tobacco smoke or “secondhand smoke” and health risks has also been demonstrated.

Therefore, the Board, under the authority of California State law, prohibits smoking by all faculty, staff, students, and visitors at all times; and

• In all any District buildings of the District. The Board further recognizes that the same health-hazards may result from smoking in District vehicles and smoking within twenty (20) feet of a main entrance, or operable window of a public building, and ten (10) feet of buildings in general. This also includes and within ten (10) feet outside any District building, and within twenty-five (25) feet of entries, outdoor air intakes, and operable windows of any District building.

• In covered areas and courtyards adjoining buildings, courtyards, the covered areas in the Physical Education complexes, the pool areas and decks, the covered areas and courtyard of the Science Center. Therefore, the Board further prohibits smoking in all District vehicles, within twenty (20) feet of a main entrance, or operable window of a public building, and ten (10) feet of buildings of any District building, covered areas adjoining buildings, courtyards, including but not limited to the covered areas in the Physical Education complexes, the pool areas and decks, and the covered areas and courtyard of the Austin Science Center at Kentfield, and in all deck areas of building clusters on the Indian Valley Campus.

• In District vehicles

Office of Primary Responsibility: College Operations

Date Adopted:
(Replaces current College of Marin Policy 8.0006)
NOTE: This policy is legally advised and revises our current policy to meet LEEDS standards. The language in regular text is from current College of Marin Policy 8.0006 titled Smoking in District Facilities adopted on 7-29-81 and revised on 4-8-85, 12-6-88, 1-14-93, 7-29-93, and 12-9-03. The language in underlined italics is recommended by College Operations. Language recommended for deletion is struck through. The Policy and Procedure Task Force approved this policy on October 15, 2008. College Council recommended this Policy go forward 11/6/08.
BP 6340  CONTRACTS

References:

Education Code Sections 81641 et seq.;
Government Code Section 53060;
Public Contract Code Sections 20650 et seq.

The Board of Trustees delegates to the Superintendent/President the authority to enter into contracts for goods (supplies, materials, apparatus, equipment), work to be done, or services to be performed on behalf of the District and to establish administrative procedures for contract awards and management, subject to the following:

- Contracts that exceed the amounts specified in Public Contract Code Section 20651 shall require prior approval by the Board.
- Contracts are not enforceable obligations until they are ratified by the Board.
- When bids are required according to Public Contract Code Section 20651, the Board of Trustees shall award each such contract to the lowest responsible, responsive bidder who meets the specifications published by the District and who shall give such security as the Board requires. The Board may reject all bids.

If the Superintendent/President concludes that the best interests of the District will be served by pre-qualification of bidders in accordance with Public Contract Code Section 20651.5, pre-qualification shall be conducted in accordance with procedures that provide for a uniform system of rating on the basis of a questionnaire and financial statements.

If the best interests of the District will be served by a contract, lease, requisition, or purchase order through any other public corporation or agency in accordance with Public Contract Code Section 20652, the Superintendent/President is authorized to proceed.

- From current College of Marin Policy 6.0013 titled Contracts

(GC-53060, PCC-20651)

The Board shall approve all contracts for services, activities or the receipt of funds, including but not limited to contracts for:

1. Agents of the Board
2. Auxiliary services programs
3. Construction, maintenance and alterations
4. Curriculum and instruction services
5. Full-time personnel
6. Off-campus facilities

1. Auditors
2. Permanent Personnel
3. Investment of idle funds
4. Employee compensation contracts and agreements
5. Non-bid contracts with financial obligations greater than $15,000
6. Off-campus facility lease

To facilitate the smooth and efficient operations of the District, the Board of Trustees authorizes the Superintendent/the President or designee, under the following specified conditions, to approve contracts and agreements that do not obligate the District to financial payment prior to presentation to the Board of Trustees. Is authorized to approve contracts or agreements of a non-controversial nature that do not come within one or more of the above six categories.

Under the following specified conditions, the President or designee is authorized to sign as the District’s authorized agent for matters falling within categories one through six above, prior to presentation to the Board of Trustees:

1. Approval of the contract/agreement is required prior to the next scheduled Board meeting to assure no significant less-of one or both of the following:

   (a) educational opportunity
   (b) financial support

2. The subject of the contract/agreement is judged by the President of the Board of Trustees to be of a non-controversial nature.

Prior to signing any contract or agreement, the verbal approval of the Board of Trustees Officers is required. At the next regularly scheduled Board meeting, a copy of the signed agreement/contract shall be presented to the Board of Trustees for information.

Excluded from this policy are purchase orders (see Section 6.0015).

From current College of Marin Policy 6.0018 titled Out-of-Contract Activities

No District contractor shall undertake out-of-contract activities for which it expects reimbursement without the prior approval of the Board of Trustees at a public meeting.

No payments shall be made to a contractor with the District for out-of-contract activities without specific approval of the Board of Trustees at a public meeting.
Date Adopted:
(Replaces current College of Marin Policies 6.0013 and 6.0018)

NOTE: The bold regular type signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording struck-through is recommended for deletion and is from current College of Marin Policies 6.0013 titled Contracts adopted on 9/30/81 and revised on 3/12/85 and 9/10/85 and 6.0018 titled Out-of-Contract Activities adopted on 6/26/84 and revised on 3/12/85. The information in underlined italics is language added by College Operations. The Policy and Procedure Task Force approved this policy on October 15, 2008. College Council recommended this Policy move forward on 11/9/08.
BP 6500    PROPERTY MANAGEMENT

References:

Education Code Sections 81300 et seq.

The Superintendent/President is delegated the authority to act as the Board’s negotiator regarding all property management matters that are necessary for the benefit of the District. No transaction regarding the lease, sale, use, or exchange of real property by the District shall be enforceable until acted on by the Board of Trustees itself.

The Superintendent/President shall establish such procedures as may be necessary to assure compliance with all applicable laws relating to the sale, lease, use, or exchange of real property by the District.

Date Adopted:

NOTE: This is a new policy recommended by the Community College League and the League’s legal counsel (Liebert Cassidy Whitmore). The underlined bold type signifies legally required language recommended from the CC League and legal counsel. This policy was reviewed on 3-19-08 by Maintenance and Operations. The Policy and Procedure Task Force reviewed this policy on 9/17/08. The Task Force recommends this policy move forward to College Council. This policy was reviewed by College Council 10/9/08 and is recommended to go forward to the Board. This note will be deleted from the final Policy.
BP 6560  ENVIRONMENTAL RESPONSIBILITY

References:
Title 5 Sections 57050-57055

- From current College of Marin Policy 8.0024 titled Environmental and Energy Conservation

The Board recognizes that energy and other resources are finite resources of the nation and should be used prudently responsibly.

The Superintendent/President shall be responsible for establishing and implementing a District-wide Environmental and Energy Conservation Program that ensuring the efficient and essential use of energy and other resources in support of the educational goals and objectives of the District. Environmentally responsible practices shall be considered in at least the following areas:

- Instructional Programs
- Maintenance and Operations
- Transportation Demand Management
- Renewable Energy
- Capital and Scheduled Maintenance Construction Projects

Furthermore, to comply with the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system, the Superintendent/President shall be responsible for the development and implementation of practices, procedures, and programs that address LEED credit requirements for all projects seeking LEED certification.

Office of Primary Responsibility: College Operations

Date Adopted:
(This is a current College of Marin Policy 8.0024 just re-numbered)

NOTE: The wording in **regular text** is from current College of Marin Policy 8.0024 titled Environmental and Energy Conservation adopted on 8/5/81 and revised on 4/9/85 and 6/25/91. The information in **underlined italics** is language added by College Operations. The Policy and Procedure Task Force reviewed this policy on 9/17/08 and recommended it move forward to College Council. College Council reviewed it 10/9/08 and recommended it move forward for adoption. This note will be deleted in the final version.
BP 6570 INTEGRATED PEST MANAGEMENT

References:

- From current College of Marin Policy 8.0029 titled Integrated Pest Management Policy

The Marin Community College District (MCCD) recognizes that maintenance of a safe, clean and healthful environment for faculty, students and staff is essential to learning. Providing safer alternatives to chemical pesticides reduces exposure of building occupants and maintenance personnel to potentially hazardous chemical, biological and particle contaminants, while preventing economic and health damage caused by pests. Accordingly, the District will develop and implement a low environmental impact (integrated) pest management procedure that includes preferred pest management products, methods, inspections, monitoring and evaluation. It is the goal of MCCD to provide for the safest and lowest risk approach to control pest problems while protecting faculty, students, staff, the environment, and MCCD property.

MCCD adopts a Least-Toxic Integrated Pest Management (IPM) Policy. Pests and weeds will be controlled to protect the health and safety of faculty, students and staff and to maintain the integrity of college buildings and grounds. It is the policy of MCCD to focus on long-term pest prevention and give non-chemical methods first consideration when selecting appropriate control techniques. The full range of alternatives will be considered, giving preference to non-chemical use, and then chemicals that pose the least possible hazard to people and the environment.

A Least-Toxic Integrated Pest Management (IPM) plan contains the following elements:

A. Monitoring to determine pest population levels and identify decisions and practices that could affect pest populations.

B. Setting of injury and action levels to determine when vegetation or a pest population at a specific site cause(s) unacceptable economic or medical damage wherein corrective action should be taken.

C. Modification of pest habitats to deter pest populations and minimize pest infestations.
D. Consideration of a range of potential treatments for the pest problem, including physical, horticultural and biological methods of pest control, using synthetic chemical controls only as a last resort and only those chemicals that pose the least possible hazard to people and the environment.

Office of Primary Responsibility: College Operations

Date Adopted:
(Replaces current College of Marin Policy 8.0029)

NOTE: The wording in regular text is from current College of Marin Policy 8.0029 titled Integrated Pest Management Policy adopted on 8/28/01. The text in underlined italics is new language added by College Operations. Language recommended for deletion is struck through. The Policy and Procedure Task Force approved this policy on October 15, 2008. This policy was recommended to move forward by College Council 11/6/08
BP 6600   CAPITAL CONSTRUCTION

References:
    Education Code Sections 81005 and 81820;
    Title 5 Sections 57150 et seq.

The Superintendent/President is responsible for planning and administrative
management of the District's capital outlay and construction program.

The Board of Trustees shall approve and submit to the Board of Governors a five-year
Capital Construction Plan as required by law. The Superintendent/President or
designee shall annually update the plan and present it to the Board for approval. The
plan shall address, but is not limited to, the criteria contained in law.

The Superintendent/President or designee shall monitor the progress of all construction
work including inspection of workmanship, completion of work to meet specifications,
and the suitability of proposed changes to the scope and original design of the work.
The Superintendent/President or designee shall assure compliance with laws related to
the use of state funds to acquire and convert existing buildings.

❖ From current College of Marin Policy 8.0002 titled Facilities

Planning for new facility construction and changes in existing facilities is recognized as
an important function necessary to assure the preservation and improvement of college-
owned resources.

To assure that limited resources are effectively used to maintain and improve facilities
to best meet current and anticipated user needs, a procedure for staff and student
involvement is to be established through the Governance process.

Date Adopted:
(Replaces current College of Marin Policy
8.0002)

NOTE: The underlined regular text signifies legally required language recommended from the
Community College League and legal counsel (Liebet Cassidy Whilmor). The struck through language
is recommended for deletion and is from current College of Marin Policy 8.0002 titled Facilities adopted
on 1/14/92. The information in underlined italics is language added by Maintenance and Operations/College Operations. The Policy and Procedure Task Force approved this policy on October 15, 2008. College Council recommended this Policy move forward 11/6/08.
BP 6750 PARKING

References:
Education Code Section 76360;
Vehicle Code Section 21113

The Superintendent/President shall establish such administrative procedures regarding vehicles and parking on campus as are necessary for the orderly operation of the instructional program. No person shall drive any vehicle or leave any vehicle unattended on the campus except in accordance with such procedures.

Parking fees may be established in accordance with this Board Policy. (See BP 5030 titled Fees)

Office of Primary Responsibility: College Operations

Date Adopted:
(This is a new policy recommended by the CC League and the League’s legal counsel)

NOTE: The underlined text signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The information in underlined italics is language added by College Operations. The Policy and Procedure Task Force approved this policy on October 15, 2008. College Council recommended it move forward 11/6/08
BOARD AGENDA ITEM

To:          Board of Trustees                  Date:          December 9, 2008
From:        Superintendent/President          Item & File No. D.13.D
Subject:     First Quarter Financial Status Report and CCFS-311 Q for 2008/09
Reason for Board Consideration:               Enclosure(s):

INFORMATION                                CCFS-311Q

BACKGROUND:

The CCFS-311Q report is attached for review. Staff is available to answer any questions.
<table>
<thead>
<tr>
<th>Description</th>
<th>2008-09</th>
<th>2009-10</th>
<th>2010-11</th>
<th>2011-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Unrestricted General Fund Revenue, Expenditure, and Fund Balance</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District: (330) MARIN</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quarter Ended: (Q1) Sep 30, 2008</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fiscal Year: 2008-2009</td>
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<td></td>
</tr>
</tbody>
</table>

Change The Period
If YES, complete the following: (If multi-year settlement, provide information for all years covered)

<table>
<thead>
<tr>
<th>Year</th>
<th>Permanent Percentage</th>
<th>Percentage of CF Fund Balance to CF Expenditures (l.1 + l.3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>0.13%</td>
<td>44.97%</td>
</tr>
<tr>
<td>2023</td>
<td>0.13%</td>
<td>44.97%</td>
</tr>
<tr>
<td>2024</td>
<td>0.13%</td>
<td>44.97%</td>
</tr>
<tr>
<td>2025</td>
<td>0.13%</td>
<td>44.97%</td>
</tr>
</tbody>
</table>

If YES, complete the following: (If multi-year settlement, provide information for all years covered)

<table>
<thead>
<tr>
<th>Year</th>
<th>Capital Projects Revenue</th>
<th>Revenue - unless otherwise noted</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>2.0%</td>
<td>50%</td>
</tr>
<tr>
<td>2023</td>
<td>2.0%</td>
<td>50%</td>
</tr>
<tr>
<td>2024</td>
<td>2.0%</td>
<td>50%</td>
</tr>
<tr>
<td>2025</td>
<td>2.0%</td>
<td>50%</td>
</tr>
</tbody>
</table>

If YES, complete the following: (If multi-year settlement, provide information for all years covered)

<table>
<thead>
<tr>
<th>Year</th>
<th>Revenue</th>
<th>Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>50%</td>
<td>44.97%</td>
</tr>
<tr>
<td>2023</td>
<td>50%</td>
<td>44.97%</td>
</tr>
<tr>
<td>2024</td>
<td>50%</td>
<td>44.97%</td>
</tr>
<tr>
<td>2025</td>
<td>50%</td>
<td>44.97%</td>
</tr>
</tbody>
</table>

If YES, complete the following: (If multi-year settlement, provide information for all years covered)

<table>
<thead>
<tr>
<th>Year</th>
<th>Cash, borrowed funds only</th>
<th>Cash, excluding borrowed funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>10%</td>
<td>90%</td>
</tr>
<tr>
<td>2023</td>
<td>10%</td>
<td>90%</td>
</tr>
<tr>
<td>2024</td>
<td>10%</td>
<td>90%</td>
</tr>
<tr>
<td>2025</td>
<td>10%</td>
<td>90%</td>
</tr>
</tbody>
</table>
If yes, what are the problems and what action will be taken? (Enter explanation below, include additional pages if needed.)

<table>
<thead>
<tr>
<th>Year</th>
<th>Increase</th>
<th>Increase</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004:05</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2005:06</td>
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<td></td>
</tr>
<tr>
<td>2006:07</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2007:08</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2008:09</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**1. Did the district have significant gains or losses for the quarter?**

Provide an explanation on how the district intends to fund the salary and benefits increases, and also identify the revenue sources/food code.