

COLLEGE OF
MARIN

**Board of Trustees Meeting
Agenda
December 9, 2008
Deedy Staff Lounge, Kentfield Campus**

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 Balestreri at 485-9414. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.

If you wish to speak, complete card available at entrance, give card to recording secretary, get recognition from the Chair. Persons desiring to address the Board on items not on the agenda may speak under item number "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. Those 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 Increments 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

(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
Mize-Kurzman vs. MCCD (Marin Superior Court)
UPM/Fung, T., Christensen P. vs. MCCD Grievance
UPM/D. Rollison vs. MCCD Grievance/Arbitration
UPM/Christensen vs. MCCD Arbitration
UPM/D. Martin, G. Hritz, B. Wilson, R. Pagani 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 Liaison
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 (*Summa-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 Councilmember’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 (850H)
 - 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 (850H)
 - 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 Stroeh 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)

- Paragon Office subscription
- VBN Architects** – Amendment 4 (\$3,000)
- g. Various Projects on the Indian Valley Campus
 - Ballard & Watkins Construction Services** – Amendment 1 (<\$12,600>)
 - Credit & Reallocation
 - Inspection Services, Inc.** – Amendment 1 (\$0) Reallocation

11. Other Action Items (10 minutes)

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

- A. Accept and Ratify the 2007-2008/2008-2009 Collective Bargain Agreement between the District and California School Employees Association, local 196.**
- 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)

- f. PE Complex PV Project (308D)
Alten Construction, Inc. – Change Order 2 (\$51,183)

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 Primex 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)

- A. Contracts and Agreement for Services Report – November, 2008**
- B. Modernization Update**
 - 1. Director’s Report**
 - 2. Sustainability Report**
 - 3. Master Schedule with Spent to Date through November 2008**
 - 4. Contract Milestone Report 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