Marin Community College District
Board of Trustees Regular Meeting
September 18, 2012

Minutes

A. Open Session
1. Call to Order, Roll Call and Adoption of Agenda
   The Board of Trustees of the Marin Community College District met in Building 12, Room 100 on the Indian Valley Campus located at 1800 Ignacio Boulevard, Novato, California, all members having received notice as prescribed by law. Board President Conti called the meeting to order at 5:19 p.m. Trustees Conti, Long, O’Brien, Namnath, and Treanor were present. Trustee Dolan was not present. Superintendent/President Coon and Vice Presidents Duarte, Harrison and Kenney were also present. Attorney Adam Sachs, from Folger Levin attended via telephone. **M/s (Long/O’Brien) to adopt the agenda. Motion carried 5-0-2.**
2. Public Comment- No Comment
3. Recess to Closed Session

B. Closed Session - Building 12, Room 100, Indian Valley Campus

   Trustee Kranenburg arrived at 5:22 p.m.

   1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
      *Initiation of litigation pursuant to subdivision (c) of Section 54956.9 - Nancy Klein
      One (1) potential case

   2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code §54956.9(a))**
      *Names of Cases: Mize-Kurzman vs. MCCD*

C. Open Session
1. Call to Order, Roll Call and Adoption of Agenda
   Board President Conti called the meeting to order at 6:30 p.m. Trustees Conti, Long, O’Brien, Namnath, Kranenburg, and Treanor were present. Trustee Dolan and Student Trustee Blood were not present. Superintendent/President Coon and Vice Presidents Duarte, Harrison and Kenney were also present. **M/s (O’Brien/Long) to adopt the agenda. Motion carried 6-0-1.**
Dr. Coon noted that there were two revised items on blue paper distributed to the Board, items C.9.B.3 and C.9.E.1.

2. Report from Closed Session
Trustee Namnath reported that there was a motion to conduct any further discussions of the College of Marin Foundation only in public session at the Board’s earliest convenience. The motion did not carry 2-4-1 with Trustees Kranenburg, O’Brien, Treanor and Conti voting no and Trustees Long and Namnath voting yes. Trustee Dolan and Student Trustee Blood were not present. There were no other actions taken. Trustee Kranenburg commented that it was his opinion that the motion was immaterial as the Board had been told there could be legal issues.

3. Public Comment – No Public Comment
A. Comments regarding items not on the Agenda (3 minutes per speaker)
B. Comments regarding items on the Agenda - to be heard immediately before the Board of Trustees’ consideration of the item

4. Chief Executive Officer’s Report
Dr. Coon welcomed the Board to the Indian Valley Campus and also introduced the Interim Executive Director of Human Resources, Ms. Anita Morris.
A. Accreditation
Dr. Coon updated the Board on the status of the follow-up visit confirming that the team lead would be Dr. Jose Ortiz. Dr. Ortiz will be joined by two individuals, yet to be identified, and the visit will occur between November 7 and 14. Dr. Coon will update the Board when he has the names of the additional team members and the date of the visit. He thanked the Board for their work on the accreditation response at the last two Saturday Board retreats, noting that a great deal was accomplished and reflected in the Board agenda items for this meeting. A special meeting will be held on October 9, 2012 to approve the Final Report.
B. Fall Enrollment Update
Dr. Coon introduced Dr. Chialin Hsieh and Dr. Rebecca Kenney who presented a power point Enrollment Report for fall 2012, attached. Drs. Hsieh and Kenney commented on the numerous factors that affect enrollment trends, including Basic Aid, expansion of course offerings, course fees, enrollment from outside the county and student demographics. Our enrollment is down 1.8% overall, however much less than other community colleges statewide. It was noted that the student demographic information will help us adjust and make changes to serve our students.

Student Trustee Blood arrived at 6:43 p.m.

The student unit load average has increased showing that our students are able to complete coursework more quickly. This reduces the impact on our services and allows us to meet recent State restrictions. Baseline enrollment information for all students is now being compiled and will assist us in decision-making moving forward. Unit
allocations have decreased with course and unit reductions directly in direct relation to decreased funding and the structural deficit. Waitlist information and state average comparisons were provided and it was noted that Financial Aid applications have increased and will continue to do so, in correlation with the economy and increased fees. There were questions and discussion about enrollment management, including, reaching out to and making stronger connections with high school students, the growing Hispanic community, veterans and returning students who have Bachelor’s degrees. Trustees agreed that this information helps us to make decisions based on data, and staff confirmed that more data will be made available as we move forward. There was discussion about our successes, including a comparatively small decrease in enrollment, even with fee increases, increased success of Hispanic students moving into credit programs, increased veteran services and stable enrollment over the past three semesters. There was discussion of the need to monitor financial aid needs of students, the Community Education program as we work to expand offerings, but try to make the program self-sustainable, and to continue to look at and reduce high waitlists and under enrolled courses.

C. Budget Update
Dr. Coon reported that the 2012-2013 Adoption Budget was approved at the last meeting with $1.2 million in reductions, including $625,000 from the instructional budget. He shared that one of his initial strategies had been to cancel the summer session, which would have resulted in a savings of $600,000 over two fiscal years. Based on comments from Instructors Patrick Kelley and Sara McKinnon, and their subsequent work together with other instructors, deans, directors and the Vice President of Student Learning, the faculty identified $700,000 in course reductions that will occur over the fall, spring and summer. As a result, we will be moving forward with a very modest summer session, located in the non-construction areas on campus. He thanked all involved for a tremendous job using student focused criteria to come up with this productive alternative.

5. Academic Senate Report
Senate President Sara McKinnon read the attached Academic Senate Report and distributed the COM Academic Senate Recommendations regarding Distance Education, also attached.

6. Classified Senate Report
The Classified Senate Report is attached to the minutes.

7. Student Association Report
Student Trustee Blood reported that students have been busy with a very successful welcome week for students where food was served and clubs and business showed up to recruit students for jobs and provide services. This was paired with an equally successful Road to Success, which also provided great benefits to the students. Students also celebrated Constitution Day this week and handed out constitutions to a very high turnout of students.

8. Board Study Session - None
9. Consent Calendar Items M/s (Treanor/O’Brien) to approve Consent Calendar Items. Motion carried 6-0-1, plus an advisory aye vote by Student Trustee Blood. There was a request that Dr. Coon consider an identity theft policy related to staff, faculty and administrators, which Dr. Coon will research. There was also a question about the average age of surplus equipment in the Science Center, responded to by Vice President Harrison, and the suggestion that the College be mindful when spending one-time thirty-year money for replacement equipment in this area.

A. Calendar of Upcoming Meetings
   - October 9, 2012 Special Meeting, 6:00 p.m., Administrative Center, Room 108
   - October 16, 2012 Regular Meeting, 6:30 p.m., Cafeteria, Student Services Building

B. Approve Classified Personnel Recommendations
   1. Reassignment of Classified Personnel
   2. Appointment of Hourly Personnel
   3. Temporary Increase and Decrease in Assignment/Salary for Classified Personnel

C. Approve Classified Management Personnel Recommendation
   1. Change Title and Qualifications of Executive Dean of Human Resources and Labor Relations

D. Approve Short-Term Hourly Positions

E. Approve Educational Management Personnel Recommendations
   1. Revisions to Management Structure
   2. Educational Management Increase in Assignment

F. Budget Transfers – Month of August 2012

G. Warrant Approval- Month of August 2012

H. Surplus Equipment

I. Second Reading and Approval of Revised Board Policies
   - BP 3420 Equal Employment Opportunity
   - BP 3520 Local Law Enforcement
   - BP 3715 Intellectual Property
   - BP 3820 Gifts
   - BP 4020 Program, Curriculum and Course Development
   - BP 5800 Prevention of Identity Theft in Student Financial Transactions
   - BP 7130 Compensation
   - BP 7380 Retiree Health Benefits - Academic Employees

J. Modernization (Measure C)
   1. Approve/Ratify Modernization Contracts, Changes and Amendments ($583,091.00)
   2. Approve Subcontractor Substitution Request – Lathrop Construction Assoc., Inc. Science Math Central Plan Complex Increment 2 & 3, Site Development & Building Project (305A) (handrails) $0
   3. Declaration of Surplus Disposal
      Austin Science Center Relocation (850E)
4. Approve Professional Services Agreement with Gayner Engineers ($10,000.00)
   Fine Arts MEP Modification Project (306C)

10. Other Action Items.


   A. Resolution 09-18-2012 C.10.A. in Support of Hispanic Heritage Month

   B. Resolution 09-18-2012 C.10.B. Authorizing Use of Property and Land Use Agreement
      for Operation of Weather Station

   M/s (Namnath/Treanor) to merge items 10.A. and B into one item and waive the
   reading of the Resolutions. Motion carried 6-0-1 plus an advisory aye vote by Student
   Trustee Blood. Items C.10.A. and C.10.B. were approved as one item by Roll Call Vote
   of 6-0-1, plus an advisory aye vote by Student Trustee Blood.

   C. M/s (Treanor/O’Brien) to approve Agreement for Training with Alta Bates Summit
      Medical Center. Motion carried 6-0-1, plus an advisory vote by Student Trustee Blood.

   D. M/s (O’Brien/Treanor) to approve Out of Country Travel. There was a request for
      information about the trip and related funding answered by Vice President Kenney. A
      report will be shared with the Board after the trip. Motion carried 6-0-1, plus an
      advisory aye vote by Student Trustee Blood.

   E. M/s (O’Brien/Treanor) to approve Student Health Fee Increase. Student Trustee Blood
      noted that the Associated Students Board reviewed this item and unanimously approved
      support of the Board’s decision to increase the health fee. Motion carried 6-0-1, plus an
      advisory aye vote by Student Trustee Blood.

   M/s (Namnath/Long) to merge items 10.F. through 10.K. into one item. Motion
   carried 6-0-1, plus an advisory aye vote by Student Trustee Blood. Trustees
   commented that the Board has spent many hours reviewing and discussing the items to
   be merged, both at two recent retreats and in committees in preparation for those
   retreats, which is why they are requesting the items be merged and voted on without
   discussion at this meeting. There were questions about the 5-Year Construction plan,
   project costs and State funding and a request for clarification that the item was approval
   of the plan and not the allocation for the plan. These questions were answered by
   Vice President Harrison, Dr. Coon, and Director McCarty. Motion to approve Items 10.f.
   through 10.K. carried 6-0-1, plus an advisory aye vote by Student Trustee Blood.

   F. Approve College of Marin Mission Statement

   G. Approve Board of Trustees 2012-2013 Goals and Priorities

   H. Approve College of Marin 2012-2015 Distance Education Plan

   I. Approve College of Marin 2012-2017 Technology Plan

   J. Approve College of Marin 2012 Facilities Plan

   K. Approve 2014-2018 Five-Year Construction Plan

   L. Modernization (Measure C)
      1. M/s (Treanor/Long) to Approve Resolution # 09-18-2012 C.10.L.1. Approving
         Change Order #14 to Midstate Construction Contract Performing Arts
Modernization Project (306A) ($122,824.00) There was concern expressed that this project is creeping up in cost and a question raised about the rails and the content of the change order which were answered by Director McCarthy. Motion carried by a Roll Call Vote of 6-0-1, plus an advisory aye vote by Student Trustee Blood.

2. M/s (O’Brien/Kranenburg) to Authorize Procurement of Specialty Theater Lighting Equipment PA Lighting (306A) ($150,000.00). There was a suggestion to contact Los Angeles City College about a comprehensive performing arts lighting project bid they had done recently. Dr. Coon noted that we would do so and that we were exploring maximizing energy savings and rebates on this project. He also shared that the College had received a $50,000 gift toward the lighting in the theater. Motion carried 6-0-1, plus an advisory aye vote by Student Trustee Blood.

3. M/s (Treanor/Kranenburg) to Approve Authorization to Bid Fine Arts Building Weatherization Project (306D). It was confirmed that this is the authorization to go out for bid and is not for new money. Motion carried 6-0-1 plus an advisory aye vote by Student Trustee Blood.

4. M/s (O’Brien/Treanor) to Approve New Professional Services Agreement Science Math Central Plant Complex Increments 2 & 3, Site Development & Building Project. PAE Consulting Engineers ($43,060.00). In response to Trustee questions, Director McCarty clarified the purpose of this agreement as one-time training related to turnover of the new construction project. These costs will be included in project cost projections moving forward and will be included to connect-the-dots in the Maintenance and Operations planning. It was noted that proactive education of our staff on these new systems is very important and ties in with the Board’s discussions on Saturday. Motion carried 6-0-1, plus an advisory aye vote by Student Trustee Blood.

5. M/s (O’Brien/Treanor) to Approve Award of New Construction Contract to Jeff Luchetti Construction Corporation (1,164,500.00) Child Study Center – Increment One Project (303C). Motion carried 6-0-1, plus an advisory aye vote by Student Trustee Blood.

6. M/s (Treanor/O’Brien) to Approve New Project Inspection (PI) Agreement with 4Leaf, Inc. ($88,400.00) Child Study Center Project (303C). Questions about inspection costs were answered by Director McCarty and Mr. Bill Krill of Swinerton Management and Consulting, indicating that inspectors (and sometimes two inspectors) are required to be on site daily and costs are projected by the hour not as a percentage of the project. Motion carried 6-0-1, plus an advisory aye vote by Student Trustee Blood.

7. M/s (O’Brien/Treanor) for Authorization to Request Qualifications and Proposals for Program and Construction Management Services. It was clarified that this item is authorization to develop the RFP, in coordination with counsel, and advertise for proposals. Motion carried 6-0-1, plus an advisory aye vote by Student Trustee Blood.

11. Board Policy Review (1st Reading) - None

12. Future Agenda Items
   A. Pension Reform
      Dr. Coon is working on the answers to questions raised by the Board on Pension Reform.
   B. WASC Interim Report (October 9, 2012)
13. Board Reports and/or Requests (15 minutes)
   A. Committee Chair Reports
   B. Legislative Report – Trustee O’Brien. A copy of the Legislative Report is attached to the minutes.
   C. Individual Reports/or Requests
      Board Present Conti reported that she had received some of the minor non-substantive edits from Trustees which she will incorporation to the Recommendation 9 response and share with the officers.
      Trustee O’Brien reported that there was a need for professional development and training for new trustees to help inform them about the community, the college, legislative issues etc. as well as a need for on-going training. Trustee Treanor reiterated the importance of training and reported that CCLC will be implementing a two-year certification program that is based on a successful model used in K-12. The program will be piloted at the May conference in Tahoe. A glossary will also be developed for new members to help new members understand what is what and who is who. Trustees Kranenburg and Long were glad to see that CCLC was using the K-12 program model for Trustee training, and it was noted that this will be a critical tool in how boards work as a team.
      Trustee Long informed the Board that the Kent Woodlands Property Owners have requested information in relation to the Academic Center EIR and swing space and how it may impact traffic in the area. Dr. Coon and Trustee Long will meet to discuss how to respond to this request. She also requested that the President, on behalf of the Board, acknowledge and thank Len Pullan, who coordinates the Emeritus art exhibits, and the editors of the newsletter, Don Polhemus and Alicia Warcholski, for their excellent work and reporting. She noted that this high quality newsletter and other events and activities are possible due to the generous donation of Joan Hopper, and that we should consider a form of acknowledgement on the newsletter.

14. M/s (O’Brien/Treanor) to Approval of Meeting Minutes of August 21, 2012 Board meeting.
      Trustee Long requested the words “and time delays” be added to the language on item 10.B.6, which was agreed to be appropriate. Motion carried 6-0-1, plus an advisory aye vote by Student Trustee Blood to approve the minutes with the noted change.

15. Information Items (see written reports)
   A. Contracts and Agreements for Services – Aug 2012
   B. Modernization Update
      Dr. Coon commented on items 5 & 6, noting that the Board has expressed concern about the delay in receiving reports that relate to modernization. The reports on these two items have been provided to the Board for review and that there will be a subsequent conversation on the two reports in the future.
      1. Director’s Report
      2. Contract Milestones Report through August 2012
      3. Program Schedule
      4. Quarterly Progress Report
5. **COM Austin Center Assessment Report – Swing Space Program**

6. **New Academic Center, Environmental Impact Report/Initial Study**
   There was a request for a study session on how to address the major issues and that the presentation include main issues during construction, the issues raised by Kentfield Property Owners, and any issues related to trees as that is a very sensitive subject. We want to be prepared. Decisions need to be made about swing space project scope cost, using the lab etc.

C. **Administrative Procedures - None**

D. **Calendar of Special Events**
   - Hooked on Marin Speaker Series
     The Organic Food Movement in Marin, September 20, 7:00 p.m.
     Olney Hall 96, Kentfield Campus
   - IVC Organic Farm Plant Sale, September 22 & 23, 10:00 a.m. to 3:00 p.m.
     Organic Farm, Indian Valley Campus

16. **Correspondence**

17. **Board Meeting Evaluation**

18. **Adjournment**
   M/s (Namnath/Long) to adjourn the meeting in memory of Bob Ohrenschall who was a strong supporter of the College and member of the President’s Circle, and also in memory of Joe Garbarino Senior who was also a supporter of the College, K-12 districts and the community. Motion carried 6-0-1, plus an advisory aye vote by Student Trustee Blood.

   Meeting adjourned at 8:10 p.m.