

COLLEGE OF
MARIN

**Board of Trustees Meeting
November 11, 2008
Minutes**

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 Namnath, 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 Beam, and Larry Frierson were also in attendance.

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

The closed session recessed at 6:00 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 Deedy 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 (Treanor/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 Kriedt 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 Kriedt'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 \$26 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 received the help they need to resolve their accreditation recommendations.

Trustee Dolan reported on the production the dance department is currently putting on. She encourages 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 increasing 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 speakers 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 Treasure

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 Bellisimo 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 care takers/owners. A copy of President Bellisimo'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 (Treanor/Long) to approve all items on the Consent Calendar. The motion passed with a unanimous roll call vote (6-0).

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. **DSPS Relocation Project (#850L)**
Crown Worldwide Moving & Storage, Inc. – Amendment 2
(\$ 0) time extension

11. Other Action Items

- A. M/s (Long/Namnath) to **Approve the Sabbatical Leave Revision – Recommendation for Rescission of Approval of One Sabbatical Leave.** The motion passed unanimously (6-0).
- B. M/s (Paterson/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 (Treanor/Long) to **Approve the Bid Award for Learning Resource Center Relocation Project.** The motion passed unanimously (6-0).
- D. M/s (Treanor/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 (Paterson/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 (Treanor/Dolan) to **Approve the Revised Bond Spending Plan.** The motion passed unanimously (6-0).

b. District Wide

1. M/s (Treanor/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 (Treanor/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/Treanor) 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/Treanor) 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/Treanor) 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 (Treanor/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/Dolan) 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/Dolan) 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 (#308B)

M/s (Treanor/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 (Treanor/Dolan) 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)

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

16. Adjournment

M/s (Namnath/Dolan) to adjourn the meeting. The motion passed unanimously (6-0) and Board Vice President Kranenburg adjourned the meeting at 8:45 p.m.