

COLLEGE OF  
**MARIN**

**Board of Trustees Meeting  
August 24, 2010  
Minutes**

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**A. Closed Session**

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

The Board of Trustees of the Marin Community College District met in the AS 101 conference room on the Indian Valley campus, all members having received notice as prescribed by law. Board President Long called the meeting to order at 5:17 p.m. All publicly elected Trustees were present except Trustee Hayashino, who arrived at 5:30 p.m.

M/s (Treanor/Kranenburg) to adopt the agenda. The motion passed by a unanimous vote of 6-0.

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 at 5:18 p.m.

The closed session recessed at 5:40 p.m.

**B. Board Study Session**

**1. Call to Order, Roll Call**

Board President Long called the meeting to order at 6:00 p.m. All publicly elected Trustees were present and Student Trustee Parker was also in attendance.

## **2. 2010/2011 Adoption Budget**

Peggy Isozaki, Vice President of College Operations, reviewed the 2010/2011 adoption budget. She noted that we now have a surplus of \$397,000 in the 2009/2010 budget and a projected reserve of 11.7%. The change in our estimate of a \$160,000 deficit in the 2009/10 tentative budget is due to unanticipated revenues and lower expenditures. The administration is recommending a transfer of \$500,000 to our retiree unfunded medical benefits liability.

A \$1.2 million deficit in the 2010/11 adoption budget has been eliminated by these measures:

- Eliminated budget for vacant positions (\$478,000)
- Reduced nonmandated units (\$405,000)
- Reduced Summer School 50% (\$182,000)
- Reduced non-instructional areas 5% (\$99,000)
- Transferred noncredit courses to fee-based (\$50,000)

With these expenditure reductions the 2010/11 adoption budget's unrestricted fund contains a surplus of \$2,000 and a reserve level of 11.7%. The total amount of all funds in the 2010-2011 adoption budget is \$146,778,770.

Trustee Long asked if all programs came in with a balanced budget and Superintendent/President Harrison responded that child development and DSPS did not. Trustee long asked for a report on the number of COM students who benefit from the Child Care Center and was told that a presentation on this subject will be made at the September Board meeting.

The Board Study Session was recessed at 6:50 p.m.

## **C. Regular Meeting**

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

The Board of Trustees of the Marin Community College District reconvened in regular session at 7:00 p.m. All publicly elected Trustees were present and Student Trustee Parker was also in attendance.

M/s (Hayashino/Treanor) to approve the agenda with these changes:  
Under 8.A, Calendar of Upcoming Meetings, a Special Closed Session Board Meeting on September 4 from 8 a.m. to 12:00 p.m. in AC108 was added;

C.8.H, Approve Student Health Fee, was pulled from the Consent Calendar and moved to the Action Calendar. The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote by the Student Trustee).

Board President Long announced that the Special Closed Session Board Meetings of August 30 and 31 and September 1, 2 and 3 would begin promptly at 6:00 p.m. and would be preceded by a light dinner at 5:30 p.m. She stated that all Board members were expected to attend every interview and the Saturday meeting (if needed) or they will not be able to participate in the selection of the Superintendent/President.

Board President Long announced that the meeting was being recorded to facilitate the preparation of minutes.

**8. Consent Calendar Items (Roll Call Vote)**

M/s (Hayashino/Treanor) to approve the Consent Calendar with the changes enumerated above. The motion passed by a unanimous roll call vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).

**A. Calendar of Upcoming Meetings**

**Special Closed Session Board Meeting – August 30, 2010, 6:00 p.m. – AC108, Kentfield**

**Special Closed Session Board Meeting – August 31, 2010, 6:00 p.m. – AC108, Kentfield**

**Special Closed Session Board Meeting – September 1, 2010, 6:00 p.m. – AC108, Kentfield**

**Special Closed Session Board Meeting – September 2, 2010, 6:00 p.m. – AC108, Kentfield**

**Special Closed Session Board Meeting – September 3, 2010, 6:00 p.m. – AC108, Kentfield**

**B. Approve Classified Personnel Recommendations**

1. Appointment of Classified Personnel
2. Appointment of Hourly Personnel
3. Temporary Increase/Decrease in Assignment/Salary for Classified Personnel

**C. Approve Short-Term Hourly Positions**

**D. Approve Academic Personnel Recommendations**

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

**E. Budget Transfers – Month of July – FY 2010/2011**

**F. Warrant Approval**

**G. Modernization (Measure C) - *BP3.1 (Keep modernization program on track)***

1. Ratify/Approve Modernization Contracts, Changes and Amendments (\$225,468)
2. Approve Subcontractor Substitution Requests (Structural Steel, Vertical Concrete

**Formwork, Metal Wall Siding & Architectural Sheet Metal Work)**

Science/Math/Central Plant Complex Increment 2 & 3 – Site Development & Building Project (305A)

Lathrop Construction Associates, Inc. - (\$0) - Structural Steel, Vertical Concrete Formwork, Metal Wall Siding & Architectural Sheet Metal Work

**I. Approve Student Senate Constitution (Revised)**

**Approve Student Health Fee (formerly C.8.H on Consent Calendar)**

M/s (Treanor/Parker) to **Approve Student Health Fee**. The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).

**2. Report of Closed Session for August 24, 2010**

Board Clerk Conti reported that no action was taken in closed session.

**3. Citizens' Requests to Address the Board on Non-Agenda Items**

The following individuals addressed the Board on the subject of fee increases to emeritus classes, urging the Board to offer more free or lower fee classes for the seniors in our community: Vanae Nelson, Marian Mermel, Scott Merrick, Beverly Munyon, Gerald Weisman, Kathleen O'Brien, Cole Posard, and Richard Park. Copies of the statements of Marian Mermel, Scott Merrick, Gerald Weisman, Cole Posard, and Richard Park are attached to the minutes as part of the official record. Ms. Nelson asked why a couple had been told that it would cost the two of them \$500 to take the water aerobics class for older adults. They were given a grant and only had to pay \$60. Ms. Nelson asked why seniors were going to be charged so much. Superintendent/President Harrison responded that staff would investigate this situation and respond.

Ken Grebenstein, Dean Jones, Dixie James, Shirley Matson, Tim O'Rourke, and Mimi Willard expressed opposition to the Branson/LaCrosse League proposal for COM's athletic fields and urged the Board to rebuild and maintain a regulation 400 meter track and one multi-use athletic field. Copies of the statements of Dean Jones, Shirley Matson, Tim O'Rourke, and Mimi Willard are attached to the minutes as part of the official record.

Trustee Treanor asked if we allow groups to use the track on a consistent basis without paying a fee. Superintendent/President Harrison stated that we are in a precarious situation with the track because it has been declared unsafe to use. Trustee Treanor expressed concern about our liability with regard to use of the track contrary to our insurance requirements. Board President Long asked Superintendent/President Harrison to bring back a report on this topic at the next Board meeting. Trustee Namnath asked for information on the Ed Code requirement to open up our facilities to the public.

**4. Chief Executive Officer's Report**

Superintendent/President Harrison distributed copies of our Accreditation Self-Study Report and commented that the entire college community should be very proud of this document. All

evidence is accessible through technology and the whole report will be posted on our website. Board President Long extended thanks to the staff on behalf of the Board for their fine work on this document.

Superintendent/President Harrison and Board President Long recognized retiring Modernization Director V-Anne Chernock and retiring Campus Chief of Police Chuck Lacy and expressed appreciation for their years of service.

Superintendent/President Harrison introduced Laura McCarty, our new Director of Modernization.

Mr. Harrison called the Board's attention to his written report in the Board packets.

**a. Staff Reports**

**1. Partnership Development Progress Report**

Board members complimented Dean Nanda Schorske on this report and her many accomplishments.

**2. Follow-Up Report (in packet)**

Board members were referred to the Follow-Up Report in their Board packets.

**5. Academic Senate Report**

Sara McKinnon, Academic Senate President, commented on where she wants to lead the college as the Academic Senate President. She stated that her vision is to bring the faculty together to a shared vision of making instruction and student learning better. A copy of Ms. McKinnon's statement is attached to the minutes as part of the official record.

Trustee Long asked staff to prepare a resolution recognizing Yolanda Bellissimo's contributions during her tenure as Academic Senate President.

**6. Classified Senate Report**

Jon Gudmundsson, representing Classified Senate President Kathleen Kirkpatrick, reported that the Classified Senate will meet on September 9 and elect new officers.

**7. Student Senate and Student Association Report**

Student Trustee Parker reported that the Student Senate is scheduled to meet next week and that efforts are underway to find appointees to the governance committees. He announced that Dr. Patricia Sullivan, a civil rights speaker, would participate in a Constitution Day program on September 20. Student Trustee Parker commented that parking is always an issue for students at the beginning of the semester and that student leaders are talking about lining up WiFi service for the campus and putting on more

student activities.

**8. Consent Calendar Items (Roll Call Vote)**

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**G. Modernization (Measure C) - BP3.1 (Keep modernization program on track)**

**1. Ratify/Approve Modernization Contracts, Changes and Amendments (\$225,468)**

**2. Approve Subcontractor Substitution Requests (Structural Steel, Vertical Concrete Formwork, Metal Wall Siding & Architectural Sheet Metal Work)**

Science/Math/Central Plant Complex Increment 2 & 3 – Site Development & Building Project (305A)

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**I. Approve Student Senate Constitution (Revised)**

**9. Public Hearing on 2010/11 Adoption Budget**

Board President Long declared a public hearing on the 2010/2011 adoption budget.

Trustee Treanor expressed concern about the college's risk liability resulting from use of the track. Superintendent/President Harrison commented that our track was declared unsafe for use and that use of the track has not been sanctioned by the district. Trustee Kranenburg suggested writing letters to the community groups using our track regarding our policy, asking for waivers of liability, and trying to work with these groups for a solution.

There were no comments from the public and Board President Long declared the hearing closed.

Trustee Conti left the room at 9:05 and returned at 9:10 p.m.

M/s (Kranenburg/Hayashino) to Approve 2010/2011 Adoption Budget – *BP1 (Fiscal Accountability)*. The motion passed by a roll call vote of 5-1 with Trustee Dolan casting the no vote. Student Trustee Parker cast an advisory aye vote. Trustee Dolan's reason for voting no was that she doesn't feel we are meeting the needs of our community.

The Board directed staff to return with a report on the possibility of offering more free or reduced fee emeritus classes in winter, spring, summer and fall 2011.

## 10. Other Action Items

- A. M/s (Treanor/Kranenburg) to **Approve 5-Year Construction Plan – BP3 (Facilities)**. The motion passed by a vote of 4-1-1 plus an advisory aye vote by Student Trustee Parker. Trustee Dolan voted no and Trustee Namnath abstained.
- B. M/s (Treanor/Hayashino) to **Approve Resolution Establishing Fiscal Year 2010/11 Proposition 4 (GANN) Appropriations Limit**. The motion passed by a roll call vote of 6-0 (plus an advisory aye vote by Student Trustee Parker).
- C. **Modernization (Measure C) – BP3.1 (Keep modernization program on track)**
  1. M/s (Treanor/Hayashino) to **Authorize Bidding and Pre-Authorize Award of Construction Contract** - IVC Main Building Project (417A) – Audio Visual Equipment & Installation. The motion passed by a vote of 6-0 (plus an advisory aye vote by Student Trustee Parker).
  2. M/s (Kranenburg/Treanor) to **Approve New Professional Services Agreement** New Academic Center Project (303B) - TLCD Architecture (\$2,208,720). The motion passed by a vote of 5 to 2 with Trustees Dolan and Namnath casting the no votes. Student Trustee Parker cast an advisory aye vote.
  3. **SMCP Increment No. 1 Site Development Utilities Project (305C)**  
M/s (Treanor/Kranenburg) to **Approve Change Order #12 and Resolution C.10.C.3 Attesting No Benefit to Bidding Out Change Order Work (\$39,265)** Dick Emard Electric, Inc. dba Emard Engineering.  
The motion passed by a roll call vote of 6 to 1 (plus an advisory aye vote by

Student Trustee Parker). Trustee Dolan cast the no vote.

- D. M/s (Treanor/Parker) to **Approve Resolution to Enter into Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize the Designated Personnel to Sign Contract Documents for Fiscal Year 2010/2011**. The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).
- E. M/s (Treanor/Hayashino) to **Approve Confidential, Supervisory, and Managers' Salary and Benefits: 2009-2010**. The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).
- F. M/s (Treanor/Parker) to **Approve Community Service Class Fee Increases Beginning Winter Session 2011**. The motion passed by a vote of 6-1 with Trustee Dolan casting the no vote. Student Trustee Parker cast an advisory aye vote.

**11. Board Policy Review (1<sup>st</sup> Read) - BP1.4a (Review institutional needs and assess institutional effectiveness, using Program Review, Administrative Planning and Assessment, the Strategic Plan and the Educational Master Plan)**

- **BP 2220 Committees of the Board**
- **BP 2717 Personal Use of Public Resources**

Board members were asked to submit any comments to the Board Policy Subcommittee.

**12. Board Reports and/or Requests**

**a. Commendation Resolutions and Other Resolutions**

**1. Resolution in Support of Constitution Day – September 17**

M/s (Namnath/Treanor) to waive reading of the resolution and to approve the **Resolution in Support of Constitution Day – September 17**. The motion passed by a unanimous roll call vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).

**2. Community College Budget Resolution**

M/s (Namnath/Conti) to waive reading of the resolution and to approve the **Community College Budget Resolution**. The motion passed by a unanimous roll call vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).

**b. Legislative Report**

Trustee Hayashino reported that there is still no state budget.

**c. Committee Chair Reports**

**1. Fund Development Committee Report**

Trustee Hayashino reported that the Fund Development Committee met on August 13 and that several observers attended. She and Trustee Conti expressed our Board's interest at that meeting in working together with the COM Foundation on fundraising goals. Representatives of the Foundation have indicated that they are interested in expanding their fundraising efforts beyond scholarships. Trustee Hayashino stated that she would like to have Trustee Treanor

take the lead in finalizing the Harry Moore Memorial Project. Trustee Long suggested that our Board and the Foundation Board meet together and also that we pursue hiring a grant writer.

**d. Individual Reports and/or Requests**

Trustee Treanor reported that she participated in the Child Development Center architect selection panel last week and found it to be a great participatory process at work. She again asked to have a Board Retreat scheduled in the near future.

Trustee Long expressed appreciate to staff for working diligently to kick off the new academic year and wished everyone a wonderful academic year on behalf of the Board.

**13. Approval of Minutes**

• **Minutes of July 27, 2010 Special Board Meeting**

M/s (Treanor/Namnath) to approve the minutes of the July 27, 2010 Board meeting. The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).

**14. Information Items**

Board members were asked to review the information items in their Board packets.

**A. Contracts and Agreement for Services Report – July, 2010 – BP1 (Fiscal Accountability)**

**B. Modernization Update – BP3.1 (Keep modernization program on track)**

**1. Director's Report – BP3.1 (Keep modernization program on track)**

**2. Contract Milestones Report through July, 2010 – BP3.1 (Keep modernization program on track)**

**3. Schedule – BP3.1 (Keep modernization program on track)**

**C. Revised Administrative Procedures**

- AP 2712 Conflict of Interest Code
- AP 2800 Naming of Facilities

**D. Calendar of Special Events**

**Welcome Back Breakfasts**

November 18-20, 2010 CCLC Annual Convention and Partner Conferences,  
Pasadena Convention Center

April 29-May 1, 2011 CCLC Annual Trustees Conference  
Hyatt Regency Monterey

**15. Correspondence**

Board members were referred to the correspondence in their Board Packets.

**16. Board Meeting Evaluation**

Board members seemed pleased with the length of the meeting.

**17. Adjournment**

M/s (Conti/Treanor) to adjourn the meeting in appreciation of our retirees, V-Anne Chernock and Chuck Lacy. The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote of 7-0 by Student Trustee Parker). Board President Long adjourned the meeting at 9:30 p.m.