

COLLEGE OF
MARIN

**Board of Trustees Meeting
May 18, 2010
Minutes**

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 4:15 p.m. All publicly elected Trustees were present except Trustee Namnath, who arrived at 5:05 p.m. Fran White, Al Harrison, Nick Chang, and Linda Beam were also in attendance.

M/s (Hayashino/Treanor) to adopt the agenda with these changes: Action item B.9.B was pulled; B.12.a was moved up on the agenda to follow B.3; B.12.e was moved up on the agenda to follow B.7; B.8. I and J were pulled from the Consent Agenda and moved to the action calendar. 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 4:25 p.m.

The closed session recessed at 6:35 p.m.

B. Regular Meeting

1. Board President Long reconvened the meeting at 6:55 p.m. All publicly elected Trustees were present and Student Trustee Parker arrived at 7:20 p.m. Board President Long announced that the meeting was being recorded to facilitate the preparation of minutes. Clerk Conti announced that the agenda had been approved in closed session with the changes enumerated above.

2. Report of Closed Session for May 18, 2010

Board Clerk Conti reported on the following action taken in closed session: M/s (Hayashino/Treanor) to appoint Al Harrison as Interim Superintendent/President effective July 1, 2010 with compensation details and terms to be finalized by the Compensation Committee. The motion passed by a vote of 6 to 1.

Vice President Harrison thanked Board members for their confidence in him and Dr. White for her unselfish commitment to share information and to be a personal friend to prepare him to fill this position. He thanked his colleagues and staff for their support over the past five years and thanked faculty and staff for a job well done. Vice President Harrison commented that we have one of the finest colleges in the state and that he is very proud to be appointed to this position.

Board Clerk Conti announced that COM faculty member Carla Zilbersmith passed away yesterday afternoon and read an e-mail (copy attached) to all faculty and staff about Carla, including an obituary which Carla wrote herself. Trustee Conti recommended that the Board adjourn the meeting in Carla's memory.

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

V-Anne Chernock, Modernization Director, and architects Sylvia Kwan and Susan Abbanat presented President White and Board President Long with the LEED Gold Award for our PE complex.

The following individuals addressed the Board on the subject of cuts to the Adapted PE and stroke support classes and urged the Trustees to be creative and find a way to restore the cuts and fund the program: Dina Zvenko, Michael Patterson, Benjamin Wheeler. A copy of Mr. Patterson's statement is attached to the minutes as part of the official record.

Many who spoke were students in the program or family members of students in the program who explained how much the classes and services have benefitted the participants and what a serious loss the program reductions will be for these individuals. Concern was expressed over charging higher fees for the adapted PE classes since many of the students have limited resources. An update on efforts to obtain grants and outside funding sources and to establish community partnerships was requested.

Dr. Joe Lazor read a letter from Lloyd Wiborg to Al Harrison (copy attached) expressing dissatisfaction with Mr. Harrison's written response to his question as to why our pools are not being covered.

Lindsay Crocker submitted petitions which she stated were signed by 118 students, 23

staff members and 50 faculty members asking the Board to consider appointing Dr. Eric Dunmire as COM's Interim Superintendent/President.

Gloria Kopshever complimented the Measure C staff on the newly dedicated Trans Tech Building and said that it was encouraging to see the potential of the IVC campus and that the "bare bones" of IVC exist and are being renovated. She distributed copies of an article she wrote entitled "Finding Lovely Bones at IVC" (copy attached).

Paul da Silva, COM biology instructor, suggested selection of Dr. Eric Dunmire as Interim Superintendent/President. A copy of Mr. da Silva's statement is attached to the minutes as part of the official record.

John Kaley asked the Board to consider Dr. Eric Dunmire for the position of Interim Superintendent/President, commenting on his professionalism and ability to provide technological leadership.

Marian Mermel, representing ESCOM, urged the Board to maintain free health and wellness classes for our emeritus students. A copy of her statement is attached to the minutes as part of the official record.

12.a.1 Resolution in Support of Classified School Employees Week

Classified employees were asked to stand as Board Clerk Conti read the resolution. M/s (Treasurer/Hayashino) to approve the Resolution in Support of Classified School Employees Week. The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).

12.a.2 Resolution Acknowledging the Service of Dr. Frances L. White as Superintendent/President of College of Marin

Trustee Treasurer read the resolution (copy attached). M/s (Conti/Hayashino) to approve the Resolution Acknowledging the Service of Dr. Frances L. White as Superintendent/President of College of Marin. The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).

President White thanked the Board for this recognition and read a statement on the state of the college (copy attached). She congratulated Vice President Harrison on his appointment as Interim Superintendent/President and commented that the Board made a sound and wise decision in selecting him. Several of the Trustees expressed appreciation to Dr. White for her leadership and many accomplishments over the past six years. Treasurer announced that Dr. White's retirement reception is scheduled for June 11 from 5:30 to 7:30 at the Embassy Suites in San Rafael.

4. Chief Executive Officer's Report

President White called the Board's attention to her report and the written staff reports in their Board packets.

a. Staff Reports

Chris Schultz, DSPS counselor, gave an update on Adapted PE classes, noting that he has written to the 150 students who have sent letters about the class reductions. He stated that he believes the program will be smaller but will not go away. Three courses cut last September have been put into a community education arrangement. He has contacted the Marin Center for Independent Living about a possible partnership and there may be additional programs through Kaiser and possibly Ross Valley. He noted that Margaret Elliott and the COM Foundation have helped with scholarships for DSPS students. The DSPS budget has been cut by 46% from a year ago. Mr. Schultz invited Board members to share the names of community contacts who might be able to help him. Board President Long stated that she and Trustee Conti have offered to work on a committee with Vice President Chang or other staff members to address this issue.

1. Academic Planning at College of Marin

Nick Chang, Vice President of Student Learning, and Yolanda Bellissimo, Academic Senate President, reviewed recent enrollment history and noted that the Board will soon have to make some decisions regarding how to monitor growth in view of our limited resources. Options for addressing continued growth include: cap growth, increase total instructional resources, and redistribution of instructional resources based on demand, academic blueprint or state directives (transfer, career and technical, basic skills/ESL). The Board requested a Study Session on this topic in the near future to allow time for discussion.

Trustee Namnath suggested that Board members observe the upcoming elections to see if Marin County voters are in a mood to vote for a parcel tax. He stated that he wanted to plant this as an idea for COM.

12.e Superintendent/President Search Update

Consultant Stan Arterberry reported on the progress of the Superintendent/President Search (copy of update attached). He noted that the Search Committee has met three times and that Peggy Dodge replaced Derek Wilson as one of the faculty representatives. Recruiting is going well and 44 applications (two of which are incomplete) have been received. We have a sufficient pool and the Search Committee will soon finalize the questions and select the candidates for interview. Tasks for the Board include: scheduling final interview dates, discussing the structure of Board final interviews, and developing interview questions. Mr. Arterberry suggested having the candidates meet with the Interim Superintendent/President and planning site visits for the top two candidates.

The Trustees were asked to check their calendars for availability for final interviews on September 7, 8, 9 and 10 beginning at 4:00 p.m. It was noted that the Trustees must participate in all of the interviews in order to vote for the CEO.

4.a Staff Reports (continued)

2. Unfunded Liability Funding Program

Vice President Harrison reviewed the unfunded liability funding report in the Board packets. He stated that his recommendation would be to go with the Community College League's Retiree Health Benefit Program Joint Powers Agreement (JPA) since we're already a member. He will bring a recommendation to the June 22 meeting with options for funds to put the money in or to create our own investment portfolio in the JPA. Several of the Trustees expressed the desire for more information on CCLC's trust and management and the amount of control we could have over our allocations.

3. Textbook Rental Program

Vice President Harrison reported that we have signed a one year contract with Barnes & Noble that will enable our students to rent textbooks at ½ the cost of buying them. Trustees were happy to hear about this rental program which will benefit our students. Trustee Namnath suggested examining other low cost options.

4. WASC Update

President White announced that the Self-Study is being reviewed, edited and formatted and that a final draft will be brought to the next Board meeting.

5. Follow-Up Report (in packet)

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

Trustee Namnath left the meeting at 9:30 p.m.

5. Academic Senate Report

Yolanda Bellisimo, Academic Senate President, informed the Board that the Academic Senate wants to make sure the Board understands how many classrooms will be needed in the new Academic Center to accommodate all of the programs that will be displaced once Harlan Center, the Business Center, Olney Hall, the Arcade, Dickson Hall, and Dance/Landscape are demolished. The Academic Senate strongly recommends that Erik Dunmire, Academic Senate representative, be provided reassigned time/units over the summer and fall semesters to work with the Academic Center architects to complete a thorough inventory in order to plan adequate lecture/lab space in the new Academic Center. A copy of Ms. Bellisimo's statement is attached to the minutes as part of the official record.

Erik Dunmire, COM Academic Senate representative, made a presentation entitled "Analysis of Kentfield Lecture Room Usage and Availability" (copy attached) and based on information provided by the Office of Instructional Management.

6. Classified Senate Report

Kathleen Kirkpatrick, Classified Senate President, announced the winners of this year's outstanding classified awards based on the criteria of quality of work, positive attitude, extra effort, dependability, collaboration and commitment:

Outstanding Individual Award: Aaron Osheroff, Database Administrator, IT Department
Unsung Hero: Melody Creel, Information Technician in the Office of Planning, Research and Institutional Effectiveness

Outstanding Department: Information Technology

Ms. Kirkpatrick also thanked Dr. White for her leadership and support of the classified staff and acknowledged the passing of Carla Zilbersmith, one of College of Marin's shining lights. A copy of Ms. Kirkpatrick's statement is attached to the minutes as part of the official record.

7. Student Senate and Student Association Report

Student Trustee Parker reported that new ASCOM officers were recently elected and an optional \$8 student activities fee was approved to underwrite services and activities. Trustee Long announced that Mr. Parker will continue as Student Trustee next year.

8. Consent Calendar Items

M/s (Treanor/Hayashino) to approve all actions on the Consent Calendar with the exception of 8.I and 8.J which were moved to the Action Calendar. The motion passed by a unanimous roll call vote of 6-0 plus an advisory aye vote by Student Trustee Parker.

A. Calendar of Upcoming Meetings

No Board Retreat on June 8, 2010

B. Approve Classified Personnel Recommendations

1. Appointment of Classified Personnel
2. Resignation/Retirement of Classified Personnel

C. Approve Classified Management Personnel Recommendation

1. Resignation/Retirement of Classified Management Personnel

D. Approve Short-Term Hourly Positions

E. Approve Academic Personnel Recommendations

1. Approval of Continued Employment of Academic Contract Faculty

F. Budget Transfers – Month of April – FY 2009/10

G. Warrant Approval

H. Declaration of Surplus Property – Miscellaneous Equipment

K. Approve New Community Services Courses - *SP.2 (Improve Student Learning and Success)*

- L. **Approve New Credit Course - SP.2 (Improve Student Learning and Success)**
- M. **Approve Credit Course Revisions – SP.2 (Improve Student Learning and Success)**
- N. **Approve Credit Course Deletions - SP.2 (Improve Student Learning and Success)**
- O. **Approve ECE Program Catalog Changes for 2010-2011 – SP.2 (Improve Student Learning and Success)**

9. **Other Action Items**

- A. **Modernization (Measure C) – BP3.1 (Keep modernization program on track)**
 - 1. **Backflow Preventer Replacement PE/FA/SMCP Project (308B-306C-305A)**
M/s (Treanor/Conti) to **Award Construction Contract for Backflow Replacement PE/FA/SMCP Project to WR Forde Associates in the amount of \$78,650.**
Trustee Treanor disclosed that her brother-in-law is a manager at WR Forde but she has no financial interest in the company. The motion passed by a vote of 5-1 with Trustee Dolan casting the no vote (plus an advisory aye vote by Student Trustee Parker).
 - 2. **Building Signage FA/SMCP/PA Project (306C-305A-306A)**
M/s (Treanor/Hayashino) to **Award Construction Contract for Building Signage FA/SMCP/PA Project to Western Sign, Co. Inc. in the amount of \$148,955.** The motion passed by a vote of 5-1 with Trustee Dolan casting the no vote (plus an advisory aye vote by Student Trustee Parker).
 - 3. **Science/Mathematics/Central Plant Complex Increment No. 2 & 3 Site Development & Building Project (#305A)**
M/s (Treanor/Hayashino) to **Award Construction Contract for Science Math Central Plant Complex Increment No. 2 & 3 Site Development & Building Project to the lowest responsive bidder.** The motion passed by a vote of 5-1 with Trustee Dolan casting the no vote (plus an advisory aye vote by Student Trustee Parker).
 - 4. **SMCP Increment No. 1 Site Development Utilities Project (#305C)**
M/s (Treanor/Hayashino) to **Approve Change Order #11 and Resolution Attesting No Benefit to Bidding Out Change Order Work (\$569,315).** The motion passed by a roll call vote of 5-1 with Trustee Dolan casting the no vote (plus an advisory aye vote by Student Trustee Parker).
- C. M/s (Hayashino/Conti) to **Approve Authorization to Sign on Behalf of Governing Board – BP1 (Fiscal Accountability).** The motion passed by a unanimous roll call vote of 6-0 (plus an advisory aye vote by Student Trustee Parker).

- D. M/s (Treanor/Conti) to **Award Lease Modification – Ross School District – BP1 (Fiscal Accountability)**. The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Parker).
- E. M/s (Hayashino/Treanor) to **Approve Memorandum of Understanding -San Francisco Community College District (“City College”) and Marin Community College District (“the District”)**. The motion passed by a vote of 5-1 with Trustee Dolan casting the no vote (plus an advisory aye vote by Student Trustee Parker).
- F. **(formerly B.8.I) Modernization (Measure C) - BP3.1 (Keep modernization program on track)**. M/s (Treanor/Hayashino) to approve 9.F. 1-4. The motion passed by a vote of 5-1 with Trustee Dolan casting the no vote (plus an advisory aye vote by Student Trustee Parker).
 - 1. **Ratify/Approve Modernization Contracts, Changes and Amendments (\$2,986,921).**
 - 2. **Approve Annual Renewal of Contract for Modernization Legal Counsel Dannis Woliver & Kelley (DWK) (\$125,000)**
 - 3. **Approve Renewal of Contract for Reprographic Services Ford Graphics (\$150,000)**
 - 4. **Approve Notice of Completion Hazardous Materials Abatement Project (305A)**
- G. **(formerly B.8.J) M/s (Treanor/Hayashino) to Approve Revised Board Policies – BP1.4a (Review institutional needs and assess institutional effectiveness, using Program Review, Administrative Planning and Assessment, the Strategic Plan and the Educational Master Plan)**. The motion passed by a vote of 5-1 with Trustee Dolan casting the no vote (plus an advisory aye vote by Student Trustee Parker).
 - 1. **BP 2715 Code of Ethics**
 - 2. **BP 3310 Records Retention and Destruction**
 - 3. **BP 3518 Child Abuse Reporting**
 - 4. **BP 4060 Delineations of Functions Agreement**
 - 5. **BP 5170 Children’s Center**
 - 6. **BP 6450 Wireless or Cell Phone Use**
 - 7. **BP 6640 Art Work Displays**

10. Board Policy Review (1st 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)

Board members were asked to review these Board policies and report their comments to Trustee Hayashino.

1. **BP 3500 Emergency Preparedness**
2. **BP 4235 Credit by Examination**
3. **BP 4300 Field Trips and Excursions**
4. **BP 4050 Articulation**

Trustee Long stated that she would like to include articulation with K-8 schools in this policy.
5. **BP 5050 Matriculation**
6. **BP 5052 Open Enrollment**
7. **BP 5055 Enrollment Priorities**
8. **BP 7120 Employment Recruitment**
9. **BP 7210 Academic Employees**

11. Board Study Session

The Study Session was postponed to a Board meeting to be scheduled on June 8.

- a. **Budget Workshop**
- b. **Review Board Budget Priorities 2009/10**
- c. **Timeline for Board Budget Priorities 2010/2011**

12. Board Reports and/or Requests

b. Legislative Report

Trustee Hayashino reported that the Governor's May Revise Budget did not contain many changes from the previous budget for community colleges.

c. Committee Chair Reports

d. Individual Reports and/or Requests

Trustee Treanor requested that the Board Fund Development Committee schedule a meeting. A fund development status report will be scheduled for the June Board meeting.

Trustee Treanor announced that planning is well under way for Dr. White's retirement reception on June 11 and asked for specific program ideas, noting that she wants the event to be fun, upbeat and a good celebration for the college.

13. Approval of Minutes

• **Minutes of April 20, 2010 Board Meeting**

Student Trustee Parker made the following correction to the minutes of the

April 20, 2010 Board meeting: under 9.B.1 (Select Architect and Award Short Form Design Contract for New Academic Center at Kentfield) on page 5 he voted no on Trustee Namnath's motion to comply with the Board policy which requires a yes, no or abstention vote with four yes votes needed for the motion to carry.

M/s (Hayashino/Conti) to approve the minutes of the April 20, 2010 Board meeting (with Student Trustee Parker's correction). The motion passed by a vote of 6-0 (plus an advisory aye vote by Student Trustee Parker).

- **Minutes of April 24, 2010 Special Board Meeting (Board Retreat)**

M/s (Hayashino/Conti) to approve the minutes of the April 24, 2010 Special Board Meeting (Board Retreat). The motion passed by a vote of 5-0-1 (plus an advisory aye vote by Student Trustee Parker). Trustee Dolan abstained because she was not present at the April 24 meeting.

14. Possible Future Agenda Items for Discussion

- A. **Fundraising - BP4.1 (*Implement a Strategic Plan for College Development*)**
- B. **Athletic Field Proposal Presentation (*June*)**

15. Items for Possible Future Board Action (5 minutes)

- A. **Recommendation on Bolinas Field Station – BP1 (*Fiscal Accountability*)**
- B. **Resource Development Plan – BP4.1 (*Implement a Strategic Plan for College Development*)**
- C. **Resolution for Athletic Field - BP1 (*Fiscal Accountability*)**
- D. **Unfunded Liability Program (*June*) - BP1 (*Fiscal Accountability*)**

16. Information Items

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

- A. **Contracts and Agreement for Services Report – April, 2010 – BP1 (*Fiscal Accountability*)**
- B. **3rd Quarter Financial Report - 311Q – BP1 (*Fiscal Accountability*)**
- C. **Modernization Update – BP3.1 (*Keep modernization program on track*)**
 - 1. **Director's Report – BP3.1 (*Keep modernization program on track*)**
 - 2. **Schedule – BP3.1 (*Keep modernization program on track*)**
 - 3. **Contract Milestones Report through April 2010 – BP3.1 (*Keep modernization program on track*)**
 - 4. **Quarterly Progress Report Period Ending March 31, 2010**

D. Revised Administrative Procedures

- 1. AP 4225 Course Repetition**
- 2. AP 4232 Pass/No Pass**
- 3. AP 4235 Credit by Examination**
- 4. AP 4250 Probation**
- 5. AP 4255 Dismissal**
- 6. AP 4300 Field Trips and Excursions**
- 7. AP 4500 Student News Media**
- 8. AP 4050 Articulation**
- 9. AP 5013 Students in the Military**
- 10. AP 5045 Student Records**
- 11. AP 5050 Matriculation**
- 12. AP 7210 Academic Employees**
- 13. AP 7211 Faculty Service Area, Minimum Qualifications and
Equivalencies**
- 14. AP 7212 Temporary Faculty**
- 15. AP 7217 Instructional Rotation**

E. Calendar of Special Events

**Retiree Reception - May 19, 2010, 4 to 6 p.m., Marin Art & Garden
Center, 30 Sir Francis Drake Blvd., Ross**

**COM Foundation Annual Scholarship Awards Ceremony – May 21, 2010,
5:30 p.m., Student Services Center, Kentfield**

**Faculty & Staff Recognition Luncheon – May 27, 2010, 12 to 1:30 p.m.,
Campus green area near Fusselman Hall, Kentfield**

**Golden Bell Education Ceremony – May 27, 2010, 4:30 p.m., Dominican
University - Angelico Hall**

**COM Nursing Program Pinning Ceremony – May 27, 2010, 6:30 p.m., Fine
Arts Theatre, Kentfield**

**COM Commencement – May 29, 2010, 10:00 a.m., COM Baseball Field,
Kentfield**

**Marin County Mayors and Councilmembers' Dinner – June 23, 5:00 p.m.,
San Francisco Yacht Club, Belvedere**

**Fran White Retirement Reception – June 11, 2010 – 5:30 to 7:30 p.m.,
Embassy Suites, 101 McGinnis Parkway, San Rafael
Fall Convocation – August 13, 2010, 10:00 a.m. to noon**

17. Correspondence

Board members were asked to review the correspondence in their Board packets.

18. Board Meeting Evaluation

No comments

19. Adjournment

M/s Hayashino/Conti to recess the meeting in memory of Carla Zilbersmith. The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Parker) and Board President Long recessed the meeting to closed session at 11:00 p.m.

The Board met in closed session at 11:02 p.m. All Trustees were present except Trustee Namnath.

No action was taken.

The meeting was adjourned at 11:40 p.m.