

COLLEGE OF  
**MARIN**

**BOARD OF TRUSTEES  
SPECIAL BOARD MEETING  
BOARD RETREAT**

**January 15, 2010  
9:00 a.m. to 4:00 p.m.  
Deedy Staff Lounge, Student Services Building  
Kentfield Campus  
Web Address: <http://www.justin.tv/comtrustees>**

**Minutes**

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**I. Call to Order, Roll Call and Adoption of Agenda**

The Board of Trustees of the Marin Community College District met in the Deedy Staff Lounge in the Student Services Building, Kentfield campus, all members having received notice as prescribed by law. Board Vice President Namnath called the meeting to order at 9:09 a.m. All publicly elected Trustees were present. Student Trustee Parker arrived at 1:08 p.m.

M/s (Conti/Hayashino) to approve the agenda as presented. The motion passed unanimously (7-0).

**II. Comments from the Public**

Student and taxpayer Laura Maatz addressed the Board regarding not abolishing the Austin Science Center. She noted that there is still controversy over the Gateway, the demolition of the Science Center and resulting loss of classroom space and labs. She also expressed concern that some parts of Measure C are not being adhered to and that the Citizens' Oversight Committee is almost non-existent. She feels that information should be more readily available and that there should be a more transparent public process. Ms. Maatz said that there would be great support and cooperation with proper handling of the situation and a more open process.

Jamie Deneris, biology faculty member, commented that many members of the science faculty are upset that the Austin Science Center will be torn down and stated that they want to meet with staff to make sure they'll have sufficient space in both the old and new science buildings to be able to meet curriculum needs.

COM faculty member Don Foss encouraged the Board to keep the current Science Center, noting that destroying a building should be a last resort as that would cause considerable environmental degradation.

Sue Scott, administrative assistant in the Counseling Department, expressed disappointment that no salary adjustments have been made yet even though an equity study was conducted by the District. She requested equity in salaries for the classified staff.

For clarification and in response to comments made earlier, Board President Long stated that we have a Citizens' Oversight Committee which audits us twice yearly and that these reports and other information about the bond implementation are on our website.

**III. Retreat Format Review**

Board members reviewed the interview questions, decided who would ask each question and noted the importance of treating the candidates equally and fairly.

**IV. First Presidential Search Firm Interview**

Dr. Stan Arterberry and Ms. Heather Renschler, representing Ralph Andersen and Associates, responded to the interview questions.

**V. Second Presidential Search Firm Interview**

Dr. Pamila Fisher from the Association of Community College Trustees was interviewed by telephone as she was unable to be there in person.

**VI. Third Presidential Search Firm Interview**

Board members interviewed Dr. Carl Ehmann and Dr. Robert Griffin from Professional Personnel Leasing.

**VII. Discussion**

Board members discussed the responses of the interviewees and gave their impressions of the three candidate firms. Linda Beam, Executive Dean of Human Resources & Labor Relations, was asked to obtain additional information from each firm about the costs of their services. A selection will be made at the January 19 Board meeting.

**VIII. Gateway and Bond Spending Plan Options**

Board President Long opened the afternoon session with a statement setting the stage of the meeting. These comments are attached to these minutes as part of the official record.

**Public Comment:**

Tara Flandreau spoke to the new Fine Arts building and the modernized Performing Arts building. Ms. Flandreau is upset that the modernization of the Performing arts building is really just ADA upgrades and other cosmetic issues. The theater is not

being touched; it has substandard lighting, the floor needs replacing, a quality sound shell and other acoustic modernizations need to be made. She asks that the Trustees reconsider using money to make these upgrades.

David White spoke to the modernization of the Performing Arts building. Mr. White agrees with the statement by Ms. Flandreau and requests that Trustees "look at what we need before we dig another hole and fill it with money."

Sara McKinnon read a statement in favor of the Gateway project and outlining her concerns about needed upgrades should the project not happen. A copy of her statement is attached to the minutes as part of the official record.

Margaret Kettunen-Zezart spoke to reinforce the fact that entries need to be accessible with covered walkways and convenient walk ways. Trustees need to consider a formal, level, accessible entryway in the Gateway building.

#### Presentation:

Director of Modernization V-Anne Chernock and Program Manager Leigh Sata gave a presentation outlining Gateway and Bond Spending Plan options. The presentation gave an overview of the history of the Gateway project including assessment of the building conditions that led to the decision to replace existing buildings. Once this decision was made, the Environmental Impact Report (EIR) was created, approved, and filed. Funding for the Gateway has been discussed on several occasions and has included the potential use of state funding. When state funding was denied, the Board of Trustees authorized the District to proceed with the Gateway Complex project (January 20, 2009).

Director Chernock and Program Manager Sata asked Board members to consider three options with moving forward with the Gateway Project and the Revised Bond Spending plan: Option A: Cancel the Gateway and reallocate funds; Option B: Smaller Gateway, modernize Harlan Center; or Option C: Continue with Gateway as planned. A vote will be called for at the January 19, 2010 Board meeting.

At the end of the presentation public comment was once again permitted.

David Snyder spoke in support of the Gateway building. Mr. Snyder knows from personal experience that many people drive by the college and do not know it is there. "We need a 'there there.'" In addition to this, our classrooms in Olney Hall require the students to bundle up, making taking notes difficult, and causing classes to spontaneously migrate to quieter open classrooms.

Bill Scott, Chair of the Citizens' Oversight Committee (COC), cautioned the Trustees that a change in plans could trigger a revision on the EIR and a delay in the current process may negatively impact the spending power of the bond. Mr. Scott stated that as the economy picks back up 2012 should be cost neutral but to expect costs to rise in subsequent years. He also notes that the COC will take any delay very seriously.

Vivien Bronshvag stated that her belief that parking lot two should be dedicated to the Fine Arts students because they have heavy and expensive supplies they must bring back and forth to class. Ms. Bronshvag asked Trustees to reconsider the location of the Gateway. Finally, she stated that she doesn't believe the charrettes reporting is accurate and that the Board isn't listening to the public; parking should be resolved before building.

Hoa-Long Tam spoke in favor of "Option C" of the Gateway project, stating that even selection "Option B" would cause an 18 month delay in the process. A copy of his statement is attached to the minutes as part of the official record.

Jeff Cady brought a written statement to the Board, but had to leave. Melinda Molloy read the statement in support of the Gateway project on his behalf. A copy of the statement is attached to the minutes as part of the official record.

Margaret Kettunen-Zezart asked if one of the reasons that classrooms were reduced in Fine Arts building had to do with state funding for deferred maintenance.

Basia Crane recommends that all items on the bond measure be completed. The District may not have money left for the Gateway. She also doesn't believe that academic transfer is a good enough reason to build the Gateway.

#### **IX. Questions and Answers**

Board President Long requested that each Trustee share their ideas and concerns about the process to follow.

Trustee Treanor stated that Trustees should be mindful of the timeline. She acknowledged that our need is bigger than our means and that we should look at the big picture, but realize that everything doesn't have to come from the bond program. She suggested that concentration on fund development will help meet our need. If we don't do the Gateway project, will the \$6 million needed in ADA upgrades go up? If we re-open the EIR we will have to bring back consultants and management costs will go up.

Trustee Dolan feels that there is dysfunction and deceit in the bond program. She feels that we are losing our historical fabric through this process and there is no vision, leadership or concern for faculty or community. She is in favor of Option D to preserve existing buildings.

Trustee Conti expressed support for the full Gateway project, noting that it doesn't make sense to change direction at this time. She believes that fund development is a way to solve the \$113 million need once the bond is complete.

Trustee Namnath believes that the vision needs to be addressed as well as the verbiage of Measure C. Measure C addresses nursing facilities, library, expanded classrooms, and emergency medical center; it says nothing about an administrative building or grandiose gateway. He would like the language of Measure C and Proposition 39 projected at the next meeting to go over as a group.

Trustee Hayashino appreciates the work completed by staff, the District Modernization Committee (DMC) and Citizens' Oversight Committee (COC). She believes that the District must address the needs of the students. There will be an impact on the EIR if we choose anything other than the full Gateway.

Trustee Kranenburg thanked staff for their work. He believes COM can be proud, though not everyone can be happy. We need to trust the staff as they are the experts and that's why we have them.

Student Trustee Parker stated that \$43 million is left over because of the prudent management of the bond. He stated that students need a safe, up-to-date facility and we need a gateway.

Trustee Long is concerned about the next 4 to 6 years. Will we have long-term space? Short-term space? Do we need to maintain the science center? Parking is an issue. When Harlan is demolished can it be a parking lot? Can space be flexed between classroom and office? She will work with Dr. White to get the legal information that Trustee Namnath is requesting.

#### **X. Wrap Up/Adjournment**

Meeting evaluation: Trustee Treanor stated that she hopes there will be a real Board Retreat and thinks that Trustees should take to heart what Pam Fisher had to say. Trustee Conti expressed appreciation for the thoughtful and smooth consensus of today's meeting. Trustee Hayashino thanked the staff.

M/s (Treanor/Namnath) to adjourn the meeting. The motion passed unanimously (7-0) plus an advisory aye vote by Student Trustee Parker and Board President Long adjourned the meeting at 4:04 p.m.

Board of Trustees President Eva Long  
Opening Remarks from BOT special meeting Jan. 15, 2010

Let me set the stage for this meeting. These are wonderful, challenging times. And what that means is that we have many opportunities to take advantage of such things as cost particularly when it comes to the construction of buildings and such. And in reflection from the last meeting I would encourage each person who's willing and wanting to speak, to speak today. We really want to hear what your recommendations and suggestions are, but I do want to remind people that we do have a decorum and that we in fact we have a standard of expectation that this meeting be run civilly and that opinions and thoughts and ideas should be respected by our listening as well as taking into consideration those thoughts and ideas. And for those in the audience we would expect that you properly conduct yourself. I have spoken with Chief Lacy, who is probably just around the corner right now, and encourage people that if you need a little break because we feel so strongly about what it is that we're talking about and care so much about College of Marin is that sometimes our emotions get in front of our words and so I would ask that each of us, if you need time off and time out to just leave, feel free to do that. But I will expect that this meeting will be conducted in an orderly manner and all meetings subsequently will be conducted in an orderly manner. So I am encouraging everyone who wishes to speak to please come forward. On the other hand, please confine your remarks; and needless to say I hope I don't need to call a recess through this meeting.

Thank you.

## January 15, 2010 Board Retreat: Modernization Program, Glossary of Terms

At the request of the Board, the following terms are defined for the purposes of this presentation:

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### ***Modernization participants:***

Director of Modernization – V-Anne Chernock (District employee)

Swinerton Management and Consulting (SMC) – District Program Manager (Leigh Sata, Swinerton team leader)

*District Consultants: These consultants are responsible for overall District issues, including the development of standards, infrastructure projects, and counsel about technical issues, when required. This list is not complete, but a complete list is contained in each Quarterly Report. The following firms were early participants in the program:*

Steinberg Architects – District architect (Rob Barthelman, project leader)

CSW – District civil engineer

3DI – The facilities assessment consultant, hired by the Foundation for the California Community Colleges. The report was published in 2002.

CMA – District facilities assessment consultant responsible for preparing the initial facilities report in 2002, prior to the bond.

CCS Group – State funding consultant hired to prepare the District's IPP and FPP for the Gateway project. CCS also prepared a IPP for the Children's Center.

### ***Terms:***

A/E – Architect and Engineer.

Cap Load Ratio – a method used by the state chancellor's office to determine how efficiently space is used. The ratio is reached by dividing existing space (ES) by needed space (NS).  $ES/NS = \text{Cap Load Ratio}$ . If the cap load ration exceeds 100%, funding is not likely. Spaces are defined as fitting into five categories (lecture/classroom, laboratory, office, library and instructional media/AV and IT).

CEQA – California Environmental Quality Act: this act applies to all state agencies and requires a full environmental review when an agency undertakes a project.

DMC – District Modernization Committee: the committee charged with providing guidance and advice to the District during the early phases of the program.

EIR – Environmental Impact Report: a report required by CEQA that reports on issues created by the construction or modernization of a project.

**Marin Community College District****Updated Bond Spending Plan***Prepared by V-Anne Chernock, Director of Modernization**Percent Spent as of November 2009*

	Approved Plan as of 11/11/2008	% Spent as of 11/09
<b>Program Budgets</b>		
Program costs	\$ 15,983,345	75%
ERP (technology program)	\$ 10,000,000	55%
Reserves	\$ 17,789,000	0%
<b>Projects Approved by Board 10/06</b>		
KTD Science/Math/CP Complex	\$ 69,414,598	9%
KTD Arts Complex - Fine Arts Building	\$ 19,000,000	15%
KTD Arts Complex - PA Building modernization	\$ 17,200,000	9%
KTD PE Complex modernization	\$ 25,796,073	78%
IVC Transportation Complex (incl. machine metals)	\$ 12,151,000	55%
IVC Main Building	\$ 23,300,000	40%
<b>Project Initiated by Board 1/09</b>		
KTD Gateway Complex	\$ 17,500,000	1%
<b>Infrastructure Budgets</b>		
KTD Demolition (Austin Science)	\$ 900,000	0%
KTD Tree Removal	\$ 385,100	82%
KTD West Campus Bridge	\$ 2,000,000	53%
KTD Geothermal Field	\$ 7,900,000	75%
KTD Larkspur Annex	\$ 1,178,773	94%
KTD Additional Site Development	\$ 7,746,402	60%
IVC Bridge and Pathways	\$ 1,300,000	35%
IVC Fire Mitigation	\$ 800,000	98%
IVC Gas Main Replacement	\$ 533,857	100%
IVC Creek Erosion	\$ 1,600,000	49%
IVC Storm Drain	\$ 349,428	100%
IVC Tree Removal	\$ 73,424	100%
IVC Geothermal	\$ 1,500,000	89%
IVC Parking, Bioswale	\$ 1,000,000	59%
IVC Power Plants	\$ 2,800,000	43%
Consolidated Swing Space	\$ 6,299,000	58%
<b>Total</b>	<b>\$ 264,500,000</b>	
<i>Bond Funds</i>	<i>\$ 249,500,000</i>	
<i>Interest earned to date</i>	<i>\$ 8,100,000</i>	
<i>Projected additional interest</i>	<i>\$ 6,900,000</i>	

January 14th, 2010

Dear Board Members:

I am now a full time faculty member who taught part time at College of Marin for the last 28 years. I am writing to express my concerns about your upcoming decision on the "Gateway" building. I favor the construction of this new building and would like to outline briefly my concerns about this project as a faculty member who teaches and works daily in these buildings.

First and foremost is the problem of ADA accessibility. Harlan Center has no access for students to faculty offices on the second floor. In fact, my department had a faculty member with knee problems who was unable to access her own office for a couple of years. Olney Hall is a nightmare. The classrooms are on top. The men's bathroom is half-way down the stairs and has additional stairs inside it and the women's bathroom is on the ground floor next to OH 96. The Business Center has no bathrooms at all. All four of the buildings leak. The Administrative Center which also houses childcare downstairs used to be the Chemistry labs from before there were strict safety regulations about pouring toxic chemicals down pipes. All of these buildings, being some of the oldest on either campus, are at a major risk of collapse during an earthquake. To upgrade or repair any of these buildings, the college is legally required to bring them fully up to code. It would cost millions of dollars just to add elevators, not to mention seismic retrofitting.

The gateway complex, is not - as some would have you believe - only for administration offices. We have a number of disciplines who are affected: Harlan Center, Olney Hall and the Business Center house English, Humanities, Modern Languages, college skills, Accounting, Business and Economics. One can safely say that virtually every student at Kentfield takes at least one course every semester in one of these three buildings. In addition there are a large number of disciplines who have just lost their homes to make way for the new Math and Science building and have no other home but the gateway complex. These include: History, Political Science, Ethnic Studies, Social Sciences, Anthropology, Psychology, Behavioral Sciences, Sociology. While their offices have been incorporated into Fusselman Hall to a large extent, classes for these disciplines will NOT fit into the two classrooms of Fusselman Hall.

I would argue that not to replace these buildings would be irresponsible. The college and community have been working on this plan since the beginning of the Bond charrettes. Delaying the project or starting over again will cost the taxpayers much more and will severely impact the thousands of students who attend classes in these buildings on a day to day basis. Please keep education first and foremost on your minds and remember that our students deserve safe, clean, healthy, accessible and preferably up-to-date classrooms.

Sincerely,

Sara Helen McKinnon - Faculty, English as a Second Language

You've heard a lot today about numbers and ratios and facts and figures about the various options being presented. But my concern with the presentations today is that the different options are being presented as they're equivalent projects—the logical conclusion of which is that the board should choose the cheapest option. This is not the case. Option A has been presented as though it you can just take that money and spend it on whatever you desire. This may be true from a legal sense, but doing so would leave thousands of students in buildings that are at significant risk of collapse in the next major, or perhaps not so major, earthquake. The administration building is of particular concern because it would collapse onto the childcare center downstairs. Regardless of what you think about the metaphorical implications of that imagery, this is clearly not a feasible option.

There has also been a lot of talk about the minor marginal cost difference between options "C," the current Gateway project, and "B," a severely scaled-down project. This ignores the fact that "B" adds at least an additional 18 months of delay to the project. I happen to be personal friends with many in the construction. There have been tens of thousands of layoffs in the construction industry in northern California. Marin is in the recession just like everywhere else, as much as we care to forget it. You've heard about your responsibility to the taxpayers. Delaying this project will delay much needed hiring to stimulate the economy. This hurts taxpayers more.

Hoa-Long Tam

Dear Board Members Namnath and Conti:

I am a part-time COM faculty member and I'm writing about the coming vote on the "Gateway" building. Although, like many, I have misgivings about the process surrounding the bond-backed building projects, I favor the construction of this new building, and I wanted to express my concerns, both as someone who works in all of the current buildings that would be affected, and as a Marin voter and taxpayer.

Although I have taught in both Harlan and Olney for many years, I hope fervently that they will be replaced. They have become embarrassingly shoddy over the years, are apparently impossible to maintain, were built long before current earthquake standards, and offer far from ideal teaching facilities. Buckets to catch rain are standard features in winter in spite of near annual roof repair, windows don't close properly, there are only a handful of smart classrooms. I always make sure to carry a flashlight for leading my students out in the frequent blackouts (and in case we survive an earthquake). During my class in Olney 108 last semester, I got in the habit of roaming the length of the room and repeating myself often so that the students in the back could hear me over the roar of the enormous heater in the center, which dependably had us opening the windows and sweating when it was on. I've gotten used to the conditions, but when I ask my writing students to look around them for a little description inspiration, we're all reminded that our classroom has been neglected for decades. As for the Business Center, where I share an office with about eight other instructors, I know not to leave books or papers on my desk below the brown stain in the ceiling (it doesn't leak in every winter...). But at least I'm semi-reachable by disabled students, unlike the teachers with offices upstairs in Harlan.

I think I was part of a group (at the famous "charrette") that thought there was some value in having an identifiable location, with temporary parking, to help community members approach the college for the first time. I drove past many times when I first lived in Marin without every realizing the college was here. But the "Gateway" title does seem rather grandiose and I am not myself strongly attached to this aspect of the new building. Good educational facilities should certainly take priority.

I am happy that new members of the board are not falling into lock-step with everything that has been happening at the college in recent years, but on this issue, I'm hoping that you will see your role as making sure that the new building, which we do need, is as good as our money can give us and carefully watching over the process that gets it there.

Jeff Cady

Instructor, College of Marin