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 SS A&B conference room on the Kentfield campus, all members having received notice as prescribed by law. Board President Long called the meeting to order at 5:33 p.m. All publicly elected Trustees were present except Trustee Conti, who arrived at 5:35 p.m., and Trustee Treanor, who arrived at 5:45 p.m. Fran White, Al Harrison, Nick Chang, Linda Beam, Larry Frierson, and Bruce Heid were also in attendance.

M/s (Namnath/Hayashino) to adopt the agenda with two changes: Consent Calendar Items B.8.E (Approve Educational Management Personnel Recommendations) and Action Item B.9.D.3 (Gateway Complex Project – Award Design Professional Services Agreement) were pulled and moved to the February meeting. The motion passed unanimously (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.

The closed session recessed at 6:50 p.m.

B. Regular Meeting

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

The meeting of the Board of Trustees of the Marin Community College District was reconvened at 6:55 p.m. by Board President Long in the Deedy Staff Lounge in the Student Services Building on the Kentfield campus. She announced that the meeting was
being recorded to facilitate the preparation of minutes. All publicly elected Trustees were present and Student Trustee Parker was also in attendance.

Board President Long announced that the agenda had been approved in closed session with two changes: Consent Calendar Item B.8.E (Approve Educational Management Personnel Recommendations) and B.9.D.3 (Gateway Complex Project – Award Design Professional Services Agreement) were pulled and moved to the February meeting.

In response to a request from Trustee Treanor for an explanation for the public of why the Gateway design award agenda item was pulled, President White explained that during the discussion at the Board Retreat about the design of the Gateway concern was expressed over how the designs would affect parking. She reported that the Board wants to pursue parking planning and that the selection panel would be reconvened. Community participation will be included in the discussion of parking issues.

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

3. **Citizens’ Requests to Address the Board on Non-Agenda Items**
   Michael Lateef, representing the Ross Valley LaCrosse Club, requested that the Board move forward with proposals for joint use of the Kentfield athletic field. He stated that the Ross Valley LaCrosse Club’s proposal involves elevating and renovating the grass field, removing hazards relating to the existing stands that appear to be falling down, and putting in a new track and astro turf field. Mr. Lateef stated that he just found out that COM’s prior joint use agreement with the Branson School has not expired and that Branson has a continuing interest in the field. This was news to him and he needs some direction regarding renovation discussions from the Board as his group will now have to work with Branson.

   Dr. White passed out a letter (copy attached) from Andy Pauley, Director of Finance & Operations for Branson, advising Vice President Harrison of Branson’s interest in participating in any joint use agreement for the athletic field. Dr. White stated that we will honor the agreement with Branson and work from there in terms of what we can accomplish around the lacrosse/soccer proposal.

   Marita Daly, a member of The Branson School’s Board of Trustees, informed the Board that Branson wants to be involved in the discussions around renovation of the field and would like all parties to discuss the best use of the field.
Victor Minasian, COM faculty member, shared his concerns about management and implementation of the $249.5 million bond, calling the Board’s attention to the absence of a comprehensive and coherent plan which has resulted in questionable expenditures and growing disaffection of the community. A copy of his statement is attached to the minutes as part of the official record.

Brandon Sherron, representing Carpenters Local 35, urged the Board to give the Gateway project the green light, noting that the window of opportunity is now. A copy of his statement is attached to the minutes as part of the official record.

Joan Wieder, a student and retired judge, commented that we are building smaller buildings and that this will impact instruction and academic criteria. She expressed surprise that the Gateway will include administrative offices and urged the Board to solve parking and disabled access problems before we build new buildings. She stated that bond funds are to be used only for those projects which directly impact the quality of student learning and that we should optimize student access which was promised in the bond.

Lorraine Berry, a member of the Marin County Commission on Aging and COM’s Citizens’ Oversight Committee, stated that the bond was passed when we were in economic prosperity and that since times have changed perhaps we should return some bond money to the taxpayers, use it to pay off the bond, or use it to provide more classrooms. She suggested saving frills for better economic times and providing a reserve for ongoing maintenance. Ms. Berry also stated that she does not think we should be in the business of providing competitive business activity in this community and that craft classes should not be considered the focus of COM even though we have wonderful programs.

Len Pullan, a retired architect who is active in emeritus activities and is a member of College Council and the Gateway design selection panel, expressed disappointment with the delay in the Gateway design selection, noting that it discounts the professional handling of the project by staff and community members who have participated. He said that parking issues should not hold up the Gateway project and endorsed the TLCD Architects/Mark Cavagnero design for the Gateway.

Vivien Bronshvag, COM student and a resident of this neighborhood, stated that we have 1200 art students here and that a reduction in parking spaces near their classrooms will create a burden for students who have to tote 50 pounds of tools or other equipment to their classes. She passed around a photograph of art students carrying their supplies into a crowded classroom. Ms. Bronshvag also said that the bond states that there are to be no traffic impacts on Sir Francis Drake and that the Gateway could cause legal problems if traffic is impacted. She urged the Board to be open to new information and ideas.
John Morrison, who works for the California Film Institute, recommended architect Mark Cavagnero to the Board, commenting on his respect for historical buildings and his ability to deal with Boards and the public.

Student Gina Fagan spoke in support of the Cavagnero design for the Gateway.

Basia Crane, representing the Marin United Taxpayers Association (MUTA), informed the Board that MUTA feels the Board should complete projects that were on the bond measure first and then see if there are enough funds to build the Gateway. MUTA is afraid we’ll come after the community for more bond money.

4. **Chief Executive Officer’s Report**
   President White called the Board’s attention to her report in their packets. She announced that our enrollment is currently up 26% from this time last year. She passed around the January 2010 issue of *American Executive* which contains a very positive article about COM. Dr. White announced that COM’s Retiree Reception is scheduled for May 19 from 4 to 6 p.m. at the Marin Art & Garden Center in Ross.

Dr. White distributed a letter from attorney P. Addison Covert addressing our bond language and Prop 39 in response to a question raised at the Board Retreat over whether proposed expenditures must meet the specific terms of the ballot summary or can instead be governed by the broader project definitions in the full ballot text. Mr. Covert’s legal opinion is that the Board’s 2004 Resolution and the full ballot text provide the authority for authorized bond projects and that the ballot summary is intended to be an abbreviation of the full ballot text. Dr. White noted that this opinion is similar to opinions we have previously received from attorney David Casnocha, our bond attorney who represents 65 community college districts in the state. The bond language is deliberately broad and gives the Board a chance to define what their priorities and projects will be. Dr. White also stated that we have a Citizens’ Oversight Committee to make sure we’re not spending taxpayer money on projects that are not covered by the bond.

In response to questions brought up at the January 15 Board Retreat about space planning, the number of rooms on campus and the number of seats in each room, Modernization Director Chernock brought a document entitled COM Project Space Planning. Produced in 2006 by Steinberg Architects, this document contains a detailed listing of existing space.

President White reported that she conducted a telephone survey over the weekend in which she asked people in the community if they are familiar with the Gateway project and, if so, to define it. She discovered that many people don’t know what it is or have an incorrect understanding of the project (i.e., retail center or administration building) and that this is a problem that needs to be addressed. Dr. White stated that the Gateway is an
academic building that will house classes in humanities, ESL, social and behavioral sciences, communications, business management, business commerce, English, German, and modern languages. The building will also house faculty and administrative offices and a theater to replace Olney Hall. Noting that the name “Gateway” is killing us due to misunderstandings about the purpose of the project, Dr. White stated that we are burying that name and will now call the project the “New Academic Center at Kentfield.”

a. Staff Reports

Board President Long referred the Trustees to the written reports in their packets.

1. IVC Tennis Proposal (Al Harrison) – BP1 (Fiscal Accountability)
2. Kentfield Lacrosse/Soccer Proposal (Al Harrison) – BP1 (Fiscal Accountability)
3. WASC Status Report
4. 12/31 Year-to-Date Financial Report (Al Harrison) – BP1 (Fiscal Accountability)
5. IVC Partnership Update (Nanda Schorske) – BP2 (Improve Student Access and Success in Instruction and Student Services)

Trustee Treanor suggested a future Board Study Session on IVC Partnerships.

6. Kentfield/College Avenue Visioning Task Force Update (Fran White)

President White reported that we are participating in the Kentfield/College Avenue Visioning Task Force which will be revisiting the Kentfield/Greenbrae community plan. She and Board President Long attended a recent meeting of the task force which was convened by Supervisor Hal Brown. The group wants to hire planning consultants and each participating entity is being asked to donate $10,000. Dr. White indicated that College of Marin wants to participate to make sure we are complying with any community standards and guidelines.

7. DSPS Follow-up and Update (Nick Chang)

Trustee Dolan asked for additional information.

8. Follow-Up Report (in packet)

9. Gateway Complex Selection Panel Process (V-Anne Chernock)

The meeting recessed at 8:15 and was reconvened at 8:25 by Board President Long.

Action items B.9.D. 1 & 2 were moved up on the agenda.

Board President Long’s introductory comments to the discussion on the new Academic Center and bond projects are attached to the minutes.


9.D.2 M/s (Hayashino/Treanor) to Approve Updated Bond Spending Plan (Gateway Complex only), Part B. M/s (Namnath/Dolan) to amend the motion by removing the $17.5 million for the new Academic Center and the word “demolition” from the
description of the Austin Science Center. Trustee Namnath made a
powerpoint presentation (copy attached) in support of his amendment.

After discussion by Board members Trustee Namnath withdrew his amendment and
Trustee Dolan, who seconded the amendment, concurred.

The motion to approve the Updated Bond Spending Plan (Gateway Complex only), Part B
passed by a roll call vote of 5-2 with Trustees Namnath and Dolan casting the no votes.
Trustees Treanor, Conti, Long, Hayashino, and Kranenburg voted aye and Student Trustee
Parker cast an advisory aye vote.

Trustee Namnath read the following statement:

"I am voting no on B.9.D.2 for the following concerns:
- A project with a large measure dedicated to non-instructional use, administration, was
  not in Measure C language and potential violation of Proposition 39. A legal challenge
to this project could endanger all projects under construction.
- This project will have negative impact to Marin voters who will be asked to support the
  College in future bond measures.
- The evolution of this project lacks specific directives on function, budget, and
  unfulfilled approval language.
- The majority of this project budget relies upon savings from other projects that are not
  anywhere close to complete and the degree of savings is not absolutely clear. The
district is exposing itself to shortfalls which have no feasible means to complete
  funding."

The Board recessed at 10:20 and was reconvened at 10:25 by Board President Long.

Action items B.9.B and B.9.E were moved up on the agenda.
B.9.B. M/s (Namnath/Dolan) to Approve Authorization to Prepare Resolution to Consider
Proposals for Joint Use of Kentfield Athletic Field. The motion passed by a unanimous
vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).

B.9.E. Approve Superintendent/President Search Consulting Firm.
Board Parliamentarian Namnath explained that the process to be followed would be to
vote one at a time on the three firms. The first firm to get four votes will be the one
selected to handle the search. Board President Long asked Linda Beam, Executive Dean of
Human Resources & Labor Relations, to review the three firm’s responses to the request
she sent them for clarification regarding the cost of their proposals. Board members
commented on their opinions of the three search firms (Ralph Andersen and Associates,
Association of Community College Trustees, and Professional Personnel Leasing). Trustees
Namnath and Dolan, who have worked in the search firm industry, and Trustee Hayashino,
who sometimes hires search firms, stated that they have no relationship with any of the
candidate firms.
M/s (Namnath/Conti) to approve the selection of Ralph Andersen and Associates to handle the search for the new COM Superintendent/President. Six Trustees (Treonor, Conti, Long, Namnath, Hayashino, and Kranenburg) voted for this firm and since it was the first firm to receive 4 votes, Ralph Andersen and Associates was chosen to handle the search. Trustee Dolan would have voted for another firm as her first choice had the opportunity arisen. Student Trustee Parker abstained as he was not present for the interviews that were held on January 12.

5. **Academic Senate Report**
   Yolanda Bellisimo, Academic Senate President, read a statement containing Patrick Kelly’s and her recommendations for the old and new science centers and the new administrative center (formerly called the Gateway complex). A copy of Ms. Bellisimo’s statement is attached to the minutes as part of the official record.

6. **Classified Senate Report**
   No report

7. **Student Senate and Student Association Report**
   No report

8. **Consent Calendar Items (Roll Call Vote)**
   M/s (Hayashino/Treonor) to approve the Consent Calendar with the exception of 8.E. which was pulled and with one change to the Calendar of Upcoming Meetings. The location of the April 20 Board meeting was changed to Miwok 181 at IVC since the ribbon cutting for the Trans Tech Building will take place that afternoon. 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**
   No changes

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

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

   **D. Approve Academic Personnel Recommendations.**
   1. Sabbatical and/or Leave Replacement

   **F. Budget Transfers – Month of December – FY 2009/10**

   **G. Warrant Approval**

   **H. Approve Mileage Rate Reimbursement Effective January 1, 2010**
I. Approve New Community Services Non-Credit Courses – BP2 (Improve Student Access and Success in Instruction and Student Services)

J. Modernization (Measure C) - BP3.1 (Keep modernization program on track)
   1. Ratify/Approve Modernization Contracts, Changes and Amendments ($480,702)
   2. Declaration of Surplus Property – Miscellaneous Equipment
   3. IVC Utilities Project (#407B)
      Approve Project & Authorize Bidding and Approve Contract Amendment 1
      Alfa Tech Consulting Enterprise ($198,510)
   4. Science/ Math/ Central Plant Complex Increments 2 & 3, Site Development & Building Project (#305A)
      Approve Sole Source of Landscape Sphere Fabrication

K. 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)
   1. BP 2345 Public Participation at Board Meetings
   2. BP 2365 Recording
   3. BP 2410 Policy and Administrative Procedure
   4. BP 2710 Conflict of Interest
   5. BP 3510 Workplace Violence Plan
   6. BP 5015 Residence Determination

L. Approve Sabbatical Leave Recommendations.

9. Other Action Items
   A. M/s (Namnath/Conti) to Approve Non-Resident Tuition Fee for 2010/11. The motion passed by a unanimous vote of 7-0 plus an advisory aye vote by Student Trustee Parker.
   C. M/s (Namnath/Conti) to Approve Authorization to Prepare Resolution to Consider Proposals for Joint Use of IVC Tennis Courts – BP1 (Fiscal Accountability). The motion passed by a unanimous vote of 7-0 plus an advisory aye vote by Student Trustee Parker.
   D. Modernization (Measure C) – BP3.1 (Keep modernization program on track)
      4. Tree Program Project (#305A)
M/s (Treanor/Hayashino) to Award Construction Contract to the lowest responsive bidder, Treemasters Tree and Garden Care, for the tree program project following the five business day bid protest period. The motion passed by a roll call vote (requested by Trustee Namnath) of 5-1-1 with Trustee Dolan voting no and Trustee Namnath abstaining. Student Trustee Parker cast an advisory aye vote.

5. Diamond PE Center Alterations Project (3088)
M/s (Namnath/Conti) to Approve Notice of Completion. The motion passed by a unanimous vote of 7-0 plus an advisory aye vote by Student Trustee Parker.

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)
A. BP 6300 Fiscal Management
B. BP 6540 Insurance

11. Board Study Session
None

12. Board Reports and/or Requests
a. Commendation Resolutions and Other Resolutions
None
b. Legislative Report
Trustee Hayashino commented on the governor’s budget proposal, noting that we have a budget gap of almost $20 billion and that most proposed cuts are in health services and corrections. No new taxes or student fee increases are proposed. A 2.2% increase for enrollment growth and reductions in COLA, categorical funds and EOPS are other components of the proposal.

c. Committee Chair Reports
Trustee Treanor asked to include Trustee Hayashino on the Fund Development Committee along with Trustee Conti and herself. When informed that President White and Board President Long would be meeting with Margaret Elliott and Dr. Frank Parnell to discuss the MOU with the Foundation, Trustee Treanor stated that the Fund Development Committee would like to get a report on the outcome of this meeting.
d. Individual Reports and/or Requests

Trustee Treonor encouraged Board members to attend the upcoming CCLC Effective Trustee Workshop, legislative conference and Board Chair Workshop.

13. Approval of Minutes

M/s (Treonor/Hayashino) to approve the minutes of the December 8, 2009 Board meeting, December 8, 2009 Special Emergency Board meeting, and January 12, 2010 Special Board meeting. Trustee Conti made a correction on page 11 of the minutes of the December 8 Board meeting, noting that she voted no on calling the question. Trustee Long submitted a copy of comments (copy attached) she made at the December 8 Board meeting and asked to have this attached to the minutes. The motion to approve all three sets of minutes (with these two changes) passed by a unanimous vote of 7-0 plus an advisory aye vote by Student Trustee Parker.

- Minutes of December 8, 2009 Board Meeting
- Minutes of December 8, 2009 Special Emergency Board Meeting
- Minutes of January 12, 2010 Special Board Meeting

14. Possible Future Agenda Items for Discussion

A. Fundraising –BP4.1 (Implement a Strategic Plan for College Development)

B. COM/COM Foundation MOU – BP4.1 (Implement a Strategic Plan for College Development)

C. Accreditation Requirements

D. Planning and Resource Allocation

E. Budget Development Process

F. Board Code of Ethics

Trustee Treonor asked to fast track work on the Code of Ethics as this needs to be done so that we will be in compliance with Accreditation Standard 4.

G. Board Liaison to IVC Neighbors

H. Kentfield Lacrosse/Soccer and IVC Tennis Proposals

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. Proposal to Lease IVC Tennis Courts – BP1 (Fiscal Accountability)
D. Proposal to Enter into a Joint Use Agreement for LaCrosse/Soccer at Kentfield – BP1 (Fiscal Accountability)

16. Information Items

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

A. Contracts and Agreement for Services Report – December, 2009 – BP1 (Fiscal Accountability)
B. Modernization Update – BP3.1 (Keep modernization program on track)
   1. Director’s Report – BP3.1 (Keep modernization program on track)
      a. Tree Protection Communications Plan (Kentfield Campus)
   2. Revised Schedule – BP3.1 (Keep modernization program on track)
   3. Contract Milestones Report through December 2009 – BP3.1 (Keep modernization program on track)
C. Revised Administrative Procedures
   1. AP 6300 Fiscal Management
   2. AP 6540 Insurance
D. Calendar of Special Events
   College Convocation – January 22, 2010, 10:00 a.m. to 12:00 p.m., Olney 96, Kentfield
   CCLC Effective Trusteeship Workshop – January 22-24, 2010, Sheraton Grand, Sacramento
   COM Commencement – May 29, 2010, 10:00 a.m., COM Athletic Field

17. Correspondence

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

18. Board Meeting Evaluation

Board members noted that the discussion this evening helped Board members coalesce and team build but thought it important to work harder on sticking to time commitments during the meetings. Board President Long thanked
everyone for their cooperation and thanked staff for helping the Board members obtain the information needed.

19. **Adjournment**

M/s (Namnath/Hayashino) to adjourn the meeting. The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote by Student Trustee Parker) and Board President Long adjourned the meeting at 11:15 p.m.
| Trustee Parker | January 19, 2010 | Joint Use of IVC Tennis Courts Resolution to Consider Proposals for Approval Authorization to Prepare  |
| Trustee Parker | January 19, 2010 | 2010/11 Approve Non-Resident Tuition Fee for  |
| Trustee Parker | January 19, 2010 | Joint Use of Kentfield Athletic Field Resolution to Consider Proposals for Approval Authorization to Prepare  |
|           |                | BP1: Fiscal Accountability  |
|           |                | 3.1: Keep modernization program on  |
| Trustee Parker | January 19, 2010 | Track  |
| Trustee Parker | January 19, 2010 | Track  |
| Trustee Parker | January 19, 2010 | Track  |

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| Trustee Parker | January 19, 2010 | Tree and Garden Care Construction Contract to Re enamasters | Track 3.3: Keep modernization program on
| Trustee Parker | January 19, 2010 | Determination Violence plan, BP 5075 Residency Conflict of Interest, BP 3510 Workplace Administrative Procedures, BP 2710 BP 2365 Recordings, BP 2410 Policy and public participation at Board Meetings, Approve Revised Board Policies BP 2345 | The educational master plan:
Assessment, the strategic plan and review, administrative Planning and effectiveness, using program and assess institutional needs:
BP 3.8: Review institutional needs.
| Trustee Parker | January 19, 2010 | Credit Courses Approve New Community Services Non- | Services
| Trustee Parker | January 19, 2010 | S/M/P Complex, Approve sole source Landscape Fabrication | BP 2.2: Improve student access and success in instruction and student services
| Trustee Parker | January 19, 2010 | Contract Amendment I - Alpha Tech | MVC Utilities Project – Approve Project 8
| Trustee Parker | January 19, 2010 | Property/Miscellaneous Equipment Approve declaration of Surplus | Track 3.3: Keep modernization program on
| Trustee Parker | January 19, 2010 | Contracts, Changes and Amendments Ratify Approve Modernization | BP 3.3: Facilities
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<th>Trustee Parker</th>
<th>Approve Notice of Completion Diamond PE Center Alterations Project</th>
<th>Track BP3: Facilities 3.1: Keep modernization program on</th>
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<td>Pre-K-12 Education</td>
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<td>Student Services and Success in Institution and Improvement</td>
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BP3.1 Keep modernization on track.
January 6, 2010

Mr. Al Harrison
College of Marin
835 College Ave.
Kenfield, CA 94904

Dear Al,

Thanks for making Branson aware of the agenda item for the COM Board meeting on 1/19/10 pertaining to the football field. Our phone conversations today and yesterday have been informative and helpful. As you explained it to me the Board will consider the various aspects of a proposal for joint use of the existing football field and track. The end result of an agreed upon proposal would be a scope of work that could be included in an RFP for such work. Such an RFP might be available in February sometime.

Branson School is informing you that we are very interested in participation in any joint use agreement for the football field. This is a continuation of our current agreement and the updated guidelines. The use of the field will be an important aspect of our program especially if MCAL goes to winter soccer season. We would like to be represented, under the appropriate circumstances to the Board, as a very interested party. Based on the work that we have already accomplished, and the good strategic alliance we have nurtured, both COM and Branson have benefited. And we look forward to continuing this alliance.

Please let me know if there is anything else Branson can do to express our interested position in preparation for the 1/19 Board meeting.

Sincerely,

Andy Pauley
Director of Finance & Operations

cc:  Woody Price
     Rich Robbins
     Terry Mason
President Long, Ladies and Gentlemen of the Board, Honored Guests

My name is Victor Minasian. I have been associated with the College of Marin for a very long time...long enough to remember, with nostalgic affection, the original Harlan Hall -- and, for many of us, its much regretted demolition in the late 1960s. A former colleague and dear friend -- now long retired -- reminded me recently that the building could have been renovated and retrofitted at a cost of $100,000. Nonetheless, this iconic building was, to use the current administration jargon “deconstructed”. Within a very short time, its disappearance became a source of profound and widespread regret.

What replaced it was the present Harlan Center -- now proposed for demolition. Half a dozen years ago, one of the 3 finalists for the presidency of College of Marin cautioned, in an interview with the college community, against proceeding with a bond measure in the absence of a clear, specific and transparent plan as to how bond monies would be spent. Since then, and not withstanding the remodeled Physical Education complex -- the absence of a comprehensive and coherent plan has resulted in missteps, delays, untold needless and/or questionable expenditures, growing disaffection among the taxpayers and residents of Marin County, tendentious pronouncements and press releases, and profound departures from both the spirit and the letter of the proposition which was approved by the voters of Marin.

Some year and a half ago I expressed my dismay over the proposed demolition of Dickson Hall to a member of the administration, arguing that the building was both architecturally and historically significant... in addition to being “built like a fortress”. He replied, with a smile, “the train has already left the station”.

Of the countless aphoristic lessons that I take away from my 45-year association with College of Marin allow me to share with you two or three of mine “it is only too late when it is gone”, “change is not, inevitably and inherently, exciting, desirable, or necessarily a good thing”; “administrators come and go, institutions hang in forever.”

At last Friday’s Board retreat, Trustee Namath raised what, for me, was a compelling -- and troubling -- issue relating to the District’s compliance with Proposition C. In its rejoinder, the administration essentially argued that outgoing changes, modifications, alterations, and expansions of scope which have thus far occurred -- the most ambitious of which is the “Gateway” project are all allowable and permissible within a framework consistent with what legal opinion allows.
This struck me as another cynical example of the classic “bait and switch” technique. Inform the voters of Marin in sufficiently vague language -- recall the absence of a clear plan -- what you intend to do and how much is needed to do it. Then proceed to devise a set of scenarios, punctuated by charades and charettes, that are far more grandiose in scope and direction, and finally seal the deal with passionate arguments that College of Marin’s acknowledged reputation for academic excellence is ill-served by structures such as the Taqueria Restaurant.

A number of points:

1) In 2004, the voters approved 249.5 million dollars, not 280 million or 320 million or 496 mil.

2) While the language of the bond was sufficiently vague and non-specific, the intentions, I would argue, were clear. Any attempt to retrospectively redefine those intentions -- to engage in legalistic “slights of hand” -- will simply further alienate the residents of Marin.

3) To argue that the District has already spent and/or committed monies to get this far and that we need to push ahead regardless of economic realities and fiscal restraints seems to me egregiously irresponsible. A cynic would see the strategy as follows:
   - Spend beyond our means
   - Demolish indiscriminately
   - Allow the old stuff that remains to continue deteriorating
   - Hope that the state, or the voters of Marin, or schemes to transform College real estate into money-generating enterprises... or whatever... will come to the rescue.

   In any event it recalls to mind a comment Louis XV made toward the end of his reign: "Apres-moi, le deluge".

4) For better or for worse, the tenure of the current administration expires in 6 months. What will be its legacy a year from now? 5? 10? 40? Whatever happens, it won’t be the first time the College will have been left with the consequences of irrevocable decisions and no accountability.

5) Finally, the academic reputation of the College was acquired over many decades by dedicated and gifted faculty and classified staff working tirelessly with generations of students in buildings such as Harlan Hall -- not to be confused with Harlan Center -- and other structures long gone or slated for demolition, and in portable/temporary buildings still standing and utilized long past their “shelf life”.

That reputation has been fashioned wholly distinct and separate from existing structures such as the Taqueria; and it will continue to stand, or fall, irrespective of whatever architectural configurations emerge in the future.
The money already spent in developing and planning could have been for nothing if we can’t get this project moving. Too many people have worked too hard for this to just watch it fade away. The EIR is completed, if this project is not given the green light soon then all the meetings with the board, and the architects will have been for nothing because we will be forced back to square 1. If this project is not approved soon then we run the risk of having to redraft or possibly redo a new EIR. This could delay the project years, and with construction projects coming in under engineers estimates the time to act is now. If we don’t it will cost the project and the community a lot of time and money. At a time with an unprecedented jobless rates and skyrocketing tuition fees we can’t afford to delay this any longer, the window of opportunity is now and it is time for us to act. Let’s put some local people back to work and help spur our local economy.

Brandon Sherron
Carpenters Local 35
TRUSTEE LONG’S COMMENTS FROM JANUARY 19, 2010 BOARD MEETING

We have been challenged and struggled with working through coming to tonight. In December we had an interesting and challenging meeting. We concluded that some Board members definitely who were not here at the beginning needed additional time to basically understand not only the processes that took place as well as information, questions and concerns so that they could be satisfied in terms of information and analysis. During the interim we did have, as I mentioned a little bit earlier with some detail, we invited every Board member to attend if they wished meetings with V-Anne Chernock and Leigh Sata. Many of you saw the comprehensive report that was compiled by V-Anne Chernock and Leigh Sata from Swinerton and gave lots of information for us to digest during the last couple of weeks. We had a Retreat on Friday and I think that as we continue our deliberations this evening that I would urge the Board to come to some common denominator so that we can in fact move forward.

I realized a couple of weeks ago as I was thinking about some of the emotions that are attached to this project....some of you have heard me talk about this before......I think part of what’s happening in terms of maybe just the economic climate and economic condition, all of us are very concerned about how we spend our money and we were so lucky and so fortunate to be in a community such as Marin County where we were gifted with $249 million. And I think if you ask any Board member around the table they would say we are so lucky and that entrusting that amount of money for us to make decisions is truly a trust and confidence that the community has given to us. And so I don’t think anyone in this room, including staff, takes that for granted. But I think what’s happening is that it is our last phase – and there’s excitement about that as well as a little sadness because we’re not getting all that we wish we could have if all of the funds were available. And that’s okay if you think about your own home and such. Very often you know you’d like to do something but due to whatever the parameters are you can’t always do what it is that you would like to do. When we started and, as I mentioned, three of us were here at the time, we did a polling to find out how much the community would support and what we discovered was that it was $249 million. And so that’s the magical number in terms of the bond. We also recognize, as Dr. White mentioned, that it’s over $100 million more to do probably most of the other things that need to be done. And, V-Anne, you can help me on this one. I’m really proud that we have on the Kentfield campus whether we do a scaling down of the Academic Center or do whatever the size and scope that that building might be is that 13 of 15 buildings on campus will have some work done – some of it is new; some of it is modernization. And the one building that I have not heard a complaint about is the PE Building and it is really a beautiful building in terms of the renovation and how it looks today. And I can remember before it got renovated what it looked like and we can be mighty proud. And at IVC many of you know the campus and at that campus there are multiple buildings that were built in the 70’s in redwood. If you own a home that’s redwood you know the
kind of maintenance that’s needed for those buildings and so any building that is 40 years old or more has its issues.

So keep in mind as you leave this evening whatever the decision is, it is that each of us has struggled with whatever the right decision is. But we are one voice. I always tell my wonderful supporters and friends and neighbors of the college that I am 1/7 and each of us represents that portion of what this Board’s all about. But when we finish we act as a whole and we become a whole. And so I’m looking forward to our Board coming together at the end of the evening with whatever decisions we need to make and that all of us, audience and the Board, be respectful of the comments that are made. I really appreciated at the last meeting (the Retreat) that many of you acknowledged individual Board members who actually had wonderful ideas. I would encourage us to continue to do that and to listen and to be respectful of one another. I see my friend Charles Lacy who is in the corner and I have asked Chief Lacy to help me to keep order in this Board room. I do expect very high standards from each of you... that we be civil, respectful and be great listeners to one another. So with that I’d like to then go to #1, approval of updated bond spending plan.
Use of Measure C Funds for “Gateway Project”

- Compliance to Trustee’s Authorization
  - January 2008 approval - review
- Compliance to Measure C and Prop 39
  - The Question is “Is a project with major Administration and Aesthetic function consistent with Measure C?”
alternative will be recommended to the Board for further action within three to six months.

With this authorization, the District will re-evaluate the project in light of available bond funds. An
and seeks Board authorization to start preliminary planning work.
and seeks Board authorization to start preliminary planning work.
short-term State funding is unlikely, the District is prepared to develop affordable alternatives to the project
initiated in 2006 with the other building projects. Because State funding has been delayed and further
because State funding has been delayed and further
The project originally required State funding (with the resulting lead time) and the design work was not
The project originally required State funding (with the resulting lead time) and the design work was not

Authorization to proceed with preliminary planning:

Boulevard and College Avenue on the Kentfield campus. Implementation of the project includes Board
Boulevard and College Avenue on the Kentfield campus. Implementation of the project includes Board

The last of seven major building projects in the Measure C bond program is the Gallery Complex. This
The last of seven major building projects in the Measure C bond program is the Gallery Complex. This
- 25,000 sq ft
- $17,522,500 budget
- Project Initiation Form 12/19/2009

Recommending... 3-6 months

Due to no state funding, "Alternative will be"

"Initiation of the Project"

January 20, 2009 Item B.11.H.2

Authorization to Initiate Gateway
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Trustoee Dohle casting the no vote. Student Trustee Parker cast an advisory vote.

Authority to Proceed. The motion passed by a vote of 6-1 with M/S (Tremain/Hayashiho) to approve Gateway Complex Project (#303B)

P. Modernization (Measure C)

This measure reflects the community's support for

adjustment will be part of the ongoing design process.

The current bond budget for the Gateway Complex is $17.5 million. Additional funding and/or scope

FISCAL IMPACT:

approval by early fall 2009. Final selection of an architect is expected by late fall.

Short form professional service agreements for a design competition will be brought to the Board for

engineering team.

The District is requesting that the Board authorize the District to hire a qualified architectural and

design process at a later date. With confirmation that the project will be funded solely by Measure C funds,

B.1.11 (a)) with a note that the District would remain with clarification regarding funding, scope and

The Gateway Complex Project (303B) was initiated by the Board of Trustees on January 20, 2009 [item

BACKGROUND:

June 23, 2009 Trustee Meeting
48,000.

The Gateway buildings would be doubled to

With this alternative, the square footage for

classrooms, and a 400-seat auditorium

that would be used for administration, general

New Gateway 1 and 2 buildings and plaza

including the following:

New buildings and structures are proposed

Fall 2007 EIR
"Not within any stated and approved budget"

in scope from 55,500 to 48,000

New budget: $33.6 million reflects reduction

Gateway

From Jan 15 2010
What is the correct question to ask counsel?

- Authorized by voters?
- Is a "NEW ADMINISTRATIVE FACILITY"
- Measure C and Prop 39 compliance
I am voting no on B.9.D.2 or the following concerns:

- A project with a large measure dedicated to non instructional use, administration, was not in Measure C language and potential violation of Proposition 39. A legal challenge to this project could endanger all projects under construction.

- This project will have negative impact to Marin voters who will be asked to support the College in future bond measures.

- The evolution of this project lacks specific directives on function, budget, and unfulfilled approval language.

- The majority of this project budget relies upon savings from other projects that are not any where close to complete and the degree of savings is not absolutely clear. The district is exposing itself to shortfalls which have no feasible means to complete funding.
Patrick Kelly had planned to be here tonight to talk about the old and new science and math buildings but was too sick from the flu to come in and has asked me to relay to you his comments about these projects and the Gateway.

Over the past few years we have heard a number of people say they were against the new science/math center, that they were left out of the process and that they didn't sign off on any of it. While I am sure this was the case for some, Patrick says that he did not have the same experience. He was highly involved in the design of the new chemistry part of the building and is exited about its prospects. Patrick teaches organic chemistry, which is one of the last science classes students take at COM before moving on and most of the chemistry, physics and engineering faculty realized long ago that the high level of material they are teaching could not be adequately addressed in the old building. It would have been nearly impossible to update the old building to the standards recommended by the American Chemical Society and similar physics and engineering bodies.

The new science center is going to be a beautiful piece of work. Specifically the chemistry labs are going to be state of the art. Patrick, along with Erik Dunmire, and Jennifer Loeser, traveled to many community and four year colleges looking at various laboratory designs and they were able to design what will be the gold standard in organic chemistry labs. Currently, well over 90% of our chemistry students go on to four year and professional schools, including UCSF medical School, UC Davis Medical school, UOP and UCSF pharmacy schools, graduate schools in chemistry and biology, and to finish BS degrees, and UC Berkeley, Davis, LA, Santa Cruz, Santa Barbara, San Francisco State, Sonoma State and others. Given the high level of our classroom and laboratory content in the sciences and the high achievements are students strive for, a new state of the art facility was absolutely essential.

Recently, most of the science faculty, including those who originally were against the new science center, have come on board and now realize that the new facility will be a reality with the most up-to-date technology and will be most beneficial to our science and nursing students and programs. However, these very same people also realize that keeping the old science center and trying to find some minimal amount of money for paint and carpets is now just as important as moving forward with the new building. Here is why from the chemistry discipline perspective and this is similar for biology and math.

The new building was originally designed using class data from the fall of 2004. At that time, it was determined that we could JUST fit our current offerings in a building with only two chemistry labs. Since then, we have added four new sections and currently we have 104 students on the wait lists for chemistry classes. If we were required to teach in the new building this spring, we would have to cancel a number of sections we plan on offering. The reality is the new building is not big enough for the current offerings in both the physical sciences as well as the biology department. There is no amount of hand waving, no "we can move this wall, or change the configuration of this room in the future" that will make up for the fact that we just won't fit. This affects the science and math programs, which currently account for nearly 1/3 of all credit units taken by students at the college, as well as the nursing program, which will never have the ability to grow if the old building is removed.
On top of this, we have calculated that given the loss of classrooms in Dickson and Dance/Landscape, and the decreased number of classrooms in the new vs. old science buildings, we will be down about 13 classrooms. According to state standard type of calculations, the district is flush with classrooms, but this is simply because of a dearth of empty space at IVC. I am not here to comment on the wisdom of building a new 40,000 foot building up there, but I am here to point out that the Kentfield campus is busting at the seams. Talk to any science, history, or English teacher and we will all say the same thing: we will not be able to absorb a decrease of 12 to 13 classrooms.

Finally, there have been many displaced instructors with the current building projects. The old science center has many faculty offices, classrooms and labs that can help to absorb any foreseeable growth and over flow.

Patrick and I would both recommend the following:
1) Move forward with the new science/math/nursing complex as it will be a model for new buildings across the state. This building will house the transfer science classes and labs as well as the new nursing labs and some of the math classes.
2) Keep the old science center for the time-being. Plan on at least a decade or more of using this building. It has a new roof and the leaks have finally stopped, but given its current state some money should be set aside for carpets and paint: it does not have to be extravagant, just basic maintenance. This old building will provide the needed office and extra class space and will also be available for intro level and GE science labs that will not fit in the new building.
3) If asked by the community why we are building a new science center AND keeping the old, we know the new will be state of the art for science students, and the old is needed for the increased enrollment and will easily house the intro level and GE science courses.
4) As far as the new Gateway complex, it is a good idea AS LONG AS, and this is very important, the number of offices and classrooms that will be demolished will be replaced. It is essential that there is a one-to-one tradeoff between the new and old buildings in any Gateway decisions.

In Summary:
If we were to take down the old Science Center, as well as Dickson and Dance/Landscape and build the current version of the new building, we will be down multiple classrooms, a few labs and a number of offices. We needed a new building for the modern technologies required for top-flight science, math and nursing programs.

Therefore, build the new building, set aside a small amount of money for repairs and keep them both. We are never going to reach state standards as a district as long as all of those buildings at IVC exist so let’s quit limiting ourselves to that arbitrary and unrealistic goal, and let’s plan for the future, taking advantage of both what we currently have, as well as what the bond dollars will afford us.

If each of these recommendations is followed, the constituents who have been having these very contentious discussions should be satisfied. Most importantly, we will have achieved and exceeded the original intension of the bond measure.
Trustee Long’s Comments from December 8, 2009 Board Meeting
During the Discussion on the Gateway Design Award Agenda Item

1. Community voices, faculty, staff, students, Administration, and Board members. Comments important to summarize.
2. Issues that we see as future problems both short and long term.
3. Example: Parking, maintenance need further study, what will be the impact at the final end?
4. Comments about being good neighbors and what it means to involve the people who need to be involved.
5. Some have suggested a delay so that there’s a bigger picture on the overall planning and the impact on how some of the money has been or will be distributed and decisions are should be based on data.
6. Other members call for review and slowing down the process so that there’s ample time to have discussions about the projects, parking, renovation, modernization, deferred maintenance.
7. Some Trustees have mentioned that some around the table may have memories fading, giving the history of where we’ve been and where we are now and urging us to move forward. Some others comment that there’s been a process that we’ve prioritized, that we also need to move on.
8. My conclusion from these comments are those who are sitting here probably understand more about what’s happened than most people.
9. My belief is it’s always good to refresh the memories of those who might not remember or who may not have been involved as much.
10. I don’t think it’s a criticism to not remember something.
11. I think it’s fine for people to ask the questions to get clarification.
12. My election as President is to enable our Trustee to feel and participate in such a way that they fully understand because each of the people sitting around the table have a responsibility explain this to anyone asks them.
13. If we took some time to actually say let’s make sure that the total group understands what’s going on and then is prepared to vote it will be a better Board.
14. Our challenge will be clarity of thought, ideas, criteria, and participation. I would encourage us to assure that we work together to bring our colleagues along so we can have a genuine, strong consensus by each Trustee.

15. But if we don’t take the time to do it and do it correctly when we’re making one of the most significant decisions for the next two years and the future.

16. Shame on us that we didn’t take the time and wanted to push people along. There are actually two new Board members that do not have the history that some of us have.

17. I want all of you to appreciate for some of us to talk from 2003 or 2002 historical perceptive. but also to understand that if people are saying I think we need some time to discuss this to make sure we have the right information, to be able to talk about how did you arrive at exemplary decisions.

18. It’s like family-if you short cut the communication and two of the kids don’t agree or didn’t get their say or two adults who clearly did not feel that they were respected or given the time of day.

19. I hope we are willing to put the money up front in terms of time to make sure that we bring everyone along.

20. So when you vote you’re voting for the investment of time to make sure that we have unanimity and group think. I’m looking for win-win strategies, not an easy fix.