A. Special Public Session – PM/CM Interviews

The Board of Trustees of the Marin Community College District met in Special Public Session in the Library at the Indian Valley Campus, all members having received notice as prescribed by law. All trustees were present except Trustee Treanor, who arrived at 3:15 p.m., and Trustee Dolan, who arrived at 3:20 p.m.

Board President Long called the meeting to order at 3:10 p.m.

Trustee Hayashino read a statement informing the Board that she has a young niece who is employed by one of the semi-finalist PM/CM firms to be interviewed. She consulted with an attorney and the California Fair Political Practices Commission who concluded that it would not be a conflict of interest for her to participate in the discussion and selection process to follow.

Review Process

José Nuñez reviewed the screening process followed by the PM/CM Selection Committee. He explained that employees of the two semi-finalist firms, Swinerton and 3D/I, would each make 25-minute presentations showcasing their expertise and experience and that a 15-minute question-and-answer session would follow each presentation.

First Presentation – 3D/I

Gary Moriarty, Bruce Hart, Maureen Shelton, Trish Callo, and Steve Fernandez of 3D/I described their qualifications and related experience in these five areas which both firms were asked to address: shared governance, financial management, scheduling, program controls and reporting, and communications. They submitted written materials and sample documents for review. After the presentation Board Trustees Brockbank, Hayashino, Moore, Kranenburg, Treanor, and Dolan asked the following six questions of 3D/I staff:

1) What service can your firm provide to COM that is unique (to COM) and that no other firm could provide?
2) Please describe your experience with Project Labor Agreements (PLA's). From your perspective, what are the advantages and disadvantages?
3) Can you describe examples of sustainable/green design projects and LEED certified experience?
4) Describe your firm’s philosophy of integrated design, sustainability and environmental stewardship.
5) Describe your approach to working within an academic environment.
6) What reports will you provide on a month-to-month basis so the Board will know exactly where we stand regarding critical path chart (CPC) and cash flow (scheduling, penalties, money spent, quality achieved) and will you withhold dollars for irregularities?

Board President Long thanked the 3D/I staff for their excellent presentation.

Recess

The Board recessed at 4:15 p.m. to allow the second firm time to set up.

Reconvene

Board President Long reconvened the meeting at 4:25 p.m.

Second Presentation – Swinerton Management & Consulting

Jeff Gee, Bruce Rich, Geraldine Bracken, David Kirn, and Stephen Barnes of Swinerton Management & Consulting shared their qualifications and expertise with the Board by addressing the same five issues of shared governance, financial management, scheduling, program controls and report, and communications. They then responded to the six questions listed above. Swinerton staff also provided Board members with written materials and sample documents to review.

Board President Long expressed her appreciation to the Swinerton staff for their excellent presentation.

Recommendation for PM/CM

Trustees Treanor and Moore, who served on the PM/CM Selection Committee, explained that the Selection Committee thoroughly evaluated the applicants and collected a great deal of information on them. Committee members rated them numerically on an extensive list of qualifications, conducted reference checks, and examined financial data. Several Board members expressed their appreciation to the Screening Committee for their diligence and thoroughness.

Board President Long asked the Trustees to express their opinions about the two semi-finalist firms and to identify their preferences. Extensive, thoughtful discussion followed.

A.1 Selection of PM/CM Firm

M/s Treanor/Dolan to commence negotiations with Swinerton Management & Consulting. The motion passed unanimously.

Noting that this was an important decision, Board President Long stated that she was pleased with the Board’s deliberations and approval process.

Trustee Moore stated that since the Board has committed to “greening” the buildings, he wants the Board to consider the value of pursuing the platinum level of LEEDS certification.
The Board recessed to Closed Session at 6:05 p.m.

B. 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 Closed Session in the AS101 conference room on the Indian Valley campus. Board Clerk Hayashino called the roll and all Trustees were present. There was no one present who wished to address the Board on the items listed to be discussed in Closed Session. Board President Long called the Closed Session to order at 6:25 p.m. Dr. Frances White, Al Harrison, Dr. Elise Schneider, and Linda Beam were also present.

M/s Kranenburg/Hayashino to approve adoption of the agenda with the following changes:
- Item 12.F on the Consent Calendar was moved to the Information Items portion of the agenda as Item 14.F;
- Item 13.A was pulled from the agenda;
- It was noted that Item 14.C was for information only;
- Items 12.G and 14.B were moved up to the beginning of the agenda.

Motion passed unanimously

The closed session adjourned at 6:40 p.m.

C. Reconvene to Regular Meeting

1. Reconvene in Library

The meeting was reconvened in public session in the Library at the Indian Valley Campus by Board President Long at 6:55 p.m. She announced that the meeting was being recorded to facilitate the preparation of minutes.

12.G. Measure C Citizens’ Oversight Committee

Board President Long read the names of the individuals recommended to serve on the Citizens’ Oversight Committee and asked those present to stand.

M/s Hayashino/Brockbank to approve the membership of the Citizens’ Oversight Committee (COC). Motion passed unanimously.

Board President Long welcomed the COC members and thanked them for their willingness to serve.

14.B Children’s Center Strategic Plan

President White introduced consultant Libby Dietrich of Pacific Associates and Kim Mazzuca, President of the Marin Education Fund, who have been working with us to develop a strategic plan for our Children’s Center. Ms. Dietrich made a presentation to the Board on the plan (copy attached to official minutes). She noted that the Children’s Centers are integral to fulfillment of COM’s mission in
three important ways: assuring educational access or students with young children, preparing the future workforce in early childhood education and care, and preparing the next college-bound generation. Her report included potential sources of revenue for the Children’s Centers, including the Marin Education Fund, College of Marin Foundation, COM Associated Students (ASCOM), the COM budget, state support, parent fees, County Workforce Development funding, and grants.

Trustee Lopez stated that a $1 student fee to support childcare is being discussed but has not yet passed ASCOM. Trustee Treanor stated that the Trustees are supportive of child care for our students but are concerned over the amount of money the District would have to provide.

President White stated that additional work needs to be done on the Children’s Center Strategic Plan and that she hopes to implement the plan in the fall of ’05.

Ira Lansing asked that a copy of the plan be sent to UPM and stated that some of the suggestions in the plan appear to be negotiable items, which would need to be dealt with appropriately. Board President Long stated that the Board is aware of this.

Trustee Kranenburg thanked Ms. Dietrich and her team for their work thus far on the plan.

2. Approval of Minutes and Report of Closed Session

M/s Brockbank/Treanor to approve the minutes of the January 18, 2005 Board meeting with one correction. The adjournment time should be 9:55 instead of 10:55 p.m.

Board Clerk Hayashino reported that the Board met in Closed Session earlier that evening and that no action was taken.

3. Board Reports and/or Requests

Board Study Session – Budget Update Briefing and Presentation

Al Harrison, Interim Vice President of College Operations, made a budget presentation to the Board focusing of these topics: the nature and behavior of the College of Marin’s budget, current status of the unrestricted general fund budget, including projected ending fund balance, revenue estimates for 2005/06, and 2005/06 projected cost increases. COM has been a basic aid district since 2003, so we receive no state support for our regular, unrestricted general fund operations. Mr. Harrison defined a basic aid district as one in which revenues received from property taxes and student enrollment fees are equal to or greater than the revenue entitlement under the program-based funding formula. This year we are receiving approximately $4,000,000 more than we would receive if we were not a basic aid district. The downside to basic aid status is that if property taxes go down, there is nothing to replace the funds.
Mr. Harrison stated that, as of December 31, 2004, our district has received in excess of 50% of revenues budgeted and that our spending pattern is on target. Our 50% law funding is off by 2% and will have to be adjusted. It is anticipated that property taxes in Marin County will increase and that we will receive a projected revenue increase of $1,604,000 in 2005-06. Approximately 2/3 of this amount is already spoken for to cover step increases, STRS or PERS increases, and health and welfare benefits.

Several Trustees thanked Mr. Harrison for his clear, relevant, and very comprehensive report.

Trustee Treanor stated that we need to develop a plan to handle our unfunded retirement liability. Trustee Brockbank suggested setting aside $50,000 in the budget each year for elections as a fixed cost. Board President Long asked Mr. Harrison to check on the monitoring mechanism that is supposed to keep us on track with regard to the 50% law.

a. Commendation/Resolutions

President White expressed her appreciation to Lorraine Wilson for her hard work and contributions over the past few years in her position as Dean of Workforce Development. Ms. Wilson recently resigned to accept a position with the County of Marin.

b. Legislative Report

Trustee Brockbank reported that the recent CCLC Legislative Conference was extremely valuable. He circulated a handout containing public relations ideas and suggested that we invite legislators to our campus for tours and present them with appreciation awards.

c. Committee Chair Reports

Trustee Treanor reported that the Education Task Force had its 1st meeting. Trustee Dolan attended the last COM Alumni Association meeting and reported that Dorothy Orchid would be retiring from the Alumni Association Board after many years of service and many years of employment at the College. Trustee Long reported that the College President's Compensation Committee would be meeting near the end of the year. Trustee Brockbank stated that he and Trustee Long, as the Board Policy Committee, planned to go over Board policies one section at a time. Trustee Kranenburg stated that the Budget Review Committee had met and discussed the status of the budget, the impact of the Governor's budget, and lease negotiations. Trustee Hayashino stated that she had met with Trustee Long to discuss initiatives to develop good Board leaders. She passed out information on the April 29 to May 1 Trustee Conference in San Francisco.
d. Individual Reports and/or Requests
Trustee Brockbank reported that he had checked our bylaws to see if any particular agenda format needed to be followed and wasn’t able to find any specific requirements.

Trustee Dolan offered kudos to President White for establishing an Enrollment Management Task Force.

e. CEO Report to Board on WASC Compliance

President White reported that we had received a letter from the Accrediting Commission containing 5 recommendations. The first two recommendations, finalization of an effective governance structure and revision of the college mission statement, need to be completed by March 15th. Completion of an actuarial study to determine the college’s unfunded retirement liability needs to be completed by June 2005. We have until January of 2006 to complete the other two recommendations, which deal with institutional planning and student learning outcomes.

Dr. Elise Schneider, Chair of the Mission Task Force, updated the Board on the mission rewrite process. She reported that over 220 COM faculty, staff, students, Trustees, COM Foundation members, and community leaders participated in the January 21 stakeholder discussion about COM’s mission. The Mission Task Force developed a draft mission statement based on input received at that stakeholder discussion which is now being circulated among constituent groups for input. Open forums will be held later in February. The process is on target and actually a week ahead of schedule. The new Mission Statement will be presented to College Council on March 3rd and to the Board on March 8th.

Dr. White stated that she is aiming for consensus in our shared governance process. Committees will have members from all constituencies and every committee member will be required to go through consensus and team building training.

Board President Long stated that every Board member is disappointed over the Accreditation Report since excellence is our mantra in Marin County. She stated that the Board welcomes a critical friend and external voice to make us better. The Board expects us to move forward together to make this a better institution and expects accountability, collaboration, collegiality, and cooperation.

4. Chief Executive Officer’s Report

President White’s report included the following information: COM’s acclaimed nursing program is a beta site for a statewide clinical placement system. The system is designed to improve placement of nursing students in clinical roles as a way to improve nursing education and the quality of California’s health care.
The College Success Council will launch a new information outreach program to students. Beginning in mid-February, the Council will place a one-stop information kiosk in campus buildings to build awareness for the programs and services COM offers to support student success.

As a Valentine’s Day fundraiser, ASCOM is selling roses with gift cards to raise money for student scholarships.

5. Modernization (Bond) Update

President White reported that prequalification meetings for architects and engineers were scheduled for Friday, February 11.

6. Academic Senate Update

No report.

7. Classified Senate Update

No report.

8. Student Senate and Student Association Report

Student Trustee Lopez reported that he had just returned from a very impressive Chicano/Latino Conference. He noted that 81% of Latino students go to the community colleges and asked if we are doing enough to support our underrepresented students. He stated that our retention and outreach programs need increased funding. Student Trustee Lopez also stated that the Student Senators are not happy with the Governance Review Council plan and that some adjustments are needed.

Faith Caughlan, ASCOM President, stated that she was happy to attend the Legislative Conference in Sacramento and that it was nice to hear compliments on the March in March. ASCOM is busy recruiting student leaders, planning recreational activities on campus, and redoing the Student Handbook.

9. COM Foundation Report

No report.

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

None

11. Items for Future Board Action
   a. Governance Review System (March ’05)
      A Board Study Session is scheduled for March 1 at the Kentfield Campus. Board President Long reminded Trustees to review the Governance Review Plan.
   b. Selection of Informational Technology Consultant (March ’05)
      President White reported that a shared governance group will recommend
candidates.

c. Selection of Actuarial Consultant (March '05)
   Al Harrison reported that we will send out an RFQ for actuarial consulting firms.

d. College of Marin Mission Statement (March '05)
   As reported earlier, the Mission Taskforce is ahead of schedule.

12. Consent Calendar Items (Roll Call Vote)

M/s Treanor/Kranenburg to approve all items on the Consent Calendar. The motion passed unanimously with a roll call vote.

A. Educational Management Personnel Recommendations. Approve the Education Management Personnel Recommendations:
   1. Appointment and/or Change of Educational Management Personnel

B. Academic Personnel Recommendations: Approve the Academic Personnel Recommendations:
   1. Appointment of Academic Personnel
   2. Resignation of Academic Personnel
   3. Academic Request for Approved Unpaid Leave/Reduced Load/Increased Assignment

C. Classified Personnel Recommendations: Approve the Classified Personnel Recommendations:
   1. Appointment of Classified Personnel
   2. Temporary Increase/Decrease in Assignment for Classified Personnel
   3. Resignation/Retirement of Classified Personnel
   4. Classified Request for Leave of Absence/Uncompensated Leave

D. Warrants. Approve the payments for goods and services.

E. Short-Term Hourly Positions. Approve the Short-Term Hourly Positions.

F. This item was moved to Information Items.

G. This item was approved earlier in the meeting.

H. Declaration of Surplus Property - Miscellaneous Equipment

I. Notice of Completion, IVC Roof Repair, Miwok Buildings 13, 15 & 16

J. Award of Contract
   IVC One-Stop ADA Upgrades, Indian Valley Campus
13. Other Action Items

A. Proposed Extension of Agreement from School Services of California
For Legislative Advocacy Services
This item was pulled from the agenda.

B. Modernization (Bond)
Resolution Authorizing the Issuance of Election of 2004 General Obligation Bonds, Series A
Sarah Hollenbeck of Public Financial Management explained that this resolution would authorize the District to move forward with the 1st issuance of bonds not to exceed $100,000,000. She noted that this is a good time to borrow and that these bonds will be a good investment. President White asked Trustees to submit their questions to her and that she would follow up with attorney David Casnocha (who was unable to attend the meeting due to illness) for answers.
M/s Treanor/Kranenburg to approve the Resolution Authorizing Issuance of Election of 2004 General Obligation Bonds, Series A. The motion passed unanimously with a roll call vote.

C. Resolution Authorizing Intra-Budget Transfer – FY 2004/2005
Ira Lansing asked for an explanation of some of the expenditures. Dr. White responded that training in Student Learning Outcomes for staff and the staff Christmas party were funded by the transfer from the President’s Contingency Fund.
M/s Treanor/Kranenburg to approve the Resolution Authorizing Budget Transfers – FY 2004/05. The motion passed unanimously with a roll call vote.

D. AT&T Wireless Proposal
In response to questions about the proposed location of the antennas, representatives from AT&T stated that the area between parking lot 1 and Ignacio Blvd. was chosen to provide the best coverage for both the College and Ignacio Blvd.
M/s Hayashino/Kranenburg to approve the AT&T Wireless Proposal at $130,000 for five (5) years. Motion passed unanimously.

E. M/s Treanor/Moore to approve the Marin Country Club Agreement Extension – Indian Valley Campus Tennis Courts. Motion passed unanimously.

14. Information Items
A. Contracts and Agreement for Services Report – January
Ira Lansing asked if any of the bond money was allocated for consultants. President White responded that architects and engineers are considered consultants. Mr. Lansing also asked if the District would later be reimbursed for funds used to pay José Nuñez’ salary. Dr. White responded in the affirmative, noting that in December the Board had approved a contract for Mr. Nuñez not to exceed $90,000.
B. Children’s Center Strategic Plan
C. Review and Adoption of Student Equity Plan
   Trustees Long and Hayashino stressed the importance of the Student Equity Plan as a source of information to guide our instructional program and a document to state our commitment to help all students succeed.
D. Fiscal year 2004/05 Second Quarter Financials Form, 311Q
E. Generic Job Descriptions
   President White noted that the new job descriptions are linked to the new administrative structure and that some administrative job descriptions haven’t been updated in 25 years.
   Board President Long welcomed Linda Beam, Executive Dean of Human Resources and Labor Relations, to her first official Board meeting.
F. Enrollment Services Policies and Procedures (moved from Consent Calendar).
   President White noted that this document was an update of procedures being presented to the Board for information only.

15. Correspondence
   Trustees were reminded to review the correspondence in the Board Packets.

16. Board Meeting Evaluation
   Trustee Kranenburg stated that this had been an effective meeting and that there had been a good exchange of ideas during the PM/CM decision process. Trustee Treanor suggested that Board President Long and President White call Gary Moriarty and Bruce Hart of 3D/I to express our appreciation for their excellent presentation earlier in the evening and all the good work they have done for our institution.

   Trustee Brockbank stated that he thinks the Board meetings are going well in view of the fact that we have an unprecedented number of new administrators and are dealing with issues that Trustees have not had to handle before.

   Trustee Dolan suggested a Study Session on bond issues.

   Trustee Hayashino expressed her appreciation to José Nuñez and the PM/CM Selection Committee for doing an excellent job and complimented Mr. Harrison on his budget presentation.

17. Adjournment
   M/s Brockbank/Treanor to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 9:55 p.m.