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 closed session in AS101 on the IVC campus, all members having received notice as prescribed by law. Board President Long called the meeting to order at 4:10 p.m. All Trustees were present, except Trustee Kranenburg, who arrived at 4:12 p.m., and Trustee Brockbank, who arrived at 4:20 p.m. Dr. Frances White, Al Harrison, Dr. Elise Schneider, Linda Beam, Larry Frierson, and Armond Phillips were also in attendance.

M/s (Moore/Dolan) to adopt the agenda with the following corrections:

B.4.b(1) - Maura Morey Commendation Resolution was moved to the November 15 Board meeting.
B.4.b(2) - Resolution in Support of Proposition 76 should read Resolution in Opposition to Proposition 76.
B.13.G – The Recommendation should read: The Superintendent/President recommends that the Board of Trustees approve the selection of Klif Knoles, General Manager of the Marin Builders Association, to replace Mr. Dave Bernardi on the Citizens’ Oversight Committee.


The motion passed unanimously.

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 6:21 p.m.

B. Reconvene to Regular Meeting

1. Reconvene in Open Session

The meeting of the Board of Trustees of the Marin Community College District was reconvened in open session at 6:40 p.m. in the Library at the IVC campus by Board President Long. She announced that the meeting was being recorded to facilitate the preparation of minutes. Student Trustee Smith was present at this time.
2. **Approval of Minutes and Report of Closed Session**

Board Clerk Hayashino reported that one action was taken in closed session. Board President Long read the following statement:

“The Board, acting in closed session, approved the settlement of the case of Shriver vs. Marin Community College District, a case brought by a former District employee. The settlement involves a dismissal of the litigation and agreement by Ms. Shriver never to seek employment with the District, and the payment of $32,000 to Ms. Shriver by the District’s Joint Powers Insurance Agency. M/s Moore/Hayashino to approve the settlement. The roll call vote of the Board was unanimous (7-0).

M/s (Treanor/Hayashino) to approve the minutes of the September 20, 2005 Board Retreat and September 20 regular Board meeting. The motion passed unanimously.

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

There were no citizens’ requests to address the Board.

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

   a. **Board Study Session**

       1) **MSAT Presentation**

       Bob Lenz of Marin School of Arts & Technology (MSAT) presented an Early College Model Proposal to the Board (copy attached). He asked Board members to imagine the possibilities of a partnership between College of Marin, MSAT, and San Francisco State University.

       Mr. Lenz reported that MSAT is in its 3rd year and now has 250 students in grades 9, 10 & 11. It has a great faculty, a diverse student body, an active parent community, and is the fifth most improved charter school in California. Envision Schools, a non-profit organization, provides charter management support (including fundraising) to MSAT.

       Jeff Tschudi, Assistant Director of the Early College High School Initiative for the Foundation for California Community Colleges, explained that the Early College Model would allow MSAT students to take COM courses at IVC during their 11th to 13th years of schooling. This would provide an opportunity for them to become acclimated to the college way of life and would accelerate their course through college. He stated that Envision is well positioned to be a partner with COM and the Foundation for California Community Colleges in a 5-year Early College Program. The Foundation would help MSAT design a model that would meet the needs of local students. He noted that professional development is a particular focus of the Foundation.

       Mr. Lenz discussed critical issues facing MSAT, including its relationship with Novato Unified and its ability to pay rent. Novato Unified has been subsidizing MSAT’s rent in the amount of $100,000 per year but will not continue to do this. MSAT wants to stay at IVC and deepen its relationship with COM but will not be able to continue to pay the amount of rent they’ve been paying without Novato Unified’s subsidy. If MSAT doesn’t develop a partnership with COM and
Novato offers a site, MSAT would have to go there. Mr. Lenz thinks a partnership with COM would be a win-win situation as MSAT would have a permanent home and be a major part of a revitalized IVC campus with increased enrollment and transfer rates. Mr. Lenz noted that MSAT is a public school with no tuition and that space is reserved for several first generation college students.

Board President Long congratulated Mr. Lenz for the recognition MSAT has received and for the schools’ innovation and creativity. President White and Vice President Harrison were asked to bring back cost information to the Board on developing a partnership with MSAT to offer a 4th year at the IVC campus.

2) Bolinas Survey/Study
José Nuñez, Dave Kirn, and Debra Mathau gave a presentation on the Bolinas Marine Laboratory Facility Preliminary Assessment Reports (copy attached). They reported on findings in three areas: hazardous materials, structural integrity, and geologic hazards. Results of the hazardous materials investigation by Ninyo and Moore are as follows:
   a) Asbestos roofing, siding, and flooring throughout the facility require removal.
   b) Lead-based paint throughout the facility requires removal.
   c) Elevated mold spore counts require removal of interior walls of main house structure.
   d) Chemicals stored in portable containers require relocation to approved containers.

Conclusions derived from the seismic evaluation conducted by Degenkolb include the following:
   a) The house, laboratory, and shed have structural and non-structural seismic deficiencies and pose a life-safety threat in a major earthquake.
   b) The structures are subject to collapse if there is surface fault rupture, landslide, or liquefaction as a result of a major earthquake.
   c) The extent of corrosion of the rebar of the concrete water tank is unknown since the inside of the tank was not inspected. Continued corrosion may weaken the tank.
   d) The dock required further study to confirm the life-safety performance objective.
   e) The site retaining wall is failing.

Mark Caruso of Fugro West explained that the buildings were built in landslide areas and that the material under existing buildings could be slide debris. Extensive and expensive trenching would have to be done to see if we have fault issues on the property and we might not come up with good answers if we did this. He also noted that the property is located in a potential tsunami area.

Several Trustees expressed concern over the expense and liability involved in addressing the problems on the Bolinas property. Trustee Dolan stated that we once had a tremendously successful marine biology program there and that she would like to see positive
alternatives presented following a conference on Bolinas with the community and potential partners like the Romberg Center and/or the Marine Mammal Center.

José Nuñez stated that $50,000 had already been spent from bond funds to conduct these studies on the Bolinas property. Dave Kirn said that Swinerton needs direction as to whether they should stop here or spend more money on reports.

Board President Long stated that we need to think about possible other uses of the property. President White said that she would come back to the Board with a report on other options for use and possible costs, and that the information on the Bolinas property that the consultants presented would be shared with the COM Foundation Board and the faculty. She stated that a decision about further studies or analyses needs to be made.

b. Commendation Resolutions

1) Maura Morey – COM Foundation Board Member
This agenda item was moved to the November 15 Board meeting.

2) M/s (Brockbank/Hayashino) to approve Resolution in Opposition to Proposition 76, the California Live Within Our Means Act. The motion passed unanimously with a roll call vote.

c. Legislative Report

Trustee Brockbank reported that most attention in Sacramento is being focused on the upcoming special election and that the Governor is busy signing and vetoing bills. He distributed copies of the CCLC’s most recent League Legislative Update and pros and cons of the ballot measures prepared by the League of Women Voters for review by Board members. He encouraged Board members to attend the upcoming workshop on education law sponsored by Miller Brown & Dannis and also the CCLC Annual Convention at the San Francisco Marriott scheduled for November 17-19.

d. Committee Chair Reports

Trustee Kranenburg reported that the Board Ad Hoc Budget/Facilities/Modernization Committee had met and discussed modernization controls and financial matters, and had also reviewed leases.

e. Individual Reports and/or Requests

Trustee Treanor announced that Red Diamond’s wife had passed away and asked that the meeting be adjourned in her memory. She reported that several Trustees had seen the production of “Fences” and that she thought it was important to have a dialogue in the community on the issues raised in that play. Trustee Treanor also stated that she has responded to the faculty regarding comments made at the last Board meeting.

Trustee Dolan stated that “Fences” was great and that she highly recommended it as a good family show. She commended our drama department for its excellent productions.
Trustee Kranenburg reported that several Trustees had attended the recent COM Alumni gathering and also the September 28 joint meeting of Marin's Cities, Schools, and the County in Tiburon.

Board President Long passed around an article on the Frank Lloyd Wright Building in Marin County and said she was excited that COM would be a rival to the Frank Lloyd Wright Center. She also showed everyone a new calendar called “Beyond the Bridge” which was sponsored by the Marin County Chapter of the National Political Caucus and featured Trustee Hayashino as Ms. October.

Board President Long announced Dr. White’s upcoming birthday and everyone sang happy birthday to her. President White announced that Linda Beam and Al Harrison also had birthdays in October and everyone joined in a round of happy birthday to them.

f. CEO Report to Board on WASC Compliance

President White announced that a copy of our draft Progress Report (which is due November 1) had been distributed to each Trustee. The draft has been submitted to College Council for approval. November 4 is the date of the team visit by Sherrill Amador and Jerry Patton. Dr. White stated that this Progress Report reminds us of how much work has been accomplished to comply with the recommendations of the Visiting Team. She thinks we are on the right track and is proud to submit this report.

5. Chief Executive Officer’s Report

President White indicated that her written report was in the Board packets. She noted that she and Dr. Schneider had seen “Fences” and had found it to be truly inspirational. She announced that the little girl playing the daughter in “Fences” is the daughter of Tina Golliday, the staff secretary in our Science and Math Center.

a) Staff Reports

Al Harrison reported that the ERP evaluation for the second vendor started this week. He announced that he would be attending the Chief Business Officers fall conference in October and would be on a panel entitled “Experiences of the Experienced.” In response to a question about the rental property at Bolinas, he reported that the renter has paid rent for one year in advance. He will look up details of the lease and bring back a staff report in November.

Dr. Bud Allen reported that we are making steady progress in updating our Educational Master Plan (copy of report attached). He stated that we have been in the descriptive stage of planning, gathering as much information as possible about the college. We are moving into the analysis phase and finally will develop responses to the College’s situation to provide direction for improvement and change. The Educational Master Plan Task Group (EMPTG) has formed four subcommittees: Educational Master Plan - Phase I, Access, Effectiveness, and Data Collection. The subcommittees will identify areas of promise or concern and recommend implementation of activities to respond to the situation. He stated that he expects the Educational Master Plan to be completed in a timely manner that implements specific action steps that strengthen and improve the College in a specific time sequence. Board President Long stated that the Educational
Master Plan must be completed with some urgency in the next several months so that facilities implementation can progress.

Dr. Elise Schneider introduced Cari Pogan, Director of Academic Services and Articulation, who reported on the College for Kids Day COM participated in on September 30 as part of Student Equity Week, which was sponsored by the Marin Education Fund. Twenty 3rd graders and thirty 8th graders visited COM, toured Theater Arts, the Biology Museum, and the greenhouse. They enjoyed a pizza lunch and were given T-shirts and toy bears as souvenirs. Dr. Schneider noted that children are never too young to get excited about going to college, and Dr. White stated that we look forward to making this an annual event. We expect many of these children to be future COM students. President White and Board President Long thanked Dr. Schneider, Ms. Pogan, and Mauricio Torres-Benavides for all the work they did to make this event a success.

b) Citizens’ Oversight Committee Report
   Dr. White announced that the next Citizens’ Oversight Committee was scheduled for November 29.

6. Modernization (Capital Improvement Program) Update

José Nuñez announced that 21 community college districts (including COM) had participated in a Utilities Partnership Program presentation earlier in the day at the San Mateo Community College District. He reported that $40 million is available to California’s community colleges for energy conservation measures and that he thinks COM will be able to get a share of this.

Mr. Nuñez thanked his staff for putting together the presentations for the Board workshop held earlier in the day.

Facilities forums to disseminate information and provide opportunities for input have been scheduled as follows:
   - Campus Forum, October 25, 2:00 to 3:00 p.m., POMO 188, IVC
   - Community Forum, November 1, 7:00 to 8:00 p.m., POMO 188, IVC
   - Campus Forum, October 27, 2:30 to 3:30 p.m., Olney Hall, Kentfield
   - Community Forum, November 3, 7:00 to 8:00 p.m., Olney Hall, Kentfield

Mr. Nuñez requested the opportunity to present a 90-minute facilities update in a Study Session prior to the November 15 Board meeting.

7. Academic Senate Update

David Rollison read a statement referencing the “blame game” on campus. He stated that focusing on the Title 5 prescription of “collegial consultation” would be a major gesture toward stopping the blame game and moving toward becoming a learning organization. A copy of Mr. Rollison’s statement is attached to the minutes as part of the official record.

8. Classified Senate Update

Joan Rinaldi read the Classified Senate Report on behalf of Nancy Kutcher. Major goals of the Classified Senate for the 2005-06 academic year include: Senate constitution and bylaws update, upward mobility for classified staff (non-negotiable
items only), developing and improving the Classified Senate website, and strengthening the link between our COM Classified Senate and the Statewide Classified Senate. The Classified Senate raised $592 from the barbecue held earlier in the day. One half of the proceeds will be donated to Hurricane Katrina victims and the other half will be donated to the COM Foundation’s Kelley Litz Fund. A copy of the Classified Senate Report is attached to the minutes as part of the official record.

9. Student Senate and Student Association Report
No report.

10. COM Foundation Report
No report.

11. Items for Possible Future Board Action
   a. Long Form Contract for Degenkolb Engineers, Structural Engineer (November)
   b. Long Form Contract for CSW/Stuber-Stroeh, Civil Engineer (November)
   c. Long Form Contract for Ninyo & Moore, Industrial Hygienist for Hazardous Materials (November)
   d. Long Form Contract for Fugro West, Geotechnical Engineer (November)
   e. Prequalification Application and Scoring Criteria for A and B Licensed Contractors
      Board members asked to have two items added to the prequalification application: claim history and the number of change orders, and consideration to local contractors and apprenticeship programs.
   f. Marin Brain Injury Network – Lease Agreement
   g. Board Media Policy (November)

12. Consent Calendar Items (Roll Call Vote)
M/s (Treanor/Hayashino) to approve items A, D, E, F, and G on the Consent Calendar. The motion passed unanimously with a roll call vote.

   A. Calendar of Upcoming Meetings & Other Special Events

   All Regular Board Meetings, 6:30 p.m.

   November 15, 2005 – Room 111, Deedy Student Services, Kentfield
   November 17-19, 2005 – Community College League Annual Conference – San Francisco Airport Marriott
   December 13, 2005 – Room 111, Deedy Student Services, Kentfield

   B. Academic Personnel Recommendations: Approve the Academic Personnel Recommendations:
   1. Academic Request for Approved Unpaid Leave/Reduced/Increased Assignment
      Trustee Dolan asked if we decrease staff when enrollment is down. Linda Beam explained that in this particular case a faculty member voluntarily requested a decrease in assignment and another part-time faculty took over.
M/s Treanor/Hayashino to approve items B & C on the Consent Calendar. The motion passed by a roll call vote of 6 ayes, 1 abstention by Trustee Dolan, and 1 advisory aye vote by Student Trustee Smith.

C. **Classified Personnel Recommendations:** Approve the Classified Personnel Recommendations:
   1. Appointment of Classified Personnel

D. **Warrant Approval**

E. **Short-Term Hourly Positions**

F. **Health Fee Increase**

G. **District Mileage Rate**

13. **Other Action Items**

A. M/s (Kranenburg/Hayashino) to **Approve Long Form Contract for Steinberg Architects as District’s Architect.** The motion passed unanimously.

B. M/s (Treanor/Brockbank) to **Approve Long Form Contract for Alfa Tech as District’s Mechanical, Electrical & Plumbing Engineer (MEP).** The motion passed unanimously.

C. M/s (Treanor/Brockbank) to **Approve Long Form Contract for Royston Hanamoto Alley & Abey as District’s Landscape Architect.** The motion passed unanimously.

D. M/s (Treanor/Kranenburg) to **Approve Long Form Contract for Amy Skewes-Cox, CEQA.** The motion passed unanimously.

E. M/s (Treanor/Hayashino) to **Approve Award of Contract for Harlan Center Learning and Resource Center for Limited Repairs on Known Building Leaks.** The motion passed unanimously.

F. M/s (Kranenburg/Hayashino) to **Approve Resolution Authorizing Budget Transfers – FY 2005/06.** The motion passed unanimously with a roll call vote including an advisory aye vote by Student Trustee Smith.

G. M/s (Treanor/Hayashino) to **Approve New Citizens’ Oversight Committee Member** (Klif Knoles). The motion passed unanimously.

H. M/s (Treanor/Brockbank) to **Approve a $53,700.00 Amendment to the Short Form Agreement for Degenkolb, District’s Structural Engineer.** The motion passed unanimously.

14. **Information Items**

A. **Contracts and Agreement for Services Report**

B. **50% Law**
The staff reports for each of the above items spoke for themselves, and no discussion was necessary.

15. **Correspondence**

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

16. **Board Meeting Evaluation**

Board President Long noted that it had been a long but worthwhile day. She announced that Trustee Hayashino would be celebrating her birthday on November 8th and everyone sang happy birthday to her.

17. **Adjournment**

Board President Long asked for a moment of silence in memory of Red Diamond’s wife who recently passed away.

M/s (Brockbank/Hayashino) to adjourn the meeting in memory of Red Diamond’s wife. The motion passed unanimously and Board President Long adjourned the meeting at 9:45 p.m.