

COLLEGE OF  
**MARIN**

**Board of Trustees Meeting  
August 8, 2006  
Minutes**

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**A. Study Session**

The Board of Trustees of the Marin Community College District met in the Deedy Staff Lounge, Student Services Building, at the Kentfield campus, all members having received notice as prescribed by law. Board President Brockbank called the meeting to order at 3:10 p.m. All Trustees were present except Trustee Hayashino, who arrived at 3:17 p.m., and Student Trustee Sandfort.

President White introduced Director of Modernization V-Anne Chernock, who discussed the three topics on the Study Session agenda.

**1. Scope of Construction Contracts**

Ms. Chernock reviewed the terms of the three amendments to contracts for professional services that were on the agenda for approval at the evening Board meeting [Steinberg Architects; CSW/Stuber-Stroeh Engineering Group, Inc.; and ViaNovus (Paragon Software Annual Renewal)]. She explained that consultant contracts typically have a broad scope and are only funded for certain pieces of the work or for a certain timeframe. The ViaNovus contract is a staged contract where every phase is funded separately.

Amendment #3 to the Steinberg Architects contract contains a time extension through December 31, 2006 for additional work needed on task 1: supporting the District in development of the Program Definition Document. Ms. Chernock noted that it took longer than anticipated to complete the Educational Master Plan for a variety of reasons, including incomplete data and the need to go back to the charette process to ensure increased constituent participation. Additional work will also be done under task 4: augmentation to Master Plan Design Guidelines scope with additional sustainable principles and guidelines with an anticipated completion date in September.

Trustees expressed concern about the increased consultant costs and the importance of justifying expenditures of bond money to the public. Dave Kirn of Swinerton explained that the original scope has increased due to unanticipated information that was presented at different points in time and the failure of certain parts of the College of Marin community to participate, which made charettes and other additional meetings necessary. Director Chernock assured the Board that she would be closely monitoring contracts and expenditures. Trustees requested more substantial bond expenditure updates. Ms. Chernock stated that when the bond is fully scoped and

budgeted (by the end of October), we will not spend additional money unless the Board says otherwise.

Director Chernock explained that the amendment to the CSW Stuber-Stroeh contract is for additional work required for completion of the Kentfield Campus Master Infrastructure Plan. The ViaNovus contract amendment is for payment of 50% of the annual contract licenses and for customized reports which may be needed.

In the construction contract category, Director Chernock announced that agenda item C.12.I.2(a)(ii) [Approve Bid Award – Larkspur Annex Restroom Trailer (Project #321B)] was to be pulled from the agenda, and that Atlas Tree Removal had come in with the low bid for the Tree Removal (Project #317A and #414A) Re-Bid [(agenda item C.12.I.2(a)(i))].

## **2. Board Policies and Practices Related to Contracts**

Director of Modernization V-Anne Chernock presented recommendations for proposed Board policy changes on procurement and approvals (copy in Board packet). She will be asking the Board to change our Board policy 6.0051 and procedure 6.0051.1 to increase the procurement limit for goods to \$65,100 in keeping with the Public Contract Code. She will also recommend a new Board procedure 6.0013.1 to clarify the process for contract approvals. Formal approval will be required for goods over \$65,100, construction contracts over \$15,000, construction change orders over \$15,000 (and all change orders that cumulatively exceed 10% of the original contract value), and professional services amendments over \$50,000.

## **3. Bond Update**

V-Anne Chernock made a presentation entitled “Steps to Success: Measure C Bond Program” (copy in Board packet). She explained that our projects are being grouped according to four criteria: space needs, instructional needs, technical needs, and cost. Group 1 projects (non-discretionary) include program costs, ERP (technology), and reserves. The Kentfield P.E. complex, Kentfield arts complex, and some infrastructure and demolition projects fall under the Group 2 category. Fine Arts is moving to Group 4. Group 3 projects ready to be authorized at the evening meeting include: the main building complex and transportation (auto technology) complex at IVC, the science/math/central plant complex at Kentfield, and related infrastructure and demolition at both campuses.

The meeting recessed to closed session at 4:30 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 the SS A&B conference rooms at the Kentfield, all members having received notice as prescribed by law. Board President Brockbank called the meeting to order at 4:35 p.m. All Trustees were present. Dr. Frances White, Al Harrison, Anita Martinez, and Linda Beam were also in attendance.

M/s (Long/Moore) to approve the agenda as presented with one change: item C.12.I.2 (a)(ii) was pulled. 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 6:25 p.m.

## **C. 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 6:38 p.m. in the Deedy Staff Lounge, Student Services Building, at the Kentfield campus by Board President Brockbank. He announced that the meeting was being recorded to facilitate the preparation of minutes. All Trustees were present except Trustee Dolan, who arrived at 6:40 p.m., and Student Trustee Sandfort.

### **2. Approval of Minutes and Report of Closed Session**

Board Clerk Treanor reported that the Board had met in closed session earlier that afternoon on the items listed on the agenda, and that no action was taken.

Board President Brockbank announced that the agenda had been approved earlier and that agenda item C.12.I.2(a) (ii) – Larkspur Annex Restroom Trailer (Project #321B) had been deleted.

M/s (Long/Hayashino) to approve the minutes of the June 27 Board Meeting. The motion passed by a vote of 5-0-1 (one abstention by Trustee Treanor who was not present at the June 27 meeting).

M/s (Treanor/Hayashino) to approve the minutes of the July 31 Special Board Meeting. The motion passed by a vote of 5-0-1 (one abstention by Trustee Kranenburg who was not present at the July 31 meeting).

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

Jim Firth, representing SEIU 949, addressed the Board regarding SEIU's demand that the College improve the SEIU agreements to include the same salary percentage increase they have already agreed to provide the faculty group. A copy of his statement is attached to the minutes as part of the official record.

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

#### **a. Commendation Resolutions**

M/s (Treanor/Hayashino) to waive the reading of the commendation resolutions. The motion passed unanimously.

M/s (Kranenburg/Long) to approve the **Resolution in Support of Constitution Day (C.4.a(1))**. The motion passed unanimously (7-0) by a roll call vote.

M/s (Long/Hayashino) to approve the **Resolution in Support of Proposition 1C, the Housing and Emergency Shelter Trust Fund Act of 2006**. The motion

passed by a roll call vote of 6-0-1 (one abstention by Trustee Dolan who stated that the college has enough issues of its own to deal with).

**b. Legislative Report**

Trustee Hayashino distributed copies of the July CCLC Legislative Update (copy attached) and information on Prop 1D, the K-university bond.

**c. Committee Chair Reports**

Trustee Kranenburg thanked staff for providing the Trustees with copies of COM's Board Policy binders.

**d. Individual Reports and/or Requests**

Trustee Treanor reported that the Marin Education Fund had its Summer Application Institute graduation on Saturday, August 5, and that many of these students would be future COM students.

Trustee Long reported that she enjoyed riding in the 4<sup>th</sup> of July Corte Madera-Larkspur Parade with Trustees Brockbank and Kranenburg.

Board President Brockbank reported that he, Cathy Summa-Wolfe, and Nanda Schorske appeared on Shirley Graves' public access TV show on College of Marin which was aired the prior evening. He encouraged Trustees to participate in the Tiburon-Belvedere Labor Day Parade.

**e. CEO Report to Board on WASC Compliance**

President White noted that each Trustee had received a copy of a document entitled "Participating Effectively in District and College Governance" prepared by the State Academic Senate and the Community College League of California. She noted that this document and our Participatory Governance System Plan are on-line. Dr. White stated that she is looking forward to our written report that needs to be turned in to the ACCJC and that all five of the recommendations have been completed except Program Review which will be worked on in the fall. Dr. White stated that she believes we are well along the way to meeting WASC's requirements.

**5. Chief Executive Officer's Report**

Dr. White indicated that her written report was in the Board packets. She introduced Dr. Erik Dunmire, our new Interim Dean of Math and Sciences. Cathy Summa-Wolfe, our Director of Communications and Community Relations, then played our new radio and TV ads for the Board and the audience which were very well received. Dr. White announced that the number of applications and enrollments is up and that some of our strategic marketing has been effective.

**a. Staff Reports**

**1) ERP Implementation Update**

Al Harrison, Vice President of Operations, presented a status report on ERP implementation (copy in Board packet), noting that we are in a training mode and that things are going as planned.

**2) Update on IVC Summer Swim Program**

Al Harrison updated the Board on the IVC Summer Swim Program (copy in Board packet). The program was put together hurriedly and is showing a loss. We are already planning for next year and thinking of things that can be done to improve the situation.

**3) 50% Law Update**

Vice President Harrison reported that with regard to the 50% law, we are now at 50.81%. He also announced that we did not get any extra revenue (like the windfall from supplemental taxes we received last year), so our estimation of revenue is right on target and our tentative budget is fairly accurate.

**4) Administrative Review to Optimize Enrollment**

Vice President of Student Learning Anita Martinez discussed her report (included in Board packet) entitled "Administrative Review to Optimize Enrollment." She noted that this particular report proposes specific activities needed to increase enrollment and includes a tentative budget for those activities. Board members complimented Vice President Martinez and the Enrollment Management Task Force for the depth of detail in the report, asked questions, and made suggestions.

**5) Update on IVC Focused Activities**

Nanda Schorske, Dean of Workforce Development, College & Community Partnerships, commented on the COM Strategic Partnership Development (copy of matrix in Board packet) and steps faculty and staff at IVC are willing to take on to increase enrollment and create a more student-friendly environment (wearing name tags, having a cappuccino machine, making sure we have enough courses available). She noted that significant progress is being made in the horticulture demonstration project and clinical sim lab, and that these and other partnership initiatives will focus on increasing enrollment. She stated that results of the Harder Survey will be presented at the next meeting. Trustees thanked Dean Schorske for her informative report and her contagious enthusiasm.

**6. Academic Senate Report**

No report.

**7. Classified Senate Report**

No report.

**8. Student Senate and Student Association Report**

Hoa-Long Tam, ASCOM President, reported that many activities are being planned during Flex Week and the first week of school to boost student participation in student government.

Erika Harkins announced that she would continue to be the liaison between ASEC and the Board and that ASEC is thrilled with the non-fee classes which just came back.

**9. COM Foundation Report**

Trustee Treanor announced that “Welcome Back Breakfasts” sponsored by the COM Board of Trustees and COM Foundation Directors were scheduled for August 17 at 8:30 a.m. at IVC (lobby area, Admissions and Records) and August 18 at 8:30 a.m. at Kentfield (on the lawn).

**10. Board Study Session**

**a. Board Self-Evaluation**

Trustee Moore discussed the results of the Board Self-Evaluation. He explained that the Board evaluates itself in three areas: the Board as a team, Board meetings, and working with the College President. The lowest scoring question for the third year in a row was the one regarding establishment of a Program/Discipline Review Policy. The highest scoring questions were those related to evaluating the College President annually and contacting the President when additional information is needed about agenda items. Trustee Moore thanked Trustee Dolan for serving with him on the Board Self-Evaluation Committee. He made the following recommendations for possible changes in the Board self-evaluation process:

- 1) Questions that result in a low value on the scale of well done to poorly performed should become a subject for Board members to generate future goals.
- 2) At least one of the Trustees assigned to this process should be rotated out of this assignment periodically to expand input by all Trustees.
- 3) A subcommittee of Board members should be created periodically to do a total revision of the survey to meet the needs of a changing college process. Several Trustees expressed their appreciation to Trustee Moore for the tremendous amount of work he did compiling the results of the surveys.

**b. Discussion of College of Marin Priorities for College of Marin Foundation**

President White stated that the Memorandum of Understanding between the College of Marin Foundation and the Marin Community College District (copy in Board packet) was revised last year. One important revision had to do with the COM Board of Trustees establishing priorities for the COM Foundation each year on an annual basis to be presented at the Foundation’s first meeting in September. She noted that the Education Gap Scholarship Program is underway but that the Foundation didn’t make much headway on other priorities.

Trustees discussed priorities and activities that they would like to see the Foundation pursue. Suggestions included the following:

- 1) holding a joint annual social with other Foundation Boards
- 2) capital campaign fundraising to augment the bond money
- 3) supporting the President’s Circle and the Educational Excellence Innovation Fund
- 4) providing quarterly or monthly reports on progress on fundraising toward our priorities
- 5) working more collaboratively with us – joint acknowledgment process, joint events

It was suggested that serious conversations be held about whether the COM Foundation should be focusing on raising money for scholarships only or for

other needs (facilities and programs) of the college as well. The issue of how to give direction to the Foundation as to where donations should go also needs to be addressed.

Trustee Hayashino distributed information on the Network of California Community College Foundations and suggested that Dr. White attend an upcoming symposium on fundraising sponsored by this organization.

Dr. White was encouraged to meet with the Executive Director of the COM Foundation to discuss priorities and to look at best practices of other community colleges in the fundraising area. Dr. White will bring back a report to the next meeting.

**11. Items for Possible Future Board Action**

**a. Program Review Policy Status (Fall)**

**b. Administrator Retreat Rights Policy (Fall)**

**12. Consent Calendar Items (Roll Call Vote)**

M/s (Long/Treanor) to approve all items 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 are at 6:30 p.m. with Board Retreats (Special Meetings) and other special events as noted:

August 29, 2006 – Board Retreat on Negotiations – 1:00 to 4:00 p.m.,  
IVC Building 12

August 29, 2006 – Regular Board Meeting – 6:30 p.m., IVC Building 12

September 19, 2006 – Board Retreat on Bond Modernization and Unfunded  
Liability – 9:00 a.m. to 4:00 p.m. – Staff Lounge, Deedy Student  
Services, Kentfield

September 19, 2006 – Regular Board Meeting – 6:30 p.m., Staff Lounge,  
Deedy Student Services, Kentfield

October 10, 2006 – Board Study Session on Labor/Risk Management  
Prequalifications and Project Labor Agreements – 1:00 to 4:00 p.m.,  
IVC Building 12

October 10, 2006 – Regular Board Meeting – 6:30 p.m., IVC Building 12

November 14, 2006 – Regular Board Meeting – 6:30 p.m., Staff Lounge,  
Deedy Student Services, Kentfield

December 12, 2006 – Organizational and Regular Board Meetings – 6:30 p.m.,  
Staff Lounge, Deedy Student Services, Kentfield

Other Special Events:

August 17, 2006 – 8:30 a.m. - Welcome Breakfast  
Lobby Area, Admissions and Records, IVC

August 18, 2006 – 8:30 a.m. – Welcome Breakfast  
Lawn, Kentfield Campus

August 18, 2006 – 10:00 a.m. to noon – College Convocation  
Fine Arts Theater, Kentfield

- B. Classified Personnel Recommendations.** Approve the Classified Personnel Recommendations:
  - 1. Temporary Increase/Decrease of Classified Personnel
  - 2. Appointment of Hourly Personnel
  - 3. Resignation/Separation of Classified Personnel
- C. Classified Employee Changes – Fiscal Services, Reprographics & Student Affairs**
- D. Academic Personnel Recommendations.** Approve the Academic Personnel Recommendations:
  - 1. Part-Time Temporary Credit Instructors Added and Changed Appointments for Summer Session 2006
  - 2. Temporary Non-Credit Community Education and Services Instructors for Summer Session 2006
- E. Educational Management Personnel Recommendations.** Approve the Educational Management Personnel Recommendations.
  - 1. Appointment and/or Change of Educational Management Personnel
- F. Short-Term Hourly Positions**
- G. Budget Transfers – FY 2005/06**
- H. Warrant Approval**
- I. Modernization (Measure C) Contracts**
  - 1. Professional Services Contracts
    - (a) New Short Form Contracts - **none**
    - (b) Full Contracts/Ratifications – **none**
    - (c) Amendments
      - i) Approve Contract Amendment #3 for Steinberg Architects
      - ii) Approve Contract Amendment #3 for CSW/Stuber-Stroeh Engineering Group, Inc.
      - iii) Approve Contract Amendment #3 – ViaNovus (Paragon Software Annual Renewal)
  - 2. Construction Contracts
    - (a) Bid Awards
      - i) Approve Bid Award – Tree Removal (Project #317A and #414A) Re-Bid  
Mike Queirolo of Treemasters stated that his company did not receive an invitation to bid like the other companies did. He said that his company feels it was not treated fairly and wants an opportunity to bid the project.
      - ii) Approve Bid Award – Larkspur Annex Restroom Trailer (Project #321B)
    - (b) New Contracts - **none**
    - (c) Ratifications

- i) Ratify Ghilotti Bros., Inc. Contract – Larkspur Annex Demolition (Project #321A)
- ii) Ratify Maggiora & Ghilotti, Inc. Contract – Gas Main Replacement (Project #410A)
- (d) Change Orders - **none**
- (e) Notices of Completion - **none**

**J. Authorization to Initiate Projects (Measure C)**

- 1. Project Initiation Form (PIF) – Ignacio Creek Erosion Mitigation (Project #419A)
- 2. Project Initiation Form (PIF) – Storm Drain Repairs (Project #401A)

**K. Miscellaneous (Measure C)**

- 1. Disposal of Surplus Property
- 2. 2008-2012 Five-Year Plan Approval

**13. Other Action Items:**

**A.** M/s (Treanor/Hayashino) to **Approve Student Member of Citizens' Oversight Committee.** The motion passed unanimously.

**B.** M/s (Treanor/Long) to approve **Project Approvals – Authorization to Start Group 3 Projects**

- 1. IVC – Main Building Complex
  - 2. IVC Transportation (Auto Technology) Complex
  - 3. Kentfield Science/Math/Central Plant Complex
  - 4. Related infrastructure and demolition projects at both campuses
- The motion passed unanimously.

**C.** M/s (Treanor/Long) to **Approve Resolution to Compensate Trustee Kranenburg for Excused Absence.** The motion passed by a roll call vote of 6-0-1 (abstention by Trustee Kranenburg) . It was noted that the July 31 meeting which Trustee Kranenburg missed was a special meeting.

**D. Public Hearing on Labor Contract Proposals from Service Employees International Union/Marin Association of Public Employees – SEIU/MAPE Local 949**

Board President Brockbank opened the public hearing for comment. There being no one who wished to speak on this issue, he then declared the public hearing closed.

**E. Public Hearing on M CCD/UPM Collective Bargaining Agreement (Re-opener) - Articles 16 and 7 for 2006/2007**

Board President Brockbank opened the public hearing for comment. There being no one who wished to speak on this issue, he then declared the public hearing closed.

**14. Information Items**

**A. Small Contract Reports**

**B. Contract and Agreement for Services Report – June 2006**

**C. Summer Telephone Survey**

**15. Correspondence**

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

**16. Board Meeting Evaluation**

Trustees were happy that the meeting was over before 9:00 p.m.

**17. Adjournment**

M/s (Long/Treanor) to adjourn the meeting. The motion passed unanimously and Board President Brockbank adjourned the meeting at 8:50 p.m.