

COLLEGE OF
MARIN

**Board of Trustees Meeting
September 21, 2010
Minutes**

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 &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 5:34 p.m. All publicly elected Trustees were present except Trustee Dolan, who arrived at 5:40 p.m., Trustee Namnath, who arrived at 5:51 p.m., and Trustee Kranenburg.

M/s (Hayashino/Treanor) to adopt the agenda. The motion passed by a vote of 4-0.

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 at 5:36 p.m.

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

B. Regular Meeting

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

The Board of Trustees of the Marin Community College District reconvened in regular session at 6:55 p.m. All publicly elected Trustees were present except Trustee Kranenburg, who arrived at 7:45 p.m. Student Trustee Parker was also in attendance.

M/s (Namnath/Dolan) to approve the agenda with this change:

Item B.8, Report on College of Marin Athletic Field/Track, was moved up on the agenda to follow B.4, Showcase for the Month. The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Parker).

Board President Long announced that the meeting was being recorded to facilitate the preparation of minutes.

2. Report of Closed Session for September 21, 2010

Board Clerk Conti reported that the following two actions were taken in closed session: M/s (Namnath/Hayashino) to appoint Dr. David Wain Coon to be the Superintendent/President of College of Marin effective 12/1/10. The motion passed by a unanimous vote of 6-0.

M/s (Namnath/Hayashino) to authorize Board President Long to sign the contract with Dr. David Wain Coon. The motion passed by a vote of 5-1 with Trustee Dolan casting the no vote.

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

Dina Zvenko and Jeanette Davison spoke on the subject of COM's Adapted PE program, urging the Board to reinstate all the Adapted PE classes and faculty that have been cut. They also objected to the front-page article in the September 20 edition of the Marin IJ which contained a statement by COM's Director of Communications and Community Relations that COM has not had to eliminate courses or reduce faculty and asked that the President's Office contact the IJ and issue a correction. Copies of Ms. Zvenko's and Ms. Davison's statements are attached to the minutes as part of the official record.

Student Joseph Ferreira expressed dissatisfaction with a final grade he received in a class he took in the Spring 2010 semester and the results of a petition to change the grade which was reviewed and evaluated by our College Petitions Committee. He asked the Board to review his file and make the correct decision.

Beverly Munyon, chair of the emeritus grants committee, reported that the number of partial grants being requested by emeritus students is going up. She expressed appreciation for the lower cost emeritus classes that are being offered and the partial grants provided by the Foundation. Gerald Weisman and Jim Moore advocated for more free or lower fee classes for the seniors in our community. Copies of their statements are attached to the minutes as part of the official record.

4. Showcase for the Month

a. Child Development Program

Lyda Bearsdley; parents Steve Gutierrez, Indie Mari and Maribel Magana; Peggy Dodge; Roz Hartman; and Kay Wernert of Marin Head Start gave a presentation on College of Marin's Child Development Program. Board members expressed appreciation for the outstanding presentation and the excellent work of our Child Development Program staff and students.

8. Report on College of Marin Athletic Field/Track

Superintendent/President Harrison reviewed his report in the Board packets on issues surrounding

the COM athletic field/track. In order to clear up some misunderstandings he explained that our insurance consultant inspected the bleachers, football field and track and declared the track unsafe to use and the football field unsafe to use if wet or soaked. President White instructed staff not to use the track for athletic or academic purposes. The public was also not supposed to use the track but the "honor system" has not been working. Mr. Harrison commented that due to liability issues we need to put the track out of commission so that no one can use it.

Mr. Harrison stated that although the Ross Valley Lacrosse Club and Branson group have talked about a proposal to develop COM's athletic field into two fields designed primarily for soccer and lacrosse surrounded by a walking track, and the Friends of COM Track have advocated for a single multi-use field and a regulation track, at no time has the Board made a decision about what they want to do with the athletic field or track. He stated that the Board needs to make a decision about this and presented three possible alternatives:

1. Do nothing
2. Renovate the track and/or athletic field
3. Enter into agreements with others to modify either the track, field or both.
 - a. Under this option the Board must issue a resolution soliciting proposals
 - b. Evaluate any proposals submitted
 - c. Determine if they wish to attempt to enter into a contract for any proposal

Board members discussed this issue and generally agreed to find a way to reopen and restore the track. As a short-term course of action the Board agreed to direct staff to close the two inside lanes (the most damaged lanes) to the public so that the outer two lanes can be used.

Trustee Long asked to have letters from the following individuals entered into the record: Mario Ghilotti who advocated for the current field/track configuration, Charles Kennard of Friends of Corte Madera Creek Watershed who urged the college not to use synthetic turf on the athletic field, Carl Cox who urged the Board to protect the academic use of public land and to discuss ways to raise money or write grants to help restore our track and multi-use field, Michael Lateef and Paul Herzog who asserted that attempts to remodel the existing field and track without Branson's approval and consent might result in costly litigation, and Mimi Willard and Tim O'Rourke on behalf of Friends of the COM Track who advocated for renovation of a multi-use field and regulation track. Copies of these letters are attached to the minutes as part of the official record.

Public Comment

The following individuals addressed the Board in support of maintaining and renovating one multi-use field and a regulation track: Tim O'Rourke, Pam Scoggins, Scott Peoples, Hugh Van Ness, Ken Grebenstein, Jenny Fung, Walter Underhill, Mimi Willard, Robyn Berry, Bob Knox, Emmanuelle Orleans, Randy Hixon, and George Adams. Copies of the statements of Tim O'Rourke, Jenny Fung, and Mimi Willard are attached to the minutes as part of the official record. A letter submitted by Michelle Wilcox, who had to leave the meeting, is also attached. Sara McKinnon read a statement from the Academic Senate, on

behalf of the Physical Education and Athletics Department, urging the Board to only accept proposals for the renovation of the current track and field that include a regulation size track. A copy of her statement is attached to the minutes as part of the official record.

Michael Lateef of the Ross Valley Lacrosse Club commented that the Board hasn't given direction as to what they want done with the athletic field/track, that they were pointedly told to work with Branson School, and that he would like to come back with another proposal that would be part of the solution.

Sandy Goldman of Friends of Corte Madera Creek Watershed asked the Board to make sure any proposal does not include synthetic turf in a low lying area subject to flooding.

Trustee Discussion and Requests for Information

The Trustees expressed general agreement on finding a way to make the track available temporarily for public use as soon as possible and also expressed support for maintaining and renovating the athletic field and track in the current configuration: a single multi-use field and a regulation track. There was no consensus on how to fund the renovations as several sources of funding were suggested: Measure C funds, operational funds, COM's reserves, joint use partnerships, community fundraising, or a combination of these sources. Trustee Hayashino asked for legal counsel's opinion on the use of Measure C funds for athletic fields and clarification of College of Marin's agreement with Branson. Trustee Conti asked if the Academic Senate has a position on use of the field for lacrosse. Trustee Treanor asked for information on renovation and maintenance costs, lifespan and warranties. Trustees Namnath and Conti asked to have the agenda for the next Board meeting structured so that options for a long-term solution for renovation of the facility can be deliberated.

Board President Long recessed the meeting at 9:35 p.m. and reconvened it at 9:50 p.m.

Board President Long asked staff to canvass the Board regarding their availability for these proposed Board workshop dates:

December 3, 4, 10 & 11 for ½ day
January 21, 22, 28 & 29 for a full day

6. Commendation & Other Resolutions

a. Resolution in Recognition of Yolanda Bellisimo's Service as Academic Senate President

Yolanda Bellisimo was asked to stand while Board Clerk Conti read the resolution recognizing Ms. Bellisimo's service as Academic Senate President.

M/s (Treanor/Hayashino) to **Approve Resolution in Recognition of Yolanda Bellisimo's Service as Academic Senate President**. The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).

b. M/s (Conti/Namnath) to waive reading and Approve Resolution in Support of Hispanic Heritage Month. The motion passed by a unanimous vote of 7-0 (plus an advisory vote by

Student Trustee Parker).

7. Chief Executive Officer's Report

Mr. Harrison called the Board's attention to his written report in the Board packets.

a. Staff Reports

1. **Enrollment Update** (Report in packet)

2. **Accreditation Self-Study Update**

Board President Long asked the Trustees to read the report in their Board packets specifying the accreditation standards which we only partially meet.

3. **Follow-Up Report**

Board members were referred to the Follow-Up Report in their Board packets.

9. Academic Senate Report

Sara McKinnon, Academic Senate President, updated the Board on tasks the Senate has already accomplished in the areas of Student Learning Outcomes, Distance Education, Program Review, and Equivalence. She announced that she and Yolanda Bellisimo, Dr. Chialin Hsieh and Anne Gearhart will be presenting at a conference on student assessment put on by the RP Group in early October. Ms. McKinnon congratulated Yolanda Bellisimo, on behalf of the Academic Senate, for being appointed to the State Academic Senate's Accreditation and SLO Committee. A copy of Ms. McKinnon's statement is attached to the minutes as part of the official record.

10. Classified Senate Report

Kathleen Kirkpatrick, outgoing Classified Senate President, introduced the new Classified Senate Officers: Nicole Cruz, Treasurer (who was unable to attend the meeting); Kathy Joyner, Secretary; Xenia Zarrehtarvar, Vice President; and Andrea Hunter, President. Newly elected President Andrea Hunter thanked the outgoing Classified Senate officers for their service: Kathleen Kirkpatrick, Becky Reetz and Barb St. John. She commented that the Classified Senate looks forward to keeping the classified staff involved and up-to-date on college issues and to continuing the well-established lines of communication between the Board of Trustees and the Classified Senate.

11. Student Senate and Student Association Report

Student Trustee Parker reported that Dr. Patricia Sullivan spoke on the civil rights movement at the Constitution Day program on September 20. He reported that topics of discussion at the last Student Senate meeting included: parking, discounted public transportation fares, the President's Climate Commitment, and electronic textbooks. Campuswide Wi-Fi will be discussed at the next meeting.

12. Consent Calendar Items (Roll Call Vote)

M/s (Namnath/Conti) to approve all items on the Consent Calendar. The motion passed by a roll call vote of 6-1 (plus an advisory aye vote by Student Trustee Parker). Trustee Dolan

cast the no vote.

A. Calendar of Upcoming Meetings

Location Change – the December 14 Organizational and Regular Board Meetings will be held in Miwok 181 on the IVC Campus as the ribbon cutting and opening of the new facility will take place on that date

B. Approve Classified Personnel Recommendations

1. Appointment of Hourly Personnel
2. Temporary Increase/Decrease in Assignment/Salary for Classified Personnel
3. Resignation of Hourly Personnel

C. Approve Short-Term Hourly Positions

D. Budget Transfers – Month of August – FY 2010/11

E. Warrant Approval

F. Declaration of Surplus Property – Miscellaneous Equipment

G. Destruction of Records – Fiscal Services

H. Modernization (Measure C) - BP3.1 (Keep modernization program on track)

1. Ratify/Approve Modernization Contracts, Changes and Amendments (\$33,643)
2. Approve Subcontractor Substitution Requests (Mobile Storage Shelving Science/Math/Central Plant Complex Increment 2 & 3 Site Development & Building Project (305A)
Lathrop Construction Associates, Inc. - (\$0) (Mobile storage shelving)

I. 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 2220 Committees of the Board
2. BP 2717 Personal Use of Public Resources

J. Approve New Credit Courses

K. Approve Credit Course Revisions

L. Approve Credit Course Deletion

M. Approve Revision to Associate Degrees in Court Reporting

17. Approval of Minutes

M/s (Conti/Namnath) to approve the minutes of the August 23, 24, 30, 31 and September 1, 2 and 3, 2010 Board minutes. The motion passed by a unanimous vote of 7-0. Student Trustee Parker abstained.

Minutes of August 23, 2010 Special Board Meeting

Minutes of August 24, 2010 Board Meeting
Minutes of August 30, 2010 Special Board Meeting
Minutes of August 31, 2010 Special Board Meeting
Minutes of September 1, 2010 Special Board Meeting
Minutes of September 2, 2010 Special Board Meeting
Minutes of September 3, 2010 Special Board Meeting

13. Other Action Items

A. Modernization (Measure C) – BP3.1 (Keep modernization program on track)

1. Authorize New Professional Services Agreement

Space Planning Design Services for LRC & Austin Science Center Buildings
New Academic Center Project (303B).

No action was taken on this agenda item.

2. M/s (Treanor/Conti) to Authorize Bidding and Pre-Authorize Award of Construction Contract

New Fine Arts Building Project (306C) – Audio Visual Equipment & Installation.
The motion passed by a unanimous vote of 7-0 (plus an advisory aye vote by Student Trustee Parker).

Trustee Namnath left the meeting at 10:20 p.m.

3. M/s (Treanor/Parker) to Authorize Award of Construction Contract

Site Signage Phase 2 (IVC) & Phase 3 (KTD) Project (402A-417A-305A-306A-306C).
Public Comment:

Brian O'Connor commented that people who attended the July 13 community meeting where signage was discussed thought that their input would be important and are disappointed that there is no change to the sign from Phase 1 on College Avenue in this Board packet. He stated that the Board needs to get community input.

The motion passed by a vote of 4-0-2 with Trustees Dolan and Conti abstaining.
Student Trustee Parker cast an advisory aye vote.

4. M/s (Treanor/Conti) to Approve Notice of Completion.

SMCP Increment No. 1 – Site Development & Utilities Project (305C).

The motion passed by a unanimous vote of 6-0 (plus an advisory aye vote by Student Trustee Parker).

B. M/s (Treanor/Kranenburg) to Approve Unfunded Liability Funding

Resolution. The motion passed by a unanimous roll call vote of 6-0 (plus an advisory aye vote by Student Trustee Parker).

5. Board Study Session on Measure C Items (Background on Action Items)

a. New Academic Center

b. Child Development Center

c. Swinerton Management & Consulting Contract

- d. Bond Spending Plan**
- e. Site Signage**

Erik Dunmire reviewed his report in the Board packets on Kentfield Classrooms. Board members expressed concern about not having enough classrooms in the New Academic Center and on the Kentfield campus as a whole. Trustee Kranenburg asked about the possibility of using IVC for additional classroom space. Trustee Hayashino asked if a lot of the space problems could be a scheduling issue. When the possibility of renovating the Austin Science Center to provide more classroom space was mentioned, Trustee Conti asked why we would spend money on fixing it if it is not a viable building and people have been told it needs to be demolished. Trustee Long asked if anyone is doing enrollment projections and expressed concern about having enough space for our students in the future.

Trustee Dolan left the meeting at 11:10 p.m.

Architect Mark Cavagnero commented that space needs can be met if we use some of the space in the Austin Science Center. He urged the Board to move forward with approval of the Program Document for the New Academic Center while we are in a favorable bid climate.

Architects Brian Wright of TLCD Architects and John Fung of Mark Cavagnero Associates reviewed the programming information on the New Academic Center in the Board packets.

Due to the lateness of the hour the Trustees decided to schedule a Special Board Meeting sometime before the regularly scheduled October 19 Board meeting to complete discussion of the Measure C Study Session topics and to receive additional data. Trustees were asked to send their questions to Superintendent/President Harrison ahead of time so that staff would have time to prepare responses.

Public Comment:

Brian O'Connor of Friends of Kentfield commented that his group only gets to talk to the Board once a month and needs to have a conversation with the Board. He stated that we are building to a schedule and if classes need to be moved to other times or locations that is what needs to be done. He mentioned that Redwood High School has empty classrooms that could perhaps be used. Mr. O'Connor also commented that they were told that the Austin Science Center would be demolished and are now hearing that it may be used and that we're still keeping temporary buildings. He submitted a list of questions (copy attached) which he would like to have answered.

Scott Peoples commented that the IVC campus is underutilized and suggested scheduling classes on Fridays. He stated that there is a communication disconnect between the

administration and the community. Mr. Peoples stated that the July 13 community meeting was a non-meeting and he doesn't want any more meetings like that. He questioned the use of Measure C bond money for administrative space and suggested that we use the first floor of Harlan Center for administrative offices. Mr. Peoples doesn't think the Board needs to make an expeditious decision as there are still outstanding issues and information needs. He suggested that the Board appoint an advisory committee from the community.

Anne Petersen from the Kentfield Planning Advisory Board urged the Board to do their homework, ask for information if they need it before the Board meetings, and move forward with the New Academic Center.

Sara McKinnon, Academic Senate President, stated that Dr. Erik Dunmire's data on college-wide classroom needs on the Kentfield campus shows that we can meet out campus classroom needs as long as the Austin Science Center remains as well as the Portable Village and TB building (at least for a time for swing space). She urged the Board to make sure a space analysis of the LRC and Austin Science Center happens as soon as possible so that the New Academic Center can remain on schedule. A copy of Ms. McKinnon's statement is attached to the minutes as part of the official record in addition to a petition signed by 45 faculty members in support of the New Academic Center project.

- 14. Action Items (1st Reading) – (These items will come back to the Board for action at the October 19, 2010 Board Meeting)**
 - A. Modernization (Measure C) – BP3.1 (Keep modernization program on track)**
 - 1. Approve Updated Bond Spending Plan**
 - 2. Approve Building Program Document
New Academic Center Project (303B)**
 - 3. Ratify Contract and Approve Amendment 1 to Short Form Professional Services Agreement**
Child Development Center Project (303C) – ECE Program
HKIT Architects (\$80,000)
 - 4. Approve New Professional Services Agreement**
Child Development Center Project (303C) – ECE Program
ESA (Environmental Science Associates) (\$25,000)
 - 5. Approve Contract Amendment**
Measure C Program Management Services
Swinerton Management & Consulting (\$1,704,000)
- 15. Board Policy Review (1st Reading) - BP1.4a (Review institutional needs and assess Institutional effectiveness, using Program Review, Administrative Planning and Assessment, the Strategic Plan and the Educational Master Plan)**

BP 4070 Auditing and Auditing Fees

BP 5052 Open Enrollment

Board members were asked to submit any feedback to the Board Policy Subcommittee.

16. Board Reports and/or Requests

a. Legislative Report

None

b. Committee Chair Reports

None

c. Individual Reports and/or Requests

None

18. Information Items (see written reports)

A. Contracts and Agreement for Services Report – August, 2010 – BP1 (Fiscal Accountability)

B. 4th Quarter Financial Report CCSF 311Q - BP1 (Fiscal Accountability)

C. Modernization Update – BP3.1 (Keep modernization program on track)

1. Director’s Report – BP3.1 (Keep modernization program on track)

2. Contract Milestones Report through August, 2010 – BP3.1 (Keep modernization program on track)

3. Schedule – BP3.1 (Keep modernization program on track)

4. Quarterly Progress Report – Period Ending June 30, 2010

D. Revised Administrative Procedures

None

E. Calendar of Special Events

October 26-28, 2010 Accreditation Visit

**November 18-20, 2010 – CCLC Annual Convention and Partner Conferences,
Pasadena Convention Center**

**December 14, 2010 – Ribbon Cutting for New Main Building at IVC,
Assembly Room 118/116 (time tbd)**

**April 29-May 1, 2011 – CCLC Annual Trustees Conference
Hyatt Regency Monterey**

19. Correspondence

Board members were referred to the correspondence in their Board packets.

20. Board Meeting Evaluation

No comments

21. Adjournment

M/s (Parker/Kranenburg) to adjourn the meeting. The motion passed by a unanimous vote of 5-0 (plus an advisory aye vote by Student Trustee Parker). Board President Long adjourned the meeting at 12:05 a.m.