

Regular Board Meeting (Tuesday, August 16, 2016)

Generated by Kathy Joyner on Monday, September 5, 2016

Members present

Stephanie O'Brien, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor. Eva Long arrived at 1:38 p.m. Trustee Kranenburg was absent. Student Trustee Baten arrived at 3:30 p.m.

Meeting called to order at 1:32 PM

A. Open Meeting, 1:30 p.m., Academic Center, Room 255, KTDProcedural: 1. Call to Order, Roll Call

The meeting was called to order at 1:32 p.m. in the Academic Center, Room 255, Kentfield Campus. Trustees Bevis, Conti, O'Brien, Treanor and Tanenberg were present. Trustee Long arrived at 1:38 pm. Trustee Kranenburg was absent.

Action: 2. Adopt Agendas for Study Session and Closed Session

Adopt study session and closed session meeting agendas with the noted change that Item B.4. Solar Power Project discussion was removed from the agenda and will be heard on August 30.

Motion by Brady Bevis, second by Stuart Tanenberg.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Not Present at Vote: Eva Long.

Procedural: 3. Public Comment (3 minutes per speaker)

None

B. Study Session, Academic Center, Room 255, KTDProcedural: 1. Public Comment for Closed Session (3 minutes per speaker)

None

Discussion, Information: 2. Measure C - Lessons Learned

Vice President Nelson reported the College is gathering information this week during flex activities, convocation and community meetings using a survey tool to gain perspective on how the College did with Measure C. The survey asks individuals to answer 13 questions related to communication, reporting and project outcomes, with a rating scale of 1 – 5. The information is compiled immediately as the users respond. This information will provide detail on perceptions and experiences of individuals related to Measure C and will help guide the planning process for Measure B with the Board, college employees and the community.

Ann Kennedy asked Trustees to share their perceptions on successes, challenges and what could be done better in relation to communication and reporting, program management/construction management, project outcomes, controls, compliance, accountability and transparency. The notes related to trustee input are attached to the minutes. Trustees will have continued discussion at the Board retreats on August 23 on 30 regarding best practices, process and reporting options. Input from today's discussion and a summary of the campus input will also be provided. Ms. Kennedy commented on the progress with August milestones and reviewed upcoming milestones. A copy of the presentation is attached to the meeting agenda.

Discussion, Information: 3. Facilities Master Plan Process Review

Vice President Nelson reviewed the Facilities Master Plan process noting we are now at the stage of the option development. Nine facilities master planning forums have been scheduled for staff and the community to receive information on the process, share student survey results, explain how the plan ties with the Educational Master Plan and Strategic Plan and to ask for feedback. He noted that there is always flexibility in the process as plans are refreshed and that the plan includes input received from previous meetings in the spring. The input from the

forums will inform the Facilities Master Plan and Master Bond Project List/Spending plan for Board review in September and action in October. It was noted that the Bond Project list would be revisited in 2019 when the Strategic Plan and Educational Master Plan will be updated. A copy of the presentation is attached to the meeting agenda.

Presentation: 4. Solar Power Project - District Wide

There was a brief discussion that the contract for the IVC Solar project will be pulled from the action agenda because the federal green bonds that were available for this type of project have maxed out. The College is looking at other known options and will bring details back to the Board for discussion when more information is available. The College will look at broadening the scope of the project to include additional solar options at the Kentfield campus. There was discussion about the Tesla project savings, location of panels, building what we need and not going completely off grid which would result in losing tariffs.

Discussion, Information: 5. Accreditation - Standard IV.C.

Dr. Coon reported that the College is on track to have the draft accreditation report ready for review by the college community on September 12. The plan is to make the document available for final approval in November and submittal to ACCJC in December. Dr. Coon reviewed each of the responses in the first version of IV.C, Governing Board, and asked Trustees for their comments and input. Dr. Coon will incorporate comments from the discussion in the responses and evidence.

Procedural: 6. Adjourn to Closed Session

Adjourned to closed session at 4:54 p.m.

C. Closed Session, Academic Center, Room 229, KTD

Discussion: 1. Conference with Legal Counsel-Existing Litigation (Paragraph (1) of subdivision (d) of Section 54956.9) Puni Elston vs MCCD

Discussion: 2. Public Employee Performance Evaluation, Government Code Section 54957 - Title: Superintendent/President

D. Regular Meeting – 6:30 p.m., Academic Center, Room 255

Procedural: 1. Call to Order, Roll Call

The meeting was called to order at 6:31 p.m. Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor. Eva Long arrived at 1:38 p.m. Trustee Kranenburg was absent. Student Trustee Baten was also present.

Action: 2. Adopt Regular Meeting Agenda

Motion Eva Long, seconded by Wanden Treanor to approve regular meeting agenda with removal of item H.9. Contract with Sun Edison for Solar Power Installation via SPURR Statewide contract per the earlier discussion this afternoon.

Motion carried:

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Procedural: 3. Report from Closed Session

No action taken.

Procedural: 4. Public Comment (3 minutes per speaker)

Jon Gudmundsson spoke of his concerns that the College did not fly the California State flag on each campus as per Board Policy.

Wanden Treanor was recognized for her 20 years of service on the Board of Trustees and presented with a plaque and flowers. The Board also recognized the recent marriage of Trustee Treanor and Judge Faye D'Opal with a gift.

E. Senate and Student Reports

Report: 1. Academic Senate Report

Sara McKinnon also recognized Trustee Treanor's years of service on behalf of the faculty and all she has done for the college over those years. She also congratulated Patrick on the launch of the new website this afternoon.

She thanked Jonathan Eldridge, Diane Traversi and student services for implementing many of the recommended changes from the Educational Advisory Board.

Report: 2. Classified Senate Report

A written report is attached to the agenda.

Report: 3. Student Association Report

Darlene Baten reported on Student Success held this past weekend where students for student tours and placement testing. Darlene attended the student trustee workshop this past weekend.

F. Chief Executive Officer Report

Discussion, Information: 1. Foundation Advisory Committees Report

President Coon introduced the chairs of the two Foundation Advisory Committees, Roger Smith of the finance committee and Pam Cook of the program committee, to provide their quarterly reports. Mr. Smith noted that there are 5 very well qualified professionals on the finance committee who come from very different aspects of the industry and provide a wide variety of opinions. In just 3 meetings they have come very close to developing an investment policy that is succinct and appropriate for the size of the investment portfolio. Ms. Cook reported that there are 6 individuals on the program committee with knowledge about the College of Marin and philanthropy, and include individuals that work with non-profits and donors to the College of Marin. The committee goal is to see that donations are made to the College and to ensure that the funds are being used as intended by the donors. They are committed to finding a way to make this work better than it did in the past and are getting great support from the College. They have also had 3 meetings and are schedule to meet with the finance committee in September. They have a lot of interest in donor intent and funding-raising and ideas for the College. Trustee Conti commented that she was very impressed with the work being done by both committees.

Discussion, Presentation: 2. 2016-2017 Adoption Budget

Vice President Nelson updated the Board on the changes that occurred in Adoption Budget since his presentation of the Tentative Budget in June. He reminded Trustees that the tentative budget is about 80% of the planning process from the past fiscal year, with the goal to have the bulk of the work done in the Tentative Budget, and incorporate changes occurring over the summer into the Adoption Budget. The budget document has been enhanced with visual aids, fast facts, and a dictionary of accounting terms. Vice President Nelson commented on the increased reserve level and noted that historical reserve information is now included in the budget document. Expenses are below revenue this year resulting in about \$205,000 surplus over what was projected for the year. Revenue assumptions for this fiscal year are based on secured property taxes, Marin transit fees, maintaining Instructional units to 4800, one-time block grant funds, a small COLA for categorical funds and no election costs. Our Basic Aid status yields about \$27.7, up from \$19.9 from three years ago and is a direct correlation to the housing prices in this area. No OPEB pay go this year, which is significant. OBEP will pay us to pay for those costs rather than coming from the general fund. A section to reflect the new bond measure has been added to the budget as a place holder for when the first bond sales closes. At that time, Board will have to readopt the budget to address the value of the first bond sale and reflect it in the budget. The reserve level is maintained at 8% based on the Board policy passed at the last Board meeting and the process for growing the reserve will be defined in an administrative procedure which will be going through the governance process. A copy of the presentation is attached to the meeting agenda. There was discussion about STRS/PERS implications, PERS vs. PEPPA costs, Branson income, cell phone towers (roof top units), and student demographics.

G. Consent Calendar Items - Consideration and Action (ROLL CALL VOTE)

Action (Consent): 1. Approve Consent Calendar Items - Consideration and Action (ROLL CALL VOTE)

Resolution: The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor.

Action (Consent): 2. Classified Personnel Recommendations

Resolution: The Superintendent/President recommends that the Board of Trustees approve the Classified Personnel Recommendations effective August 16, 2016.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action (Consent): 3. Classified CSEA Position Recommendations

Resolution: The Superintendent/President recommends that the Board of Trustees approve the following action effective August 16, 2016, approve new job descriptions Enrollment Services I & II Community Education and revised CSEA Salary Schedule.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action (Consent): 4. Classified Management Personnel Recommendations

Resolution: The Superintendent/President recommends that the Board of Trustees approve the Classified Management Personnel Recommendations effective August 16, 2016.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action (Consent): 5. Classified Management Position Recommendation - Chief of Police/Director of Safety

Resolution: The Superintendent/President recommends that the Board of Trustees approve the revised job description and Management Salary Schedule effective August 16, 2016.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action (Consent): 6. Educational Management Personnel Recommendations

Resolution: The Superintendent/President recommends that the Board of Trustees approve the Educational Management Personnel Recommendations.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action (Consent): 7. Short-Term Hourly Positions

Resolution: The Superintendent/President recommends that the Board of Trustees approve the Short-Term Hourly Positions.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action (Consent): 8. Academic Personnel Recommendations

Resolution: The Superintendent/President recommends that the Board of Trustees approve the Academic Personnel Recommendations.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action (Consent): 9. Revised 2016-2017 Academic Calendar

Resolution: Approved revised 2016-2017 Academic Calendar.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action (Consent): 10. Budget Transfers for Month of July 2016

Resolution: The Superintendent/President recommends that the Board of Trustees approve the Budget Transfers.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action (Consent): 11. Warrant Approval for Month of July 2016

Resolution: The Superintendent/President recommends that the Board of Trustees approve the payments for goods and services.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action (Consent): 12. Contracts and Agreements for Services for the Month of July 2016

Resolution: The Superintendent/President recommends that the Board of Trustees approve the Contracts and Agreements.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action (Consent): 13. Measure C Contract Matrix

Resolution: The Superintendent/President recommends that the Board approve or ratify the above-listed orders and amendments.

The Superintendent/President recommends the Board of Trustees approve the listed consent calendar items by roll call vote.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

H. Consideration and Possible Action

Action: 1. Resolution #2016-21 Establishment of Fiscal Year 2016/17 Proposition 4 (GANN) Appropriations Limit (ROLL CALL VOTE)

The Superintendent/President recommends that the Board of Trustees approve the attached Resolution to establish the Appropriations Limit for 2016/17 at \$50,567,939 per Government Code Section 7910.

Motion by Stuart Tanenberg, second by Wanden Treanor.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action: 2. Resolution #2016-22 to Establish a Citizens' Bond Oversight Committee - Measure B (ROLL CALL VOTE)

The Superintendent/President recommends the Board of Trustees adopt Resolution #2016-22 to establish a Citizens' Bond Oversight Committee for Measure B.

Motion by Brady Bevis, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor.

Action: 3. Grand Jury Response Letter

The Superintendent/President recommends the Board of Trustees approve the letter to the Marin Grand Jury in response to the College of Marin - Indian Valley: Right Sizing and Results report.

Dr. Coon clarified that he was required to respond by August 9 which he did. The letter before the Board tonight is essentially the same letter, but for the Board Chair's signature, and is due September 9.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action: 4. Consideration of Performance Award (Superintendent/President)

The Board's CEO Evaluation sub-committee recommends that the full Board of Trustees approve a 6% off-schedule performance award to the Superintendent/President for the 2015-16 contract year, based on his excellent performance and in accordance with Dr. Coon's contract.

Stuart Tanenberg read the following statement:

The Board of Trustees completed its annual evaluation of the Superintendent/President on July 19, 2016, and commended him for his excellent performance. The Board especially appreciates Dr. Coon's demonstrated leadership in fiscal stability, community relations, student success, and keeping the District focused on our mission and values. Dr. Coon's contract authorizes the Board to award a discretionary performance award annually. Accordingly, the Board's CEO evaluation sub-committee, comprised of Trustees O'Brien and Tanenberg, recommends that the full Board of Trustees approve a 6% off-schedule performance award for the 2015-2016 contract year.

Motion by Stuart Tanenberg, second by Brady Bevis.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action: 5. George H. Sandy Foundation Grant Application

The Superintendent/President recommends the Board of Trustees vote in support of the submission of the grant application to the George H. Sandy Foundation requesting \$25,000 for the Adapted PE Program.

Motion by Wanden Treanor, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Public Hearing: 6. Public Hearing - 2016-17 Adoption Budget

Board President O'Brien opened the public hearing on the 2016/17 Adoption Budget and asked for public comment at 7:23 p.m. Being no public comment, the public hearing was closed.

Action: 7. Approve 2016-17 Adoption Budget

The Superintendent/President recommends the Board of Trustees approve the 2016/2017 Adoption Budget.

Motion by Eva Long, second by Diana Conti.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Motion by Wanden Treanor, second by Stuart Tanenberg to merge items H.8, and H.10 – H.13 for action.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Final Motion by Stuart Tanenberg, second by Eva Long to approve merged items H.8 and H.10 – H.13.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Action: 8. Amendment of CTE Enhancement Fund Grant to extend time to October 31, 2016

~~Action: 9. Contract with SunEdison for Solar Power Installation via SPURR Statewide Contract~~
Item H.9. was pulled from the agenda.

Action: 10. Measure C - Notice of Completion for Technology Contingency (201C)

Approved in merged item.

Action: 11. Award of RFP for Underwriter Services - Piper Jaffray

Approved in merged item.

Action: 12. Award of RFP for Financial Adviser for Measure B-Bond to Keygent, LLC.

Approved in merged item.

Action: 13. Clinical Facilities Agreements with Patrice Espinosa DDS, Greg Miller DDS and Melissa Rinck DDS

Approved in merged item.

I. Consideration/Approval of Meeting Minutes

Information: 1. July 19, 2016 Board Meeting Minutes

Minutes will be presented for approval at a later meeting.

J. Board Reports/Requests

Discussion, Information: 1. Individual Reports/Requests

Trustee Treanor thanked everyone for their kind words and the 20 years. Trustee Bevis reiterated her thanks to Trustee Treanor for her 20 years and valuable contributions to the entire community. She also suggested there be a time for the Friends of IVC to provide reports.

Student Trustee Baten also congratulated Trustee Treanor and commented that she is looking forward to working with her.

Information: 2. Committee Chair Reports

No committee chair reports.

Discussion, Information: 3. Governance Calendar Review

No comments

K. Future Agenda Items

Introduction of New Faculty

Board Self Evaluation

Community Education Update

Facilities Fee Schedule

Measure B Bond Certification

Redevelopment Agency Update

COM Foundation Audit

L. Board Meeting Evaluation

Discussion: 1. Meeting Evaluation

Long meeting, but accomplished a lot, good presentations and updates to keep on track with Measure B. Good to take the time to evaluate lessons learned from Measure C and anticipate potential issues as we plan for Measure B. Enjoyed the brief recess which was fun. Kudos and thanks to David Diane for work with the COM Foundation

transition and great to hear discussion about fund raising. Mixture of topics was good. A request to see big impact contracts presented at one meeting so the Board has time to review it and ask questions and then vote at the following meeting. Appreciation of how Ann Kennedy led the conversation of standing up the bond and the Board's chance to evaluate how that was going. Very efficient and extremely productive meeting. Facility Master Plan Forums shows that the college has opened up to the community. Thanks to Trustees, David and team for making this a productive and effective meeting. Appreciate listening and sharing of perspectives.

M. Information Items

Information: 1. Correspondence

Information: 2. UPM Request to Open Negotiations for Successor MCCC/UPM Collective Bargaining Agreement

Information: 3. MCCC Initial Proposal for Contract Negotiations with UPM

Information: 4. Measure C Director's Report

Information: 5. Measure C Program Summary

Information: 6. Responses to RFQ for design services for IVC Aquatic Center

N. Upcoming Board Meetings

Information: 1. Board Meeting Schedule 2016

Information: 2. August 23, 2016 Board Retreat 12:00 pm - 6:00 pm

Information: 3. August 30, 2016 Board Retreat, 12:00 pm - 6:00 pm

Information: 4. September 20, 2016 Regular Board Meeting, IVC

Information: 5. September 30, 2016 Board Retreat (TBD)

O. Calendar of Special Events

Fall Convocation, August 17, 2016, 9 - 11 am, James Dunn Theater

Northbay Trades Introduction Program Graduation, August 25, 2016, 6:00 pm

Ted Talks at College of Marin, September 17, 2016

Retiree Luncheon, September 30, 2016, 11:30 am - 1:30 pm, Student Services Cafeteria

P. Adjourn Meeting

Action: 1. Motion to Adjourn Meeting

Motion to adjourn the meeting.

Motion by Eva Long, second by Wanden Treanor.

Final Resolution: Motion Carries

Aye: Stephanie O'Brien, Eva Long, Brady Bevis, Diana Conti, Stuart Tanenberg, Wanden Treanor

Meeting adjourned at 7:34 p.m.