The Board shall act on posted items and shall not deliberate items that are not on the posted agenda.

The Board of Trustees may consider the items listed in Section C at any time during the Open Session portion of the meeting unless a specific time is stated on the agenda.

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact Human Resources at 485-9340. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.

If you wish to speak, complete card available at entrance and give card to recording secretary to get recognition from the Chair. Persons desiring to address the Board on items not on the agenda may speak under item number “C.3.A” on the agenda. Public comment presentations will be limited to no more than 3 minutes each. Persons reading statements aloud or distributing material should give a copy to the Recording Secretary.

Government Code §54957.5 states that public records which relate to any item on the open session agenda for a regular Board meeting should be made available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Board. The Board has designated the Office of the Superintendent/President at 835 College Avenue, Administrative Center 123, Kentfield, for the purpose of making those public records available for inspection.

Per Board Policy 2365 the Board meetings of the Marin Community College District may be audio taped and video broadcasted via the internet.
A. **Open Session** – 5:00 p.m., Building 12, Room 100, Indian Valley Campus

1. Call to Order, Roll Call and Adoption of Agenda
2. Public Comment
3. Recess to Closed Session

B. **Closed Session** - Building 12, Room 100, Indian Valley Campus

1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
   
   *Initiation of litigation pursuant to subdivision (c) of Section 54956.9 - Nancy Klein*
   
   One (1) potential case

2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** (Government Code §54956.9(a))
   
   *Names of Cases: Mize-Kurzman vs. MCCD*

C. **Open Session** – 6:30 p.m., Building 12, Room 100, Indian Valley Campus

1. Call to Order, Roll Call and Adoption of Agenda
2. Report from Closed Session
3. Public Comment
   A. Comments regarding items not on the Agenda (3 minutes per speaker)
   B. Comments regarding items on the Agenda - to be heard immediately before the Board of Trustees’ consideration of the item

4. Chief Executive Officer’s Report
   A. Accreditation
   B. Fall Enrollment Update
   C. Budget Update

5. Academic Senate Report (5 minutes)
6. Classified Senate Report (5 minutes)
7. Student Association Report (5 minutes)
8. Board Study Session - None
9. Consent Calendar Items (Roll Call Vote)
   A. Calendar of Upcoming Meetings
      - October 9, 2012 Special Meeting, 6:00 p.m., Administrative Center, Room 108
      - October 16, 2012 Regular Meeting, 6:30 p.m., Cafeteria, Student Services Building
   B. Approve Classified Personnel Recommendations
      1. Reassignment of Classified Personnel
      2. Appointment of Hourly Personnel
3. Temporary Increase and Decrease in Assignment/Salary for Classified Personnel

C. **Approve Classified Management Personnel Recommendation**
   1. Change Title and Qualifications of Executive Dean of Human Resources and Labor Relations

D. **Approve Short-Term Hourly Positions**

E. **Approve Educational Management Personnel Recommendations**
   1. Revisions to Management Structure
   2. Educational Management Increase in Assignment

F. **Budget Transfers – Month of August 2012**

G. **Warrant Approval- Month of August 2012**

H. **Surplus Equipment**

I. **Second Reading and Approval of Revised Board Policies**
   - BP 3420 Equal Employment Opportunity
   - BP 3520 Local Law Enforcement
   - BP 3715 Intellectual Property
   - BP 3820 Gifts
   - BP 4020 Program, Curriculum and Course Development
   - BP 5800 Prevention of Identity Theft in Student Financial Transactions
   - BP 7130 Compensation
   - BP 7380 Retiree Health Benefits - Academic Employees

J. **Modernization (Measure C)**
   1. **Approve/Ratify Modernization Contracts, Changes and Amendments ($583,091.00)**
   2. **Approve Subcontractor Substitution Request – Lathrop Construction Assoc., Inc.**
      Science Math Central Plan Complex Increment 2 & 3, Site Development & Building Project (305A) (handrails) $0
   3. **Declaration of Surplus Disposal**
      Austin Science Center Relocation (850E)
   4. **Approve Professional Services Agreement with Gayner Engineers ($10,000.00)**
      Fine Arts MEP Modification Project (306C)

10. **Other Action Items**


   A. **Resolution 09-18-2012 C.10.A. in Support of Hispanic Heritage Month (Roll Call Vote)**
   B. **Resolution 09-18-2012 C.10.B. Authorizing Use of Property and Land Use Agreement for Operation of Weather Station (Roll Call Vote)**
   C. **Agreement for Training with Alta Bates Summit Medical Center**
   D. **Out of Country Travel**
   E. **Student Health Fee Increase**
   F. **Approve College of Marin Mission Statement**
G. Approve Board of Trustees 2012-2013 Goals and Priorities
H. Approve College of Marin 2012-2015 Distance Education Plan
I. Approve College of Marin 2012-2017 Technology Plan
J. Approve College of Marin 2012 Facilities Plan
K. Approve 2014-2018 Five-Year Construction Plan
L. Modernization (Measure C)
   1. Resolution # 09-18-2012 C.10.L.1. Approving Change Order #14 to Midstate Construction Contract Performing Arts Modernization Project (306A) ($122,824.00) (Roll Call Vote)
   2. Authorize Procurement of Specialty Theater Lighting Equipment PA Lighting (306A) ($150,000.00)
   3. Approve Authorization to Bid
      Fine Arts Building Weatherization Project (306D)
   4. Approve New Professional Services Agreement
      Science Math Central Plant Complex Increments 2 & 3, Site Development & Building Project. PAE Consulting Engineers ($43,060.00)
   5. Approve Award of New Construction Contract to Jeff Luchetti Construction Corporation ($1,164,500.00)
      Child Study Center – Increment One Project (303C)
   6. Approve New Project Inspection (PI) Agreement with 4Leaf, Inc. ($88,400.00)
      Child Study Center Project (303C)
   7. Authorization to Request Qualifications and Proposals for Program and Construction Management Services

11. Board Policy Review (1st Reading) - None
12. Future Agenda Items
   A. Pension Reform
   B. WASC Interim Report (October 9, 2012)
13. Board Reports and/or Requests (15 minutes)
   A. Committee Chair Reports
   B. Legislative Report – Trustee O’Brien
   C. Individual Reports/or Requests
14. Approval of Meeting Minutes (2 minutes)
   ▪ Approve Minutes of August 21, 2012 Board Meeting
15. Information Items (see written reports)
   A. Contracts and Agreements for Services – Aug 2012
   B. Modernization Update
      1. Director’s Report
      2. Contract Milestones Report through August 2012
      3. Program Schedule
4. Quarterly Progress Report
5. COM Austin Center Assessment Report – Swing Space Program
6. New Academic Center, Environmental Impact Report/Initial Study
C. Administrative Procedures - None
D. Calendar of Special Events
   ▪ Hooked on Marin Speaker Series
      The Organic Food Movement in Marin, September 20, 7:00 p.m.
      Olney Hall 96, Kentfield Campus
   ▪ IVC Organic Farm Plant Sale, September 22 & 23, 10:00 a.m. to 3:00 p.m.
      Organic Farm, Indian Valley Campus

16. Correspondence
17. Board Meeting Evaluation
18. Adjournment