A. Open Session

1. Call to Order, Roll Call and Adoption of Closed Session Agenda
   The Board of Trustees of the Marin Community College District met for a regularly scheduled Board meeting in Building 27, Rooms 116/118 at the Indian Valley Campus, all members having received notice as required by law. Board President Namnath called the meeting to order at 5:30 p.m. and called roll. Trustees Conti, Dolan, Long and Namnath were present. Also present were Superintendent/President Coon and Vice Presidents Eldridge and Harrison. M/s (Long/Conti) to approve the closed session agenda. Motion carried 4-0-3. Trustee Treanor arrived at 5:38 p.m. Trustee Kranenburg arrived at approximately 6:00 p.m. Trustee O'Brien was absent.

2. Public Comment on Closed Session Agenda – None

3. Recessed to Closed Session at 5:33 p.m.

B. Closed Session

1. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation (Govt. Code sec 54956.9 (b))
   Number of Potential Cases –2
   Attorney: Glenn Gould, Dannis Woliver Kelley

2. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation (Govt. Code sec. 54956.9)
   Name of Case: Kesecker v. Marin CCD

C. Open Session – 6:30 p.m., 116 & 118, Building 27

1. Call to Order, Roll Call and Adoption of Agenda
   Board President Namnath called the meeting to order at 6:45 p.m. Trustees Conti, Dolan, Kranenburg, Long, Namnath and Treanor were present. Trustee O’Brien was absent. Also present were Superintendent/President Coon, Vice Presidents Eldridge and Harrison and Student Trustee Blood. Trustee Conti requested that action item C.10.D. be moved to after the Board study session and that action items C.10.K.2 & 3 be heard immediately following huiteam C.10.D. Trustee Long requested that items C.9 M – P be taken off consent for separate discussion. M/s (Long/Treanor) to approve agenda with noted modifications.
Motion carried 6-0-1, plus an advisory aye vote by Student Trustee Blood. Trustee O’Brien was absent.

2. **Report from Closed Session** – There was no action taken in closed session.

3. **Public Comment**
   A. **Comments regarding items not on the Agenda** – No public comment
   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**
      Dr. Coon reported that the full draft midterm report has been completed and validated by the Accreditation Liaison Officer. We are now in the fact checking process and hope to bring the draft report to the Board in July.
   
   B. **Marin Promise**
      Dr. Coon introduced Anne Mathieson, Board member of the Marin Community Foundation, to explain what an alignment with Marin Promise would mean to the College of Marin. Ms. Mathieson’s presentation explained the purpose and intent of the partnership, the framework in which it will be structured, how it is intended to work, and the phases of implementation. She noted that meetings have already occurred and committees have been formed, and it is hoped that all groups can work together collaboratively to come up with plans to achieve specific outcomes and improvement for known educational issues in the County of Marin. Anna Pilloton explained how the academic and non-academic milestones and data points will be measured and acted upon, and explained how the College could have impact at the K-12 stages, working with K-12 and high school partners, as well as the college level. She thanked Dr. Coon for his leadership role and participation in this project. A copy of the presentation is posted on the College of Marin Website, Board of Trustees Tab for this this meeting. Trustees expressed their appreciation of the presentation and supported Dr. Coon, asking further questions about the role of the College and what resources would be required. There were also comments and suggestions to expand the program, to deal with specific issues in the county, the importance of one-on-one instruction, and to reach out to programs and organizations that currently work with at-risk youth.
   
   C. **OPEB Investment Strategy**
      This item is a continuation of the discussion from the last meeting and is intended to further inform Trustees and answer questions. With the recent release of the Marin Grand Jury Report on this topic, there has been increased attention to unfunded liabilities. The College of Marin has made great progress on this issue, and taking action on an investment strategy tonight will allow the College to receive credit for our activity in this Fiscal year. In response to questions raised by Trustees at the last meeting, Vice President Harrison explained that in 2005, once the size of the unfunded liability was
known, the Board made a decision to fund it as soon as possible. A decision was made to use unspent funds at the end of the year or additional revenue to begin to fund the liability. As a result, the College has set aside $2.1 million for this purpose. If the College invests the full $2.1 million into CalPERS California Employers' Retiree Benefit Trust (CERBT), using a 7% growth rate, we will be fully funded, without putting any more money into the fund, in five years. The retiree benefits are currently paid out of the unrestricted general fund. At the end of the fifth year, payment of the retiree benefits will come from the CERBT for the remainder of the program, freeing up approximately $610,000 from the general fund for other uses. If the Board chose to invest only $1.6 million, under the same assumptions, it would take an additional two years before the fund would become fully funded. Of those two additional years, we would pay out another $1.1 million from the unrestricted general fund, plus spend the $500,000 that was not invested.

Mr. Harrison stated that from his perspective, it makes sense to stay with the original objective to fund the CERBT with the $2.1 million as soon as possible, using the funds as they were intended to be used.

Mr. Harrison introduced Mr. Rand Anderson from CalPERS to discuss and answer questions from the Board about the CERBT program. He noted the CalPERS program is very successful with comprehensive investment management, services in required OPEB financial reporting and the lowest management cost available. He responded to questions raised at the last meeting about sustainable investments, investment management, asset classifications, allocation strategies and investment results and volatility over the long term of this program. All three strategies share the same asset classes and those asset classes are invested in public market securities. A copy of Mr. Anderson’s presentation is available on the College of Marin Website, Board of Trustees Page for this meeting. Trustees thanked Mr. Anderson for his presentation and asked additional questions about how the funds are managed, fund maturity, domestic funds, and the effects of market volatility, mixing assets, and options for changing strategies. Mr. Anderson answered the questions and noted that changing strategies is typically considered as part of valuation review and that it is not a good idea to change strategies every time there is a dip in the market. Making a lot of tactical adjustments to this fund is not the strategy and is not appropriate for this situation. Trustees thanked staff for their work in reducing the unfunded liability, noting that we now have a plan to fund it within five years. Kudos to staff for answering questions and to Trustees for the significant discussion.

5. Academic Senate Report (5 minutes) – Sara McKinnon read the Academic Senate Report attached to the minutes, commenting on remarks made by Board President Namnath at commencement related to student loans. Board President Namnath commented that it was not his intent to take away from student accomplishments, but to inform students that they had received the most economical education that is available by graduating from the College
He further noted that he believed it was an appropriate topic and important for students to be aware of the $1 trillion dollar unpaid student loan debt and that for most students, loans will be a 10-year commitment. There were comments that it was unfortunate that words were interpreted differently by those in attendance on such a special day, that some students don’t have a choice, that we recognize that students can get a good education here without incurring a large loan debt, and that it was important that students know that we are committed to giving them a high quality education and that our intent at commencement is to celebrate their achievements and to encourage and inspire them as they go forward into the next phase of their lives. There will be comments later in the meeting related to student loans by Trustee Long.

6. **Classified Senate Report (5 minutes)** – Board President Namnath read the attached [Classified Senate Report](#).

7. **Student Association Report (5 minutes)** – There was no report.

8. **Board Study Session**
   A. **2013/14 Tentative Budget**
      
      Vice President Harrison noted that there have been no major changes in the budget details that were reviewed with the Board at the last meeting; however, there will be significant and perhaps major changes in the Adoption Budget that will be presented to the Board in August. He noted that there will be a briefing at the July Board meeting to prepare the Board for the Adoption Budget. The Tentative Budget gives the College authority to spend money starting July 1 to continue the College’s financial business until the Adoption Budget is adopted in August. Dr. Coon suggested having a working session on the budget in July either at a special Board meeting or prior to the regular meeting on July 16. Trustees agree to meet at 2:00 p.m. on July 16 prior to the regular meeting.

      Dr. Coon and the Board thanked Vice President Harrison for his services, knowledge, professionalism and direction and wished him well on his retirement. Dr. Coon presented him with a plaque of acknowledgement.

**Item C.10.D. Approve Investment Strategy for OPEB Trust in CalPERS CERBT**

M/s (Treanor/Conti) to approve Investment Strategy 1 for the OPEB Trust in CalPERS CERBT. There was discussion about pros and cons of the three strategies and Trustees expressed support for strategy 1 and for strategy 2. President Coon noted that it was important invest the funds this fiscal year and suggested Trustees consider changing the recommendation, with a commitment to review it in six months. M/s (Namnath/Conti) to table the question so it can be considered at a later time and allow for a new motion to be proposed. Trustee Treanor withdrew her motion to approve Strategy 1 and Trustee Conti withdrew her second of that motion. **M/s (Treanor/Namnath) to approve Investment Strategy 2 for the OPEB Trust in**
CalPERS CERBT. Motion carried 5-1-1, with Trustee Conti voting no and Trustee O’Brien absent. Student Trustee Blood cast an advisory aye vote.

Item C.10.K.2 Approve Amendment #1 to Dannis Woliver Kelley Professional Services Agreement ($132,000.00) Modernization Legal Counsel – District Legal Counsel (831A).

Item C.10.K.3. Approve Annual Renewal Agreement with Dannis Woliver Kelley ($654,000.00) Modernization Legal Counsel – District Legal Counsel

M/s Treanor/Conti to approve items C.10.K.2 and C.10.K.3. Motion carried 5-1-1, with Trustee Dolan voting no. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.

M/s (Treanor/Blood) to approve Consent Calendar items with the exception of items C.9.M – C.9.P., which will be discussed separately. Motion carried by a roll call vote of 5-1-1 with Trustee Dolan voting no. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.

M/s (Treanor/Blood) to approve Consent Calendar items C.9.M through C.9.P. Trustee Long commented that under some of the new regulations, districts are asked to develop and implement programs that will give certificates and AA degrees and to be more accountable for students entering into those programs. These are new courses and for the sake of WASC accreditation and to meet student success, it is important to have some discussion about it. Dr. Coon read a statement about the mandates of Senate Bill 1440 (attached). He commented that he was very pleased with the work the faculty has done to create these degrees and to package them in a way that is meaningful to our students, noting that the pathway concept is what we are emphasizing here. Motion carried by a roll call vote of 6-0-1. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.

9. Consent Calendar Items (ROLL CALL VOTE)
   A. Calendar of Upcoming Meetings
      ▪ July 16, 2013, Regular Meeting, Cafeteria, Student Services, Kentfield Campus
   B. Approve Classified Personnel Recommendations
      1. Appointment of Classified Personnel
      2. Temporary Reassignment of Classified Personnel
      3. Resignation/Termination of Classified Personnel
   C. Approve Academic Personnel Recommendations
      1. Appointment of Academic Personnel
      2. Change in Retirement Date of Academic Personnel
   D. Approve Educational Management Appointments
      1. Appointment of Educational Management Personnel
   E. Approve Classified Management Position Recommendation
F. Approve Budget Transfers – Month of May 2013
G. Approve Warrants - Month of May 2013
H. Approve Revisions to AA / AA-T Degrees
I. Approve Revisions to AS Degrees and Certificates of Achievement
J. Approve Credit Course Additions
K. Approve Credit Course Revisions
L. Approve Credit Course Deletions
M. Approve New AA-T Degree
N. Approve New Skills Certificate
O. Approve Revised Skills Certificates
P. Approve Deleted Skills Certificates
Q. Second Reading and Approval of Board Policies
   • BP 4040 Library Services
   • BP 5500 Standards of Conduct
R. Modernization (Measure C)
   1. Ratify/Approve Modernization Contracts, Changes, Amendments ($247,349.08)
   2. Declaration of Surplus Disposal – New Academic Center Relocation (850J)
10. Other Action Items
   Board President Namnath commented if there is substantial interest to the audience that a
   Resolution be read aloud to please inform the recorder. He further noted that waving the
   reading of Resolutions is done to expedite the meeting.
   M/s (Treanor/Conti) to waive the reading of C.10.A and C.10.B. and consolidate them for
   one vote. Motion carried 6-0-1. Trustee O’Brien was absent and Student Trustee Blood
   cast an advisory aye vote.
   M/s (Treanor/Conti) to approve the Resolutions for items C.10.A and C.10.B. Motion
carried by roll call vote of 6-0-1. Trustee O’Brien was absent and Student Trustee Blood
   cast an advisory aye vote
A. Approve Resolution Designating Authorized Signatures (ROLL CALL VOTE)
B. Approve Resolution for Authorization to Establish Fund – Scholarship and Loan Trust
   Fund (ROLL CALL VOTE)
C. M/s (Treanor/Blood) to approve the 2013/14 Tentative Budget. Motion carried 6-0-1.
   Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.
D. Approve Investment Strategy for OPEB Trust in CalPERS CERBT (This item was moved
to after the Board Study Session for action)
E. M/s (Treanor/Blood) to approve Marin County Office of Education Agreement. Motion carried 6-0-1. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.

F. M/s (Treanor/Blood) to approve Standard Agreement with the Department of General Services/Office of Administrative Hearings. Motion carried 6-0-1. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.

G. M/s (Treanor/Long) to approve Out-of-Country Travel. Motion carried 6-0-1. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.

H. M/s (Treanor/Blood) to approve Acceptance of Donation from Alex Konstantinoff. Motion carried 6-0-1. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.

I. M/s (Treanor/Blood) to approve Transfer of ASCOM Funds. Motion carried 6-0-1. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.

J. M/s (Treanor/Long) to approve Revised Salary Schedule – California School Employee Association (CSEA). Motion carried 6-0-1. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.

K. Modernization (Measure C)
   1. M/s (Treanor/Long) to approve Change Order #2 and Resolution to CPM Environmental Construction Contract ($141,675.00) – New Academic Center Hazmat (303B) Motion carried by a roll call vote of 5-1-1, with Trustee Dolan voting no. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.
   2. Approve Amendment #1 to Dannis Woliver Kelley Professional Services Agreement ($132,000.00) Modernization Legal Counsel – District Legal Counsel (831A) (This item was moved to after the Board Study Session for action)
   3. Approve Annual Renewal Agreement with Dannis Woliver Kelley ($654,000.00) Modernization Legal Counsel – District Legal Counsel (This item was moved to after the Board Study Session for action)
   4. M/s (Treanor/Conti) to approve updates to Project Stabilization Agreement (PSA) and Amendment. Motion carried 6-0-1. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.
   5. M/s (Treanor/Blood) to approve Notice of Completion – Child Study Center – Increment 1 (303C) Jeff Luchetti Construction. Motion carried 6-0-1. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.
   6. M/s (Conti/Long) to approve Notice of Completion – Performing Arts Building Modernization (306A) Midstate Construction Corporation. Trustee Treanor noted that her sister works for Midstate Construction, but has no interests in the company or project. Motion carried 6-0-1. Trustee O’Brien was absent and Student Trustee Blood cast an advisory aye vote.

L. M/s (Treanor/Long) to approve Resolution for Use of Educational Protection Account Revenue. Trustee Treanor noted that she appreciated the need to backfill the classes
this year, but that she hoped we will have a discussion for the following year to consider resource allocations identified through program review. Dr. Coon noted that we were on a short timeline for this year, but that a Resolution will be required every year and we will have more time for discussion next year. **Motion carried by a roll call vote of 5-0-1-1 plus an advisory aye vote by Student Trustee Blood. Trustee Dolan abstained and Trustee O'Brien was absent.**

11. **Board Policy Review (1st Reading) - None**

12. **Future Agenda Items**
   A. **Grand Jury Response.** President Namnath noted that the Marin Grand Jury has made a study of the public agencies of the County of Marin and their Unfunded Liabilities for Retirement plans. President Namnath and staff are working on formulating a response to their findings as well as recommendations. An update and discussion will occur at the July meeting.
   B. **Strategic Plan (July)**
   C. **Athletic Program (July)**
   D. **WASC Mid-Term Progress Report**
   E. **Board Governance Calendar**

13. **Board Reports and/or Requests (15 minutes)**
   A. **Committee Chair Reports**
      Trustee Long reported that she voted against a request to the Kentfield Planning Committee on a proposal from AT&T to the Kentfield Fire Department to upgrade an existing cell phone antenna, with more power and upgraded technology. She noted that there was College decision several years ago not to have cell phone towers on the Kentfield Campus. She thanked President Coon and staff for their work on Board packets which make their work easier and thanked staff for the excellent communication on the construction on the new building. She also shared information about the proposal in congress to raise interest rates on student loans to 6.5% which will have a huge impact on students and their education and that we need to stand up and notify congress of our concerns. Trustees Dolan noted that the GED testing is sunsetting, which is also of concern. It was noted that the increase is scheduled to take effect July 1. Trustee Dolan asked if we sent letters to families when we adjourn in memory of someone. Dr. Coon noted that this has not been done, but agrees it would be good practice.
   B. **Legislative Report — No Report**
   C. **Individual Reports/or Requests**
      Trustee Long commented on the Athletic Hall of Fame, noting that it was well attended and wonderful for the athletic alumni. She thanked Dr. Coon and staff for the tremendous job on commencement and the end-of-year activities.

14. **Approval of Meeting Minutes (2 minutes)**
A. M/s (Treanor/Conti) to approve Minutes of April 20, 2013 Board Retreat. Motion carried 6-0-1.
B. M/s (Treanor/Conti) to approve Minutes of May 21, 2013 Board Meeting. Motion carried 6-0-1.

15. Information Items (see written reports)
A. Contracts and Agreements for Services – May 2013
B. Modernization Update
   1. Director’s Report
   2. Program Schedule
   3. Milestones Report
C. Administrative Procedures
   Dr. Coon clarified that APs 4231 and 5075 have received Senate approval.
   - AP 4100 Graduation Requirements
   - AP 4227 Repeatable Courses
   - AP 4231 Grade Changes
   - AP 4260 Prerequisites and Advisories
   - AP 5075 Credit Course Adds & Drops
D. Calendar of Special Events
   - Dental Assisting Graduation, June 20, 2013 6:00 p.m., Indian Valley Campus

16. Correspondence

17. Board Meeting Evaluation
   Trustee Long commented that she was pleased at each Trustee’s participation in the recent retreat and expressed her thanks to Dr. Coon for finding solutions and ways to help the Board through some of the challenges we have during discussions. Trustee Dolan expressed her appreciation of a smooth and calm meeting.

18. Adjournment
   M/s (Namnath/Conti) to adjourn the meeting with appreciation to Al Harrison for his service to the District. Motion carried 6-0-1, plus an advisory aye vote by Student Trustee Blood. Trustee O’Brien was absent.

   Meeting adjourned at 9:23 p.m.
Many of College of Marin’s faculty and staff in attendance at our recent graduation ceremony were disappointed at comments made to our graduates by the president of this board. While it is true that student debt is a major issue as it has been for many years, Trustee Namnath’s comments went too far.

On the day we were celebrating our students’ achievements with best wishes and encouragement going forward, our board president essentially stated that if they fail, they can come back and get a vocational certificate. This was more than a little insulting. This is not to say that our CTE programs are not valuable – they are, but so are our degree and transfer disciplines that send students on to four-year institutions and beyond.

Our students have worked very hard to complete their studies here – often after many years of sacrifice. Yet the audience came away with the impression that our board president has very little faith in their futures and perhaps feels that while College of Marin offers an economical education, the non-vocational fields of study are a waste of time and money. The Faculty takes exception to this.

We hope that we were given the wrong impression; however, the apparent disregard for our core mission is unfathomable and makes many of us wonder why the board president is on our board at all.

--Sara McKinnon
Good Evening,

On behalf of all College of Marin Classified Employees, thank you for demonstrating your support throughout the year. In particular, I want to acknowledge your reading of the “Marin Community College District, Board of Trustees Resolution 2013-15: In Support of Classified School Employees Week” at the annual faculty and staff recognition luncheon and express appreciation on behalf of the Classified Senate.

Thank you for your timely approval of the Classified Professional Emeritus Program. We hope that the program will be an added benefit for the 21 Classified Professionals retiring this year, as well as continue to strengthen the College of Marin presence within our extended community.

We look forward to your continued support during the next academic year.

Respectfully submitted,

Alice L. Dieli

Alice L. Dieli
Classified Senate President
SB 1440 mandates that community colleges develop “Associate Degrees for Transfer” that do not exceed 60 units and include a general education pattern (either IGETC or CSU GE-Breadth) and a minimum of 18 units in the major. Students who complete the degrees will be guaranteed admission to a California State University (CSU) with junior status. The intended outcome of the legislation is to provide a consistent approach to the development of degrees and major preparation so that students can transfer to any CSU. The degrees offer students the opportunity to complete their associate degrees before transferring while offering a streamlined pathway for transfer to the CSU.

To date, College of Marin has implemented six AA-T/AS-T degree:

- AA-T in Sociology
- AA-T in Psychology
- AA-T in Communication Studies
- AS-T in Business Administration
- AA-T in Political Science
- AA-T in English

Currently, four more degrees are under development and will be uploaded to the Chancellor’s Office for final review and approval in July, 2013.

- AS-T in Early Childhood Education
- AA-T in Studio Arts
- AA-T in Theatre Arts
- AA-T in History

The following degrees are planned for development between 2013-2015:

- Administration of Justice
- Art History
- Chemistry
- Computer Science
- Engineering
- Geography
- Geology
- Kinesiology
- Math
- Music
- Philosophy
- Physics
- Spanish