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 the Cafeteria of the Student Services Building on the College of Marin Kentfield Campus, all members having received notice as required by law. Board President Conti called the meeting to order at 5:38 p.m. Trustees Conti, Long, Namnath and Kranenburg were present. Trustees Dolan, O’Brien and Treanor were not present. Also present were Superintendent/President Coon and Vice Presidents Harrison and Kenney.

   M/s (Long/Namnath) to approved the closed session agenda. Motion carried 4-0-3.

2. **Public Comment – Closed Session Agenda** – There was no public comment

3. **Recess to Closed Session** – Meeting adjourned to closed session at 5:39 p.m.

B. **Closed Session - Staff Lounge, Student Services Building, Kentfield Campus**

Trustees Namnath, O’Brien and Treanor arrived at 5:47 p.m.

1. **CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**
   
   Labor Negotiator: Bruce Heid
   
   Employee Organizations: United Professors of Marin (UPM/AFT), Service Employees International Union (SEIU), Classified Service Employees Union (CSEA)

C. **Open Session – Board Organizational Meeting, 6:30 p.m., Cafeteria, Student Services Building, Kentfield Campus**

1. **Call to Order, Roll Call and Adoption of Organizational Meeting Agenda**
   
   Board President Conti called the Board Organizational Meeting to order at 6:32 p.m. Trustees Conti, Long, Namnath, Dolan, Treanor, O’Brien, Kranenburg and Student Trustee Blood were present. Also present were Superintendent/President Coon and Vice Presidents Harrison and Kenney.

   Superintendent/President Coon informed the Board that the proposed meeting schedule included regular board meetings and retreats for the year, but noted that the retreat scheduled in January conflicted with two conferences. He proposed February 1 or 2 as an alternate date. He also mentioned the matrix document in Trustee packets, which includes...
timelines for planning purposes and conference information for the upcoming year.

2. **M/s (Kranenburg/O’Brien) to adopt the meeting schedule without the retreat date in question and follow-up with a meeting wizard to schedule that retreat. Motion carried 7-0, plus an advisory aye vote by Student Trustee Blood.**

Meeting Schedule 2013

All regular meetings take place on the 3rd Tuesday of the month except for those denoted by an asterisk. All regular meetings are held at 6:30 p.m. unless otherwise noted.

- **January 15**  Regular Meeting, 6:30 p.m., Cafeteria, Student Services, Kentfield Campus
- **TBD**  **Board Retreat, TBD**
- **February 19**  Regular Meeting, 6:30 p.m., Cafeteria, Student Services, Kentfield Campus
- **March 19**  Regular Meeting, 6:30 p.m., Building 12, Room 100, Indian Valley Campus
- **April 16**  Regular Meeting, 6:30 p.m., Cafeteria, Student Services, Kentfield Campus
- **April 20**  Board Retreat, TBD
- **May 21**  Regular Meeting, 6:30 p.m., Cafeteria, Student Services, Kentfield Campus
- **June 8**  Board Retreat, TBD
- **June 18**  Regular Meeting, 6:30 p.m., Bldg. 27, Rooms 116 & 118, Indian Valley Campus
  - Adoption of Tentative Budget
- **July 16**  Regular Meeting, 6:30 p.m., Cafeteria, Student Services, Kentfield Campus
- **August 20**  Regular Meeting, 6:30 p.m., Cafeteria, Student Services, Kentfield Campus
  - Adoption of Final Budget
- **September 17**  Regular Meeting, 6:30 p.m., Building 12, Room 100, Indian Valley Campus
- **October 15**  Regular Meeting, 6:30 p.m., Cafeteria, Student Services Building, Kentfield Campus
- **November 19**  Regular Meeting, 6:30 p.m., Cafeteria, Student Services, Kentfield Campus
- **December 10* Organizational and Regular Meetings, 6:30 p.m., Cafeteria, Kentfield Campus
- **December 16**  Board Holiday Dinner, 6:30 p.m.

3. **Election of Officers**

President Conti called for nominations for Board officers, and Trustees elected the following individuals by show of hands:

a) President of the Board – Trustee Dolan nominated Trustee Namnath and Trustee Kranenburg nominated Trustee O’Brien. Trustee Namnath was elected, 4-3.

b) Vice President of the Board – Trustee Namnath nominated Trustee Conti and Trustee Treanor nominated Trustee O’Brien. The chair called for a show of hands and stated there were four votes for Trustee Conti and three votes for Trustee O’Brien. Subsequently it was announced that Trustee Conti was elected Vice President.

**Corrective Action:**  The day following the meeting, a mistake in how the vote was counted and called was noted. Corrective action will be reflected in the minutes of January 15, 2013.

C) Clerk of the Board – Trustee Conti nominated Trustee O’Brien who was elected 7-0.
4. **Appointment of Trustee Representatives**
   President Conti suggested that Trustees review the representative positions listed below to determine interest, and that the new Board President would contact them to make appointments. Barbara Dolan gave Board President Namnath “The Secrets of Successful Boards” to share with all of the Board Officers.
   - Marin County School Boards Association and Trustee Representative to Elect Members of the County Committee on School District Organization
   - Legislative Representative to California Community Colleges Trustees/California School Board Association (CCCT/CSBA) and liaison with the Community College League of California
   - Board Standing Committees
     - Superintendent/President Evaluation Committee
     - Board of Trustee Self-Evaluation Committee
     - Policy Review Committee
     - Fund Development Committee
   - Liaison Assignments
   - Parliamentary Appointment

5. **Board Comments and Acknowledgements**
   Dr. Coon presented outgoing President Conti with a plaque in appreciation of her two years of service as Board President.

6. **Adjournment**
   M/s (Namnath/Long) to adjourn meeting for brief recess to seat new officers at the table and for refreshments. Motion carried 7-0, plus an advisory aye vote by Student Trustee Blood. Meeting recessed at 6:45 p.m.

D. **Open Session – Regular Meeting, Cafeteria, Student Services Building, Kentfield Campus**

1. **Call to Order, Roll Call and Adoption of Regular Meeting Agenda**
   Board President Namnath called the regular meeting to order at 6:50 p.m. Trustees Conti, Dolan, Kranenburg, Long, Namnath, O’Brien, Treanor and Student Trustee Blood were present. Also present were Superintendent/President Coon and Vice Presidents Harrison and Kenney.

2. **Report of Closed Session**
   The Clerk reported no action taken in closed session.

   Dr. Coon informed the Board about a number of changes to the agenda as noted in the Board packets. Items pulled: 9.C. Approve Classified Confidential Personnel Recommendation, 9.G. Approve Classified Management Personnel Recommendations, 9.T.5. Approve Subcontractor Substitution for roofing Child Study Center, 10.E. Pre-Authorization to Enter into Agreement with HigherOne, and 10.F.2. Approve Pre-Authorization to award Construction Contract for the Fine Arts Weatherization Project. He also alerted Trustees to the revised items on blue paper: 9.F.1. Resignation/Retirement of Academic Personnel,
9.H.1. Appointment of Educational Management Personnel, 10.B. Approve Resolution to establish Supplemental Employee Retirement Plan, 10.F.3. Approve Extension of Agreement of Swinerton Management Consulting. **M/s (Conti/O’Brien) to approve the agenda with the above noted changes. Motion carried 7-0, plus an advisory aye vote by Student Trustee Blood.**

3. Public Comment
   a. Comments re: Items not on the Agenda (3 minutes per speaker) - None
   b. Comments re: Items on the Agenda – to be heard immediately before the Board of Trustees consideration of the item.

4. Chief Executive Officer’s Report
   a. Pension Reform
      Dr. Coon referred Board members to their packets for a summary on pension reform. The summary was provided in advance to allow Trustees time to review the information and formulate questions. Bruce Heid will attend the February Board meeting for a full discussion on pension reform.
   b. Accreditation
      Dr. Coon reported that he has shared the WASC report with the Board and has submitted a request to address WASC during their commission meeting January 9 – 11. He hopes to have a report at the January Board meeting.
   c. Other – No other reports

5. Academic Senate Report (5 minutes)
   Senate President McKinnon updated the board on what is occurring with dance courses as a result of the repeatability limits that began in the fall. She noted that the Dance Department had revised their programs so that students will be able to begin courses at different ability levels. The levels will be taught concurrently and will allow students to get through the sequence within the four-course limitation. She also noted that if the Board approves the full-time faculty retirement this evening, the faculty members in total have given combined service of 616 years to the college. Dr. Coon commented that there were strong feelings on campus about the issue of repeatability and that he would like to have a study session with the Board on this topic in January or as soon as possible.

6. Classified Senate Report (5 minutes)
   Senate President Dieli gave the Classified Senate report. A copy is available on the College website on the Board of Trustees Meeting page.

7. Student Association Report (5 minutes)
   Student Trustee Blood reported that they had another successful Annual Night of Giving last Friday. The Associated Students had their last meeting of the semester on Monday and will reconvene on January 9.

8. Board Study Session
   Modernization:
   a. **Tree Program Update** - Laura McCarty briefed the Board on what has occurred to this point, noting the commitment to preserving the beauty of the landscape and as many
trees as possible. She introduced John Fung from Mark Cavagnero Associates Architects, Billy Rhyne of Royston Hanamoto Alley & Abey and Arborist Ray Moritz to give the presentation on the tree program as it impacts the NAC project. A copy is available on the College website on the Board of Trustees Meeting page. The presentation identified the impact of the NAC project on the approximately seventy-five trees in that area, five of which are substantive size. Twenty-eight trees will be saved in place. The Redwoods on the corner of Sir Francis Drake will be preserved. Of the five Oak trees in the area, three will be removed; a Valley Oak and a Coastal Live Oak, which have been structurally unsound and cabled since 1996, and will not withstand demolition due to their locations and a Cork Oak with a very large canopy that extends into the NAC building footprint. Other removal identifiers include trees infected with Verticillium Wilt and those planted in or around buildings that will be demolished or within the new building footprint. Two existing oaks (a Coastal Live Oak and Valley Oak) will remain. A number of ornamental trees will be preserved and incorporated into the design of the building footprint, the quad and pathways in the area. New trees will be planted, including Redwoods in the grove area and a new Valley Oak in the courtyard that will one day replace the existing one as it ages. Additional trees in planters and plantings will be integrated in order to complement the existing landscape. In response to Trustees questions, it was noted that wood would be salvaged from some trees for other uses, some smaller ornamental trees would be transplanted to other locations on campus, and some would be recycled. It was noted that trees infected with Verticillium Wilt or in the area of those affected, and the surrounding soil, could not be moved to other locations as that would transfer the disease. There were comments that we consider type and location of future plantings to avoid compromising trees and buildings as the trees grow, a suggestion to consider a community plant sale if feasible, a concern expressed about the number of trees we are losing, the concerns of neighbors, that we all value the trees and that we are doing the best that we can with the compact nature of the campus.

b. Performing Arts Building Modernization Project Update. Ms. McCarty gave a presentation summarizing the Costs of the Performing Arts Building. A copy is available on the College of Marin Website Board of Trustees Meeting page. She informed the Board that the scope of this project includes both the remodeling of the Performing Arts Building with ADA and HVAC upgrades, and the new construction of the Dance addition to today’s standards. Change orders were split fairly evenly between the two. Ms. McCarty identified the types of change orders by category, the numbers in each category and gave examples for clarification. Dr. Coon reminded the Board that the Performing Arts Building will be the topic of a closed session item next month and asked Trustees to limit their questions to understanding the nature of the change orders. Ms. McCarthy answered questions and the Board thanked staff for a clear and strategic report.

9. Consent Calendar Items (Roll Call Vote). Board President Namnath asked if anyone had questions about any of the items on the consent calendar before taking the roll call vote. Trustee Long asked that item 9.R. and item 9.S. re: Board Policy 6900 – Bookstore be removed for discussion prior to action. M/s (O’Brien/Long) to remove items 9.R. New Community Education Courses and 9.S. Board Policy 6900 – Bookstore, for separate
Motion carried by a roll call vote of 7-0, plus an advisory aye vote by Student Trustee Blood.

A. Calendar of Upcoming Meetings
   - See Organizational Meeting Agenda

B. Approve Classified Personnel Recommendations
   1. Appointment of Classified Personnel
   2. Resignation/Termination of Classified Personnel
   3. Temporary Reassignment of Classified Personnel
   4. Temporary Increase/Decrease in Assignment for Classified Personnel

C. Approve Classified Confidential Position Recommendation - PULLED

D. Approve Classified Position Description Change

E. Approve Short Term Hourly Positions

F. Approve Academic Personnel Recommendations
   1. Resignation/Retirement of Academic Personnel – REVISED
   2. Academic Request for Unpaid Leave
   3. Academic Request for Reduced Load
   4. Academic Leave Replacement

G. Approve Classified Management Personnel Recommendations - PULLED
   1. Appointment of Classified Management Personnel

H. Approve Educational Management Personnel
   1. Appointment of Educational Management Personnel – REVISED
   2. Change in Title and Salary of Educational Management Personnel
   3. Change in Title of Educational Management Personnel

I. Approve Budget Transfers – Month of November 2012

J. Approve Warrants – Month of November 2012

K. Approve Mileage Rate Reimbursement effective January 1, 2013

L. Approve Declaration of Miscellaneous Surplus Equipment

M. Approve New AA-T Degree in Theatre Arts

N. Approve Revisions to AA Degree in English

O. Approve Credit Course Additions

P. Approve Credit Course Revisions

Q. Approve Credit Course Deletions/Deactivations

R. Approve New Community Services Courses – Pulled for discussion

S. Second Reading and Approval of Revised Board Policies
   - BP 6550 Disposal of Personal Property
   - BP 6900 Bookstore –Pulled for discussion
- BP 7280 Unrepresented Employee Complaints
- BP 7360 Discipline and Dismissal Academic Employees

T. Modernization (Measure C)
1. Approve/Ratify Modernization Contracts, Changes and Amendments ($685,166.55)
2. Declaration of Surplus Disposal, FA & PA Relocation (850I)
3. Declaration of Surplus Disposal, Austin Science Center Relocation (850E)
4. Declaration of Surplus Disposal, New Academic Center Relocation (850J)
5. Approve Subcontractor Substitution Request (roofing), Child Student Center Increment Two (buildings) Project (303C) JL Modular, Inc. ($0) – PULLED

Discussion of Item 9.R. Approve New Community Services Courses
Trustee Long expressed concern with the narrow scope of some of the new courses and the effect that might have on enrollment. Dr. Coon reported that he had recently met with Dr. Jason Lau and Dean Nanda Schorske to preview a report and study session on Community Education that he plans to bring to the Board in January. He noted that one of the items that will be presented are budget trends within the Community Education Program, which ties directly to enrollment. He further noted that Dr. Lau will highlight the number of courses that have been cancelled over the years based on low enrollment. Dr. Coon requested that we revisit the question in January, which was satisfactory to Trustee Long. M/s (Conti/Long) to approve New Community Services Courses. Motion carried with a roll call vote 7-0, plus an advisory aye vote by Student Trustee Blood.

Discussion of Item 9.S. Second Reading and Approval of BP 6900 Bookstore.
Trustee Long suggested the College consider reaching out to local Marin bookstores to bid on College Bookstore operations, noting it was a good idea to keep business in Marin as well as an opportunity for partnerships. Dr. Coon asked Mr. Harrison to respond. Mr. Harrison reported that it was likely we would be going out to bid for bookstore services as our current bookstore is concerned that they are not able to make a reasonable profit and have not for several years. He suggested that local bookstores would likely have the same issue, mainly due to the costs the bookstore vendors must pay to staff the bookstore with District employees. He noted that this is not typical for bookstores and the revenue does not support the costs. This is an issue the College will need to look at. Dr. Coon assured the Board that in any bid situation, including for the bookstore, we would reach out to local businesses. M/s (Conti/O’Brien) to approve Item 9.S. Second Reading and Approval of BP 6900 Bookstore. Motion carried with a roll call vote 7-0, plus an advisory aye vote by Student Trustee Blood.

10. Other Action Items
President Namnath requested a Motion to waive the reading of the Resolutions. M/s (Conti/O’Brien) to waive the reading of Resolutions #12/11/2012 D.10.A. Motion carried 7-0, plus an advisory aye vote by Student Trustee Blood.

A. M/s (Conti/Blood) to Approve Resolution #12-11-2012 D.10.A. Attest to Emergency Closure of Child Development Program on October 22 and 23, 2012. Motion carried 7-0 by roll call vote, plus an advisory aye vote by Student Trustee Blood.
B. **M/s (O'Brien/Conti) to Approve Resolution #12-11-2012 D.10.B. To Establish and Approve Supplemental Employee Retirement Plan (SERP) (Roll Call Vote)** - **REVISED COVER PAGE.**

**Public Comment:** Academic Senate President Lori Ordin offered congratulations to the new officers and thanks to the outgoing officers, noting she looks forward to working with the Board next year. She also thanked them for the SERP opportunity, on behalf of all full-time faculty, and expressed her hope that the Board would approve it. She stressed that she hoped that the College will consider replacing these 20 full-time positions with full-time faculty, due to the time requirements of service to students that cannot be filled by part-time faculty, due to their schedules. **M/s (O'Brien/Conti) to waive the reading of the Resolution. Motion carried 7-0, plus an advisory aye vote by Student Trustee Blood.**

**Motion to Approve Resolution #12-11-2012 D.10.B. To Establish and Approve Supplemental Employee Retirement Plan (SERP) carried 7-0 by roll call vote, plus an advisory aye vote by Student Trustee Blood.**

Trustees expressed their appreciation and thanks to the faculty members for their exemplary service to the College totaling over 600 years combined, wishing them well and thanking them for helping the College in these difficult economic times. Student Trustee Blood thanked the faculty on behalf of the students, noting that they have provided a great service to the College and that they will be missed.

President Namnath asked if Trustees had any items they wished to pull for specific discussion. **M/s (O’Brien/Conti) to merge and approve items 10.C., 10.D., 10.F.2 – 10.F.5., and 10.F.7. Motion carried 7-0, plus an advisory aye vote by Student Trustee Blood.**

**C. Approve Tentative Agreement and Memorandums of Understanding between Marin Community College District and California Schools Employees Association, Chapter 196 (CSEA) for July 1, 2012 through June 30, 2015.**

**D. Approve Amendment 1 to Student Training Agreement University of California San Francisco (UCSF) Medical Center for Registered Nursing Student Experience**

**E. Pre-Authorization to Enter into Agreement with HigherOne - PULLED**

**F. Modernization (Measure C)**

1. **M/s (Conti/O’Brien) to waive the reading of Resolution #12/11/2012 D.10.F.1. Motion carried 7-0, plus an advisory aye vote by Student Trustee Blood.**

   **M/s (Conti/Blood) to approve Approve Change Order #17 and Resolution #12-11-2012 D.10.F.1. Attesting No Benefit to Bidding out Change Order Work ($95,574.00), Midstate Construction Corporation, Inc., Performing Arts Modernization Project (306A)**

   Trustee Treanor commented that her sister works at Midstate and has not ownership or interest in the project. **Motion carried 7-0 by a roll call vote, plus an advisory aye vote by Student Trustee Blood.**

2. **Approve Pre-Authorization to Award a Construction Contract, FA Building Weatherization Project (306A)**

3. **Approve Extension of Agreement ($150,000) - REVISED EXTENSION AGREEMENT**

   Swinerton Management and Consulting Inc.

   Program Management Project (825C)
4. **Approve Assignment and Assumption Agreement,**
   Swinerton Management & Consulting, Inc.
   Program Management Project (825C)

5. **Approve New Professional Services Agreement ($83,000)**
   Schoening Group Inc.
   Program Management Project (825C)

6. **Approve Selection of Jacobs Program Management Co. and Authorize Contract Negotiations,** Program Management Project (825C)
   Dr. Coon recommended that the Board of Trustees approve the selection of Jacobs Program Management Co. for program and construction management services for our Measure C programs and commencement of contract negotiations. He noted that the selection process was appropriately outlined in the Board packets and included independent review and evaluation of all firms. As a result of the evaluation and scoring process, Jacobs ranked highest and was unanimously selected by the committee as the strongest firm. Dr. Coon introduced Mr. Bruce Hart, Principal in Charge who commented that we all share a vision of the College of Marin having the finest educational buildings in Northern California and that our students and teachers will benefit from and be proud of their college as a result. **M/s (Conti/Long) to Approve the Selection of Jacobs Program Management Co. and Authorize Contract Negotiations. Motion carried 7-0, plus an advisory aye vote by Student Trustee Blood.**

7. **Approve New Short Form Professional Services Agreement for Jacobs Program Management Co. ($30,000)**
   Program Management Project (825C)

11. **Board Policy Review (1st Reading)**
    Dr. Namnath referred Board members to their packet for review of first reading of Board policies. Trustees discussed the importance and value of professional development and the commitment to WASC to continue Board member education. It was determined that there needs to be further discussion about an appropriate training program and supporting budget. Trustee Long offered to work on a proposal for available funding. Trustees also had significant discussion about Board member benefits and whether they should remain the same or be changed. It was noted that the policy is appropriate and follows code that other institutions have in place. Both policies will be discussed further in January.
    - BP 2730 Board Member Health Benefits
    - BP 2735 Board Member Travel

12. **Future Agenda Items**
    Tour of Math, Science, Nursing Building (January)
    IVC Ohlone Buildings Assessment
    Construction Management/Program Management Contract Advancement Update (January)
    Pension Reform (February)

13. **Board Reports and/or Requests (15 minutes)**
Committee Chair Reports – Trustee O’Brien reported on her attendance at the recent CCLC Conference in Los Angeles and referred to a summary report she had provided to Trustees with her desired outcomes and a synopsis of the sessions that she attended. She specifically was impressed by a Board Self-Evaluation 360˚model done by San Jose Evergreen, which has also been provided to Trustees. She would like to discuss this as a future agenda item as a very effective evaluation tool. Dr. Coon noted that he was not at San Jose Evergreen when they implemented that evaluation system.

Legislative Report – Trustee Long commented on an article from the Campaign for College Opportunity about AS Degree for Transfer Progress for California Community Colleges and asked staff to review the information related to the College of Marin.

14. M/s (O’Brien/Long) to approve the Meeting Minutes of November 13, 2012. Motion carried 7-0, plus an advisory aye vote by Student Trustees Scott Blood.

15. Board President Namnath referred Trustees to their packets to review the information items.
   A. Contracts and Agreements for Services – November 2012
   B. Modernization Update
      1. Director’s Report
      2. Contract Milestones Report through November 2012
      3. Program Schedule

16. Administrative Procedures
    ▪ AP 4228 Course Repetition – Significant Lapse of Time
    ▪ AP 4240 Academic Renewal
    ▪ AP 7236 Substitute and Short-Term Employees

17. Calendar of Special Events
    ▪ College Holiday Party, December 19, Woodlands Café, 3:00 p.m.

18. Correspondence


20. M/s (O’Brien/Conti) to adjourn the Board Meeting. Motion carried 7-0, plus an advisory aye vote by Student Trustee Blood.

Meeting was adjourned at 8:50 p.m. in memory of Robert (Bob) Chamberlain a long-time employee with the College of Marin.