BOARD OF TRUSTEES
REGULAR MEETING AGENDA

May 21, 2013
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, Austin Science Center, Room 146, 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 – 5:30 p.m., Cafeteria, Student Services
   1. Call to Order, Roll Call and Adoption of Closed Session Agenda
   2. Public Comment
   3. Recess to Closed Session

B. Closed Session
   1. CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code Section 54957.6)
      Relative to the following organizations representing employees: United Professors of
      Marin (UPM/AFT); California School Employees Associations (CSEA); Service Employees
      International Union (SEIU); Unrepresented Employees (Confidential, Supervisors,
      Management)
      Labor Negotiator: Bruce Heid
   2. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation (Govt. Code Section 54956.9 (a))
      Two Mize Kurzman vs. MCCD
      Kesecker vs. MCCD
   3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)
      Title: Superintendent/President

C. Open Session – 6:30 p.m., Cafeteria, Student Services Building, Kentfield Campus
   1. Call to Order, Roll Call and Adoption of Agenda
   2. 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
   3. Chief Executive Officer’s Report
      A. Accreditation
      B. Update on Tentative Budget Planning (Harrison)
   4. Academic Senate Report (5 minutes)
   5. Classified Senate Report (5 minutes)
   6. Student Association Report (5 minutes)
   7. Board Study Session
      A. OPEB Investment Strategy (Harrison)
   8. Consent Calendar Items (Roll Call Vote)
      A. Calendar of Upcoming Meetings
         ▪ June 8, 2013, Board Retreat, Staff Lounge, Student Services, Kentfield Campus
         ▪ June 18, 2013, Regular Meeting, Building 27, Rms. 116 & 118, Indian Valley Campus
      B. Approve Classified Personnel Recommendations
1. Appointment of Classified Personnel
2. Classified Request for Leave of Absence/Uncompensated Leave
3. Resignation/Termination of Classified Personnel
4. Permanent Increase/Decrease in Classified Assignment/Staff Plan

C. Approve Classified Position Recommendation

D. Approve Short-Term Hourly Positions

E. Approve Academic Personnel Recommendations
   1. Resignation of Academic Personnel
   2. Change in Retirement Date of Academic Personnel

F. Approve Budget Transfers – Month of April 2013

G. Approve Warrants - Month of April 2013

H. Approve Declaration of Surplus Property – Miscellaneous Equipment

I. Second Reading and Approval of Board Policies
   ▪ BP 5500 Standards of Conduct

J. Modernization (Measure C)
   1. Ratify/Approve Modernization Contracts, Changes, Amendments ($925,656.66)
   2. Declaration of Surplus Disposal
      New Academic Center Relocation (850J); Austin Swing Space (850E); Child Study Center (303C)

9. Other Action Items
   A. Resolution # 2013 – 14 Consolidation of Elections (ROLL CALL VOTE)
   B. Resolution # 2013 – 15 In Support of Classified School Employees Week (ROLL CALL VOTE)
   C. Resolution # 2013 – 16 To Establish and Approve Supplemental Early Retirement (SERP) for Management Employees (ROLL CALL VOTE)
   D. Resolution #2013 – 17 To Establish and Approve Supplemental Retirement Plan (SERP for California School Employees Association (CSEA) and Service Employees International Union (SEIU) and Supervisory Employees (ROLL CALL VOTE)
   E. Resolution # 2013 – 18 To Establish and Approve a Classified Professional Emeritus Program (ROLL CALL VOTE)
   F. Approve Investment Strategy for OPEB Trust in CalPERS CERTB
   G. Approve Revised Scheduled Maintenance Project Funding Proposal
   H. Approve Barnes and Noble Renewal Agreement
   I. Approve Tentative Agreements between Marin Community College District and California School Employees Association, Chapter 196 (CSEA)
J. Accept Service Employees International Union (SEIU) Local 1021 Initial Contract Proposal and Public Hearing

K. District Proposal to Service Employees International Union (SEIU) Local 1021 and Public Hearing

L. Approval of Citizens’ Oversight Committee Members

M. Modernization (Measure C)
   1. Resolution #2013 - 19 (ROLL CALL VOTE) Approve Change Order #1 to Construction Contract with Aanenson Wildcat Engineering ($3,831.32) Academic Center Temporary Driveway (303B)
   3. Approve Contract Amendment to Professional Services Agreement with Sally Swanson Architects ($75,000.00) Fusselman Hall ADA Upgrades – ADA (309A)
   4. Re-Authorization for Staff Approval of Measure C Contract Changes and Amendments
   5. Approve Authorization to Re-Bid and Award Contract Fine Arts Weatherization Project (306D)
   6. Approve Authorization to Bid and Award Construction Contract New Academic Center (303B)
   7. Approve Notice of Completion - Academic Center Temporary Driveway (303B) Anderson Wildcat Engineering
   8. Approve Notice of Completion - New Academic Center Tree Program (303B) Treemasters Tree and Garden Care Inc.

10. Board Policy Review (1st Reading)
    - BP 4040 Library and Other Instructional Support Services

11. Future Agenda Items
    A. CEO Evaluation
    B. Board Self Evaluation
    C. Marin Promise

12. Board Reports and/or Requests (15 minutes)
    A. Committee Chair Reports
    B. Legislative Report
    C. Individual Reports/or Requests

13. Approval of Meeting Minutes (2 minutes)
    - Approve Minutes of March 29, 2013 Board Retreat
    - Approve Minutes of April 16, 2013 Board Meeting
14. Information Items (see written reports)
   A. Contracts and Agreements for Services – April 2013
   B. Modernization Update
      1. Director’s Report
      2. Program Schedule
      3. Milestones Report
      4. Quarterly Report Q1 2013
   C. Administrative Procedures
      - AP 3500 Campus Safety
      - AP 3515 Reporting of Crimes
      - AP 3530 Weapons on Campus
   D. Calendar of Special Events
      - Scholarship Awards Ceremony, May 22, 2013, 5:30 p.m., Student Services Center
      - Faculty and Staff Appreciation Luncheon, May 23, 2013
      - Commencement, May 24, 2013, 6:00 p.m., Diamond Physical Education Center
      - 2013 Athletic Hall of Fame Induction Ceremony/Dinner, June 1, 2013

15. Correspondence

16. Board Meeting Evaluation

17. Adjournment
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Date: May 21, 2013
Item & File No. C.8.B.

Subject: Classified Personnel Recommendations
Reason for Board Consideration: CONSENT APPROVAL
Enclosure(s): Recommendations

BACKGROUND:

The following actions are included in the Classified Personnel Recommendations:

1. Appointment of Classified Personnel
2. Classified Request for Leave of Absence/Uncompensated Leave
3. Resignation/Termination of Classified Personnel
4. Permanent Increase/Decrease in Classified Assignment/Staff Plan

BUDGET IMPLICATIONS: All recommendations are within budgeted FTE and are on the non-instructional side of the 50% law.


R. Bradford, B. DeAvila, L. Drisdell and J. Dunn are on the instructional side of the 50% law.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the Classified Personnel Recommendations.

Administrator Initiating Item: Kristina Combs, Executive Director of Human Resources & Labor Relations
1. APPOINTMENT OF CLASSIFIED PERSONNEL

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Division/Department</th>
<th>FTE</th>
<th>MPY</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>DeAvilan, Brittany</td>
<td>Instructional Specialist – English (College Skills)</td>
<td>.50</td>
<td>8.5</td>
<td>05/01/2013</td>
</tr>
<tr>
<td>2</td>
<td>Drisdell, Lucas</td>
<td>Instructional Specialist – English (College Skills)</td>
<td>.50</td>
<td>8.5</td>
<td>08/19/2013</td>
</tr>
<tr>
<td>3</td>
<td>Keener, Jeaneffer</td>
<td>Custodian</td>
<td>1.0</td>
<td>12</td>
<td>05/13/2013</td>
</tr>
</tbody>
</table>

BACKGROUND INFORMATION:

1. Ms. DeAvilan has accepted the .50FTE/8.5MPY position of Instructional Specialist- English (College Skills) effective May 1, 2013.

2. Mr. Drisdell has accepted the .50FTE/8.5MPY position of Instructional Specialist – English (College Skills) effective August 19, 2013.

3. Ms. Keener has accepted the 1.0/12MPY position of Custodian effective May 13, 2013.
2. CLASSIFIED REQUEST FOR LEAVE OF ABSENCE/UNCOMPENSATED LEAVE

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Position</th>
<th>FTE</th>
<th>MPY</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Dunn, Jason</td>
<td>Lab Technician – Fine Arts</td>
<td>1.0</td>
<td></td>
<td>08/01/2013– 01/02/2014</td>
</tr>
</tbody>
</table>

BACKGROUND INFORMATION:

1. Employee has requested a Leave of Absence/Uncompensated Leave from his classified assignment for the Fall 2013, semester in order to assume the duties of a full-time instructor as a sabbatical replacement in the Fine Arts Department.
### 3. RESIGNATION/TERMINATION OF CLASSIFIED PERSONNEL

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Position</th>
<th>FTE</th>
<th>MPY</th>
<th>Type</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Bradford, Robert</td>
<td>Instructional Specialist – DSPS</td>
<td>.53</td>
<td>11</td>
<td>Retirement</td>
<td>*COB 06/30/2013</td>
</tr>
<tr>
<td>2.</td>
<td>Bradford, Robert</td>
<td>Alternate Media Specialist – DSPS</td>
<td>.47</td>
<td>11</td>
<td>Retirement</td>
<td>*COB 06/30/2013</td>
</tr>
<tr>
<td>3.</td>
<td>Brown, Steve</td>
<td>Media Services Coordinator</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>COB 12/30/2013</td>
</tr>
<tr>
<td>4.</td>
<td>Gold, Kathleen</td>
<td>Bookstore Manager</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>COB 06/30/2013</td>
</tr>
<tr>
<td>5.</td>
<td>Jackson, Robin</td>
<td>Production Technician</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>COB 06/30/2013</td>
</tr>
<tr>
<td>6.</td>
<td>Kirkpatrick, Kathleen</td>
<td>Staff Development Program Administrator</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>COB 06/30/2013</td>
</tr>
<tr>
<td>7.</td>
<td>Kutcher, Nancy</td>
<td>Media Center Specialist</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>COB 12/30/2013</td>
</tr>
<tr>
<td>8.</td>
<td>LaRocca, David</td>
<td>Custodian</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>*COB 06/30/2013</td>
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<tr>
<td>9.</td>
<td>Mueller, Faye</td>
<td>Instructional Specialist – Distance Education</td>
<td>.80</td>
<td>8.5</td>
<td>Retirement</td>
<td>8/1/2013</td>
</tr>
<tr>
<td>10.</td>
<td>Obregozo, Juan</td>
<td>Custodial Supervisor</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>*COB 06/30/2013</td>
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<tr>
<td>11.</td>
<td>Saccuzzo, Sherry</td>
<td>EOPS/CALWorks Specialist</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>COB 12/30/2013</td>
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<tr>
<td>12.</td>
<td>Scott, Susan</td>
<td>Administrative Assistant – Counseling</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>*COB 06/30/2013</td>
</tr>
<tr>
<td>13.</td>
<td>VanLoan, Frances G</td>
<td>Library Technical Specialist</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>COB 12/30/2013</td>
</tr>
<tr>
<td>14.</td>
<td>Yanez, Frank</td>
<td>Custodian</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>*COB 06/30/2013</td>
</tr>
<tr>
<td>15.</td>
<td>White-Lambert Cathy</td>
<td>Media Services Coordinator</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>COB 12/30/2013</td>
</tr>
</tbody>
</table>

May 21, 2013 Board Item
BACKGROUND INFORMATION:


3. Mr. Brown has submitted his letter of resignation for retirement purposes effective close of December 30, 2013.


8. Mr. LaRocca has revised his letter of resignation for retirement purposes effective close of business June 30, 2013.


10. Ms. Saccuzzo has submitted her letter of resignation for retirement purposes effective close of business December 30, 2013.

11. Ms. Scott has revised her letter of resignation for retirement purposes effective close of business June 30, 2013.


13. Mr. Yanez has revised his letter of resignation for retirement purposes effective close of business June 30, 2013.


*Revised retirement date to June 30, 2013.
### 4. PERMANENT INCREASE/DECREASE IN CLASSIFIED ASSIGNMENT/STAFF PLAN

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Division/Department</th>
<th>FTE</th>
<th>MPY</th>
<th>Effective Date</th>
</tr>
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<tbody>
<tr>
<td>1.</td>
<td>Fahy, Linda</td>
<td>From: Office Technician – Children’s Center</td>
<td>.66</td>
<td>10.5</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>To: Administrative Assistant – Children’s Center</td>
<td>.73</td>
<td>10.5</td>
<td>07/01/2013</td>
</tr>
</tbody>
</table>

**BACKGROUND INFORMATION:**

1. The Marin Community College District (MCCD) and the California Schools Employees Association (CSEA) signed a Memorandum of Understanding (MOU) dated April 22, 2013; in order to settle a long-standing Out-of-Class Assignment regarding Ms. Fahy.

Effective July 1, 2013, Ms. Fahy’s .66FTE-10.5MPY position of *Office Technician* (Range 105) in the Children’s Center will be permanently reclassified to *Administrative Assistant* (Range 109). In addition, her permanent FTE will be increased from (.66FTE/10.5MPY) to (.73FTE/10.5MPY).
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA  94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date: May 21, 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. C.8.C.</td>
</tr>
<tr>
<td>Subject:</td>
<td>Classified Position Recommendations</td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>CONSENT APPROVAL</td>
<td>Enclosure(s): Job Description(s)</td>
</tr>
</tbody>
</table>

BACKGROUND:

The District and CSEA have discussed and agreed to minor language changes for the following job description:

*Transfer and Career Technician (Range 111)*

In addition, at the May 2013, Board Retreat, a Memorandum of Understanding (MOU) dated March 6, 2013, between the Marin Community College District (MCCD) and California Schools Employees Association (CSEA) was approved that implements CSEA’s proposed 15% list of equity adjustments.

The following classification of *Systems Developer* is one of those equity adjustments. Effective July 1, 2013, the job current job description of *Systems Developer* Range (128) will change to *Systems Administrator* (Range 133).

**BUDGET IMPLICATIONS:** All recommendations are within budgeted FTE and are on the non-instructional side of the 50% law.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve the following action effective May 21, 2013; approve revised job descriptions.

Administrator Initiating Item: Kristina Combs, Executive Director of Human Resources and Labor Relations
JOB DESCRIPTION

Marin Community College District
835 College Avenue
Kentfield, CA 94904

Transfer and Career Center Technician

Purpose Statement

The job of Transfer and Career Center Technician is done for the purpose/s of maintaining operation of Transfer and Career Center; assisting students in the use of reference materials and programs; coordinating college recruiter visits; ordering and stocking application forms and catalogs; and serving on a variety of standing committees.

Essential Functions

Assists in the design, scheduling and evaluation of programs and workshops for the purpose of promoting program effectiveness and student achievement.

Coordinates on-campus site visits by college and university recruiters for the purpose of ensuring availability of facilities and enhancing students' access to educational opportunities.

Establish a special program of transfer-related activities for under represented students beyond the regular activities of the Transfer and Career Center for the purpose of providing transfer and career guidance.

Identify under represented students with transfer potential for the purpose of providing transfer and career guidance.

Maintains materials and software library, help develop and maintain a Transfer and Career website, etc. (e.g. applications, brochures, transfer agreements, etc.) for the purpose of ensuring availability of materials at site location.

Monitors student activities for the purpose of collecting information for use in evaluating and modifying programs.

Participates in a variety of committees, workshops and advisory groups for the purpose of conveying and/or gathering information required to perform functions.

Prepares written materials (e.g. reports, instructions, memos, handouts, flyers, invitations, etc.) for the purpose of providing written support and/or conveying information.

Promotes use of Transfer and Career Center resources (e.g. distributing flyers, maintaining campus bulletin boards; etc.) for the purpose of developing student interest and participation.

Other Functions

Assists other personnel as may be required for the purpose of supporting them in the completion of their work activities.

Job Requirements: - Minimum Qualifications

Skills, Knowledge and Abilities

SKILLS are required to perform multiple technical tasks with an occasional need to upgrade skills due to changing job conditions. Specific skills required to satisfactorily perform the functions of the job include: communicating with persons of varied cultural and educational backgrounds; operating equipment used in computer lab., classroom and offices; preparing and maintaining accurate records; and operating standard office equipment including pertinent software applications. Use of new or additional equipment brought about by new technology shall be incorporated consistent with the level of responsibility and complexity of this job. The candidate should have evidence of strong ability in public speaking, composing written correspondence, compiling and composing data for reports, and designing publicity materials. The candidate should be proficient in the use of computers including, but not limited to, programs such as Word, Excel and Power Point. The candidate must be flexible and willing to learn about new and developing technology and to offer in-service training to students and faculty.

KNOWLEDGE is required to perform algebra and/or geometry; read technical information, compose a variety of documents and/or facilitate group discussions; and solve practical problems. Specific knowledge required to satisfactorily perform the functions of the job includes: operation of higher educational institutions; career resources; personnel computers and peripheral equipment; Internet search engine and assessment software applications. The candidate should have evidence of successful work experience of increasing responsibility with extensive public contact including the requirement of being sensitive to the needs of persons from diverse cultures and language groups. Work experience in a college or university, social services or related agency, including knowledge of how transfer materials are integrated as part of the community college transfer process, as well as course work in the field of sociology, psychology, interpersonal communications, while not required of the candidate, would be desirable.
ABILITY is required to schedule a significant number of activities; routinely gather, collate, and/or classify data; and use basic job related equipment. Flexibility is required to work with others under a wide variety of circumstances; analyze data utilizing defined but different processes; and operate equipment using standard methods of operation. Ability is also required to work with a significant diversity of individuals and/or groups; work with data of different types and/or purposes; and utilize job related equipment. In working with others, problem solving is required to analyze issues, create plans of action and reach solutions; with data it is limited; and with equipment it is limited. Specific abilities required to satisfactorily perform the functions of the job include: communicating with diverse groups; dealing with changing priorities; and working under frequent interruptions. Sensitivity to and understanding of the diverse academic, socioeconomic, cultural and ethnic backgrounds, disabilities and learning styles of community college students and staff.

Responsibility
Responsibilities include: working under limited supervision focusing primarily on results; leading, guiding and/or coordinating other persons; and operating within a defined budget and/or financial guidelines. Utilization of resources from other work units may be required to perform the job's functions. There is a continual opportunity to impact the Organization's services.

Working Environment
The usual and customary methods of performing the job's functions requires the following physical demands: occasional lifting, carrying, pushing and/or pulling; some climbing and balancing; some stooping, kneeling, crouching and/or crawling; significant reaching, handling, fingering and/or feeling. Generally the job requires 75% sitting, 5% walking and 20% standing. The job is performed under minimal temperature variations, a generally hazard free environment, and in a clean atmosphere.

Experience: Job Related Experience is required.
Education: Bachelors Degree or equivalent related college course work and professional experience.

Required Testing:
Continuing Educ. / Training:

Certificates & Licenses:
Clearances:
Criminal Justice/Fingerprint Clearance
TB Clearance

F.I.S.A Status:
Salary Grade: CSEA 111
TRANSFER AND CAREER CENTER TECHNICIAN

Purpose Statement: (Duties, General Description)
The Transfer and Career Center Technician maintains operation of the Transfer and Career Center in accordance with provisions and intent of the Student Success Act of 2012; assists students in understanding transfer and career options and opportunities, including via up to date and pertinent reference materials and programs; plans for, schedules, promotes, coordinates, and evaluates college recruiter visits; orders and stocks application forms, catalogs, and other relevant materials; convenes the Transfer & Career Advisory Committee; and serves on a variety of standing and ad hoc committees.

Essential Functions:
Assists the Dean of Student Success, Counselors, and others in the design, scheduling and evaluation of programs and workshops for the purpose of promoting program effectiveness and student achievement.

Coordinates on-campus site visits by college and university recruiters for the purpose of ensuring availability of facilities and enhancing students’ access to educational opportunities.

Establishes a special program of transfer-related activities for under-represented students beyond the regular activities of the Transfer and Career Center for the purpose of providing transfer and career guidance.

Identifies under represented students with transfer potential for the purpose of providing transfer and career guidance.

Maintains materials and software library, develops and maintains a Transfer and Career website, etc. (e.g. applications, brochures, transfer agreements, etc.) for the purpose of ensuring availability of materials at site location.

Monitors student activities for the purpose of collecting information for use in evaluating and modifying programs.

Participates in a variety of committees, workshops and advisory groups for the purpose of conveying and/or gathering information required to perform functions.

Prepares written materials (e.g. reports, instructions, memos, web content, handouts, flyers, invitations, etc.) for the purpose of providing written support and/or conveying information.

Promotes use of Transfer and Career Center resources (e.g. developing and maintaining web page with pertinent and accurate information, creating and distributing fliers, maintaining campus bulletin boards; etc.) for the purpose of developing student interest and participation.

Collaborates with Counselors, other faculty, and Student Services Staff to ensure transfer and career programs are integrated into the larger student success efforts of the institution.

Other Functions:
Assists other personnel as may be required for the purpose of supporting them in the completion of their work activities.

Knowledge, Skills and Abilities: (Desirable Attributes & Skills)
KNOWLEDGE is required to perform algebra and/or geometry; read technical information, compose a variety of documents and/or facilitate group discussions; and solve practical problems. Specific knowledge required to satisfactorily perform the functions of the job includes: operation of higher educational institutions; career resources; personal computers and peripheral equipment; Internet search engine and assessment software applications. The candidate should have evidence of successful work experience of increasing responsibility with extensive public contact including the requirement of being sensitive to the needs of persons from diverse cultures and language groups. Work experience in a college or university, social services or related agency, including knowledge of how transfer materials are integrated as part of the community college transfer process, as well as course work in the field of sociology, psychology, interpersonal communications, while not required of the candidate, would be desirable.
SKILLS are required to perform multiple technical tasks with an occasional need to upgrade skills due to changing job conditions. Specific skills required to satisfactorily perform the functions of the job include: communicating with persons of varied cultural and educational backgrounds; operating equipment used in computer lab, classroom and offices; preparing and maintaining accurate records, and operating standard office equipment including pertinent software applications. Use of new or additional equipment brought about by new technology shall be incorporated consistent with the level of responsibility and complexity of this job. The candidate should have evidence of strong ability in public speaking, communicating complex information, composing written correspondence, compiling and composing data for reports, designing publicity materials, and collaborating with a wide range of constituents. The candidate should be proficient in the use of computers including, but not limited to, programs such as Word, Excel, Power Point, and web applications. The candidate must be flexible and willing to learn about new and developing technology and to offer in-service training to students and faculty.

ABILITY is required to schedule a significant number of activities; routinely gather, collate, and/or classify data; and use basic job related equipment. Flexibility is required to work with others under a wide variety of circumstances; analyze data utilizing defined but different processes; and operate equipment using standard methods of operation. Ability is also required to work with a significant diversity of individuals and/or groups; work with data of different types and/or purposes; and utilize job related equipment. In working with others, problem solving is required to analyze issues, create plans of action and reach solutions; with data it is limited; and with equipment it is limited. Specific abilities required to satisfactorily perform the functions of the job include: communicating with diverse groups; dealing with changing priorities; and working under frequent interruptions. Sensitivity to and understanding of the diverse academic, socioeconomic, cultural and ethnic backgrounds, disabilities and learning styles of community college students and staff.

Responsibility:
Responsibilities include: working under limited supervision focusing primarily on results; leading, guiding and/or coordinating other persons; and operating within a defined budget and/or financial guidelines. Utilization of resources from other work units may be required to perform the job's functions. There is a continual opportunity to impact the Organization’s services. Limited travel for the purposes of coordinating with four year and other institutions will be required.

Working Environment:
The usual and customary methods of performing the job’s functions requires the following physical demands: occasional lifting, carrying, pushing and/or pulling; some climbing and balancing; some stooping, kneeling, crouching and/or crawling; significant reaching, handling, and manual dexterity. Generally the job requires 75% sitting, 5% walking and 20% standing. The job is performed under minimal temperature variations, a generally hazard free environment, and in a clean atmosphere.

Minimum Qualifications/Position Requirements (Education & Experience):
1.) A Bachelor’s degree with study in job related area and job related experience; or
2.) Any combination of education and training equivalent to four years’ college-level coursework from an accredited institution in a related field and related job experience. Additional years of job related experience may be considered in lieu of education required on a year-for-year basis.

Desirable Qualifications:

Certificates & Licenses:

Clearances: Criminal Justice/Fingerprint Clearance & TB Clearance

FLSA Status: Non-exempt

Date: April 22, 2013

Bargaining Unit: CSEA

Salary Range: 111
Purpose Statement: (Duties, General Description)
The job of System Developer is done for the purpose/s of leading, designing and the implementation of new administrative software modules and enhancements to existing software, the design of the college's web site together with the web developer, the design of the physical and logical network layout, network security, and maintenance together with the network administrator. Determines the viability of new technology for implementation in the college. This position is the main resource for the conceptualization of development efforts (hardware and software). This position reports directly to the Director of Information Technology. It serves as a main resource for the whole department, and takes functional assignments from project leaders.

Essential Functions:
Coordination of the transition of the legacy system to a client-server based system for the purpose of guaranteeing continued access to vital information.

Develops the structure and parameters for network expansions, improvements, and changes (e.g. networking hardware and NOS)) for the purpose of guaranteeing continuing access to information for the MCCD.

Develops the structure and parameters for new modules as well as enhancements and/or corrections to existing modules of all administrative software for the purpose of satisfying the internal needs and external mandates for information storage and retrieval.

Investigates and tests the feasibility, efficiency and cost-effectiveness of the implementation of new ideas for the purpose of ensuring that resources and technology are available and utilized effectively.

Monitors tests, implements, and certifies all network expansions, improvements, and changes (e.g. networking hardware and NOS), for the purpose of accessibility to relevant information for the MCCD as well as ensuring the necessary continuity of operations.

Resolves system problems (e.g. (networking hardware and NOS)) for the purpose of maintaining accessibility to relevant information for the MCCD as well as ensuring the necessary continuity of operations.

Knowledge, Skills and Abilities: (Desirable Attributes & Skills)
SKILLS are required to perform multiple highly complex technical tasks with a continual need to upgrade skills due to changing job conditions. Specific skills required to satisfactorily perform the functions of this job include: utilizing pertinent software applications: Word processors, spreadsheets, RDBMs, CAD, drawing tools, specialized network management software, programming languages (Visual Basic, Java, VBScript, Microsoft Access, Delphi, Visual InterDev, Crystal Report Writer).

Working Environment:
The usual and customary methods of performing the job's functions requires the following physical demands: some lifting, carrying, pushing and/or pulling; some climbing and balancing; some stooping, kneeling, crouching and/or crawling; significant reaching, handling, fingering and/or feeling. Generally the job requires 85% sitting, 5% walking and 10% standing. The job is performed under minimal temperature variations, a generally hazard free environment, and in a clean atmosphere.

Minimum Qualifications: (Position Requirements)
(Education & Experience)
Bachelor's Degree in job related area AND
Job related experience within Specialized Field
Cisco Certification
Desirable Qualifications:

Certificates & Licenses:
Cisco Certification

Clearances:
Criminal Justice/Fingerprint Clearance
TB Clearance

FLSA Status:
Exempt

Date: January 11, 2006
Bargaining Unit: CSEA
Salary Range: 128
COLLEGE OF MARIN
JOB DESCRIPTION

SYSTEMS ADMINISTRATOR

Purpose Statement:  (Duties, General Description)
Under the direction of the Director of Information Technology, performs a variety of specialized
tasks, using mostly Microsoft Windows Server technologies that entail all aspects of systems
management, administration and operations.

Essential Functions:
Install, evaluate, administer, monitor, maintain and assure smooth and proper functioning of
assigned computer systems. Provide specialized services in the development and maintenance
of computer systems and related infrastructure.

Identify, troubleshoot and resolve problems, concerns and security issues with server hardware
and software, and related network services.

Manage the College’s email environment, including Microsoft Exchange, Barracuda email
gateway, Ipswitch’s IMAP software, and listservs. Provide user support.

Provide for the effective and efficient back-up, storage, retrieval, customization and archiving of
data and files on servers.

Monitor for signs of security breaches and respond according to established protocol.

Keep an accurate inventory of servers, including but not limited to purchase date, operating
system, hardware configuration and network configuration.

Prepare and log procedural documentation for critical cyclical tasks.

Review and evaluate existing systems designs to determine effectiveness and operational
efficiency.

Provide technical assistance and user support to College personnel, administrators and others
concerning assigned computer systems; respond to inquiries and provide detailed and technical
information concerning related equipment, hardware, software, data, configuration,
malfunctions, applications, practices, techniques and procedures.

Research and evaluate new technologies for possible implementation; confer and collaborate
with staff concerning system needs, issues and malfunctions; provide recommendations for and
assist in coordinating the purchase and implementation of new technologies.

Establish and maintain contact with vendors to request product information, request and discuss
pricing, and to respond to problems and warranty questions and issues.

Communicate with personnel and vendors to exchange information and resolve issues or
concerns.

Operate a variety of computers, servers, peripherals and specialized software; drive a vehicle to
conduct work.

Respond to emergency off-hours technology needs and requests as directed.
Other Functions:
Perform related duties as assigned.

Knowledge, Skills and Abilities: (Desirable Attributes & Skills)

ABILITY to monitor and evaluate the performance of assigned computer systems to assure proper functioning. Troubleshoot and resolve issues, problems and malfunctions with assigned computer systems and related servers, networks, hardware, software and computer operations. Review, analyze and modify existing systems and programs as necessary. Install, configure and assure smooth and efficient operation of system servers, hardware and other system components, equipment and devices. Administer and modify systems and assure proper security, operations and data integrity. Implement necessary alterations to enhance and assure proper functioning of assigned systems. Analyze requests for system additions and revisions. Operate computers, servers and peripheral equipment properly and efficiently. Provide training and technical support to system users. Analyze situations accurately and adopt an effective course of action. Meet schedules and time lines. Work independently with little direction. Maintain records and prepare reports. Communicate effectively both orally and in writing. Establish and maintain cooperative and effective working relationships with others.

Working Environment:
ENVIRONMENT: Office environment. Driving a vehicle to conduct work.
PHYSICAL DEMANDS: Dexterity of hands and fingers to operate a computer keyboard. Hearing and speaking to exchange information. Seeing to read a variety of materials and view a computer monitor. Sitting for extended periods of time.

Minimum Qualifications/Position Requirements (Education & Experience):
1.) A Bachelor's degree with study in job related area and job related experience; or

2.) Any combination of education and training equivalent to four years' college-level coursework from an accredited institution in a related field and related job experience. Additional years of job related experience may be considered in lieu of the education required on a year-for-year basis; and

3.) Two years' experience involving MS Exchange management, two years experience using MS Windows Server technologies and server virtualization using MS Hyper-V, two years experience using Active Directory and DNS.

Desirable Qualifications:
Experience installing and managing Red Hat Linux servers, Ipswitch's IMAP and Whatsup Gold, Barracuda email gateway, SANs, developing backup strategies.
Proposed: 4.22.13

COLLEGE OF MARIN
JOB DESCRIPTION

Certificates & Licenses:
Valid California driver's license. Preferred: Microsoft Certified Systems Engineer (MCSE)

Clearances: Criminal Justice/Fingerprint Clearance & TB Clearance

FLSA Status: Non-exempt

Date: 7/1/2013

Bargaining Unit: CSEA

Salary Range: 133
**BOARD AGENDA ITEM**

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date: May 21, 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No. C.8.D.</td>
</tr>
<tr>
<td>Subject:</td>
<td>Short-Term Hourly Positions</td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>CONSENT APPROVAL</td>
<td>Enclosure(s): Job Descriptions</td>
</tr>
</tbody>
</table>

**BACKGROUND:**

Pursuant to Assembly Bill 500, a Short-Term hourly employee cannot begin working until the Board has taken action at a regularly scheduled meeting to approve these positions. The attached job descriptions are submitted for approval.

**FISCAL IMPACT:**

All recommendations are within budget and are on the **instructional** & **non-instructional** side of the 50% law.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve the attached short-term hourly positions.

Administrator Initiating Item: Kristina Combs, Executive Director of Human Resources & Labor Relations
JOB DESCRIPTIONS for SHORT-TERM HOURLY POSITIONS– May 21, 2013

1. **Department Aide IV:** Assist Classified Staff in the Career Study Center  
   - **Department:** Work Force Development  
   - **Number of Positions:** 1  
   - **Position Dates:** 8/19/13 – 12/20/13  
   - **Hourly Rate:** $18.00

2. **Reader:** Reader for the Court Reporting Program  
   - **Department:** Work Force Development  
   - **Number of Positions:** 1  
   - **Position Dates:** 6/17/13 – 9/28/13 and 7/1/13 -12/20/13  
   - **Hourly Rate:** $9.50

3. **Department Aide IV:** Assist students in the CIS Computer labs with their assignments during nights and Saturdays at Kentfield and Indian Valley Campuses.  
   - **Department:** Business & Information Systems  
   - **Number of Positions:** 3  
   - **Position Dates:** 8/19/13 – 12/20/13  
   - **Hourly Rate:** $11.75
The following actions are included in the Academic Personnel Recommendations:

1. Resignation of Academic Personnel
2. Change in Retirement Date of Academic Personnel

**FISCAL IMPACT:** All recommendations are within budgeted FTE and are on the instructional side of the 50% law.

**RECOMMENDATION:**

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

Administrator Initiating Item: Kristina Coombs, Executive Director of Human Resources and Labor Relations
**1. Resignation of Academic Personnel**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Title/Discipline</th>
<th>FTE</th>
<th>Appt. Type</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Allis, Maria</td>
<td>Site Supervisor, Child Development Center</td>
<td>1.0</td>
<td>Resignation</td>
<td>June 3, 2013</td>
</tr>
</tbody>
</table>

**BACKGROUND INFORMATION:**

1. Ms. Maria Allis has submitted her resignation effective June 3, 2013.
### 2. Change in Retirement Date of Academic Personnel

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Name</th>
<th>Title/Discipline</th>
<th>FTE</th>
<th>Appt. Type</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Flandreau, Tara</td>
<td>Instructor, Music</td>
<td>1.0</td>
<td>Resignation</td>
<td>June 1, 2013</td>
</tr>
<tr>
<td>2.</td>
<td>Hlavachek, Letta</td>
<td>Counselor</td>
<td>1.0</td>
<td>Resignation</td>
<td>May 25, 2013</td>
</tr>
<tr>
<td>3.</td>
<td>Lansing, Ira</td>
<td>Instructor, Mathematics</td>
<td>1.0</td>
<td>Resignation</td>
<td>May 25, 2013</td>
</tr>
<tr>
<td>4.</td>
<td>Tenison-Scott, Joetta</td>
<td>Counselor/Cal Works</td>
<td>1.0</td>
<td>Resignation</td>
<td>June 1, 2013</td>
</tr>
</tbody>
</table>

**BACKGROUND INFORMATION:**

1. Change retirement date for Tara Flandreau from June 30, 2013 to June 1, 2013.
4. Change retirement date for Joetta Tenison-Scott from June 30, 2013 to June 1, 2013.
BACKGROUND:

The accompanying information includes forty budget transfers in April 2013 totaling $50,312 in the Unrestricted Fund.

There were thirteen budget transfers in April 2013 totaling $87,108 in the Restricted Fund including one transfer from Restricted Reserve Contingency for $26,598 to align DSPS and Matriculation budgets funds with State allocations.

There were no budget transfers in the Child Development Fund.

There were twelve budget transfers from Measure C Funds totaling $780,931 including three from Measure C Contingency Reserves in April 2013 for $530,843 including $520,000 for Jacobs Management and $10,843 for the Math, Science and Nursing building.

Net effect of transfers for the Month.

<table>
<thead>
<tr>
<th>Object Code</th>
<th>General Fund</th>
<th>Child Development</th>
<th>Capital Outlay</th>
<th>Measure C Bond</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000 (Certificated Salary)</td>
<td>(5,322)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000 (Classified Salary)</td>
<td>(21,718)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>3000 (Employee Benefits)</td>
<td>6,442</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4000 (Supplies)</td>
<td>(45,393)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5000 (Other Operating Exp.)*</td>
<td>89,409</td>
<td></td>
<td>244,288</td>
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</tr>
<tr>
<td>6000 (Capital Outlay)</td>
<td>3,180</td>
<td></td>
<td>286,555</td>
<td></td>
</tr>
<tr>
<td>7000 (Other Outgo)**</td>
<td>(26,598)</td>
<td></td>
<td>(530,843)</td>
<td></td>
</tr>
</tbody>
</table>

*Includes utilities, consultants, travel, legal services, maintenance contracts, etc.
**Includes contingency reserves, financial aid awards, and inter-fund transfers.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the April 2013 Budget Transfers.
<table>
<thead>
<tr>
<th>Measure C</th>
<th>13032</th>
<th>13033</th>
<th>13054</th>
<th>13056</th>
<th>13057</th>
<th>13065</th>
<th>13090</th>
<th>13101</th>
<th>13125</th>
<th>13111</th>
<th>13186</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>83,378.03</td>
<td>110,000.00</td>
<td>22,562.00</td>
<td>6,301.00</td>
<td>17,380.00</td>
<td>22,562.00</td>
<td>220,000.00</td>
<td>300,000.00</td>
<td>-</td>
<td>10,843.00</td>
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<tr>
<td>Ellucian Services</td>
<td>Ellucian Services</td>
<td>Maintenance for Degreeworks</td>
<td>Degreeworks Consulting &amp; Training</td>
<td>Degreeworks Consulting &amp; Training</td>
<td>Degreeworks Consulting &amp; Training</td>
<td>Jacobs Management</td>
<td>Jacobs Management</td>
<td>Jacobs Management</td>
<td>0.00</td>
<td>Clocks for Science, Math and Nursing building</td>
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<tr>
<td>17</td>
<td>10,843.00</td>
<td>(10,843.00)</td>
<td>0.00</td>
<td>0.00</td>
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<td>0.00</td>
<td>0.00</td>
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<tr>
<td>TOTAL MEASURE C FUND</td>
<td>$ 244,288.03</td>
<td>$ 286,554.97</td>
<td>$ 530,843.00</td>
<td>$ 0.00</td>
<td>$ 780,351.02</td>
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<tr>
<td>TOTAL ALL FUND</td>
<td>$ (5,322.00)</td>
<td>$ (21,717.74)</td>
<td>$ 6,442.00</td>
<td>$ (45,392.52)</td>
<td>$ 89,408.74</td>
<td>$ 3,179.52</td>
<td>$ (20,598.00)</td>
<td>$ 87,108.32</td>
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**BUDGET TRANSFERS**

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</thead>
<tbody>
<tr>
<td>12640</td>
<td>(35,000.00)</td>
<td>35000</td>
<td>0.00</td>
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<td>0.00</td>
<td>35,000.00</td>
<td>0.00</td>
<td>35,000.00</td>
<td>0.00</td>
<td>35,000.00</td>
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<tr>
<td>13002</td>
<td>(13,000.00)</td>
<td>13000</td>
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<td>13,000.00</td>
<td>0.00</td>
<td>13,000.00</td>
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<tr>
<td>12640</td>
<td>(12,640.00)</td>
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<tr>
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<td>$60,640.00</td>
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<td>$60,640.00</td>
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</tbody>
</table>

**Notes:**
- The budgeted inter-project transfers were funds remained within the same account code and transfers offset to zero, not included in totals.

**Object Code**

<table>
<thead>
<tr>
<th>Account Code</th>
<th>4000</th>
<th>4000</th>
<th>5000</th>
<th>5000</th>
<th>6000</th>
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<tbody>
<tr>
<td>12640</td>
<td>(35,000.00)</td>
<td>35000</td>
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<td>35,000.00</td>
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<td>35,000.00</td>
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<td>35,000.00</td>
<td>0.00</td>
</tr>
<tr>
<td>13002</td>
<td>(13,000.00)</td>
<td>13000</td>
<td>0.00</td>
<td>13,000.00</td>
<td>0.00</td>
<td>13,000.00</td>
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<td>13,000.00</td>
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<tr>
<td>12640</td>
<td>(12,640.00)</td>
<td>12640</td>
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<td>12,640.00</td>
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</tr>
<tr>
<td>$0.00</td>
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<td>$0.00</td>
<td>$0.00</td>
<td>$60,640.00</td>
<td>$60,640.00</td>
<td>$0.00</td>
<td>$60,640.00</td>
<td></td>
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</tr>
</tbody>
</table>

**Total Measure C Building transfers were funds remained within same account code.**
To: Board of Trustees
From: Superintendent/President
Subject: Warrant Approval for Month of April 2013

Reason for Board Consideration: Consent Approval

BACKGROUND:

Attached are the numbers and amount of warrants prepared for purchase orders already issued, purchase orders previously approved for purchases over $15,000 for labor or $50,000 for materials and supplies and direct charges. Warrant registers are available in Fiscal Services for review. For the period 04/01/2013 through 04/30/2013, warrants 158674 -159283 were issued in the total amount of $2,712,931.

Payroll warrants 10017045-10017440 and payroll automated clearing house warrants 50022708-50023282 totaled $1,984,185 for the month of April.

Total amount of warrants for the month of April were $4,697,116.

RECOMMENDATION:

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

Administrator Initiating Item
Albert J. Harrison II, Vice President, College Operations
DATE: May 21, 2013

TO: Members of the Board of Trustees

SUBJECT: Payment for Goods and/or Services ratified

Per Board Bylaw 1.5310, Section i-7, it is recommended that warrants 158674-159283 in the amount of $2,712,931 for the period 04/01/2013 through 04/30/2013 be approved for payment. For the period 04/01/2013 through 04/30/2013, payroll warrants 10017045-10017440 were issued and payroll clearing house warrants 50022708-50023282 for a combined payroll total of $1,984,185. Copies of invoices and individual warrants are available for review in the Fiscal Services Office. I certify that the warrants listed are proper payments of invoices for previously approved purchase orders, agreements, contracts, utilities, materials, services, claims and payroll. Total warrants for April 2013 were $4,697,116.

_________________________________________________________________________________

President or Designee

Payment for Goods and Services Summary
General Fund – All Programs
April 2013

Warrant totals distributed by fund and expense category as follows:

**General Fund Breakdown:**

<table>
<thead>
<tr>
<th>Unrestricted Fund</th>
<th>Amounts</th>
<th>Restricted Fund</th>
<th>Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies</td>
<td>$43,553</td>
<td>Supplies</td>
<td>$20,929</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>209,006</td>
<td>Operating Expenses</td>
<td>22,688</td>
</tr>
<tr>
<td>Capital Expenditures</td>
<td>34,032</td>
<td>Capital Expenditures</td>
<td>459</td>
</tr>
<tr>
<td>Student Refunds</td>
<td>21,808</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>$308,399</strong></td>
<td><strong>$44,076</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Totals of all Funds:**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted Fund</td>
<td>$308,399</td>
</tr>
<tr>
<td>Restricted Fund</td>
<td>44,076</td>
</tr>
<tr>
<td><strong>Total General Fund</strong></td>
<td><strong>$352,475</strong></td>
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<tr>
<td>Child Development Fund</td>
<td>$2,259</td>
</tr>
<tr>
<td>Investment Trust Fund</td>
<td>-</td>
</tr>
<tr>
<td>Self Insurance Fund</td>
<td>47,229</td>
</tr>
<tr>
<td>Measure C Bond Fund</td>
<td>1,075,891</td>
</tr>
<tr>
<td><strong>Subtotal Other Funds</strong></td>
<td><strong>$1,125,379</strong></td>
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<tr>
<td>Payroll and Benefits</td>
<td>3,219,262</td>
</tr>
<tr>
<td><strong>Total Payments</strong></td>
<td><strong>$4,697,116</strong></td>
</tr>
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</table>
To: Board of Trustees  
From: Superintendent/President  
Subject: Declaration of Surplus Property – Miscellaneous Equipment

<table>
<thead>
<tr>
<th>Reason for Board Consideration:</th>
<th>Consent Approval</th>
<th>Enclosure(s):</th>
<th>List of Equipment</th>
</tr>
</thead>
</table>

**BACKGROUND:**

In accordance with Board Policy, the District will submit to the Board a list of equipment to declare surplus. The items listed on the attachment(s) have been determined to have no further value to the District. Some of the items have been replaced and are no longer used. Some items are simply old and repair and/or maintenance is not cost effective. Items that have no value will be disposed of. The District may be able to sell some of the equipment. No one item or item lot is valued at $5,000 or more.

In accordance with Board Policy and Education Code Section 81452(a), a unanimous vote is required declaring the value of any one item or item lot to be less than $5,000. Upon a unanimous vote, the items may then be disposed of pursuant to the provisions of Education Code Section 81452(c).

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees declare the items described on the attached surplus and that no single item or item lot is valued at $5,000 or more and further authorize the District to dispose of the equipment, pursuant to Education Code Section 81452(c), as the District feels is appropriate.

Administrator Initiating Item:  
A. J. Harrison II, Vice President of College Operations
<table>
<thead>
<tr>
<th>Campus</th>
<th>Dept</th>
<th>Quant</th>
<th>Detailed Description</th>
<th>Inventory #</th>
<th>Age</th>
<th>Condition</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>KTD</td>
<td>EMT Department</td>
<td>1</td>
<td>Hospital Bed</td>
<td>n/a</td>
<td>10-15 years</td>
<td>out of date</td>
<td>Dispose</td>
</tr>
<tr>
<td>KTD</td>
<td>EMT Department</td>
<td>2</td>
<td>Scoop Stretchers</td>
<td>n/a</td>
<td>10-15 years</td>
<td>out of date</td>
<td>Dispose</td>
</tr>
<tr>
<td>KTD</td>
<td>EMT Department</td>
<td>1</td>
<td>Metal Gurney</td>
<td>n/a</td>
<td>10-15 years</td>
<td>out of date</td>
<td>Dispose</td>
</tr>
<tr>
<td>KTD</td>
<td>EMT Department</td>
<td>2</td>
<td>Stairchairs</td>
<td>n/a</td>
<td>10-15 years</td>
<td>out of date</td>
<td>Dispose</td>
</tr>
<tr>
<td>KTD</td>
<td>EMT Department</td>
<td>2</td>
<td>Traction Splints</td>
<td>n/a</td>
<td>10-15 years</td>
<td>out of date</td>
<td>Dispose</td>
</tr>
</tbody>
</table>
To: Board of Trustees  
From: Superintendent/President  
Subject: Second Reading and Approval of Revised Board Policies

Reason for Board Consideration: Consent Approval
Enclosure(s): Proposed revised policies

BACKGROUND:

At the April 16, 2013 Board of Trustees meetings, recommended proposal to revise Board Policy in Chapter 5 Student Services included in the agenda for a first reading.

After review by the Board the following Board Policy is hereby presented for a second reading and Board approval:

- BP 5500 Standards of Conduct

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve adoption of Board Policy 5500.

Administrator Initiating Item  David Wain Coon, Ed.D., Superintendent/President
Marin Community College District Policy

BP 5500

STANDARDS OF CONDUCT

References:

   ACCJC Accreditation Standard II.A.7.b;
   Education Code Sections 48900(q), 66300, 66301, 66450, 67361, 67362, 76033, 76120, 78907, 81600, and 87708;
   Government Code Sections 995 et seq.;
   Business and Professions Code Section 4240;
   Health and Safety Code Sections 11014.5 and 11053;
   Penal Code Sections 415, 502, and 626.2

The Standards of Conduct governing students shall be implemented in accordance with the requirements for due process of the federal and state law and regulations.

The Standards of Conduct shall identify potential disciplinary actions that may be taken for violations of the standards of conduct described in this policy, including but not limited to the removal, suspension or expulsion of a student.

The Board of Trustees shall consider any recommendation from the Superintendent/President for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.

Information on inappropriate student conduct and disciplinary actions shall be made widely available to students through the District catalog and other relevant District publications.

When a student is suspended or expelled for disrupting the orderly operations of a District campus or facility, or both, the student shall be denied access to the campus or facility, or both, for a period of one year or the term of the suspension, whichever is shorter. Sanctions imposed as a result of violations of the student standards of conduct are intended to maintain order within the District.

The Administrative Dean who authorized the sanctions shall give written notice to the student’s instructor(s) of the sanctions within 15 days of imposing the sanctions.

The following conduct shall constitute good cause for discipline, including but not limited to removal, suspension, or expulsion of a student when the conduct relates to college activity or college attendance.

1. Assault, battery, or attempted assault or battery, or any threat of force or violence upon a student or District personnel.
2. Possession, sale or otherwise furnishing any firearm, dirk, dagger, ice pick, knife, explosive or other dangerous object, including but not limited to any facsimile of the foregoing objects, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from the Chief of Police who has the concurrence of the Superintendent/President. Possession of a knife does not violate this provision if possession is at the direction of an academic employee for use in a District-sponsored activity or class, for a lawful purpose within the scope of the student’s employment with the District, or for lawful use in food preparation or consumption. Also see BP/AP 3530 titled Weapons on Campus.

3. Unlawful possession, use, sale, offering to sell, or furnishing, or being under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind; or any poison defined in Business and Professions Code Section 4240, or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

4. Committing, attempting, or being an accomplice to robbery or extortion.

5. Causing or attempting to cause damage to District property or to private property on campus.

6. Stealing or attempting to steal District property or private property on campus, or knowingly receiving stolen District property, or knowingly receiving stolen private property on campus.

7. Willful or persistent smoking in any area where smoking has been prohibited by law or regulation of the District.

8. Committing sexual harassment as defined by law or by District policies and procedures.

9. Engaging in harassing or discriminatory behavior based on ethnic group identification, national origin, religion, age, sex or gender, gender identity, gender expression, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, genetic information, or on the basis of one or more of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

10. Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyberbullying.

11. Willful misconduct which results or has the potential to result in injury or death to a student or to District personnel or which results in cutting, defacing, or other damage to any real or personal property owned by the District or on campus. The District may require students who cause damage to replace property or pay the cost of damages.

12. Continued disruptive behavior, continued willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent interruption or abuse of, District personnel.
13. Cheating, plagiarism (including plagiarism in a student publication), or knowingly engaging in other forms of academic dishonesty, including, but not limited to:
   a. Copying, in part or whole, from someone else’s quiz, examination, or work. For purpose of this item, “examination” includes quizzes, tests, and other graded or evaluated exercise.
   b. Submitting work previously presented in another course, if contrary to the rules of either course.
   c. Altering or interfering with grading.
   d. Using or consulting any sources or materials, including electronic devices, not authorized by the professor during an examination.
   e. Committing other acts which defraud or misrepresent one’s own academic work.
   f. Incorporating sentences, paragraphs, or parts of another person’s writing, without giving appropriate credit, and representing the product as one’s own work.
   g. Representing another’s artistic/scholarly works (such as musical compositions, computer programs, photographs, paintings, drawings, or sculptures) as one’s own work.
   h. Submitting an academic assignment purchased from a research/term paper service, or written by another individual; or work obtained electronically (e.g. via the internet) and representing it as one’s own work.
   i. Purposefully allowing another student to copy from your paper during an examination.
   j. Giving your homework, term paper, or other academic work to another student to plagiarize.
   k. Having another person fraudulently submit any work in your name.
   l. Lying to an instructor or District official to improve your grade.
   m. Allowing other persons to misrepresent themselves as the student for any purpose, including interacting with any District employees, submission of work, attendance, or taking examinations.
   n. Misrepresenting circumstances in an effort to improve a grade.
   o. Altering graded work after it has been returned and then submitting the work for re-grading without the instructor’s permission.
   p. Removing tests or examinations from the classroom or other area without the approval of the instructor.
   q. Stealing or being an accomplice to stealing tests or examinations.
   r. Forging signatures on drop/add slips or altering other District documents.

14. Dishonesty; forgery; alteration or misuse of District documents, records or identification; or knowingly furnishing false information to the District.

15. Unauthorized possession, duplication, or use of keys to any District premises or unauthorized entry upon or use of District facilities.

16. Engaging in expression which is libelous or slanderous; or which so incites others as to create a clear and present danger of the commission of unlawful acts on District premises or at District-sponsored or supervised functions, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.

17. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
18. Unauthorized preparation, giving, selling, transferring, distributing, or publishing for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any District Policy or Administrative Procedure.

19. The use by a student of any electronic listening or recording device in any classroom without the prior consent of the instructor, except as necessary to provide reasonable auxiliary aids and academic adjustments or accommodations to a student with a disability.

20. Violation of BP/AP 3720 titled Information Technology Use or any conduct that constitutes a computer-related crime pursuant to Penal Code Section 502.

21. The offering of any inducement or item of value to influence the awarding of any grade or to alter any official District record.

22. Solicitation or acceptance of money or other item of value as an inducement, encouragement, or reward for intercollegiate participation in violation of Education Code Section 67361 or false declarations regarding eligibility for participation in intercollegiate athletics under Education Code Section 67362.

23. Accessing and/or disclosing confidential District information, including student records, without authorization. Also see BP/AP 3300 titled Public Records, BP/AP 4231 titled Grade Changes, and BP/AP 5040 titled Student Records.

24. Failure to obey federal, state, and local laws in connection with District attendance or activity.

25. Tampering with the election of any student organization recognized by the District.

26. Hazing defined as a “method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, ‘hazing’ does not include athletic events or school-sanctioned events.” (Education Code Section 48900(q))

27. Abuse of the Student Conduct System, including but not limited to:
   a. Failure to obey the summons of the Student Conduct Hearing Committee or District official.
   b. Falsification, distortion, or misrepresentation of information.
   c. Disruption or interference with the orderly conduct of a judicial proceeding or Student Conduct Hearing Committee.
   d. Attempting to discourage an individual’s proper participation in, or use of, the District judicial system.
e. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of, the judicial proceeding or Student Conduct Hearing Committee.

f. Failure to comply with the sanctions imposed under the Standards of Conduct and/or Education Code.

g. Influencing or attempting to influence another person to commit an abuse of the judicial system.

28. Operating bicycles or motorized bicycles, skateboards, roller skates, roller blades, scooters, and other similar devices on any property owned, maintained, or controlled by the District in violation of AP 6850 titled Bicycles, Skateboards, Roller Skates, Roller Blades, Scooters and Other Similar Devices on Campus.

Students who engage in any of the above conduct are subject to the procedures outlined in AP 5520 titled Student Discipline Procedures.

Also see BP/AP 6850 titled Bicycles, Skateboards, Roller Skates, Roller Blades, Scooters and Other Similar Devices on Campus, AP 6520 titled Security for District Property, BP/AP 3410 titled Nondiscrimination, and BP/AP 3900 titled Speech: Time, Place, and Manner

__________________________________________________________________________________________

NOTE: The underlined regular text language is from legal Update 20. Reviewed by Jon Eldridge 2/12/13 and approved to move forward. The language struck through is recommended for deletion. Approved by Academic Senate 2/28/13.

Date Adopted: May 17, 2011
(Replaces College of Marin Policies 4.0020, 4.0022, and 4.0025)
BACKGROUND:
New contracts, amendments and change orders to Measure C bond modernization program contracts are listed below for Board approval or ratification. Full copies of the contract documents are available for review in the Jacobs office.

<table>
<thead>
<tr>
<th>Contract Description</th>
<th>Firm Name</th>
<th>Project Description</th>
<th>Original $</th>
<th>No. of Changes</th>
<th>This Change</th>
<th>Total Changes</th>
<th>Total Contract to Date</th>
<th>Contingency</th>
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<td>Construction Contracts –</td>
<td>Treemasters Garden &amp; Care, Inc</td>
<td>New Academic Center (303B)</td>
<td>$970.00</td>
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<tr>
<td>Ratification</td>
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<td>Science Math Nursing (305A)</td>
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<tr>
<td></td>
<td>dba Wildcat Engineering</td>
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<td></td>
<td>Environmental Resource Group, Inc</td>
<td>Austin Swing Space (850E)</td>
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<tr>
<td></td>
<td>Aanensen Wildcat Engineering Inc</td>
<td>Science Math Nursing (303B)</td>
<td>$2,700.00</td>
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<tr>
<td></td>
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<td>JBJordan &amp; Associates</td>
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<td>$5,984.79</td>
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<td>Glass &amp; Sash</td>
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<td>New Academic Center Relocation (850E)</td>
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<td>Rivas Concrete, Inc</td>
<td>Science Math Nursing (305A)</td>
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<td>Environmental Resource Group, Inc</td>
<td>Austin Swing Space (850E)</td>
<td>$875.00</td>
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<td>Pacific Light &amp; Shade Inc</td>
<td>Pacific Light &amp; Shade Inc</td>
<td>District FF&amp;E (813B)</td>
<td>$1,927.00</td>
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<td>Pacific Light &amp; Shade Inc</td>
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<td>AE Nelson Construction</td>
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<td>New Academic Center Relocation (850J) HR</td>
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<td>Empire Elevator</td>
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<td>Science Math Nursing (305A)</td>
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<td>B Cantarutti Electric Inc</td>
<td>B Cantarutti Electric Inc</td>
<td>New Academic Center Relocation (850J)</td>
<td>$12,486.00</td>
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<td>B Cantarutti Electric Inc</td>
<td>B Cantarutti Electric Inc</td>
<td>New Academic Center Relocation (850J)</td>
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<td></td>
<td>B. Cantarutti Electric Co.</td>
<td>Science Math Nursing (305A); New Academic Center Relocation (850J)</td>
<td>$3,749.00</td>
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<td>Marin Mechanical II, Inc</td>
<td>Science Math Nursing (305A)</td>
<td>$4,900.00</td>
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</tr>
<tr>
<td>Contractor</td>
<td>Project Description</td>
<td>Contract Amount</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>---------------------------------</td>
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<tr>
<td>Silverado Contractors Inc</td>
<td>New Academic Center (303B)</td>
<td>$689,000.00</td>
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<tr>
<td>AE Nelson Construction</td>
<td>New Academic Center Relocation (850J) Harlan Ctr</td>
<td>$4,875.00</td>
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<tr>
<td>AE Nelson Construction</td>
<td>Performing Arts Modernization (306A)</td>
<td>$2,339.11</td>
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<td>Dan Davis Communications</td>
<td>Science Math Nursing (305A)</td>
<td>$12,770.00</td>
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<td>Dan Davis Communications</td>
<td>Science Math Nursing (305A)</td>
<td>$5,765.00</td>
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<tr>
<td>Dan Davis Communications</td>
<td>Austin Swing Space (850E)</td>
<td>$1,860.00</td>
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**Construction Change Orders- Approval**

<table>
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<tr>
<th>Contractor</th>
<th>Project Description</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jluchetti Construction</td>
<td>Child Study Center Increment 1 (303C)</td>
<td>$1,165,500.00</td>
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<tr>
<td>Treemasters Garden &amp; Care Inc</td>
<td>New Academic Center (303B)</td>
<td>$28,330.00</td>
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**Professional Services Amendments- Ratification**

<table>
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<tr>
<th>Contractor</th>
<th>Project Description</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>CSW/Stuber-Stroeh Engineering Group Inc</td>
<td>New Academic Center (303B)</td>
<td>$436,067.00</td>
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<tr>
<td>Nor Cal Moving Services</td>
<td>New Academic Center Relocation (303B)</td>
<td>$130,590.00</td>
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<tr>
<td>Julia H. Beatty</td>
<td>New Academic Center Relocation (850J)</td>
<td>$25,000.00</td>
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<td>Degenkolb</td>
<td>Austin Swing Space (850E; New Academic Center Relocation)</td>
<td>$228,850.00</td>
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<tr>
<td>ED2 International</td>
<td>Science Math Nursing (305A)</td>
<td>$6,950,000.00</td>
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<td>Consolidated Engineering Labs</td>
<td>Child Study Center (303C)</td>
<td>$30,000.00</td>
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<td>Visions Management</td>
<td>Austin Swing Space (850E)</td>
<td>$50,000.00</td>
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</table>

**Professional Services Agreement - Approval**

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Project Description</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sunshine Cleaning</td>
<td>New Academic Center Relocation (850J)</td>
<td>$2000.00</td>
</tr>
</tbody>
</table>

**Note:** *Quantum Mechanical Co contract ratified at BOT 1/15/13, corrected to read Quantum Mechanical, Inc.*

**FISCAL IMPACT:**
These contract changes will be paid from Measure C bond funds.

**RECOMMENDATION:**
The Superintendent/President recommends that the Board approve or ratify the above-listed change orders and amendments.
BOARD AGENDA ITEM

To: Board of Trustees         Date: May 21, 2013
From: Superintendent/President Item & File No. C.8.J.2.
Subject: Declaration of Surplus Disposal
          Austin Swing Space (850E); New Academic Center Relocation (850J); Child Study Center(303C)
Reason for Board Consideration: CONSENT APPROVAL

Enclosure(s):
List of Equipment

BACKGROUND:

The attached list represents equipment left behind, or no longer needed, as a result of the moves into the
new Child Study Center, out of Harlan Center, and into Austin Swing Space. All of the furniture, fixtures &
equipment on the lists has been reviewed and declared surplus by District personnel.

In accordance with Board Policy and Education Code Section 81452(a), the Board is asked to declare the
attached list of equipment as surplus. The items are determined to have no further value to the District –
they are no longer used and were replaced or are beyond cost effective repair. Items with no value will
be disposed of appropriately. No individual item or “item lot” is valued at more than $5,000.

In accordance with Board Policy and Education Code Section 81452(a), a unanimous vote is required to
dispose of the surplus items. The items may then be disposed of pursuant to the provisions of Education
Code Section 81452(c) and in manner consistent with Board policy.

FISCAL IMPACT:

None

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees declare the items as surplus (as
described on the attached list); declare that no single item or item lot is valued at $5,000 or more; and
authorize the District to dispose of the equipment, pursuant to Education Code Section 81452(s), as the
District feels is appropriate.

Administrator Initiating Item          Administrator Approving Item
Laura McCarty                      David Wain Coon, Ed. D.
Director of Modernization           Superintendent/President
<table>
<thead>
<tr>
<th>QT Y</th>
<th>Inventory No.</th>
<th>Room</th>
<th>Description</th>
<th>Detail</th>
<th>Condition (Poor, Fair, Good)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Admin 116</td>
<td></td>
<td>Telephone</td>
<td>Siemens White</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
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<td>116</td>
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<td>1</td>
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<tr>
<td>1</td>
<td>Admin 36</td>
<td>36</td>
<td>Telephone</td>
<td>Vtech s/desk set</td>
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</tr>
<tr>
<td>1</td>
<td>Admin 36</td>
<td>36</td>
<td>Telephone</td>
<td>Single Line</td>
<td>Poor</td>
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## E-Waste From Harlan Center

<table>
<thead>
<tr>
<th>QTY</th>
<th>Inventory No.</th>
<th>Room</th>
<th>Description</th>
<th>Detail</th>
<th>Condition (Poor, Fair, Good)</th>
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<tbody>
<tr>
<td>2</td>
<td></td>
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<td>Printer Tables</td>
<td>Metal w/wheels - broken</td>
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<tr>
<td>2</td>
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<td>Boxes with slots</td>
<td>Metal 12 slots ea.</td>
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<tr>
<td>1</td>
<td>102</td>
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<td>Server Rack Box</td>
<td>beige metal</td>
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<td>1</td>
<td>10857</td>
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<td>12</td>
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<td>Televisions</td>
<td>various sizes and mfg.</td>
<td>Poor</td>
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<td>3</td>
<td></td>
<td></td>
<td>Support bars</td>
<td>metal various sizes</td>
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<tr>
<td>1</td>
<td></td>
<td></td>
<td>Microwave</td>
<td>Oster - rusty</td>
<td>Poor</td>
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<tr>
<td>9</td>
<td></td>
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<td>Monitors</td>
<td>various sizes and mfg.</td>
<td>Poor</td>
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<td>Printer</td>
<td>HP</td>
<td>Poor</td>
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<td>5</td>
<td></td>
<td></td>
<td>Keyboards</td>
<td>beige metal</td>
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</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td>Computer</td>
<td>Apple FCC BCG9Z6A9M0108</td>
<td>Poor</td>
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<tr>
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<td></td>
<td></td>
<td>Text Card</td>
<td>Apple</td>
<td>Poor</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td>Drive</td>
<td>Apple 5.25</td>
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<td></td>
<td></td>
<td>Head Sets</td>
<td>Various Mfg.</td>
<td>Poor</td>
</tr>
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<td>1</td>
<td></td>
<td></td>
<td>Dictaphone</td>
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<tr>
<td>QT Y</td>
<td>Inventory No.</td>
<td>Rm #</td>
<td>Description</td>
<td>Detail</td>
<td>Condition (Poor, Fair, Good)</td>
</tr>
<tr>
<td>------</td>
<td>---------------</td>
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<td>--------------------------------------</td>
<td>-----------</td>
<td>------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Austin Swing Surplus</td>
<td></td>
<td></td>
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<td>135</td>
<td>N/A</td>
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<td>Tall Drafting Style Rolling Chairs</td>
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<td>32</td>
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<td>Stackable Chairs</td>
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</tr>
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<td>Side Chairs</td>
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<tr>
<td>6</td>
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<td>Computer Tables</td>
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<td>N/A</td>
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<td>10ft White Board</td>
<td>Wallmount</td>
<td>Fair</td>
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<td>1</td>
<td>N/A</td>
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<td>Small Table</td>
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<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
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<td>3 High Lateral File Cabinet</td>
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<td>Poor</td>
</tr>
<tr>
<td>2</td>
<td>N/A</td>
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<td>Metal/Laminate</td>
<td>Poor</td>
</tr>
<tr>
<td>3</td>
<td>N/A</td>
<td></td>
<td>Large Book Shelves</td>
<td>Wood</td>
<td>Poor</td>
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<tr>
<td>1</td>
<td>N/A</td>
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<td>Rolling TV Cart</td>
<td>Metal</td>
<td>Poor</td>
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<tr>
<td>1</td>
<td>N/A</td>
<td></td>
<td>Television</td>
<td>19&quot;</td>
<td>Poor</td>
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<tr>
<td>1</td>
<td>N/A</td>
<td></td>
<td>VCR</td>
<td>Sharp</td>
<td>Poor</td>
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<tr>
<td>19</td>
<td>N/A</td>
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<td>Desk</td>
<td>Metal/Laminate</td>
<td>Poor</td>
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<tr>
<td>4</td>
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<td>Medium Tables</td>
<td>Metal/Laminate</td>
<td>Poor</td>
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<tr>
<td>2</td>
<td>N/A</td>
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<td>5 Drawer Cabinet</td>
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<tr>
<td>1</td>
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<td></td>
<td>Large Table</td>
<td>Metal/Laminate</td>
<td>Poor</td>
</tr>
<tr>
<td>2</td>
<td>N/A</td>
<td></td>
<td>Small Desk</td>
<td>Wood</td>
<td>Poor</td>
</tr>
<tr>
<td>22</td>
<td>N/A</td>
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<td>4 High File Cabinet</td>
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<tr>
<td>1</td>
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<td>Metal/Laminate</td>
<td>Poor</td>
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<tr>
<td>6</td>
<td>N/A</td>
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<td>Tall Book Case - Missing Shelves</td>
<td>Wood</td>
<td>Good</td>
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<td>N/A</td>
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<td>Desk - Broken</td>
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<td>Poor</td>
</tr>
<tr>
<td>Cage</td>
<td>Item Description</td>
<td>Material</td>
<td>Condition</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----</td>
<td>-------------------------------------------</td>
<td>----------</td>
<td>-----------</td>
<td></td>
<td></td>
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<tr>
<td>5</td>
<td>Surplus Cage Refrigerators</td>
<td>Metal</td>
<td>Poor</td>
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<td></td>
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<tr>
<td>4</td>
<td>Surplus Cage Tall Cabinets with Doors</td>
<td>Metal/Glass</td>
<td>Poor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Surplus Cage Large Desk</td>
<td>Wood</td>
<td>Fair</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Surplus Cage Desk</td>
<td>Wood</td>
<td>Poor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Surplus Cage Book Shelf</td>
<td>Wood</td>
<td>Poor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Surplus Cage 5 High File Cabinets</td>
<td>Metal</td>
<td>Poor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Surplus Cage 2 High Lateral File Cabinets</td>
<td>Metal</td>
<td>Poor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Surplus Cage Student Desks</td>
<td>Metal/Plastic/Laminate</td>
<td>Poor</td>
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<td></td>
</tr>
<tr>
<td>2</td>
<td>Surplus Cage Rolling Office Chairs</td>
<td>Metal/Plastic</td>
<td>Poor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Surplus Cage Medium Book Shelf</td>
<td>Metal</td>
<td>Poor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Surplus Cage Small Cabinet</td>
<td>Metal</td>
<td>Poor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Surplus Cage 2 High File Cabinet</td>
<td>Metal</td>
<td>Poor</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION NO. 2013 - 14

RESOLUTION OF THE GOVERNING BODY OF THE

MARIN COMMUNITY COLLEGE DISTRICT

PROPOSING AN ELECTION BE HELD IN ITS JURISDICTION;
REQUESTING THE BOARD OF SUPERVISORS TO CONSOLIDATE WITH ANY
OTHER ELECTION CONDUCTED ON SAID DATE, AND REQUESTING
ELECTION SERVICES BY THE MARIN COUNTY ELECTIONS DEPARTMENT

WHEREAS, it is the determination of said governing body that the Uniform District
Election to be held on the 5th day of November, 2013, at which election the issue to be
presented to the voters shall be:

To elect members to the Board of Directors

  Number of Regular Term Positions (4 year)   3
  Number of Short Term Positions (2 year)     ____

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of
Marin is hereby requested to:

  1) Consolidate said election with any other applicable election conducted on the
     same day;
  2) Authorize and direct the Elections Department at District expense, to provide all
     necessary election services and to canvass the results of said election.

PASSED AND ADOPTED this 21st day of May, 2013 by the following vote:

AYES:
NOES:
ABSENT:

_______________________________
PRESIDENT, BOARD OF TRUSTEES

ATTEST: ______________________________
            Secretary to the Board
MARIN COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES

RESOLUTION No. 2013 - 15
IN SUPPORT OF CLASSIFIED SCHOOL EMPLOYEES WEEK

WHEREAS, classified professionals provide valuable and integral services to the students of the Marin Community College District;

WHEREAS, classified professionals contribute to the establishment and promotion of a positive instructional environment; and

WHEREAS, classified professionals serve a vital role in providing for the welfare and safety of Marin Community College District’s students; and

WHEREAS, classified professionals employed by the Marin Community College District strive for excellence in all areas relative to the educational community.

THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Marin Community College District hereby recognize and honor the contributions of classified professionals to quality education in the State of California at the Marin Community College District and declare the week of May 19 – 25, 2013, as Classified School Employees Week in the Marin Community College District.

RESOLVED, that this Resolution be made a part of the official minutes of the meeting and of the permanent files of the District.

PASSED AND ADOPTED THIS 21st day of May, 2013, by the Board of Trustees of the Marin Community College District of Marin County, California, by the following vote:

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA  )
COUNTY OF MARIN  )

I, David Wain Coon, Ed.D., Superintendent/President of the Marin Community College District of Marin County, California, do hereby certify that the Board of Trustees adopted the foregoing resolution at a regular meeting at the time and by the vote stated above.

______________________________
David Wain Coon, Ed.D.
Superintendent/President
Secretary to the Board of Trustees
TO: Board of Trustees        DATE: May 21, 2013
FROM: Superintendent/President

ITEM & FILE NO. C.9.C.

SUBJECT: Adoption of Resolution to Establish and Approve Marin Community College District Supplemental Employee Retirement Plan (SERP) for Management Employees

REASON FOR BOARD CONSIDERATION:

ACTION: Resolution

BACKGROUND:

The Superintendent/President presents the Resolution for the implementation of Marin Community College District Supplemental Employee Retirement Plan (SERP) for Management Employees. The Resolution establishes and approves the retirement plan for eligible faculty of the District and adopts that certain plan known as the Marin Community College District Supplemental Employee Retirement Plan.

BUDGET IMPLICATIONS:

The actual financial impact will be a result of the number of unit members electing to participate in the SERP. Two Managers have opted to participate. There are no anticipated salary savings.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees adopt the Resolution to implement the Supplemental Employee Retirement Plan (SERP) for Management Employees attached as document to this item.

Administrator Initiating Item: David Wain Coon, Ed.D., Superintendent/President
MARIN COMMUNITY COLLEGE DISTRICT
RESOLUTION # 2013 - 16
To Establish and Approve Marin Community College District
Supplemental Employee Retirement Plan (SERP) for
Management Employees

On May 21, 2013, the Board of Trustees of the Marin Community College District held a meeting. All members of the Board were present except the following:

On motion of Board Member _______________________, duly seconded and carried, the following Resolution was adopted:

WHEREAS, California Government Code Section 53224 authorizes school districts to make contributions to retirement plans; and

WHEREAS, the MARIN COMMUNITY COLLEGE DISTRICT desires to provide retirement benefits to its employees under such a plan; and

THEREFORE, IT IS RESOLVED that the Board of Trustees of MARIN COMMUNITY COLLEGE DISTRICT hereby establishes and approves a retirement plan for certain eligible employees of the District effective July 1, 2013 (Group 1) or January 1, 2014 (Group 2).

RESOLVED FURTHER that the Board hereby adopts that certain plan known as the MARIN COMMUNITY COLLEGE DISTRICT Management Supplemental Employee Retirement Plan, effective July 1, 2013 or January 1, 2014.

RESOLVED FURTHER that under such Plan, for employees retiring by June 30, 2013 (Group 1); the District shall contribute 65% of the employee’s annual base salary, per the current salary schedule into a fixed guaranteed annuity. For employees retiring by December 31, 2013 (Group 2); the District shall contribute 55% of the employee’s annual base salary, per the current salary schedule, into a fixed guaranteed annuity.

RESOLVED FURTHER that, for purposes of the limitations on contributions under the Plan, as prescribed by section 415 of the Internal Revenue Code of 1986, as amended, the “limitation year” shall be the Plan Year, as defined under the terms and provisions of the Plan.

RESOLVED FURTHER that, for purposes of clarification of administration of the Plan but not for purposes of making said Plan subject to title I of ERISA, the Board hereby designates the District as the plan administrator.

RESOLVED FURTHER that the Board hereby appoints Keenan Financial Services as the contract administrator to assist the District in the implementation and administration of the Plan.
PASSED and ADOPTED this 21\textsuperscript{st} day of May, 2013, by the Board of Trustees of the Marin Community College District by the following vote:

AYES:

____________________________________________________________________________

NOES:

______________________________________________________________

ABSENT:

___________________________________________________________________________

ABSTAIN:

__________________________________________________________________________

I, David Wain Coon, Ed.D., Superintendent/President and Secretary to the Board of Trustees of the Marin Community College District of Marin County, California, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by said Board at a regular meeting thereof, held at its regular place of meeting at the time and by the vote stated above.

___________________________________
David Wain Coon, Ed.D.
Secretary to the Board of Trustees
Marin Community College District
BOARD AGENDA ITEM

To: Board of Trustees  Date: May 21, 2013
From: Superintendent/President  Item & File No. C.9.D.

Subject: Adoption of Resolution to Establish and Approve Marin Community College District Supplemental Employee Retirement Plan (SERP) for California Schools Employees Association – Chapter 196 (CSEA); Service Employees International Union – Local -1021 (SEIU) and Supervisory Employees

Reason for Board Consideration: Enclosure(s):

BACKGROUND:

The Superintendent/President presents the Resolution for the implementation of Marin Community College District Supplemental Employee Retirement Plan (SERP) for the California Schools Employees Association Chapter 196 (CSEA); Service Employees International Union – Local-1021 (SEIU) and Supervisory Employees.

The Resolution establishes and approves the retirement plan for eligible faculty of the District and adopts that certain plan known as the Marin Community College District Supplemental Employee Retirement Plan.

BUDGET IMPLICATIONS:
The actual financial impact will be a result of the number of unit members electing to participate in the SERP. Twenty (20) classified unit members have opted to participate. The estimated 5 year net savings is approximately $325,000. The savings are based on the following assumptions:

- Replace at likely starting salary
- Employees are not Classical PERS members, therefore contribute their employee portion of PERS
- Average benefit costs are consistent with retirees’ benefit costs
- 1/5 of the estimate SERP payment has been deducted
- Does not consider that some staff are leaving mid-year next year-this is an annual estimate, not an estimate for next year
- Unrestricted fund savings

RECOMMENDATION:
The Superintendent/President recommends that the Board of Trustees adopt the Resolution to implement the Supplemental Employee Retirement Plan (SERP) for the California Schools Employees Association Chapter 196 (CSEA); Service Employees International Union – Local-1021 (SEIU) and Supervisory Employees attached as document to this item.

Administrator Initiating Item: David Wain Coon, Ed.D., Superintendent/President
MARIN COMMUNITY COLLEGE DISTRICT
RESOLUTION # 2013 - 17
To Establish and Approve Marin Community College District
Supplemental Employee Retirement Plan (SERP) for California Schools Employees Association Chapter 196 (CSEA); Service Employees International Union – Local-1021 (SEIU) and Supervisory Employees

On May 21, 2013, the Board of Trustees of the Marin Community College District held a meeting. All members of the Board were present except the following:

On motion of Board Member ____________________________, duly seconded and carried, the following Resolution was adopted:

WHEREAS, California Government Code Section 53224 authorizes school districts to make contributions to retirement plans; and

WHEREAS, the MARIN COMMUNITY COLLEGE DISTRICT desires to provide retirement benefits to its employees under such a plan; and

THEREFORE, IT IS RESOLVED that the Board of Trustees of MARIN COMMUNITY COLLEGE DISTRICT hereby establishes and approves a retirement plan for certain eligible employees of the District effective July 1, 2013 (Group 1) or January 1, 2014 (Group 2).

RESOLVED FURTHER that the Board hereby adopts that certain plan known as the MARIN COMMUNITY COLLEGE DISTRICT CLASSIFED Supplemental Employee Retirement Plan, effective July 1, 2013 or January 1, 2014.

RESOLVED FURTHER that under such Plan, for employees retiring by June 30, 2013 (Group 1); the District shall contribute 65% of the employee’s annual base salary, per the current salary schedule into a fixed guaranteed annuity. For employees retiring by December 31, 2013 (Group 2); the District shall contribute 55% of the employee’s annual base salary, per the current salary schedule, into a fixed guaranteed annuity.

RESOLVED FURTHER that, for purposes of the limitations on contributions under the Plan, as prescribed by section 415 of the Internal Revenue Code of 1986, as amended, the “limitation year” shall be the Plan Year, as defined under the terms and provisions of the Plan.

RESOLVED FURTHER that, for purposes of clarification of administration of the Plan but not for purposes of making said Plan subject to title I of ERISA, the Board hereby designates the District as the plan administrator.

RESOLVED FURTHER that the Board hereby appoints Keenan Financial Services as the contract administrator to assist the District in the implementation and administration of the Plan.
PASSED and ADOPTED this 21st day of May, 2013, by the Board of Trustees of the Marin Community College District by the following vote:

AYES:

____________________________________________________________________________

NOES:

____________________________________________________________________________

ABSENT:

____________________________________________________________________________

ABSTAIN:

____________________________________________________________________________

I, David Wain Coon, Ed.D., Superintendent/President and Secretary to the Board of Trustees of the Marin Community College District of Marin County, California, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by said Board at a regular meeting thereof, held at its regular place of meeting at the time and by the vote stated above.

___________________________________
David Wain Coon, Ed.D.
Secretary to the Board of Trustees
Marin Community College District
To: Board of Trustees          Date: May 21, 2013
From: Superintendent/President Item & File No. C.9.E.
Subject: Adoption of Resolution to Establish and Approve a Classified Professional Emeritus Program
Reason for Board Consideration: Enclosure(s):

ACTION Resolution

BACKGROUND:

The Superintendent/President presents the attached Resolution for the implementation of Marin Community College District - Classified Professional Emeritus Program. The Resolution establishes and approves the Marin Community College District - Classified Professional Emeritus Program.

BUDGET IMPLICATIONS: None

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees adopt the attached Resolution to implement the Marin Community College District - Classified Professional Emeritus Program.

Administrator Initiating Item:
David Wain Coon, Ed.D., Superintendent/President
MARIN COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES

RESOLUTION No. 2013 - 18
To Establish a Classified Professional Emeritus Program

WHEREAS, the Marin Community College District desires to establish a Classified Professional Emeritus Program;

WHEREAS, the title of Retired Member will be Classified Professional Emeritus;

WHEREAS, the Classified Professional Emeritus Privileges will include:
  • Continued use of MyCom.marin.edu email account
  • Link MyCom account to the COMail list
  • Complimentary library card that provides access to library databases and ArtStor1
  • Complimentary parking pass
  • Employee rates to COM performing arts production
  • Complimentary entrance card to COM athletic events
  • Eligibility for the Emeritus rate for Kentfield summer public pool/swim
  • Invitation to each Fall’s opening day meeting: Convocation Day
  • Invitation to COM Social events, i.e., holiday parties, retirement parties, other sponsored social events

NOW, THEREFORE BE IT RESOLVED, that the Marin Community College District hereby establish and approve the Classified Professional Emeritus Program effective May 21, 2013,

BE IT FURTHER RESOLVED, that this Resolution be made part of the Official Minutes of this meeting and of the permanent files of the Marin Community College District.

PASSED AND ADOPTED this 21st day of May, 2013, by the Board of Trustees of the Marin Community College District of Marin County, California, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:
STATE OF CALIFORNIA)  
COUNTY OF MARIN  )

I, David Wain Coon, Superintendent/President of the Marin Community College District of Marin County, California, do hereby certify that the Board of Trustees adopted the foregoing resolution at a regular meeting at the time and by the vote above stated.

___________________________________________
David Wain Coon, Ed.D.
Secretary to Board of Trustees
Proposal from the Classified Senate: Classified Professional Emeritus Program

Background
Anticipating a large number of Classified Professional retirements between April and December 2013, the Classified Senate proposes that the Superintendent/President approve Classified Professional Emeritus privileges that parallel the Faculty Emeritus status approved by the Academic Senate. The overall goal of granting such privileges is to recognize the long-term commitment and contributions of retired Classified Professionals and allow them to maintain a vital connection to College of Marin. The privileges should be granted to past retirees (to the extent contact information is known) as well as current and future retirees.

Proposal
Based on the Faculty Emeritus status, the Classified Professional Emeritus privileges include:

- Title: Classified Professional Emeritus
- Continued use of the classified professional’s MyCOM.marin.edu email account.
- Addition of the MyCOM account to the COMall list that communicates items such as the President’s Weekly Briefing and other appropriate college-wide communications.
- Complimentary library card that includes access to library databases and ArtStor1.
- Complimentary parking by placing a Classified Professional Emeritus card on the dashboard or by contacting the Police Department for a permit.
- Employee rates to College of Marin performing arts productions.
- Complimentary entrance card to athletic events on campus.

Process
This proposal was approved for presentation by the Classified Senate on April 3, 2013 and presented for consideration to the Superintendent/President on April 4, 2013.
To: Board of Trustees  
Date: May 21, 2013

From: Superintendent/President  
Item & File No. C.9.F.

Subject: Approve the Investment Strategy for OPEB Trust in CalPERS CERTB

Reason for Board Consideration: APPROVAL  
Enclosure(s): Certification of OPEB Funding Policy & GASB 43/45 Reporting Compliance

BACKGROUND:

On November 13, 2012, the Board of Trustees accepted a recommendation to approve the selection of California Public Employees’ Retirement System (CalPERS) to administer the District’s Other Post-Employment Benefits (OPEB) Trust and authorize staff to enter into an agreement with CalPERS that will allow the college to deposit funds in the California Employer’s Retiree Benefit Trust (CERBT). The Agreement and Election of Marin Community College District to Prefund OPEB through CalPERS and the Delegation of Authority to Request Disbursements from the Other Post Employment Prefunding Plan were passed by the Board of Trustees on January 15, 2013.

As part of the process to integrate into CalPERS’ CERBT, an update of the District’s Actuarial Study of Retiree Health Liabilities had to be completed and CalPERS requires that the District select one of three Asset Allocation Strategies in which to invest the District’s funds. Staff is prepared to report on the revised actuarial study and to recommend that the Board of Trustees approve the selection of CalPERS Asset Allocation Strategy number one as the District’s investment portfolio.

Representatives from Total Compensation Systems, Inc. (the District’s Actuarial Evaluator) and CalPERS will be present to report on and answer any questions the Board of Trustees may have regarding the Actuarial Study of Retiree Health Liabilities and/or the recommended investment strategy.

FISCAL IMPACT:

Upon approval of the Board of Trustees, approximately $2.1 million of restricted designated funds will be deposited into the California Employer’s Retiree Benefit Trust (CERBT) to prefund the District’s Other Post-Employment Benefits (OPEB) Trust.

RECOMMENDATION:

The Superintendent/President recommends the Board of Trustees approve CalPERS CERBT Asset Allocation investment strategy number one for the District’s OPEB Trust and authorize staff to immediately deposit $2.1 million plus any accrued interest into the California Employer’s Retiree Benefit Trust (CERBT).

Administrator Initiating Item

A. J. Harrison II, Vice President, College Operations
CERTIFICATION OF OPEB FUNDING POLICY & GASB 43/45 REPORTING COMPLIANCE

SECTION I: Asset Allocation Strategy and Discount Rate Selection

I certify that
1. My agency chooses the following asset allocation strategy
   Select one Asset Allocation Strategy and the corresponding Discount Rate

<table>
<thead>
<tr>
<th>Asset Allocation Strategy</th>
<th>Discount Rate with NO MFAD adjustment</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Strategy 1</td>
<td>7.61%</td>
</tr>
<tr>
<td>□ Strategy 2</td>
<td>7.06%</td>
</tr>
<tr>
<td>□ Strategy 3</td>
<td>6.39%</td>
</tr>
</tbody>
</table>

2. My agency elects to use a Margin for Adverse Deviation (MFAD)

   □ No  □ Yes

* If “Yes”, then identify that MFAD percentage here: 0._______%

3. The discount rate net of MFAD is _______%

SECTION II: ARC Funding

As the employer, I certify that our funding policy is to contribute consistently an amount that is equal to (select one):

(Valuation date should correspond with Item No. 1.0 in Summary of Actuarial Information)

Full ARC Funding:

□ 100 % of the ARC as determined in our OPEB valuation (or AMM) dated ________, 20____, which used an average actuarial Discount Rate of ______.%

Partial ARC Funding:

□ ________% of the ARC as determined in our OPEB valuation (or AMM if it applies) dated ________, 20____ which used a blended actuarial Discount Rate of ________% where the base short-term investment Discount Rate is _________%
CERTIFICATION OF OPEB FUNDING POLICY &
GASB 43/45 REPORTING COMPLIANCE

☐ We will contribute to the trust using an approach not directly related to the ARC (In the space provided below, please describe your funding approach and how the approach relates to the average discount rate assumption made by your actuary in the OPEB valuation (or AMM if it applies) dated __________, 20___ which used a blended actuarial Discount Rate of ____% where the base short-term investment Discount Rate is ____%):

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

SECTION III: ARC Contribution Method

We plan to contribute toward the ARC in the following manner (select one):

☐ Contribute our full ARC payments to the trust and seek reimbursements for Pay-go costs

☐ Contribute our ARC payments to the trust net of Pay-go costs and not seek reimbursements (ARC minus Pay-go = Trust Contribution)

☐ Other (Please describe):

____________________________________________________________________________________

____________________________________________________________________________________

SECTION IV: Years of ARC Coverage

This OPEB valuation provides ARC amounts for the following periods:

(ARC dates should correspond with Item No. 10.0 in Summary of Actuarial Information)

First Year: From __________, 20____ through __________, 20____.
Second Year: From __________, 20____ through __________, 20____.

The California Employers' Retiree Benefit Trust (CERBT) fund plan includes more than 200 members. We understand that, under GASB 43, paragraph 33, as an employer participating in the CalPERS CERBT, we must obtain an actuarial valuation (or AMM if it applies) on at least a biennial basis.
CERTIFICATION OF OPEB FUNDING POLICY & GASB 43/45 REPORTING COMPLIANCE

We understand that we will be asked to provide accounting information to CalPERS as required in order to facilitate CalPERS compliance with GASB 43 reporting requirements, and we agree to make any information requested available to CalPERS on a timely basis. Our contact information is noted below.

We understand that CalPERS will provide us with our Statement of Plan Net Assets and our Statement of Changes in Plan Net Assets, which can be used to prepare our GASB 45 reporting. CalPERS will report aggregated GASB 43 information pertaining to the Funded Status and Funding Progress.

Date of OPEB Valuation (or AMM if it applies)

Name of Employer

Printed Name and Title of Person Signing the Form

Signature  Date

Designated Employer Contact Name for GASB Reporting

Phone #  Email Address

Instructions to complete the form

Rev 04/21/2011  Page 3 of 4
CERTIFICATION OF OPEB FUNDING POLICY &
GASB 43/45 REPORTING COMPLIANCE

SECTION I: Asset allocation Strategy and Discount Rate Selection

Check the box next to the Asset Allocation Strategy on which you have based your OPEB actuarial valuation or Alternative Measurement Method (AMM) cost report. Each strategy has a different assumed Discount Rate and risk profile. Your CERBT assets will be invested using the Asset Allocation Strategy indicated here.

Check the box to show whether your actuary applied a Margin for Adverse Deviation the expected assumed discount rate for your portfolio. If reducing the expected rate of return for a Margin for Adverse Deviation please indicate the percentage adjustment for the Margin for Adverse Deviation in the location indicated and then indicate the appropriate net rate of return resulting when the full rate of return has been reduced by a selected by your consulting actuary.

The choices you check off on this form should match those used by your actuary in the OPEB valuation.

SECTION II: ARC Funding

- If you are fully funding, check the first box indicating the 100% funding, the applicable Discount Rate, and the valuation date.
- If you are funding at less than 100%, check the second box to indicate the percentage of funding [trust contributions plus paygo (and Implicit Rate Subsidy if applicable) divided by ARC], the valuation date, the Discount Rate, and the Base rate used to blend.
- If you are funding at less than 100% and your contributions are not tied specifically to the ARC, then indicate how you expect to contribute. For example, if you intend to make unreimbursed pay-go payments plus a fixed dollar amount to the trust, then describe this in the space provided.

SECTION III: ARC Contribution Method

Here we ask you to indicate how you expect to make contributions to the trust: Full ARC with reimbursements, ARC net of paygo, or something else (please describe).

SECTION IV: Years of ARC Coverage

Generally, your OPEB valuation will provide two years of ARC coverage. Please identify the specific periods to which the ARC applies.
1. **Question 1 - Please provide additional details with respect to the “type of investments” the CalPERS CERBT program uses to invest participating employer assets.**

Employer assets invested through CERBT are allocated to five asset classes. Each asset class investment is managed to compare to a performance benchmark. In three of the five asset classes (Global Equities, Global Public Real Estate, Commodities), the investment objective is to match the performance benchmark. In two asset classes (Inflation Linked Securities, U.S. Nominal Bonds), the investment objective is to outperform the benchmark.

The asset classes are defined by the type of investment instrument held in them. The asset classes perform like the benchmarks by holding positions similar to those held by the performance benchmarks. The asset classes are invested in public market securities only.

Global equities are invested in large, mid and small cap stocks in developed and emerging markets. The investments cover a diversified range of company capitalizations, geographic locations and industries. The performance benchmark is the CalPERS Custom FTSE Global Composite.

Global Public Real Estate is invested in real estate investment trusts. The performance benchmark is the FTSE EPRA/NAREIT Developed Index.

Commodities is invested in futures contracts, options, swaps and related instruments. The performance benchmark is the S&P GSCI Total Return Daily.

U.S. Inflation Linked Bonds are invested in Treasury Inflation Protected Securities (TIPS) and similar governmental inflation linked securities. The performance benchmark is the Barclays Global Real U.S. TIPS Index.

Nominal Bonds are invested in U.S. Treasury, sovereign, corporate and mortgage related bonds. The performance benchmark is the Barclays Long Liability Index.

CalPERS releases an “Annual Investment Report” which lists all of their investment holdings enterprise-wide.

The most recent release can be accessed by clicking the link below:

2. **Question 2** – **Can you break down the 3 CERBT Asset Allocation Strategies to help us better understand what type of holdings are found in each of the 5 asset classes?**

The CERBT offers three risk efficient, diversified asset allocation strategies to employers. The three CERBT asset allocation strategies invest in each of five asset classes. The asset allocation strategies differ from one another only in the extent to which they participate in each asset class. By altering the portion of assets allocated to each asset class in a systematic way, the long term expected rate of return and the return volatility of each asset allocation strategy is made materially different from the other two strategies.

The holdings of the asset classes are described in Question 1 above.

For each strategy, the underlying asset class policy allocations and policy ranges are summarized in the following table:

<table>
<thead>
<tr>
<th>Asset Class</th>
<th>Strategy 1</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Policy</td>
<td>Policy</td>
<td>Policy</td>
<td>Policy</td>
<td>Policy</td>
<td>Policy</td>
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<tr>
<td></td>
<td>Allocation</td>
<td>Range</td>
<td>Allocation</td>
<td>Range</td>
<td>Allocation</td>
<td>Range</td>
</tr>
<tr>
<td>U.S Inflation Linked Bonds</td>
<td>5%</td>
<td>+/- 2%</td>
<td>15%</td>
<td>+/- 4%</td>
<td>15%</td>
<td>+/- 4%</td>
</tr>
<tr>
<td>Nominal Bonds</td>
<td>18%</td>
<td>+/- 5%</td>
<td>24%</td>
<td>+/- 5%</td>
<td>42%</td>
<td>+/- 5%</td>
</tr>
<tr>
<td>Global Equity</td>
<td>66%</td>
<td>+/- 5%</td>
<td>50%</td>
<td>+/- 5%</td>
<td>32%</td>
<td>+/- 5%</td>
</tr>
<tr>
<td>Global Public Real Estate</td>
<td>8%</td>
<td>+/- 2%</td>
<td>8%</td>
<td>+/- 2%</td>
<td>8%</td>
<td>+/- 2%</td>
</tr>
<tr>
<td>Commodities</td>
<td>3%</td>
<td>+/- 2%</td>
<td>3%</td>
<td>+/- 2%</td>
<td>3%</td>
<td>+/- 2%</td>
</tr>
</tbody>
</table>

3. **Does the College of Marin have the ability to “ladder” the bond investments within the CERBT asset class titled “U.S. Nominal Bonds”? What is the CERBT program’s investment strategy as it relates to bond investments and the timing of their maturity?**

No. CERBT program contracting employers do not make investment decisions as they relate to asset class definitions, the actual holdings within individual asset classes, or the weighting relationship between asset classes.

The investment purpose of the Nominal Bond asset class is to preserve capital while generating income. Laddering to match a specific structured OPEB payout is not an investment objective. Bond purchases are mostly motivated value in relation to a yield curve and risk.
The CERBT program’s investment strategy is described in the “CERBT Statement of Investment Policy”.


4. *Can the College of Marin customize its CERBT investment strategy to meet the evolving cash flow requirements of its Other Post-Employment Benefits plan?*

No. Only the three asset allocation strategies cited are available:

**CERBT Asset Allocation Strategies**

<table>
<thead>
<tr>
<th></th>
<th>Strategy 1</th>
<th>Strategy 2</th>
<th>Strategy 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expected Long Term Rate of Return</td>
<td>7.61%&lt;sup&gt;1&lt;/sup&gt;</td>
<td>7.06%&lt;sup&gt;1&lt;/sup&gt;</td>
<td>6.39%&lt;sup&gt;1&lt;/sup&gt;</td>
</tr>
<tr>
<td>Standard Deviation of Expected Returns</td>
<td>11.73%</td>
<td>9.46%</td>
<td>7.27%</td>
</tr>
</tbody>
</table>

<sup>1</sup>The expected long term return rates listed below are based on an assumed annual general inflation rate of 3%.
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
</tr>
<tr>
<td>Date:</td>
<td>May 21, 2013</td>
</tr>
<tr>
<td>Item &amp; File No.</td>
<td>C.9.G.</td>
</tr>
</tbody>
</table>

Reason for Board Consideration: **APPROVAL**

Enclosure(s): Revised Scheduled Maintenance Project Funding Proposals

**BACKGROUND:**

The attached Revised Schedule Maintenance Project Funding Proposals (PFP) requests a reallocation of 2007/2008 Ongoing Block Grant & One-Time Grant Funds for the Physical Plant and 2008/2009 Ongoing Block Grant & One-Time Grant Funds.

2007/2008 Ongoing Block Grant & One-Time Grant Fund PFP’s were approved in the amount of $350,000 for projects listed as PE Football Field Bleacher Repair ($50,000) and IVC Roof Replacement ($300,000). The 2007/2008 Revised PFP requests replacing the PE Football Bleacher Repair, previously completed with other funds, with Replacement of Failed Hot Water Boilers in the Shower-Locker Building (Building 21) in the amount of $35,000 and reallocating the remaining funds to the IVC Roof Replacement in the amount of $315,000 to complete the project.

The 2008/2009 Ongoing Block Grant & One-Time Fund PFP was approved in the amount of $250,000 for ADA, Access Barrier & Signage on the Kentfield Campus. The 2008/2009 Revised PFP is requesting a reallocation of unspent funds in the amount of $200,000 to remove ADA/Access Barriers in Fusselman Hall.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve the attached Revised Scheduled Maintenance Project Funding Proposals for submission as required to the State Chancellor’s Office.

Administrator Initiating Item

A. J. Harrison II, Vice President, College Operations
2007-08 Scheduled Maintenance Project Funding Proposal

District: Marin Community College District
College: Indian Valley Campus (IVC)

Project Title: Replace Deteriorate Roofs and Replace Hot Water Heater Boilers

Briefly Describe the Proposed Project’s Intent and Scope (You may attach additional justification as necessary)

This project will replace deteriorate and leaking roofs and the failed hot water heater boilers in the Locker-Shower building.

Program Discipline(s) or Activity(ies) Affected:
Swimming Program, Disability Programs

Check One Box Only for Each Category

<table>
<thead>
<tr>
<th>Project Type</th>
<th>Roof</th>
<th>Utilities</th>
<th>Mechanical</th>
<th>Exterior</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facility Type(s) Involved:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Faculty/Administration Offices</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Theater/Performing Arts</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Campuswide</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>How Long Has Problem Existed?</td>
<td>0 yrs. ☐</td>
<td>6 mo.-1 yr. ☐</td>
<td>1-2 yrs. ☐</td>
<td>2-5 yrs. ☒</td>
<td>Always ☐</td>
</tr>
<tr>
<td>Adverse Immediate Effect(s) if Uncorrected (justification attached):</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Safety Hazard</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Inconvenience</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Corrective Method:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Repair/Refinish Existing</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Replace w/comparable Unit</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Upgrade</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Budget Summary (Where Maximums Apply, % Based on Construction Costs)

1. Permits and Fees (Architect/Engineer, Plan Check Fees, Misc.-11% max.) $35,000
2. Construction Costs (@ CCI 5065) $290,500
3. Inspection $24,500
4. Contingency (7% maximum) $24,500
5. Total Project (Sum of items 1 through 4) $350,000

I hereby certify that if this project is approved for funding from the 2008-09 Budget Act, that the district will be able to provide all match requirements and it is the district’s intent to award a contract during the 2008-09 fiscal year.

District Certification

Business Manager: Al Harrison
Project Director: Don Flowers
Telephone Number: (415) 485-9680

Return to: California Community Colleges
Facilities Planning and Utilization
1102 Q Street
Sacramento, CA 95814-6511
District: Marin Community College District  
College: Kentfield Campus  
Project Title: ADA / Access Barrier Removal

Briefly Describe the Proposed Project’s Intent and Scope (You may attach additional justification as necessary)
Remove ADA / Access Barrier to include: Installation of a ADA compliant restroom on the second floor, install proper door hardware thru-out the building. Install remote door operates at main entrance.

Program Discipline(s) or Activity(ies) Affected:
Humanities, English, ESL

Check One Box Only for Each Category

<table>
<thead>
<tr>
<th>Facility Type(s) Involved:</th>
<th>Classroom/Laboratory</th>
<th>Library/LRC</th>
<th>Physical Education</th>
<th>Support Services</th>
<th>Theater/Performing Arts</th>
<th>Warehouse/Maintenance</th>
<th>Child Care</th>
<th>Campuswide</th>
<th>Cafeteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Faculty/Administration Offices</td>
<td>☒</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Theater/Performing Arts</td>
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<tr>
<td>Campuswide</td>
<td>☐</td>
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<td></td>
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<td></td>
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<td></td>
<td></td>
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<tr>
<td>Other:</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

How Long Has Problem Existed?  
0 yrs.  ☐  6 mo.-1 yr.  ☐  1-2 yrs.  ☐  2-5 yrs.  ☐  Always  ☒

Adverse Immediate Effect(s) if Uncorrected (justification attached):
Safety Hazard  ☐  Code Violation  ☒  Greater Future Damage/Costs  ☒  Inconvenience  ☐  Disruption of Program(s)  ☒  Potential/Future Damage/Costs  ☐

Corrective Method:  
Repair/Refinish Existing  ☐  Replace w/comparable Unit  ☐  Upgrade  ☒

Budget Summary (Where Maximums Apply, % Based on Construction Costs)

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Permits and Fees (Architect/Engineer, Plan Check Fees, Misc.-11% max.)</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>2.</td>
<td>Construction Costs (@ CCI 5065)</td>
<td>$187,000.00</td>
</tr>
<tr>
<td>3.</td>
<td>Inspection</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>4.</td>
<td>Contingency (7% maximum)</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>5.</td>
<td>Total Project (Sum of items 1 through 4)</td>
<td>$200,000.00</td>
</tr>
</tbody>
</table>

I hereby certify that if this project is approved for funding from the 2008-09 Budget Act, that the district will be able to provide all match requirements and it is the district’s intent to award a contract during the 2008-09 fiscal year.

District Certification

Business Manager: Al Harrison
Project Director: Don Flowers
Telephone Number: (415) 485-9680

Return to: California Community Colleges
Facilities Planning and Utilization
1102 Q Street
Sacramento, CA 95814-6511
To: Board of Trustees
From: Superintendent/President
Subject: Barnes & Noble College Booksellers, Inc. Renewal Agreement

_REASON FOR BOARD CONSIDERATION:

BACKGROUND:

Barnes and Noble College Booksellers, Inc. has operated the College Bookstore for the past twenty-six years. Attached is a renewal agreement with Barnes and Noble for an additional one-year period from July 1, 2013 through June 30, 2014.

The renewal resulted in the renegotiation of the following terms: commission rate, hiring and benefits.

1. On an annualized basis, Barnes & Noble will pay College of Marin the following applicable percentage of gross sales at the Bookstore:

   .5% of all sales from $0 up to $1,700,000
   1% of all sales from $1,700,000 up to $2,000,000
   2% of all sales over $2,000,000

2. Barnes & Noble will revisit the commission structure next year and if their payroll costs are in line, Barnes & Noble will increase the percentage of gross sales accordingly, to work toward historic levels.

3. Barnes & Noble will hire a full-time store manager for the College of Marin bookstore and will incur all salaries and benefits directly. The Barnes and Noble manager will be responsible for administering the College of Marin’s CSEA collective bargaining agreement.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the attached agreement with Barnes and Noble for Bookstore Services for the period July 1, 2013 through June 30, 2014.

Administrator Initiating Item
A. J. Harrison II, Vice President, College Operations
Agreement for the Extension of the Contract
Between The College of Marin and
Barnes & Noble College Booksellers, LLC

The current contract between The College of Marin & Barnes & Noble College Booksellers, LLC for bookstore services is hereby extended for July 1, 2013-June 30, 2014 under the following conditions:

1. On an annual basis, Barnes & Noble will pay The College of Marin the following percentage of gross sales:

   0.5% of gross sales up to $1,700,000
   1.5% of gross sales between $1,700,000-$2,000,000
   2% of gross sales over $2,000,000

2. Barnes & Noble will revisit the commission structure next year and if their payroll costs are in line, Barnes & Noble will increase the percentage of gross sales accordingly, to work toward historic levels.

3. Barnes & Noble will hire a full-time store manager for the College of Marin bookstore and will incur all salaries and benefits directly. The Barnes & Noble manager will be responsible for administering the College of Marin’s CSEA collective bargaining agreement.

4. All other terms and conditions in the original agreement signed in July 2007 shall remain the same.

Agreed:

The College of Marin                                       Barnes & Noble College Booksellers, LLC

_________________________________  _________________________________
Al Harrison                                                Kimberly Otte
Vice President of College Operations                       Vice President, Stores

Date: ___________________________  Date: ___________________________
BACKGROUND:

On November 9, 2012, Tentative Agreements were reached between the Marin Community College District (MCCD) and The California School Employees Association, Chapter 196 (CSEA), and later ratified by CSEA membership in December of 2012.

In summary, effective with the implementation of the District’s integrated management system, the Tentative Agreements indicate that MCCD and CSEA have agreed to the following:

Article 6: Hours of Employment
Address changes within the CSEA Collective Bargaining Agreement regarding Compensatory Time and how leave is reported and taken.

Article 10: Vacation
Vacation benefits shall be credited on a monthly basis. Vacation will be capped at 240 hours for all employees who have been employed for more than one (1) year.

Article 11: Leaves
Address changes within the CSEA Collective Bargaining Agreement on how CSEA employees report leaves.

BUDGET IMPLICATIONS:

All recommendations are within budgeted FTE and are on the non-instructional side of the 50% law.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees ratify the MCCD and CSEA Tentative Agreements for November 9, 2012.
ARTICLE 6
HOURS OF EMPLOYMENT

1. **Work Week**

   The work week for members of the unit shall normally consist of five (5) consecutive days, Monday through Friday. Full-time employment is defined as thirty-seven and one-half (37.5) hours per week, seven and one-half (7.5) hours per day. **Part-time employment is defined as anything less than thirty-seven and one-half (37.5) hours per week, and anything less than seven and one-half (7.5) hours per day.** The specific work days shall be designated by the District for each classified assignment, upon hiring. Employees placed on a Monday through Friday schedule when hired shall remain on a Monday through Friday schedule unless the employee and CSEA consent to a proposed change. No negotiation will be required when an individual changes hours solely as a result of promotion or demotion.

   a. The beginning and ending times for all members of the unit may be changed by thirty (30) minutes or less by giving the affected employee at least ten (10) work days advance notice. This advance notice may be reduced in special circumstances if agreed to by CSEA and the affected employee. Other changes in the days and hours worked, except those in b. and c. below shall be subject to negotiation between the District and CSEA.

   b. The beginning and ending times of 5% of the bargaining unit members (exclusive of the employees in the Instructional Classifications) may be adjusted by one (1) hour maximum within a contract year, with thirty (30) work days advance notice to the affected employees and CSEA. The District shall first seek voluntary applicants within a job classification for such hour change. If no applicants are available, the employee(s) in the classification with the most recent date(s) of hire shall be selected.

   c. Incumbents in instructional-related classifications shall have hours and days adjusted according to class schedules, enrollment and instructional need as determined by the District. The intent of this language is not to allow reduction in assigned time.

   d. Incumbents in the Laboratory Technician (Science) classification shall have hours adjusted according to class schedules, enrollment and instructional need as determined by the District. A schedule cannot be changed by more than four (4) hours beyond the present schedule. The intention of this language is not to allow reduction in assigned time. Laboratory Technicians shall be notified of tentative schedule changes no later than thirty (30) days before the beginning of the semester. Said schedule cannot change again during a given semester after the first two (2) weeks of the semester.

   e. Incumbents in the Office Coordinator, Office Technician and Secretary to the Dean classifications in the Admissions and Records area may have hours temporarily adjusted during an emergency (long-term absence exceeding one full week or
immediate resignation of an incumbent) or in the case of a resignation with notice in order to meet the service needs as determined by the District. A schedule cannot be changed by more than four (4) hours beyond the present schedule. The intention is not to allow a reduction in assigned time.

1. **Procedure**

   a. The District shall ask for volunteer(s) from the group of incumbents and shall assign based on skill. If there are no volunteers the District shall adjust an incumbent’s schedule based on seniority/skills beginning with the least senior in the Admissions and Records area.

   b. An employee assigned to the “night” shift during an emergency, as described in A.5.a. above shall receive $25.00 per shift or $200 per pay period, whichever is less.

   c. The employee will be assigned to the ‘night’ shift during an emergency for no more than one (1) month, at which time the procedure for assignment begins again.

   d. Assignments to the “night” shift during peak periods are excluded from this procedure.

2. **Shifts**

<table>
<thead>
<tr>
<th>Day Shift Regular Assignment</th>
<th>‘Night’ Shift Regular Assignment</th>
<th>Summer/Spring Break Shift</th>
<th>Peak Period Shift</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00 a.m.-5:00 p.m.</td>
<td>11:30 a.m.-7:30 p.m. OR 11:15 a.m.-7:15 p.m.</td>
<td>8:00 a.m.-5:00 p.m.</td>
<td>4 nights 1 day</td>
</tr>
</tbody>
</table>

   a. If an employee is required to perform overtime in an emergency situation, time and one-half will be paid for all overtime to cover the additional shift.

   b. When overtime is required to be worked during peak periods (not for shift coverage for the above described emergency situation) overtime shall be offered based on seniority/skill and on a rotating basis to ensure equitable distribution of overtime.

   c. Employees may request to shift the beginning and ending times of their workdays (scheduling of hours) by submitting the appropriate form (Attachment B) to their direct supervisor. The supervisor shall have authority to approve or deny the request, based on District service needs. Within ten (10) working days copies of the approval/denial shall be distributed by the supervisor to the employee, CSEA and the District.

3. **Work Day**

   a. The length of the work day shall be designated by the District for each
classified assignment in accordance with the provisions set forth in this 
Agreement. Each bargaining unit employee shall be assigned a fixed, regular 
and ascertainable minimum number of hours.

b. Part-time employees shall have their days and hours assigned to them by 
their supervisor.

c. Any reduction in assigned time shall be accomplished in accordance with 
provisions of the law, PERB decisions and the District’s duty to bargain.

d. A part-time employee who works a minimum of thirty (30) minutes per day in 
excess of his/her part-time assignment for a period of twenty (20) consecutive 
working days or more shall have his/her fringe benefit cost prorated for the 
longer work day.

4. **Optional Work Week Schedule**

All full time unit members are accountable for working his/her 37.5 hours per week. In 
order to provide an optional workweek schedule, some unit members will have a choice 
of how these hours will be worked. Optional workweeks shall remain in effect for at least 
one complete semester following agreement by all parties (unit member, District and 
CSEA). The flexible schedules within a semester must be set at the beginning of each 
semester:

August to December  
January to May  
June to August

Options Available:

a. 7.5 hours Monday through Friday (1/2 hour or one hour lunch)  
b. 7.5 hours Tuesday through Saturday (1/2 hour or one hour lunch)  
c. 9.375 hours Monday through Thursday (1/2 hour or one hour lunch)  
d. 9.375 hours Tuesday through Friday (1/2 hour or one hour lunch)  
e. 9 Days/75 hours Option – Employee works 8.333 hours for nine consecutive 
days, then is off on the tenth day (1/2 hour or one hour lunch)

Overtime Options:

d. All overtime hours are defined as any authorized time worked in excess of 7.5 
hours Monday through Friday.  
e. All overtime hours are defined as any authorized time worked in excess of 7.5 
hours Tuesday through Saturday.  
f. All overtime hours are defined as any authorized time worked in excess of 
9.375 hours Monday through Thursday.  
g. All overtime hours are defined as any authorized time worked in excess of 
9.375 hours Tuesday through Friday.  
e. All overtime hours are defined as any authorized time worked in excess of 
8.333 hours worked for the nine consecutive days scheduled.

The District service needs and employee’s seniority in the job classification within the
department in which the unit member is currently employed will be considered in determining approval/disapproval for a unit member’s proposed option.

The District may determine the departments eligible for this optional flex workweek choice.

5. **Vacation/Sick Leave**

If a unit member is ill or takes vacation during the time he/she would have been scheduled to work based on the option chosen, the same number of hours will be deducted from his/her sick leave or vacation balances.

6. **Course Attendance.**

An employee may request to attend course(s) at an accredited institution of higher learning. Such request will be made on the "Classified (CSEA) Employee Request For Approval Of Course Attendance" (Attachment C). This request shall be submitted to the appropriate District manager for recommendation to the Cabinet. The Cabinet will approve/deny the request. Employee must receive approval prior to altering work schedule. If the request is approved the hours worked per day will be altered to accommodate the employee’s schedule to attend said course(s). Should such a schedule require an employee to work beyond a seven and one-half (7.5) hour work day, the employee shall waive any claim to overtime on each day such schedule is arranged. The parties acknowledge that the appropriate District manager’s recommendation and the Cabinet’s approval/denial will be based on the District service needs. If the employee’s request is denied, the reason(s) related to the District service needs shall be set forth in writing to the employee.

7. **Lunch Periods**

All employees shall be entitled to a duty-free lunch period after the employee has been on duty for three and three-quarter (3.75) hours. The length of time for such lunch period shall be for a period of no longer than one (1) hour nor less than one-half (.5) hour and shall be scheduled for full-time employees at or near the mid-point of each work shift. If an employee is directed to work during his/her lunch period, such time shall count as overtime or shall be offset by leaving work early based on the number of minutes worked times the overtime rate.

8. **Rest Periods**

All employees shall be granted rest periods, which, insofar as practical, shall be in the middle of each work period at the rate of fifteen (15) minutes per three and three-quarter (3.75) hours worked. The time of such rest periods shall be established by the immediate supervisor. Rest periods are a part of the regular work day and shall be compensated at the regular rate of pay for the employee.

9. **Overtime**
Except as otherwise provided herein, all authorized overtime hours as defined in this Section shall be compensated at a rate of pay equal to time and one-half of the regular rate of pay of the employee. Overtime is defined to include any time worked in excess of seven and one-half (7.5) hours in any one (1) day or in any one (1) shift or in excess of thirty-seven and one-half (37.5) hours in any calendar week, whether such hours are worked prior to the commencement of a regularly assigned starting time or subsequent to the assigned quitting time.

For unit members having an average work day of three and three-quarter (3.75) hours or more, all hours worked beyond the work week of five (5) consecutive days shall be compensated at an overtime rate of one and one-half (1.5) times the employee's regular rate of pay on the sixth (6th) and seventh (7th) day.

A unit member having an average work day of less than three and three-quarter (3.75) hours shall, for any work required to be performed on the seventh (7th) day following the commencement of his/her work week, be compensated at the overtime rate of one and one-half (1.5) times the employee's regular rate of pay.

When an employee is required to work on a day which falls on a scheduled holiday, (see Article 9: Holidays), the District shall provide payment at time and one-half in addition to the employee's regular straight time holiday pay, or compensatory time off at the rate of time and one-half in addition to the regular holiday pay.

The method by which all overtime shall be compensated (cash or compensatory time off) shall be at the discretion of the District, however, an employee may request a preference as to the method of compensation. Compensatory time shall be taken at a time mutually acceptable to the employee and the District within twelve (12) months of the date of which it was earned. If the employee is not permitted to take the compensatory time within the twelve (12) month period then the employee shall be paid in cash within one (1) month of expiration of the eligibility date.

Compensatory time may not be earned or taken without prior approval from employee’s supervisor. The employee shall report Compensatory time earned on the Monthly Compensatory Time Worked Report, in actual hours worked and authorized by the employee’s supervisor (see Attachment ________).

Compensatory time taken shall be reported electronically through the Leave Report system. Compensatory time balances shall be printed on employee’s end of month payroll checks and shall be available through the Electronic System to both employees and department managers.

The District shall attempt to distribute overtime as equally as is practical among employees in the bargaining unit within each department.

10. **Minimum Call-in Time**

An employee called in to work on a day when the employee is not scheduled to work shall receive a minimum of two (2) hours pay at the appropriate rate of pay under this Agreement.
11. **Minimum Call-back Time**

Any employee called back to work after completion of his/her regular assignment shall be compensated for at least two (2) hours of work at the appropriate rate of pay under this Agreement.

12. **Right of Refusal**

When an employee has an emergency, he or she may reject a request to perform overtime, call-in or call-back work. If the employee’s immediate supervisor does not agree that an emergency exists, the employee may, at his or her option, request review of the matter at the next level of supervision. However, pending such a determination, the employee may be required to perform work as described herein beyond regular hours.

13. **Rest Facilities**

The District shall make available at each campus, lounge and lavatory facilities for classified employees use on regular work days, and by pre-arrangement on other days.

14. **Miscellaneous**

Each department will be charged with maintaining records of compensatory time earned and used. A form for recording the accrual and use of approved compensatory time will be implemented in all departments in 2002. This form must be submitted each month to the employee’s immediate supervisor (not Department Chair) — management or supervisory employee, whether or not compensatory time was accrued or used.

Dated: Nov. 9, 2012

District: [Signature]

CSEA: [Signature]
Record all time worked in correct blocks for days of month(s) worked. Fill in only the actual number of hours worked. The time and a half calculation will be done automatically.
ARTICLE 10  District Draft Proposal 11-09-12

VACATION

1. Vacation benefits are earned on a fiscal year basis July 1st to June 30th.

   Effective with the implementation of the District’s integrated management system, vacation benefits shall be credited on a monthly basis.

2. Each full-time active employee shall be entitled to the following vacation rights:

   **Twelve-Month Employees**

   One (1) through three (3) years of service: Twelve (12) 7.5 hours -days of vacation per year-month

   Commencing with the fourth (4th) through completion of ten (10) years of service: Fifteen (15) 9.375 hours days of vacation per year-month

   Commencing with the eleventh (11th) year of service: Twenty (20) 12.5 hours days of vacation per year-month

   Commencing with the fifteenth (15th) year of service: Twenty-two (22) 13.75 days of vacation per year-month

   Employees working less than twelve (12) months per year and/or less than full-time (7.5 hours per day) shall receive a pro-rata vacation accrual.

   **NOTE:**

   As an example, an employee employed for the full previous fiscal year on a half-time basis will have posted on July 1, twelve half-days of vacation or 45 hours instead of twelve full days of vacation—90.00 hours earned by full-time employees.

3. Vacation must be taken in the fiscal year immediately following the year in which it is earned.

4. An employee shall request vacation by submitting the "Classified Employee Request for Approval of Vacation" form (Attachment I) to his/her supervisor/manager. The supervisor’s response shall be indicated on the employee’s vacation request form. The supervisor shall make reasonable effort to respond within ten working days of the receipt of the request. The parties acknowledge that the supervisor’s decision will be based upon the needs of the district.

   An employee shall request an advance of vacation already accrued in the fiscal year, but not credited until July 1 of the following fiscal year by submitting the "Classified (CSEA) Employee Request for Approval of Vacation Advance" form (Attachment J) to his/her manager no later than June 1st of any year. A copy signed by the manager, indicating approval/disapproval must be sent to the Human Resources. The manager's response shall be indicated on the employee's vacation request form. The supervisor shall make
reasonable effort to respond within ten working days of the receipt of the request. The
parties acknowledge that the manager's decision on the employee's request for an advance
on accrued vacation will be based upon the needs of the district.

5. Each employee who is separated from employment after completing six (6) months of
continuous service with the District shall be entitled to payment in lieu of all unused
vacation leave which he/she may have accumulated as of his/her last day of work provided
that, in case of resignation, the employee gives the department manager and the District
Human Resources two (2) weeks written notice before the effective date of resignation.
The District may direct the use of vacation, except in layoff situations, prior to termination
so that the balance remaining at termination does not exceed ten (10) days. In the event of
a deceased employee, payment therefore shall be made to his/her estate or as otherwise
provided by probate law.

6. An employee who has been employed for more than one (1) year may elect to carry over a
maximum of ten (10) days' vacation to the following fiscal year. Vacation will be capped at
240 hours for all employees who have been employed for more than one (1) year.

7. Earned vacation shall not become a vested right until completion of the initial six (6) months
of regular employment.

8. If a previously approved vacation becomes due when an employee is on leave due to
illness or injury, upon request of the employee the district shall reschedule the vacation
dates based upon availability.

9. Holidays are not counted as vacation days.

10. If an employee (while on vacation) becomes ill and supplies provides supporting
information or requires hospitalization or is eligible for a bereavement leave, these days
may be charged to the appropriate leave and the vacation leave will be credited to the
employee's account.

11. If there is any conflict between employees who are working on the same or similar
operations as to when vacations shall be taken, the employee with the greatest bargaining
unit seniority based on first date of paid service with the District as a classified employee
shall be given his/her preference.

12. If the District does not permit an employee to take all or any part of his/her annual vacation,
the amount not taken in excess of the cap shall be paid out, carried over into the next year
up to a limit of ten (10) days, with the balance, if any, paid for in cash. Cash Payment shall
be made within (60) days following the close of the fiscal year.

13. No supervisor shall deny an employee a scheduled vacation without first obtaining a review
of the decision by the next higher level administrator, if requested by the employee.

14. Vacation shall be taken in increments equal to at least one-half (.5) hour.

15. Vacation leave shall be reported in the month in which the leave is taken, by recording it on
the "Classified (CSEA) Employee Monthly Absence Report" form (Attachment K) which is
due in the Human Resources department on the first working day of the month. The
employee submitting leave on electronic leave report, prior to commencement of vacation.
Due date for electronic leave report shall be the employee's last work date for the month, but no later than the last working day of the month. Employee will be required to use the Absence Report for Late Submissions form if they fail to submit their leave on time. See Attachment ________.

16. Instructional Assistants/Instructional Specialists who work nine (9) months or less may request vacation. Any unused vacation will be paid at the end of each fiscal year. Payments will be made no later than August 15th of each year.

Dated: Nov. 9, 2012

District:

CSEA:

________________________

________________________
ARTICLE 11

LEAVES

1. Bereavement Leave

   a. A member of the unit shall be granted bereavement leave at full pay for three (3) days, or five (5) days if one-way travel of 300 miles or more is required, on account of the death of any member of his/her immediate family. Members of the immediate family means the employee’s spouse, mother, father, brother, sister, grandmother, grandfather, child, grandchild, son-in-law, daughter-in-law of the employee or of the spouse of the employee, or any person living in the immediate household of the employee.

   b. An employee shall be entitled to use up to four (4) hours of accumulated sick leave to attend the funeral of a person with whom he/she has had a personal relationship or that of a fellow District employee. This time will be charged against Personal Necessity Leave.

   c. Bereavement leave used shall be reported in the month in which the leave is taken, by recording it on the “Classified (CSEA) Employee Monthly Absence Report” form (Attachment K) which is due in Human Resources on the final work day of the month, the employee submitting leave on electronic leave report.

2. Jury Duty

   A leave with pay shall be granted to employees called for jury duty in the manner provided for by law. Evening employees shall have leave with pay provided the employee is required to remain on jury duty after 12:00 noon. An employee who receives a jury duty summons shall submit to Human Resources, a verification statement from the Jury Commissioner’s Office specifying the dates and times served by the employee. This shall be attached to the Leave and Absence Report. Payment shall be made to the District in the amount of statutory fees which the employee has received for attendance as a juror, excluding the statutory mileage fee.

   Jury duty shall be reported in the month in which the leave is taken, by recording it on the “Classified (CSEA) Employee Monthly Absence Report” form (Attachment K) which is due in Human Resources on the final work day of the month, the employee submitting leave on electronic leave report.

3. Military Leave

   An employee shall be entitled to any military leave provided by law and shall retain all rights and privileges granted by law arising out of the exercise of military leave.

   Military leave shall be reported in the month in which the leave is taken, by recording it on the “Classified (CSEA) Employee Monthly Absence Report” form (Attachment K) which is due in Human Resources on the final work day of the month, the employee submitting leave on electronic leave report.
4. **Sick Leave**

a. Every classified employee employed five (5) days a week by the District shall be entitled to one (1) day per duty month leave of absence due to illness or injury with full pay.

b. Classified employees employed five (5) days a week for less than a full fiscal year are entitled to that proportion of twelve (12) days leave of absence for illness with pay as the number of months employed bears to twelve (12).

c. Classified employees employed less than five (5) days a week and for less than a full fiscal year are entitled to that proportion of twelve (12) days of leave of absence for illness or injury with pay as the number of days employed per week bears to five (5).

d. When an employee is absent from duties on account of illness or accident for a period of five (5) months or less, the amount deducted from salary due for any month in which the absence occurs shall not exceed the sum which is actually paid a substitute employee employed to fill the position during the absence. This difference pay shall be paid following the exhaustion of all regular sick leave, accumulated compensatory time, vacation, or other available paid leave.

e. Pay for any day of such absence shall be the same as the pay which would have been received had the employee served during the day of illness.

f. Sick leave need not be approved prior to taking such leave, and such leave may be taken at any time during the year. It shall be the responsibility of the employee to contact their immediate supervisor or designee on the first day of the absence at the beginning of the shift (if possible), and provide an estimated return to work date if available. If the employee is unable to return to work on his/her estimated return to work date, the employee shall contact his/her immediate supervisor, designee or the Human Resource Office and provide another estimated return to work date. This notice shall be given no later than the original estimated return to work date. However, a new employee of the District shall not be eligible to take more than six (6) days until the first day of the calendar month after the completion of six (6) months of active service for the District.

g. If the employee does not take the full amount of leave allowed in any year under this Section, the amount not taken shall be accumulated from year to year.

h. All employees shall indicate their intention to return to work the following day by contacting their immediate supervisor or their designee before the close of the work day. Evening employees shall notify by 10:00 a.m. of the day of their return to work.

i. If an employee fails to give notice within the time specified of the intention to return to work and a substitute appears for the day’s work as a result of failure to receive such notice, the substitute shall receive a full shift substitute pay and this amount shall be deducted from the employee's salary for that month, or, at the option of the employee, one day of vacation shall be deducted.

j. A sick day, once commenced, may not be reinstated as a working day unless approved by the immediate supervisor. Medical appointments for a portion of the
work day may be taken as sick leave.

k. No payment for sick leave shall be made unless submitted by the employee on the form specified by Human Resources and signed by the employee and the immediate supervisor.

l. The District may require certification from a physician or other proof of illness or that of a person authorized by any well-recognized religious sect, denomination or organization to treat people, for days of absence due to illness or accident. Normally, this shall be done when the absence exceeds five (5) days.

m. After an employee has been absent for five (5) or more consecutive days, the District may require certification from a physician or that of a person authorized by any well-recognized religious sect, denomination or organization to treat people as to the employee’s fitness to return to work.

n. When requested by the District, an employee shall undergo an examination by a doctor selected jointly by the employee and the District. In the event that the District and the employee are unable to agree upon a doctor, a doctor will be selected by the County Medical Association and both parties shall be bound by that decision. The employee shall authorize the examining doctor to release the results of the examination to the District. The District shall pay the costs of such examination.

o. Sick leave must be utilized in at least one-half (.5) hour increments.

p. Sick leave used shall be reported electronically within the month taken. in the month in which the leave is taken, by recording it on the "Classified (CSEA) Employee Monthly Absence Report" form. (Attachment K) which is due in Human Resources on the final workday of the month. Employee will be required to use the Absence Report for Late Submissions form if they fail to submit their leave on time. See Attachment _____________.

q. Use of Sick Leave to care for the Illness of Family Members. An employee may use up to six (6) days of accrued sick leave to care for the illness of the employee’s spouse, domestic partner, mother, father, brother, sister, grandmother, grandfather, child, grandchild, son-in-law, daughter-in-law, or those of the employee’s spouse. All conditions and restrictions on use of sick leave as outlined in this Article apply. This allocation is distinct from the sick leave allowance for Personal Necessity as outlined in Section 8. of this Article in the CBA.

5. Catastrophic Leave

Bargaining unit members may donate accumulated and unused vacation to a catastrophic leave program for the purpose of benefiting another bargaining unit member who has suffered a long-term illness or disability and who has exhausted all fully paid leaves.

Donated hours shall be converted for utilization on a day-for-day basis, resulting in the recipient being paid at his/her regular rate of pay. CSEA shall maintain records and decide eligibility and inform MCD in writing which employees’ vacation is to be debited and which credited. Once donated, days may not subsequently be returned to the unit.
6. **Pregnancy Disability Leave**

a. In cases of pregnancy disability, female employees shall be granted a leave of absence upon written application to the Superintendent/President or designee through the immediate supervisor. The beginning and ending date of the leave shall be determined by the Superintendent/President or his/her designee on the basis of the employee’s physical condition as certified by her physician, in the best interests of the welfare of the employee and the District.

b. Any period of actual physical disability connected with a disability cause or contributed to by pregnancy, miscarriage, abortion, childbirth, or recovery therefrom, shall be treated as any other physical disability, and any accrued sick leave or other salary continuance benefits shall be available to the employee. Physical disability, for purposes of this policy, shall be defined as a period during which the employee is unable to perform job-related duties. The period of actual disability shall be supported by written statement from the employee’s physician, provided, however, that the District may, at its option, obtain other medical opinion.

c. The period of medical disability due to pregnancy shall be treated in the same manner as other absences for illness.

d. Leave for beyond the period of actual physical disability may be granted in accordance with the provisions pertaining to other uncompensated leaves. No compensation, sick leave, or employee benefits will be granted.

e. The date which the employee may return to her position after pregnancy shall be determined by mutual consent of the employee, her immediate supervisor and the Administrative-Dean Executive Director of Human Resources and Labor Relations or Human Resources Specialist.

f. This policy shall not be construed so as to deprive any employee of sick leave rights under other sections of the Education Code for absence due to illness resulting from pregnancy.

g. The leave of absence shall be reported in the month in which the leave is taken, by recording it on the "Classified (CSEA) Employee Monthly Absence Report" form (Attachment K) which is due in Human Resources on the final workday of the month, the employee submitting leave on electronic leave report.

7. **Industrial Accident & Illness Leave**

a. Employees shall be allowed up to sixty (60) working days leave in any year for the same accident.

b. Allowable leave shall not be accumulative from year to year.

c. Industrial accident or illness leave will commence on the first (1st) day of absence.
d. Payment for wages lost on any day shall not, when added to an award granted the employee under the workers' compensation laws of this state, exceed the normal wage for the day.

e. Industrial accident leave will be reduced by one day for each day of authorized absence regardless of a compensation award made under workers' compensation.

f. When an industrial accident or illness occurs at a time when the full sixty (60) days will overlap into the next fiscal year, the employee shall be entitled to only that amount remaining at the end of the fiscal year in which the injury occurred, for the same illness or injury.

g. When entitlement to industrial accident or illness leave has been exhausted, entitlement to other sick leave will then be used, but if an employee is receiving workers' compensation, the person shall be entitled to use only so much of the person's accumulated or available sick leave, accumulated compensation time, vacation or other available leave which, when added to the workers' compensation award, provide for a full day's wage salary.

h. During all paid leaves of absence, whether industrial accident leave as provided in this Section, sick leave, vacation, compensated time off or other available leave provided by law or the action of a governing board, the District shall endorse to the employee wage loss benefit checks received under the worker's compensation laws of this State. Checks will be mailed to employee's home with no deductions taken within ten (10) working days of receipt of wage loss benefit check by the District. The District shall issue the employee appropriate warrants for payment of wages or salary, and shall deduct the amount of the workers' compensation wage loss benefit checks from the employee's normal paycheck. The District shall deduct normal retirement and other authorized contributions. Reduction of entitlement to leave shall be made only in accordance with this Section.

i. When all available leaves of absence, paid or unpaid, have been exhausted and if the employee is not medically able to assume the duties of the person's position, the person shall, if not placed in another position, be placed on a reemployment list for a period of 39 months without pay. When available, during the 39-month period, the person shall be employed in a vacant position in the class of the person's previous assignment over all other available candidates except for a reemployment list established because of lack of work or lack of funds, in which case, the person shall be listed in accordance with appropriate seniority regulations.

j. Any employee receiving benefits as a result of this Section shall, during periods of injury or illness, remain within the State of California unless the Governing Board authorizes travel outside the state.

k. The leave of absence shall be reported in the month in which the leave is taken, by recording it on the "Classified (CSEA) Employee Monthly Absence Report" form (Attachment K) which is due in Human Resources on the final work day of the month, the employee submitting leave on electronic leave report.
8. **Personal Necessity Leave**

a. Days accumulated for sick leave purposes may be used by an employee, at his/her election, in cases of personal necessity. No such accumulated leave in excess of seven (7) days shall be used in any one fiscal year for personal necessity purposes.

Personal necessity is defined as any of the following:

1. Death or serious illness of a member of his/her immediate family when additional leave is required beyond that provided in Section 1 above.

2. Accident involving his/her person or property, or the person or property of a member of his/her immediate family.

3. Appearance in any court or before any administrative tribunal as a litigant, party or witness under subpoena or any order made with jurisdiction, including adoption hearing.

4. To conduct legal or other personal and pressing obligations which require the presence of the employee during regularly scheduled working hours in order to prevent a familial or financial hardship. Such obligations do not include any extension of holidays and/or weekends or any recreational matters of personal convenience.

5. Religious holidays.

"Immediate family" is defined in Section 1.a. above.

b. Advance permission shall not be required for leave taken under Sections a.1 and a.2 above.

c. The unit member shall submit a written request to his/her immediate supervisor designating which section "1" through "5" is involved, but shall not require any statement of reason beyond such designation. Such written request shall be signed under penalty of perjury (affidavit). This request shall be submitted prior to taking the leave except as specified in Section b above.

d. The sick leave used for personal necessity shall be reported in the month in which the leave is taken, by recording it on the "Classified (CSEA) Employee Monthly Absence Report" form (Attachment K) which is due in Human Resources on the final work day of the month, the employee submitting leave on electronic leave report.
9. **Uncompensated Leave**

The District recognizes that in certain instances, a classified employee may wish extended leave for personal reasons and that the District could benefit from the return of said employee. The District reserves the right to specify the conditions under which uncompensated leave may be taken.

a. **Purpose**

   Uncompensated leave may be taken for the following purposes:
   
   1. Study
   2. Training
   3. Personal
   4. Child Rearing
   5. Adoption
   6. Parental
   7. Medical

b. **Eligibility**

   Uncompensated leave may be granted to permanent employees only. An employee shall have completed at least one (1) year of service with the District to be considered for uncompensated leaves requiring District approval. Leaves consisting of twenty-two (22) working days or less in duration per fiscal year do not require Board approval and a minimum service requirement is not needed for such leaves.

c. **Application**

   Requests for uncompensated leave of more than twenty-two (22) working days (long-term) shall be made to the Superintendent/President through the immediate supervisor at least thirty (30) calendar days in advance of the desired start date. Uncompensated leave of twenty-two (22) working days or less (short-term) shall be requested at least fourteen (14) calendar days in advance of the desired start date for approval by the appropriate administrator through the immediate supervisor. Special consideration shall be given to emergencies.

   Employees may withdraw their request for long-term uncompensated leave no later than fourteen (14) calendar days prior to the commencement of the long-term leave.
10. **Period of Leave**

Any long-term uncompensated leave may be granted for an initial period of up to six (6) months. The beginning and ending dates of the leave shall be set, as mutually agreed, in the written request. Uncompensated leaves of more than twenty-two (22) working days may be extended following thirty (30) calendar day advance notice which must be approved through the established lines of authority. The leave of absence shall be reported in the month in which the leave is taken, by recording it on the "Classified (CSEA) Employee Monthly Absence Report" form (Attachment K) which is due in Human Resources on the final work day of the month. The employee submitting leave on electronic leave report.

11. **Employee/Family Care Leave**

It is the intent of this Section of the collective bargaining agreement to make available to unit members leave under the Federal Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA) (Government Code Section 12945.2). This Section shall be applied and interpreted in accordance with the state and federal law and regulations.

a. **Eligibility:** A unit member who has worked in the District for 12 continuous months and a minimum of 1,250 hours during the previous 12 months is eligible for the leaves described below. Unit members who work less than 12 months each year, are considered to have met the 12 month requirements so long as they meet the 1,250 hour requirement.

b. **Purposes for Which Leave May be Taken:**

1. Birth, adoption or foster care placement of a child (within one year of event).

2. Care of a family member with a serious health condition:
   a. Family member includes spouse (husband or wife), parent, (including person who stood in loco parentis to the employee), child (including foster, step and adult children and legal wards).
   b. Serious Health Condition is defined as any illness, injury, impairment or physical or mental condition that requires either inpatient care in a hospital, hospice, or residential care facility, or continuing treatment by or under the supervision of a health care provider.

3. Unit members own serious health condition (except that CFRA excludes pregnancy disability which is covered under Government Code Section 12945 b.(2)).

c. **Duration of Leave:**

1. All leave is unpaid.

2. Leave may be taken for a total of 12 work weeks in a 12-month period.
3. Leave is pro-rated for part-time employees.

4. Intermittent leaves in the form of reduced work day or work weeks may be taken due to a single illness or injury, i.e. for chemotherapy, radiation, kidney dialysis or other treatments of a similar nature.

5. Intermittent leaves as defined c.4. above shall be scheduled, to the extent possible, to minimize disruption to the District. An employee who requests leave on an Intermittent or a reduced leave schedule may be required to transfer temporarily to a position that better accommodates recurring periods of absence than the employee’s regular position.

d. Time for Commencement of Leave

1. Leave for birth, adoption or foster care placement of a child must commence within one year of the birth, adoption or foster care event. Leave need not all be taken at one time.

2. The unit member shall be required to first use personal necessity, if available, but not sick leave for situations other than the unit member’s own serious health condition.

3. If the situation is the unit member’s own serious health condition, he/she shall be required to first use sick leave, accrued vacation, compensatory time, and five month "differential" leave.

4. Pregnancy disability leave is treated separately under CFRA (See Government Code Section 12945 b. (2)).

e. Employee Notice:

1. If the need for leave is foreseeable, the unit member shall provide the District with reasonable (at least 30 days) written notice.

2. If the need for the leave is unforeseeable, notice must be given as soon as practicable.

3. The District may deny the leave for failure to provide notice if:
   i. The unit member had no reasonable excuse for failure to give notice;
   ii. The unit member actually knew of the notice requirements; and
   iii. The need for leave was clearly foreseeable.

f. Continuation of Benefits:

1. The District will continue to pay the unit member’s health benefits to the same extent the District would have paid for such benefits if the unit member would have continued working.
2. If the unit member does not return at the end of the leave, the District will collect from the unit member the amount expended for benefits unless the failure to return is because of disability or other reasons beyond the control of the unit member.

3. The District will not continue to pay for dental and vision benefits. The unit member can make arrangements to pay for these benefits, if he/she wishes them to continue.

4. The District and the unit member cannot continue to pay the retirement contributions because the unit member must be in paid status for these contributions to continue.

5. The unit member cannot continue the STD/LTD payment because the unit member must be in paid status to make this payment.

g. Status While on Leave: Leave does not constitute a break in service for purposes of seniority or longevity.

h. Husband and Wife Employees: If both spouses are employed by the District, the aggregate leave for both employees is limited to 12 weeks for the care of a newly arrived child (birth, adoption or foster care placement) or a sick parent. For other purposes, such employee is entitled to 12 weeks of leave.

i. Medical Certification of Serious Health Condition

1. The unit member shall provide to the District medical certification of the serious health condition of a child, spouse or parent and a statement that the serious health condition requires the participation of a family member to provide care.

2. The unit member shall provide to the District medical certification of his/her own serious health condition and the inability to perform the functions of his/her position.

3. Medical certification may be provided by a physician, osteopath or other health care provider designated by the Secretary of Labor. (Attachment "L")

4. The District may, at its expense, require additional medical evaluation and certification of the unit member's own serious health condition (but not of the unit member's spouse, parent or child).

5. The District shall require fitness for return to duty certification following leave for the unit member's own serious health condition.

j. Right to Reinstatement: A unit member is entitled to reinstatement to the same or a comparable position, if the position exists at the time of the unit member's return.
k. Procedure for Applying

Complete the Request For Employee/Family Care Leave And Medical Certification Form (Attachment M) and submit to Human Resources.

11. Miscellaneous

a. All employees on paid absence, shall receive vacation, holiday, and sick leave credit, accrue seniority, and be eligible for health and welfare benefits.

Employees on unpaid leave and employees with thirty-nine (39) month re-employment rights shall, upon their return, retain seniority rights and step position on the salary schedule which they held at the beginning of the leave.

Employees on uncompensated leave shall not earn sick leave or vacation credit.

b. Any working day absence shall be reported on the prescribed form designated by Human Resources.

c. Employees on an approved uncompensated leave may continue participation in the fringe benefit programs outlined in Article 8: Fringe Benefits by prepaying to the District the full premium cost for such programs, provided the carrier approves. The employee must request continuation in the applicable fringe benefit program.

Dated: Nov. 9, 2012

District:

[Signatures]

CSEA:

[Signatures]
It is the responsibility of the employee to make a full report of the cause of every absence. For a complete listing of leave regulations, consult the collective bargaining agreement or District policy, whichever is applicable. Use the codes provided below to fill in the calendar date(s) to indicate the type of absence and the number of hours absent. For example: S 4.5 = Sick Leave, 4.5 hours. PN b 4.5 = Personal Necessity, accident, 4.5 hours.

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<tr>
<th>CODES</th>
<th>Description</th>
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<td>B</td>
<td>Bereavement Leave</td>
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<tr>
<td>C</td>
<td>Compensatory Time</td>
</tr>
<tr>
<td>F</td>
<td>Family Leave</td>
</tr>
<tr>
<td>I</td>
<td>Industrial Accident/Illness Leave</td>
</tr>
<tr>
<td>J</td>
<td>Jury Duty</td>
</tr>
<tr>
<td>LC</td>
<td>Flexible Family Leave (Labor Code Sec 233)</td>
</tr>
<tr>
<td>M</td>
<td>Military Leave</td>
</tr>
<tr>
<td>O</td>
<td>Off Duty</td>
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<tr>
<td>P</td>
<td>Pregnancy Disability Leave</td>
</tr>
<tr>
<td>PN</td>
<td>Personal Necessity</td>
</tr>
<tr>
<td>S</td>
<td>Sick Leave</td>
</tr>
<tr>
<td>U</td>
<td>Uncompensated Leave</td>
</tr>
<tr>
<td>V</td>
<td>Vacation</td>
</tr>
</tbody>
</table>

Personal Necessity Leave:
Days accumulated for sick purposes may be used by an employee, at his/her election in cases of personal necessity. Personal necessity is defined as one of the following not to exceed contract maximums:

a. Death or serious illness of a member of his/her immediate family when additional leave is required beyond that provided in respective contracts.

b. Accident involving his/her person or property, or the person or property of a member of his/her immediate family.

c. Appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or any order made with jurisdiction, including adoption hearing.

d. To conduct legal or other personal and pressing obligations which require the presence of the employee during regularly scheduled working hours in order to prevent a familial or financial hardship. Such obligations do not include any extension of holidays and/or weekends or any recreational matters of personal convenience.

**Immediate family** is defined in respective contracts.

<table>
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<tr>
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<th>2</th>
<th>3</th>
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<td>28</td>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
</tr>
</tbody>
</table>

I certify that the information contained in this absence report is accurate and correctly represents the type and the number of hours of each absence.

Employee: ____________________________

SIGNATURE: ____________________________

DATE: ____________________________

Supervisor: ____________________________

SIGNATURE (If Applicable): ____________________________

DATE: ____________________________

Manager: ____________________________

SIGNATURE: ____________________________

DATE: ____________________________
**BOARD AGENDA ITEM**

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>May 21, 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No.</td>
<td>C.9.J.</td>
</tr>
<tr>
<td>Subject:</td>
<td>Public Hearing on Service Employees International Union (SEIU) Local 1021 Presentation of Initial Contract Proposal to the District</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>PUBLIC HEARING</td>
<td>Enclosure(s):</td>
<td>Proposal &amp; Sunshine Letter</td>
</tr>
</tbody>
</table>

**BACKGROUND:**

The Collective Bargaining Agreement between the Marin Community College District and SEIU 1021 will expire on July 1, 2013. The District received written notification from SEIU in December 2012 of the Union’s official notice and request to begin full contract negotiations on a successor agreement, covering wages, benefits and terms of conditions of employment for bargaining unit members.

In conformance with Education Employment Relations Act (EERA), the District states that it will engage in good faith bargaining with SEIU over the wages, benefits and terms and conditions of employment as provided in proposals from the Union:

**Article 8: Salary**

**Article 9: Worker Expense and Materials**

**Article 10: Fringe Benefits**

**Article 13: Vacations**

Staff submits the following initial proposal to the Board before holding a public hearing on the SEIU proposal as required by EERA. Government Code Section 3547 and Board Policy/Administrative Procedure 2610 provide that proposals which relate to matters within the scope of representation shall be presented at a public meeting, providing the public with the opportunity to respond at a subsequent public Board meeting, and thereafter, shall be public record.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees accept SEIU’s initial proposal and hold a public hearing.

---

Administrator Initiating Item: Kristina Combs, Executive Director- Human Resources & Labor Relations
SEIU Local 1021 Proposal
Submitted to
College of Marin

Date: 4/25/2013
Time: 10:45 AM

INITIAL UNION PROPOSALS:

1) ARTICLE 8. SALARY
   A) Y2013-2014 – The salary schedule shall be increased by 3%
   B) Y2014-2015 – The salary schedule shall be increased by 2.5%
   C) Y2015-2016 – The salary schedule shall be increased by 1.5%

2) ARTICLE 9. WORKER EXPENSE AND MATERIALS
   F. Increase the dollar amount from $150 per year to $250 per year.

3) ARTICLE 10. FRINGE BENEFITS
   A. District Contributions
      The District shall pay the full cost of medical insurance at the dollar amount set for Y2013; Y2014; Y2015; and Y2016. The District’s maximum contribution for medical insurance coverage shall be the Kaiser Family Rate at the dollar amount set by the carrier for the year. The co-pay for all Kaiser and Health Net plans shall be $20 and shall be implemented within sixty (60) calendar days following ratification of the Tentative Agreement.

   VISION (Plan B/$15 deductible): The District shall pay the premium for employee plus eligible dependents.

   DENTAL: The District shall pay the premium for full family coverage.

4) ARTICLE 13. VACATIONS
   B. Each full-time employee shall be entitled to the following vacation rights:

      • Please amend the fourth category, to read as follows:
        “Commencing with the fifteenth (15th) year of service through 20 years of service”

      • Please add language to read as follows:
        “Commencing with the twentieth (20th) year of service – 25 days of vacation per year”

The Union reserves the right to add to, subtract from, amend or modify the above proposals.
December 6, 2012

David Wain Coon, Ed.D.
Superintendent/President
College of Marin
835 College Ave.
Kentfield, CA 94909

Re: Sunshine Letter

Dear Mr. Coon,

In accordance with the Collective Bargaining Agreement between the Service Employees International Union, Local 1021 and the College of Marin for the period of July 1, 2010 through June 30, 2013 SEIU Local 1021 makes official notice to full contract negotiations on a successor agreement.

SEIU Local 1021 is willing to meet and confer and bargain in good faith on wages, benefits and terms and conditions of employment for bargaining unit members of the College of Marin.

SEIU Local 1021 will submit specific proposals at a later date.

Please sunshine this letter as per our request for full contract negotiations with the District. Contact me at your earliest convenience to arrange mutually suitable negotiating date(s), time(s) and place(s).

I can be reached at (415) 848-3636.

Sincerely,

Kaden Kratzer
Worksite Organizer

cc: Marin Negotiations Team Members
File
To: Board of Trustees  
Superintendent/President  
Date: May 21, 2013

Item & File No.: C.9.K.

Subject: Public Hearing on District’s Proposal to SEIU, Local 1021 Collective Bargaining Agreement

Reason for Board Consideration: 
PUBLIC HEARING

Enclosure(s): None

**BACKGROUND:**
The Collective Bargaining Agreement between the Marin Community College District and SEIU 1021 will expire on July 1, 2013. The District submits an initial proposal for the contract period July 1, 2013 through June 30, 2016 to include the following:

- **Article 7: Hours and Overtime**
- **Article 8: Salary**
- **Article 11: Education Expense**
- **Article 12: Holidays**
- **Article 15: Other Leaves**
- **Article 17: Transfer/Reassignments**

The initial proposals are submitted before holding the Public Hearing as required by the Education Employee Relations Act (EERA).

Government Code Section 3547 and Board Policy/Administrative Procedure 2610 provides that proposals which relate to matters within the scope of representation shall be presented at a public meeting, providing the public with the opportunity to respond at a subsequent public Board Meeting, and, thereafter, shall be public records.

The District wants to ensure that District services adequately and appropriately meet the needs of our students and the community, and uses District resources and revenues in a cost-effective and efficient manner. To that end, we wish to discuss modifications to these Articles that will meet these goals.

**FISCAL IMPACT:** To be determined during negotiations.

**RECOMMENDATION:**
The Superintendent/President recommends that the Board of Trustees hold a Public Hearing on the District’s proposed reopeners for the MCCD/SEIU Collective Bargaining Agreement.

Administrator Initiating Item: Kristina Combs, Executive Director- Human Resources & Labor Relations
BACKGROUND:

The successful passage of Measure C required the District to establish a Bond Oversight Committee to oversee expenditures. The Citizens’ Oversight Committee (COC) Bylaws state that the COC consists of a minimum of seven members appointed by the Board of Trustees from a list of candidates submitting written applications and based on criteria established by Proposition 39.

The terms of four members of the committee expired on April 30, 2013 and the District has solicited applications to fill the positions. No one applied in the category of a business organization. We will continue to pursue a candidate who satisfied these criteria.

RECOMMENDATION:

After consideration of the applications submitted, and in accordance with the Section 5.5 of the Bylaws, the Superintendent/President recommends appointment of the following individuals to serve two-year terms on the College of Marin Citizens’ Oversight Committee:

Susan Arati (student enrolled and active in college support group)
Jeff Gunderson (member-at-large)
Charlotte Kissling (continuing committee member- representing a support organization for the college.)
To: Board of Trustees  
From: Superintendent/President  
Subject: Approve Change Order #1 to Construction Contract  
Reason for Board Consideration:  
Enclosure(s): 

ACTION APPROVAL

BACKGROUND:

On March 25, 2013, Aanenson Wildcat Engineering was selected to provide earth work and paving services for the Academic Center Temporary Driveway (303B).

Change Order 1 is the final change order for the project and includes all Potential Change Orders (PCO’s) to cover the costs for the required encroachment permit for the county of Marin, $1,177.00 and additional gutter replacement along Sir Frances Drake Blvd. (not included in base scope), The additional change was made per the direction of County of Marin DPW site visit.

Total Compensation $3,831.32
Total Time extension 0 calendar days

FISCAL IMPACT:

The total amount of this contract to date is as follows and will be paid from Measure C bond funds:

<table>
<thead>
<tr>
<th>Original Contract Amount: $27,800.00</th>
<th>Change Order 1 (13.5% of original Contract value)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$3,831.32</td>
<td>Total Contract Amount $31,631.32</td>
</tr>
</tbody>
</table>

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve Change Order 1 to Aanenson Wildcat Engineering in the amount of $3,831.32 and the attached Resolution attesting that the District will not benefit from bidding the work separately for the work for the Academic Center Temporary Driveway Project (303B).
RESOLUTION #2013 – 19 FOR APPROVAL OF CHANGE ORDER NO. 1
TO THE EXISTING CONTRACT WITH
Aanenson Wildcat Engineering, Inc.
FOR
Academic Center Temporary Driveway (303B)

WHEREAS, Marin Community College District (the “District”) previously awarded a contract for work for the Austin Swing Project (the “Project”) to Aanenson Wildcat Engineering, Inc.; and

WHEREAS, subsequent to the award of the Project, it was determined that additional work was necessary as part of the Project (the “Change Order”); and

WHEREAS, the Change Order provides for the work set forth in Exhibit “A;” and

WHEREAS, the total cost for the Change Order is $3,831.32 and exceeds the limitations set forth in Public Contracts Code Section 20659; and

WHEREAS, it will be more costly and time-consuming to bid this additional work since it is integral to the Project and the work being performed by the Contractor; and

WHEREAS, competitive bidding the additional work covered by the Change Order would result in the delay of the completion of the Project and result in coordination issues if another contractor is performing similar work at the Project site at the same time as Contactor; and

WHEREAS, it would work an incongruity and not produce any advantage to the District to competitively bid the Change Order since such competitive bid work could result in multiple contractors being required to performed work more efficiently and effectively performed by one contractor; and

WHEREAS, a change in contractors in the middle of the Project may cause an inability to enforce the warranty provisions of the Contract; and

WHEREAS, Los Angeles Dredging v. Long Beach (1930) 210 Cal. 348 holds that statutes requiring competitive bidding to not apply when competitive bidding would work an incongruity or not produce any advantage; and
WHEREAS, while pursuant to Public Contract Code section 20659, a community college district is required to competitively bid any change or alteration to a contract that has a value over 10% of the original contract price, California law provides that, "[w]here competitive proposals work an incongruity and are unavailing as affecting the final result or where they do not produce any advantage . . . the statute requiring competitive bidding does not apply." Hiller v. City of Los Angeles (1961) 197 Cal.App.2d 685, 694;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Marin Community College District makes the following findings:

1. That the above recitals are true and correct.

2. That it would work an incongruity and not produce any advantage to the District to bid the completion of the work set forth in the Change Order under the competitive process.

3. That the District approves the immediate completion of the work stated in the Change Order without competitively bidding such work and approves the District’s payment in the amount set forth in the Recitals to the Contractor upon the terms and conditions set forth in the Change Order.

PASSED AND ADOPTED by the Governing Board of the Marin Community College District, on May 21, 2013.

AYES: _____________________________

NOES: _____________________________

ABSENT: _____________________________

ABSTAIN: _____________________________

I, David Wain Coon., Secretary to the Governing Board of the Marin Community College District, State of California, do hereby certify that the foregoing resolution was duly adopted by the said Board at a regular meeting held May 21, 2013.

_____________________________
Secretary to the Governing Board
EXHIBIT A

CHANGE ORDER WORK
### Change Order

**Project:** Academic Center Temporary Driveway  
**Owner:** Marin Community College District  
**Contractor:** Aanenson WildCat Engineering, Inc. dba Wildcat Engineering  
**Project No.:** 303B  
**C.O.:** 01- Final  
**Date: BOT Approval date:** 5/21/2013

---

**To:**

You are directed to make the following Changes in this Contract:

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>PCO #01</td>
<td>Marin County encroachment permit fee</td>
<td>$1,252.35</td>
</tr>
<tr>
<td>PCO #02</td>
<td>Remove and replacement of Gutter pan along Sir Frances Drake Blvd. Per direction of County of Marin site visit</td>
<td>$2,578.97</td>
</tr>
</tbody>
</table>

**End of Items**

**SUBTOTAL:** $3,831.32

**TOTAL:** $3,831.32

---

**Agreement**

When this Change Order is signed by all parties, it constitutes their agreement:

- **Original Contract Price:** $27,800.00
- **Net Change By Previously Authorized Change Order:** $0.00
- **Contract Price Prior To This Change Order:** $27,800.00

**A.** That the Contract Price / Time is adjusted as shown and that no further adjustment by reason of the change(s) provided herein shall be made; and

**Contract Price Will Be:**

- **Increased:** $3,831.32
- **Decreased:** By this Change Order
- **Unchanged:**

**New Contract Price Including This Change Order:** $31,631.32

**Time Adjustment**

- **Contract Time Will Be:**
  - **Increased:** 0 days
  - **Decreased:** By this Change Order
  - **Unchanged:**

**Date of Contract Completion As Of The Date Of This Change Order:**

---

**Agreed By Contractor**

- **Contractor Name:**
- **By:**
- **Date:** NOT USED

**Issued By Project Manager**

- **Issued By:** Jacobs Project Management Company
- **By:**
- **Date:**

**Recommended By Program Manager**

- **Recommended By:** Jacobs Project Management Company
- **By:**
- **Date:**

**Approved By Owner**

- **Approved By:** Marin Community College District
- **Authorized By:**
  - **By:** Laura McCarty, Director of Modernization
  - **Date:**

---

**Distribution:**

- **Owner**
- **Consultant**
- **Construction Manager**
- **Contractor**
- **C. O. File**
- **Other**

---

**Note:** Unless otherwise noted in the specific item description above, the costs detailed in this Change Order represent the total cost of the work; complete supply and installation of materials and equipment; Contractor's fees, profit, and overhead; administration; general conditions; all other indirect costs; and associated additional bond and insurance premiums.
BACKGROUND:
On September 22, 2010, Western Sign Company, Inc. was selected to provide and install the required signage associated with the Site Signage Phase 2 (IVC) Phase 3 (KTD) Kentfield & Indian Valley (402A-417A-305A-306C) project.

Change Order 3 for the project and includes (3) three PCOs to cover the costs of fabrication and installation of the new SMN building dedication plaque; Additional building and site signage required for the SMN and PA projects.

Total Compensation $11,412.52
Total Time extension 0 calendar days

FISCAL IMPACT:
The total amount of this contract to date is as follows and will be paid from Measure C bond funds:

<table>
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<th>Description</th>
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<tbody>
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<td>Original Contract Amount</td>
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<td>Austin Swing Project (850E)</td>
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<tr>
<td>$8,606.00</td>
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<td>Change Order 1 (6% of original contract value)</td>
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<td>0.00 time extension</td>
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<tr>
<td>Change Order 2 (0% of original contract value)</td>
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<tr>
<td>$11,412.52</td>
<td>Change Order 3 (8% of original contract value)</td>
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<tr>
<td>Total Contract Amount</td>
<td>$ 159,459.52</td>
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</table>

Change Orders to date equal 14%.

RECOMMENDATION:
The Superintendent/President recommends that the Board of Trustees approve Change Order 3 to Western Sign Company, Inc. in the amount of $11,412.52 and the attached Resolution attesting that the District will not benefit from bidding the work separately for the work for the Site Signage Phase 2 (IVC) Phase 3 (KTD) Kentfield & Indian Valley (402A-417A-305A-306C) project.
RESOLUTION #2013 - 20 FOR APPROVAL OF CHANGE ORDER NO. 3 TO THE EXISTING CONTRACT WITH Western Sign Company, Inc.
FOR
Site Signage Phase 2 (IVC)- Phase 3 (KTD) Kentfield & Indian Valley (402A-417A-305A-306C)

WHEREAS, Marin Community College District (the “District”) previously awarded a contract for work for the Site Signage Phase 2 (IVC)- Phase 3 (KTD) Kentfield & Indian Valley (402A-417A-305A-306C)(the “Project”) to Western Sign Company, Inc.; and

WHEREAS, subsequent to the award of the Project, it was determined that additional work was necessary as part of the Project (the “Change Order”); and

WHEREAS, the Change Order provides for the work set forth in Exhibit “A”; and

WHEREAS, the total cost for the Change Order is $11,412.52 and exceeds the limitations set forth in Public Contracts Code Section 20659; and

WHEREAS, it will be more costly and time-consuming to bid this additional work since it is integral to the Project and the work being performed by the Contractor; and

WHEREAS, competitive bidding the additional work covered by the Change Order would result in the delay of the completion of the Project and result in coordination issues if another contractor is performing similar work at the Project site at the same time as Contractor; and

WHEREAS, it would work an incongruity and not produce any advantage to the District to competitively bid the Change Order since such competitive bid work could result in multiple contractors being required to performed work more efficiently and effectively performed by one contractor; and

WHEREAS, a change in contractors in the middle of the Project may cause an inability to enforce the warranty provisions of the Contract; and

WHEREAS, Los Angeles Dredging v. Long Beach (1930) 210 Cal. 348 holds that statutes requiring competitive bidding to not apply when competitive bidding would work an incongruity or not produce any advantage; and
WHEREAS, while pursuant to Public Contract Code section 20659, a community college district is required to competitively bid any change or alteration to a contract that has a value over 10% of the original contract price, California law provides that, "[w]here competitive proposals work an incongruity and are unavailing as affecting the final result or where they do not produce any advantage . . . the statute requiring competitive bidding does not apply." Hiller v. City of Los Angeles (1961) 197 Cal.App.2d 685, 694;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Marin Community College District makes the following findings:

1. That the above recitals are true and correct.

2. That it would work an incongruity and not produce any advantage to the District to bid the completion of the work set forth in the Change Order under the competitive process.

3. That the District approves the immediate completion of the work stated in the Change Order without competitively bidding such work and approves the District’s payment in the amount set forth in the Recitals to the Contractor upon the terms and conditions set forth in the Change Order.

PASSED AND ADOPTED by the Governing Board of the Marin Community College District, on May 21, 2013.

AYES: _____________________________

NOES: _____________________________

ABSENT: _____________________________

ABSTAIN: _____________________________

I, David Wain Coon., Secretary to the Governing Board of the Marin Community College District, State of California, do hereby certify that the foregoing resolution was duly adopted by the said Board at a regular meeting held May 21, 2013.

_____________________________
Secretary to the Governing Board
MARIN COMMUNITY COLLEGE DISTRICT
MEASURE C BOND PROGRAM

EXHIBIT A

CHANGE ORDER WORK
PROJECT: Site Signage Phase 2 (IVC) Phase 3(KTD) Kentfield & Indian Valley  

EFFECTIVE ONLY WHEN SIGNED BY OWNER

PROJECT No.: 402A-417A-305A-306C  
CONTRACTOR: Western Sign Company Inc.  
OWNER: Marin Community College District  
ENGINEER: Kate Keating Associates

To: Western Sign Company Inc.

You are directed to make the following Changes in this Contract:

<table>
<thead>
<tr>
<th>PCO #</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.0</td>
<td>New Stainless Steel Building Dedication Plaque for SNM</td>
<td>$2,977.52</td>
</tr>
<tr>
<td>4.0</td>
<td>Additional signage as required for the PA building and site</td>
<td>$4,865.00</td>
</tr>
<tr>
<td>5.0</td>
<td>Additional signage as required for the SMN building and site</td>
<td>$3,570.00</td>
</tr>
</tbody>
</table>

SUBTOTAL $11,412.52

TOTAL: $11,412.52

NOTE: Unless otherwise noted in the specific item description above, the costs detailed in this Change Order represent the total cost of the work, complete supply and installation of materials and equipment, Contractor's fees, profit, and overhead, administration, general conditions, all other indirect costs, and associated additional bond and insurance premiums.

AGREEMENT

When this Change Order is signed by all parties, it constitutes their agreement:

<table>
<thead>
<tr>
<th></th>
<th>Original Contract Price: $139,441.00</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Net Change By Previously Authorized Change Order: $8,606.00</td>
</tr>
<tr>
<td></td>
<td>Contract Price Prior To This Change Order: $148,047.00</td>
</tr>
<tr>
<td>A.</td>
<td>Contract Price Will Be:</td>
</tr>
<tr>
<td></td>
<td>By this Change Order:</td>
</tr>
<tr>
<td></td>
<td>New Contract Price Including This Change Order: $159,459.52</td>
</tr>
</tbody>
</table>

TIME ADJUSTMENT

Contract Time Will Be: 0 calendar days

DATE OF CONTRACT COMPLETION AS OF THE DATE OF THIS CHANGE ORDER: 6/30/2013

AGREED BY CONTRACTOR

Western Sign Company Inc.

Kate Keating Associates

APPROVED BY ARCHITECT/ENGINEER

Debra Mathau, Construction Manager

Ken Brazzel

ISSUED BY PROJECT MANAGER

Jacobs

APPROVED BY PROGRAM MANAGER

Debra Mathau, Construction Manager

Ken Brazzel

APPROVED BY OWNER

Marin Community College District

Laura McCarty, Director of Modernization

AUTHORIZED BY OWNER

Marin Community College District

Al Harrison, VP of College Operations

Distribution: Owner, Consultant, Construction Manager, Contractor, C.O. File, Other
To: Board of Trustees  Date: May 21, 2013
Subject: Approve Contract Amendment to the Professional Services Agreement for Sally Swanson Architects for Fusselman Hall ADA Upgrades (309A)
Reason for Board Consideration: ACTION APPROVAL

| Enclosure(s): | None |

**BACKGROUND:**

In April 2013, the Board approved a Short Form Professional Services Agreement for Sally Swanson Architects to review the status of their previous ADA assessment of the KTD and IVC campuses. This report was completed and presented to the Board on March 29, 2013. On April 16, 2013, the Board also approved the issuance of a RFP for ADA upgrades for Fusselman Hall, KTD ADA Upgrades (309A).

At this time the District seeks Board approval to move forward with a contract amendment for Sally Swanson Architects to provide construction documents and support through bid and construction phases of the proposed ADA work at Fusselman Hall in the amount of **$75,000.00**.

**FISCAL IMPACT:**

The total amount of contract amendment 1 to the Professional Services Agreement will be **$75,000.00**.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Short Form Professional Services Agreement</td>
<td>$ 5,000.00</td>
</tr>
<tr>
<td>Amendment 1</td>
<td>$75,000.00</td>
</tr>
<tr>
<td><strong>Total Contract Amount</strong></td>
<td><strong>$80,000.00</strong></td>
</tr>
</tbody>
</table>

This new agreement for design services will be paid from Measure C Bond funds from the ADA Upgrades (309A) project budget. The short from contract agreement for services will be brought to the Board for ratification at the first scheduled meeting following execution of the agreement.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve Amendment 1 to the existing professional services agreement for Sally Swanson Architects for design services for the ADA Upgrades of Fusselman Hall (309A) in the amount of **$75,000.00**.
BACKGROUND:

On April 29, 2008 the Board authorized District staff to approve Measure C construction contract changes and amendments in order to facilitate the design and construction process in a timely manner. The Board re-authorized this pre-approval process in six-month increments on the following dates:

1. November 11, 2008
2. April 21, 2009
3. October 13, 2009
4. April 20, 2010
5. October 19, 2010
6. April 19, 2011
7. October 18, 2011
8. May 21, 2013

At this time the Board is asked to approve the next six-month authorization from May 2013 through November 2013 (consulting amendments are as indicated on the attached spreadsheet). The Board is also asked to reauthorize the authority delegated to the Director and VP Business Services as stated in the original approval.

FISCAL IMPACT:

The fiscal impact of this procedure is positive, as projects will continue to proceed without delay.

RECOMMENDATION:

The Superintendent/President recommends that the Board approve the attached consultant spreadsheet and to continue granting authority to District staff to approve amendments and changes to Measure C contracts through November 2013 and to reauthorize the authority delegated to the Director and VP Business Services as stated in the original approval.
<table>
<thead>
<tr>
<th>Consultant:</th>
<th>Responsibility:</th>
<th>Total Approved Contract Amount through 03/19/13 BOT</th>
<th>Balance of Previously Approved Request ($) Rollover to APR 2013 BOT</th>
<th>Additional Request ($) from May 2013 BOT - Nov 2013 BOT</th>
<th>PM Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>4Leaf, Inc.</td>
<td>DSA Inspector-SMCP &amp; CSC</td>
<td>$1,487.60</td>
<td>$3,728</td>
<td>$9,600</td>
<td>Close SMN</td>
</tr>
<tr>
<td>A3Geo, Inc.</td>
<td>Geotech Engineer - PE Track</td>
<td>$71,772</td>
<td>$41,570</td>
<td>$50,000</td>
<td>Cover NAC Demo/DFN</td>
</tr>
<tr>
<td>Alfa Tech Cambridge Group, Inc.</td>
<td>District MEP</td>
<td>$2,126.33</td>
<td>$50,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ballard &amp; Watkins Construction Services</td>
<td>DSA Inspector - PA</td>
<td>$857.95</td>
<td>$25,503</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consolidated Engineering Laboratories</td>
<td>Testing &amp; Inspection Geotech</td>
<td>$1,279.71</td>
<td>$188,830</td>
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</tr>
<tr>
<td>CSW/Stroeh Engineering</td>
<td>District Civil Engineer</td>
<td>$2,145.52</td>
<td>$100,015</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Davis Langdon/AECOM</td>
<td>OPR/District-Wide LEED Consultant</td>
<td>$116.50</td>
<td>$93,300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Degenkolb Engineers</td>
<td>District Structural Engineer</td>
<td>$304.85</td>
<td>$44,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ED2 International</td>
<td>Project Specific Architect - SMCP &amp; FA</td>
<td>$8,128.32</td>
<td>$107,895</td>
<td>$50,000</td>
<td>Misc. Hazmat - Austin</td>
</tr>
<tr>
<td>Environmental Resource Group (ERG)</td>
<td>Move &amp; Disposal Svcs of Chemicals &amp; Radioactive</td>
<td>$170.32</td>
<td>$5,000</td>
<td></td>
<td></td>
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<tr>
<td>Gaynor Engineers</td>
<td>Mechanical &amp; Electrical</td>
<td>$311.67</td>
<td>$226,622</td>
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<td></td>
</tr>
<tr>
<td>Environmental Science Associates (ESA)</td>
<td>CEQA Consultant - NAC &amp; CSC</td>
<td>$97,155</td>
<td>$115,640</td>
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<td></td>
</tr>
<tr>
<td>GeoTech Utility Locating LLC</td>
<td>Utility locating</td>
<td>$177,50</td>
<td>$25,000</td>
<td>Complete Commission Bond Projects</td>
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<tr>
<td>Glumac Engineers</td>
<td>LEED Commissioning</td>
<td>$2,336.29</td>
<td>$231,057</td>
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<tr>
<td>Hardison, Komatsu, Ivelich &amp; Tucker (HKIT)</td>
<td>Project Specific Architect - Trans Tech &amp; CSC</td>
<td>$295.04</td>
<td>$121,99</td>
<td>$725</td>
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</tr>
<tr>
<td>Jeff Sposato</td>
<td>DSA Inspector</td>
<td>$106.83</td>
<td>$177,842</td>
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<tr>
<td>Kate Keating Associates, Inc.</td>
<td>District Signage Consultant</td>
<td>$267.96</td>
<td>$146,784</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LSA Associates, Inc.</td>
<td>District Environmental Monitor</td>
<td>$3,939.82</td>
<td>$105,977</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marcy Wong Donn Logan Architects (MWDL)</td>
<td>Project Specific Architect - FA &amp; PA</td>
<td>$373.58</td>
<td>$16,688</td>
<td>$20,000</td>
<td>NAC Hazmat</td>
</tr>
<tr>
<td>Nino &amp; Moore</td>
<td>Industrial Hygienist</td>
<td>$221.31</td>
<td>$44,844</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Noll &amp; Tam Architects and Planners</td>
<td>Project Specific Architect - ASC</td>
<td>$221.31</td>
<td>$44,844</td>
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<tr>
<td>Nor-Cal Moving Services</td>
<td>Movers &amp; Storage</td>
<td>$257.20</td>
<td>$38,486</td>
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<tr>
<td>PAE Consulting Engineers, Inc.</td>
<td>Geothermal Engineer - NAC</td>
<td>$384.34</td>
<td>$32,820</td>
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<td></td>
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<tr>
<td>Radixos</td>
<td>FFE Consultant Space Planning</td>
<td>$783.32</td>
<td>$119,566</td>
<td></td>
<td>$50,000 ADA Master Plan Update</td>
</tr>
<tr>
<td>Sally Swanson Architects</td>
<td>Access Compliance Services</td>
<td>$2,423.64</td>
<td>$60,075</td>
<td>$25,000</td>
<td>NAC Design</td>
</tr>
<tr>
<td>Royston, Hanamoto, Alley &amp; Abey (RHAA)</td>
<td>District Landscape Architect</td>
<td>$50,459</td>
<td>$15,000</td>
<td>$20,000</td>
<td>NAC &amp; General Consulting</td>
</tr>
<tr>
<td>TLC Architecture</td>
<td>Project Specific Architect - New Academic Center</td>
<td>$2,163.77</td>
<td>$105,560</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Urban Forestry Assoc, Inc.</td>
<td>Project Specific &amp; District Arborist</td>
<td>$0</td>
<td>$222,895</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VBN Architects (aka Architecture vbn)</td>
<td>Project Specific Architect - Main Building: Facilities Master Plan Architect</td>
<td>$0</td>
<td>$197,750</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Visions Management</td>
<td>Move Planning Services</td>
<td>$783.32</td>
<td>$119,566</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Future Moving &amp; Storage</td>
<td>Movers &amp; Storage</td>
<td>$0</td>
<td>$222,895</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Future Consultants not yet under contract</td>
<td>Various special consultant services</td>
<td>$0</td>
<td>$197,750</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
To: Board of Trustees  
From: Superintendent/President  
Subject: Authorization to Re-Bid and Award Contract – FA Bldg Weatherization (306D)  
Reason for Board Consideration: ACTION APPROVAL  
Enclosure(s): None

BACKGROUND:

On September 18, 2012, the Board of Trustees approved funding of the FA Bldg Weatherization Project. On December 11, 2012 the bids were received and were over budget, therefore no award was made. The Board of Trustees was notified in the Bond Director’s report of Jan 15, 2013 that the weatherization bids were over budget. On April 16, 2013, the Board of Trustees approved the revision of the FA Bldg Weatherization scope to include the FA mechanical items. The current approved project budget of $1,148,340 will be shared between the Weatherization and Mechanical Remediation Projects. Staff will work with Dean and user groups to prioritize, and with available funds, will implement the most urgent items.

The District seeks authorization to proceed with the re-bidding process for the FA Bldg Weatherization (306D). In order to facilitate the award process the bid form will be arranged into three (3) bid alternates. (1) ground level canopies; (2) stairwell cover and (3) vertical wall weather protection. Any combination may be awarded based on budget restrictions and user priorities. Bid results will be presented to the Board of Trustees at a later date for final determination of installation priorities.

FISCAL IMPACT:

The project will be paid from Measure C bond funds allocated for the FA Bldg Weatherization Project (306D).

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees authorize the bidding process to proceed for the FA Bldg Weatherization Project (306D).
<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>May 21, 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject:</td>
<td>Approve Authorization to Bid and Award Construction Contract New Academic Center (303B)</td>
<td>Enclosure(s):</td>
<td>None</td>
</tr>
</tbody>
</table>

**BACKGROUND:**

The Design of the new Academic Center Project (303B) at Kentfield Campus is under review at DSA and is awaiting final approval. On April 16, 2013 the Board of Trustees adopted the pre-qualification process for the New Academic Center Project. This process is now underway and will conclude at the end of May. At the conclusion of the pre-qualification process the qualified contractors will proceed with the bidding process.

The District now seeks Board Approval to bid and award the contract following the final DSA approval and successful prequalification process.

**FISCAL IMPACT:**

The final reconciled engineer’s estimate for the project is $24,000,000. This project will be paid from Measure C bond funds.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees pre-authorize bidding to and award of a construction contract for the New Academic Center Project (303B) to the lowest responsive bidder within budget.
BACKGROUND:

On March 25, 2013, Aanenson Wildcat Engineering, Inc., dba Wildcat Engineering was selected to provide general contracting services for the Construction Temporary Driveway (303B).

The work on this project is complete, and at this time the District gives notice and certifies that:

- The project has been inspected and complies with the plans and specifications;
- The contractor has completed the work;
- The contract for the project is accepted and complete; and
- A Notice of Completion (attached) is ready to be filed for the project.

Continued work on warranty items is routine and ongoing.

FISCAL IMPACT:

None.

RECOMMENDATION

The Superintendent/President recommends that the Board of Trustees is asked to approve the Notice of Completion for the Academic Center Temporary Driveway (303B).
Notice of Completion

State / local governmental entity recording fee when document is for the benefit of the government entity - GC 27383
(no fee)
Must be recorded within 10 days after completion

In execution of this Notice, notice is hereby given that:

1. The undersigned is an owner or agent of an owner of the estate or interest stated below.
2. The name of the owner is Marin Community College District.
3. The address of the owner is 835 College Ave, Kentfield CA 94904.
4. The nature of the estate or interest is: Marin Community College District in fee.
5. The name and addresses of all co-owners, if any, who hold any title or interest with the above-named owner in the property are:

   NAMES                                ADDRESSES

6. Work of modernization on the property was completed on: ______ May 1, 2013 ______.
7. The Project Name & Number are Academic Center Temporary Driveway (303B).
8. DSA Number (if applicable) not applicable
9. The contractor for such work of modernization is Aanenson Wildcat Engineering, Inc. dba Wildcat Engineering.
10. The name of the contractor’s Surety Co is Financial Pacific Insurance Company.
11. The date of contract between the contractor and the above owner is March 25, 2013.
12. The street address of said property is 835 College Ave. Kentfield CA 94904
13. The property on which said work of modernization was completed is in the Town of Kentfield/City of Larkspur, County of Marin, State of California, and is described as follows: NAC Tree Program (303B).

Date                                                  Signature of Owner
Marin Community College District

Verification

I, undersigned, say:
I am ____________________________
(‘President,” “Owner,” “Manager,” etc.)

Of the declarant of the foregoing completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.
I declare under penalty of perjury that the foregoing is correct and true.

Executed on ______________________, at ______________________, California.
(City or Town where signed)

(Personal signature of the individual swearing that the contents of the notice are true)
To: Board of Trustees                          Date: May 21, 2013
Subject: Notice of Completion
            NAC Tree Removal Program (303B)
            Treemasters Tree & Garden Care, Inc.
Reason for Board Consideration:
ACTION APPROVAL
Enclosure(s):
Notice of Completion

BACKGROUND:

On March 14, 2013 Treemasters Tree & Garden Care Inc. was selected to provide tree trimming and tree removal services for the NAC Tree Program (303B)

The work on this project is complete, and at this time the District gives notice and certifies that:

- The project has been inspected and complies with the plans and specifications;
- The contractor has completed the work;
- The contract for the project is accepted and complete; and
- A Notice of Completion (attached) is ready to be filed for the project.

Continued work on warranty items is routine and ongoing.

FISCAL IMPACT:

None.

RECOMMENDATION

The Superintendent/President recommends that the Board of Trustees is asked to approve the Notice of Completion for the New Academic Center (303B)
**Notice of Completion**

*State / local governmental entity recording fee when document is for the benefit of the government entity - GC 27383 (no fee)*

*Must be recorded within 10 days after completion*

In execution of this Notice, notice is hereby given that:

1. The undersigned is an owner or agent of an owner of the estate or interest stated below.
2. The name of the owner is Marin Community College District.
3. The address of the owner is 835 College Ave, Kentfield CA 94904.
4. The nature of the estate or interest is: Marin Community College District in fee.
5. The name and addresses of all co-owners, if any, who hold any title or interest with the above-named owner in the property are:

<table>
<thead>
<tr>
<th>NAMES</th>
<th>ADDRESSES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6. Work of modernization on the property was completed on: May 3, 2013.
7. The Project Name & Number are NAC Tree Program (303B).
8. DSA Number (if applicable) not applicable
9. The contractor for such work of modernization is Treemasters Tree & Garden Care
10. The name of the contractor’s Surety Co is Contractors Bonding and Insurance Company.
11. The date of contract between the contractor and the above owner is March 14, 2013.
12. The street address of said property is 835 College Ave, Kentfield CA 94904
13. The property on which said work of modernization was completed is in the Town of Kentfield/City of Larkspur, County of Marin, State of California, and is described as follows: NAC Tree Program (303B).

Date

Signature of Owner
Marin Community College District

**Verification**

I, undersigned, say:

I am ________________________________

("President," "Owner," "Manager," etc.)

Of the declarant of the foregoing completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is correct and true.

Executed on ______________________, at __________________, California.

(City or Town where signed)

Revised 2011 0105

(Personal signature of the individual swearing that the contents of the notice are true)
BACKGROUND:

The Marin Community College District has updated and aligned the District’s Board Policies with the recommended policies developed through the legal firm of Liebert Cassidy Whitmore in conjunction with the Community College League of California (CCLC). Board Policies must be updated as both laws and the needs of the District change and will be revised based on Legal Updates provided by the Policy and Procedure Subscription Service coordinated by the CCLC.

ANALYSIS:

There are seven chapters of the Board Policy Manual that include the following sections: 1) The District, 2) Board of Trustees, 3) General Institution, 4) Academic Affairs, 5) Student Services, 6) Business and Fiscal Affairs, and 7) Human Resources. As the law changes, current Board Policies will be reviewed and revised to align with revisions recommended by the Policy and Procedure Subscription Service.

Board Policies and Administrative Procedures for Chapters 1 and 2 will undergo administrative review by Dr. David Wain Coon. After this review, the new draft will be evaluated by the Policy Review Committee for suggested revisions. Revisions will then be reviewed as information items at the BP/AP Revision Task Force and College Council. Once these steps have been completed, finished Board Policies will be submitted to the full Board for first reading and adoption. Administrative Procedures will be presented as information items.

Board Policies and Administrative Procedures for Chapters 3 through 7 will undergo administrative review by Dr. David Wain Coon and appropriate staff. After this review, the new draft will be evaluated by the BP/AP Revision Task Force for suggested revisions. Revisions will then be reviewed as information items at College Council. Once these steps have been completed, finished Board Policies will be submitted to the full Board for first reading and adoption. Administrative Procedures will be presented as information items.

Board Policy 4040 is now ready for review by the Board of Trustees.

FISCAL ANALYSIS:

No fiscal impact for the District.
RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees receive Board Policy 4040 for first reading and discussion.

Administrator Initiating Item    Dr. David Wain Coon, Superintendent/President
BP 4040 LIBRARY AND OTHER INSTRUCTIONAL SUPPORT SERVICES

References:
   Education Code Section 78100;
   Accreditation Standard II.C;
   Title 5 Sections 51970 and 58168;
   Civil Code Section 1798.90

The District shall have library services that are an integral part of the educational program and will comply with the requirements of the Reader Privacy Act.

The Board shall, provide necessary staff and resources to support library services to meet student needs regardless of location or means of delivery of instruction.

The Superintendent/President shall establish a process at both campuses that provides:
   1. for acquisition, maintenance, and renewal of the collection including books, periodicals, databases and computers.
   2. the necessary funding to promote optimum library utilization, including evenings and weekends.
   3. for cooperative library functions and services between the two campuses as well as cooperative arrangements with other academic institutions and public libraries.

Library collections shall be developed and maintained which support course offerings, develop critical thinking, and reflect cultural diversity.

Gifts to the library shall be accepted only if they enhance the strength of the library collection.

The library provides materials that present all sides of controversial issues. A publication otherwise deemed appropriate shall not be excluded from the collection because it presents ideas considered distasteful or controversial. The District adheres to the American Library Association's standards on the subject of censorship.

The District shall provide learning assistance for students who may require special help beyond the regular classroom program. Peer tutoring, shall be provided free of charge to currently enrolled College of Marin students to support instruction, regardless of campus and modality.

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Date Adopted: July 19, 2011
Date Revised:
(Replaces College of Marin Policies 2.0003, 4.0011, 2.0009 and Procedure 2.0003 DP.1)
Special Board Meeting
Board Retreat
Marin Community College District – Board of Trustees
March 29, 2013

Minutes

A. Open Session
1. Call to Order, Roll Call and Adoption of Agenda
   The Board of Trustees of the Marin Community College District met for a Board Retreat in the Staff Lounge of the Student Services Building on the Kentfield Campus, all members having received notice as required by law. Board Clerk O’Brien called the meeting to order at 9:15 a.m. Trustees Conti, Long, O’Brien and Treanor were present. Trustees Dolan, Kranenburg and Namnath were not present. Also present were Superintendent/President Coon, Vice President Harrison, Director McCarty, Mark Kelley (Dannis Woliver Kelley) and Sarah Schoening (Schoening Group Inc.).
   M/s (Long/Conti) to adopt the agenda. Motion carried 4-0-3.
2. Public Comment – There was no public comment
3. Adjourned to Closed Session at 9:16 a.m.

B. Closed Session

Trustee Namnath arrived at 9:20 a.m. and Trustee Dolan arrived at 9:40 a.m.

1. CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code Sec. 54957.6)
   Relative to the following organizations representing employees: California School Employees Association (CSEA); Service Employees International Union (SEIU)
   Staff: David Wain Coon
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code §54956.9 (b)) Number of Potential Cases – 1
   Attorney: Mark Kelley, Dannis Woliver Kelley

C. Open Session

1. Call to Order, Roll Call and Adoption of Agenda
   Board President Namnath called the open session to order at 10:56 a.m. and asked the
Clerk to call roll. Trustees Conti, Dolan, Long, Namnath, O’Brien and Treanor were present. Trustee Kranenburg was absent. Also present were Superintendent/President David Wain Coon, Vice Presidents Al Harrison and Jonathan Eldridge, Director of Modernization Laura McCarty, Bruce Hart and Ken Brazzel (Jacobs), Sally Swanson (Sally Swanson Architects), Sarah Schoening (Schoening Group) and Mark Kelley (Dannis Woliver Kelley).

M/s (Conti/O’Brien) to approve agenda. Motion carried 6-0-1. Trustee Kranenburg was not present.

2. Report on Closed Session – No action taken during Closed Session

3. Public Comment – No public comment.

4. Approve Minutes
   a. M/s (O’Brien/Treanor) to approve minutes of February 26, 2013 Regular Board Meeting. Motion carried 6-0-1. Trustee Kranenburg was not present.
   b. M/s (Long/Treanor) to approve minutes of March 14, 2013 Special Board Meeting. In response to a question, Board Present Namnath stated that notifications related to meeting attendance should be communicated to the Board President, the Superintendent/President David Wain Coon or his assistant. He further noted that agendas must be posted 72 hours in advance of regular meetings and 24 hours in advance of special meetings and may not be changed unless within the required posting limitations. Motion carried 6-0-1. Trustee Kranenburg was not present.

5. M/s (Treanor/O’Brien) to approve MOU between District and CSEA. Motion carried 6-0-1.

6. Bond Spending Plan Study Session (Modernization Team)
   Ms. McCarty gave a presentation with assistance from the modernization team and field experts. A copy of the Presentation is available on the College of Marin Website, Board of Trustees Page, under the link for 2013 Board Meetings. Ms. McCarty and Ms. Swanson discussed the progress made on ADA issues since the 2004 ADA assessment report, noting 78% of barriers at Kentfield had been removed and 31% have been removed at IVC (not including Ohlone). The timeline will be updated to address the remaining issues. Trustees asked questions and discussed the need for required signage, parking, pathways and way-finding, IVC accessibility issues, cost factors, staffing large events to assist those with needs, and looking at new technologies. Asset management will also be a factor with considerations for both buildings in use and decommissioned buildings.

Trustee Dolan left the meeting at 11:30 a.m.

There was a suggestion to consider using portable ADA-compliant restrooms rather than renovating existing restrooms, since unknown conditions can be costly in renovation projects. A request was made to find out what percent of the IVC accessibility issues were related to restrooms and what effect using portable restrooms would have on the completion percentage at IVC.
Ms. McCarty introduced Sarah Schoening and Ken Brazzel to help present the proposed Bond Spending Plan. It was noted that as the bond projects come to an end with funds dwindling it is important to fully fund projects to their finish, address ADA obligations, provide internal support and right-size projects (including contingencies for uncertainties). Staff reviewed funding needs for the Academic Center, Performing Arts, Child Study Center, Cultural Mitigation Measure (Historic Preservation), Fine Arts Mechanical and Weatherization projects. Needs not covered in Fine Arts were identified along with Program Management costs through close-out of the Academic Center Project. Ms. McCarty reviewed the Bond Spending Plan Options.

Trustees broke for lunch at 12:05 p.m. and resumed the meeting at 12:20 p.m.

Trustees discussed and asked questions about the projects and spending plan. Discussion included use/re-use of existing materials, fund raising (i.e. Historic Preservation), Fine Arts repairs that will have the most impact for students, possible financial relief on Fine Arts due to potential claim, increased management fees, bare bones ($6 million) vs. full modernization ($18 million) of Austin Science, the role/need for services of Schoening Associates, staying on time and on budget, concerns with overages on projects, cost of Academic Center, ADA compliance issues, repair of roofs to maintain buildings, IVC priorities, costs related to delaying decisions and that more information was needed on ADA and seismic issues.

There were requests to have fund raising discussed at a future retreat and to have a more in-depth conversation about the Austin Science and Learning Resources Centers.

Dr. Coon noted that he heard the concerns expressed and will bring back more information.

7. **Technology Plan Update** (Harrison)

   Vice President Harrison shared information on how Measure C funds for Technology have been spent noting that $3,162,537 remains of the initial $10 million designated for this purpose. He also shared Technology Plan Priorities reporting on projects that have been completed and remaining projects and related costs if known. The estimated cost for these projects exceeds what is left in Measure C Technology funds. Smart classrooms have been included in all new projects and remodels and determinations must be made about other classrooms that require updating and at what cost. The technology plan did not identify all costs because certain projects are not yet defined to a point where reasonable cost estimates are possible. Some items may fall off the list as technology changes. Funds for licensing and maintenance are being incorporated into the unrestricted General Fund budget. Trustees discussed the topic asking questions and making suggestions such as the potential of fund raising options, checking to see if all priorities are included or just three years, whether this is sustainable, assuring we
include technology if there is a future bond issue, continued research of distance education and our acceptance to join MarinNet.

Trustee Dolan returned to the meeting at 2:00 p.m.

8. **Student Success Initiative Update/Enrollment Priorities** (Eldridge)
Vice President Eldridge provided Trustees with an update on the Student Success Act and reviewed enrollment priorities for fall 2014. It was noted that there is a process for exceptions to the enrollment priorities. There was discussion about the required mandates, cost sharing, adequate counseling/staff, use of DegreeWorks/technology, course priorities, resources and helping students succeed. Trustees thanked Mr. Eldridge for a very thorough and informative presentation.

9. **CEO Evaluation Process** (Conti & O’Brien)
Trustee O’Brien provided a sample of the evaluation used last year noting that the format worked well and will be used again this year with a focus on three goals. The timeline is aggressive. Trustees requested that the survey save the information that has been input before it times-out. There will be an update at the May meeting and a final discussion in June. Dr. Coon will share other needs beyond the three goals in his self-evaluation.

10. M/s (O’Brien/Conti) to adjourn the meeting. Meeting adjourned at 3:00 p.m.
Marin Community College District
Board of Trustees Regular Meeting

Minutes
April 16, 2013

A. Open Session

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

The Board of Trustees of the Marin Community College District met for a regularly scheduled Board meeting in Student Services Building Cafeteria at the Kentfield Campus, all members having received notice as required by law. Board President Namnath called the meeting to order at 6:32 p.m. and asked the Clerk to call roll. Trustees Conti, Kranenburg, Long, Namnath, O’Brien and Treanor were present. Trustee Dolan was not present. Student Trustee Blood was absent. Also present were Superintendent/President Coon and Vice Presidents Eldridge and Harrison. M/s (Long/O’Brien) to adopt agenda. Dr. Coon noted there were typographical revisions to items 8.N.I Measure C Contracts and the cover sheet for item 9.E.1. Change Order #19 and Resolution Midstate Construction. He further noted that the amount listed on the agenda for Item 9.E.1 is incorrect and should be changed from $63,034 to $223,288 which coincides with the backup material in the packet. Motion to adopt agenda as amended carried 6-0-1.

2. Public Comment

   A. Comments regarding items not on the Agenda (3 minutes per speaker) - None

   B. Comments regarding items on the Agenda - to be heard immediately before the Board of Trustees’ consideration of the item

3. Chief Executive Officer’s Report

   A. Accreditation – Dr. Coon reported the team has been reassembled and is working on the progress report. More information will be brought to the Board in the future.

   B. Student Success Scorecard Report 2013 (ARCC 2.0) (Hsieh, Eldridge, & McKinnon)

       Dr. Hsieh and Vice President Eldridge shared the 2013 Student Success Scorecard Report, reviewing the metric definitions and our ability to use the on-line information to compare ourselves with the state and with other community colleges. Dr. Hsieh presented the Board with a handout from Sara McKinnon (attached to the minutes)
which provided additional information and perspective about what was reported on ESL students. It was noted that putting this information in context is very important and further analysis specific to our institution is critical. It also provides us an opportunity to use the data and further analysis of the data to help us set goals that are more specific to us as we move forward. Trustees thanked staff for the informative presentation noting that it is important to WASC and the Chancellor’s Office that the Board understand and use the data to drive budget allocation decisions that will support and improve the ratios. There was also discussion about reaching out to local high schools, marketing, creating our own internal scorecard that shows our successes and challenges to augment this information, the need for the Board to review further analysis to assist in making budget decisions. There was a request that this information be shared using the number of students as well as percentages. It was noted that it is good news that our completion rate is higher than state average and that there should be careful tracking of ESL students.

C. Selection of Audit Firm (Harrison)
Vice President Harrison reviewed the process used in requesting proposals for auditing services for the next five years. The proposal was sent to nineteen firms and of those, five responded. Based on the RFQ criteria, staff evaluated the proposals and came up with a rating system to determine which firm should be recommended. As a result of the examination, staff recommend awarding a contract to Crowe Horwath LLP. Crowe-Horwath’s fees are $76,000 for years 2012/13 and 2013/14, $78,700 for 2014/15, $81,500 for 2015/16 and $84,300 for 2016/17. Crowe Horwath LLP merged with Perry Smith in November 2012. Perry Smith had been the College’s auditor for many years. Trustees asked questions about how often we are required to change auditors, fees, and whether we should go out for qualification more frequently. Mr. Harrison responded that we are not required to change auditors, but we are required to go through a process every five years, that there are no requirements to change auditors, that fee increases are business decisions, based on inflation and expected costs, and that five-year contracts offer better cost options than shorter contracts.

4. Academic Senate Report (5 minutes) – Sara McKinnon’s report on the Student Success Scorecard is the Senate report and is attached to the minutes.

5. Classified Senate Report (5 minutes) – Alice Dieli reported the Classified Senate is working on two projects and hopes to update the Board on the progress next month. The Senate is also accepting nominations for the end-of-year recognition awards.

6. Student Association Report (5 minutes) – No Report

7. Board Study Session
   A. Project Labor Agreement
      Dr. Coon noted that the Board spent a significant amount of time discussing the Bond Program at the March Retreat focusing on the successful completion of the Bond,
especially the construction of the New Academic Center. He suggested that Item 9.E.11 be moved for action after the Board Study Session to accommodate the members of the public who wished to speak on the item. **M/s (Conti/Treanor) to move item 9.E.11. to after the Board Study Session. Motion carried 7-0.**

Ms. McCarty introduced Mark Kelley (Dannis Woliver and Kelley) and Bruce Hart (Jacobs) to share information on project stabilization agreements and the history of the agreements at the College of Marin. A copy of the presentation is available on the College of Marin Website, Board of Trustees, Board Meeting page. Mr. Kelley explained that a Project Labor Agreement (PLA) or Project Stabilization Agreement (PSA) is a pre-hire collective bargaining agreement between the District and the Trades Council on behalf of all the unions in the construction trades in the County. It is included in the construction document so that anyone bidding knows they are required to participate in hiring and benefits through the union programs if awarded the project. He noted that regardless of a PLA or PSA, all employees on the construction contract are covered by prevailing wage. The request this evening is to add the Academic Center to the existing agreement which went through an extensive review process in 2005. Bruce Hart noted that Jacobs has done projects both with and without PSAs. He stated that in an accelerating economy, increased construction activity may lead to a condition of constrained labor availability in an area. He also noted that a PSA may provide access to a better trained workforce because of the requirements of the PSA and result in a higher quality project. Trustees expressed support and appreciation of the presentation noting that our PSA projects have been successful and positive experiences and have provided local hiring and student training.

**M/s (Long/Kranenburg) to approve item 9.E.11. - Approve Inclusion of New Academic Center Project in Existing Project Stabilization Agreement.** Several members of the public spoke on this item. Bill Scott commented that the College’s PSA projects came in under cost, that union and non-union contractors got the jobs, prevailing wage was paid, and labor and management apprenticeship programs to help Marin students have been very successful. He urged Trustees to vote yes. Matt Chase commented that he started at COM over four years ago and has successfully completed over 100 units with a 3.21 GPA. He is now a skilled laborer and ready to work. Brandon Sherron, field representative of Carpenters Local 35 in Marin County agreed with comments that had been made. He noted that PLAs are a great workforce investment tool to help train the future workforce in Marin County. He read a letter from Julian Stone (attached) who was unable to attend the meeting. Carl Sanchez, representing Sheet Metal Workers Local 104 in Marin and Sonoma Counties spoke to the labor force concerns noted earlier saying that will create their own labor pool and encouraged the Board to keep up the program. He stated they get calls every day from people who want to work in this area. Derrick Fisher was an apprentice with Sheet Metal Workers Local 104 and attended Bill Scott’s Careers and Construction Class. The course was a pathway and great opportunity, taught him good skills, gave him the opportunity to work on the Science
Math Nursing building and provided him with a job that has good medical benefits and pay - beneficial to him and to others. Paul Cohen, retired member of Carpenters Local 35, expressed his support of a program that he participated in, noting that he would like to pay it forward and give others the same opportunity that he had as an apprentice. He noted that he has several clients that use PLAs on very large projects and it is the norm in the Bay Area. **There was a request for a roll call vote on this item and President Namnath asked the Clerk to call roll. Motion carried 6-1, with Trustee Dolan voting no.**

Trustees took a 5 minute break and meeting resumed at 7:55 p.m.

8. **M/s (Treanor/Conti) to approve Consent Calendar Items (Roll Call Vote).** Trustee Dolan requested that item 8.N. Modernization (Measure C) be pulled from the Consent Calendar. **Motion to approve Consent Calendar Items with the exception of item 8.N. carried by a roll call vote of 6-0-1. Trustee Kranenburg was not present.**

A. **Calendar of Upcoming Meetings**
   - April 20, 2013, Board Retreat, Staff Lounge, Student Services, Kentfield Campus
   - May 21, 2013, Regular Meeting, Cafeteria, Student Services, Kentfield Campus

B. **Approve Classified Personnel Recommendations**
   1. Appointment of Classified Personnel
   2. Appointment of Hourly Personnel
   3. Resignation/Termination of Classified Personnel

C. **Approve Classified Position Recommendation**

D. **Approve Classified Management Personnel Recommendation**
   1. Appointment of Classified Personnel

E. **Approve Academic Personnel Recommendations**
   1. Change in Sabbatical Leave
   2. Phased-in Early Retirement of Academic Personnel

F. **Approve Educational Management Personnel Recommendations**
   1. Appointment of Educational/Management Personnel
   2. Resignation Educational/Management Personnel

G. **Approve Budget Transfers – Month of March 2013**

H. **Approve Warrants - Month of March 2013**

I. **Approve Declaration of Surplus Property – Miscellaneous Equipment**

J. **Approve New Community Services Courses**

K. **Approve New Community Services Collaborative Program**

L. **Approve Sabbatical Leave Revision**

M. **Second Reading and Approval of Board Policies**
BP 5030 Fees

N. M/s (Treanor/O’Brien) to approve
  Modernization (Measure C)
  1. Ratify/Approve Modernization Contracts, Changes, Amendments ($349,905.50)
     Trustees Dolan suggested that all Measure C items be listed under action along with
     a staff report to inform the public on how the money is being spent. Other Trustees
     commented that this topic has been discussed and researched and that the Board
     collectively decided on parameters that allowed contracts, changes and
     amendments up to a certain amount be put on the consent calendar. The purpose
     was to avoid project delays and empower staff to keep projects on track. Absent
     this process, projects would have to wait until the next Board meeting. The monthly
     modernization information reports were created to help keep the Board informed as
     a result of this decision. Motion carried 7-0.

9. Other Action Items
   A. M/s (Treanor/Conti) to approve Resolution 2013-10 to Authorize Temporary Transfer
      of Funds for 2013/2014. Motion carried by a roll call vote of 7-0.
   B. M/s (O’Brien/Conti) to Approve Selection of Auditing Firm Crowe-Horwath LLP.
      Motion carried 7-0.
   C. M/s (Conti/Treanor) to approve Revised CSEA Salary Schedule dated March 21, 2013.
      Motion carried 7-0.
   D. 2013 California Community College Trustees (CCCT) Board Election. Trustee O’Brien
      and Trustee Treanor reported that their research identified seven individuals, who they
      believe represent a good cross section of the diversity of California and who are solid
      candidates that will bring good skills and representation to the Board. The Board
      discussed the recommendations and the candidates. The Board supported the
      recommendation of the subcommittee by a vote of 7-0 to nominate the following
      seven candidates for the California Community College League Board

      Dianne B. McKay, Ventura County CCD
      Cy Gulassa, Peralta CCD (Incumbent)
      Louise Jaffe, Santa Monica CCD (Incumbent)
      Isabel Barreras, State Center CCD (Incumbent)
      Sally W. Biggin, Redwoods CCD
      Garrett Yee, Ohlone CCD
      Linda S. Wah, Pasadena Area CCD

      Motion carried 5-2.

      M/s (O’Brien/Conti) to approve Items 9.E.1. – 9.E.3. Dr. Coon reminded the Board of
      the corrected amount on item 9.E.1. to $233,288. Trustee Treanor disclosed that her
sister works at Midstate, though she has no ownership interest. **Motion carried 6-1-0 by roll call vote, with Trustee Dolan voting no.**

E. **Modernization (Measure C)**

1. **Resolution (Roll Call Vote) Approve Change Order #19 to Construction Contract ($223,288) Midstate Construction, Performing Arts Modernization (306A).**

2. **Resolution (Roll Call Vote) Approve Change Order #2 to Construction Contract AE Nelson ($27,211.14), Austin Swing Space (850E)**

3. **Resolution (Roll Call Vote) Approve Pre-Qualification Process, Authorization to Bid and Pre-Authorization to Award Construction Contract, New Academic Center (303B)**

4. **M/s (Treanor/Kranenburg) to Approve Purchase of Portables ($328,126.00) Relocation Costs (805A). Motion carried 7-0.**

5. **M/s (Kranenburg/O’Brien) to Approve New Professional Services Agreement for Design Services ($30,000.00) Structural Engineer Project (805A) There was clarification that project 805A related to Austin Science Center and the Learning Resource Center. **Motion carried 4-3 with Trustee’s O’Brien, Treanor, Dolan voting no.**

6. **M/s (Treanor/O’Brien) to Approve Extension to Professional Services Agreement ($99,000.00) Schoening Group Inc., District Salaries Assistance (832A) There was clarification that this agreement will be paid from Measure C Funds and that the amount is “up to” $99,000. **Motion carried 6-1, with Trustee Dolan voting no.**

7. **M/s (Treanor/Kranenburg) to Approve RFP and New Professional Services Agreement for Design Services ($50,000.00) ADA Upgrades KTD Project (309A) There was confirmation that this item was focused on Fusselman Hall. **Motion carried 7-0.**

8. **M/s (Treanor/Conti) to Approve Project Funds Transfer for Program Management (825C) ($0) Transfer from Project Close Out - Science Math and Nursing (305A); Bond Issuance Costs (831C); Bond Counsel (831B) There was clarification that there are funds set aside to address punch list items for the SMN project, plus an additional contingency for unforeseen problems. Working with staff and deans to prioritize the list. Good for the Board to see the list and an understanding of the issues. **Motion carried 7-0.**

9. **M/s (Treanor/Kranenburg) to Approve Amendment #2 to Professional Services Agreement ($1,215,000.00) Jacobs Project Management Co., Project Construction Management (301B), (303B), 309A) Program (825C) There were questions about program vs. project costs answered by staff. **Motion carried 7-0.**
10. **M/s Treanor/Conti** to Approve Contract Amendment to the Professional Services Agreement ($55,550.00) Gayner Engineers, New Fine Arts Building (306C)  
Motion carried 7-0.

11. **Approve Inclusion of New Academic Center Project in Existing Project Stabilization Agreement** – (Item moved for Action after Study Session)  

M/s (Treanor/Conti) to merge items 9.E.12 and 9.E.13 into one item as a Roll Call Vote. Motion carried 7-0.

M/s (O'Brien/Treanor) to approve items 9.E.12 and 9.E.13. Motion carried 7-0 by a roll call vote.

12. **M/s (Kranenburg/Approve Notice of Completion, KTD Utilities Project – Phase I (305A))**  
Wildcat Engineering

13. **Approve Notice of Completion, Austin Science Swing Project (850E)**  
AE Nelson Construction

F. **Accept Student Success Scorecard 2013 Report**  
Trustee Treanor requested that the minutes reflect the Board referred to the score card and compared the College of Marin to the Statewide numbers, that we made a commitment to use the scorecard for comparison and planning for budget purposes and data driven decision making and that every Board member made a comment on the scorecard and recognized our need to learn more about it and how best to use it.  
**Student Success Report was accepted by a vote of 7-0.**

G. **Election of Board Vice President**  
Trustee Treanor nominated Phil Kranenburg. Eva Long nominated Stephanie O’Brien. Board President Namnath asked that all Trustees in favor of Trustee Kranenburg as Vice President raise their hands. Trustees Kranenburg, Treanor and O’Brien raised their hands. Four votes are required. Board President Namnath asked that all Trustees in favor of Trustee O’Brien as Vice President raise their hands. Trustees Long, Dolan, Conti and Namnath raised their hands. **Stephanie O’Brien was elected as Vice President of the Board.** She will also serve as Clerk.

Trustee Kranenburg left the meeting at 8:48 p.m.

10. **Board Policy Review (1st Reading)**
   - **BP 5500 Standards of Conduct**  
   There was discussion about the policy and the legal citations attached to the policy. Trustee Dolan motioned that policy 81600 be changed to add paid administration and staff of the governing board of a community college district, with oversight by the board, shall manage and control school property, policy 81600. Other trustees noted that 81600 is not Board policy and cannot be changed. Motion died for lack of second.

11. **Future Agenda Items**  
   A. Bond Spending Plan  
   B. COM Foundation Update
12. Board Reports and/or Requests (15 minutes)
   A. Committee Chair Reports
   B. Legislative Report – Trustee O’Brien will forward the legislative report to Kathy for distribution to the Trustees.
   C. Individual Reports/or Requests
      Trustee Dolan requested the support of the Board to submit application to present “Educators Combatting Poverty and Ensuring Success” at the ACCT meeting in Seattle, Washington this Fall. Trustees discussed the limited budget for such travel and requested more details about the presentation. Trustees supported the request by a majority vote.
      Trustee Treanor requested an update on her travel budget balance at the retreat.

13. M/s (O’Brien/Conti) to Approval of Meeting Minutes of the March 19, 2013 Board Meeting. Motion carried 7-0.

14. Information Items (see written reports)
   A. Contracts and Agreements for Services – March 2013
   B. Third-Quarter Financial Status Report CCSF-311Q
   C. YTD Financial Update 3/31/2013
   D. Modernization Update
      1. Director’s Report
      2. Contract Milestones Report
      3. Program Schedule
   E. Administrative Procedures
      ▪ AP 4228 Course Repetition – Significant Lapse of Time
      ▪ AP 5055 Enrollment Priorities
      ▪ AP 5520 Student Discipline and Due Process
   F. Calendar of Special Events
      ▪ CCLC Trustees Conference, May 3 – 5, 2013, Lake Tahoe
      ▪ Grand Opening Math Science Nursing Building, May 10, 2013, 1:30 p.m. – 5:00 p.m.
      ▪ Retiree Reception, Marin Art & Garden Center, May 15, 2013, 4:00 p.m. – 6:00 p.m.
      ▪ Commencement, Diamond Physical Education Center, May 24, 2013. 6:00 p.m.

15. Correspondence

16. Board Meeting Evaluation – Good Meeting – Good Job

17. Adjournment
   M/s (Conti/Long) to adjourn the meeting. Motion carried. 6-0-1. Trustee Kranenburg was not present. Meeting adjourned at 8:59 p.m.
Regarding the ESL Stats on Slide 12.

The college is required to share the AARC Report with you, the Board of Trustees, annually. What you see is a series of charts and numbers, which are culled from data the state pulls from our MIS data. While at some level, since all colleges are portrayed in a similar fashion, it is a useful comparison tool except that currently it is very difficult to see everything together. However, in many ways, it is misleading. What you see here are percentages, but percentages of what? How many students are they referring to?

Frankly, the first time I saw the ESL “degree completion” rate for this year, I was fairly incensed. First of all it said 50% of Filipinos did something. Initially I read it that 50% of the total were Filipino, which is completely wrong. Later I realized that it was 50% of the Filipino students. When Chialin found the numbers this was based on – it was 50% of TWO students.

Then the idea of 18.2% kind of irritated me. So I started clicking through all the other colleges. Turns out that we are not so bad! With a little work, I can play the % game too:

**98 Colleges total have ESL scores.**

**30% or 29 colleges scored 25% and above.**
- 18% or 18 colleges scored 30% and above.
- 9% or 9 colleges scored above 40%.
- The highest was 84%.

**In fact, statewide, only 6% (6) of the colleges topped 50%.**

**23% or 23 colleges scored between 15% and 25%. COM scored 18.2%.**

**47% or 46 colleges scored 15% and below.**
- 26% or 26 colleges scored below 10%.
- 10% or 10 colleges scored below 5%.
- The lowest score was 1.8%.

This all made me feel better, but it didn’t negate the issues noted above. Without the actual numbers, the percentages mean very little. 84% of how many? At what level do their students start? In fact, without the context of the students BEHIND these numbers, without knowing the whys and wherefores, it feels like a lot of sound and fury, signifying very little.

So, we have started looking at who the students actually are that make up this data. This is more instructive. We can see good enrollment patterns of the students who succeeded, demonstrating that they went step by step without jumping ahead of their skills. For those who have dropped or are still working on it: we can suspect lack of counseling, enrolling in content classes without the proper preparation leading to multiple failures, etc. This will better inform strategies in our student success initiative. On the other hand, there may be other more personal reasons for an ESL student to not get a degree. It may never have been his or her goal to begin with!
To whom it may concern:

Hello my name is Julian Stone and I am Union Carpenter from local 35 in San Rafael. I understand that there is a new project under vote in the next coming weeks to decide whether or not to have a PLA for it. I encourage everyone to Vote yes. The PLA that was a part of the new math and science building at College of Marin changed my life in the best way possible. When I heard about it I was a student at College of Marin, confused about what to do with my life at the time. My whole life I’ve wanted to be a carpenter, and after trying countless times to get my foot in the door I was quite discouraged. The PLA project gave me the opportunity I needed to get my life together and going in the right direction. Now I work for an outstanding general construction company doing what I do best. I would like to thank the College Board for putting in place the PLA. It opened the door for me to be what I wanted most, to be a skilled carpenter. And I am getting there, through the Carpenter’s apprentice program. Please vote yes and be a part of changing people’s lives.

Thank you

Julian Stone

415-264-2223
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<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>May 21, 2013</th>
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<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No.</td>
<td>C.14.A.</td>
</tr>
<tr>
<td>Subject:</td>
<td>Contracts and Agreement for Services for Month of April 2013</td>
<td>Enclosure(s):</td>
<td>Attachment</td>
</tr>
</tbody>
</table>

**BACKGROUND:**

Attached for your information is a listing of all External Consultants and Contractors with whom we entered into a contract in excess of $1,000 with a description of services provided.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
### Contracts and Agreement for Services

**OVER $1,000.00**

**MONTHLY REVIEW**

<table>
<thead>
<tr>
<th>Agreement Number</th>
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<th>Amount</th>
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<tbody>
<tr>
<td>P0217115</td>
<td>Kate Fitzsimmons Communications</td>
<td>Advancement</td>
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<td></td>
<td>Planning, advising, counseling, and preparing materials for the solicitation of funds for the College.</td>
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<td>P0217150</td>
<td>Studica, Inc</td>
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<td>Annual Autodesk licensing/maintenance services for Autodesk Entertainment Creation Suite.</td>
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<td>P0217152</td>
<td>American Dental Association</td>
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<td>Annual service fee for the Dental Assisting Program.</td>
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<td>Miwok Archeological Preserve of Marin</td>
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<td>Instructor services for CRN 15160 Introduction to Paleo Technology for the Winter 2013 quarter.</td>
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<td>Judith A Creighton</td>
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<td>Lecturer services for the CES 15116, Artisan Cheese and Its Traditions for the Winter 2013.</td>
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<td>P0217173</td>
<td>Novato Chamber Of Commerce</td>
<td>President's Office</td>
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<td>Membership services for the College.</td>
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<td>Marvin L Schwartz</td>
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<td>Mediation services for the College’s Child Development Center.</td>
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<td>P0217176</td>
<td>Reliable Distribution, Inc.</td>
<td>Reprographics</td>
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<td>Distribution services for class schedules for the College.</td>
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<td>P0217177</td>
<td>Marin Independent Journal</td>
<td>Community Relations</td>
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<td>Advertising services for the College in the TV guide section of the paper.</td>
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<td>P0217178</td>
<td>Alcohol Justice</td>
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<td>Contest funding for a youth bowl contest.</td>
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<td>P0217228</td>
<td>Sehi Computer Products</td>
<td>Information Technology</td>
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<td>Server maintenance/service agreements for the College.</td>
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<td>Sacramento Collegiate Umpires/Dave Maudsley</td>
<td>Physical Education</td>
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<td>Umpiring services for the Women’s Softball season 2013.</td>
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<td>P0217249</td>
<td>Jason Dinneen</td>
<td>Performing Arts</td>
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<td>Master electrician services for the Spring 2013 Concert.</td>
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## Contracts and Agreement for Services

**OVER $1,000.00**  
**MONTHLY REVIEW**

<table>
<thead>
<tr>
<th>Agreement Number</th>
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<td>AutoData Systems, Inc.</td>
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<td>Licensing/maintenance services for the expert scan system.</td>
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<td>P0217264</td>
<td>Eek N Ack, Inc.</td>
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<td>Production design services for the Spring 2013 Concert.</td>
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<td>P0217266</td>
<td>National League For Nursing</td>
<td>Health Sciences</td>
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<td>Annual membership for the Associate Degree Nursing Program for 2013.</td>
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<td>P0217268</td>
<td>Strategic Education Services</td>
<td>District Wide</td>
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<td>Professional lobbying services for the College.</td>
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<td>P0217274</td>
<td>Diane Michelle Traversi</td>
<td>VP Student Services</td>
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<td>Admission and Records review services for the College.</td>
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<td>P0217276</td>
<td>Ray's Catering</td>
<td>VP Student Services</td>
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<td>Catering services for the Staff lunch to be held May 23, 2013.</td>
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<td>Marin Art &amp; Garden Center</td>
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<td>Rental services for the College.</td>
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<td>P0217285</td>
<td>Department Of Justice</td>
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<td>Employee background services for the College.</td>
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<td>P0217300</td>
<td>Xerox Corporation</td>
<td>Logistics</td>
<td>$1,100.00</td>
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<td>Service/maintenance agreement for the Xerox Nuvera 100 copier.</td>
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<td>P0217304</td>
<td>Terri Hardesty</td>
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<td>Video services for the Jim Dunn Gala.</td>
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<td>P0217315</td>
<td>Google Corporate</td>
<td>Community Relations</td>
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<td>Advertising services for the Summer and Fall 2013 semesters.</td>
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<td>P0217336</td>
<td>NAFSA Association of International Educators</td>
<td>International Program</td>
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<td>Membership and training services for two staff members.</td>
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<td>P0217362</td>
<td>Petrotech</td>
<td>Maintenance</td>
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<td>Installation services for three PV Husky #5885 Valve tanks.</td>
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<td>P0217363</td>
<td>Liebert Cassidy Whitmore</td>
<td>District Wide</td>
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<td>Professional services for the College.</td>
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<td>P0217366</td>
<td>Empire Elevator</td>
<td>Maintenance</td>
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<td>State required elevator services for five elevators.</td>
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<tr>
<td>P0217367</td>
<td>Dorius &amp; MacCarthy Plumbing &amp; Heating</td>
<td>Maintenance</td>
<td>$3,000.00</td>
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<tr>
<td></td>
<td>Backflow testing services for both Kentfield and Indian Valley Campuses.</td>
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</tbody>
</table>
## Contracts and Agreement for Services
**OVER $1,000.00**

**MONTHLY REVIEW**

<table>
<thead>
<tr>
<th>Agreement Number</th>
<th>Vendor/Description</th>
<th>Department</th>
<th>Amount</th>
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<tr>
<td>P0217369</td>
<td>Air Perfection, Inc.</td>
<td>Maintenance</td>
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<td>Service and maintenance of Transportation Technology compressors at the Indian Valley Campus.</td>
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<td>P0217374</td>
<td>Environmental Resource Group</td>
<td>Maintenance</td>
<td>$8,722.55</td>
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<td>Investigation services for soil groundwater and well sampling and testing.</td>
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<td>P0217387</td>
<td>Roy’s Sewer Service, Inc.</td>
<td>Maintenance</td>
<td>$2,000.00</td>
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<td>Clean out and removal services of the sediment pit in the Fine Arts building.</td>
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<tr>
<td><strong>Restricted</strong></td>
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<td>P0217320</td>
<td>WK Mclellan Co</td>
<td>Grounds</td>
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<td>Grading and compacting services for Parking Lot #12 at Kentfield Campus.</td>
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<td>P0217334</td>
<td>PowerDown Lighting Systems</td>
<td>Maintenance</td>
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<td>Lighting installment services for the IVC Campus.</td>
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<td><strong>MEASURE C BOND FUND</strong></td>
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<td>P0217162</td>
<td>Robert Ferranando Construction</td>
<td>Measure C</td>
<td>$3,800.00</td>
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<td>Custom building services for nesting pedestals for the Performing Arts Gallery.</td>
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<td>P0217193</td>
<td>AT&amp;T</td>
<td>Measure C</td>
<td>$12,413.78</td>
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<td>Re-routing of the copper feed to the College of Marin Minimum Point Of Entry (MPOE), for the New Academic Center Complex.</td>
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<td>P0217323</td>
<td>Ellucian Company LP</td>
<td>Measure C</td>
<td>$6,301.00</td>
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<td>Software licensing for Financial Aid from April to March 2014.</td>
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<td>P0217324</td>
<td>Ellucian Company LP</td>
<td>Measure C</td>
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<td>Software licensing for Degreeworks from May 2013 to April 2014.</td>
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<td>P0217325</td>
<td>Ellucian Company LP</td>
<td>Measure C</td>
<td>$22,562.00</td>
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<td>Software licensing services for Data Warehouse, Degreeworks, Document Management and Management Desktop Access.</td>
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<td>P0217370</td>
<td>Nor Bay Ironcraft</td>
<td>Measure C</td>
<td>$4,616.68</td>
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<td></td>
<td>Steel post construction services for the Laurel Avenue Fence.</td>
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</table>
Modernization Director's Report to Board of Trustees
May 21, 2013

BUDGET UPDATE

Bond spending plan: $260.5 million ($249.5 m bond, $11 m interest)
Reserves: $4,554,336, of which $2,300,000 is allocated to IVC
Expended to date: $205.9 million (79.1% of bond spending plan)
  • Assessment $  5.5 million
  • Planning/design $ 68.9 million
  • Construction $131.5 million

Summary of modernization items in this agenda:

Consent (all routine items not requiring resolution or discussion): ($925,656)

Ratify / Approve Modernization Contracts, Changes and Amendments
• Twenty two (22) new construction contracts for ratification ($797,109)
• Two (2) Construction Change Orders ($29,858)
• Seven (7) professional service amendments for ratification ($96,689)
• One (1) Professional services agreement - Approval ($2,000)

Action (items requiring resolution or discussion): ($78,756)

1. Approve Contract Amendment to Professional Services Agreement for Sally Swanson Architects for Fusselman Hall ADA Upgrades, ADA (309A), Sally Swanson Architects ($75,000.00).

2. Re-Authorization for Staff Approval of Measure C Contract Changes and Amendments.


5. Approve Authorization to Bid and Award Construction Contract, New Academic Center (303B).

6. Approve Notice of Completion, Academic Center Temporary Driveway (303B), Aanenson Wildcat Engineering.
7. Approve Notice of Completion, New Academic Center Tree Program (303B).

8. Approval of Citizens Oversight Committee Members.

9. Approve Change Order # 3 to Construction Contract Western Signs.

Net value of new contracts / changes / amendments in this agenda: ($1,004,412)

CURRENT DESIGN

Fine Arts Mechanical & Weatherization:

Following the approval of the scope change last month which combined these two projects under the one budget, we began design for three mechanical remediation projects. Our goal is to accomplish as much work as possible over the summer break while the building is closed.

This month we request approval to re-bid the weatherization project in an itemized fashion. This will allow us to prioritize the three major weatherization elements and proceed as budget allows.

CURRENT CONSTRUCTION

Performing Arts:

We are working on contract closeout and “come-back” projects including FF&E procurement. Our goal is to complete these small projects and equipment purchases before the start of the fall semester.

Science, Math & Nursing:

We are working on contract closeout and “come-back” projects. Our goal is to complete these small projects and equipment purchases before the start of the fall semester.

Child Study Center:

The project is complete. We are working on contract closeout and completion of FF&E procurement.
Academic Center:
Site preparations continue with Hazardous Material abatement. A significant amount of unforeseen asbestos and lead was found in Harlan Center. A change order for that work will appear next month. The tree program is complete.

We have two moves remaining: the Human Resources (HR) department, and Child Study Center which will be complete later this month. Several small contracts appear this month in the Consent matrix for preparations of the HR space in the portable village.

The demo project was successfully bid under budget to Silverado Contractors. A contract for Silverado appears on the Consent Approval matrix in the amount of ($689,000) the budget set for this item was $900,000.

Austin Science Center Swing Space:
This project is complete.

**COMPLETED PROJECTS**

This section is being updated to reflect the current Bond Spending Plan.
### 2.1 Schedule

**Marin Community College District - College of Marin**

*Includes BSP revisions approved on August 21, 2012.*

<table>
<thead>
<tr>
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#### 305A - Science Math Central Plant Complex - see note 1

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<tr>
<th>Oct 2006 Schedule/Budget</th>
<th>$4,187,802</th>
<th>$38,246,478</th>
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<tbody>
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<td>Feb 2007 Schedule/Budget</td>
<td>$6,617,000</td>
<td>$62,923,000</td>
<td>$69,540,000</td>
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<td>Mar 2009 Schedule/Budget</td>
<td>$6,617,000</td>
<td>$62,923,000</td>
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<tr>
<td>Nov 2009 Schedule/Budget</td>
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<td>Mar 2011 Schedule/Budget</td>
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<td>Dec 2011 Schedule/Budget</td>
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<td>98%</td>
<td>NTP Jun 2010; Subst Compl Dec 2012</td>
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<td>Current expenditures (% of budget)</td>
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<td>Current Quarter</td>
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#### 306C New Fine Arts Building - see note 2

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<tr>
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<td>Feb 2007 Schedule/Budget</td>
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<td>Mar 2009 Schedule/Budget</td>
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<td>$2,132,891</td>
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#### 306A Performing Arts Modernization - see note 3

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<td>Feb 2007 Schedule/Budget</td>
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<td>$15,622,000</td>
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<tr>
<td>Mar 2009 Schedule/Budget</td>
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<td>$15,522,000</td>
<td>$17,200,000</td>
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<td>Mar 2011 Schedule/Budget</td>
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<td>Current Schedule (% of current phase)</td>
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<td>Current Quarter</td>
<td>$1,840,161</td>
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# 2.1 Schedule

**Marin Community College District - College of Marin**

Includes BSP revisions approved on August 21, 2012.

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<td>Q1</td>
<td>Q2</td>
<td>Q3</td>
<td>Q4</td>
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<td>308B Diamond PE Center Alterations - see note 4</td>
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<tr>
<td>Oct 2006 Schedule/Budget</td>
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## 2.1 Schedule

**Marin Community College District - College of Marin**

Includes BSP revisions approved on August 21, 2012.

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**301B Austin Science Alterations (structural) project - see note 10**

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**303C Child Services Center**

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**306D Fine Arts Weatherization & Mechanical Remediation**

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$135,971 $0
### 2.1 Schedule

Marin Community College District - College of Marin

Includes BSP revisions approved on August 21, 2012.

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#### 309A ADA Upgrades KTD

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<th>2014</th>
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**Notes:**

1. SMCP project (305A) duration evolved; originally based on a 50,000 SF bldg which was revised to 77,000. Budget then reduced in March 2011 after favorable low bid.
2. FA Project (306C) budget increased in June BSP to accommodate additional equipment requests and infrastructure adjustments.
3. PA project (306A): FFE list being prioritized by College
4. PE project (308B) is complete
5. TransTech (402A) is complete
6. Main Bldg (417A) is complete
7. NAC project (303B) in design.
8. LRC project (302B) funding was reallocated to other projects.
9. FH project (304A) funding was reallocated to other projects.
10. Austin Science Alterations (Structural) project (301B) initiated on March 15, 2011; includes Phase 1 - Swing Space and Phase II - Structural (Voluntary Upgrade)
## A. Alfa Tech Consulting Enterprise
### (Geothermal / PV @ PE / Sitework)

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<td>Amendment 14</td>
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<tr>
<td>Construction Admin 890C</td>
<td>12/31/2008</td>
<td>Amendment 16</td>
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<td>Credit from Amend #13 for DSPS relocation (850G)</td>
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<td>Provide a fix for damaged anchor bolts, PE Complex PV</td>
<td>N/A</td>
<td>Amendment 19</td>
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<td>Cables for TB-1 transformer-Health Services Portable (850G)</td>
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<td>Electrical design for add alternate 8-ticket dispensing machine and future blue light telephone (413A)</td>
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## B. CSW Stuber-Stroeh (Bioswale / West Campus Bridge / Sitework)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Create final Record Set documenting all Completed utility infrastructure project on Indian Valley Campus; District Civil Engineer Project (803A)</td>
<td>6/30/2011</td>
<td>Amendment 36</td>
<td>Completed</td>
</tr>
<tr>
<td>Site walk/engineering recommendations for pavement repair on Ignacio Blvd &amp; the loop through the parking area used by buses during construction-Main Bldg Complex (417A)</td>
<td>6/30/2011</td>
<td>Amendment 36</td>
<td>Completed</td>
</tr>
<tr>
<td>Civil Engineering Svcs as follows: Topo survey &amp; base map, pavement demo &amp; rehab plan, grading &amp; drainage plan, signing &amp; striping plan, SWPPP &amp; Erosion Control Plan, Specs, etc.-Main Bldg Complex (417A)</td>
<td>12/31/2011</td>
<td>Amendment 37</td>
<td>Completed</td>
</tr>
<tr>
<td>Civil Engineering services: Design and Construction Administration to bring utility conduits for IT and geothermal piping to upcoming projects (NAC &amp; CSC); Installation of three (3) survey monuments at the Kentfield Campus in the area north of Corte Madera Creek. The monuments will be brass discs permanently affixed to existing concrete foundations and low walls. Deliverables include: field survey; office calculations; installation of the brass discs; and CD with 3D control points references to existing public monuments.</td>
<td>6/30/2013</td>
<td>Amendment 39</td>
<td>In progress</td>
</tr>
<tr>
<td>Confirmation of existing and additional survey points for the design of fire truck access point at the new Fine Arts Building at Circle Drive (306D)</td>
<td>8/20/2013</td>
<td>Amendment 40</td>
<td>In progress</td>
</tr>
<tr>
<td>Also civil engineering services associated with the new ADA ramp and pathway adjacent to the Learning Resource Center and Student Services building on the Kentfield Campus (309A)</td>
<td>8/31/2016</td>
<td>Amendment 41</td>
<td>In progress</td>
</tr>
<tr>
<td>New Academic Center Project (303B) - Prepare supplemental topographic survey for the area between the Fine Arts building and the New Academic Center building. Also provide peer review of the New Academic Center civil documents at the Design Development and Construction Documents level.</td>
<td>6/20/2013</td>
<td>Amendment 42</td>
<td>In progress</td>
</tr>
<tr>
<td>District CEQA Consultant (810A) - Provide civil engineering assistance and support for preparation and processing of the Child Study Center and New Academic Center EIR (Environmental Impact Report) and CEQA (California Environmental Quality Act) documentation, as requested.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Science Math Nursing Project (305A) - Review flood issue at Laurel Avenue and prepare a written response for the County of Marin</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
### C. ED2 International (Fine Arts Weatherization)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long Form Contract includes: programming phase, schematic design phase, design development phase, construction document phase, bidding, construction &amp; close out; FA Weatherization (306D)</td>
<td>11/15/2011 - 12/31/2013</td>
<td>Contract</td>
<td>In progress</td>
</tr>
</tbody>
</table>

### D. ED2 International (Science / Math / Central Plant)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Phase - 24 Months</td>
<td>8/7/2010-12/31/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Operation/Project Close-out/FFE Phase</td>
<td>11/30/2012</td>
<td>Contract</td>
<td>Completed</td>
</tr>
</tbody>
</table>

Add'l services for subconsultant (Davis Langdon) to prepare opinions of probable construction cost for revisions to existing design; Current South entrance breezeway & adjacent Museum (Rm 105) will be replaced by a new biology lab of approx. 1,600 gross square feet; display kiosk containing the historic cupola will be incorporated adjacent to elevator No. 1; museum will be relocated to available space currently programmed for the IT server room; SMCP Increments No. 2 & 3, Demo & Building Project (305A)

Feasibility Study for the Fine Arts Weatherization (Project 808A District Architect)

Additional Services Request 03 - Museum Interior Design - ED2 will be utilizing the services of a museum designer as requested by the District; Additional Services Request 04 – Review and revise toilet accessories revised to accommodate larger dispensers in all restrooms; Additional Services Request 05 – Electronic Lock Mechanisms at Entry Doors; Additional Service Request 06 – Fusselman Hall drainage. Emergency scope to clear the Fusselman elevator and make it available to ADA students; Additional Services Request 07 – Design to incorporate the site development area between the southwest edge of the Performing Arts Bldg and the northeast edge of Parking Lot 4 for SMCP Inc. 2 & 3 (305A)

Additional Services Request 08 - Waterproofing consultant services to provide review on waterproofing issues related to ground water in elevator pit and window details for SMCP Inc. 2 & 3 (305A)

Additional Services Request for supplemental design services resulting from changed DSA procedures and DSA review by third party plan-checker; approximately six (6) additional months for structural review for SMCP Inc. 2 & 3 (305A)

Additional Services Request for waterproofing consultant to review envelope waterproofing details for SMCP Inc. 2 & 3 (305A)

Additional Services Request for calculations to be submitted to DSA for additional overhead storage requested by users for SMCP Inc. 2 & 3 (305A)

Additional Services Request 8.2 for investigative services to survey and evaluate the sealant and building weather barrier separation issues at the exterior opening of the building. Additional Services Request 9 for additional architectural and civil engineering design services to verify existing utilities, placement of the SMN building, and redesign of exterior stairs with FA & PA building site ramps. Provide engineered survey and redesign of the site elements to accommodate layout discrepancies. Additional Services Request 11 for various design revisions related to window relocation; casework; cabinet locks; audio visual equipment upgrades and camera relocations; hardware revisions; data and power outlet locations. Additional Services Request 12 for replacement of Lutron Lighting Controls with GE Lighting Controls at owner’s request. Additional Services Request 15 for additional architectural and civil engineering services to verify existing utilities and redesign of Parking Lot 4 to add IT department loading zone at owner’s request.

Additional Services Request 17 for additional architectural and civil engineering services to verify existing utilities and redesign of Parking Lot 4 to add IT department loading zone at owner’s request.
### E. Environmental Science Associates (ESA)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long Form Contract for Child Study Center Project and New Academic Center Project (District CEQA Consultant Project 810A); Scope includes providing Focused Environmental Impact Reports</td>
<td>12/31/2012</td>
<td>LF Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>No cost time extension</td>
<td>6/30/2013</td>
<td>Amendment 1</td>
<td>Completed</td>
</tr>
</tbody>
</table>

### F. HKIT (Hardison, Komatsu, Ivelich & Tucker) (Transportation Technology Center/Child Study Center)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>9/1/2009-9/1/2010</td>
<td>Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>Programming confirmation &amp; beginning schematic design; Child Study Center at KTD Project 303C</td>
<td>12/31/2011</td>
<td>New SF Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>Construction Drawings &amp; Specifications - Bid Set Due for the MEP Supplemental Project (308B/402A/417A/407B)</td>
<td>6/17/2011</td>
<td>Amendment 21</td>
<td>Completed</td>
</tr>
<tr>
<td>Construction Drawings &amp; Specifications - Bidding &amp; CA Services for the MEP Supplemental Project (308B/402A/417A/407B)</td>
<td>6/20/2011 to 10/30/2011</td>
<td>Amendment 21</td>
<td>Completed</td>
</tr>
<tr>
<td>Continued programming confirmation, continued schematic design and beginning of design development; Child Study Center Project 303C</td>
<td>6/30/2011</td>
<td>SF Amendment 1</td>
<td>Completed</td>
</tr>
<tr>
<td>Design &amp; engineering services for DSA required ramp handrail extension; DSA coordination and meetings - Transportation Tech Complex Project 402A</td>
<td>6/30/2011</td>
<td>Amendment 22</td>
<td>Completed</td>
</tr>
<tr>
<td>Long Form Contract for Child Study Center Project 303C</td>
<td>10/1/2010-11/30/2013</td>
<td>New LF Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Design &amp; engineering services for the HVAC supplemental upgrade work (Main Bldg Complex Project 417A)</td>
<td>N/A</td>
<td>Amendment 23</td>
<td>Completed</td>
</tr>
<tr>
<td>Foundation system redesign for Child Study Center Project 303C</td>
<td>N/A</td>
<td>Amendment 1</td>
<td>Completed</td>
</tr>
<tr>
<td>Additional design services: Revised planning, design, civil, landscape and rendering services as requested in response to Golden Gate Transit (GGT) and City of Larkspur comments. Scope includes the following: Materials Plan and Painting Plan revisions to new parking lot and driveway alignment; Irrigation Plan coordination and revisions related to new parking lot and driveway alignment; Revise fence and pedestrian path alignments related to new parking lot and driveway alignment</td>
<td>N/A</td>
<td>Amendment 2</td>
<td>Completed</td>
</tr>
<tr>
<td>No cost time extension</td>
<td>7/17/2012</td>
<td>Amendment 1</td>
<td>Completed</td>
</tr>
<tr>
<td>Diamond PE Center Alterations Project (308B) - Professional design services to investigate the issues in the acid and chemical rooms and provide guidance on how to mitigate the corrosion issues in the Diamond PE Center</td>
<td>N/A</td>
<td>New SF Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>Child Study Center Project (303C) - Additional services for preparation of Notice of Intent (NOI) with the State Water Regional Control Board.</td>
<td>N/A</td>
<td>Amendment 3</td>
<td>Completed</td>
</tr>
<tr>
<td>Child Study Center Project (303C) - MMWD issues and City of Larkspur required site and street improvements</td>
<td>N/A</td>
<td>Amendment 4</td>
<td>Completed</td>
</tr>
</tbody>
</table>

### G. Kate Keating Associates, Inc. (District Signage Consultant)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Building Complex Signage (417A)</td>
<td>9/30/2010</td>
<td>Amendment 5</td>
<td>Completed</td>
</tr>
<tr>
<td>Add'l construction admin services related to signage for Science-Math-CP Complex Project 305A</td>
<td>N/A</td>
<td>Amendment 6</td>
<td>In progress</td>
</tr>
<tr>
<td>Design services for Building Mounted Acknowledgement Plaques: Reference KKA proposal dated Feb 09, 2012 ($8,780.00); Revise and replace at Indian Valley Campus (IVC) changing any reference to “Media Resource Center” to “Library.” Revise Kentfield Campus Map showing construction zones/areas for District publications ($3,050.20)</td>
<td>4/2 - 12/31/12</td>
<td>Amendment 7</td>
<td>In progress</td>
</tr>
</tbody>
</table>

### H. Marcy Wong and Donn Logan (FA / PA Buildings)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Performing Arts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction Phase</td>
<td>5/01/2011 to 12/12/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td>8/1/2012 to 4/1/2013</td>
<td>Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>Project Close-out with DSA</td>
<td>8/1/2012 to 4/1/2013</td>
<td>Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>Extra programming &amp; conceptual design schemes</td>
<td>dates not changed</td>
<td>Amendment 1</td>
<td>Completed</td>
</tr>
<tr>
<td>Survey specs and prelim project scope guidelines</td>
<td>dates not changed</td>
<td>Amendment 1</td>
<td>Completed</td>
</tr>
<tr>
<td>Description</td>
<td>Date</td>
<td>Amendment</td>
<td>Status</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Feasibility study required by DSA and additional time and material authorization for additional reviews to meet DSA requirements for PA Modernization Project 306A</td>
<td>11/1/2011</td>
<td>Amendment 9</td>
<td>Completed</td>
</tr>
<tr>
<td>Add'l architectural design services as follows: Grade differential, add MDF room, implement revisions at Gallery and revise the cooling tower water treatment (PA Modernization Project 306A)</td>
<td>N/A</td>
<td>Amendment 10</td>
<td>Completed</td>
</tr>
<tr>
<td>Additional services to provide supplemental architectural and engineering services, assisting the general contractor, in support of completing the Modernization phase of the PA project. Provide additional design services for District requested revisions.</td>
<td>N/A</td>
<td>Amendment 17</td>
<td>Completed</td>
</tr>
<tr>
<td>Additional design services for the addition of Dyson Air Blade hand dryers at new Restrooms 94, 95, 15e, and 198. Services include architectural services to locate the units in code compliant fashion (including any necessary relocations of other toilet accessories), and electrical engineering to provide circuiting for the units. (PA Modernization Project 306A)</td>
<td>N/A</td>
<td>Amendment 18</td>
<td>Completed</td>
</tr>
<tr>
<td>Additional site visits exceeding (70), as per the terms of the agreement negotiated settlement for partial entitlement).Additional design services to assist general contractor with a solution to correct the installation of the AHU-9 duct support frame. (PA Modernization Project 306A)</td>
<td>N/A</td>
<td>Amendment 19</td>
<td>Completed</td>
</tr>
<tr>
<td>Fine Arts Project Close-out Phase - 12 months</td>
<td>Original: 5/1/2010-7/31/2010</td>
<td>Contract Amendment 4</td>
<td>Completed</td>
</tr>
<tr>
<td>Provide design services for Fine Arts Foundry and Kiln Awning, part of the New FA Building Project 306C</td>
<td>N/A</td>
<td>Amendment 11</td>
<td>Completed</td>
</tr>
<tr>
<td>Performing Arts Building Project (306A) - Add continuous dimming controls to separately control each section of track lighting in the (N) Gallery and (N) Lobby. Update HVAC in (N) Gallery Work Area to reflect the division of the Gallery Work Area from the catering</td>
<td>N/A</td>
<td>Amendment 12</td>
<td>Completed</td>
</tr>
<tr>
<td>Fine Arts Kiln &amp; Foundry Awning Project (306C) - Provide assistance with DSA submittal, shop drawing review, monitor installation and DSA close out for the New Fine Arts Building Design Build Kiln &amp; Foundry Awning Project</td>
<td>N/A</td>
<td>Amendment 13</td>
<td>Completed</td>
</tr>
<tr>
<td>Performing Arts Modernization Project (306A) - Reference ASR 5.1R (correction of ASR amount from ASR 5.1) – Provide additional design services to accommodate user responses from the design presentation in December 2011, including dimming/track lighting and HVAC requirements not included in MWDL ASR 5. Reference ASR 5.2 (additional gallery revisions-correction to Amendment 12 fee) – Provide additional design services and attend additional User meetings in order to incorporate any late design changes by the User group. In addition to meeting attendance, services will include participating in the preparation and presentation of lighting and exterior paving mock-ups. Reference ASR 9 (added telecom scope) – Provide additional services to redesign fiber and copper pathway for IT-requested IDF closet for telecom distribution for the Performing Arts building. Reference ASR 10 (PA/SMP utility coordination) – Additional design services related to changes in adjacent project (SMCP aka MSPC) underground utilities. Changes made prior to completion of construction documents. Tasks include underground utility coordination and redesign.</td>
<td>N/A</td>
<td>Amendment 14</td>
<td>Completed</td>
</tr>
<tr>
<td>New Fine Arts Building Project (306C) - Reference ASR 8 – Provide review of planned equipment for the new Fine Arts building. Recommend and update bid documents to distribute equipment as (OFCI) owner furnished/contractor installed and (CPCI) contractor purchased/contractor installed, respectively. Reference ASR 9 - Provide modification of bid documents for Kiln and Foundry Yard equipment for new Fine Arts building to require contractor to supply and install Kiln and Foundry Yard equipment. Additional services to convey equipment specification to contractor, respond to information requests related to this equipment, review equipment submittals and review requests from building users to modify or change equipment. Reference ASR 31R1 (partial) – Provide additional services for additional site visits not covered in original long form professional services agreement. Reference ASR 34 – (architectural and structural tasks) Architectural Tasks: Additional services related to submittal review for structural tasks. Reference ASR 38 – Additional services for review of additional cabinets at 2D/3D/Color/Fiber. Reference ASR 40 – (Kiln &amp; Foundry Awnings) Additional services to review design/build shop drawings and structural calculations for the Kiln &amp; Foundry area awnings.</td>
<td>N/A</td>
<td>Amendment 15</td>
<td>Completed</td>
</tr>
</tbody>
</table>
Performing Arts Modernization Project (306A) - Reference
ASR 08.1 - Provide additional design services for design
development of theatrical equipment and classroom
audiovisual system upgrades in the Performing Arts
building.
Reference ASR 14 - Provide additional design services for
upgrades to site electrical and irrigation.

I. Radixos

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>FF&amp;E Consultant for the SMCP Complex Project 305A</td>
<td>12/31/2012</td>
<td>New Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>FF&amp;E Consultant for the PA Modernization Project 306A</td>
<td>12/31/2012</td>
<td>New Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>FF&amp;E Consultant for the Child Study Center Project 303C</td>
<td>6/30/2013</td>
<td>New Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>FF&amp;E Consultant for the PE Track Renovation Project 308G</td>
<td>N/A</td>
<td>Amendment 1</td>
<td>Completed</td>
</tr>
<tr>
<td>FF&amp;E Consultant for the Performing Arts Modernization Project (306A) &amp; the SMCP Complex Project (305A) 308G</td>
<td>12/31/2012</td>
<td>Amendment 2</td>
<td>Completed</td>
</tr>
<tr>
<td>FF&amp;E Consultant for the Performing Arts Modernization Project (306A), the SMCP Complex Project (305A) 308G &amp; the Child Study Center Project (303C)</td>
<td>N/A</td>
<td>Amendment 3</td>
<td>In progress</td>
</tr>
</tbody>
</table>

J. Royston Hanamoto Alley & Abey (District Landscape Consultant)

<table>
<thead>
<tr>
<th>Activity</th>
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<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kentfield Campus Construction Phasing Diagrams</td>
<td>Quarterly through 2011</td>
<td>Amendment 3</td>
<td>On Going</td>
</tr>
<tr>
<td>LEED Services</td>
<td>6/15/2007 through CA Phase</td>
<td>Amendment 4</td>
<td>On Going</td>
</tr>
<tr>
<td>Construction Administration</td>
<td>Part of IVC Main project</td>
<td>Amendment 5</td>
<td>Completed</td>
</tr>
<tr>
<td>Credit for work tasks related to tree species diversity 419A</td>
<td>N/A</td>
<td>Amendment 7</td>
<td>Completed</td>
</tr>
<tr>
<td>One (1) Paragon Office subscription</td>
<td>N/A</td>
<td>Amendment 9</td>
<td>On Going</td>
</tr>
<tr>
<td>Landscape design around new signs for FA (306C and PE (308B)</td>
<td>5/20/2009</td>
<td>Amendment 10</td>
<td>Completed</td>
</tr>
<tr>
<td>Construction Phasing Plan Docs (850D)</td>
<td>4/24/2009</td>
<td>Amendment 10</td>
<td>Completed</td>
</tr>
<tr>
<td>Additional landscape design services (411B)</td>
<td>9/30/2010</td>
<td>Amendment 11</td>
<td>Completed</td>
</tr>
<tr>
<td>Additional landscape design services (413A)</td>
<td>7/7/2009</td>
<td>Amendment 11</td>
<td>Completed</td>
</tr>
<tr>
<td>Additional services to provide parking diagram in accordance w/USGBC standards for LEED Accreditation (305C)</td>
<td>7/31/2009</td>
<td>Amendment 12</td>
<td>Completed</td>
</tr>
<tr>
<td>Additional design services to prepare tree removal and tree relocation bid package drawings - SMCP-Increment No. 1, Site Development Utilities Proj (305C)</td>
<td>N/A</td>
<td>Amendment 13</td>
<td>Completed</td>
</tr>
<tr>
<td>Add’t design services for separation &amp; reorganization of Bus Shelter and Bridge work scopes; coordination, revisions &amp; submittal of Bridge scope of work to DSA for approval (413A)</td>
<td>N/A</td>
<td>Amendment 14</td>
<td>Completed</td>
</tr>
<tr>
<td>Revisions to current DSA drawings per DSA comments: create new campus access plan specific to bridge as a separate project; provide new detail sheet for bridge; expand context plan to indicate materials &amp; grades along accessible routes; Pathways IVC Project 413A</td>
<td>N/A</td>
<td>Amendment 15</td>
<td>Completed</td>
</tr>
<tr>
<td>Exterior furniture for Main Bldg; research &amp; prep of furniture options; Main Bldg Complex Project 417A</td>
<td>N/A</td>
<td>Amendment 15</td>
<td>Completed</td>
</tr>
<tr>
<td>Conceptual parking lot study for lots 1, 6, 7 and 9 on KTD Campus as requested by Owner in prep for February BOT mtg and Revised Bond Spending Plan; District Landscape Architect Project (807A)</td>
<td>N/A</td>
<td>Amendment 17</td>
<td>Completed</td>
</tr>
<tr>
<td>Credit for unused portion of fee under Amendment 10; Diamond PE Center Alterations Project (308B)</td>
<td>N/A</td>
<td>Amendment 17</td>
<td>Completed</td>
</tr>
<tr>
<td>Credit for unused portion of fee under Amendment 10; New Fine Arts Bldg (305C)</td>
<td>N/A</td>
<td>Amendment 17</td>
<td>Completed</td>
</tr>
</tbody>
</table>
**District Architect (807A) - Landscape design services associated with the new ADA ramp and pathway adjacent to the Learning Resource Center and Student Services Buildings on the Kentfield campus & New Academic Center Project (303B) - New Academic Center site tree removal and replanting site coordination and bid documents**

- N/A Amendment 19 In progress

**New Academic Center Project (303B) - Landscape design services associated with preparation and presentation of the New Academic Center Tree Program at the 8/21/12 Board of Trustees meeting**

- N/A Amendment 20 In progress

**K. TLCD Architecture (New Academic Center)**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Programming confirmation &amp; begin schematic design; NAC Project 303B</td>
<td>12/31/2010</td>
<td>Short Form Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>Addtl services for continued programming &amp; program validation activities, including user group mtgs, meeting notes, furniture confirmation, standards review &amp; draft of final report; NAC Project 303B</td>
<td>9/16/2011</td>
<td>SF Amendment 1</td>
<td>Completed</td>
</tr>
<tr>
<td>Long Form Contract includes: programming phase, schematic design phase, design development phase, construction document phase, bidding, construction &amp; close out; NAC Project 303B</td>
<td>9/11/2015</td>
<td>Long Form Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Addtl services for programming phase: programming verification &amp; reprographics; NAC Project 303B</td>
<td>9/16/2011</td>
<td>LF Amendment 1</td>
<td>Completed</td>
</tr>
<tr>
<td>Conceptual design of the NAC “Great Lawn Proposal”, District Landscape Architect Project 807A</td>
<td>9/16/2011</td>
<td>LF Amendment 2</td>
<td>Completed</td>
</tr>
<tr>
<td>Additional design services for construction bid documents for the New Academic Center project demolition phase; Design and construction documents for the agency required EVA routes and associated design components. (New Academic Center Project 303B) Credit for unused portion of fee for design services not performed under contract as requested by the District for conceptual design related to New Academic Center Project (303B) “Great Lawn Proposal”.</td>
<td>N/A</td>
<td>LF Amendment 3</td>
<td>Completed</td>
</tr>
<tr>
<td>New Academic Center Project (303B) - Architectural and Landscape services to develop Great Lawn concepts presented to BOT and further refinement of design in preparation for core group meetings; Peer review costs for building waterproofing details</td>
<td>N/A</td>
<td>LF Amendment 4</td>
<td>Completed</td>
</tr>
</tbody>
</table>

**L. VBN Architects (IVC Main Building) & Architects vbn (Facilities Master Plan)**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structural engineering services for DSA Field Change Directive documents # 2 and # 4; Main Bldg Complex Project 417A</td>
<td>6/30/2011</td>
<td>Amendment 10</td>
<td>Completed</td>
</tr>
<tr>
<td>Facilities Master Plan Phase 1 (Project 808A District Architect)</td>
<td>N/A</td>
<td>New Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>Relocation Costs (Swing Space Parking Study) Project (850A) - Swing parking study to generate additional parking spaces on Kentfield campus to replace parking spaces lost due to modernization and construction.</td>
<td>N/A</td>
<td>New Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>District Architect (808A) Facilities Master Planning - Task A: Review and document process, planning &amp; implementation related to Measure C Bond Program; previous Master Planning; Visioning/Goals, District-wide Program Analysis, District Standards and Guidelines, Long Range Plan, Bond Spending Plan.; Task B: Note adjustments to Plan since its development and note current status of adjusted Plan; completed, in-progress; Coordination with Swinerton Management &amp; Consulting; Task C: Read/Analyze WASC Handbook as reference to requirements of Accreditation (as related to planning and provision of Facilities, specifically): Standard III, B. Physical Resources; Standard III, C. Technology Resources; Standard III, D. Financial Resources; Document District’s past and current undertakings that are in support of Standard III, B; as related to the Facilities Master Plan; Standard III, B. Physical Resources: Reference to C. and D. will be made, as appropriate.</td>
<td>N/A</td>
<td>Amendment 1</td>
<td>Completed</td>
</tr>
</tbody>
</table>

ARCHITECTURE/vbn will facilitate review of in-progress deliverables as outlined below. Schedule of Final Deliverables are per attached Process Plan.

Draft data development 3/13/2012
Final data development 4/17/2012
Draft FMP 5/1/2012

Task 2A: Reorganize FMP documentation to simplify historic facilities scenarios and implementation

Main Building Complex Project (417A) - No cost time extension | N/A | Amendment 12 | Completed |
BACKGROUND:

The Marin Community College District has updated and aligned the District’s Administrative Procedures with the recommended procedures developed through the legal firm of Liebert Cassidy Whitmore in conjunction with the Community College League of California (CCLC). Administrative Procedures must be updated as both laws and the needs of the District change and will be revised based on Legal Updates provided by the Policy and Procedure Subscription Service coordinated by the CCLC.

ANALYSIS:

There are seven chapters of the Board Policy Manual that include the following sections: 1) The District, 2) Board of Trustees, 3) General Institution, 4) Academic Affairs, 5) Student Services, 6) Business and Fiscal Affairs, and 7) Human Resources. The goal will be to review the current Board Policies and align them with the recommended policy information provided by the Policy and Procedure Subscription Service.

Board Policies and Administrative Procedures for Chapters 1 and 2 will undergo administrative review by Dr. David Wain Coon. After this review, the new draft will be evaluated by the Policy Review Committee for suggested revisions. Revisions will then be reviewed as information items at the BP/AP Revision Task Force and College Council. Once these steps have been completed, finished Board Policies will be submitted to the full Board for first reading and adoption. Administrative Procedures will be presented as information items.

Board Policies and Administrative Procedures for Chapters 3 through 7 will undergo administrative review by Dr. David Wain Coon and appropriate staff. After this review, the new draft will be evaluated by the BP/AP Revision Task Force for suggested revisions. Revisions will then be reviewed as information items at College Council. Once these steps have been completed, finished Board Policies will be submitted to the full Board for first reading and adoption. Administrative Procedures will be presented as information items.

Administrative Procedures 3500, 3515, and 3530 are presented herein for information.

FISCAL ANALYSIS:

No fiscal impact for the District.
RECOMMENDATION:

For information only. No action is required.
A District Safety Plan shall be developed and is provided to students and District employees via publications and the District’s website.

The District Police Department prepares and annually updates a report of all occurrences reported to campus police of and arrests for crimes that are committed on campus and that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication, and of all occurrences of non-criminal acts of hate violence reported to campus authorities. Upon request, a written report will be submitted to the Board of Trustees.

Written records of non-criminal acts of hate violence shall include at least a description of the act of hate violence, the victim characteristics, and offender characteristics, if known.

**Definitions**

**Prevention activities** increase awareness and minimize the potential for crisis in the workplace. Training is essential for all staff to learn how to recognize early warning signs, so that appropriate intervention can be provided for identified areas of conflict in the workplace.

**Crisis or conflict** constitutes any inappropriate or unreasonable disruption that interferes with the normal functioning of your work.

**Acts of violence** include any physical action, whether intentional or reckless, that harms or threatens the safety of self, another individual, or property.

**A threat of violence** includes any behavior that by its very nature could be interpreted by a reasonable person as intent to cause physical harm to self, another individual, or property.

**Workplace** includes off-campus locations as well as District-sponsored activities where faculty, staff, or student employees are engaged in District business or locations where incidents occur as a result of the person's relationship to the District community.
Education Code Section 67380 defines “hate violence” as: “any act of intimidation or physical harassment, physical force or physical violence, or the threat of physical force or physical violence, that is directed against any person or group of persons or the property of any person or group of persons because of ethnicity, race, national origin, sex, sexual orientation, gender identity, gender expression, disability, or political or religious beliefs of that person or group.” Section 67380 requires reporting of both occurrences to Campus Police of, and arrests for, crimes that involve hate violence (Section 67380(a)(1)(A) and of “non-criminal acts of hate violence” (Education Code Section 67380(a)(1)(B)).

Crisis and Conflict Intervention
Any employee experiencing an unsafe work condition should immediately contact his/her supervisor or the Human Resources Office. The supervisor shall immediately notify the Human Resources Office about any acts or threats of violence or intimidation. The employee will be provided consultation regarding resources available to resolve the unsafe work condition.

It is the responsibility of all employees to immediately report threats, acts of violence, intimidation, or any other behavior which deliberately hurts or harms another person in the District to their immediate supervisor and District Police Department. Such reports will be promptly and thoroughly investigated.

Crisis Intervention Team
The Crisis Intervention Team is established to provide regular training and advice to individuals and departments. Training activities may include, but not be limited to, skill development in conflict resolution, communication, anger management, and early identification of any threat to personal safety.

Team advising activities may include individual consultations, peer mediation, conflict resolution services, and referral to outside sources.

Immediately upon notification of an act of violence or threat of violence or intimidation involving an employee, the team member notified will initiate Crisis Intervention Team procedures as stated below.

In the event of an act or threat of violence or intimidation, the team will investigate the incident and forward the results of the completed investigation to the Human Resources Office for consideration. Law enforcement will take appropriate action if the incident involves injuries or criminal activity.

The team will coordinate available resources to provide intervention, consultation, or referral which may include arranging for counselors to work with victims and observers of the incident.

Restraining Orders/Court Orders
An employee shall notify law enforcement of any restraining orders/court orders when named as a plaintiff and provide a copy of the order to District Police Department. In the event the supervisor is informed by an employee of a restraining order, the supervisor will contact District Police Department to ensure they are aware of it and that they have a copy of the restraining order on file.

Office of Primary Responsibility: College Operations

Date Approved: February 12, 2009
Date Revised:
(Replaces College of Marin Procedure 7.0009 DP.1)
Note: Language in underlined regular text provided by CCLC in Update 20. The language struck through is recommended for deletion. The language in underlined italics suggested for consideration by Kirkpatrick to be consistent with CCLC titles and more appropriate because AP includes language broader in scope than simply “Emergency Preparedness”. This document was reviewed with Chief Lemay and Sgt. Kidder on March 19, 2013.
Members of the Marin Community College District who are witnesses or victims of a crime should immediately report the crime to District Police.

In the event an employee is assaulted, attacked, or menaced by a student, the employee should notify his/her supervisor as soon as practical after the incident. The supervisor of any employee who is attacked, assaulted, or menaced shall assist the employee to promptly report the attack or assault to the District Police if the employee has not done so already. The supervisor himself/herself shall make the report if the employee is unable or unwilling to do so.

Reporting a complaint to local law enforcement will not relieve the District of its obligation to investigate all complaints of harassment.

The District will instruct members of the District Police Department to notify students and employees complaining of sexual violence of their right to file a sex discrimination complaint with the District in addition to filing a criminal complaint, and to report incidents of sexual violence to Chief Human Resources Officer if the complainant consents.

The District shall publish warnings to the campus community about the following crimes: that are considered to represent a continuing threat to other students and employees in a manner that is timely and will aid in the prevention of similar crimes.

- Criminal homicide – murder and non-negligent manslaughter;
- Criminal homicide – negligent manslaughter;
- Sex offenses – forcible and non-forcible sex offenses;
- Robbery;
- Aggravated assault;
- Burglary;
- Motor vehicle theft;
- Arson;
- Arrests for liquor law violations, drug law violations, and illegal weapons possession;
- Persons who were not arrested for liquor law violations, drug law violations, and illegal weapons possession, but who were referred for campus disciplinary action for same;
• Crimes that manifest evidence that the victim was intentionally selected because of the victim’s actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability and involve larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, or any other crime involving bodily injury;
• Those reported to the District Police; and
• Those that are considered to represent a continuing threat to other students and employees.

In the event that a situation arises, either on or off campus, that, in the judgment of the District Police Chief, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the District notification system(s) to students, faculty, staff and the campus’ student newspaper. The information shall be disseminated by District Police in a manner that aids the prevention of similar crimes.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the District Police Chief may also post a notice on the campus-wide electronic bulletin board on the District’s web site at: www.marin.edu, providing the community with more immediate notification. The electronic bulletin board is immediately accessible via computer by all faculty, staff, and students. Anyone with information warranting a timely warning should report the circumstances to the District Police Department, by phone at 911 or in person at the District Police Department Headquarters at 835 College Avenue, Kentfield, CA.

The District shall not be required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor. The Clery Act defines pastoral counselor as a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor. The definition of a professional counselor is a person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of his/her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution. To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors. This means that a dean of students who has a professional counselor’s license, but is employed by the institution only as a dean and not as a counselor, is not exempt from reporting.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the District shall follow its emergency notification procedures.

The District shall annually collect and distribute statistics concerning crimes on campus. All District staff with significant responsibility for student and campus activities shall report crimes about which they receive information.

The District shall publish an Annual Security Report every year that contains statistics regarding crimes committed on campus and at affiliated locations for the previous three years. The Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims’ assistance program, student discipline, campus resources, and other matters. The District shall make the report available to all current students and employees.
The District will also provide perspective students and employees with a copy of the Annual Security Report upon request. A copy of the Annual Security Report can be obtained by contacting the District Police Department located at 835 College Avenue, Kentfield, CA 94904.

**To Report a Crime:**
Contact the District Police Department at **415-485-9696** (non-emergencies) and dial **911** (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the District Police Department. In addition, *individuals* may report a crime to the following areas:

- **Chief Student Services Officer**  
  415-485-9618
- **Chief Counseling Officer**  
  415-485-9432
- **Chief Student Health Officer**  
  415-485-9462
- **Chief Human Resources Officer**  
  415-485-9331

If *the individual* is the victim of a crime and does not want to pursue action within the District’s System or the criminal justice system, *the individual* may still want to consider making a confidential report. With *the individual’s* permission, the **District Police Department** can file a report on the details of the incident without revealing *his/her* identity. The purpose of a confidential report is to comply with *the individual’s* wish to keep the matter confidential, while taking steps to ensure the future safety of *himself/herself* and others. With such information, the District can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

The District Police Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the District Police Department cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other campus security authorities as identified below. Confidential reports of crime may also be made to **Chief Human Resources Officer** at **415-485-9331**.

The District may disclose the final results of disciplinary proceeding to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, regardless of the outcome. The District may also disclose to anyone, the final results of a disciplinary proceeding in which it concludes that a student violated *school District policy* with respect to a crime of violence or non-forcible sex offense. The offenses that apply to this permissible disclosure are:

- Arson
- Assault offenses
- Burglary
- Criminal homicide – manslaughter by negligence
- Criminal homicide – murder and non-negligent manslaughter
- Destruction, damage, or vandalism of property
• Kidnapping or abduction
• Robbery
• Forcible sex offenses

Office of Primary Responsibility: College Operations

**Date Approved:** February 17, 2009

**Date Revised:**

**NOTE:** The underlined regular text reflects updated language from legal Update 19 disseminated to districts in August 2011 and the language from legal Update 20 disseminated to districts in April 2012. The language struck through is recommended for deletion. The language in underlined italics reflects revisions from Chief Lemay on 5/22/12 and was reviewed with Chief Lemay and Sgt. Kidder on 3/19/13.
AP 3530     WEAPONS ON CAMPUS

Reference:
Penal Code Section 626.7, 626.9 and 626.10

Firearms, knives, explosives, or other dangerous objects, including but not limited to any facsimile firearm, knife, or explosive, are prohibited on all District property.

Activities involving firearms or other weapons conducted under the direction of District officials or as authorized by an official law enforcement agency shall be reported to the District Police before taking place.

Any person who believes that he/she may properly possess a firearm or other weapon on District property or other facility of the District must promptly notify the District Police.

Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2 1/2 inches upon District property, unless the person is authorized to possess such a weapon in the course of his/her employment, has been authorized by a District employee to have the knife, or is a duly appointed peace officer, who is engaged in the performance of his/her duties, is prohibited on any District campus or at any District Center, or in any facility of the District.

Office of Primary Responsibility: College Operations

Date Approved: February 17, 2009
Date Revised:

NOTE: The regular underlined text is language is from legal Update 21 disseminated to districts in October 2012. The language struck through is recommended for deletion. The language in underlined italics was added during the review with Chief Lemay and Sgt. Kidder on March 19, 2013.