Marin Community College District  
Board of Trustees Regular Meeting  

Agenda  

July 17, 2012  
Cafeteria, Student Services Building  
835 College Avenue, Kentfield, California  

Web Address: http://www.justin.tv/comtrustees  

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

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

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

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

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

Per Board Policy 2365 the Board meetings of the Marin Community College District may be audio taped and video broadcasted via the internet.
A. **Open Session** — 4:00 p.m., Cafeteria, Student Services Building, Kentfield Campus

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

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

1. CONSIDERATION OF EXPULSION OF A STUDENT (Education Code §72122)
2. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)
   Labor Negotiator: Bruce Heid
   Employee Organizations: United Professors of Marin (UPM/AFT), California School Employees Association (CSEA), Service Employees International Union (SEIU)
3. TORT CLAIM (Government Code §54956.95)
   Claimant: Leyla van Soest
   Agency Claimed Against: Marin Community College District
4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   *Initiation of litigation pursuant to subdivision (c) of Section 54956.9*
   One (1) potential case
5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code §54956.9(a))
   Names of Cases: Mize-Kurzman vs. MCCD
   Kesecker vs. MCCD

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

1. Call to Order, Roll Call and Adoption of Agenda
2. Report from Closed Session
3. Public Comment
   A. Comments regarding items not on the Agenda (3 minutes per speaker)
   B. Comments regarding items on the Agenda - to be heard immediately before the Board of Trustees' consideration of the item
4. Chief Executive Officer's Report (45 minutes)
   A. Board Agenda
   B. General Obligation Refunding Bonds
   C. Strategic Plan 2009-2012 Action Step Update
   D. Information Technology Assessment/Plan
5. Academic Senate Report (5 minutes)
6. Classified Senate Report (5 minutes)
7. Student Association Report (5 minutes)
8. Board Study Session
   A. New Academic Center Project Update
   B. Child Study Center Project Update
   C. Fine Arts Building Weatherization Project Update
   D. Austin Science Center Swing Space
9. Consent Calendar Items (Roll Call Vote)
   A. Approve Classified Personnel Recommendations
      1. Appointment of Classified Personnel
      2. Appointment of Hourly Employees
      3. Temporary Increase/Decrease in Assignment for Classified Personnel
      4. Resignation/Retirement of Classified Personnel
   B. Approve Short-Term Hourly Positions
   C. Approve Academic Personnel Recommendations
      1. Appointment of Academic Personnel
      2. Temporary Credit Instructor Appointments Summer 2012
   D. Approve Educational Management Personnel Recommendations
      1. Appointment of Educational Management Personnel
      2. Resignation of Educational Management Personnel
   E. Budget Transfers – Month of June - FY 2011/12
   F. Warrant Approval
   G. Approve New Community Services Courses
   H. Approve Student Record Destruction
   I. Approve Out of Country Travel
   J. Second Reading and Approval of Revised Board Policies
      ▪ BP 3710 Securing of Copyright
      ▪ BP 5010 Admissions and Concurrent Enrollment
   K. Modernization (Measure C)
      1. Ratify/Approve Modernization Contracts, Changes and Amendments ($643,779.00)
      2. Approve Annual Renewal – Amendment #4 Paragon Software Licenses
         McLaren Software LTD (formerly Citodon, Inc. ($35,024.00)
      3. Authorize Procurement of Specialty Equipment
         Science Math Central Plant Complex Increments 2 & 3, Site Development & Building Project (305A)
4. Declaration of Surplus Disposal  
   PA & FA Relocation (8501)

10. Other Action Items (10 minutes)
   
   A. Resolution #7-17-2012 C.10.A. Authorizing the Refund of Election of 2004 General Obligation Bonds, Series A
   
   B. Modernization (Measure C)
      1. Approve Change Order #12 and Resolution #7-17-2012 C.10.B. Attesting to Bidding out Change Order Work ($198,136.00)
      Midstate Construction Corporation, Inc.
      Performing Arts Modernization Project (306A)
      
      2. Approve Authorization to Bid
      Child Study Center – Increment One Project (303C)

   C. Student Health Fee Increase
   
   D. Approve Retainer Agreement with School & College Legal Services
   
   E. Authorization to Negotiate Contract with MetroPCS
   
   F. Reject Claim - Leyla van Soest
   
   G. Final Action on Superintendent/President’s Recommendation re: Expulsion of Student

11. Board Policy Review (1st Reading)
   
   None

12. Future Agenda Items
   
   A. Review Mission Statement/Strategic Planning
   
   B. Pension Reform
   
   C. Distance Education
   
   D. WASC Interim Report
   
   E. Renewal of MOU for California Irrigation Management Information System

13. Board Reports and/or Requests (15 minutes)
   
   A. Committee Chair Reports
   
   B. Legislative Report – Trustee O’Brien
   
   C. Individual Reports/or Requests

14. Approval of Minutes (2 minutes)
   
   • Minutes of June 19, 2012

15. Information Items (see written reports)
   
   A. Contracts and Agreements for Services – June 2012
   
   B. Modernization Update
      1. Director’s Report
2. Contract Milestone Report through June 2012
3. Program Schedule

C. Calendar of Special Events

16. Correspondence
17. Board Meeting Evaluation
18. Adjournment
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date: July 17, 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C.9.A.</td>
</tr>
<tr>
<td>Subject:</td>
<td>Classified Personnel Recommendations</td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td></td>
<td>Enclosure(s):</td>
</tr>
<tr>
<td></td>
<td>CONSENT APPROVAL</td>
<td>Recommendations</td>
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BACKGROUND:

The following actions are included in the Classified Personnel Recommendations:

1. Appointment of Classified Personnel
2. Appointment of Hourly Employees
3. Temporary Increase/Decrease in Assignment for Classified Personnel
4. Resignation/Retirement of Classified Employee

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

R. Balestreri, M. Haring, D. Johnson, R. Leff, M. Mayo, T. Owen, L. Sarfert and P. Stanton are on the non-instructional side of the 50% law.


RECOMMENDATION:

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

Administrator Initiating Item:

Linda Beam, Executive Dean of Human Relations & 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>
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<tbody>
<tr>
<td>1.</td>
<td>Haring, Michael</td>
<td>Custodian</td>
<td>1.0</td>
<td>12</td>
<td>06/13/2012</td>
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BACKGROUND INFORMATION:

1. Mr. Haring has accepted the 1.0FTE/12MPY position of Custodian effective June 13, 2012.
## 2. APPOINTMENT OF HOURLY PERSONNEL

<table>
<thead>
<tr>
<th>Name</th>
<th>Division/Department</th>
<th>Start Date</th>
<th>Expiration Date</th>
<th>Hourly Rate</th>
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<tbody>
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<td>1. Balestreri, Robert</td>
<td>Enrollment Services</td>
<td>07/01/12</td>
<td>12/31/12</td>
<td>$59.39</td>
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<tr>
<td>2. Bonander, Barbara</td>
<td>Testing</td>
<td>07/02/12</td>
<td>12/31/12</td>
<td>$46.42</td>
</tr>
<tr>
<td>3. Cady, Jeff</td>
<td>Testing</td>
<td>07/02/12</td>
<td>12/31/12</td>
<td>$46.42</td>
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<tr>
<td>4. Fitzpatrick, Mary</td>
<td>Testing</td>
<td>07/02/12</td>
<td>12/31/12</td>
<td>$46.42</td>
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<tr>
<td>5. Johnson, Danelle</td>
<td>Workforce Development/Community Partnerships</td>
<td>07/01/12</td>
<td>06/30/13</td>
<td>$17.00</td>
</tr>
<tr>
<td>6. Koffman, Linda</td>
<td>Testing</td>
<td>07/02/12</td>
<td>12/31/12</td>
<td>$46.42</td>
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<tr>
<td>7. Kriet, Cara</td>
<td>Testing</td>
<td>07/02/12</td>
<td>12/31/12</td>
<td>$46.42</td>
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<tr>
<td>8. Leff, Robert</td>
<td>Maintenance &amp; Operations</td>
<td>07/01/12</td>
<td>06/30/13</td>
<td>$40.00</td>
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<td>9. Massion, Cheo</td>
<td>Testing</td>
<td>07/02/12</td>
<td>12/31/12</td>
<td>$46.42</td>
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<td>10. McKinnon, Sara</td>
<td>Testing</td>
<td>07/02/12</td>
<td>12/31/12</td>
<td>$46.42</td>
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<td>11. Patel, Beth</td>
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<td>12/31/12</td>
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<td>12. Reisinger, Joann</td>
<td>Testing</td>
<td>07/02/12</td>
<td>12/31/12</td>
<td>$46.42</td>
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<td>13. Stanton, Patricia</td>
<td>Workforce Development/Community Partnerships</td>
<td>07/01/12</td>
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<td>$40.00</td>
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<td>14. Sukoski, Martha</td>
<td>Testing</td>
<td>07/02/12</td>
<td>12/31/12</td>
<td>$46.42</td>
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<td>15. Owen, Therese</td>
<td>Health Sciences</td>
<td>07/01/12</td>
<td>12/31/2012</td>
<td>$20.78</td>
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</tbody>
</table>

### BACKGROUND INFORMATION:

1. Mr. Balestreri will serve as a Professional Expert to assist with the transition of the Interim Dean of Enrollment Services. This includes coordinating and implementing a variety of “special projects” in the area of Enrollment Services, this assignment is effective July 1, 2012 through December 31, 2012.

July 17, 2012 Board Item
2 – 4; 6, 7, 9-12; 14. All individuals will serve as Professional Experts to assist the Testing area with reading of ESL and NC ESL Essays for Fall 2012 semester.

5. Ms. Johnson will serve as a Professional Expert and assist the Foster & Kinship Care Education Program which is categorically funded effective July 1, 2012 through June 30, 2013.

8. Mr. Leff will serve as a Professional Expert as a consultant for special energy projects involved with Modernization effective July 1, 2012 through June 30, 2013.

13. Ms. Stanton will serve as a Professional Expert/Program Director to the Foster & Kinship Care Education Program which is categorically funded effective July 1, 2012 through June 30, 2013.

15. Ms. Own will serve as a Professional Expert to assist the classified staff with a Nursing Capacity Building Initiative Grant which is categorical funded through the California Community College’s Chancellors Office. Projects are specifically related to increase enrollment and retention in the RN Program.
3. TEMPORARY INCREASE/DECREASE IN ASSIGNMENT/SALARY
FOR CLASSIFIED PERSONNEL

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>FTE</th>
<th>MPY</th>
<th>Appt. Type</th>
<th>Effective Date</th>
</tr>
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<tbody>
<tr>
<td>Mayo, Miles</td>
<td>DSPS Program Technician</td>
<td>From .53 To 1.0</td>
<td>12</td>
<td>Perm. Temp.</td>
<td>07/01/12 – 08/31/12</td>
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BACKGROUND INFORMATION:

### 4. RESIGNATION/RETIREMENT 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>
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<tbody>
<tr>
<td>1</td>
<td>Sarfert, Leslie A.</td>
<td>Office Technician – A&amp;R</td>
<td>1.0</td>
<td>12</td>
<td>Retirement</td>
<td>Dec 30/12</td>
</tr>
</tbody>
</table>

**BACKGROUND INFORMATION:**

1. Ms. Sarfert has submitted her letter of resignation for retirement purposes effective close of business December 30, 2012.
BOARD AGENDA ITEM

To: Board of Trustees  Date: July 17, 2012
From: Superintendent/President  Item and File No. C.9.B.
Subject: Short-Term Hourly Positions
Reason for Board Consideration:

CONSENT APPROVAL

Endorse(s):
Job Descriptions

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:

Short-Term Hourly Positions

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

On the instructional side of the 50% law:
- Teacher’s Aide (2)

On the non-instructional side of the 50% law:
- Office Assistant (1)
- Computer Technician (2)
- Biology Move Assistant (1)
- Biology Museum Move Tech (1)
- Biology Move Specialized Tasks Assistant (1)
- Physics, Engineering and Astronomy Move Assistant (2)
- Bookstore Clerk (14)

RECOMMENDATION:

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

Administrator Initiating Item: Linda Beam, Executive Dean of Human Resources & Labor Relations
<table>
<thead>
<tr>
<th>DEPT.</th>
<th>JOB TITLE</th>
<th>NUMBER OF POSITIONS</th>
<th>START DATE</th>
<th>END DATE</th>
<th>HOURLY RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child Development Program</td>
<td>Teacher's Aide - Assist classroom teachers with implementing child centered curriculum and maintaining an optimal physical learning environment.</td>
<td>2</td>
<td>8/13/12</td>
<td>5/24/13</td>
<td>$12.00</td>
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<tr>
<td>Human Resources</td>
<td>Office Assistant - Assist Classified Staff with data entry of the Summer 2012 Noncredit Contracts, Fall 2012 Credit Contracts, Hourly PAF's and filing/organizing of Fall &amp; Winter Credit and Noncredit contracts, PAF's etc.</td>
<td>1</td>
<td>* 7/1/12</td>
<td>8/31/12</td>
<td>$20.00</td>
</tr>
<tr>
<td>Information Technologies</td>
<td>Computer Technician - Assist the department when classified staff is on planned or unplanned leave and when projects require additional support.</td>
<td>2</td>
<td>* 7/1/12</td>
<td>12/31/12</td>
<td>$19.32</td>
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<tr>
<td>Life and Earth Sciences</td>
<td>Biology Move Assistant - Assist with the tasks associated with moving from Austin Science Center to the new Math, Science, Nursing building</td>
<td>1</td>
<td>* 7/1/12</td>
<td>6/30/13</td>
<td>$10.75</td>
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<tr>
<td>Life and Earth Sciences</td>
<td>Biology Museum Move Tech - Specific duties associated with the task of moving the Biology Museum from Austin Science Center to the new Math, Science, Nursing building and the unpacking and setting-up of the Biology Museum in new building</td>
<td>1</td>
<td>* 7/1/12</td>
<td>6/30/13</td>
<td>$19.32</td>
</tr>
<tr>
<td>Life and Earth Sciences</td>
<td>Biology Move Specialized Tasks Assistant - Assist with the specialized tasks associated with moving from Austin Science Center to the new Math, Science, Nursing building and the unpacking and setting-up of Biology labs in new building.</td>
<td>1</td>
<td>* 7/1/12</td>
<td>6/30/13</td>
<td>$17.65</td>
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<tr>
<td>Physical Sciences</td>
<td>Physics, Engineering and Astronomy Move Assistant - Assist with the tasks associated with moving the Physics, Engineering and Astronomy Labs from Austin Science Center to the new Math, Science, Nursing building</td>
<td>2</td>
<td>* 6/20/12 7/1/12</td>
<td>6/30/12 6/30/13</td>
<td>$10.75</td>
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<tr>
<td>-------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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<td>------------------</td>
<td>-----------------</td>
<td>--------</td>
</tr>
<tr>
<td>Bookstore</td>
<td>Bookstore Clerk - To assist classified staff cashier, stock, price, customer service, shipping, receiving, and prep for rush and buyback.</td>
<td>14</td>
<td>7/30/12</td>
<td>9/21/12</td>
<td>$8.25 - $16.00</td>
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</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 above job descriptions are submitted for approval.

* Human Resources did not receive the necessary paperwork from the department until after these individuals began work. These hourly employees need to be paid for work they have already completed.
BACKGROUND:

The following actions are included in the Academic Personnel Recommendations:

1. Appointment of Academic Personnel
2. Temporary Credit Instructors Appointments Summer 2012

BUDGET IMPLICATIONS:

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: Linda Beam, Executive Dean of Human Resources and Labor Relations
1. **Appointment 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>
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<tbody>
<tr>
<td>1</td>
<td>Passer, Joyce A.</td>
<td>Instructor, Nursing</td>
<td>1.0</td>
<td>Probationary</td>
<td>8/17/12</td>
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</table>

**BACKGROUND INFORMATION:**

1. Appointment to 1st Year Probationary Instructor position in Nursing.
<table>
<thead>
<tr>
<th>LAST</th>
<th>FIRST</th>
<th>FTE</th>
<th>STATUS</th>
<th>TERM DATE</th>
<th>JOB TITLE</th>
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<tr>
<td>Abedol</td>
<td>Kristin</td>
<td>0.049</td>
<td>Active</td>
<td>6/30/2012</td>
<td>Temporary Faculty Instrl</td>
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<tr>
<td>Adams</td>
<td>George</td>
<td>0.062</td>
<td>Active</td>
<td>6/30/2012</td>
<td>Temporary Faculty Instrl</td>
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<tr>
<td>Agudelo-Silva</td>
<td>Fernando</td>
<td>0.129</td>
<td>Active</td>
<td>6/30/2012</td>
<td>Temporary Faculty Instrl</td>
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<tr>
<td>Allen</td>
<td>Maula</td>
<td>0.116</td>
<td>Active</td>
<td>6/30/2012</td>
<td>Temporary Faculty Instrl</td>
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<tr>
<td>Ariano</td>
<td>Vaughan</td>
<td>0.029</td>
<td>Active</td>
<td>6/30/2012</td>
<td>Temporary Faculty Instrl</td>
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<tr>
<td>Armendariz</td>
<td>Joaquin</td>
<td>0.107</td>
<td>Active</td>
<td>6/30/2012</td>
<td>Temporary Faculty Instrl</td>
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<tr>
<td>Barr-Vickers</td>
<td>Claudia</td>
<td>0.049</td>
<td>Active</td>
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<td>Temporary Faculty Instrl</td>
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<tr>
<td>Bellisimo</td>
<td>Yolanda</td>
<td>0.071</td>
<td>Active</td>
<td>6/30/2012</td>
<td>Temporary Faculty Instrl</td>
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<td>Bowsher</td>
<td>James</td>
<td>0.093</td>
<td>Active</td>
<td>6/30/2012</td>
<td>Temporary Faculty Instrl</td>
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<tr>
<td>Boyce</td>
<td>Sima</td>
<td>0.059</td>
<td>Active</td>
<td>6/30/2012</td>
<td>Temporary Faculty Instrl</td>
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<td>Jeffrey</td>
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<td>Active</td>
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<td>Cheney</td>
<td>Paul</td>
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<td>Christensen</td>
<td>Paul</td>
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<td>Active</td>
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<td>Crosby</td>
<td>Frank</td>
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<td>Temporary Faculty Instrl</td>
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<td>Del Grande</td>
<td>David</td>
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<tr>
<td>Early</td>
<td>Rinetta</td>
<td>0.067</td>
<td>Active</td>
<td>6/30/2012</td>
<td>Cal Works</td>
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<td>Erdmann</td>
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<td>Gallagher</td>
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<td>Gallagher</td>
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MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

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<th>To:</th>
<th>Board of Trustees</th>
<th>Date: July 17, 2012</th>
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Reason for Board Consideration: APPROVAL

Enclosure(s): Recommendations

BACKGROUND:

The Educational Management Personnel Recommendations are attached.

1. Appointment of Educational Management Personnel
2. Resignation of Educational Management Personnel

FISCAL IMPLICATIONS: All recommendations are within budgeted FTE.

RECOMMENDATION:

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

Administrator Initiating Item: Linda Beam, Executive Dean of Human Resources and Labor Relations
1. **APPOINTMENT OF EDUCATIONAL MANAGEMENT PERSONNEL**

<table>
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**BACKGROUND INFORMATION:**

1. Ms. Angelina Duarte has been appointed Interim Vice-President of Student Services effective 7/1/12-12/15/12.
2. Ms. Patricia Gant has been appointed Interim Dean of Enrollment Services effective 7/16/12-6/30/13.
3. Dr. Rebecca Kenney has been appointed Interim Vice-President of Student Learning effective 7/1/12-6/30/13.
### 2. RESIGNATION OF EDUCATIONAL MANAGEMENT PERSONNEL

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**BACKGROUND INFORMATION:**

2. Linda Beam has submitted her resignation effective August 10, 2012.
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Budget Transfers for Month of June 2012
Reason for Board Consideration: CONSENT APPROVAL

BACKGROUND:
The accompanying information includes thirty-seven budget transfers in June 2012 totaling $25,573 in the Unrestricted Fund.

There were twenty-five budget transfers in June 2012 totaling $27,722 in the Restricted Fund including one transfer from the Restricted Reserve Contingency Fund for $1,819 for the Extended Opportunity Programs and Services (EOPS) Lending Textbook Program.

There was one budget transfer in the Child Development Fund for $220.

There were three budget transfers in the Measure C Fund totaling $112,500 including 100,000 in the Measure C Reserve Contingency for furniture, fixtures and equipment procurement.

Net effect of transfers for the Month.

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*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 June 2012 Budget Transfers.

Administrator Initiating Item

Albert J. Harrison II, Vice President, College Operations
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**TOTAL ALL FUND** | $1,760.54 | $76.73 | $1,119.02 | $11,847.14 | $17,054.00 | $6,055.21 | $1,082.72 | $2,911.68 | $253,101.65 |
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|            | 30.00 | 30.00 | -545,000.00 | 545,000.00 | -852,900.00 | 575,000.00 | 512,600.00 |

Total Measure C Building transfers were funds remitted within same account code.
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

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<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
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<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No.</td>
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<td>Subject:</td>
<td>Warrant Approval for Month of June 2012</td>
<td>C.9.F.</td>
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<td>Reason for Board Consideration:</td>
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<td>Enclosure(s):</td>
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<td>CONSENT APPROVAL</td>
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<td>Warrant Listing</td>
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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 06/01/2012 through 06/30/2012, warrants 153042-153727 were issued in the total amount of $4,953,035.

Payroll warrants 10013769-10014081 and payroll automated clearing house warrants 50017306-50017774 totaled $1,690,758 for the month of June.

Total amount of warrants for the month of June were $6,643,793.

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: July 17, 2012

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 153042-153727 in the amount of $4,953,035 for the period 06/01/2012 through 06/30/2012 be approved for payment. For the period 06/01/2012 through 06/30/2012, payroll warrants 10013769-10014081 were issued and payroll clearing house warrants 50017306-50017774 for a combined payroll total of $1,690,758. 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 June 2012 were $6,643,793.

President or Designee

Payment for Goods and Services Summary
General Fund – All Programs
June 2012

Warrant totals distributed by fund and expense category as follows:

General Fund Breakdown:

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<td>Capital Expenditures</td>
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Totals of all Funds:

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**Total Payments** | **$6,643,793** |
BACKGROUND:
New courses are developed by faculty in the Community Education area. Courses are reviewed and approved according to Board Policy and Administrative Procedure 4020 titled Program and Curriculum Development and 4400 titled Community Service Courses.

The Community Education Program will offer the following new Community Services courses for the first time during Fall Quarter 2012. These fee-based courses are recommended by the appropriate Community Education faculty and staff as well as the Vice President of Student Learning, and are “designed to meet the educational, social, economic, cultural, and recreational needs” of Marin County residents, as specified in Board policy. The proposed new courses are listed below, along with brief descriptions.

A History of Film Music: The Art of the Film Score
This course surveys the development of the film score for motion pictures, from its earliest inception and the first blockbusters, to the “Golden Age” of Hollywood film scores, up to the present day. In each class, a variety of selected film clips will be shown to illustrate the importance of the film score and how it functions throughout its history to support the aesthetic and narrative elements of the story.

Approved by Emeritus Students Curriculum Committee 3/21/2012
Total 14 hours: 2 hrs1x per week for 7 weeks

Acrylic Painting: Images In Plein Air
Working from images found in the outdoors, the instructor will demonstrate various techniques and theories needed to complete improvements to your art work and visual images through the application of acrylic paints on stretched canvas. Students will paint along with the instructor and be led through various elements of art-making.

Total 18 hours: 3 hrs 1x per week for 6 weeks

Art in the Age of Enlightenment: Rococo to Romanticism
The 18th Century was the age of reason: Voltaire, Diderot, and the philosophers Locke and Rousseau. Locke maintains that the soul has ideas only after sensation. We’ll begin with the fetes galante of Watteau and the sensual paintings of Boucher contrasted with humble genre scenes by Chardin. We’ll revel in glorious fresco cycles by Tiepolo and learn how Rosalba Carriera developed the pastel portrait. In England we’ll examine Hogarth’s Progresses and the portraits of Gainsborough. Jacques-Louis David will provide our focus on History painting introduced in Rome by Angelika Kauffmann and Benjamin West.

Approved by Emeritus Students Curriculum Committee 2/29/2012
Total 14 hours: 2 hrs1x per week for 7 weeks
Artistically Yours
When you think of Picasso, Diebenkorn or Brown, it's not their traditional work that comes to mind but rather those paintings created once they found their unique style. While there are many skills and techniques to learn when you begin to paint (composition, value, line etc.) it is also important (and fun!) to look for inner inspiration, to tap into your creativity and find your own voice. In this workshop we'll work start with warm-up exercises and then set you on your personal journey.

Total 4 hours: once per quarter

Basketweaving with Julia and Lucy Parker
In this class, with nationally renowned basket weavers Julia and Lucy Parker, participants will focus on creating their own traditional California basket from materials gathered with reverence and thanksgiving. Lucy and Julia will not only offer training in the art and craft of making a basket, but on the more informal level, share their understanding of the wisdom and practices gathered from generations of California Indian cultural experience. We are, indeed, privileged to include them in our program.

Part of California Native Peoples Studies Certificate Program planned in collaboration with Miwok Archeological Preserve of Marin (MAPOM)
Total 14 hours: 7 hrs 2x over a weekend

Computer Not Working? Diagnose and Solve Common Computer Problems
Bring your Personal Computer (PC) questions to class and be rewarded with answers. You will also benefit from answers to questions from the other students. Some typical questions are: How do I backup my computer? What do I do the keep my PC safe from spyware? Every time I click on an icon my PC freezes. We will demonstrate during class as many discoveries, questions and answers as time permits. In addition, you will learn how to troubleshoot your PC, your Windows OS, and your PC applications. Learn how to use the Internet to answer computer questions. Learn how to use the computer to do its own repairs.

Total 6 hours: 3 hrs 1x per week for 2 weeks

Exploring Red Wines
With their varying hues and bodies, red wine brings hundreds of subtle flavors and nuances. Discover the different red wine varieties, their characteristics and tastes.

Total 2.5 hours: one meeting per quarter

Exploring White Wines
From crisp and fruity to round and full bodied, white wine cover the gamut of the expressions of these grapes. Learn about different white wine varieties, their characteristics and tastes.

Total 2.5 hours: one meeting per quarter

Hands on Cheesemaking (4 separate courses)
These four separate three-hour classes will each teach how to make one of the following cheeses at home: 1) Camembert; 2) Gouda; 3) Mozzarella; and 4) Feta.

Courses developed in collaboration with the California Artisan Cheese Guild, although these will not be part of the Artisan Cheese Certificate Program
Classes would be offered for a total of 3 hours each per quarter

From Hildegard to Joan Tower: Women Composers Across the Centuries
Discover the rich world of women composers, from Hildegard in the 11th Century, the nun composers ("cloistered sirens") of Renaissance Italy, through the work of Clara Schumann and Fanny Mendelssohn in the 19th Century to Joan Tower in the 21st. This seven week course will feature one historical period per class meeting, in which we'll discuss our featured composer, discuss her historical context and compositional style, and listen to her music.
Indigenous Cultural Practices
This class will offer a broad overview of California Indian lifeways through the presentation of hands-on artifacts, storytelling, games, tools, foods, social organization, environmental ethos, spiritual practices, and worldview with a focus on Kule Loklo, the recreated Miwok Village. Park personnel and teachers will find this class particularly useful. The option to join in a Native-led Roundhouse Solstice Ceremony that evening will be available and is highly recommended as an opportunity to experience traditional ritual practices.

Part of California Native Peoples Studies Certificate Program planned in collaboration with Miwok Archeological Preserve of Marin (MAPOM)
Total 7 hours: 1x on a weekend

Infection Control for the Dental Team
This course meets the Dental Board Requirements for Dental Assistant Employees who must complete and Approved Infection Control Class within one year of employment as well as for RDA applicants within five years prior to application.

Total 8 hours: to be offered on a Saturday

Introductory Flintknapping
Arrow, spear and drill points and knife blades of obsidian (volcanic glass) and chert have been made in California for thousands of years. In this introductory class you will learn about styles of points and blades, and how they were made and used. You will also see numerous examples of stone tools and the different kinds of stone used to produce the points. Your own flintknapping kit will be provided and used to make obsidian points. Participants must be sixteen years or older.

Part of California Native Peoples Studies Certificate Program planned in collaboration with Miwok Archeological Preserve of Marin (MAPOM)
Total 7 hours: on a weekend

Make Extra Money with Your Photography!
Have you ever wanted to learn how some earn their livings or as a paying hobby using photography? Here is your opportunity to learn what I have experienced over the past several decades. Perhaps some will want to simply learn how to enter photographic competitions, how to become an artist in residence with our National Parks, while other desire to obtain information that will lead them to possible opportunities for income.

Total 4 hours: 2 hrs 2x per quarter

Modernism, Matisse to Magritte: What is the Role of Art in Society?
Modernism has its roots in the Nineteenth Century when artists began to move toward abstraction albeit in very different ways. They were increasingly less reliant on nature and more interested in art for art’s sake. We shall see how art divorced itself from its societal moorings and withdrew, ostensibly to save its creative essence, from the real world. There were, however, artists who bucked the trend toward abstraction: the Surrealists, whose notion of reality fell entirely outside the traditional views of the real, and artists of the Neue Sachlichkeit, who addressed the problems of Weimar society. Arnold Schoenberg declared that nothing done for a purpose could be art while Picasso claimed that art was not to hang on a wall, but a weapon with which to attack an enemy.

Approved by Emeritus Students Curriculum Committee 2/29/2012
Total 14 hours: 2 hrs 1x per week for 7 weeks

Preserving Fall’s Harvest
This series of three hands-on classes will teach you how to make the best of fall’s bounty. In September, we’ll preserve tomatoes three ways -- as a sauce, oven-dried, and for the freezer. The next month, we’ll turn
backyard apples into apple sauce and apple butter, mixing them with other fall fruits for interest. Finally, in
November, we’ll get ready for the holidays by making delicious apple-cranberry chutney.

3 3-hour workshops

Street Art: Past and Present
In this class we will look at the development of street art from its earliest origins, cave paintings and classical
Rome, to current proponents like Swoon, Banksy, Shepard Fairey, and Miss Bugs. Discover some of the world-
class artists right on your doorstep. Learn about large scale series such as Women are Heroes by JR in Rio,
Kenya, and Shanghai and find out what else is happening and where. We’ll look at how it’s done too, with
videos and demonstrations.
Total 14 hours: 2 hrs 1x per week for 7 weeks

The History of Captivating Paris
Paris has been a thriving metropolis and a center of intellectual and artistic achievement for centuries. The city’s
roots reach to the 3rd century B.C., and influences as diverse as Celtic, Roman, Scandinavian, and English are
woven into the city’s rich heritage. The area around L’île de la Cité was named Lutetia. Join us for seven
entertaining weeks of traveling through time, learning and discussing the history of this fascinating city, its
foundation, the different royal dynasties such as the Capetians, the Valois and the Bourbons who considered
Paris their residence; their intrigues, wars, cultural evolutions; Napoleonic powers; and we shall conclude our
time travel all the way into modern days Paris. Bon voyage et a bientôt!
Approved by Emeritus Students Curriculum Committee 2/29/2012
Total 14 hours: 2 hrs 1x per week for 7 weeks

The Medicinal and Edible Herb Garden
Did you know that we live in one of the bread baskets of the world for growing edible and medicinal herbs? You
can save money and easily grow herbs for preventive medicine, cosmetic uses, cooking and increasing your
nutritional health. Join me for an informative evening where you learn about growing plants that are not only
beautiful but can be used to make nutritious foods and to stock your home medicine cabinet and cooking
pantry.
Total 2.5 hours: one meeting per quarter

The Wines of Luxury: Exploring Champagne and Port
When most people wines for special occasions, two words come up – Champagne and Port. This class will
explore these unique wines of the world, both from their traditional homes, to expressions of sparkling and
fortified wines in the world.
Total 2.5 hours: one meeting per quarter

Weaving a Pomo-Style Coiled Willow and Sedge Basket
The class offers a well-rounded knowledge of the basket-making experience with a presentation of the
complete process and beliefs surrounding it. Participants will have the opportunity to create their own basket.
As we work we’ll learn about California weaving traditions, plant cultivation, harvesting, processing and the
variety of styles. We’ll discuss the ethics of nature stewardship, the principles of regenerative land
management, and the spiritual practices of Native people. Students are asked to bring clippers, a sharp knife,
and a large bowl.
Part of California Native Peoples Studies Certificate Program planned in collaboration with Miwok
Archeological Preserve of Marin (MAPOM)
Total 2.5 hours: one meeting per quarter
Wine Tasting Fundamentals
Have you ever wanted to know more about the aromas and tastes in your wine glass? This class will cover: the basics of the process of winemaking, wine tasting, explore different types of wines, talk about “wine talk” and what it all really means, and some basics of food and wine pairings.

Total 2.5 hours: one meeting per quarter

Yoga Dance Fusion
This class welcomes students from mixed backgrounds, levels and experiences in yoga, dance and movement. Focusing on the movement practices of yoga and release technique dance, classes are body-friendly and somatics-centered, emphasizing true wellness, core support, balance, and holistic body awareness and integration. Classes are structured so as to allow students time to unwind, align and ground the body allowing for a sense of ease and connectedness in their movement. In each class, we will sequence together movements learned in the warm-up, so as to create an organic and easy to follow dance combination.

Total 10.5 hours: 1.5 hrs 1x per week for 7 weeks

RECOMMENDATION:
The Superintendent/President recommends that the Board of Trustees approve the proposed new Community Education Courses.

Administrator Initiating Item:

Nanda Schorske, Interim Executive Dean of Instruction & Student Services for IVC
BACKGROUND:

In accordance with Title 5, California Administrative Code, Section 59020-59029, the Marin Community College Board of Trustees adopted a Policy of Student Record Retention and Destruction on June 4, 1980. This Policy established the annual review of documents and papers received during the school year and designation of same as Class 1 - Permanent, Class 2 - Optional, or Class 3 - Disposable. It also requires the Board to subsequently authorize the destruction of all Class 3 - Disposable records which have been maintained for the legal requirement of three years.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve that all Class 3 - Disposable records generated in the 2008-2009 academic year be authorized for destruction.

Administrator Initiating Item:

Angelina Duarte, Interim Vice President for Student Learning
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: OUT OF COUNTRY TRAVEL
Reason for Board Consideration: CONSENT APPROVAL

Date: July 17, 2012
Item & File No. C.91.
Enclosure(s): PAC Request

BACKGROUND:

Attached is an out-of-country travel request for the following faculty member and the approval from the Professional Affairs Committee for this activity:

Paul Killam  Calgary, Alberta, Canada  July 10-19, 2012  $1,000

Purpose of travel: Attend the One Week with Keith Winter Improvisation Course

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the attached out-of-country travel request.

Administrator Initiating Item
Rebecca J. Kenney, Interim Vice President of Student Learning
June 21, 2012

To: Dr. David Wain Coon
   Superintendent/ President

From: Professional Affairs Committee
   Matt Markovich, Linda Beam, Patty O'Keefe, and Chris Schultz

On April 19, 2012, Professor Paul Killam from the Performing Arts Department, submitted a Professional Affairs Committee (PAC) travel request form for the 2012-2013 year. His request was for out-of-country conference travel to Canada. Due to the end of the year activity and the need to close out the 2011-12 pending PAC submissions, this request was held in abeyance and not reviewed by the PAC committee until June 19th.

The request is for a conference starting on July 10, 2012. We realize this request should have been reviewed ahead of time in order to be approved by the Board of Trustees. Due to the board not meeting until July 17, 2012, this would result in post-travel approval by the Board.

The PAC committee acknowledges this oversight was our error, not Professor Killams'. We take full responsibility of this lack of timeliness and will be more thorough in the future. We request that consideration regarding this matter and that the Board will authorize his requested travel.
To: Paul Killam
From: Rebecca J. Kenney, Interim Vice President of Student Learning
CC: David Erlenheim; William Allen Taylor; David Snyder
Date: July 9, 2012
Re: Travel/Conference

Comments:

Your conference request to attend the One Week with Keith Winter Improvisation Course, on July 10-19, 2012, in Calgary, Alberta, Canada, has been recommended for approval by the Professional Affairs Committee. PAC approved $1,000 based on your estimated costs. (Approval is contingent upon Board of Trustees approval for Out-of-Country travel). Please be aware that PAC distributes funds based on a formula, and if your actual costs differ, your approval amount may change.

I concur with their recommendation and have signed the attached form and forwarded a copy to David Erlenheim in Fiscal Services.

Please note the following regarding travel:

Please refer to Board Policy 6.0009 TRAVEL EXPENSES, for important information regarding reimbursement allowances, especially for meals.
No arrangements for travel (purchase orders for registration fees, hotel accommodations, air travel, or claims for reimbursement) will be processed without the approved PAC form on file.

Purchase orders need to be submitted by the employee traveling for conference/seminar registration and for hotel accommodations. If these items are paid by the employee, or other expenses incurred, a Claim for Reimbursement must be submitted (with receipts attached). Receipts are required for all expenditures. According to District procedure, all claims for travel expenses must be submitted no later than 60 days after you return.

Travel approved by the UPM/AFT Travel Committee (PAC) should be charged to 11100-20101-52000-601000.

An Absence Report must be submitted to Human Resources when you return.

Attachment
MIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Date: July 17, 2012
Item & File No. C.9.J.

Subject: Second Reading and Approval of Revised Board Policies

Reason for Board Consideration:
Consent Approval

Enclosure(s):
Proposed revised policies

BACKGROUND:

At the June 19, 2012 Board of Trustees meeting, a recommended proposal to revise Board Policies in Chapter 3 General Institution and Chapter 5 Student Services was 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 3710 Securing of Copyright
- BP 5010 Admissions and Concurrent Enrollment

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve adoption of Board Policies 3710 and 5010.

Administrator Initiating item
David Wain Coon, Ed.D. Superintendent/President
BP 3710 SECURING OF COPYRIGHT

References:
Education Code Sections 72207 and 81459;
17 United States Code Section 201

The Superintendent/President shall develop appropriate administrative procedures to implement the provisions of the Education Code which authorize the securing of copyright protection for works, including but not limited to registering copyrights and policing infringements, on behalf of the District. The procedures developed by the Superintendent/President shall assure that the District may use, sell, give, or exchange published materials and may license materials prepared by the District in connection with its curricular and special services.

In the development of these procedures, the Superintendent/President shall solicit the input of the proper representatives of the college community in accordance with the Board’s policies regarding shared local decision-making.

The District shall comply with all current federal and state laws and regulations regarding the use of copyrighted material.

See the current UPM Collective Bargaining Agreement for detailed information regarding copyright of materials produced by faculty members.

NOTE: The underlined regular text signifies legally advised language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The language in underlined italics was added on 3-29-11 during the review Susan Andrien as well as during a 9-21-11 review with Kristi, Robin, Joanna, and David Snyder. Approved by Academic Senate 4/26/12.

Date Adopted:
(Replaces current College of Marin Policies 2.0010 and 2.0020)
BP 5010 ADMISSIONS AND CONCURRENT ENROLLMENT

References:
Education Code Sections 76000, 76001, and 76002;
Labor Code Sections 3074 and 3077;
Title 5 Section 58008;
Apprenticeship Attendance Report (CCFS-321);
U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended;
34 Code of Federal Regulations Part 668.16(p)

The District shall admit students who meet one of the following requirements and who are capable of profiting from the instruction offered:

- Any person over the age of 18 and possessing a high school diploma or its equivalent.
- Other persons who are over the age of 18 years and who, in the judgment of the Superintendent/President or his/her designee, are capable of profiting from the instruction offered. Such persons shall be admitted as provisional students, and thereafter shall be required to comply with the District's rules and regulations regarding scholastic achievement and other standards to be met by provisional or probationary students as a condition to being readmitted in any succeeding semester.
- Persons who are apprentices as defined in Labor Code Section 3077.
- Secondary school students and other special admit students who are able to demonstrate their ability to benefit from advanced scholastic or vocational work and who meet the specified admissions and enrollment criteria per applicable Education Code, state regulations, and Board policies and administrative procedures.

The District shall in its discretion, or as otherwise federally mandated, evaluate the validity of a student's high school completion. The Superintendent/President shall establish procedures for evaluating the validity of a student's high school completion.

International Students
International students seeking admission to the College of Marin credit program under an F-1 student visa must file a Foreign Student Admissions Application by the published deadlines. These students must meet all United States Immigration requirements and District’s admissions requirements as published in the current Catalog. (See AP 5012 titled International Students)
International students seeking admission to the College of Marin Intensive English Program under an F-1 student visa must file an Intensive English Language Application for Admissions by the published deadline dates. These students must meet United States Immigration requirements.

**Admissions to Special Programs**
In addition to meeting the standards for admission to the District, students wishing to enroll in a special course of study or to an impacted program must satisfy additional admission requirements. Specific criteria for admission to such programs shall be approved by the Superintendent/President and published in the Catalog.

The Superintendent/President or designee shall establish procedures regarding ability to benefit and admission of high school students, including students who are home-schooled and/or exempt from compulsory high school education. Those procedures will be described in AP 5011 titled Admission of High School and Other Young Students and the current Catalog.

**Admission of Special Part-Time, Full-Time, and Summer School High School Students**
Any high school student is eligible to attend as a special part-time, full-time, or summer school student provided he/she is able to demonstrate his/her ability to benefit from advanced scholastic or career/technical courses and who meet the specified admissions and enrollment criteria per applicable Education Code, state regulations, and Board policies and administrative procedures as described in AP 5011 titled Admission of High School and Other Young Students.

**Admission of Other Young Students**
The Superintendent/President or designee shall establish procedures regarding evaluation of requests for special full-time, part-time, or summer school enrollment by a pupil who is enrolled in grades kindergarten through eighth grade or identified as highly gifted.

If the request for admission is denied, the applicant may appeal according to the process below.

**Denial of Requests for Admission of High School and Younger Students**
If the Board of Trustees denies a request for special full-time or part-time enrollment by a pupil who is identified as highly gifted, the Board will record its findings and the reason for denying the request in writing within 60 days.

The written recommendation and denial shall be issued at the next regularly scheduled Board meeting that occurs at least 30 days after the pupil submits the request to the District.

**Claims for State Apportionment for Concurrent Enrollment**
Claims for state apportionment submitted by the District based on enrollment of high school pupils shall satisfy the criteria established by statute and any applicable regulations of the Board of Governors.
The Superintendent/President or designee shall establish procedures regarding compliance with statutory and regulatory criteria for concurrent enrollment.

Date Revised:
Date Adopted: July 27, 2010
(Replaces College of Marin Policy 4.0002 and a portion of Procedure 4.0003 DP.1)

NOTE: The underlined regular text language is legally required language from CCLC per legal Update 19. Reviewed and approved to move forward by Dean of Enrollment Services on 2-8-12. Approved by Academic Senate 4/19/12.
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 Swinerton office.

<table>
<thead>
<tr>
<th>Contract Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Construction Contracts – Ratification</strong></td>
</tr>
<tr>
<td><strong>Firm Name</strong></td>
</tr>
<tr>
<td>James Grossi Construction</td>
</tr>
<tr>
<td><strong>Construction Change Orders – Approval</strong></td>
</tr>
<tr>
<td>Lathrop Construction Associates, Inc.</td>
</tr>
<tr>
<td><strong>Professional Services Amendments – Ratification</strong></td>
</tr>
<tr>
<td>Enviro Safetech</td>
</tr>
<tr>
<td>Geo Tech Utility Locating LLC</td>
</tr>
<tr>
<td>Dannis Woliver Kelley</td>
</tr>
<tr>
<td><strong>Professional Service Agreements – Ratification</strong></td>
</tr>
<tr>
<td>Dannis Woliver Kelley</td>
</tr>
<tr>
<td><strong>Agreement For Moving Services</strong></td>
</tr>
<tr>
<td>Baker Moving &amp; Storage</td>
</tr>
<tr>
<td>$4,134.00</td>
</tr>
<tr>
<td><strong>Agreement For Project Inspection Services</strong></td>
</tr>
<tr>
<td>Ballard &amp; Walkins Construction Services</td>
</tr>
<tr>
<td>$86,949.00</td>
</tr>
</tbody>
</table>
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.
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904

BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>July 17, 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject:</td>
<td>Approve Renewal of Contract for Financial Management Software (Paragon) McLaren Software, Inc. – Amendment 4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>CONSENT APPROVAL</td>
<td>Enclosure(s):</td>
<td>None</td>
</tr>
</tbody>
</table>

**BACKGROUND:**

The Measure C Bond program has been supported by the Paragon financial management software system since the bond program began in 2005. McLaren Software, Inc., owner of Paragon, provides support, consulting, and online hosting services as needed. An annual renewal of this contract is necessary to maintain the financial management system for the Measure C Bond Program.

The District further requests that the Board approve the annual renewal (Sept. 1, 2012 through Aug. 31, 2013) for Paragon software (financial services module) in the amount of $35,024.

**FISCAL IMPACT:**

These services will be paid from Measure C Bond funds.

**RECOMMENDATION:**

The Superintendent/President recommends that the Board of Trustees approve Amendment 4 for McLaren Software, Inc. in the amount of $35,024 for financial management services software.
BACKGROUND:

Construction of the Science Math Central Plant Complex Increment 2&3, Site Development & Building Project on the Kentfield Campus is scheduled for completion in September 2012. Specialized equipment will require the District to competitively bid some of the items to be procured.

Public Contract Code (PCC) Section 20111(a)(Outside Source) requires each school district governing boards to competitively bid and award any contracts involving an expenditure of more than $50,000, adjusted for inflation, to the lowest responsible bidder. The Public Contract Code competitive bid level for the year 2012, is $81,000.

Contracts subject to competitive bidding include: 1) Purchase of equipment, materials, or supplies to be furnished, sold, or leased to the school district; 2) Services that are not construction services; 3) Repairs, including maintenance as defined in PCC Section 20115, that are not public projects as defined in PCC Section 22002(c). Therefore, items on the attached SMCP Equipment Summary list that require competitive bidding will be competitively bid. The attached list of items is now presented for authorization to procure.

FISCAL IMPACT:

The total procurement, anticipated at approximately $481,518.88, will be paid from Measure C bond funds budgeted for FF&E (Furniture, Fixtures & Equipment) for the Science Math Central Plant Complex Increment 2&3, Site Development & Building Project (305A).

RECOMMENDATION:

The President/Superintendent District recommends that the Board authorize procurement of the attached list of equipment for the Science Math Central Plant Complex Increment 2&3, Site Development & Building Project (305A) on the Kentfield Campus.
<table>
<thead>
<tr>
<th>EqNo</th>
<th>EqName</th>
<th>Qty</th>
<th>UnitCost ($)</th>
<th>EstAmt ($)</th>
<th>Manufacturer</th>
<th>Model_No</th>
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</thead>
<tbody>
<tr>
<td>DC-6</td>
<td>CABINET, DISPLAY, GLASS FRONT UV FILTER, LOCKABLE CABINET, DISPLAY, INTERIOR, LOCKED</td>
<td>6</td>
<td>$10,000.00</td>
<td>$60,000.00</td>
<td>ISEC, INC.</td>
<td>TBS</td>
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<td>DC-5</td>
<td>CABINET, DISPLAY, GLASS FRONT UV FILTER, LOCKABLE CABINET, DISPLAY, INTERIOR, LOCKED</td>
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<td>$7,000.00</td>
<td>$147,000.00</td>
<td>ISEC, INC.</td>
<td>TBS</td>
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<tr>
<td>MC-12</td>
<td>LIGHT SOURCE, MICROSCOPE, LED, FIBER OPTIC</td>
<td>24</td>
<td>$785.00</td>
<td>$18,840.00</td>
<td>LEICA, INC.</td>
<td>KL300 LED</td>
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<tr>
<td>MC-15C</td>
<td>MICROSCOPE, INSTRUCTOR</td>
<td>2</td>
<td>$5,155.00</td>
<td>$10,310.00</td>
<td>LEICA, INC.</td>
<td>DM750 (M SERIES)</td>
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<tr>
<td>MC-15A</td>
<td>MICROSCOPE, STUDENT, 63x BRIGHTFIELD</td>
<td>24</td>
<td>$2,682.82</td>
<td>$64,382.88</td>
<td>LEICA, INC.</td>
<td>DM750 (STUDENT MICROSCOPE)</td>
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<td>MC-15B</td>
<td>MICROSCOPE, STUDENT, OIL IMMERSION</td>
<td>24</td>
<td>$2,776.97</td>
<td>$66,647.28</td>
<td>LEICA, INC.</td>
<td>DM750 (STUDENT MICROSCOPE)</td>
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<td>MA-01</td>
<td>ACCESSORY, MAGNETIC, KIT</td>
<td>1</td>
<td>$175.00</td>
<td>$175.00</td>
<td>PASCO SCIENTIFIC</td>
<td>EM-8642A (EM-8642A)</td>
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<tr>
<td>EE-12</td>
<td>APPARATUS, VENTURI</td>
<td>1</td>
<td>$299.00</td>
<td>$299.00</td>
<td>PASCO SCIENTIFIC</td>
<td>ME-8598 (VENTURI APPARATUS)</td>
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<tr>
<td>OC-01</td>
<td>CAN, OVERFLOW, SET, DENSITY CIRCUIT, EXPERIMENT, LRC</td>
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<td>$15.00</td>
<td>$180.00</td>
<td>PASCO SCIENTIFIC</td>
<td>SE-8568 (OVERFLOW CAN)</td>
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<td>CE-01</td>
<td>CIRCUIT, EXPERIMENT, LRC</td>
<td>2</td>
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<td>$478.00</td>
<td>PASCO SCIENTIFIC</td>
<td>EX-9915 (SCIENCE-WORKSHOP)</td>
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<td>MS-45</td>
<td>DYNAMICS SYSTEM, 2.2M</td>
<td>6</td>
<td>$550.00</td>
<td>$3,300.00</td>
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<td>ME-9452A (CLASSIC DYNAMICS SYSTEM 2.2M)</td>
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<td>EE-14</td>
<td>GYROSCOPE</td>
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<td>$775.00</td>
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<td>ME-8960 (3-AXIS GYROSCOPE)</td>
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<td>IN-01</td>
<td>INTERFEROMETER, SYSTEM</td>
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<td>OS-9257A (COMPLETE INTERFEROMETER SYSTEM)</td>
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<td>LA-03</td>
<td>LASER, GREEN DIODE</td>
<td>2</td>
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<td>OS-8458 (GREEN DIODE LASER)</td>
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<td>LAUNCHER, MINI</td>
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<td>PASCO SCIENTIFIC</td>
<td>ME-6825A (MINI LAUNCHER)</td>
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<td>AM-01</td>
<td>MAGNET SET, ALNICO</td>
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<td>$26.00</td>
<td>$156.00</td>
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<td>EM-8820 (EM-8820)</td>
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<td>MS-46</td>
<td>OPTICS SYSTEM, COMPUTER BASED</td>
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<td>$2,799.00</td>
<td>$16,794.00</td>
<td>PASCO SCIENTIFIC</td>
<td>OS-8548B (OPTICS SYSTEM II)</td>
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<tr>
<td>MS-17A</td>
<td>PHYSICS LAB BUNDLE W/ INTERFACE SENSOR, RADIATION</td>
<td>14</td>
<td>$2,753.98</td>
<td>$38,555.72</td>
<td>PASCO SCIENTIFIC</td>
<td>850 (PASCO LAB STATION BUNDLE)</td>
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<td>RA-01</td>
<td>STATION, LAB, CUSTOM, PASCO</td>
<td>8</td>
<td>$450.00</td>
<td>$3,600.00</td>
<td>PASCO SCIENTIFIC</td>
<td>PS-2166 (PASPORT ALPHA BETA GAMMA RADIATION SENSOR)</td>
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<tr>
<td>LS-01</td>
<td>STATION, LAB, CUSTOM, PASCO</td>
<td>6</td>
<td>$6,354.00</td>
<td>$38,124.00</td>
<td>PASCO SCIENTIFIC</td>
<td>CUSTOM (CUSTOM)</td>
</tr>
</tbody>
</table>

$481,518.88
BACKGROUND:

The attached list represents equipment left behind, or no longer needed, as a result of the move in to the newly remodeled Performing Arts building. One final piece of equipment located in the temporary space previously used for the Transportation Technology program is also included for disposal as it is no longer needed. 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 lists); 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.
<table>
<thead>
<tr>
<th>QTY</th>
<th>Inventory No.</th>
<th>Room</th>
<th>Description</th>
<th>Detail</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Hallway</td>
<td>Drum Covers</td>
<td>Plastic and Metal Various Sizes</td>
<td>Poor</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>Hallway</td>
<td>Music Stand</td>
<td>Metal - is broken</td>
<td>Poor</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>Hallway</td>
<td>Pieces of Wood</td>
<td>Brown in Color</td>
<td>Poor</td>
</tr>
<tr>
<td>8</td>
<td>N/A</td>
<td>Hallway</td>
<td>Slides</td>
<td>Plastic</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>Hallway</td>
<td>UAV Audio Cuemaster</td>
<td>Green Metal</td>
<td>Poor</td>
</tr>
<tr>
<td>5</td>
<td>N/A</td>
<td>Hallway</td>
<td>Cords</td>
<td>Electrical</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>Hallway</td>
<td>Stage Can Light</td>
<td>Black Metal</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>Hallway</td>
<td>Drum</td>
<td>Dark Blue Ceramic</td>
<td>Poor</td>
</tr>
<tr>
<td>2</td>
<td>N/A</td>
<td>Hallway</td>
<td>Drum Coverings</td>
<td>Silver Metal</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>Hallway</td>
<td>Mixer</td>
<td>Black Metal - PA700S</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>Hallway</td>
<td>Evolution Keyboard</td>
<td>MK-249C Ser.#193424</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>Hallway</td>
<td>Evolution Keyboard</td>
<td>MK-249C Ser.#193425</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>23372</td>
<td>Hallway</td>
<td>Zenith TV</td>
<td>Brown metal - 15&quot;</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>23329</td>
<td>Hallway</td>
<td>Kawasho TV</td>
<td>Black Metal - 12&quot;</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>1545</td>
<td>Hallway</td>
<td>Storage Cabinet</td>
<td>2 door Brown wood</td>
<td>Poor</td>
</tr>
<tr>
<td>80</td>
<td>N/A</td>
<td>Black Box Theatre</td>
<td>Acton Stacker Chairs</td>
<td>Green uphol seats &amp; back w/arms</td>
<td>Poor</td>
</tr>
<tr>
<td>2</td>
<td>N/A</td>
<td>PA Hallway</td>
<td>Wood Storage Cab.</td>
<td>Blonde and Green Wood</td>
<td>Poor</td>
</tr>
<tr>
<td>2</td>
<td>N/A</td>
<td>PA Hallway</td>
<td>Wood Shelves</td>
<td>Blonde and Green Wood</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>PV11</td>
<td>Rolling Tray</td>
<td>Plastic &amp; Lam Wood</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>PV11</td>
<td>HP ColorLaserJet Print Cart.</td>
<td>Q6470A</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>PV11</td>
<td>Box of Magazines</td>
<td>Brown Cardboard box various Mags.</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>PV11</td>
<td>Orange Uphol Office Chair</td>
<td>4 star metal base</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>PV11</td>
<td>Large Clipboard</td>
<td>3'x3' two clips</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>PV11</td>
<td>Burgandy office Chair</td>
<td>Ultrasuede uphol badly worn -5 star base</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>PV11</td>
<td>Cable Reel</td>
<td>Wood 3' in dia.</td>
<td>Poor</td>
</tr>
<tr>
<td>1</td>
<td>N/A</td>
<td>PV11</td>
<td>Faux leather bucket chair</td>
<td>4 star metal base</td>
<td>Poor</td>
</tr>
</tbody>
</table>
## COLLEGE OF MARIN - SURPLUS DISPOSAL LIST

<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>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>N/A</td>
<td>PV11</td>
<td>Microphone System pieces</td>
<td>VLX</td>
<td>Poor</td>
</tr>
<tr>
<td></td>
<td>Indian Valley Campus</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>549</td>
<td>Bldg. 24</td>
<td>Rotary 2-Post Lift</td>
<td>Metal Ser.#AL070277C</td>
<td>Poor</td>
</tr>
</tbody>
</table>
BACKGROUND:

The District originally issued the Series A Bonds in 2005 with rates ranging from 4.25% to 5.00%. When issued, the District included a provision giving it the option of refinancing the bonds at a later time to take advantage of lower market rates. The Municipal Market Data (MMD) AAA GO rate, the benchmark tax-exempt municipal rate, was 1.82% as of July 6, 2012, compared to 3.66% when the Series A Bonds were originally issued in April 2005. Given low market interest rates, the District is expected to be able to refinance the Series A Bonds and lower the debt service payments. The debt service savings achieved by the refinancing will flow directly to the taxpayers of the County in the form of lower property taxes. It is currently estimated that the District will refinance $39.7 million of bonds outstanding thereby achieving a true interest cost of 3.2% and approximately $1.24 million of gross savings.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the Resolution Authorizing the Refund of Election of 2004 General Obligation Bonds, Series A.
RESOLUTION NO. 7-17-2012 C.10.A.

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE MARIN COMMUNITY COLLEGE DISTRICT AUTHORIZING THE ISSUANCE OF 2012 GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, a duly called election was held in the Marin Community College District (the “District”), Marin County, State of California, on November 2, 2004 (the “Election”) and thereafter canvassed pursuant to law;

WHEREAS, at such election there was submitted to and approved by the requisite fifty-five percent vote of the qualified electors of the District a question as to the issuance and sale of general obligation bonds of the District for various purposes set forth in the ballot submitted to the voters, in the maximum amount of $249,500,000 payable from the levy of an ad valorem tax against the taxable property in the District;

WHEREAS, on April 28, 2005, the District issued the first series of such bonds in the aggregate principal amount of $75,000,000 and styled as “Marin Community College District (Marin County, California) Election of 2004 General Obligation Bonds, Series A” (the “Prior Bonds”);

WHEREAS, pursuant to Section 53550 et seq. of the California Government Code, the District is authorized to issue general obligation refunding bonds (the “Refunding Bonds”) to refund all or a portion of the outstanding Prior Bonds (so refunded, the “Refunded Bonds”);

WHEREAS, this Board desires to reappoint certain professionals to provide services related to the issuance of Refunding Bonds; and

WHEREAS, all acts, conditions and things required by law to be done or performed have been done and performed in strict conformity with the laws authorizing the issuance of general obligation refunding bonds of the District, and whereas the indebtedness of the District, including this proposed issue of Refunding Bonds, is within all limits prescribed by law; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MARIN COMMUNITY COLLEGE DISTRICT AS FOLLOWS:

SECTION 1. Purpose. To advance refund all or a portion of the outstanding principal amount of the Prior Bonds and to pay all necessary legal, financial and contingent costs in connection with the issuance of the Refunding Bonds, this Board hereby authorizes the issuance of the Refunding Bonds and orders such Refunding Bonds sold at a competitive sale, in one or more series, such that the Refunding Bonds shall be dated as of a date to be determined by the Authorized Officers, shall bear interest at a rate not-to-exceed that authorized at the Election, shall be payable upon such terms and provisions as shall be set forth in the Refunding Bonds, shall mature on the dates and in the amounts set forth in the Official Statement (defined herein), and shall be in an aggregate principal amount not-to-exceed $64,000,000. Additional costs authorized to be paid from the proceeds of the Refunding Bonds are all of the authorized costs of issuance set forth in Section 53550(e) and (f) and Section 53587 of the Government Code.

SECTION 2. Bond Registrar. This Board does hereby appoint U.S. Bank National Association, as authenticating agent, bond registrar, transfer agent and paying agent (collectively, the “Bond Registrar”) for the Refunding Bonds on behalf of the District.
SECTION 3. Approval of the Notice Inviting Proposals for Purchase of Refunding Bonds. The competitive sale shall be undertaken pursuant to the Notice Inviting Proposals for Purchase of Refunding Bonds, set forth in Exhibits A, B and C hereto. The Superintendent/President of the District (the "Superintendent"), the Vice President, College Operations (the "Vice President"), or a designated deputy thereof (collectively the "Authorized Officers") each alone, are hereby authorized to execute the Notice of Intention to Sell Refunding Bonds attached hereto as Exhibit C (the "Notice of Intention") and to cause the Notice of Intention to be published once at least five (5) days prior to the date set to receive bids in The Bond Buyer.

The terms and conditions of the offering and the sale of the Refunding Bonds shall be as specified in the Notice Inviting Proposals for Purchase of Refunding Bonds. The Board shall award the sale of the Refunding Bonds by acceptance of the bids with the lowest true interest cost with respect to the Refunding Bonds, so long as the principal amount of the Refunding Bonds does not exceed $64,000,000 and the average interest rate does not exceed 5% per annum.

Public Financial Management, Inc., the financial advisor to the District (the "Financial Advisor"), is hereby authorized and directed to cause to be furnished to prospective bidders a reasonable number of copies of the Notice Inviting Proposals for Purchase of Refunding Bonds (including the Bid Form) and a reasonable number of copies of the Official Statement.

The Board hereby approves the competitive sale of the Refunding Bonds, having determined that a competitive sale contributes to the District's goal of achieving the lowest overall cost of funds. The Board estimates that the costs associated with the issuance of the Refunding Bonds and any such costs which the successful bidder or bidders agrees to pay pursuant to the Notice Inviting Proposals for Purchase of Refunding Bonds, will equal approximately 1.5% of the principal amount of the Refunding Bonds.

The Financial Advisor and/or Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California ("Bond Counsel"), are hereby authorized and directed to open the bids at the time and place specified in the Notice Inviting Proposals for Purchase of Refunding Bonds and to present the same to the Authorized Officers. The Financial Advisor and/or Bond Counsel are hereby authorized and directed to receive and record the receipt of all bids made pursuant to the Notice Inviting Proposals for Purchase of Refunding Bonds; to cause said bids to be examined for compliance with the Notice Inviting Proposals for Purchase of Refunding Bonds; and to cause computations to be made as to which bidder has bid the lowest true interest cost with respect to the Refunding Bonds, as provided in the Notice Inviting Proposals for Purchase of Refunding Bonds, along with a report as to the foregoing and any other matters deemed pertinent to the award of the Refunding Bonds and the proceedings for the issuance thereof.

SECTION 4. Certain Definitions. As used in this Resolution, the terms set forth below shall have the meanings ascribed to them (unless otherwise set forth in the Official Statement):

(a) "Act" means Sections 53550 et seq. of the California Government Code.

(b) "Bond Insurer" means any insurance company which issues a municipal bond insurance policy insuring the payment of principal of and interest on the Refunding Bonds.

(c) "Bond Payment Date" means (unless otherwise provided for in the Official Statement), with respect to the Refunding Bonds, February 1 and August 1 of each year commencing
February 1, 2013 with respect to interest on the Refunding Bonds and August 1 of each year commencing August 1, 2013 with respect to the principal payments on the Refunding Bonds.

(d) "Bond Registrar" means U.S. Bank National Association, or any other such bond registrar designated in the Official Statement.

(e) "Code" means the Internal Revenue Code of 1986, as the same may be amended from time to time. Reference to a particular section of the Code shall be deemed to be a reference to any successor to any such section.

(f) "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the District and dated the date of issuance and delivery of the Refunding Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

(g) "Depository" means, initially, DTC, and thereafter the securities depository acting as Depository pursuant to Section 5(c) hereof.

(h) "DTC" means The Depository Trust Company, New York, New York, 55 Water Street, New York, New York 10041, Tel: (212) 855-1000 or Fax: (212) 855-7320, a limited purpose trust company organized under the laws of the State of New York, in its capacity as Depository for the Refunding Bonds.

(o) "Escrow Agent" means the U.S. Bank National Association, or any other successor thereto, in its capacity as escrow agent for the Refunded Bonds.

(p) "Escrow Agreement" means the Escrow Agreement relating to the Refunded Bonds by and between the District and the Escrow Agent.

(q) "Federal Securities" means securities as permitted, in accordance with the authorizing resolutions of the County pursuant to which the Prior Bonds were issued, to be deposited with the Escrow Agent for the purpose of defeasing the Prior Bonds.

(r) "Information Services" means Financial Information, Inc.'s "Financial Daily Called Bond Service"; Mergent Inc.'s Called Bond Department; or Standard & Poor's J.J. Kenny Information Services' Called Bond Service; or Mergent Inc.'s Called Bond Department.

(s) "Nominee" means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to Section 5(c) hereof.

(t) "Official Statement" means the Official Statement for the Refunding Bonds, as described in Section 16 hereof.

(u) "Outstanding" means, when used with reference to the Refunding Bonds, as of any date, Refunding Bonds theretofore issued or thereupon being issued under this resolution except:

(i) Refunding Bonds canceled at or prior to such date;

(ii) Refunding Bonds in lieu of or in substitution for which other Refunding Bonds shall have been delivered pursuant to Section 7 hereof; or
(iii) Refunding Bonds for the payment or redemption of which funds or Government Obligations in the necessary amount shall have been set aside (whether on or prior to the maturity or redemption date of such Refunding Bonds), in accordance with Section 18 of this Resolution.

(v) “Owner” or “Registered Owner” means the registered owner of a Refunding Bond as set forth on the registration books maintained by the Paying Agent pursuant to Section 7 hereof.

(w) “Participants” means those broker-dealers, banks and other financial institutions from time to time for which the Depository holds book-entry certificates as securities depository.

(x) “Principal” or “Principal Amount” means, with respect to any Refunding Bond, the principal or principal amount thereof.

(y) “Rating Agencies” means Standard & Poor’s Ratings Services and Moody’s Investors Services.

(z) “Record Date” means the close of business on the 15th day of the month preceding each Bond Payment Date.

(aa) “Securities Depository” means The Depository Trust Company, 55 Water Street, New York, New York 10041, Tel: (212) 855-1000 or Fax: (212) 855-7320 with Cede & Co. as its nominee.

(bb) “Term Bonds” means those Refunding Bonds for which mandatory redemption dates have been established in the Official Statement.

(ii) “Treasurer-Tax Collector” means, the Treasurer-Tax Collector of Marin County.

SECTION 5. Terms of the Refunding Bonds.

(a) Denomination, Interest, Date of Delivery. The Refunding Bonds shall be issued as bonds registered as to both principal and interest, in the denominations of $5,000 or any integral multiple thereof. The Refunding Bonds will be initially registered to “Cede & Co.,” the Nominee of the DTC.

Each Refunding Bond shall be dated the date of delivery or such date as shall appear in the Official Statement (the “Date of Delivery”), and shall bear interest from the Bond Payment Date next preceding the date of authentication thereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to that Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before the first Record Date, in which event it shall bear interest from the Date of Delivery.

The Refunding Bonds shall bear interest at a rate or rates such that the interest rates or true interest cost shall not exceed the maximum rate permitted by law. Interest shall be payable on the respective Bond Payment Dates. Interest on the Refunding Bonds shall be computed on the basis of a 360-day year of twelve 30-day months.
No Refunding Bond shall mature later than the final maturity date of the Refunded Bonds to be refunded from proceeds of such Refunding Bond.

(b) **Redemption.**

(i) **Optional Redemption.** The Refunding Bonds shall be subject to optional redemption prior to their stated maturity dates as provided in the Official Statement.

(ii) **Mandatory Redemption.** Unless otherwise provided in the Official Statement, the Term Refunding Bonds are subject to mandatory redemption from moneys in the Debt Service Fund established in Section 11 hereof prior to their stated maturity dates, without premium, on each August 1, in the Principal Amounts as set forth in the Official Statement.

In the event that a portion of any Term Bond is optionally redeemed pursuant to Section 5(b)(i) hereof, the remaining sinking fund payments shall be reduced proportionately or as otherwise directed by the District, in integral multiples of $5,000, in respect to the portion of such Term Refunding Bonds optionally redeemed.

(iii) **Selection of Refunding Bonds for Redemption.** Whenever provision is made in this Resolution for the optional redemption of Outstanding Refunding Bonds and less than all Outstanding Refunding Bonds are to be redeemed, the Bond Registrar identified below, upon written instruction from the District, shall select Refunding Bonds for redemption as so directed and if not directed, in inverse order of maturity. Within a maturity, the Bond Registrar shall select Refunding Bonds for redemption by lot. Redemption by lot shall be in such manner as the Bond Registrar shall determine; provided, however, that the portion of any Refunding Bond to be redeemed in part shall be in the Principal Amount of $5,000 or any integral multiple thereof.

(iv) **Notice of Redemption.** When redemption is authorized or required pursuant to Section 5(b)(i) hereof, the Bond Registrar, upon written instruction from the District, shall give notice (a “Redemption Notice”) of the redemption of the Refunding Bonds. Such Redemption Notice shall specify: the Refunding Bonds or designated portions thereof (in the case of redemption of the Refunding Bonds in part but not in whole) which are to be redeemed; the date of redemption; the place or places where the redemption will be made, including the name and address of the Bond Registrar; the redemption price; the CUSIP numbers (if any) assigned to the Refunding Bonds to be redeemed; the Refunding Bond numbers of the Refunding Bonds to be redeemed in whole or in part and, in the case of any Refunding Bond to be redeemed in part only, the Principal Amount of such Refunding Bond to be redeemed; and the original issue date, interest rate or Accretion Rate and stated maturity date of each Refunding Bond to be redeemed in whole or in part. Such Redemption Notice shall further state that on the specified date there shall become due and payable upon each Refunding Bond or portion thereof being redeemed, at the redemption price thereof, together with the interest accrued or accreted to the redemption date, and that from and after such date, interest with respect thereto shall cease to accrue or accrete.

The Bond Registrar shall take the following actions with respect to such Redemption Notice:
(A) At least 30 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given to the respective Owners of Refunding Bonds designated for redemption by registered or certified mail, postage prepaid, at their addresses appearing on the Bond Register.

(B) At least 30 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, (ii) telephonically confirmed facsimile transmission, or (iii) overnight delivery service, to the Security Depository.

(C) At least 30 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, or (ii) overnight delivery service, to one of the Information Services.

Neither failure to receive or failure to publish any Redemption Notice nor any defect in any such Redemption Notice so given shall affect the sufficiency of the proceedings for the redemption of the affected Refunding Bonds. Each check issued or other transfer of funds made by the Bond Registrar for the purpose of redeeming Refunding Bonds shall bear or include the CUSIP number identifying, by issue and maturity, the Refunding Bonds being redeemed with the proceeds of such check or other transfer. Such redemption notices may state that no representation is made as to the accuracy or correctness of the CUSIP numbers printed therein or on the Refunding Bonds.

(v) Partial Redemption of Refunding Bonds. Upon the surrender of any Refunding Bond redeemed in part only, the Bond Registrar shall execute and deliver to the Owner thereof a new Refunding Bond or Refunding Bonds of like tenor and maturity and of authorized denominations equal in transfer amounts to the unredeemed portion of the Refunding Bond surrendered. Such partial redemption shall be valid upon payment of the amount required to be paid to such Owner and the District shall be released and discharged thereupon from all liability to the extent of such payment.

(vi) Effect of Notice of Redemption. Notice having been given as aforesaid, and the moneys for the redemption (including the interest accrued to the applicable date of redemption) having been set aside as provided in Section 18 hereof, the Refunding Bonds to be redeemed shall become due and payable on such date of redemption.

If on such redemption date, money for the redemption of all the Refunding Bonds to be redeemed as provided in Section 5(b)(i) hereof, together with interest accrued to such redemption date, shall be held by the Bond Registrar (or an independent escrow agent selected by the District) so as to be available therefor on such redemption date, and if notice of redemption thereof shall have been given as aforesaid, then from and after such redemption date, interest with respect to the Refunding Bonds to be redeemed shall cease to accrue or accrete and become payable. All money held by or on behalf of the Bond Registrar (or an independent escrow agent selected by the District) for the redemption of Refunding Bonds shall be held in trust for the account of the Owners of the Refunding Bonds so to be redeemed.

All Refunding Bonds paid at maturity or redeemed prior to maturity pursuant to the provisions of this Section 5 shall be cancelled upon surrender thereof and be delivered to or
upon the order of the District. All or any portion of a Refunding Bond purchased by the District shall be cancelled by the Bond Registrar.

(vii) Refunding Bonds No Longer Outstanding. When any Refunding Bonds (or portions thereof), which have been duly called for redemption prior to maturity under the provisions of this Resolution, or with respect to which irrevocable instructions to call for redemption prior to maturity at the earliest redemption date have been given to the Bond Registrar (or an independent escrow agent selected by the District), in form satisfactory to it, and sufficient moneys shall be held by the Bond Registrar (or an independent escrow agent selected by the District) irrevocably in trust as provided in Section 18 hereof for the payment of the redemption price of such Refunding Bonds or portions thereof, and, accrued interest with respect thereto to the date fixed for redemption, all as provided in this Resolution, then such Refunding Bonds shall no longer be deemed Outstanding and shall be surrendered to the Bond Registrar for cancellation.

(viii) Conditional Notice of Redemption. With respect to any notice of optional redemption of Refunding Bonds, unless upon the giving of such notice, such Refunding Bonds shall be deemed to have been paid within the meaning of Section 5(vii) hereof or unless the Bond Registrar holds cash or Government Obligations sufficient to pay the principal, premium, if any, and interest on the Refunding Bonds to be redeemed, such notice may state that such redemption shall be conditional upon the receipt by the Bond Registrar on or prior to the date fixed for such redemption of moneys sufficient to pay the principal, premium, if any, and interest on such Refunding Bonds and that if such moneys shall not have been so received said notice shall be of no force and effect and the Bond Registrar shall not be required to redeem such Refunding Bonds. In the event that such notice of redemption contains such a condition and such moneys are not so received, the redemption shall not be made and the Bond Registrar shall be within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

(c) Book-Entry System.

(i) Definitions. As used in this Section, the terms set forth below shall have the meanings ascribed to them:

“Nominee” means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to this Section.

“Participants” means those broker-dealers, banks and other financial institutions from time to time for which the Depository holds book-entry certificates as securities depository.

(ii) Election of Book-Entry System. The Refunding Bonds shall initially be delivered in the form of a separate single fully-registered bond (which may be typewritten) for each maturity date of such Refunding Bonds in an authorized denomination (except for any odd denomination Refunding Bond). The ownership of each such Refunding Bond shall be registered in the Bond Register (as defined below) in the name of the Nominee, as nominee of the Depository and ownership of the Refunding Bonds, or any portion thereof may not thereafter be transferred except as provided in Section 5(c)(ii)(4).
With respect to book-entry Refunding Bonds, the District and the Bond Registrar shall have no responsibility or obligation to any Participant or to any person on behalf of which such a Participant holds an interest in such book-entry Refunding Bonds. Without limiting the immediately preceding sentence, the District and the Bond Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of the Depository, the Nominee, or any Participant with respect to any ownership interest in book-entry Refunding Bonds; (ii) the delivery to any Participant or any other person, other than an Owner as shown in the Bond Register, of any notice with respect to book-entry Refunding Bonds, including any notice of redemption; (iii) the selection by the Depository and its Participants of the beneficial interests in book-entry Refunding Bonds to be prepaid in the event the District redeems the Refunding Bonds in part; or (iv) the payment by the Depository or any Participant or any other person, of any amount with respect to Principal, premium, if any, or interest on the book-entry Refunding Bonds. The District and the Bond Registrar may treat and consider the person in whose name each book-entry Refunding Bond is registered in the Bond Register as the absolute owner (the “Registered Owner” or “Owner”) of such book-entry Refunding Bond for the purpose of payment of Principal of and premium and interest on and to such Refunding Bond, for the purpose of giving notices of redemption and other matters with respect to such Refunding Bond, for the purpose of registering transfers with respect to such Refunding Bond, and for all other purposes whatsoever. The Bond Registrar shall pay all Principal of and premium, if any, and interest on the Refunding Bonds only to or upon the order of the respective Owner, as shown in the Bond Register, or his respective attorney duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the District’s obligations with respect to payment of Principal of, and premium, if any, and interest on the Refunding Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Bond Register, shall receive a certificate evidencing the obligation to make payments of Principal of, and premium, if any, and interest on the Refunding Bonds. Upon delivery by the Depository to the Owner and the Bond Registrar, of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee, and subject to the provisions herein with respect to the Record Date, the word Nominee in this Resolution shall refer to such Nominee of the Depository.

1. **Delivery of Letter of Representations.** In order to qualify the book-entry Refunding Bonds for the Depository’s book-entry system, the District and the Bond Registrar shall execute and deliver to the Depository a Letter of Representations. The execution and delivery of a Letter of Representations shall not in any way impose upon the District or the Bond Registrar any obligation whatsoever with respect to persons having interests in such book-entry Refunding Bonds other than the Owners, as shown on the Bond Register. By executing a Letter of Representations, the Bond Registrar shall agree to take all action necessary at all times so that the District will be in compliance with all representations of the District in such Letter of Representations. In addition to the execution and delivery of a Letter of Representations, the District and the Bond Registrar shall take such other actions, not inconsistent with this Resolution, as are reasonably necessary to qualify book-entry Refunding Bonds for the Depository’s book-entry program.

2. **Selection of Depository.** In the event (i) the Depository determines not to continue to act as securities depository for book-entry Refunding Bonds, or (ii) the District determines that continuation of the book-entry system is not in the
best interest of the beneficial Owners of the Refunding Bonds or the District, then the
District will discontinue the book-entry system with the Depository. If the District
determines to replace the Depository with another qualified securities depository, the
District shall prepare or direct the preparation of a new single, separate, fully
registered bond for each maturity date of such book-entry Refunding Bond, registered
in the name of such successor or substitute qualified securities depository or its
Nominee as provided in subsection (4) hereof. If the District fails to identify another
qualified securities depository to replace the Depository, then the Refunding Bonds
shall no longer be restricted to being registered in such Bond Register in the name of
the Nominee, but shall be registered in whatever name or names the Owners
transferring or exchanging such Refunding Bonds shall designate, in accordance with
the provisions of this Section 5(c).

3. Payments to Depository. Notwithstanding any other provision of this
Resolution to the contrary, so long as all Outstanding Refunding Bonds are held in
book-entry and registered in the name of the Nominee, all payments by the District or
the Bond Registrar with respect to Principal of and premium, if any, or interest on the
Refunding Bonds and all notices with respect to such Refunding Bonds shall be made
and given, respectively to the Nominees, as provided in the Letter of Representations
or as otherwise instructed by the Depository and agreed to by the Bond Registrar
notwithstanding any inconsistent provisions herein.

4. Transfer of Refunding Bonds to Substitute Depository.

(A) The Refunding Bonds shall be initially issued as described in the
Official Statement described herein. Registered ownership of such Refunding Bonds,
or any portions thereof, may not thereafter be transferred except:

(1) to any successor of DTC or its Nominee, or of any substitute
debpository designated pursuant to Section 5(c)(ii)(4)(A)(2) ("Substitute
Depository"); provided that any successor of DTC or Substitute Depository
shall be qualified under any applicable laws to provide the service proposed
to be provided by it;

(2) to any Substitute Depository, upon (a) the resignation of DTC
or its successor (or any Substitute Depository or its successor) from its
functions as depository, or (b) a determination by the District that DTC (or its
successor) is no longer able to carry out its functions as depository; provided
that any such Substitute Depository shall be qualified under any applicable
laws to provide the services proposed to be provided by it; or

(3) to any person as provided below, upon (a) the resignation of
DTC or its successor (or any Substitute Depository or its successor) from its
functions as depository, or (b) a determination by the District that DTC or its
successor (or Substitute Depository or its successor) is no longer able to carry
out its functions as depository.

(B) In the case of any transfer pursuant to Section 5(c)(ii)(4)(A)(1) or (2),
upon receipt of all Outstanding Refunding Bonds by the Bond Registrar, together
with a written request of the District to the Bond Registrar designating the Substitute Depository, a single new Refunding Bond, which the District shall prepare or cause to be prepared, shall be executed and delivered for each maturity of Refunding Bonds then Outstanding, registered in the name of such successor or such Substitute Depository or their Nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to Section 5(c)(ii)(4)(A)(3), upon receipt of all Outstanding Refunding Bonds by the Bond Registrar, together with a written request of the District to the Bond Registrar, new Refunding Bonds, which the District shall prepare or cause to be prepared, shall be executed and delivered in such denominations and registered in the names of such persons as are requested in such written request of the District, provided that the Bond Registrar shall not be required to deliver such new Refunding Bonds within a period of less than sixty (60) days from the date of receipt of such written request from the District.

(C) In the case of a partial redemption or an advance refunding of any Refunding Bonds evidencing a portion of the Principal maturing in a particular year, DTC or its successor (or any Substitute Depository or its successor) shall make an appropriate notation on such Refunding Bonds indicating the date and amounts of such reduction in Principal, in form acceptable to the Bond Registrar, all in accordance with the Letter of Representations. The Bond Registrar shall not be liable for such Depository’s failure to make such notations or errors in making such notations.

(D) The District and the Bond Registrar shall be entitled to treat the person in whose name any Refunding Bond is registered as the Owner thereof for all purposes of this Resolution and any applicable laws, notwithstanding any notice to the contrary received by the Bond Registrar or the District; and the District and the Bond Registrar shall not have responsibility for transmitting payments to, communicating with, notifying, or otherwise dealing with any beneficial Owners of the Refunding Bonds. Neither the District nor the Bond Registrar shall have any responsibility or obligation, legal or otherwise, to any such beneficial Owners or to any other party, including DTC or its successor (or Substitute Depository or its successor), except to the Owner of any Refunding Bonds, and the Bond Registrar may rely conclusively on its records as to the identity of the Owners of the Refunding Bonds.

SECTION 6. Execution of the Refunding Bonds. The Refunding Bonds shall be signed by the President of the Board or other member of the Board authorized to do so by resolution of the Board, by their manual or facsimile signature and countersigned by the manual or facsimile signature of the Clerk of the Board or Secretary to the Board, all in their official capacities. No Refunding Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until the certificate of authentication printed on the Refunding Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Refunding Bond so authenticated has been duly issued, signed and delivered under this Resolution and is entitled to the security and benefit of this Resolution.

SECTION 7. Bond Registrar; Transfer and Exchange. This Board does hereby appoint U.S. Bank National Association to act as the Bond Registrar for the Refunding Bonds.
So long as any of the Refunding Bonds remains Outstanding, the District will cause the Bond Registrar to maintain and keep at its designated office all books and records necessary for the registration, exchange and transfer of the Refunding Bonds as provided in this Section. Subject to the provisions of Section 8 below, the person in whose name a Refunding Bond is registered on the Bond Register shall be regarded as the absolute Owner of that Refunding Bond for all purposes of this Resolution. Payment of or on account of the Principal of and premium, if any, and interest on any Refunding Bond shall be made only to or upon the order of that person; neither the District nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the District’s liability upon the Refunding Bonds, including interest, to the extent of the amount or amounts so paid.

Any Refunding Bond may be exchanged for Refunding Bonds of like tenor, maturity and Transfer Amount upon presentation and surrender at the designated office of the Bond Registrar, together with a request for exchange signed by the Owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Refunding Bond may be transferred on the Bond Register only upon presentation and surrender of the Refunding Bond at the designated office of the Bond Registrar together with an assignment executed by the Owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer, the Bond Registrar shall complete, authenticate and deliver a new Refunding Bond or Refunding Bonds of like tenor and of any authorized denomination or denominations requested by the Owner equal to the Transfer Amount of the Refunding Bond surrendered and bearing or accruing interest at the same rate and maturing on the same date.

If any Refunding Bond shall become mutilated, the District, at the expense of the Owner of said Refunding Bond, shall execute, and the Bond Registrar shall thereupon authenticate and deliver, a new Refunding Bond of like series, tenor and Transfer Amount in exchange and substitution for the Refunding Bond so mutilated, but only upon surrender to the Bond Registrar of the Refunding Bond so mutilated. If any Refunding Bond issued hereunder shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the Bond Registrar and, if such evidence be satisfactory to the Bond Registrar and indemnity for the Bond Registrar and the District satisfactory to the Bond Registrar shall be given by the Owner, the District, at the expense of the Refunding Bond Owner, shall execute, and the Bond Registrar shall thereupon authenticate and deliver, a new Refunding Bond of like Series and tenor in lieu of and in substitution for the Refunding Bond so lost, destroyed or stolen (or if any such Refunding Bond shall have matured or shall have been called for redemption, instead of issuing a substitute Refunding Bond the Bond Registrar may pay the same without surrender thereof upon receipt of indemnity satisfactory to the Bond Registrar and the District). The Bond Registrar may require payment of a reasonable fee for each new Refunding Bond issued under this paragraph and of the expenses which may be incurred by the District and the Bond Registrar.

If manual signatures on behalf of the District are required in connection with an exchange or transfer, the Bond Registrar shall undertake the exchange or transfer of Refunding Bonds only after the new Refunding Bonds are signed by the authorized officers of the District. In all cases of exchanged or transferred Refunding Bonds, the District shall sign and the Bond Registrar shall authenticate and deliver Refunding Bonds in accordance with the provisions of this Resolution. All fees and costs of transfer shall be paid by the requesting party. Those charges may be required to be paid before the procedure is begun for the exchange or transfer. All Refunding Bonds issued upon any exchange or transfer shall be valid obligations of the District, evidencing the same debt, and
entitled to the same security and benefit under this Resolution as the Refunding Bonds surrendered upon that exchange or transfer.

Any Refunding Bond surrendered to the Bond Registrar for payment, retirement, exchange, replacement or transfer shall be cancelled by the Bond Registrar. The District may at any time deliver to the Bond Registrar for cancellation any previously authenticated and delivered Refunding Bonds that the District may have acquired in any manner whatsoever, and those Refunding Bonds shall be promptly cancelled by the Bond Registrar. Written reports of the surrender and cancellation of Refunding Bonds shall be made to the District by the Bond Registrar as requested by the District. The cancelled Refunding Bonds shall be retained for three years, then returned to the District or destroyed by the Bond Registrar as directed by the District.

Neither the District nor the Bond Registrar will be required (a) to issue or transfer any Refunding Bonds during a period beginning with the opening of business on the 16th business day next preceding either any Bond Payment Date or any date of selection of Refunding Bonds to be redeemed and ending with the close of business on the Bond Payment Date or any day on which the applicable notice of redemption is given or (b) to transfer any Refunding Bonds which have been selected or called for redemption in whole or in part.

SECTION 8. Payment. Payment of interest on any Refunding Bond on any Bond Payment Date shall be made to the person appearing on the registration books of the Bond Registrar as the Owner thereof as of the Record Date immediately preceding such Bond Payment Date, such interest to be paid by check mailed to such Owner on the Bond Payment Date at his or her address as it appears on the registration books or at such other address as he may have filed with the Bond Registrar for that purpose on or before the Record Date. The Owner in an aggregate Principal Amount of $1,000,000 or more may request in writing to the Bond Registrar that such Owner be paid interest by wire transfer to the bank and account number on file with the Bond Registrar as of the Record Date. The principal, and redemption price, if any, payable on the Refunding Bonds and the redemption price; if any, shall be payable upon maturity or redemption upon surrender at the designated office of the Bond Registrar. The interest, Principal and premiums, if any, on the Refunding Bonds shall be payable in lawful money of the United States of America. The Bond Registrar is hereby authorized to pay the Refunding Bonds when duly presented for payment at maturity, and to cancel all Refunding Bonds upon payment thereof. The Refunding Bonds are general obligations of the District payable solely from the levy of ad valorem property taxes upon all property subject to taxation within the District.

SECTION 9. Form of the Refunding Bonds. The Refunding Bonds shall be in substantially the following form, allowing those officials executing the Refunding Bonds to make the insertions and deletions necessary to conform the Refunding Bonds to this Resolution and the Official Statement and to correct any defect or inconsistency therein or to cure any ambiguity or omission therein.
(Form of Refunding Bond)

REGISTERED NO. REGISTERED

MARIN COMMUNITY COLLEGE DISTRICT
(MARIN COUNTY, CALIFORNIA)
2012 General Obligation Refunding Bonds

INTEREST RATE: MATURITY DATE: DATED AS OF: CUSIP
___% per annum August 1, 20___ Date of Delivery

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The Marin Community College District (the "District") in Marin County, California (the "County"), for value received, promises to pay to the Registered Owner named above, or registered assigns, the Principal Amount on the Maturity Date, each as stated above, and interest thereon until the Principal Amount is paid or provided for at the Interest Rate stated above, on February 1 and August 1 of each year (the "Bond Payment Dates"), commencing February 1, 2013. This bond will bear interest from the Bond Payment Date next preceding the date of authentication hereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to the Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before January 15, 2013, in which event it shall bear interest from the Date of Delivery. Interest shall be computed on the basis of a 360-day year of twelve 30-day months. Principal and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the "Registered Owner") on the Register maintained by the Bond Registrar, initially U.S. Bank National Association. Principal is payable upon presentation and surrender of this bond at the principal office of the Bond Registrar. Interest is payable by check or draft mailed by the Bond Registrar on each Bond Payment Date to the Registered Owner of this bond (or one or more predecessor bonds) as shown and at the address appearing on the Register at the close of business on the 16th day of the calendar month next preceding that Bond Payment Date (the "Record Date"). The Owner of Refunding Bonds in the aggregate principal amount of $1,000,000 or more may request in writing to the Bond Registrar that the Owner be paid interest by wire transfer to the bank and account number on file with the Bond Registrar as of the Record Date.

This bond is one of an authorization of bonds issued by the District pursuant to California Government Code Section 53550 et seq. (the "Act"), for purpose of refunding certain of the District's Outstanding Election of 2004 General Obligation Bonds, Series A and to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the Act, the laws of the State of California, and the resolution of the Board of Trustees of the District adopted on July 17, 2012 (the "Bond Resolution"). This bond and the issue of which this bond is one are payable as to both principal and interest solely from the proceeds of the levy of ad valorem taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate.

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or amount in accordance with California Education Code Sections 15250 and 15252. The Refunding Bonds of this issue are general obligations of the District.

The bonds of this issue comprise $___________ principal amount of Refunding Bonds, of which this bond is a part (a "Refunding Bond").

This bond is exchangeable and transferable for bonds of like tenor, maturity and Transfer Amount (as defined in the Bond Resolution) and in authorized denominations at the principal office of the Bond Registrar in San Francisco, California, by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Bond Registrar, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Bond Registrar may deem and treat the Registered Owner as the absolute Owner of this bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District nor the Bond Registrar shall be affected by any notice to the contrary.

Neither the District nor the Bond Registrar will be required (a) to issue or transfer any bond during a period beginning with the opening of business on the 15th business day next preceding either any Bond Payment Date or any date of selection of bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) to transfer any bond which has been selected or called for redemption in whole or in part.

The Refunding Bonds maturing on or before August 1, 20___ are not subject to optional redemption prior to their respective maturity dates. The Refunding Bonds maturing on or after August 1, 20___, are subject to optional redemption prior to their respective maturity dates at the option of the District, from any source of available funds, as a whole or in part on any date on or after August 1, 20___, at a redemption price equal to the principal amount of the Refunding Bonds, together with accrued interest to the date fixed for redemption, without premium.

The Refunding Bonds maturing on August 1, 20___, are subject to redemption prior to maturity from mandatory sinking fund payments on August 1 of each year, on and after August 1, 20___, at a redemption price equal to the principal amount thereof, plus accrued interest to the date fixed for redemption, without premium. The principal amount represented by such Refunding Bonds to be so redeemed and the dates therefor and the final principal payment date is as indicated in the following table:

<table>
<thead>
<tr>
<th>Redemption Date (August 1)</th>
<th>Principal Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(t) Maturity</td>
</tr>
</tbody>
</table>

The principal amount to be redeemed in each year shown above will be reduced proportionately or as otherwise directed by the District, in integral multiples of $5,000, by any
portion of the Refunding Term Bond optionally redeemed prior to the mandatory sinking fund redemption date.

If less than all of the bonds of any one maturity shall be called for redemption, the particular bonds or portions of the bonds of such maturity to be redeemed shall be selected by lot by the Paying Agent in such manner as the Paying Agent in its discretion may determine; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of $5,000 or some multiple thereof. If less than all of the bonds stated to mature on different dates shall be called for redemption, the particular bonds or portions thereof to be redeemed shall be called in any order of maturity selected by the District or, if not so selected, in the inverse order of maturity.

Reference is made to the Bond Resolution for a more complete description of the provisions, among others, with respect to the nature and extent of the security for the bonds of this series, the rights, duties and obligations of the District, the Bond Registrar and the Registered Owners, and the terms and conditions upon which the bonds are issued and secured. The Registered Owner of this bond assents, by acceptance hereto, to all of the provisions of the Bond Resolution.

It is certified and recited that all acts and conditions required by the Constitution and laws of the State of California to exist, to occur and to be performed or to have been met precedent to and in the issuing of the bonds in order to make them legal, valid and binding general obligations of the District, have been performed and have been met in regular and due form as required by law; that payment in full for the bonds has been received; that no statutory or constitutional limitation on indebtedness or taxation has been exceeded in issuing the bonds; and that due provision has been made for levying and collecting ad valorem property taxes on all of the taxable property within the District in an amount sufficient to pay Principal and interest when due.

This bond shall not be valid or obligatory for any purpose and shall not be entitled to any security or benefit under the Bond Resolution until the Certificate of Authentication below has been signed.
IN WITNESS WHEREOF, the Marin Community College District, Marin County, California, has caused this bond to be executed on behalf of the District and in their official capacities by the manual or facsimile signature of the President of the Board of Trustees of the District, and to be countersigned by the manual or facsimile signature of the Secretary to the Board of Trustees of the District, all as of the date stated above.

BOARD OF TRUSTEES OF THE MARIN COMMUNITY COLLEGE DISTRICT

By: ____________________________ (Facsimile Signature)
    President of the Board of Trustees

COUNTERSIGNED:

       ____________________________ (Facsimile Signature)
       Secretary to the Board of Trustees

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the Bond Resolution referred to herein which has been authenticated and registered on ____________, 2012.

U.S. BANK NATIONAL ASSOCIATION

________________________________________
    Authorized Officer
ASSIGNMENT

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and zip code of Transferee): ________________________________ this bond and irrevocably constitutes and appoints attorney to transfer this bond on the books for registration thereof, with full power of substitution in the premises.

Dated: ____________________________  ____________________________

Signature Guaranteed:

__________________________________________________________________

Notice: The assignor’s signature to this assignment must correspond with the name as it appears upon the within bond in every particular, without alteration or any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: ________________________________

Unless this bond is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any bond issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered Owner hereof, Cede & Co., has an interest herein.

LEGAL OPINION

The following is a true copy of the opinion rendered by Stradling Yocca Carlson & Rauth, a Professional Corporation in connection with the issuance of, and dated as of the date of the original delivery of, the bonds. A signed copy is on file in my office.

__________________________________________________________________

(Facsimile Signature)
Secretary to the Board of Trustees
SECTION 10. Delivery of the Refunding Bonds. The proper officials of the District shall cause the Refunding Bonds to be prepared and, following their sale, shall have the Refunding Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Refunding Bonds, to the original purchaser upon payment of the purchase price therefor.

SECTION 11. Deposit of Proceeds of Refunding Bonds; Escrow Agreement. An amount of the proceeds from the sale of the Refunding Bonds necessary to purchase Federal Securities, or to otherwise refund the Refunded Bonds, shall be transferred to the Escrow Agent for deposit in the “Marin Community College District 2012 General Obligation Refunding Bonds Escrow Fund” (the “Escrow Fund”) established under the Escrow Agreement, which amount, if uninvested, shall be sufficient, or if invested, together with an amount or amounts of cash held uninvested therein, shall be sufficient to refund the Refunded Bonds all as set forth in a certificate of an Authorized Officer. Premium or proceeds received from the sale of the Refunding Bonds desired to pay all or a portion of the costs of issuing the Refunding Bonds may be deposited in the fund of the District held by a fiscal agent selected thereby and shall be kept separate and distinct from all other District funds, and those proceeds shall be used solely for the purpose of paying costs of issuance of the Refunding Bonds.

Any accrued interest received by the District from the sale of the Refunding Bonds shall be kept separate and apart in the fund hereby created and established and to be designated as the “Marin Community College District, 2012 General Obligation Refunding Bonds Debt Service Fund” (the “Debt Service Fund”) for the Refunding Bonds and used only for payments of Principal of and interest on the Refunding Bonds. The Debt Service Fund shall be held by the County. A portion of the premium received by the District from the sale of the Refunding Bonds may be transferred to the Debt Service Fund or applied to the payment of cost of issuance of the Refunding Bonds, or some combination of deposits. Any excess proceeds of the Refunding Bonds not needed for the authorized purposes set forth herein for which the Refunding Bonds are being issued shall be transferred to the Debt Service Fund and applied to the payment of the Principal of and interest on the Refunding Bonds. If, after payment in full of the Refunding Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the general fund of the District.

The moneys in the Debt Service Fund, to the extent necessary to pay the Principal of and interest on the Refunding Bonds as the same become due and payable, shall be transferred by the Treasurer-Tax Collector of Marin County to the Paying Agent which, in turn, shall pay such moneys to DTC to pay the Principal of and interest on the Refunding Bonds. DTC will thereupon make payments of Principal and interest on the Refunding Bonds to the DTC Participants who will thereupon make payments of Principal and interest to the beneficial owners of the Refunding Bonds. Any moneys remaining in the Debt Service Fund after the Refunding Bonds and the interest thereon have been paid, or provision for such payment has been made, shall be transferred to the general fund of the District.

Except as required below to satisfy the requirements of Section 148(f) of the Code, interest earned on the investment of moneys held in the Debt Service Fund shall be retained in the Debt Service Fund and used to pay Principal and interest on the Refunding Bonds when due.

SECTION 12. Rebate Fund.

(a) General. If necessary, there shall be created and established a special fund designated the “Marin Community College District 2012 General Obligation Refunding Bonds Rebate Fund” (the “Rebate Fund”). All amounts at any time on deposit in the Rebate Fund shall be held in trust, to the extent required to satisfy the requirement to make rebate payments to the United States (the “Rebate
Requirement”) pursuant to Section 148 of the Code, as the same may be amended from time to time, and the Treasury Regulations promulgated thereunder (the “Rebate Regulations”). Such amounts shall be free and clear of any lien hereunder and shall be governed by this Section and Section 13 of this Resolution and by the Tax Certificate concerning certain matters pertaining to the use and investment of proceeds of the Refunding Bonds, executed and delivered to the District on the date of issuance of the Refunding Bonds, including any and all exhibits attached thereto (the “Tax Certificate”).

(b) **Deposits.**

(i) Within forty-five (45) days of the end of each fifth Bond Year (as such term is defined in the Tax Certificate) (1) the District shall calculate or cause to be calculated with respect to the Refunding Bonds the amount that would be considered the “rebate amount” within the meaning of Section 1.148-3 of the Rebate Regulations, using as the “computation date” for this purpose the end of such five Bond Years, and (2) the District shall deposit to the Rebate Fund from deposits from the District or from amounts available therefor on deposit in the other funds established hereunder, if and to the extent required, amounts sufficient to cause the balance in the Rebate Fund to be equal to the “rebate amount” so calculated.

(ii) The District shall not be required to deposit any amount to the Rebate Fund in accordance with the preceding sentence if the amount on deposit in the Rebate Fund prior to the deposit required to be made under this subsection (b) equals or exceeds the “rebate amount” calculated in accordance with the preceding sentence. Such excess may be withdrawn from the Rebate Fund to the extent permitted under subsection (g) of this Section.

(iii) The District shall not be required to calculate the “rebate amount” and the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b), with respect to all or a portion of the proceeds of the Refunding Bonds (including amounts treated as the proceeds of the Refunding Bonds) (1) to the extent such proceeds satisfy the expenditure requirements of Section 148(f)(4)(B) or Section 148 (f)(4)(C) of the Code or Section 1.148-7(d) of the Treasury Regulations or the small issuer exception of Section 148(f)(4)(D) of the Code, whichever is applicable, and otherwise qualify for the exception of the Rebate Requirement pursuant to whichever of said sections is applicable, or (2) to the extent such proceeds are subject to an election by the District under Section 148(f)(4)(C)(vii) of the Code to pay a one and one-half percent (1½%) penalty in lieu of arbitrage rebate in the event any of the percentage expenditure requirements of Section 148(f)(4)(C) are not satisfied, or (3) to the extent such proceeds qualify for the exception to arbitrage rebate under Section 148(f)(4)(A)(ii) of the Code for amounts in a “bona fide debt service fund.” In such event, and with respect to such amounts, the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b).

(c) **Withdrawal Following Payment of Refunding Bonds.** Any funds remaining in the Rebate Fund after redemption of all the Refunding Bonds and any amounts described in paragraph (ii) of subsection (d) of this Section, including accrued interest, shall be transferred to the General Fund of the District.

(d) **Withdrawal for Payment of Rebate.** Subject to the exceptions contained in subsection (b) of this Section to the requirement to calculate the “rebate amount” and make deposits to the Rebate Fund, the District shall pay to the United States, from amounts on deposit in the Rebate Fund,

(i) not later than sixty (60) days after the end of (a) the fifth (5th) Bond Year, and (b) each fifth (5th) Bond Year thereafter, an amount that, together with all previous rebate
payments, is equal to at least 90% of the "rebate amount" calculated as of the end of such Bond Year in accordance with Section 1.148-3 of the Rebate Regulations; and

(ii) not later than sixty (60) days after the payment of all Refunding Bonds, an amount equal to one hundred percent (100%) of the "rebate amount" calculated as of the date of such payment (and any income attributable to the "rebate amount" determined to be due and payable) in accordance with Section 1.148-3 of the Rebate Regulations.

(c) Rebate Payments. Each payment required to be made pursuant to subsection (d) of this Section shall be made to the Internal Revenue Service Center, Ogden, Utah 84201, on or before the date on which such payment is due, and shall be accompanied by Internal Revenue Service Form 8038-T, such form to be prepared or caused to be prepared by or on behalf of the District.

(f) Deficiencies in the Rebate Fund. In the event that, prior to the time of any payment required to be made from the Rebate Fund, the amount in the Rebate Fund is not sufficient to make such payment when such payment is due, the District shall calculate the amount of such deficiency and deposit an amount equal to such deficiency into the Rebate Fund prior to the time such payment is due.

(g) Withdrawals of Excess Amount. In the event that immediately following the calculation required by subsection (b) of this Section, but prior to any deposit made under said subsection, the amount on deposit in the Rebate Fund exceeds the "rebate amount" calculated in accordance with said subsection, upon written instructions from the District, the District may withdraw the excess from the Rebate Fund and credit such excess to the Debt Service Fund.

(h) Record Retention. The District shall retain records of all determinations made hereunder until three years after the retirement of the Refunding Bonds.

(i) Survival of Defeasance. Notwithstanding anything in this Resolution to the contrary, the Rebate Requirement shall survive the payment in full or defeasance of the Refunding Bonds.

SECTION 13. Security for the Refunding Bonds. There shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct ad valorem tax annually during the period the Refunding Bonds are Outstanding in an amount sufficient to pay the principal of and interest on the Refunding Bonds when due, which moneys when collected will be placed in the Debt Service Fund of the District and used for the payment of the principal of and interest on the Refunding Bonds when and as the same fall due, and for no other purpose. The District covenants to cause the County to take all actions necessary to levy such ad valorem tax in accordance with this Section 13.

The moneys in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Refunding Bonds as the same become due and payable, shall be transferred by the Treasurer-Tax Collector to the Bond Registrar which, in turn, shall pay such moneys to DTC to pay the principal of and interest on the Refunding Bonds. DTC will thereupon make payments of principal of and interest on the Refunding Bonds to the DTC Participants who will thereupon make payments of principal of and interest to the beneficial Owners of the Refunding Bonds. Any moneys remaining in the Debt Service Fund after the Refunding Bonds and the interest thereon have been paid, or provision for such payment has been made, shall be transferred to the General Fund of the District, pursuant to the Education Code Section 15234.
SECTION 14. **Arbitrage Covenant.** The District covenants that it will restrict the use of the proceeds of the Refunding Bonds in such manner and to such extent, if any, as may be necessary, so that the Refunding Bonds will not constitute arbitrage bonds under Section 148 of the Code and the applicable regulations prescribed under that Section or any predecessor section. Calculations for determining arbitrage requirements are the sole responsibility of the District.

SECTION 15. **Legislative Conditions.** The Board determines that all acts and conditions necessary to be performed by the Board or to have been met precedent to and in the issuing of the Refunding Bonds in order to make them legal, valid and binding general obligations of the District have been performed and have been met, or will at the time of delivery of the Refunding Bonds have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Refunding Bonds. Furthermore, the Board finds and determines pursuant to Section 53552 of the Act that the prudent management of the fiscal affairs of the District requires that it issue the Refunding Bonds without submitting the question of the issuance of the Refunding Bonds to a vote of the qualified electors of the District.

SECTION 16. **Official Statement.** The Preliminary Official Statement relating to the Refunding Bonds, substantially in the form on file with the Secretary to or Clerk of the Board is hereby approved and the Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deliver such Preliminary Official Statement to the Financial Advisor, as the case may be, to be used in connection with the offering and sale of the Refunding Bonds. The Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deem the Preliminary Official Statement “final” pursuant to 15c2-12 of the Securities Exchange Act of 1934, prior to its distribution and to execute and deliver to the purchaser of the Refunding Bonds a final Official Statement, substantially in the form of the Preliminary Official Statement, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same shall approve.

SECTION 17. **Insurance.** In the event the District purchases bond insurance for the Refunding Bonds, and to the extent that the Bond Insurer makes payment of the principal of or interest on the Refunding Bonds, it shall become the Owner of such Refunding Bonds with the right to payment of principal of, interest on the Refunding Bonds, and shall be fully subrogated to all of the Owners’ rights, including the Owners’ rights to payment thereof. To evidence such subrogation (i) in the case of subrogation as to claims that were past due interest components, the Bond Registrar shall note the Bond Insurer’s rights as subrogee on the registration books for the Refunding Bonds maintained by the Bond Registrar upon receipt of a copy of the cancelled check issued by the Bond Insurer for the payment of such interest to the Owners of the Refunding Bonds, and (ii) in the case of subrogation as to claims for past due Principal, the Bond Registrar shall note the Bond Insurer as subrogee on the registration books for the Refunding Bonds maintained by the Bond Registrar upon surrender of the Refunding Bonds by the Owners thereof to the Bond Insurer or the insurance trustee for the Bond Insurer.

SECTION 18. **Defeasance.** All or any portion of the Outstanding maturities of the Refunding Bonds may be defeased prior to maturity in the following ways:

(a) **Cash:** by irrevocably depositing with an independent escrow agent selected by the District an amount of cash which together with amounts transferred from the Debt
Service Fund (as herein defined) is sufficient to pay all Refunding Bonds Outstanding and designated for defeasance, including all principal of and interest and premium, if any; or

(b) Government Obligations: by irrevocably depositing with an independent escrow agent selected by the District noncallable Government Obligations together with cash, if required, in such amount as will, in the opinion of an independent certified public accountant, together with interest to accrue thereon and moneys transferred from the Debt Service Fund together with the interest to accrue thereon, be fully sufficient to pay and discharge all Refunding Bonds Outstanding and designated for defeasance (including all principal of and interest represented thereby and redemption premiums, if any) at or before their maturity date;

then, notwithstanding that any of such Refunding Bonds shall not have been surrendered for payment, all obligations of the District with respect to all such designated Outstanding Refunding Bonds shall cease and terminate, except only the obligation of the Bond Registrar or an independent escrow agent selected by the District to pay or cause to be paid from funds deposited pursuant to paragraphs (a) or (b) of this Section, to the Owners of such designated Refunding Bonds not so surrendered and paid all sums due with respect thereto.

For purposes of this Section, Government Obligations shall mean:

Direct and general obligations of the United States of America, or obligations that are unconditionally guaranteed as to principal and interest by the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or "prerefunded" municipal obligations rated in the highest rating category by Moody's Investors Service or Standard & Poor's. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances where (a) a bank or trust company acts as custodian and holds the underlying United States obligations; (b) the Owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (c) the underlying United States obligations are held in a special account, segregated from the custodian's general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated or assessed "AAA" by Standard & Poor's or "Aaa" by Moody's Investors Service.

SECTION 19. Nonliability of County. Notwithstanding anything to the contrary contained herein, in the Refunding Bonds or in any other document mentioned herein, neither the County, nor its officials, officers, employees or agents shall have any liability hereunder or by reason hereof or in connection with the transactions contemplated hereby, the Refunding Bonds are not a debt of the County or a pledge of the County's full faith and credit, and the Refunding Bonds and any liability in connection therewith shall be paid solely from ad valorem taxes lawfully levied to pay the principal of or interest on the Refunding Bonds.

SECTION 20. Indemnification of County. The District shall defend, indemnify and hold harmless the County, its officials, officers, agents and employees ("Indemnified Parties") against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject based in whole or in part upon any acts or omission related to the Refunding Bonds,
except with regard to the County’s responsibilities under Section 21 hereof. The District shall also reimburse the Indemnified Parties for any legal or other costs and expenses incurred in connection with investigating or defending any such claims or liabilities.

SECTION 21. Request to County to Levy Tax. The Board of Supervisors and officers of the County are obligated by statute to provide for the levy and collection of property taxes in each year sufficient to pay all principal and interest coming due on the Refunding Bonds in such year, and to pay from such taxes all amounts due on the Refunding Bonds. The District hereby requests such Board of Supervisors to annually levy a tax upon all taxable property in the District sufficient to redeem the Refunding Bonds, and to pay the principal, redemption premium, in any, and interest thereon as and when the same become due.

SECTION 22. Other Actions. (a) Officers of the Board and District officials and staff are hereby authorized and directed, jointly and severely to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the issuance of the Refunding Bonds and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

(b) The Board hereby finds and determines that both the total net interest cost to maturity on the Refunding Bonds plus the principal amount of the Refunding Bonds will be less than the total net interest cost to maturity of the Refunded Bonds plus the principal amount of the Refunded Bonds.

(c) The Board anticipates that the Refunded Bonds will be redeemed on or about August 1, 2015, which is the first optional redemption date of such Refunded Bonds following the issuance of the Refunding Bonds.

(d) The Board hereby appoints U.S. Bank National Association as Escrow Agent for the Refunding Bonds and approves the form of the Escrow Agreement, by and between the District and the Escrow Agent on file with the Secretary to the Board. The Authorized Officers, each alone, are hereby authorized to execute the Escrow Agreement with such changes as they shall approve, such approval to be conclusively evidenced by either individual’s execution and delivery thereof.

(e) The Board hereby appoints Public Financial Management, Inc. as the Financial Advisor, and Stradling Yocca Carlson & Rauth, a Professional Corporation, as bond counsel and disclosure counsel, with respect to the issuance of the Refunding Bonds.

(f) The provisions of this Resolution may be amended by the Official Statement; and if the Official Statement so provides, the Refunding Bonds may be issued as crossover refunding bonds pursuant to Section 53558(b) of the Government Code.

SECTION 23. Resolution to Treasurer-Tax Collector. The Clerk of this Board is hereby directed to provide a certified copy of this Resolution to the Treasurer-Tax Collector and Auditor-Controller of Marin County immediately following its adoption.

SECTION 24. Continuing Disclosure. The District hereby covenants and agrees that it will comply with and carry out all of the provisions of that certain Continuining Disclosure Certificate executed by the District and dated the date of issuance and delivery of the Refunding Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.
Any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Section. Noncompliance with this Section shall not result in acceleration of the Refunding Bonds.

SECTION 25. Recitals. All the recitals in this Resolution above are true and correct and this Board so finds, determines and represents.

SECTION 26. Effective Date. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 17th day of July, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

BOARD OF TRUSTEES OF THE MARIN COMMUNITY COLLEGE DISTRICT

______________________________
President of the Board of Trustees

Attest:

______________________________
Secretary to the Board of Trustees
SECRETARY’S CERTIFICATE

I, ______________________, Secretary to the Board of Trustees of the Marin Community College District, hereby certify:

The foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Trustees of said District duly and regularly and legally held at the regular meeting place thereof on July 17, 2012, of which meeting all of the members of the Board of said District had due notice and at which a quorum was present.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: July 17, 2012

_______________________________
Secretary to the Board of Trustees
EXHIBIT A

NOTICE INVITING PROPOSALS FOR PURCHASE OF REFUNDING BONDS

$__________ *
MARIN COMMUNITY COLLEGE DISTRICT
(MARIN COUNTY, CALIFORNIA)
2012 GENERAL OBLIGATION REFUNDING BONDS

NOTICE IS HEREBY GIVEN that sealed unconditioned proposals will be received to and including the hour of 8:30 a.m., Pacific Standard Time, on ________, __, 2012, at the offices of Public Financial Management, Inc., 50 California Street, Suite 2300, San Francisco, California 94111 (the “Financial Advisor”), in the manner described below, for the purchase of all, but not less than all, of $__________ * principal amount of Marin Community College District (Marin County, California) 2012 General Obligation Refunding Bonds (the “Refunding Bonds”). Proposals may also be submitted electronically via the Parity Electronic Bid Submission System (“PARITY”) of Dalcomp, a division of Thomson Information Services, Inc. (“Dalcomp”), in the manner described below, for the purchase of all, but not less than all, of $__________ * principal amount of the Refunding Bonds. In the event that the sale has not been awarded by the designated time, bids will be received at a subsequent time and date to be determined by the District and publicized via the Bond Buyer or the Bond Buyer Wire or Thomson Municipal Market Monitor (www.tm3.com).

I. Issue:

The Refunding Bonds will be dated the date of delivery, will be in the denomination of $5,000 each, or integral multiples thereof, and will bear interest from the date of the Refunding Bonds to the maturity of each of the Refunding Bonds at the rate or rates such that the interest rate shall not exceed ___% per annum, with interest payable on February 1, 2013 and semiannually on February 1 and August 1 of each year during the term of each of the Refunding Bonds. The Refunding Bonds mature on August 1 in each of the years 2012 to 20__, inclusive, as follows:

<table>
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<tr>
<th>YEAR</th>
<th>PRINCIPAL AMOUNT</th>
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* Preliminary, subject to change.

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II. Option to Elect Term Refunding Bonds:

The purchaser may elect to combine any number of consecutive maturities of Refunding Bonds for which an identical interest rate has been specified to comprise term bonds by indicating such an election on the bid form. The election to create term bonds in such manner will require the creation of a mandatory sinking fund so that the sinking fund redemption payments shall equal the corresponding serial bond maturity amounts.

III. Adjustment of Principal Amounts:

The principal amounts of each maturity of Refunding Bonds set forth above reflect certain assumptions of the Marin Community College District (the “District”) and the Financial Advisor with respect to the likely interest rates of the winning bid or bids. Following the determination of the successful bidder or bidders, the Vice President, College Operations, on behalf of the District, reserves the right to increase or decrease the principal amount of each maturity of the Refunding Bonds, in $5,000 increments of principal amounts. Such adjustment shall be made within 26 hours of the bid opening and in the sole discretion of the District, upon recommendation of the Financial Advisor. In the event of any such adjustment, no rebidding or recalculation of the bids submitted will be required or permitted and the successful bid or bids may not be withdrawn, and the successful bidder will not be permitted to change the interest rate(s) in its bid for the bonds. The percentage compensation to be paid to the successful bidder will not change if the maturity schedule is adjusted.

IV. Interest Rates:

The price for each maturity of the Refunding Bonds shall be greater than or equal to ________%. All bids for the purchase of the Refunding Bonds must state the rate or rates of interest to be paid and no bid at a price less than the par value of the Refunding Bonds, together with all accrued interest thereon to the date of the delivery of the Refunding Bonds, will be considered. All Refunding Bonds of the same maturity must bear the same rate of interest and no Refunding Bond may bear more than one rate. The maximum interest rate bid may not exceed [six percent (6%)] per annum, and the true interest cost shall not exceed [six percent (6.0%)] per annum. Bidders may specify any number of different rates to be borne on the Refunding Bonds; provided that, all interest rates must be in multiples of 1/8 or 1/20 of one percent and a zero rate of interest cannot be specified. Interest will be computed on the basis of a 360-day year consisting of 12 30-day months.
V. Redemption:

The Refunding Bonds maturing on or before August 1, 20__ are not subject to optional redemption prior to their respective maturity dates. The Refunding Bonds maturing on or after August 1, 20__, are subject to optional redemption prior to their respective maturity dates at the option of the District, from any source of available funds, as a whole or in part on any date on or after August 1, 20__, at a redemption price equal to the principal amount of the Refunding Bonds, together with accrued interest to the date fixed for redemption, without premium.

VI. Notice of Redemption:

Notice of redemption of any Refunding Bond will be mailed to the Registered Owner of each Refunding Bond to be redeemed in whole or in part at the address shown on the registration records maintained by the U.S. Bank Trust National Association, the Bond Registrar designated for this issue of Refunding Bonds; such mailing to be not more than 45 nor less than 30 days prior to the date set for redemption. Neither failure to receive such notice nor any defect in any notice so mailed shall affect the sufficiency of the proceedings for the redemption of Refunding Bonds.

VII. Registration of Refunding Bonds as to Principal and Interest and Place of Payment:

The Refunding Bonds, when delivered, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"). DTC will act as securities depository of the Refunding Bonds. Individual purchases will be made in book-entry form only, in the denominations of $5,000 and integral multiples thereof. Purchasers will not receive certificates representing their interest in the Refunding Bonds purchased. Principal and interest are payable in lawful money of the United States of America and will be paid to DTC which in turn will remit such amounts to the beneficial Owners of the Refunding Bonds through DTC’s Participants, as described in the Preliminary Official Statement.

VIII. Authority:

The Refunding Bonds will be issued pursuant to the Constitution and laws of the State of California and pursuant to Section 53550 et seq. of the Government Code.

IX. Security:

Both principal of and interest on the Refunding Bonds are payable solely from an unlimited ad valorem tax levied against all of the taxable property in the District.

X. Form of Bid:

A prescribed form of bid for the Refunding Bonds has been prepared and is attached hereto. Bids must be submitted electronically via PARITY.
All bids which are submitted electronically via PARITY pursuant to the procedures described below shall be deemed to constitute a Bid for Purchase of the Refunding Bonds and shall be deemed to incorporate by reference all of the terms and conditions of this Notice Inviting Proposals for Purchase of Refunding Bonds. The submission of a bid electronically via PARITY shall constitute and be deemed the bidder’s signature on the Bid for Purchase of the Refunding Bonds.

XI. Procedures Regarding Electronic Bidding:

Bids may be submitted electronically via PARITY in accordance with this Notice Inviting Proposals for Purchase of Refunding Bonds, until 8:30 a.m., Pacific Standard Time, on ____________ 2012, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in PARITY conflict with this Notice Inviting Proposals for Purchase of Refunding Bonds, the terms of this Notice Inviting Proposals for Purchase of Refunding Bonds shall control. For further information about PARITY, potential bidders may contact the District’s Financial Advisor or PARITY at Dalcomp at (212) 806-8304. In the event that a bid for the Refunding Bonds is submitted via PARITY, the bidder further agrees that:

1. The District may regard the electronic transmission of the bid through PARITY (including information about the purchase price of the Refunding Bonds, the interest rate or rates to be borne by the various maturities of the Refunding Bonds, the initial public offering price of each maturity and any other information included in such transmission) as though the same information were submitted on the Bid for Purchase of the Refunding Bonds form, provided by the District and executed by a duly authorized signatory of the bidder. If a bid submitted electronically by PARITY is accepted by the District, the terms of the Bid for Purchase of the Refunding Bonds and the Notice Inviting Proposals for Purchase of Refunding Bonds and the information that is electronically transmitted through PARITY shall form a contract and the successful bidder shall be bound by the terms of such contract.

2. PARITY is not an agent of the District, and the District shall have no liability whatsoever based on any bidder’s use of PARITY, including but not limited to any failure by PARITY to correctly or timely transmit information provided by the District or information provided by the bidder.

3. The District may choose to discontinue use of electronic bidding via PARITY by issuing a notification to such effect via PARITY’s internet site (www.tm3.com) no later than 1:00 P.M. (Pacific Daylight Time) on the last business day prior to the date of sale.

4. Once the bids are communicated electronically via PARITY to the District as described above, each bid will constitute a Bid for Purchase of the Refunding Bonds and shall be deemed to be an irrevocable offer to purchase the Refunding Bonds on the terms provided in this Notice Inviting Proposals for Purchase of Refunding Bonds. For purposes of submitting all Bids for Purchase of the Refunding Bonds, whether by hand delivery, facsimile or electronically via PARITY, the time as maintained on PARITY shall constitute the official time.

5. Each bidder choosing to bid electronically shall be solely responsible to make necessary arrangements to access PARITY for purposes of submitting its bid in a timely manner and in compliance with this Notice Inviting Proposals for Purchase of Refunding Bonds. Neither the District nor Dalcomp shall have any duty or obligation to undertake such registration to bid for any prospective bidder or to provide or assure such access to any qualified prospective bidder, and
neither the District nor Dalcomp shall be responsible for a bidder's failure to register to bid or for proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY. The District is using PARITY as a communication mechanism, and not as the District's agent, to conduct the electronic bidding for the Refunding Bonds. By using PARITY, each bidder agrees to hold the District harmless for any harm or damages caused to such bidder in connection with its use of PARITY for bidding on the Refunding Bonds.

In the event that both an electronic bid and a facsimile bid from a single bidder are received at or prior to the bid receipt deadline, and to the extent that there is an inconsistency in the interest rates or price bid, the facsimile shall be deemed to be the bid submitted. No bid received after the deadline shall be considered. In any case, each bid must be in accordance with the terms and conditions set forth in this official Notice Inviting Proposals for Purchase of Refunding Bonds.

XII. Estimate of True Interest Cost:

Bidders are requested (but not required) to supply an estimate of the total true interest cost to the District on the basis of their respective bids, which shall be considered as informative only and not binding on either the bidder or the Board of Trustees of the District.

XIII. Deposit:

Except as otherwise provided below, a good faith deposit ("Deposit") in the form of a certified, treasurer's or cashier's check drawn on a solvent commercial bank or trust company in the United States of America or a Financial Surety Bond issued by an insurance company licensed to issue such surety bond in the State of California, made payable to

Marin Community College District
in the amount of
$______

is required for any bid to be accepted. If a check is used, it must accompany each bid. If a Financial Surety Bond is used, such surety bond must be submitted to the District or its Financial Advisor prior to the opening of the bids. The Financial Surety Bond must identify each bidder whose Deposit is guaranteed by such Financial Surety Bond. If the winning bidder on the Refunding Bonds is determined to be a bidder utilizing a Financial Surety Bond, then that bidder is required to submit its Deposit to the District in the form of a cashier's check (or wire transfer such amount as instructed by the District or its Financial Advisor) not later than 10:00 a.m. (District's local time) on the next business day following the bid opening. If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the District to satisfy the Deposit requirement. If the apparent winning bidder on the Refunding Bonds is determined to be a bidder who has not submitted a Deposit in the form of a Financial Surety Bond or check, as provided above, the Financial Advisor will request the apparent winning bidder to immediately wire the Deposit and provide the Federal wire reference number of such Deposit to the Financial Advisor within 90 minutes of such request by the Financial Advisor. The Refunding Bonds will not be officially awarded to a bidder who has not submitted a Deposit in the form of a Financial Surety Bond or check, as provided above, until such time as the bidder has provided a Federal wire reference number for the Deposit to the Financial Advisor.
No interest on the Deposit will accrue to any bidder. The District will deposit the Deposit of the winning bidder. The Deposit (without accruing interest) of the winning bidder will be applied to the purchase price of the Refunding Bonds. In the event the winning bidder fails to honor its accepted bid, the Deposit plus any interest accrued on the Deposit will be retained by the District. Any investment income earned on the good faith deposit will be paid to the successful bidder in the event the District is unable to deliver the Refunding Bonds. Deposits accompanying bids other than the bid which is accepted will be returned promptly upon the determination of the best bidder.

XIV. CUSIP Numbers and Other Fees:

CUSIP numbers will be applied for and will be printed on the Refunding Bonds and the cost of printing thereof and service bureau assignment will be purchaser’s responsibility. Any delay, error or omission with respect thereto will not constitute cause for the purchaser to refuse to accept delivery of and pay for the Refunding Bonds. The successful bidder shall also be required to pay all fees required by The Depository Trust Company, Bond Market Association, Municipal Securities Rulemaking Board, and any other similar entity imposing a fee in connection with the issuance of the Refunding Bonds (see, “California Debt Advisory and Investment Commission” below).

XV. Legal Opinion:

The Refunding Bonds are sold with the understanding that the purchaser will be furnished with the approving opinion of Bond Counsel, Stradling Yocca Carlson & Rauth, a Professional Corporation. A copy of the opinion will be attached to the Refunding Bonds. Said attorneys have been retained by the District as Bond Counsel and in such capacity are to render their opinion only upon the legality of the Refunding Bonds under California law and on the exemption of the interest income on such Refunding Bonds from federal and State of California income taxes. Fees of Bond Counsel will be paid from the costs of issuance.

XVI. Tax-Exempt Status:

In the opinion of Bond Counsel, under existing laws, interest on the Refunding Bonds is exempt from all present State of California personal income taxes, and assuming compliance with certain covenants made by the District, interest on the Refunding Bonds is not includable in the gross income of the Owners of the Refunding Bonds for federal income tax purposes, provided that such interest may be included in the calculation for certain taxes, including the corporate alternative minimum tax and the corporate environmental tax. Should changes in the law cause Refunding Bond Counsel’s opinion to change prior to delivery of the Refunding Bonds to the purchaser, the purchaser will be relieved of its responsibility to pick up and pay for the Refunding Bonds, and in that event its Deposit will be returned.

XVII. Certification of Reoffering Price:

As soon as practicable, but not later than five days following the deadline for receipt of bids for the Refunding Bonds, the successful bidder must submit to the District a certificate specifying for each maturity the reoffering price at which at least 10% of the Refunding Bonds of such maturity were sold (or were offered in a bona fide public offering and as of the date of award of the Refunding Bonds to the successful bidder reasonably expected to be sold) to the public. Such certificate shall be in form and substance satisfactory to Bond Counsel and shall include such additional information as may be requested by Bond Counsel.
XVIII. Award:

The Refunding Bonds will be awarded to the responsible bidder submitting the best responsive bid, considering the interest rate or rates specified. The best bid will be the bid that represents the lowest true interest cost ("TIC") to the District for the Refunding Bonds. The TIC is the discount rate that, when compounded semiannually and used to discount all debt service payments on the Refunding Bonds back to the date of delivery of such Refunding Bonds, results in an amount equal to the price bid for said Refunding Bonds. In the event that two or more bidders offer bids for the Refunding Bonds at the same lowest TIC, the District will determine by lottery which bidder will be awarded the Refunding Bonds. For the purpose of calculating the TIC, the mandatory sinking fund payments, if any, shall be treated as serial maturities in such years. The determination of the bid representing the lowest TIC will be made without regard to any adjustments made or contemplated to be made after the award by the Vice President, College Operations, as described herein under "Adjustment of Principal Amounts," even if such adjustments have the effect of raising the TIC of the successful bid to a level higher than the bid containing the next lowest TIC prior to adjustment.

XIX. Delivery:

Delivery of the Refunding Bonds will be made to the purchaser through DTC upon payment in federal funds payable to or for the account of the District at the County of Marin, Treasurer-Tax Collector, _____________. The Closing will take place at the offices of Stradling Yocca Carlson & Rauth, a Professional Corporation, 44 Montgomery Street, Suite 4200, San Francisco, California 94104, or at the purchaser’s request and expense, at any other place mutually agreeable to both the District and the purchaser.

XX. Prompt Award:

The Vice President, College Operations of the District, or her designee, will take action awarding the Refunding Bonds or rejecting all bids not later than twenty-six (26) hours after the expiration of the time herein prescribed for the receipt of bid proposals, unless such time of award is waived by the successful bidder. Notice of the award will be given promptly to the successful bidder.

XXI. California Debt Advisory and Investment Commission:

The successful bidder will be required, pursuant to state of California law, to pay any fees to the California Debt and Investment Advisory Commission ("CDIAC"). CDIAC will invoice the successful bidder after the closing of the Refunding Bonds.

XXII. No Litigation and Non-Arbitrage:

The District will deliver a certificate stating that no litigation is pending affecting the issuance and sale of the Refunding Bonds. The District will also deliver an arbitration certificate covering its reasonable expectations concerning the Refunding Bonds and the use of proceeds thereof.
XXIII. Official Statement:

The District will make available a Preliminary Official Statement relating to the Refunding Bonds, a copy of which, along with related documents, will be furnished upon request made by mail to Public Financial Management, Inc., 50 California Street, Suite 2300, San Francisco, California 94111, Attn: Sarah Hollenbeck the District’s Financial Advisor for the Refunding Bonds, or telephoned to said Financial Advisor at (415) 982-5544. Such Preliminary Official Statement, together with any supplements thereto, shall be in form “deemed final” by the District for the purposes of SEC Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in a final official statement. The District shall deliver, at closing, a certificate, executed by appropriate officers of the District acting in their official capacities, to the effect that the facts contained in the Official Statement relating to the Refunding Bonds are true and correct in all material respects, and that the Official Statement does not contain any untrue statements of a material fact or omit to state a material fact necessary to make the statement therein, in light of the circumstances under which they were made, not misleading. One hundred (100) copies of the Official Statement will be made available to the purchaser without charge within seven business days of the date of sale and additional copies will be made available upon request at the purchaser’s expense.

XXIV. Continuing Disclosure:

In order to assist bidders in complying with Rule 15c2-12(b)(5) promulgated under the Securities Exchange Act of 1934, the District will undertake in a Continuing Disclosure Certificate to provide certain annual financial information and Notice of the occurrence of certain events, if material. A description of this undertaking and a form of the Continuing Disclosure Certificate is included in the Preliminary Official Statement.

XXV. Ratings:

Standard & Poor’s and Moody’s Investors Service have assigned to the Refunding Bonds the ratings shown on the cover page of the Preliminary Official Statement or, if not so indicated, will be available upon request from the Financial Advisor. Such ratings reflect only the views of such organization and explanation of the significance of such ratings may be obtained from them as follows: Standard & Poor’s, 55 Water Street, New York, New York 10041, (212) 438-2000, and Moody’s Investors Service, 7 World Trade Center at 250 Greenwich Street, New York, New York 10007, (212) 553-1658. There is no assurance that the ratings will continue for any given period of time or that they will not be revised downward or withdrawn entirely by either of the rating agencies, if, in the judgment of such agency, circumstances so warrant. Any such downward revision or withdrawal of such rating may have an adverse effect on the market price of the Refunding Bonds.

XXVI. Right to Cancel, Postpone, or Reschedule Sale:

The District reserves the right to cancel, postpone or reschedule the sale of the Refunding Bonds upon notice given through the Bloomberg News Service, Thomson Municipal Market Monitor (www.tm3.com) or The Bond Buyer prior to the time bids are to be received. If the sale is postponed, bids will be received at the place set forth above, at the date and time as the District shall determine. Notice of the new sale date and time, if any, will be given through Bloomberg News Service, Thomson Municipal Market Monitor (www.tm3.com) or The Bond Buyer no later than twenty-three (23) hours prior to the new time bids are to be received. As an accommodation to bidders, telephone or fax notice of the postponement of the sale date and of the new sale date will be given to any bidder.
requesting such notice from the Financial Advisor. Failure of any bidders to receive such notice shall not affect the legality of the sale.

XXVII. Additional Information:

Copies of the Notice Inviting Proposals for Purchase of Refunding Bonds, the form of bid, and the Preliminary Official Statement relating to the Refunding Bonds will be furnished to any bidder upon request made to Public Financial Management, Inc., Attn: Sarah Hollenbeck, phone: (415) 982-5544, hollenbecks@pfm.com, the Financial Advisor.

Dated: _______________, 2012

MARIN COMMUNITY COLLEGE DISTRICT

By: ____________________

Vice President, College Operations
EXHIBIT B

BID FOR THE PURCHASE OF $______
MARIN COMMUNITY COLLEGE DISTRICT
(MARIN COUNTY, CALIFORNIA)
2012 GENERAL OBLIGATION REFUNDING BONDS

____________, 2012

Marin Community College District
Marin County, California

On behalf of a group which we have formed consisting of:

________________________

and pursuant to the Notice Inviting Proposals for Purchase of Refunding Bonds hereinafter mentioned, we offer to purchase all of the $______ Dollars ($) principal amount of the Refunding Bonds designated as “Marin Community College District (Marin County, California) 2012 General Obligation Refunding Bonds,” maturing on August 1 in the years and amounts and bearing interest at the rate or rates set forth in the following schedule:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>PRINCIPAL AMOUNT*</th>
<th>INTEREST RATE</th>
<th>INSURANCE</th>
</tr>
</thead>
</table>

and to pay therefor the aggregate sum of $______ (representing the $______ principal amount of the Refunding Bonds, plus interest accrued on such Refunding Bonds to the date of delivery thereof, plus premium of $_______.)

We hereby elect to combine the maturities of Refunding Bonds maturing on the following dates to comprise term bonds:

*Preliminary, subject to change. See “III. Adjustment of Principal Amounts” in the Notice Inviting Proposals for Purchase of Bonds.
Redemption Dates

_______ through _________
_______ through _________
_______ through _________

Maturity Date

_______ 1, ___
_______ 1, ___

This bid is submitted with our intention to purchase municipal bond insurance from _________________ (fill in if applicable). Such insurance will be obtained at our expense.

This bid is made subject to all the terms and conditions of the Notice Inviting Proposals for Purchase of Refunding Bonds heretofore published, all of which terms and conditions are made a part hereof as fully as though set forth in full in this bid.

As specified in the Notice Inviting Proposals for Purchase of Refunding Bonds, this bid is subject to acceptance not later than 26 hours after the expiration of the time for the receipt of bids, and the opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation approving the validity of the Refunding Bonds will be furnished us (if we are the successful bidder) at the time of the delivery of the Refunding Bonds at the expense of the District.

There is submitted herewith a memorandum (which shall not constitute a part of this bid) stating the total true interest cost in dollars on the Refunding Bonds during the life of the issue under this bid, and the true interest rate determined thereby.

We have received and reviewed the Preliminary Official Statement with respect to the Refunding Bonds (the “Preliminary Official Statement”) and as a condition to bidding on the Refunding Bonds, have determined that we can comply with the requirements of Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended.

As of the date of award and as of the date of delivery of the Refunding Bonds, all members of our syndicate either participate in DTC or clear through or maintain a custodial relationship with an entity that participates in said depository.

We hereby request that _________ (not to exceed ___) printed copies of the Official Statement with respect to the Refunding Bonds be furnished to us in accordance with the terms of the Notice Inviting Proposals for Purchase of Refunding Bonds.

Respectfully submitted,

Name: ________________________
     (Account Manager)
By: __________________________
Address: _______________________
City: ______________ State: ______
Phone: _________________________

MEMORANDUM OF INTEREST COST: Under the above bid, the total true interest cost on the Refunding Bonds during the life of the issue is $__________ and the true interest rate determined thereby is _____%.
EXHIBIT C

NOTICE OF INTENTION TO SELL

$__________*

MARIN COMMUNITY COLLEGE DISTRICT
(MARIN COUNTY, CALIFORNIA)
2012 GENERAL OBLIGATION REFUNDING BONDS

NOTICE IS HEREBY GIVEN that the Marin Community College District (the “District”), in Marin County, California, intends to offer for public sale on _____, May ___, 2012, at the hour of 8:30 a.m. Pacific Daylight Time, at the office of Public Financial Management, Inc., 50 California Street, Suite 2300, San Francisco, California 94111 not to exceed $__________* principal amount of general obligation bonds of the District designated “Marin Community College District (Marin County, California) 2012 General Obligation Refunding Bonds (the “Refunding Bonds”). Within 26 hours, the Vice President, College Operations of the District will consider the bids received and, if acceptable bids are received, award the sale of the Refunding Bonds on the basis of the true interest cost. In the event that no bids are awarded by the designated time, proposals will be received at a subsequent time and date to be determined by the District and publicized via PARITY, the Bond Buyer Wire or Thomson Municipal Market Monitor (www.tm3.com).

NOTICE IS HEREBY FURTHER GIVEN that the Refunding Bonds will be offered for public sale subject to the terms and conditions of the Notice Inviting Proposals for Purchase of the Refunding Bonds, dated ____________, 2012. Copies of the preliminary Official Statement and Notice Inviting Proposals for Purchase of Refunding Bonds and the form of bid relating to the Refunding Bonds will be furnished upon request made to Public Financial Management, Inc., 50 California Street, Suite 2300, San Francisco, California 94111, Attn: Sarah Hollenbeck, phone (415) 982-5544, Hollenbecks@pfm.com, the Financial Advisor to the District for the Refunding Bonds.

Dated: __________, 2012

MARIN COMMUNITY COLLEGE DISTRICT

By: __________________________________________

Vice President, College Operations

* Preliminary, subject to change.
BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Performing Arts Building Modernization Project (306A)
Midstate Construction Corporation – Change Order 12 and Resolution

Date: July 17, 2012

Reason for Board Consideration:
ACTION APPROVAL

Enclosure(s):

BACKGROUND:

On February 11, 2011, Midstate Construction Corporation was selected to provide General Contracting services for the Performing Arts Modernization Project (306A).

Change Order 12 includes PCO#004.3 for $41,881 which is for the work required to complete the MDF and IDF Rooms and is an Owner Initiated change. Also included is PCO#049 for $44,669, which is for the Owner initiated revisions to the Gallery space in the New Addition.

The balance of PCOs in Change Order 12 include seven (7) PCOs for unforeseen conditions, six (6) PCOs for owner-initiated changes, three (3) PCOs for design coordination and three (3) PCOs for code compliance issues.

**Total Compensation** $198,136.00
**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:

Original Contract Amt: $10,429,000.00
$1,252.00 Performing Arts Building Project (306A)
$32,381.00 Change Order 1 (0.01% of original contract value)
$42,797.00 Change Order 2 (0.30% of original contract value)
$51,040.00 Change Order 3 (0.7% of original contract value)
$465,664.00 Change Order 4 (1.2% of original contract value)
$29,715.00 Change Order 5 (5.7% of original contract value)

Credit<$21,240.00>

$139,967.00 Change Order 6 (5.97% of original contract value)
$166,284.00 Change Order 7 (5.8% of original contract value)
$90,825.00 Change Order 8 (7.1% of original contract value)
$144,821.00 Change Order 9 (8.7% of original contract value)
$198,136.00 Change Order 10 (9.6% of original contract value)

Total Contract Amount $11,770,462.00 Change Orders to date equal 12.9%.

RECOMMENDATION:
The Superintendent/President recommends that the Board of Trustees approve Change Order 12 to Midstate Construction Corporation in the amount of $198,136.00 and Resolution XX attesting that the District will not benefit from bidding the work separately for the work for the Performing Arts Modernization Project (306A).

Administrator Initiating Item
Laura McCarty
Director of Modernization

Administrator Approving Item
David Wain Coon, Ed. D.
Superintendent/President
WHEREAS, Marin Community College District (the “District”) previously awarded a contract for work for the Performing Arts Building (the “Project”) to Midstate Construction Corporation; 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 $198,136.00 and exceeds the limitations set forth in Public Contracts Code Section 20559; 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
MARIN COMMUNITY COLLEGE DISTRICT
MEASURE C BOND PROGRAM

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."

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 July 17, 2012.

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 July 17, 2012.

______________________________
Secretary, Governing Board

-2-

Change Order No. 12 to Existing Contract with Midstate Construction Corporation for Performing Arts Modernization Project (306A)

Trustee Diana Conti, President

Trustee Philip J. Kranenburg

Trustee Eva Long, Vice President

Trustee Stephanie O'Brien

Trustee James Namnath, Clerk

Trustee Wanden Treanor

Trustee Barbara Dolan

Trustee Scott Blood
EXHIBIT A

CHANGE ORDER WORK
SWEINERTON MANAGEMENT AND CONSULTING, INC.

PROJECT: Performing Arts Modernization Project
PROJECT No. 396A
CONTRACTOR: Mcdade Construction Corporation
OWNER: Marin Community College District
ARCHITECT: Marcy Wong Donn Logan Architects

EFFECTIVE ONLY WHEN SIGNED BY OWNER
C.O. 12
B.O.T Approval Date: 7/17/2012
DSA File #: 21-C1
DSA Application #: 01-110237

SUBTOTAL Page 2: $198,136.00
TOTAL: $198,136.00

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 additionals bond and insurance premiums.

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

Item Number Description

See page 2 for details

End of Items

AGREEMENT

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

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

B. That all the Terms and Conditions of the Contract, except as modified by this and any previous changes, shall remain in full force and effect and apply to the work so changed.

CONTRACT VALUE ADJUSTMENT

| Original Contract Price: $10,429,000.00 |
| Net Change By Previously Authorized Change Order: $1,143,560.00 |
| Contract Price Prior To This Change Order: $11,572,560.00 |

Contract Price Will Be: [ ] Increased
[ ] Decreased
[ ] Unchanged

$198,136.00

New Contract Price Including This Change Order: $11,770,642.00

TIME ADJUSTMENT

Contract Time Will Be: [ ] Increased
[ ] Decreased
[ ] Unchanged

Date of Contract Completion As Of The Date Of This Change Order: 9/27/2012

AGREED BY CONTRACTOR

Mcdade Construction Corporation
By: __________________________
Date: ________________________

APPROVED BY ARCHITECT/ENGINEER

Marcy Wong Donn Logan Architects
By: __________________________
Date: ________________________

ISSUED BY PROJECT MANAGER

Sweinerton Management & Consulting
By: __________________________
Date: ________________________

RECOMMENDED BY PROGRAM MANAGER

Anne E. Dooley, Program Manager
By: __________________________
Date: ________________________

APPROVED BY OWNER

Marin Community College District
By: __________________________
Date: ________________________

AUTHORIZED BY OWNER

Marin Community College District
Authorized By: __________________________
Alfords Harrison II
VP College Operations
By: __________________________
Date: ________________________

Distribution: [ ] Owner [ ] Consultant [ ] Construction Manager [ ] Contractor [ ] C. O. File [ ] Other

Page 1 of 2
## Project Information

- **Project No.**: 306-A
- **Contractor**: Midstate Construction Corporation
- **Owner**: Marin Community College District
- **Architect**: Mace Wang Dunn Logan Architects

## Change Orders

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>PCO 004.3</td>
<td>Final costs for work at the new MPGE/MDF Room, including additional work at the new MDF Rooms. The IDF closet in the Buena Vista, the IDF Alcove on the 2nd floor and the cable pathway connecting these locations.</td>
<td>$41,881.00</td>
</tr>
<tr>
<td>PCO 021.2</td>
<td>Correct accounting error on PCOs 021 and 021.4; credit inadvertently taken from contractor twice.</td>
<td>$787.00</td>
</tr>
<tr>
<td>PCO 049</td>
<td>Provide user requested revisions to the Gallery space, including additional lighting and dimming, added plywood in lieu of a layer of drywall for mounting art, reduction in floor polishing, relocated floor outlets, etc.</td>
<td>$44,669.00</td>
</tr>
<tr>
<td>PCO 110</td>
<td>Scheduling costs by contractor's scheduling consultant to produce fragment schedules to validate delays for (3) Owner issues.</td>
<td>$2,327.00</td>
</tr>
<tr>
<td>PCO 139</td>
<td>Provide pedestrian tunnel and additional partition wall to separate the Modernization and Addition phases for the protection of the students and faculty.</td>
<td>$23,625.00</td>
</tr>
<tr>
<td>PCO 149</td>
<td>PR 36 - Relocate the expansion tank from the Chiller Room to the main Mechanical Room for improved access for maintenance.</td>
<td>$5,364.00</td>
</tr>
<tr>
<td>PCO 165</td>
<td>Replace the existing exterior door from Mechanical Room 300 to the Cooling Tower well due to wear and tear.</td>
<td>$2,004.00</td>
</tr>
<tr>
<td>PCO 169</td>
<td>Correct charactization of PCO from &quot;Design Coordination&quot; to &quot;Unforeseen Condition&quot;; (Previously approved in CO #10)</td>
<td>$0.00</td>
</tr>
<tr>
<td>PCO 170</td>
<td>Correct characterization of PCO from &quot;Design Coordination&quot; to &quot;Owner Initiated&quot;; (Previously approved in CO #11)</td>
<td>$0.00</td>
</tr>
<tr>
<td>PCO 182</td>
<td>Relocate electrical conduits away from the exhaust piping for the emergency generator per the direction of the IOR.</td>
<td>$3,349.00</td>
</tr>
<tr>
<td>PCO 189</td>
<td>Correct characterization of PCO from &quot;Design Coordination&quot; to &quot;Owner Initiated&quot;; (Previously approved in CO #10)</td>
<td>$0.00</td>
</tr>
<tr>
<td>PCO 192</td>
<td>Re-install lighting at Mechanical Rooms 300 and 301 that had to be removed in order to facilitate new construction; This cost represents a 50/50 split between the COM and the contractor.</td>
<td>$2,675.00</td>
</tr>
<tr>
<td>PCO 198</td>
<td>PR 38 - Revise the retaining walls on the project per the COM's direction to lower the grade of the site by 20&quot; in order to protect the existing mature trees.</td>
<td>$18,864.00</td>
</tr>
<tr>
<td>PCO 198.1</td>
<td>PR 38 - Correct a rebar scope error by the site concrete subcontractor for the work of PCO 198.</td>
<td>$9,047.00</td>
</tr>
<tr>
<td>PCO 205</td>
<td>PR 45 - Revise the E14 light fixtures in Rooms 54, 95, 196 and 197 from 120V lengths to 40&quot; lengths.</td>
<td>$9,047.00</td>
</tr>
<tr>
<td>PCO 207</td>
<td>PR 46 - Costs required to make existing Door 298E, which is a &quot;Dutch&quot; door, code compliant.</td>
<td>$1,216.00</td>
</tr>
<tr>
<td>PCO 216</td>
<td>PR 49 - Add (3) new exterior electrical outlets and (1) new hose bib at Plaza area for maintenance.</td>
<td>$6,885.00</td>
</tr>
<tr>
<td>PCO 222</td>
<td>Perform &quot;surgical excavation&quot; in order to avoid existing underground utilities that are not currently documented on the COM's utility as-built plans.</td>
<td>$3,343.00</td>
</tr>
<tr>
<td>PCO 223</td>
<td>Extend the existing concrete retaining wall at the Fine Arts building to meet the new slab wall at the Performing Arts project.</td>
<td>$2,786.00</td>
</tr>
<tr>
<td>PCO 224</td>
<td>Costs to remove unsuitable, saturated soils from the area of the new slab-on-grade per the direction of the geotechnical engineer and the IOR; Reason: unforeseen conditions.</td>
<td>$5,500.00</td>
</tr>
<tr>
<td>PCO 228</td>
<td>Costs to re-test and re-start the emergency generator by the factory representative; the existing gas meter was faulty at the time of the original test, to the meter had to be replaced and the system re-tested.</td>
<td>$2,584.00</td>
</tr>
</tbody>
</table>

**Subtotal**: $198,136.00

**Note**: Unless otherwise noted in the specific item description above, the costs detailed in this Change Order represent the total cost of the work, completed 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.
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees

From: Superintendent/President

Date: July 17, 2012


Subject: Approve Authorization to Bid Child Study Center - Increment One Project (303C)

Reason for Board Consideration: ACTION APPROVAL

Enclosure(s): None

BACKGROUND:

On February 21, 2011, the Board of Trustees authorized the award of the construction contract for the Child Study Center - Increment Two Project (303C). The scope of the work for Increment Two includes the final structural engineering and construction of the modular buildings and foundations.

Increment One scope of work for the Child Study Center Project (303C) consists of site work, underground utilities and landscaping, play equipment and site signage.

Increment One is currently being reviewed by DSA and is anticipated to be approved by August 2012.

The District seeks authorization to proceed with the Increment One (site work) bidding process for the Child Study Center - Increment One Project (303C). Once DSA approves the plans, the District will seek authorization to award a construction contract to the lowest responsive, responsible bidder.

FISCAL IMPACT:

The project will be paid from Measure C bond funds allocated for the Child Study Center Project (303C).

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees authorize the bidding process to proceed for the Child Study Center Increment One Project (303C).

Administrator Initiating Item
Laura McCarty
Director of Modernization

Administrator Approving Item
David Wain Coon, Ed. D.
Superintendent/President
To: Board of Trustees                             Date: July 17, 2012

From: Superintendent/President                   Item & File No. C.10.C.

Subject: Student Health Fee Increase

Reason for Board Consideration: APPROVAL

Enclosure(s):

BACKGROUND:

In April, 2012, the California Community College State Chancellor’s Office sent out a memo to all California Community Colleges informing them that under Education Code Section 76355, which provides the governing board of a community college district the guideline for increasing student health fees, districts may charge a maximum fee of $19.00 per semester and $16.00 per summer session effective with Summer Session 2013.

The last time College of Marin increased its Students Health Fee was Spring of 2011. Our costs continue to increase as the current Student Health Center budget has not kept up with the increase costs of immunizations, health center office supplies, hazardous waste removal, and supplying campus first aid materials. We also need consulting physician hours to deal with medical matters. Currently approximately $15,000 in general funds is used to cover these increased expenses.

A recent survey of the Bay Ten colleges indicates that most all of the districts' student health centers are charging or planning to charge the maximum allowable fee. Statewide, approximately one quarter of the colleges surveyed have board policies which provide for automatic increases allowable by the state.

We are requesting the Student Health Fee be increased to $19.00 per semester from the current $17.00 per semester and that the summer session Student Health Fee be increased to $16.00 from the current $14.00. We are requesting that this fee be effective for the Spring Semester, 2013.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees approve the Student Health Fee increase.

Administrator Initiating Item

Angelina Duarte, Interim Vice President for Student Learning
BACKGROUND:

The College has contracted for legal services with School & College Legal Services since 1991. School & College Legal Services has invited the College to continue retainer services for the upcoming 2012/13 Fiscal year. The rates for 2012/13 remain unchanged from fiscal year 2007/08.

Retainer hours purchased and hours used over the past five years are as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Retainer Hours Purchased</th>
<th>Hours Used Over Retainer</th>
<th>Total Hours Used</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006/07</td>
<td>145</td>
<td>14.20</td>
<td>159.20</td>
</tr>
<tr>
<td>2007/08</td>
<td>385</td>
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<tr>
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<tr>
<td>2009/10</td>
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<tr>
<td>2010/11</td>
<td>200</td>
<td>160.1</td>
<td>360.1</td>
</tr>
<tr>
<td>2011/12</td>
<td>200</td>
<td>405.00*</td>
<td>605.00*</td>
</tr>
</tbody>
</table>

* As of June 18, 2012

Mandated costs and litigation services are charged at $185 and $195 per hour respectively. These services are billed separately and not against the retainer. Hours above the retainer amount purchased will be charged at $195 per hour.

Staff anticipates the purchase of 200 retainer hours will be appropriate for 2012/13.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees authorize staff to purchase 200 retainer hours at $185 per hour ($37,000) from School and College Legal Services for 2012/13 legal services.
To: Al Harrison, Vice President, College Operations  
Marin Community College District  
835 College Avenue  
Kentfield, CA 94904

From: Margaret M. Merchat, General Counsel

Subject: RETAINER AGREEMENT FOR LEGAL SERVICES

This memo invites the MARIN COMMUNITY COLLEGE DISTRICT to enter into a Retainer Agreement with SCHOOL AND COLLEGE LEGAL SERVICES OF CALIFORNIA effective July 1, 2012. As an indication of our efforts to contain costs for our clients, I am pleased to inform you that our rates for 2012-13 are the same as 2011-12. In fact our rates have not changed for the past five years as we continue to make efforts to contain costs while continuing to provide high quality legal services.

As you consider your legal service needs for the coming year, I want to be clear about our commitment to provide you with excellent services. We will continue to offer a variety of workshops throughout the new fiscal year and our schedule for the first half of the year will be available soon. We certainly recognize that all school agencies are being hit very hard by the state economy, and we recognize that our effort to maintain lower fees is now more important than ever. To that end we want to confirm that we do not charge for a variety of “incidental costs” that private firms typically charge for, including on-line research costs, copying, faxes, mileage and related travel costs such as hotels and meals. If you have any questions regarding our services or fees, please do not hesitate to call me.

To become a Retainer Contract client for 2012-13, please select your retainer hour amount and sign the agreement. Please return the agreement to us along with a purchase order after the governing board has acted on it. Your district will be invoiced for the full retainer amount.

We very much look forward to working with you. If you have any questions, please call me or Patty Walsh.

Enc.
RETAINER AGREEMENT

BETWEEN

MARIN COMMUNITY COLLEGE DISTRICT

AND

SCHOOL AND COLLEGE LEGAL SERVICES OF CALIFORNIA

The MARIN COMMUNITY COLLEGE DISTRICT (DISTRICT) and SCHOOL AND COLLEGE LEGAL SERVICES OF CALIFORNIA (a legal service program operating under a Joint Powers Agreement pursuant to California Government Code sections 6500 et seq.) (COUNSEL), mutually agree as follows:

I.
RECITALS

This agreement, effective July 1, 2012, is entered into by and between the DISTRICT and SCHOOL AND COLLEGE LEGAL SERVICES OF CALIFORNIA, a legal services program operating under a Joint Powers Agreement pursuant to California Government Code sections 6500 et seq.

COUNSEL has the background, experience, and expertise to perform the work to be done and agrees to do so in accordance with the terms and conditions of this agreement.
II. WORK TO BE PERFORMED

COUNSEL shall provide legal and labor relations services as requested by the DISTRICT.

COUNSEL shall have the right to retain court reporters, professional experts, and other independent contractors as appropriate and to recommend to DISTRICT the employment and association of outside legal counsel in cases and matters that singly or cumulatively require an inordinate amount of time or which require, in the opinion of COUNSEL, specialized legal services and expertise. In the event DISTRICT fails to approve the employment of such outside counsel, legal counsel reserves the right to terminate its representation of DISTRICT on the specific case or matter involved.

COUNSEL shall decline any assignment which would result in a conflict of interest or violations of professional ethical standards.

III. COMPENSATION

The DISTRICT shall compensate COUNSEL for all time spent on DISTRICT’s work, including necessary travel time, at the rates specified in the attached Fee Schedule. Such rates may be changed by COUNSEL no earlier than July 1, 2013, provided, however, that COUNSEL shall first give DISTRICT at least thirty (30) days advance written notice of such change.

Time will be accounted for in an initial minimum increment of .2 hour per entry (i.e., 12-minute minimum). This reflects the time it takes to respond to and record the
nature of short-term assignments. After the initial minimum of .2, all assignments will be recorded in increments of one-tenth of an hour.

IV. TERM OF AGREEMENT

This agreement, effective July 1, 2012, is ongoing for up to four years and may be modified by mutual written agreement of the parties. This agreement may be terminated by either party at any time upon thirty (30) days written notice.

SCHOOL AND COLLEGE LEGAL SERVICES OF CALIFORNIA

By: ___________________________ Dated: JUN - 5 2012
Margaret M. Merchat
General Counsel

MARIN COMMUNITY COLLEGE DISTRICT

By: ___________________________ Dated: _______________
Superintendent or Designee
SCHOOL AND COLLEGE LEGAL SERVICES OF CALIFORNIA
CONTRACT FEE SCHEDULE

Effective July 1, 2012

<table>
<thead>
<tr>
<th>Attorney Retainer Hours of Attorney Service</th>
<th>Retainer</th>
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<tbody>
<tr>
<td>30</td>
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</tr>
<tr>
<td>60</td>
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<tr>
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<td>37,000.00</td>
</tr>
<tr>
<td>300</td>
<td>55,500.00</td>
</tr>
</tbody>
</table>

Districts that wish to contract for a lesser or greater number of hours than that set forth above may do so by calculating a retainer based on the $185.00 per hour rate and making that change in the fee schedule. Minimum level is 20 hours.

Included within the retainer fee are all of the workshops, newsletters, legislative reports, and all other work we do for all clients. We do, however, charge a fee not to exceed the actual costs for facilities, meals and copy fees for materials provided at workshops.

The retainer amounts set forth above are based on a rate of $185.00 per hour for all attorney time. In the event that your district does not use all hours originally retained, the unused portion will be carried over to the next school term.

No additional fee is charged for meals or lodging while traveling to or from your district. No additional fee for secretarial time, nor for the cost of photocopies, telephone calls, or “facsimile” transmissions to or from your district. No postage charges for regular mail, no “administrative fee,” and no on-line research costs. Set fees may be charged for formed contracts and bid documents.

Mandated costs services are based on a rate of $185.00 per hour and do not count against the retainer, unless you specifically indicate that it be included.

Litigation services are based on a rate of $195.00 per hour and also do not count against the retainer.
SCHOOL AND COLLEGE LEGAL SERVICES OF CALIFORNIA
FEE SCHEDULE

Effective July 1, 2012

Retainer Contract Clients

All Attorneys/Bargaining Specialist........ $185.00 per hour
Excess Hours over Retainer
Litigation
Mandated Services
Paralegal/Paraprofessional
Law Clerk

$195.00 per hour
$185.00 per hour
$100.00 per hour
$ 80.00 per hour

Billable Contract Clients

All Attorneys/Bargaining Specialist........ $205.00 per hour
Litigation
Paralegal/Paraprofessional
Law Clerk

$205.00 per hour
$100.00 per hour
$ 80.00 per hour

SELECTION OF RETAINER AMOUNT

Effective July 1, 2012

The MARIN COMMUNITY COLLEGE DISTRICT hereby selects the following annual retainer amount effective July 1, 2012: $______________ for _________ hours of service.

☐ I want mandated services charged against this amount.

☐ I do not want mandated services charged against this amount and instead want to be separately billed for such services.

The Retainer Contract is a commitment to use specified hours at the reduced hourly rate. Should District decide to terminate the Contract during the course of the year and seek a refund of unexpended hours/dollars, it is mutually agreed that the hours used to date of termination will be re-billed at the full Billable hourly rate ($205.00) and then any remaining dollars will be refunded to District.

A purchase order, check or warrant for this amount is enclosed or will be delivered to SCHOOL AND COLLEGE LEGAL SERVICES OF CALIFORNIA within 30 days of the date this agreement is signed by the District representative.

By: ________________________________
   Superintendent or Designee

Date: _______________________________
# MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

## BOARD AGENDA ITEM

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
<th>Date:</th>
<th>July 17, 2012</th>
</tr>
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<tbody>
<tr>
<td>From:</td>
<td>Superintendent/President</td>
<td>Item &amp; File No.</td>
<td>C.10.E.</td>
</tr>
<tr>
<td>Subject:</td>
<td>Authorization to Negotiate Contract with MetroPCS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reason for Board Consideration:</td>
<td>ACTION</td>
<td>Enclosure(s): Proposal</td>
<td></td>
</tr>
</tbody>
</table>

## BACKGROUND:
MetroPCS has approached the College with a proposal to lease a 10’ x 20’ area adjacent to AT&T’s equipment compound on the Indian Valley Campus located along a knoll between parking lot 1 and Ignacio Boulevard to install a cellular antenna and associated radio equipment. The advantages of installing this equipment are as follows:

- Improved cellular phone coverage
- Enhanced high-speed wireless service via cell phone and other wireless technologies on the Indian Valley Campus and surrounding areas
- Improved 911 emergency assistance via cell phone on campus and in the Ignacio Boulevard areas
- The equipment will not interfere with College technical infrastructure, but will enhance it.

The location was selected to provide the best coverage for both the College and Ignacio Boulevard. It is possible to install the equipment on the hill; however, the level of coverage for Ignacio Blvd. would be reduced.

MetroPCS proposes to pay $24,000 annually ($2,000/month), with rent escalations at 4% annually. The initial lease would be for five years with four additional five-year optional extension terms.

This proposal is similar to the agreement the District already has with AT&T Wireless.

## Fiscal Impact:
This recommendation will amount to approximately $130,000 additional revenue over the next five years. With the renewal of each contract, a similar revenue stream would continue over the following twenty years.

## RECOMMENDATION:
The Superintendent/President recommends that the Board of Trustees authorize staff to negotiate a contract with MetroPCS for the lease of space.
May 18, 2012

Al Harrison
College of Marin
835 College Avenue
Kentfield, California 94904

Re: Proposed MetroPCS Cell Site SF2033 College of Marin
1800 Ignacio Boulevard, Novato, California

Dear Mr. Harrison,

Thank you again for your interest in seeing a proposal from MetroPCS to lease space for a cell site on the College's Indian Valley Campus in Novato. MetroPCS is always seeking to improve the service it provides its subscribers, and has retained my firm to identify, lease, and permit additional sites in Northern California. We have determined that a site on the Indian Valley Campus would enable MetroPCS to enhance its network and relieve subscriber complaints about dropped calls.

Project Description: MetroPCS proposes to lease a 10' x 20' area adjacent to AT&T's equipment compound on the left side of Ignacio Boulevard, upon entering the campus. MetroPCS will also replace the existing light standard just past the break in the median where cars can enter Parking Lot 1. The facility is unmanned so after construction, access is limited to periodic maintenance visits. MetroPCS will procure, at its cost, all necessary permits and approvals, and will pay for all tenant improvements and utilities.

Basic Lease Terms: MetroPCS pays a competitive monthly rent for the limited space it utilizes, and has authorized me to offer the College $1,500 per month rent, or the equivalent of $7.50 per square foot for approximately 200 square feet of space. Because MetroPCS will invest hundreds of thousands of dollars in acquiring, permitting, and building this cell site, it requests an initial five-year term with the option to extend for four additional five-year terms.

MetroPCS is a publicly traded company (NYSE: PCS) and very well financed. Their business model is to offer affordable, quality phone service without the complexities of an annual contract or credit checks. Unlike larger, national carriers, MetroPCS offers unlimited minutes for a flat monthly fee of $40. These types of plans are especially attractive to students and others who are on a budget. To learn more about MetroPCS, please visit their web site: www.metropcs.com.

I mentioned during our meeting last Monday that the primary motivation for MetroPCS to vest in a new cell site in Indian Valley is subscriber complaints about dropped calls and calls that cannot be completed because of the rolling hills that surround the Campus and corresponding lack of coverage. Attached is a diagram showing the location of every dropped call during the one hour period between 11am and noon on Wednesday, May 16, 2012. As you can see, many calls being placed from the Campus or from the roads leading to and from the Campus were dropped. You can imagine how many frustrated subscribers are finding it difficult to make and hold calls during morning and afternoon commutes.

We would appreciate having our proposal considered at the next Board meeting on June 19. Please let me know if I can answer additional questions, or be of further service. We look forward to hearing from you.

Best regards,

Donald R. Wong Jr.

1356 Grove Street | San Francisco CA 94117 | T: 415.225.1000 | F: 415.723.7045 | E: donwongjr@gmail.com
The District has received a claim on behalf of Leyla van Soest. Keenan and Associates, our insurance administrator, recommends that the Board reject the claim.

The Superintendent/President recommends that the Board of Trustees reject the claim submitted on behalf of Leyla van Soest.
MARIN COMMUNITY COLLEGE DISTRICT  
Kentfield, CA 94904

BOARD AGENDA ITEM

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<tr>
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</tr>
<tr>
<td></td>
<td></td>
<td>C.10.G.</td>
</tr>
<tr>
<td>Subject:</td>
<td>Final Action on Superintendent/President's Recommendation re: Expulsion of Student – I.D. # M00215889</td>
<td></td>
</tr>
</tbody>
</table>

Reason for Board Consideration: ACTION

Enclosure(s):

BACKGROUND:

In the closed session preceding this meeting, the Board of Trustees reviewed materials and recommendations from staff related to a complaint against a student and related student disciplinary proceedings.

RECOMMENDATION:

The Superintendent/President recommends that the Board of Trustees expel Student I.D. # M00215889 for violation of the Standards of Conduct and conduct set forth in the Amended Statement of Charges dated May 29, 2012.

Administrator Initiating Item

David Wain Coon, Ed.D, Superintendent/President
A. Open Session
   1. Call to Order, Roll Call and Adoption of Agenda
      The Board of Trustees of the Marin Community College District met in Building 27, Rooms 116 & 118, at the Indian Valley Campus located in Novato, California, all members having received notice as prescribed by law. Board President Conti called the meeting to order at 4:08 p.m. Trustees Conti, Dolan, O’Brien and Treanor were present. Also present were Dr. David Wain Coon, Mr. Al Harrison and Ms. Nancy Klein, School & College Legal Services. M/s (O’Brien/Treanor) to adopt the agenda. Motion carried by unanimous vote 4-0.

   2. Public Comment – Closed Session Agenda
      There was no public comment on the closed session agenda.

   3. Recess to Closed Session: The Board recessed to closed session at 4:09 p.m.

B. Closed Session
   The Board met in closed session at 4:15 p.m. in Building 27, Room 122, on the Indian Valley Campus. Trustees Conti, Long, Dolan, O’Brien, Kranenburg and Treanor were present. Trustee Namnath arrived at 4:20 p.m. Dr. Coon, Mr. Harrison, and Ms. Klein were also present.

C. Reconvene to Open Session
   1. Call to Order, Roll Call and Adoption of Agenda
      Board President Conti called the open session of the meeting of the Board of Trustees of the Marin Community College District to order at 6:40 p.m. in Building 27, Rooms 116 & 118 at the Indian Valley Campus and asked the Clerk to call roll. All publicly elected officials were present. Student Trustee Scott Blood, Dr. David Wain Coon, Mr. Al Harrison and Ms. Angelina Duarte were also present. Ms. Linda Beam arrived at 6:57 p.m.

      Dr. Coon proposed the following changes to the agenda:
      Move Item 10.A. Resolution to Name College of Marin Performing Arts Theater and Item 13.B. Legislative Report to after item 4, Chief Executive Officer’s Report. Dr. Coon also noted that there were two handouts; page 2 of the change order for item C.10.I.2, which was not included in the Board packet and Revised action item C.10.H. President Conti announced that the Board would go back into closed session following the open session.

      M/S (Long/O’Brien) to approve the agenda as amended. The motion passed 7-0 plus an
advisory aye vote by Student Trustee Blood.

Dr. Coon administered the Oath of Office to newly elected Student Trustee, Scott Blood.

2. Report from Closed Session
Clerk Namnath reported that the closed session recessed at 6:33 p.m., that there was no action taken, and that the Board would be reconvening after this public session.

3. Public Comment
A. Comments regarding items not on the Agenda: None
B. Comments regarding items on the Agenda - to be heard immediately before the Board of Trustees’ consideration of the item

4. Chief Executive Officer’s Report
A. 2012-2013 Tentative Budget Presentation
Mr. Harrison reported that the Tentative Budget for 2012-13 is a holding budget to allow the College to continue business starting July 1. He further stated that the final budget will require more work and that there would be a series of discussions taking place before the Adoption Budget comes before the Board in August.

B. Accreditation
Dr. Coon reported that he would be sharing a number of plans with the Board, which have emerged through this process, that draft language has been prepared for most of the recommendations relative to the progress report and that he would be working on this in the next couple of weeks as we plan for the summer.

Dr. Coon and Mr. Harrison answered questions from the Board related to budget planning, a budget calendar, enrollment figures, specific funds, unfunded liability options and Measure C bond financing. Dr. Coon requested the assistance of two members of the Board to work with him and Mr. Harrison on fund investment strategies and options. Trustees Kranenburg and Long volunteered. Trustees requested they be updated on enrollment changes.

10.A. Resolution to Name College of Marin Performing Arts Theater
Clerk Namnath read the Resolution aloud. M/s (Namnath/Treasor) to approve the Commendation Resolution 6/19/2012 C.10.A. to Name the College of Marin Performing Arts Theater, The James Dunn Theater. Motion carried by unanimous roll call vote 7-0 plus and advisory aye vote by Student Trustee Blood. James Dunn spoke of his history with the College of Marin, shared his appreciation of what we do and why we do it and expressed his thanks for the honor. Trustees expressed their appreciation to Mr. Dunn.

13.B. Legislative Report
Trustee O’Brien introduced Kerry Mazzoni who reported on the State budget and the status of legislative bills. She will keep Trustee O’Brien updated on the progress and changes with trailer bills and their affect on the Budget. She referred Board members to
her handout on legislative bills (attached to these minutes) and briefly discussed three bills not listed on the handout; SB 721 on Post Secondary Goals, AB 1826 related to Full Time Instructors and overtime, and SB 1402 related to the Workforce Development Program. Dr. Coon requested more information on AB 1826, which Ms. Mazzoni will provide to Trustee O'Brien. Ms. Mazzoni encouraged the members of the Board to inform Trustee O'Brien about bills that they are interested in having included in upcoming reports. She also encouraged the Board to discuss the types of partnerships they might want with local groups and agencies that would benefit all parties. She noted that a meeting is being planned with Marin County Superintendent of Schools, Mary Jane Burke, and that she has also been in contact with Fireman's Fund. Trustees commented that it was important that we stay informed about discussions related to cuts in funding for Child Care, Matriculation and DSPS as these are areas where we are vulnerable. Tax initiatives have far-reaching effects for the College in terms of our future budget and it will trickle down to us in some way. Pension Reform may also play a role. Ms. Mazzoni will forward an article about people under age 30 leaving California to Trustee O'Brien for distribution to the Board as was requested.

5. **Academic Senate Report**
   Sara McKinnon expressed her happiness about naming the theater in honor of James Dunn. She updated the Board on curriculum changes included in the Board packet and answered questions from the Board members. There was a comment that this type of report was a critical piece of evidence and shows our commitment to student success. A copy of the report is attached to the minutes.

6. **Classified Senate Report**
   Alice Dieli gave a report to the Board (attached to the minutes).

7. **Student Association Report**
   Student Trustee Blood reported they would be transitioning the newly elected Associated Student Board, which now includes three students from the Indian Valley Campus, and will allow more effective student representation from both campuses. He looks forward to an exciting year of service to the students.

8. **Board Study Session**
   A. **Concerns and Issues with College of Marin Foundation**
      **Public Comment by Jack Wilkinson**
      Mr. Wilkinson informed the Board that the Foundation sent a letter to Dr. Coon earlier in the day in response to some of the College's questions and that they will answer pending the outcome of the internal investigation of Foundation records by KPMG. The Foundation is reviewing their records and have requested the College's assistance in providing records the College may have in relation to funds that may have gone to the Foundation. A copy of KPMG's report will be provided to the College in the interest of transparency. He further noted that the goal of the Foundation and the College is to help students get an education and that the job of the Foundation is to distribute funds to help students cover their education expenses. He clarified that the Foundation is a
charitable trust and that any money they receive must be used in the manner that it was given, under the dictates of who gave the money. He commented on the successful student awards ceremony and that he hoped we could continue working together to achieve the goal of education.

President Coon gave a PowerPoint presentation to clarify where the College stands with the issues and concerns that have been raised relative to the relationship with the College of Marin and the College of Marin Foundation. A copy of the presentation is attached to the minutes. Dr. Coon clarified, as Mr. Wilkinson had mentioned, that he did receive a communication from Joan Bennett this afternoon, responding to his electronic communication of June 7 and his written communication of June 12, and that the letter had not been fully vetted at this point, but would be within the coming days. He stated that he was hopeful that through our annual audit, we would gain further clarification on the issues that have been raised and resolve the concerns. Dr. Coon responded to questions from Board members about the college audit, the KPMG audit and the start date of the Foundation.

9. Consent Calendar Items (Roll Call Vote)
M/S (Treasor/Long) to approve consent calendar items. Motion carried by roll call vote of 6-1, with Trustee Dolan voting no. Student Trustee Blood cast an advisory aye vote.

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

B. Approve Classified Management Personnel Recommendations
   1. Interim Appointment of Classified Management Personnel

C. Approve Short-Term Hourly Positions

D. Approve Academic Personnel Recommendations
   1. Appointment of Academic Personnel
   2. Academic Request for Increased Assignment
   3. Phased-in-Early Retirement of Academic Personnel
   4. Academic Request for Reduced Load

E. Budget Transfers – Month of May - FY 2011/12

F. Warrant Approval

G. Approve Credit Course Revisions

H. Approve Credit Course Deletions

I. Approve New Credit Courses

J. Approve Revisions to A.A. Degrees
K. Approve New A.S. Degrees and Certificates of Achievement
L. Approve Deleted A.S. Degrees and Certificates of Achievement
M. Approve Revisions to A.S. Degree and Certificates of Achievement
N. Approve Deactivation of A.S. Degrees
O. Second Reading and Approval of Revised Board Policies
   ▪ BP 7400 Travel
P. Modernization (Measure C)
   1. Ratify/Approve Modernization Contracts, Changes and Amendments ($581,584.50)
   2. Approve Annual Renewal of Reprographic Contract
      ARC (formerly Ford Graphics) ($80,000.00)
   3. Approve Annual Renewal Contract – Modernization Legal Counsel
      Bond Program Legal Services—District Legal Counsel (831A)
      Dannis Woliver & Kelley ($325,000)
   4. Approve Subcontractor Substitution Request (landscape work)
      Science Math Central Plant Complex Increment 2 & 3 Site Development & Building
      Project (305A)
      Lathrop Construction Associates, Inc. ($0) (landscape)

10. Other Action Items (10 minutes)
A. Resolution to Name College of Marin Performing Arts Theater (This item was approved
   by Roll Call Vote earlier in meeting)

   M/s (Treonor/O’Brien) to approve Resolution 6/19/2012 C.10.B. Trustee Namnath
   motioned to merge items 10.B. and 10.C. for roll call vote. The makers of the motion
   agreed with the change. Motion carried by unanimous roll call vote 7-0 plus an advisory
   aye vote by Student Trustee Blood.

B. Resolution of Authorization to Sign on Behalf of Board of Trustees

C. Resolution to Authorize Temporary Transfer of Funds from County of Marin

D. Approve 2012-2013 Tentative Budget
   M/s (Treonor/Kranenburg) to approve 2012-2013 Tentative Budget. Motion carried by
   unanimous vote of 7-0 plus an advisory aye vote by Student Trustee Blood.

E. Approve Barnes & Noble Agreement
   M/s (Treonor/Long) to approve Barnes & Noble Agreement. Mr. Harrison answered
   questions from Board members about the contract negotiations and process. There was
   discussion about looking into alternative book options, including on-line books and
   instructor-created textbooks. President Coon will engage the faculty in a discussion
   about instructor created books. Motion carried by unanimous vote of 7-0 plus an
   advisory aye vote by Student Trustee Blood.
F. Approve Agreement for Training with San Francisco Public Health dba San Francisco General Hospital
M/s (Treanor/Long) to approve the agreement with San Francisco Public Health dba San Francisco General Hospital. There was clarifying discussion about the contract. Motion carried 6-1 with Trustee Dolan voting no, plus an advisory aye vote from Student Trustee Blood.

G. Approve Agreement with Town of Fairfax, Dispatch Services
M/s (Treanor/O’Brien) to approve agreement with Town of Fairfax for Dispatch Services. There was clarifying discussion about the purpose and the need for the agreement. Motion carried 7-0 plus an advisory aye vote from Student Trustee Blood.

H. Approve Purchase Order for Print of 2012/2013 Community Education Schedules
M/s (O’Brien/Treanor) to approve Purchase Order for Print of 2012/2013 Community Education Schedule as revised to reflect Westminster Press. Motion carried 7-0 plus an advisory aye vote by Student Trustee Blood.

I. Modernization (Measure C)
Trustee Namnath made a motion to merge items C. I. 1 – 6. Trustee Treanor requested the Director of Modernization respond to questions prior to merging those items. Director McCarty responded to questions from Board members about several projects, the Director’s report and procedures on Public Contract Code. There was a request made that the Board receive detailed reports on projects, especially when there is a known problem. There was a concern that until the Board has a chance to review the more detailed report on the Austin Science Center, which will be provided at the next meeting, that it seemed appropriate to pull item C.10.1.5. and bring it back for approval at the next meeting when the Board has had a chance to review the information.
M/s (Treanor/Long) to merge and approve Modernization Items C.10.1.1 through C.10.1.4 and C.10.1.6. Motion carried by roll call vote of 6-1, with Trustee Dolan voting no and Student Trustee Blood casting an advisory aye vote.

1. Approve Change Order #3 and Resolution 06/19/12 C.10.1.1. Attesting No Benefit to Bidding out Change Order Work ($17,800.00)
   International Commercial Awnings, Inc.
   FA Klin & Foundry Awning Project (306C)

2. Approve Change Order #11 and Resolution 06/19/10.1.2. Attesting No Benefit to Bidding out Change Order Work ($149,986.00)
   Midstate Construction Corporation, Inc.
   Performing Arts Modernization Project (306A)

3. Approve Amendment #1 for Additional Legal Services for Fiscal Year Ending 6/30/2012
   Dannis Wolliver & Kelley
   District Legal Counsel (831A) ($135,000)

4. Approve New Professional Services Agreement for DSA Inspection Services
   Performing Arts Modernization Project (305A)
   Ballard & Wilkins ($86,940.00)

5. Approve New Professional Services Agreement for Design Services
   Austin Science Center Alterations (structural) Project (301B)
   Noll & Tam Architects and Planners ($613,964.00) (This item was pulled)
6. Approve Swinerton Contract Extension and Additional Services

11. Board Policy Review (1st Reading)
President Conti referred the Board to their packet to review the policies.
- BP 3710 Securing of Copyright
- BP 5010 Admissions and Concurrent Enrollment

12. Future Agenda Items
President Conti referred the Board to their packet to review Future Agenda Items
A. Review Mission Statement/Strategic Planning
B. Pension Reform
C. Distance Education
D. WASC Interim Report

13. Board Reports and/or Requests
A. Committee Chair Reports
Trustee O’Brien reported that the Superintendent/President Evaluation Committee has met and developed the evaluation document for Dr. Coon and will be continuing with that work following this meeting and the next meeting.
B. Legislative Report – Trustee O’Brien (This item was moved to earlier in the meeting.)
C. Individual Reports/or Requests

14. Approval of Minutes
- M/s (Treasor/O’Brien) to approve the minutes of the May 15, 2012 Board Meeting.
  Motion carried 7-0.
- Board acknowledged receipt of the meeting notes of the May 18, 2012 President’s Self Evaluation Committee meeting.
- M/s (Treasor/O’Brien) to approve the minutes of the May 18, 2012 Board Retreat.
  Motion carried with 6-0-1 with Trustee Namnath abstaining.
- M/s (Treasor/O’Brien) to approve the minutes of the June 2, 2012 Special Board Meeting.
  Trustees Long requested that the following statement be added to the minutes:
  
  I left the June 2, 2012 meeting because I did not receive a satisfactory answer on whether we were violating the Brown Act. I take Brown act violations very seriously, and will not participate in any meeting where I believe that may be the case. There are a host of civil actions the College could be liable for violating the Brown act, as well as personal criminal actions against Board members.
  For those reasons, I felt I had no choice but to leave the meeting early. It had nothing to do with grandstanding.

President Conti noted that the comments would be included in the minutes of this meeting as they were not said at the June 2 meeting. Motion carried 4-2-1, with Trustees Dolan and Long voting no and Trustee Namnath abstaining.
15. Information Items (see written reports)
   A. Contracts and Agreements for Services – May 2012
   B. Modernization Update
      1. Director’s Report
      3. Program Schedule

C. Revised Administrative Procedures
   - AP 3710 Securing of Copyright
   - AP 3750 Use of Copyrighted Material
   - AP 4101 Independent Study
   - AP 4102 Career/Technical Programs
   - AP 4105 Distance Education
   - AP 4228 Course Repetition – Significant Lapse of Time
   - AP 4231 Grade Changes
   - AP 5013 Students in the Military
   - AP 5610 Voter Registration
   - AP 7381 Health and Welfare Benefits
   - AP 7400 Travel
   - AP 7500 Volunteers

D. Calendar of Special Events
   - Dental Assisting Graduation, June 21, 2012, 6:30 p.m., Building 27, Indian Valley Campus

16. Correspondence

17. Board Meeting Evaluation

18. Adjournment
   M/s (Long/Kranenburg) to recess to closed session to continue the discussion of the Superintendent/President’s evaluation after a 10-minute break. Motion carried by unanimous vote of 7-0, plus and advisory aye vote by Student Trustee Blood.

   The Board recessed to closed session at 9:06 p.m.

   The Board reconvened to Open session at 9:25 p.m. and reported that there was no action taken in closed session.

   Meeting was adjourned at 9:29 p.m.
To: Stephanie Obrien  
Fr: Kerry Mazzoni  
Re: Legislative Update  
Date: June 12, 2012

The state budget is due from the legislature to the governor by midnight, June 15. At this point an on-time budget is expected but as has been the case in the past, unless agreement by the governor and the legislature is made on a number of budget cutting issues, the budget may be delayed. The most contentious issue is the safety-net for low-income families. Those negotiations are on-going but as of the writing of this report the legislature plans on rejecting the governor’s cost savings proposals in those areas. Senator Darryl Steinberg, President Pro Tempore of the Senate has indicated that the legislature may send the governor an “on-time” budget and let him “blue-pencil” items in order to meet his cost savings goals.

July 6 is the policy committee deadline for bills to be reported to the respective fiscal committees or the respective house floors. The fiscal committee deadline is August 17. Once the fiscal deadline occurs, the legislature will spend the remainder of the legislative session on the floor of their respective houses taking up bills. The legislative session concludes at midnight on August 31 at which time the governor will have 30 days to sign bills. The legislature goes on summer recess on July 6 and returns on August 6.

Following is an update on the bills of interest:

AB 1500 (Perez)—This bill establishes the Middle Class Scholarship Fund and directs how the revenues will be derived. It is designed to work with AB 1501 (Perez).  
http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1451-1500/ab_1500_bill_20120525_amended_asm_v96.pdf

AB 1501 (Perez)—This bill is the companion bill to AB 1500 and establishes the Middle Class Scholarship Fund under the administration of the Student Aid Commission. Beginning with the 2012-13 academic year the bill would appropriate $150,000,000 from the fund to the Chancellor of the California Community Colleges for allocation to community college districts. The allocation would be based on calculations of full-time equivalent students and be for the purpose of scholarship grants to students to reduce the impact of enrollment fees or to help cover the cost of textbooks and other educational expenses. The bill would only become operative if AB 1500 is chaptered and would take effect immediately.  
AB 1741 (Fong)—This bill establishes the California Community Colleges Student Success and Support Program Act of 2012 and provides for counseling and instructional infrastructure to ensure that students have access to support services and in turn increase their likelihood of success. It requires the Board of Governors to develop a yearly plan for supporting the goals of the act and to complement the Seymour-Campbell Student Success Act of 2012 (SB 1456 below). The goals are to increase the ratio of counselors to students, increase funding for categorical programs that provide student support services, increase the percentage of hours of credit instruction that are taught by full-time instructors, and expand part-time faculty office hours.

SB 1052 (Steinberg)—This bill by the President Pro Tempore of the Senate establishes the California Open Education Resources Council under the administration of the Inter-segmental Committee of the Academic Senates of the University of California, the California State University, and the California Community Colleges. The council would determine a list of the 50 most widely taken lower division courses and review and approve developed open source materials. It would also promote strategies for production, access and use of open source textbooks to be placed on reserve at campus libraries. The bill would require the council to establish a competitive RFP process in 2013 in which faculty, publishers and other interested parties would apply for funds to produce 50 high-quality, affordable, digital open source textbooks and related materials. The bill would only become operative if funds are provided through state, federal or private funds or a combination of.

SB 1070 (Steinberg)—This bill establishes the Career Technical Education Pathways Program with a sunset of June 30, 2018. It requires the Chancellor of the California Community Colleges and the Superintendent of Public Instruction to assist with competitive grants and contracts to be let to economic and workforce regional development centers and consortia, community colleges, middle schools, high schools and regional occupational centers and programs to improve linkages and career technical education pathways between high schools and community colleges. The bill also would require an outcome-based evaluation.

SB 1280 (Pavley)—This bill would allow bid evaluation and selection for contracts for goods, materials or services to be determined by “best value” for the University of California or California Community Colleges. “Best value” would be determined by objective performance criteria that may include price, features, long-term functionality, life-cycle costs, overall sustainability and required
services. The bill would sunset on January 1, 2018 and would require a report to the legislature by the Legislative Analyst.

SB 1456 (Lowenthal)—This bill establishes the Seymour-Campbell Student Success Act of 2012 and would require that a student qualifying for a fee waiver meet academic and progress standards determined by the Board of Governors with the purpose of increasing community college access and success by providing core matriculation services of orientation, assessment and placement, counseling and education planning and academic interventions. The act would be operational only if funds are appropriated for its purposes.
The College of Marin faculty, the Office of Instructional Management, and the Curriculum Committee have been extremely busy over the last few months as evidenced by your board packet. You have probably noticed numerous revisions, deletions and additions to courses, degrees and certificates.

The major thrust of this effort addresses two requirements on updating curricula:

**Title 5: §55003.** The course requisites are reviewed every two (vocational) or six years (all other courses).

**WASC: Standard IIA.1.c.** The Institution identifies student learning outcomes for courses, programs, certificates and degrees; assesses student achievement of those outcomes; and uses assessment results to make improvements.

The faculty has been working to update courses that were in some cases as old as 1988. Courses outlines this old could put articulation of student work in jeopardy. You have been receiving outlines monthly for a couple of years. This semester it came to a head. After being put on warning, I told the faculty that some had asked what they could do to help get us off warning and I said that making sure that our curricula was up to date would be something we could all do. And do – we have!

The Office of Instructional Management started keeping a file that they could put into your board packet in one fell swoop! This is why you are seeing so many. The faculty has stepped up since February and has updated close to 350 outlines. There are more in progress. All but 13 course outlines have SLOs now. Disciplines spent time together discussing their curriculum and their degrees and certificates. Those that students were not really getting were deleted. Those disciplines that had several degrees mostly combined them into one degree while keeping the shorter certificates. What has resulted is a tighter curriculum. We will be starting to create "student pathways" in the fall to map out degrees and certificates. Having an updated curriculum will make this much easier. In addition, the General Education Committee has revised the Statement of Philosophy for the GE Program and the list of classes has been reformatted. I'll bring this to you in July.

The other driving force for this effort has been the WASC requirements for SLOs in all degrees, certificates and courses and the assessment of such. As faculty realized the enormity of this task, the idea of streamlining offerings became quite attractive.

A couple of notes: The communications department consists of Speech, Journalism and Film. The film courses had always been listed under "communications". You will note a number of Communications courses have been deleted, but you will find them again in the "new courses" section as FILM instead of COMM. In Biology – they have pulled some courses from the Biology heading to "Environmental Sciences" ENVS. In the same way, these have been deleted and then added under the new heading.
SLOs at the Proficiency Level from the ACCJC Rubric for Evaluating Institutional Effectiveness – Part III: Student Learning Outcomes

- Student learning outcomes and authentic assessments are in place for courses, programs, support services, certificates and degrees.

As of June 19th, 2012, our courses, degrees and certificates are here. I’m tracking down the last 13 courses and should have this to 100% on the courses soon. In addition, we have SLOs for the support service areas and for the Library. Authentic assessments are in place and are being implemented.

<table>
<thead>
<tr>
<th>Percentage of Courses that have Expected Student Learning Outcomes</th>
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</thead>
<tbody>
<tr>
<td><strong>Total Courses</strong></td>
</tr>
<tr>
<td>1,197</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Percentage of Degrees and Certificates that have Student Learning Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Degree</strong></td>
</tr>
<tr>
<td>90</td>
</tr>
</tbody>
</table>

- There is widespread institutional dialogue about the results of assessment and identification of gaps.

The primary institutional dialog over the last year has concerned the gaps of underprepared incoming students and gaps in student achievement in the Math and English sequences. Various strategies are being proposed to address this and with the rebirth of the Student Access and Success Committee in May, we hope to be able to be more intentional in this starting Fall 2012.

- Decision-making includes dialogue on the results of assessment and is purposefully directed toward aligning institution-wide practices to support and improve student learning.

If one counts final grades and retention as part of “assessment”, the college has been able to achieve this on a broader scale since the development of the data dashboard last fall. At the same time, assessment is also being done at a department/discipline level. It has also been done by analyzing data across program reviews from all programs. As we develop more data from the assessment results being gathered now and from the data dashboard, this will become more prevalent.
• Appropriate resources continue to be allocated and fine-tuned.

As PRAC vets the many requests for resources, one of the most important justifications made concerns how it will affect student learning and access. This is an integral part of the program review process and has been fine-tuned (and continues to be) over the last five years.

• Comprehensive assessment reports exist and are completed and updated on a regular basis.

The Student Learning Outcomes Assessment Council (SLOAC) created the rubrics which I passed out at your last meeting. These rubrics are being used and results entered into Chialin’s tracking tool. These results will be aggregated to show college-wide achievement of college-wide/GE outcomes.

• Course student learning outcomes are aligned with degree student learning outcomes.

The is fulfilled with the matrices which map the college-wide/GE SLOs with degree/certificate SLOs and with course level SLOs

• Students demonstrate awareness of goals and purposes of courses and programs in which they are enrolled.

Faculty have been requested to include the COR SLOs on the syllabus for each class. Most do, but some feel that this is an infringement of their Academic Freedom. This summer I will be working with Dong Nguyen and OIM to create a report for each course from the database that includes the course description and its SLOs. This will be made available through a link on the student drop-down menu of the College’s website.
Good Evening.

Along with the beginning of the summer season is the start of our summer session. The class load may be smaller, but as you all know, we are involved in accreditation work, as well as preparing for the next academic year.

To extend the breadth of our representation, the Senate presented a proposal to our constituency to increase the number of Senators from 10 to 12. This was approved and a call for nominations was held which resulted in exactly the number of volunteers necessary for a full slate of senators. We are happy to have our 12 senators in place to represent the voice of Classified Professionals in various College governance and decision-making groups. We are busy with new tasks and our leadership positions will be assigned in September.

The impact of our representation was illustrated during the annual College luncheon in May, where in addition to our awards for individuals; a department, PE; and our exceptional service award, which went to Sara McKinnon; we recognized 71 Classified Professionals for formally volunteering in various Participatory Governance roles during the past academic year. As we collected that information, we realized that 38 percent of our Classified Professionals made the commitment last year to serve in an ongoing capacity, above and beyond their position responsibilities.

We express appreciation to the President and administration for their support and sponsorship along with the leadership of the CSEA and SEIU in celebration of Classified Employees Appreciation week, at the BBQ held on June 4. In the midst of an extremely busy and demanding semester, it was nice to take a few minutes to share the company of our colleagues across both campuses.

We saw some of you at the Retirement Ceremony, where we bid farewell to six of those hard-working professionals along with 10 faculty members. They left us a legacy of service which we look forward to continuing.

Respectfully submitted,

Alice L. Dieli

Classified Senate Vice President
Background

• The College of Marin Foundation was incorporated as a non-profit corporation in July 1964 and obtained its tax exempt status under IRC Section 501(c)(3).

• The Foundation amended its Articles of Incorporation to change its name from College of Marin Foundation to Marin Community College Foundation in October 1988.

• The relationship between the District and the Foundation has been maintained through various Memorandums of Understanding throughout the years.

• The COM President and the President of the Board of Trustees serve as ex-officio, non-voting members of the Board.
Memorandum of Understanding

- Last MOU signed in December 2005
- Mission of the Foundation
- Purpose of the Foundation
- In consideration for the efforts of the Foundation, District to provide support to the Foundation by providing – office space, telephone, printing, duplicating, mailing, postage services, and joint publications.
- On an annual basis, the Board of Trustees will establish priorities and initiatives for funding. Superintendent/President will communicate those priorities at an annual joint meeting of the Foundation and District.
- Agreement may be terminated by either party with 90 days written notice
COM Funds Held by Foundation

Records indicate that Foundation currently manages approximately $1.8 million on behalf of District.

Funds Transferred

- 9 Accounts Totaling $292,557.38 as of February 2012
- 3-5% annual administrative fee
Program Funds

- Foundation has served as a fiscal custodian on behalf of District in maintaining 91 program accounts totaling approximately $491,014.04 as of December 2011
- Funds raised by COM faculty, staff, students
- Includes grants from organizations like MCF, 10,000 Degrees and Marin General Hospital
- 5% one-time administrative fee
Endowment Funds

- Two endowments were created for the sole purpose of supporting specific COM programs:
  Hal & Joy Mays Fund for Nursing - $79,818.55 as of December 2011
  R. A. Brown Fund for Journalism - $988,494.40 as of December 2011
- 3-5% annual administrative fee
## Foundation Assets

<table>
<thead>
<tr>
<th></th>
<th>FYE 2009</th>
<th>FYE 2010</th>
<th>FYE 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash &amp; Investments</td>
<td>$2,970,695</td>
<td>$3,915,730</td>
<td>$4,583,821</td>
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<tr>
<td>Net Assets (Net of Liabilities)</td>
<td>$2,891,848</td>
<td>$3,862,317</td>
<td>$4,508,784</td>
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<tr>
<td>Total Contributions</td>
<td>$749,162</td>
<td>$1,247,072</td>
<td>$642,412</td>
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</table>
DWC’s Annual Goals & Objectives

Goal #3 - Further position College of Marin for long-term sustainability and success (*WASC Standard III - Resources*)

Expected outcome: Long term fiscal stability, adequate reserves, effective and efficient operations of the District.

Key Performance Indicators:
Development of a comprehensive plan of action to support the generation of alternative sources of fund development.
- Complete feasibility study pertaining to internal advancement operation (alumni, grants, planned giving, major gifts, etc.) by March 2012
- Develop organizational structure for internal advancement operation by January 2012
Introduction of Advancement Office

- August 10, 2011, Memo to Ann Hill and Diana Conti

- August 18, 2011, Breakfast meeting – Hill, Elliott, Conti and Coon

- September 1, 2011, Board of Trustees Fund Development Committee – Dr. Coon introduces Advancement Office concept
Advancement Office (Continued)

- September 8, 2011, Foundation Meeting – Dr. Coon discusses Advancement Office concept

- Until this time, no opposition had been expressed.

- Attorney Eric Sternberger, Ragghianti Freitas LLP, was present at the meeting.

- Following presentation, Dr. Coon and President Conti were asked to leave so the Foundation Board could convene in closed session with legal counsel.
Issues/Concerns

• Foundation Directors expressed concern to Board President Conti.

• President Conti requested clarification from Foundation on multiple occasions concerning: 1) specific concerns about Dr. Coon, 2) the basis for those concerns, 3) specific concerns about the fiscal management of COM.

• No response received.
Foundation Transitions

• Over a 6-8 month period of time beginning in June 2011, six Foundation Directors resigned – Agoustari, Kertzman, Johnson, Gorton, Lopez, and Cohon.

• Margaret Elliott resigns as Foundation Executive Director effective February 23, 2012, after nearly 20 years of service to the Foundation and College.

• David Eastis is appointed Foundation Executive Director effective February 27, 2012.

• David Eastis is terminated effective April 30, 2012.
Foundation Transitions (Continued)

- Subsequent to Mr. Eastis being terminated, Superintendent/President Coon was copied on a letter from the law offices of Mayor Joseph Alioto & Angela Alioto.

- Ms. Alioto, who is representing Mr. Eastis, asserted he has a claim against the Foundation for fraud/misrepresentation, wrongful termination, wrongful retaliation, discrimination, breach of contract, detrimental reliance on a promise, and intentional infliction of emotional distress.
Allegations of Mismanagement and Misuse of Funds
Dan Shiner, Foundation Bookkeeper

• Blank checks removed from Foundation Office, checks written without back-up documentation totaling $30,000.

• More blank checks removed from the Foundation Office.

• Eight (8) withdrawals totaling approximately $20,000 for payroll without providing information to bookkeeper to account for withdrawals.
Allegations (Continued)

- Documents required to prepare tax reports withheld from bookkeeper.
- Other irregular financial practices included a cash withdrawal in the sum of $7,500 without proper authorizing documentation.
- Foundation’s expenditures far exceeded Foundation’s budget.
- Restricted funds have been expended for inappropriate, unrestricted expenses.
- Foundation made considerable payments without authorizing documentation to a party who has a business relationship with a Foundation director.
May 15, 2012 Board Meeting

- Board took action in Closed Session (and subsequently reported in open session) to direct the Superintendent/President to seek return of District Funds that are managed by the Foundation and to commence with the annual audit of the Foundation.
- It was later determined the agenda contained a clerical error in the reference to the Government Code.
- The Academic Senate presented a resolution supported by the Classified and Student Senates expressing concern about the current management of the Foundation and encouraged action on the part of Dr. Coon and the Board. The Student Trustee also read a letter he wrote to the Foundation expressing his concerns.
June 2, 2012 Special Board Meeting

• In the first Closed Session the Board determined, based on two legal opinions, that there were existing facts and circumstances presenting significant exposure to litigation against the District.

• The Board then met in Closed Session with legal counsel regarding exposure to litigation against the District and initiation of litigation by the District. No action was taken.
June 2, 2012 (Continued)

- Two actions were taken in open session:

1. Due to a clerical error in the agenda for May 15, 2012, the Board of Trustees voted to rescind the action taken in Closed Session on that date.

2. In recognition of the long-standing partnership with the Foundation and to try to resolve concerns with the Foundation and the return of District funds without litigation, the Board of Trustees took action to: 1) direct the Superintendent/President to send a letter to the Foundation to return the District funds that have been entrusted to the Foundation for management purposes only and to include in the communication minutes of Board of Trustees’ meetings directing the transfer of funds, and 2) direct the District’s auditors to commence the annual audit of the Foundation.
June 7, 2012 Letter to Foundation

- Letter sent to Joan Bennett, Foundation President, with instructions to return/secure District funds. The letter also confirmed the commencement of annual audit.
Audit

• Foundation Bylaws Article 18 provides that the Foundation will annually participate in an audit in conjunction with the District.

• Foundation has been treated as a component unit in the District’s annual audit since 2003 pursuant to GASB No. 39.

• This year’s audit was initiated by Mr. Jeff Jensen, Crowe Horwath LLP through a June 4, 2012 communication to the Foundation.
Audit (Continued)

- June 14, 2012 communication from Foundation president indicated the Foundation would not provide the records requested until the conclusion of the KPMG investigation and audit.
- District requested clarification on scope of KPMG audit and the requested records be provided to Crowe Horwath.
- No response has been received to District’s request for return of funds.
MARIN COMMUNITY COLLEGE DISTRICT
Kentfield, CA 94904

BOARD AGENDA ITEM

To: Board of Trustees
From: Superintendent/President
Subject: Contracts and Agreement for Services for Month of June 2012

Reason for Board Consideration:

INFORMATION

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>
<th>Vendor/Description</th>
<th>Department</th>
<th>Amount</th>
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<tbody>
<tr>
<td><strong>GENERAL FUND</strong></td>
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<tr>
<td><strong>Unrestricted</strong></td>
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<td></td>
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<tr>
<td>P0214904</td>
<td>School &amp; College Legal Services Of California</td>
<td>District Wide</td>
<td>$13,231.15</td>
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<td></td>
<td>Legal services for the College.</td>
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<td>P0214932</td>
<td>WK Mclellan Company</td>
<td>Grounds</td>
<td>$4,750.00</td>
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<td></td>
<td>Surface patching services for multiple areas of the College.</td>
<td></td>
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<tr>
<td>P0214940</td>
<td>Allen Heating &amp; Sheet Metal</td>
<td>Maintenance</td>
<td>$7,070.00</td>
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<td>Maintenance services for removal and replacement of heat pump.</td>
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<tr>
<td>P0214958</td>
<td>Midnight Sun Car &amp; Van Rental</td>
<td>Life and Earth Sciences</td>
<td>$5,418.52</td>
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<td></td>
<td>Rental services for two vans for 16 days for Biology 247B Alaska field trip.</td>
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<td></td>
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<td>P0214961</td>
<td>Casey Printing</td>
<td>Community Relations</td>
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<td>Printing services for the Indian Valley Campus Fall 2012 class bi-fold mailer.</td>
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<td></td>
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<td>P0214965</td>
<td>Standard Tel Networks, LLC</td>
<td>Information Technology</td>
<td>$3,628.00</td>
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<td></td>
<td>Annual maintenance services for the phones.</td>
<td></td>
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<tr>
<td><strong>Restricted</strong></td>
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<td></td>
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<tr>
<td>P0214882</td>
<td>Essanay Film &amp; Television</td>
<td>President’s Office</td>
<td>$5,000.00</td>
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<td>Production services for the President’s Circle video.</td>
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<td>P0214883</td>
<td>Embassy Suites</td>
<td>President’s Office</td>
<td>$6,025.93</td>
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<td>Building rental services for the President’s Circle breakfast May 2012.</td>
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<td>P0214912</td>
<td>On Course</td>
<td>Learning Resources Center</td>
<td>$2,985.00</td>
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<td></td>
<td>Training-workshop service for three associates of the College.</td>
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<tr>
<td>P0214953</td>
<td>Hutton Sherer Marketing Advertising Design</td>
<td>Career Education</td>
<td>$2,750.00</td>
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<td>Video production services for the IVC Organic Farm and Garden.</td>
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<td>Hutton Sherer Marketing Advertising Design</td>
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<td>Production services for the IVC Organic Farm and Garden.</td>
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<tr>
<td><strong>MEASURE C</strong></td>
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<tr>
<td>P0214890</td>
<td>Standard Tel Networks, LLC</td>
<td>Measure C</td>
<td>$18,562.00</td>
</tr>
<tr>
<td></td>
<td>Installation services for the Emergency 911 phone system.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P0214920</td>
<td>College Net</td>
<td>Measure C</td>
<td>$5,000.00</td>
</tr>
<tr>
<td></td>
<td>Custom programming services for the College.</td>
<td></td>
<td></td>
</tr>
</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>
</tr>
</thead>
</table>
| P0214948         | Marin Sanitary Service
Debris bin services for removal of refuse from Austin Science Center and Harlan Center. | Measure C  | $2,026.08    |
| P0214969         | Ellucian Company LP
Consulting and training services for Degreeworks application.                         | Measure C  | $102,000.00  |
Marin Community College District  
Measure C Bond Modernization Program  

Modernization Director's Report to Board of Trustees  
July 17, 2012  

BUDGET UPDATE  
Bond spending plan: $260.5 million ($249.5 m bond, $11 m interest)  
Reserves: $4,914,931, of which $2,300,000 is allocated to IVC  
Expended to date: $178.8 million (68.6% of bond spending plan)  
  • Assessment $ 5.5 million  
  • Planning/design $ 59.8 million  
  • Construction $113.5 million  

Summary of modernization items in this agenda:  

Notification of PCO items exceeding $50,000  
• None  

Consent [all routine items not requiring resolution or discussion]: ($678,830)  
• One (1) new construction contract for ratification ($10,241.00)  
• One (1) construction change order ($79,541.00)  
• Three (3) professional service agreement amendments ($137,950.00)  
• One (1) new professional service agreement ($325,000.00)  
• One (1) agreement for Moving Services ($4,134.00)  
• One (1) project inspection services agreement ($86,940.00)  
• Approve renewal of amendment 4 for McLaren Software – Paragon licenses (formerly Citadon, Inc.) ($35,024.00)  
• Authorize procurement of specialty equipment for SMCP Project (305A)  
• Declaration of Surplus Disposal – PA&FA Relocation (850I); Main Bldg Relocation (850K)  

Action [items requiring resolution or discussion]: ($198,136.00)  
• Approve Midstate Construction Corporation's Change Order 12 and Board of Trustee's Resolution, PA Modernization, (306A) ($198,136.00)  
• Approve Authorization to Bid, Child Study Center – Increment One (303C)  

Net value of new contracts / changes / amendments in this agenda: ($876,966.00)  

CURRENT DESIGN  
• KTD Academic Center:  
  As previously reported project “design development” is 100% completed, including estimate reconciliation. CEQA documents are drafted and community notifications will begin mid-July 2012.  

• KTD Child Study Center:  
  Design for the second increment is currently being reviewed by DSA.
Marin Community College District
Measure C Bond Modernization Program

Austin Science Center Swing Space:
The preparations for converting Austin Science Center to Swing Space are on-track.

CURRENT CONSTRUCTION

- **KTD Performing Arts Building:**
  We have contacted Donn Logan (MWDL) to setup a meeting to go over the PA Peer Review. We are hoping this can be done prior the July 31, 2012. The contractor’s schedule for completion of the new dance addition and art gallery is late September 2012, a more realistic date I believe is mid-October.

- **Science Math Nursing (Science Math Central Plant):**
  The revised substantial completion date for the contractor is currently late October 2012. FF&E procurement is being finalized with all vendors. Move-in forecasted for completion by January 2013.

- **KTD Fine Arts Weatherization:**
  Design is scheduled to be submitted to DSA on August 27, 2012.

OTHER OPEN INITIATIVES

- **Swing space/relocation:**
  Summer 2012: The PA faculty will move back into their PA spaces starting July 16 2012.

- **Furniture, fixtures, equipment:**
  FF&E activities continue to be intensive for the SMCP and PA

- **Signage**
  Minor signage activities took place this report period.

- **LEED**
  FA project is tracking for “Silver,” waiting approval of project documentation.

BOARD FUND-RAISING OPPORTUNITIES

- **KTD Science Complex**
  Installation of historic items salvaged from Dickson Hall, part of museum in new facility (~$150,000)

- **PA Performing Arts**
  Donor opportunities for FF&E are being developed.

**COMPLETED PROJECTS** **Budget (approx.)**

- **KTD College Avenue Utility Conduit Crossing** $68,000
- **KTD Dance Relocation** $770,800
Marin Community College District  
Measure C Bond Modernization Program

- KTD Diamond PE Center $20,900,000
- KTD Dickson Hall Faculty Relocation n/a
- KTD DSPS Relocation $212,000
- KTD Health Services Relocation $495,000
- KTD Larkspur Annex Restoration $1,200,000
- KTD Literacy Lab (partially funded by Redevelopment funds) n/a
- KTD Parking Lot 10 Paving Project n/a
- KTD Photovoltaic System $3,700,000
- KTD Pool Repair Project $425,100
- KTD Portable Village Swing Space $1,300,000
- KTD West Bridge $2,000,000
- KTD Hazmat Abatement n/a
- KTD Science Math Central Plant Complex Increment 1 Site Utilities $7,800,000
- KTD and IVC Geothermal Fields $9,300,000
- KTD and IVC Greenhouse/Shade Structure Relocation $359,000
- KTD and IVC Tree Removal $315,000
- KTD New Fine Arts $17,721,000
- KTD PE Track renovation $1,250,000
- IVC 12kV Utility Extension $472,000
- IVC Creek Erosion Mitigation $788,000
- IVC Fire Mitigation $785,000
- IVC Gas Main Replacement $534,000
- IVC Pomo 4 Roof Replacement $159,000
- IVC Storm Drain Repairs $349,000
- IVC TransTech Swing Space $538,000
- IVC Trans. Tech. Complex: $13,042,826
- KTD SMCP Utility Project: $5,900,000
- IVC New Main Building $18,827,000
- IVC Utilities & MEP supplemental $399,127

Total completed projects to date: $109,609,853
A. Alfa Tech Consulting Enterprise
(Geothermal / PV @ PE / Sitework)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design services for changes to PE Complex Portables</td>
<td>12/24/2007</td>
<td>Amendment</td>
<td>In close out</td>
</tr>
<tr>
<td>Contracts docs - Utility connection design services 850C</td>
<td>Original: 2/29/2008 Current: 4/15/2008</td>
<td>Amendment 16</td>
<td>In close out</td>
</tr>
<tr>
<td>Construction Admin 850C</td>
<td>12/31/2008</td>
<td>Amendment</td>
<td>In close out</td>
</tr>
<tr>
<td>Credit from Amend #13 for DSPS relocation (850S)</td>
<td>N/A</td>
<td>Amendment</td>
<td>In close out</td>
</tr>
<tr>
<td>Provide a fix for damaged anchor bolts; PE Complex PV</td>
<td>N/A</td>
<td>Amendment</td>
<td>In close out</td>
</tr>
<tr>
<td>Calls for TB-1 transformer-Health Services Portable (850G)</td>
<td>n/a</td>
<td>Amendment</td>
<td>In close out</td>
</tr>
<tr>
<td>Electrical design for add alternate B-ticket dispensing</td>
<td>11/15/2009</td>
<td>Amendment 21</td>
<td>Completed</td>
</tr>
<tr>
<td>No Cost Time Extension thru 12/31/10</td>
<td>12/31/2010</td>
<td>Amendment</td>
<td>In close out</td>
</tr>
<tr>
<td>Design services for install of new lights at IVC bus shelter</td>
<td>2/26/2010</td>
<td>Amendment</td>
<td>23</td>
</tr>
<tr>
<td>Construction Admin services for install of new lights at IVC bus shelter</td>
<td>9/16/2010</td>
<td>Amendment</td>
<td>23</td>
</tr>
<tr>
<td>Design-PE Center Supplemental Cooling Project 308B</td>
<td>7/11/2010</td>
<td>Amendment 24</td>
<td>Completed</td>
</tr>
<tr>
<td>Construction Admin for PE Center Supplemental Cooling Project 308B</td>
<td>12/31/2010</td>
<td>Amendment</td>
<td>24</td>
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<tr>
<td>Credit for unused portion of design fee associated</td>
<td>3/13/2012</td>
<td>Amendment</td>
<td>27</td>
</tr>
<tr>
<td>No Cost Time Extension thru 12/31/12</td>
<td>6/19/2012</td>
<td>Amendment</td>
<td>23</td>
</tr>
<tr>
<td>No Cost Time Extension thru 12/31/12</td>
<td>6/19/2012</td>
<td>Amendment</td>
<td>7</td>
</tr>
</tbody>
</table>

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</td>
<td>6/30/2011</td>
<td>Amendment</td>
<td>35 In close out</td>
</tr>
<tr>
<td>Infrastructure project on Indian Valley Campus; District Civil</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineer Project (303A)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site walk/engineering recommendations for pavement</td>
<td>6/30/2011</td>
<td>Amendment</td>
<td>36 Completed</td>
</tr>
<tr>
<td>repair on Ignacio Blvd &amp; the loop through the parking area</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>used by buses during construction-Main Bldg Complex</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(417A)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Civil Engineering Svcs as follows: Topo survey &amp; base</td>
<td>12/31/2011</td>
<td>Amendment</td>
<td>37 Completed</td>
</tr>
<tr>
<td>map, pavement demo &amp; rehab plan, grading &amp; drainage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>plan, signing &amp; striping plan, SWPPP &amp; Erosion Control Plan, Spec etc</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Main Bldg Complex (417A)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Civil Engineering services: Design and Construction Administration</td>
<td>3/15 - 6/30/2012</td>
<td>Amendment</td>
<td>39 In progress</td>
</tr>
<tr>
<td>to bring utility conduits for IT and geothermal piping to</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>upcoming projects (NAC &amp; CSC); Installation of</td>
<td></td>
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</tr>
<tr>
<td>three (3) survey monuments at the Kentfield Campus in the</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>area north of Corte Madera Creek. The monuments will be</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>brass discs permanently affixed to existing concrete</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>foundations and low walls. Deliverables include: field</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>survey, office calculations; installation of the brass discs;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>and CD with 3D control points references to existing public</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>monuments.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmation of existing and additional survey points for the</td>
<td>4/17 - 12/31/2012</td>
<td>Amendment</td>
<td>40 In progress</td>
</tr>
<tr>
<td>design of fire truck access point at the new fine arts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>building at Circle Drive (306D)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Also civil engineering services associated with the new</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ADA ramp and pathway adjacent to the Learning Resource Center and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student Services building on the Kentfield</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Campus (309A)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District Civil Engineer (303A) Civil engineering services:</td>
<td>N/A</td>
<td>Amendment</td>
<td>41 In progress</td>
</tr>
<tr>
<td>Underground utility mapping of Kentfield campus</td>
<td></td>
<td></td>
<td></td>
</tr>
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</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,</td>
<td>11/15/2011 - 9/30/2013</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>design development phase, construction document phase, bidding,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>construction &amp; close out; FA Weatherization (306D)</td>
<td></td>
<td></td>
<td></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>
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</thead>
<tbody>
<tr>
<td>Construction Phase - 24 Months</td>
<td>8/7/2010-8/7/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Operation/Project Close-out Phase/PFE Phase</td>
<td>11/30/2012</td>
<td>Contract</td>
<td></td>
</tr>
<tr>
<td>Add'l services for subconsultant (Davis Langdon) to prepare opinions of probable construction cost for revisions to existing design; Current South entrance breezeway &amp; 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 &amp; 3, Demo &amp; Building Project (305A)</td>
<td>N/A</td>
<td>Amendment 3</td>
<td>In progress</td>
</tr>
<tr>
<td>Feasibility Study for the Fine Arts Weatherization (Project 898A, District Architect)</td>
<td>N/A</td>
<td>New Contract</td>
<td>Completed</td>
</tr>
<tr>
<td>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 Block and the northeast edge of Parking Lot 4 for SMCP Inc. 2 &amp; 3 (305A)</td>
<td>N/A</td>
<td>Amendment 4 (P0105400)</td>
<td>In progress</td>
</tr>
<tr>
<td>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 &amp; 3 (305A)</td>
<td>N/A</td>
<td>Amendment 5 (P0105400)</td>
<td>In progress</td>
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### E. Environmental Science Associates (ESA)

<table>
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<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>6/20/2012</td>
<td>LF Contract</td>
<td></td>
</tr>
<tr>
<td>No cost time extension</td>
<td>7/17/2012</td>
<td>Amendment 1</td>
<td></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>In close out</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>In progress</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>In progress</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>In progress</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></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>3/30/2011</td>
<td>Amendment 22</td>
<td></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>
</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>In close out</td>
</tr>
<tr>
<td>Additional construction admin services related to signage for Science-Math-CP Complex Project 306A</td>
<td>N/A</td>
<td>Amendment 6</td>
<td>In progress</td>
</tr>
<tr>
<td>Design services for Building Mounting Acknowledgement Plaque: Reference KKA proposal dated Feb 09, 2012 ($6,530.00); 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 ($3,050.00)</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>Performing Arts</th>
<th>Milestone Date</th>
<th>Document</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Phase</td>
<td></td>
<td>5/01/2011 to 10/15/2012</td>
<td>Contract</td>
<td>In progress</td>
</tr>
<tr>
<td>Operation/Project Close-out Phase - 12 months</td>
<td></td>
<td>8/1/2012 to 4/1/2013</td>
<td>Contract</td>
<td></td>
</tr>
<tr>
<td>Project Close-out with DSA</td>
<td></td>
<td>8/1/2012 to 4/1/2013</td>
<td>Contract</td>
<td></td>
</tr>
<tr>
<td>Extra programming &amp; conceptual design schemes</td>
<td></td>
<td>dates not changed</td>
<td>Amendment 1</td>
<td>In progress</td>
</tr>
<tr>
<td>Survey specs and prelim project scope guidelines</td>
<td></td>
<td>dates not changed</td>
<td>Amendment 1</td>
<td>In progress</td>
</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></td>
<td>11/1/2011</td>
<td>Amendment 9</td>
<td>In progress</td>
</tr>
<tr>
<td>Add 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></td>
<td>Amendment 10</td>
<td>In progress</td>
</tr>
<tr>
<td>Fine Arts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provide design services for Fine Arts Foundry and Klin Awning, part of the New FA Building Project 306C</td>
<td>N/A</td>
<td></td>
<td>Amendment 11</td>
<td></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></td>
<td>Amendment 12</td>
<td>In progress</td>
</tr>
<tr>
<td>Fine Arts Klin &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 Klin &amp; Foundry Awning Project</td>
<td>N/A</td>
<td></td>
<td>Amendment 13</td>
<td>In progress</td>
</tr>
<tr>
<td>Performing Arts Modernization Project (306A) - Reference ASR 5.1R (correction of ASR amount from ASR 5.1)</td>
<td>N/A</td>
<td>Amendment 14</td>
<td>In progress</td>
<td></td>
</tr>
<tr>
<td>New Fine Arts Building Project (306C) - Reference ASR 8</td>
<td>N/A</td>
<td>Amendment 15</td>
<td>In progress</td>
<td></td>
</tr>
</tbody>
</table>

### 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>to follow project 305A schedule</td>
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<td>FF&amp;E Consultant for the PA Modernization Project 306A</td>
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<td>FF&amp;E Consultant for the Child Study Center Project 303C</td>
<td>to follow project 303C schedule</td>
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<tr>
<td>FF&amp;E Consultant for the PE Track Renovation Project 308G</td>
<td>N/A</td>
<td>Amendment 1</td>
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<td>FF&amp;E Consultant for the Performing Arts Modernization Project (306A) &amp; the SMCP Complex Project (305A) 308G</td>
<td>to follow project 306A &amp; 305A schedule</td>
<td>Amendment 2</td>
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<td>Kenfield Campus Construction Phasing Diagrams</td>
<td>Quarterly through 2011</td>
<td>Amendment 3</td>
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<td>LEED Services</td>
<td>6/15/2007 through CA Phase</td>
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<td>Construction Administration</td>
<td>Part of IVC Main project</td>
<td>Amendment 5</td>
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<td>Credit for work tasks related to tree species diversity 419A</td>
<td>Not applicable</td>
<td>Amendment 7</td>
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<td>One (1) Paragon Office subscription</td>
<td>N/A</td>
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<td>Landscape design around new signs for FA (306C and PE (308B)</td>
<td>5/20/2009</td>
<td>Amendment 10</td>
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<tr>
<td>Construction Phasing Plan Docs (850D)</td>
<td>4/24/2009</td>
<td>Amendment 10</td>
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<td>Additional landscape design services (401B)</td>
<td>9/30/2010</td>
<td>Amendment 11</td>
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<tr>
<td>Additional landscape design services (413A)</td>
<td>7/15/2009</td>
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<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>
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<td>Additional design services to prepare tree removal and tree relocation bid package drawings - SMCP-Increment No. 1, Site Development Utilities Project (305C)</td>
<td>n/a</td>
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<td>Additional 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>
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<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>
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<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>
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<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>
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<td>Credit for unused portion of fee under Amendment 10; Diamond PE Center Alterations Project (308B)</td>
<td>n/a</td>
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<td>Credit for unused portion of fee under Amendment 10; New Fine Arts Bldg (306C)</td>
<td>n/a</td>
<td>Amendment 17</td>
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<tr>
<td>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 Kenfield campus.</td>
<td>n/a</td>
<td>Amendment 19</td>
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<tr>
<td>&amp; New Academic Center Project (303B) - New Academic Center site tree removal and replanting site coordination and bid documents</td>
<td>n/a</td>
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**K. TLC Architecture (New Academic Center)**

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<tr>
<td>Programming confirmation &amp; begin schematic design, NAC Project 303B</td>
<td>12/31/2010</td>
<td>Short Form Contract</td>
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<tr>
<td>Add'l 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>
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<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>
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<tr>
<td>Add'l services for programming phase: programming verification &amp; reprographics: NAC Project 303B</td>
<td>9/16/2011</td>
<td>LF Amendment 1</td>
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<tr>
<td>Conceptual design of the NAC &quot;Great Lawn Proposal&quot;: District Landscape Architect Project 807A</td>
<td>9/16/2011</td>
<td>LF Amendment 2</td>
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### L. VBN Architects (IVC Main Building) & Architects VBN (Facilities Master Plan)

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<td>Operation/Project Close-out Phase</td>
<td>12/1/2009-5/31/2010</td>
<td>Contract</td>
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<td>Structural engineering services for OSA Field Change Directive documents # 2 and # 4; Main Bldg Complex Project 417A</td>
<td>6/30/2011</td>
<td>Amendment 10</td>
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<td>Facilities Master Plan Phase 1 (Project 808A District Architect)</td>
<td>N/A</td>
<td>New Contract</td>
<td>In progress</td>
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<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>In progress</td>
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<tr>
<td>District Architect (836A) 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>In progress</td>
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<tr>
<td>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</td>
<td>N/A</td>
<td>Amendment 12</td>
<td>In progress</td>
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<td>Task 2A: Reorganize FMP documentation to simplify historic facilities planning and implementation.</td>
<td>N/A</td>
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<tr>
<td>Main Building Complex Project (417A) - No cost time extension</td>
<td>N/A</td>
<td>Amendment 12</td>
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### Marin Community College District - College of Marin

Based on expenditures as of July 5, 2012. Includes latest BSP revisions approved on December 13, 2011.

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#### 305A - Science Math Central Plant Complex - see note 1

- **Oct 2006 Schedule/Budget**: $4,187,602
- **Feb 2007 Schedule/Budget**: $5,617,000
- **Mar 2009 Schedule/Budget**: $5,617,000
- **Nov 2009 Schedule/Budget**: $6,817,000
- **Mar 2011 Schedule/Budget**: $6,817,548
- **Dec 2011 Schedule/Budget**: $6,807,548

- **Current Schedule (% of current phase)**: 100%
- **Current expenditures (% of budget)**: 90%

#### 306C - New Fine Arts Building - see note 2

- **Oct 2006 Schedule/Budget**: $1,732,065
- **Feb 2007 Schedule/Budget**: $1,849,600
- **Mar 2009 Schedule/Budget**: $2,047,900
- **Mar 2011 Schedule/Budget**: $2,142,577

- **Current Schedule (% of current phase)**: 100%
- **Current expenditures (% of budget)**: 98%

#### 306A - Performing Arts Modernization - see note 3

- **Oct 2006 Schedule/Budget**: $1,052,468
- **Feb 2007 Schedule/Budget**: $1,578,000
- **Mar 2009 Schedule/Budget**: $1,675,000
- **Mar 2011 Schedule/Budget**: $1,656,000

- **Current Schedule (% of current phase)**: 100%
- **Current expenditures (% of budget)**: 93%

NTP: Next to Present; Subst Compl: Substantial Completion

- **NTP Jun 2010; Subst Compl Sep 2012**
- **NTP Aug 2009; Subst Compl Jan 2011**
- **NTP Feb 2011; Subst Compl Sep 2012**
### 2.1 Schedule

**Marin Community College District - College of Marin**

Based on expenditures as of July 5, 2012. Includes latest ESP revisions approved on December 13, 2011.

#### 308B Diamond PE Center Alterations - see note 4

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<td>$20,255,577</td>
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<td>Mar 2009 Schedule/Budget</td>
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<td>$20,255,577</td>
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#### 402A Transportation Technology Complex - see note 5

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#### 417A Main Building Complex - see note 6

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2.1 Schedule

Marin Community College District - College of Marin

Based on expenditures as of July 5, 2012, includes latest BSP revisions approved on December 13, 2011.

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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) The project is currently on time and on budget, new PFE consultant hired to confirm final FFE list with Faculty.
3) Project (306C) is substantially complete. Budget increased in June BSP to accommodate additional equipment requests and infrastructure adjustments. Close-out ongoing.
4) Project (306A) hazardous materials abatement complete; demolition to start August 1; FFE list being prioritized by College.
5) PE project (308B) is complete.
6) Project (402A) in field construction issue needing DSA approval; schedule adjusted to current status.
7) Main Bidg 4 (17A) is substantially complete with close out ongoing.
8) NAC project (303S) is in design with anticipated SKA approval in September 2011. Project delayed for architect selection and program approval.
9) LRC project (3029) funding was reallocated to other projects.
10) FH project (304A) funding was reallocated to other projects.
11) Project (3015) initiated on March 15, 2011. The project is not fully funded at this time; schedule anticipated but should be considered a draft.