



## **MIRACOSTA COLLEGE FOUNDATION BOARD GOVERNANCE AND NOMINATIONS COMMITTEE MEETING**

**Tuesday, August 6, 2024, 2:00 - 3:00 p.m.**

MiraCosta College San Elijo Campus  
3333 Manchester Avenue Cardiff, CA 92007  
Conference Room 1131

Members of the community not able to attend in person can access the live stream here:  
<https://linktr.ee/miracostacollegefoundation>

### ***Governance and Nominations Committee Members:***

Hema Crockett, Alma Flores, Amy McNamara, Diane Mills,  
Denise Stillinger, Val Warner-Saadat, Sharon Wiback

### ***Staff Support & Additional Attendees:***

Elizabeth Lurenana, Shannon Stubblefield

### ***MiraCosta College Foundation Mission:***

*Promote the benefits of MiraCosta College and secure resources that transform lives.*

### ***MiraCosta College Foundation Vision:***

*Educational opportunities for all.*

### ***Land Acknowledgement:***

*We acknowledge the original caretakers of the land on which MiraCosta College is built. The Luiseno people are made up of seven bands: the La Jolla, Pala, Pauma, Pechanga, Rincon, San Luis Rey, and Soboba. We pay our respects to the Luiseno – past, present, and emerging, and are grateful to have the opportunity to be part of this community and to honor their history, culture, and spirit.*

## **AGENDA**

- I. CALL TO ORDER**
- II. ROLL CALL, WELCOME, INTRODUCTIONS**
- III. PUBLIC COMMENT ON ITEMS ON AND NOT ON THE AGENDA**
- IV. CHANGES IN AGENDA ORDER**
- V. APPROVE MEETING MINUTES – Action Required**
  - A. Regular Meeting of April 16, 2024
- VI. COMMITTEE REPORT(S)**
  - A. Governance and Nominations
    - i. Board Prospects
      - a. Alex Kaiser (*update, no additional action needed*)
      - b. Neil McCarthy (**Action Required**)
      - c. Mark Richards (**Action Required**)
    - ii. Board Development Goals (through June 2027)

- a. Board Gaps: Skills/Experience & Demographics
- b. Proposed Goals: 3 to 5 new members voted onto the board in Q1 for terms beginning in FY 24/25.
- iii. [Committee Roles & Responsibilities](#)
  - a. Remove [additional page](#) from website
- iv. Emeritus Board Members
- v. Role of Vice Chairs

## VII. ANNOUNCEMENTS, MEETING AND EVENT CALENDAR REVIEW

### **Next Governance and Nominations Committee Meeting** (San Elijo Campus)

Tuesday, October 29, 2024 at 2:00 – 3:00 p.m.

### **Next Audit Committee Meeting** (San Elijo Campus)

Tuesday, April 22, 2025 at 1:00 – 1:30 p.m.

### **Next Finance Committee Meeting** (San Elijo Campus)

Tuesday, August 13, 2024 at 2:00 – 3:30 p.m.

### **Next Executive Committee Meeting** (San Elijo Campus)

Tuesday, August 13, 2024 at 3:45 – 4:00 p.m.

### **Next Quarterly Board Meeting** (TCI Campus)

Tuesday, August 27, 2024 at 3:00 – 5:00 p.m.

## VIII. FUTURE AGENDA ITEMS

## IX. ADJOURNMENT

**\* ITEMS ON THE AGENDA:** Members of the audience may address the Foundation Board Committee on any item listed on the agenda when that agenda item comes up for discussion and/or action. Comments will be limited to three (3) minutes per agenda item and a total of fifteen (15) minutes of public comment on an item, unless waived by the committee. Non-English speakers utilizing a translator will have six (6) minutes to directly address the Committee.

**ITEMS NOT ON THE AGENDA:** Members of the audience may address the Foundation Board Committee on any topic not on the agenda so long as the topic is within the jurisdiction of the Foundation. Under the Brown Act, the committee is not permitted to engage in public discussion or take any action on an agenda item not on the agenda, except that members of the committee may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Government Code §54954.3. In addition, on their own initiative, or in response to questions posed by the public, a member of the committee may ask a question for clarification. A member of the committee or the committee itself may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. Comments from visitors shall not exceed three (3) minutes unless the committee waives the time limit. Non-English speakers utilizing a translator will have six (6) minutes to directly address the committee. The committee may also limit the total amount of time for public comment on a particular topic to fifteen (15) minutes.

**DECORUM:** Decorum requires members of the public to observe order at committee meetings. Speakers shall speak to the issues, and refrain from using defamatory or abusive personal remarks that disturb or impede the meeting or exceed the bounds of civility necessary to the conduct of the business of the Foundation Board Committee. The presiding officer has the authority to run the meeting, which includes the authority to issue warnings, call for recesses, or clearing the boardroom in the event of disruptive behavior. Government Code section 54954.3(c) establishes that the legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body, and California Penal Code section 403 makes it a misdemeanor for any person to willfully disturb or break up any lawfully authorized assembly or meeting.

Foundation Committee meetings are held in meeting rooms that are accessible to those with mobility disabilities. If you wish to attend the meeting and you have another disability requiring special accommodation, please notify the board assistant, 760.795.6645, 760.757.2121, extension 6645, or 619.755.5155, extension 6645. The California Relay Service is available by dialing 711 or 800-735-2929 or 800-735-2922.

In compliance with Government Code §54957.5, nonexempt writings that are distributed to a majority or all of the MiraCosta Community College District Foundation Board in advance of their meetings may be viewed at the Office of Institutional Advancement, 1 Barnard Drive, Oceanside, California, 92056 or by clicking on the Foundation website at <http://foundation.miracosta.edu/agendas>. Such writings will also be available at the board meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact the board assistant by e-mail at [foundation@miracosta.edu](mailto:foundation@miracosta.edu).



## MIRACOSTA COLLEGE FOUNDATION BOARD GOVERNANCE AND NOMINATIONS COMMITTEE

### REGULAR MEETING

**April 16, 2024  
(DRAFT)**

#### I. CALL TO ORDER

The MiraCosta College Foundation Governance and Nominations Committee met in open session on Tuesday, April 16, 2024, in Room 1131 on the San Elijo Campus (3333 Manchester Ave, Cardiff, CA 92007). The meeting was live-streamed and recorded on Zoom. Chair Stillinger called the meeting to order at 2:03 p.m.

#### II. ROLL CALL, WELCOME, INTRODUCTIONS

##### Committee Members Present:

Alec Babiarz	Dottie Benson	Hema Crockett
Alma Flores	Hap L'Heureux	Diane Mills
Denise Stillinger	Val Saadat	Sharon Wiback

##### Committee Members Absent:

Amy McNamara	Sudershan Shaunak
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##### Staff Present:

Elizabeth Lurenana	Shannon Stubblefield
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#### III. PUBLIC COMMENT ON ITEMS ON AND NOT ON THE AGENDA

None

#### IV. CHANGES IN AGENDA ORDER

None

#### V. APPROVE MEETING MINUTES – Action Required

##### A. Regular Meeting of October 24, 2023

- i. By motion of Committee Vice Chair Wiback, seconded by Committee Member Saadat the minutes of the regular meeting of October 24, 2023 were approved as presented.

Vote: 9/0/0/2

Aye: Babiarz, Benson, Crockett, Flores, L'Heureux, Mills, Stillinger, Saadat, Wiback

Nay: None

Abstain: None

Absent: McNamara, Shaunak

#### VI. COMMITTEE REPORT(S)

##### A. Governance and Nominations

##### i. Purpose and Functions of the Governance & Nominations Committee

- a. Chair Stillinger and VP/ED Stubblefield reviewed the purpose and functions of the committee for the benefit of new committee members. Details can be found on the [Foundation Website](#).

- Committee Member Babiarz asked clarifying questions on the verbiage VP/ED Stubblefield provided. Update to: "The committee shall

recommend candidates to the Executive Committee for approval to join the full board.”

- Committee Member L’Heureux recommended adding language around adding responsibilities related to Governance. Examples: reviewing bylaws, updates to the Board Manual, Brown Act updates, processes/procedures, etc. Staff will draft language to bring back to the committee.
- The committee discussed whether the language around the membership of the Executive Committee is clear enough, specifically on whether the chair of Audit and the past president should be included. The committee decided to leave the language as is. The process for selecting committees, chairs, and vice chairs may be helpful to document in the future.
- Action Items: Staff to update and bring to committee in Q1 of FY 24/25

ii. Board Member Term Renewals

- a. By motion of Committee Member Crockett, seconded by Committee Member Saadat, the committee voted to put forward Karen Pearson’s name to the Executive Committee to serve a second term on the foundation board, beginning on July 1, 2024. This will be voted on at the next quarterly board meeting on May 7, 2024.

Vote: 9/0/0/2

Aye: Babiarz, Benson, Crockett, Flores, L’Heureux, Mills, Stillinger, Saadat, Wiback

Nay: None

Abstain: None

Absent: McNamara, Shaunak

iii. Board Prospects

- The committee discussed Alex Kaiser’s application and, in so doing, reviewed the purpose of the candidate questionnaire and agreed that if future changes are made, the application will also be converted to an online form rather than a PDF.

By motion of Committee Member Babiarz, seconded by Committee Vice Chair Wiback, the committee voted to put forward Alex Kaiser’s name to the Executive Committee to serve as a foundation board member, beginning on July 1, 2024. This will be voted on at the next quarterly board meeting on May 7, 2024.

Comment: Committee Member L’Heureux recommended VP/ED Stubblefield have some additional information to present to the full board when considering his application.

Vote: 9/0/0/2

Aye: Babiarz, Benson, Crockett, Flores, L’Heureux, Mills, Stillinger, Saadat, Wiback

Nay: None

Abstain: None

Absent: McNamara, Shaunak

- b. Newly Identified: Mark Brandt

- VP/ED Stubblefield, Treasurer Bandemer, and Committee Chair Stillinger are scheduled to meet on campus with this candidate, brought forth by Treasurer Bandemer.

- c. There are currently no other identified prospective board members

iv. Slate of Officers for Next Term (July 2024 – June 2026)

- a. By motion of Committee Vice-Chair Wiback, seconded by Committee Member Crockett, the committee voted to put forward the proposed slate of officers to the Executive Committee (President: Janice Kurth; Vice President: Karen Pearson; Treasurer: Cindy Musser) to serve July 1, 2024 – June 30, 2026. This will be voted on at the next quarterly board meeting on May 7, 2024.

Vote: 9/0/0/2

Aye: Babiarz, Benson, Crockett, Flores, L'Heureux, Mills, Stillinger, Saadat, Wiback

Nay: None

Abstain: None

Absent: McNamara, Shaunak

- v. LinkedIn as a Board Recruitment Tool
  - a. Committee Member Stillinger reported that VP Kurth recommended using LinkedIn to advertise that the foundation is looking for new board members. The committee discussed this option, given that the foundation does not currently have its own LinkedIn profile. VP/ED Stubblefield recommended providing sample language for board members to post on LinkedIn when they attend events and link it back to the foundation's website, rather than an individual foundation LinkedIn profile.
    - An embedded application would have a fee associated with it.
  - b. Committee Member Mills has input for how to use Facebook if the foundation determines they want to use it.
  - c. Staff will create a sample social media post for foundation board members. No committee members are opposed to using LinkedIn as a recruitment tool.
- vi. Board Development Goals (through June 2027)
  - a. Board Gaps: Skills/Experience & Demographics
    - VP/ED Stubblefield reviewed the gaps grid and asked for prospects. There are no current prospects aside from Mark Brandt.
- vii. Committee Vice Chair
  - a. Sharon Wiback has volunteered
    - Role of Vice Chair: step in if the chair is not available and help as needed.
- viii. Chair Stillinger noted that she hoped all committee members had a chance to review the attachment concerning voting on minutes for meetings not attended.

## **VII. ANNOUNCEMENTS, MEETING AND EVENT CALENDAR REVIEW**

**Next Governance and Nominations Committee Meeting** (San Elijo Campus)

Tuesday, August 6, 2024 at 2:00 – 3:00 p.m. (tentative)

**Next Audit Committee Meeting** (San Elijo Campus)

Tuesday, April 23, 2024 at 12:00 – 12:30 p.m.

**Next Finance Committee Meeting** (San Elijo Campus)

Tuesday, April 23, 2024 at 1:00 – 2:30 p.m.

**Next Executive Committee Meeting** (San Elijo Campus)

Tuesday, April 23, 2024 at 2:45 – 4:00 p.m.

**Next Quarterly Board Meeting** (TCI Campus)

Tuesday, May 7, 2024 at 3:00 – 5:00 p.m.

## **VIII. FUTURE AGENDA ITEMS**

- A. Committee Roles & Responsibilities
- B. Candidate Questionnaire Revisions
- C. Social Media/LinkedIn

## **IX. ADJOURNMENT**

The meeting was adjourned at 3:03 p.m.



**FOUNDATION**

1 Barnard Dr., Oceanside, CA 92056 760.757.2121

## BOARD Candidate Questionnaire

Please take about 10 minutes to complete and return this form to [Foundation@miracosta.edu](mailto:Foundation@miracosta.edu) along with a digital headshot photo and current resume.

Name:

Home Address:

City:

State:

Zip:

Home Phone:

Cell Phone:

Email Address:

Date of Birth:

Retired

Currently Working

Veteran

Active Duty Military

Company Name:

Position:

Type of Business:

Are you an alumnus of MiraCosta College? ☐ Yes ☐ No

If yes, year you graduated:

Major:

MiraCosta College Involvement (past/present):

Education:

Other community activities:

Leadership roles:

Other information:

Foundation Office Only: Date Received: \_\_\_\_\_ Nominator: \_\_\_\_\_



**FOUNDATION**

1 Barnard Dr., Oceanside, CA 92056 760.757.2121

**Why do you want to join the MiraCosta College Foundation Board?**

**What are some of the qualities and strengths you can bring to the Board?**

**How can we best utilize your skills to advance the [Foundation's mission and vision](#)?**

**What are your interests and passion regarding MiraCosta College?**

Board Applicant Name

Date



FOUNDATION

1 Barnard Dr., Oceanside, CA 92056 760.757.2121

### Area(s) of Expertise (Check all that Apply):

Attorney  
Business  
Education  
Government  
Health/Medical  
Technology  
Executive Management  
Entrepreneur  
Finance/Investments  
Accounting (CPA)  
Legal System  
Estate Law  
Real Estate  
Marketing/PR  
Fund Raising  
Gift Planning  
Other Board of Directors Positions  
Community Reinvest Act  
Other:

### Diversity (Please self-identify):

Gender: Pronouns:

Ethnicity:

Religion:

LGBTQIA+: Yes No

### Status:

Highest Level of Education:

[MiraCosta College District of Residence](#) (if applicable):

Work Status:

Industry/Sector:

Institutional Relationship:

### Committee Interest:

What MCC Foundation Board Committees are you interested in joining? (Please check all that apply.)

Audit	Comprehensive Campaigning/Fundraising	Executive
Finance	Governance and Nominations	Innovation Grants & Scholarships




**FOUNDATION**

1 Barnard Dr., Oceanside, CA 92056 760.757.2121

## **Conflict Of Interest Statement**

It is the responsibility of all directors to ensure the standard of behavior at the MiraCosta College Foundation (hereafter referred to as the Foundation). All board members shall scrupulously avoid conflicts of interest between the interests of the Foundation on one hand, and personal, professional, and business interests on the other. This includes avoiding potential and actual conflicts of interest, as well as the perception of conflicts of interest.

No member of the Foundation Board of Directors shall derive any personal profit or gain, directly or indirectly, by reason of his or her participation in Foundation. Each member shall disclose to the Foundation any personal interest which he or she, or any member of his or her family, may have in any matter pending before the organization and shall refrain from participation in any decision on such matter. Some examples include conflicts may include stock ownership, business ownership or interest, and personal financial interest in a Foundation vendor.

### **Personal Gain Statement**

Any member of the Foundation's Board of Directors shall refrain from obtaining any list of Foundation's clients for personal or private solicitation purposes at any time during the term of their affiliation.

In addition to my service for the Foundation, I or a member of my immediate family are a Board member, owner, partner, employee, or own a financial interest in the following organizations:

Print Name

Date



FOUNDATION

1 Barnard Dr., Oceanside, CA 92056 760.757.2121

## Statement of Adherence to Confidentiality

The MiraCosta College Foundation and ("Volunteer") enter into this agreement regarding the protection and security of the information supplied to Volunteer from MiraCosta College's database of alumni and friends ("data").

The MiraCosta College Foundation grants Volunteer access to the data solely for the purpose of assisting the college in identifying, qualifying and cultivating potential donors to the college.

In performing the Volunteer Activity for the MiraCosta College Foundation, Volunteer agrees:

1. The data is proprietary information and the exclusive property of the MiraCosta College Foundation and MiraCosta College.
2. Volunteer will use the data solely for performance of the Volunteer Activity.
3. Volunteer will exercise all reasonable precautions to assure that the data is held in strict confidence.
4. Volunteer will not disclose the data to any third party (including other alumni volunteers) without prior written consent of the MiraCosta College Foundation unless the third party has also entered into an "Agreement for the Protection of Proprietary Information" with the MiraCosta College Foundation.
5. Volunteer will exercise all reasonable precautions to prevent loss, theft, compromise, or misuse of the data.
6. Immediately upon completion of performance of the Volunteer Activity, Volunteer will destroy the data.
7. Volunteer will not retain any copy or copies of the data once the Volunteer Activity has been performed or completed.
8. If Volunteer is required to disclose any data pursuant to legal process, Volunteer shall notify the MiraCosta College Foundation before disclosing the data in order to allow the College to seek an appropriate remedy to protect the data.

All requests for the MiraCosta College Foundation authorization, consent, or permission pursuant to this agreement should be addressed to MiraCosta College's Vice President, Institutional Advancement at 760-795-6775 or [foundation@miracosta.edu](mailto:foundation@miracosta.edu). No such authorization, consent, or permission is valid unless signed by the executive director of the MiraCosta College Foundation.

Volunteer Name

Date



## Board Involvement Agreement

I understand as a MiraCosta College Foundation Board Member that I will fulfill the following commitments:

- **As Donors:** Members are expected to donate at least \$1,000 annually to the Foundation. Ideally, this should come from a personal donation by the member. Being able to state that all members are donors makes a powerful statement about commitment and credibility to individuals, companies, and institutions being asked to support MiraCosta College.
- **As Participants:** Members have a fiduciary responsibility to the Foundation. They will remain aware of fiscal management and other activities of the Foundation by attending the annual board retreat and at least two board meetings per year. They will also actively participate in at least two committees and attend at least two college events and one fundraising event per year. In addition, members will help review scholarships and innovative grant applications, as well as cultivate new board members.
- **As Advocates:** Members speak favorably about the college and the Foundation to friends and acquaintances that may have the ability to assist the college financially. Board members are ambassadors; they know the college story, tell it, and sell it.

Board Candidate Name

Date

Foundation Office Only

Nomination Approval Date

Nominator

Alumnus/ae:

Yes

No

**REDACTED FOR PRIVACY**

Carlsbad, California 92011

Cell Phone: xxx-xxx-xxxx

xxxxxx@gmail.com

# Alexander Kaiser

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## Morgan Stanley

Carlsbad, CA

Financial Advisor, Associate Vice President  
Senior Portfolio Manager

December 2016 to Present

## University of California, Santa Barbara

Santa Barbara, CA

B.A. in Economics

June 2016

## Carlsbad High School

Carlsbad, CA

Graduated with Honors

June 2013

*References available upon request.*



FOUNDATION

1 Barnard Dr., Oceanside, CA 92056 760.757.2121

## BOARD Candidate Questionnaire

Please take about 10 minutes to complete and return this form to [Foundation@miracosta.edu](mailto:Foundation@miracosta.edu) along with a digital headshot photo and current resume.

Name:	Neil McCarthy		
Home Address:			
City:	San Diego	State:	CA Zip: 92127
Home Phone:	N/A	Cell Phone:	
Email Address:		Date of Birth:	1988

<input type="checkbox"/> Retired	<input checked="" type="checkbox"/> Currently Working	<input type="checkbox"/> Veteran	<input type="checkbox"/> Active Duty Military
Company Name:	EisnerAmper		
Position:	Senior Tax Manager		
Type of Business:	CPA Firm		

Are you an alumnus of MiraCosta College? ☐ Yes ☒ No

If yes, year you graduated:  Major:

MiraCosta College Involvement (past/present):

N/A

Education:

M.S. Accountancy, San Diego State University, Dec 2012  
B.S. Accounting, San Diego State University, Dec 2010  
Transfer studies (no degree), San Diego Mesa College, Jan 2006 - May 2007

Other community activities:

Member, North San Diego Business Chamber, Jul 2019 - Dec 2022

Leadership roles:

Various formal and informal leadership roles in my position at EisnerAmper including leadership in our trusts and estates technical group, mentoring our team members, etc.

Other information:

CPA #121933, California Board of Accountancy, January 2014 - Present

Foundation Office Only: Date Received:  Nominator:



**Why do you want to join the MiraCosta College Foundation Board?**

I believe in and have a personal connection with the vision of the Foundation. I was not a traditionally successful high school student but was the first person in my family to decide to go to college. Having the opportunity to attend community college turned my life around. I want to help give back to the next generation of college students, particularly those who need extra help in achieving their educational goals.

**What are some of the qualities and strengths you can bring to the Board?**

- Enthusiasm to help the Foundation pursue its mission
- Accounting and finance knowledge and experience

**How can we best utilize your skills to advance the Foundation's mission and vision?**

If selected, I will use my finance and accounting knowledge and experience to further the Board's mission on the finance or audit committee. It would also be an honor to serve on the Innovation Grants and Scholarships Committee to help the Foundation channel resources to help students pursue education.

**What are your interests and passion regarding MiraCosta College?**

I believe education has the potential to transform lives and I see the College and the Foundation are doing great work to help support those very students who need the most help to benefit from educational opportunities.

Neil McCarthy

Board Applicant Name

07/08/2024

Date



FOUNDATION

1 Barnard Dr., Oceanside, CA 92056 760.757.2121

**Area(s) of Expertise (Check all that Apply):**

- ☐ Attorney
- ☒ Business
- ☐ Education
- ☐ Government
- ☐ Health/Medical
- ☐ Technology
- ☐ Executive Management
- ☐ Entrepreneur
- ☒ Finance/Investments
- ☒ Accounting (CPA)
- ☐ Legal System
- ☐ Estate Law
- ☒ Real Estate
- ☐ Marketing/PR
- ☐ Fund Raising
- ☒ Gift Planning
- ☐ Other Board of Directors Positions
- ☐ Community Reinvest Act
- ☐ Other:

**Diversity (Please self-identify):**

Gender:  Pronouns:   
Ethnicity:   
Religion:   
LGBTQIA+: ☒ Yes ☐ No

**Status:**

Highest Level of Education:   
MiraCosta College District of Residence (if applicable):   
Work Status:   
Industry/Sector:   
Institutional Relationship:

**Committee Interest:**

What MCC Foundation Board Committees are you interested in joining? (Please check all that apply.)

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Audit   | <input type="checkbox"/> Comprehensive Campaigning/Fundraising | <input type="checkbox"/> Executive                                   |
| <input checked="" type="checkbox"/> Finance | <input type="checkbox"/> Governance and Nominations            | <input checked="" type="checkbox"/> Innovation Grants & Scholarships |


**FOUNDATION**

1 Barnard Dr., Oceanside, CA 92056 760.757.2121

## Conflict Of Interest Statement

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No member of the Foundation Board of Directors shall derive any personal profit or gain, directly or indirectly, by reason of his or her participation in Foundation. Each member shall disclose to the Foundation any personal interest which he or she, or any member of his or her family, may have in any matter pending before the organization and shall refrain from participation in any decision on such matter. Some examples include conflicts may include stock ownership, business ownership or interest, and personal financial interest in a Foundation vendor.

### Personal Gain Statement

Any member of the Foundation's Board of Directors shall refrain from obtaining any list of Foundation's clients for personal or private solicitation purposes at any time during the term of their affiliation.

In addition to my service for the Foundation, I or a member of my immediate family are a Board member, owner, partner, employee, or own a financial interest in the following organizations:

EisnerAmper

Neil McCarthy

Print Name

July 8, 2024

Date





**FOUNDATION**

1 Barnard Dr., Oceanside, CA 92056 760.757.2121

## Statement of Adherence to Confidentiality

The MiraCosta College Foundation and (“Volunteer”) enter into this agreement regarding the protection and security of the information supplied to Volunteer from MiraCosta College’s database of alumni and friends (“data”).

The MiraCosta College Foundation grants Volunteer access to the data solely for the purpose of assisting the college in identifying, qualifying and cultivating potential donors to the college.

In performing the Volunteer Activity for the MiraCosta College Foundation, Volunteer agrees:

1. The data is proprietary information and the exclusive property of the MiraCosta College Foundation and MiraCosta College.
2. Volunteer will use the data solely for performance of the Volunteer Activity.
3. Volunteer will exercise all reasonable precautions to assure that the data is held in strict confidence.
4. Volunteer will not disclose the data to any third party (including other alumni volunteers) without prior written consent of the MiraCosta College Foundation unless the third party has also entered into an “Agreement for the Protection of Proprietary Information” with the MiraCosta College Foundation.
5. Volunteer will exercise all reasonable precautions to prevent loss, theft, compromise, or misuse of the data.
6. Immediately upon completion of performance of the Volunteer Activity, Volunteer will destroy the data.
7. Volunteer will not retain any copy or copies of the data once the Volunteer Activity has been performed or completed.
8. If Volunteer is required to disclose any data pursuant to legal process, Volunteer shall notify the MiraCosta College Foundation before disclosing the data in order to allow the College to seek an appropriate remedy to protect the data.

All requests for the MiraCosta College Foundation authorization, consent, or permission pursuant to this agreement should be addressed to MiraCosta College’s Vice President, Institutional Advancement at 760-795-6775 or [foundation@miracosta.edu](mailto:foundation@miracosta.edu). No such authorization, consent, or permission is valid unless signed by the executive director of the MiraCosta College Foundation.

Neil McCarthy

Volunteer Name

July 8, 2024

Date



FOUNDATION

1 Barnard Dr., Oceanside, CA 92056 760.757.2121

## Board Involvement Agreement

I understand as a MiraCosta College Foundation Board Member that I will fulfill the following commitments:

- **As Donors:** Members are expected to donate at least \$1,000 annually to the Foundation. Ideally, this should come from a personal donation by the member. Being able to state that all members are donors makes a powerful statement about commitment and credibility to individuals, companies, and institutions being asked to support MiraCosta College.
- **As Participants:** Members have a fiduciary responsibility to the Foundation. They will remain aware of fiscal management and other activities of the Foundation by attending the annual board retreat and at least two board meetings per year. They will also actively participate in at least two committees and attend at least two college events and one fundraising event per year. In addition, members will help review scholarships and innovative grant applications, as well as cultivate new board members.
- **As Advocates:** Members speak favorably about the college and the Foundation to friends and acquaintances that may have the ability to assist the college financially. Board members are ambassadors; they know the college story, tell it, and sell it.

Neil McCarthy

Board Candidate Name

July 8, 2024

Date

Foundation Office Only

Nomination Approval Date

Nominator

Alumnus/ae:

Yes

No

## Neil McCarthy, CPA

(207) xxx-xxxx • xxxx@neilmccarthycpa.com

### SUMMARY

I provide tax planning and compliance services to high net worth individuals and closely held businesses. I work with my clients' other advisors to craft tax minimization strategies that further their long term financial goals. And I advise my clients on risks and opportunities in ever changing tax regulations.

Outside of work, I enjoy hiking, reading, cooking, traveling and spending time with friends and family.

### CERTIFICATION

#### Certified Public Accountant

Jan 2014 - Present

California Board of Accountancy, License # 121933

### EXPERIENCE

#### EisnerAmper (fka Lindsay & Brownell)

Dec 2020 – Present

Senior Tax Manager

Dec 2021 – Present

Tax Manager

Dec 2020 – Dec 2021

#### Dickerson Rix & Company, LLP, CPAs

Dec 2012 – Dec 2020

Senior Tax Manager

Dec 2019 – Dec 2020

Tax Manager

Dec 2017 – Dec 2019

Senior Staff Accountant

Dec 2015 – Dec 2017

Staff Accountant

Dec 2012 – Dec 2015

### EDUCATION

#### Master of Science in Accountancy

Dec 2012

San Diego State University

#### Bachelor of Science in Accounting

Dec 2010

San Diego State University



FOUNDATION

1 Barnard Dr., Oceanside, CA 92056 760.757.2121

## BOARD Candidate Questionnaire

Please take about 10 minutes to complete and return this form to [Foundation@miracosta.edu](mailto:Foundation@miracosta.edu) along with a digital headshot photo and current resume.

Name:	Mark I. Richards		
Home Address:			
City:	Carlsbad	State:	CA
		Zip:	92010
Home Phone:		Cell Phone:	
Email Address:		Date of Birth:	

<input type="checkbox"/> Retired	<input checked="" type="checkbox"/> Currently Working	<input type="checkbox"/> Veteran	<input type="checkbox"/> Active Duty Military
Company Name:	McCune Law Group		
Position:	Attorney		
Type of Business:	Law Firm		

Are you an alumnus of MiraCosta College? ☒ Yes ☐ No

If yes, year you graduated: 2011 Major: Social and Behavioral Sciences

MiraCosta College Involvement (past/present):

Alumni - Class of 2011  
 Speaking Engagements: Summer Bridge Panel - 2017 (at the invitation of Don Love); Black Career Success Panel - 2021 (at the invitation of Stacey Mathis);  
 Black Grad Key Note Speaker - 2024 (at the invitation of Ingrid Phillips and Kate L. Scaife); Summer Bridge Panel Speaker - 2024 (at the invitation of Don Love)

Education:

Associate of Arts - Social and Behavioral Sciences - Mira Costa College - 5/2011  
 Bachelor of Arts - Political Science - UC Berkeley - 5/2013  
 Juris Doctor - UC College of the Law, San Francisco (f/k/a UC Hastings)

Other community activities:

Leadership roles:

Member - Inland Counties Legal Services Board of Directors - 2/20-4/22

Other information:

Foundation Office Only: Date Received: \_\_\_\_\_ Nominator: \_\_\_\_\_

**Why do you want to join the MiraCosta College Foundation Board?**

My passion for expanding educational opportunities drives my desire to join the Mira Costa Foundation Board. I am committed to increasing access to education for North County's at-risk youth, recognizing the transformative power that community college holds. By serving on the board, I would strive to promote the numerous benefits of attending Mira Costa, including its quality programs, supportive environment, and pathways to future success. I believe that by working with the Foundation, I can help break down barriers and create more avenues for under-served students to pursue higher education.

**What are some of the qualities and strengths you can bring to the Board?**

I believe my educational and professional success can serve as an inspiring example for potential Mira Costa students and donors, demonstrating the tangible benefits of a Mira Costa education. My ability to build relationships across diverse backgrounds can help foster a more inclusive and connected community within the Foundation. And my legal expertise may bring valuable insight to the board, potentially aiding in decision-making, policy development, and risk management.

**How can we best utilize your skills to advance the [Foundation's mission and vision](#)?**

I believe through speaking engagements and attending community events, I can use my personal story to illustrate the transformative impact of MiraCosta College, which will help inspire potential donors. My relationship-building skills can help forge stronger connections with diverse community members, alumni, and potential benefactors, expanding the college's support network. My legal background can be instrumental in navigating complex legal questions and ensuring responsible stewardship of funds.

**What are your interests and passion regarding MiraCosta College?**

My passion for Mira Costa centers on expanding educational opportunities for individuals who may have faced challenges in traditional K-12 public education or those who have been away from academia due to personal hardships. I am committed to broadening access to education for these students and believe that everyone deserves a chance to pursue learning and achieve academic success, regardless of their past experiences or circumstances.

Mark I. Richards

Board Applicant Name

7/18/2024

Date

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**Area(s) of Expertise (Check all that Apply):**

- ☒ Attorney
- ☐ Business
- ☐ Education
- ☐ Government
- ☐ Health/Medical
- ☐ Technology
- ☐ Executive Management
- ☐ Entrepreneur
- ☐ Finance/Investments
- ☐ Accounting (CPA)
- ☒ Legal System
- ☐ Estate Law
- ☐ Real Estate
- ☐ Marketing/PR
- ☐ Fund Raising
- ☐ Gift Planning
- ☒ Other Board of Directors Positions
- ☐ Community Reinvest Act
- ☐ Other:

**Diversity (Please self-identify):**

Gender:  Pronouns:

Ethnicity:

Religion:

LGBTQIA+: ☐ Yes ☒ No

**Status:**

Highest Level of Education:

[MiraCosta College District of Residence](#) (if applicable):

Work Status:

Industry/Sector:

Institutional Relationship:

**Committee Interest:**

What MCC Foundation Board Committees are you interested in joining? (Please check all that apply.)

- |                                  |   |  |
|----------------------------------|---|--|
| <input type="checkbox"/> Audit   | <input checked="" type="checkbox"/> Comprehensive Campaigning/Fundraising | <input type="checkbox"/> Executive                                   |
| <input type="checkbox"/> Finance | <input type="checkbox"/> Governance and Nominations                       | <input checked="" type="checkbox"/> Innovation Grants & Scholarships |


**FOUNDATION**

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## Conflict Of Interest Statement

It is the responsibility of all directors to ensure the standard of behavior at the MiraCosta College Foundation (hereafter referred to as the Foundation). All board members shall scrupulously avoid conflicts of interest between the interests of the Foundation on one hand, and personal, professional, and business interests on the other. This includes avoiding potential and actual conflicts of interest, as well as the perception of conflicts of interest.

No member of the Foundation Board of Directors shall derive any personal profit or gain, directly or indirectly, by reason of his or her participation in Foundation. Each member shall disclose to the Foundation any personal interest which he or she, or any member of his or her family, may have in any matter pending before the organization and shall refrain from participation in any decision on such matter. Some examples include conflicts may include stock ownership, business ownership or interest, and personal financial interest in a Foundation vendor.

### Personal Gain Statement

Any member of the Foundation's Board of Directors shall refrain from obtaining any list of Foundation's clients for personal or private solicitation purposes at any time during the term of their affiliation.

In addition to my service for the Foundation, I or a member of my immediate family are a Board member, owner, partner, employee, or own a financial interest in the following organizations:

The Carole Downing Group - Berkshire Hathaway Home Services  
 McCune Law Group, APC  
 San Diego Gas and Electric  
 Charter Communications  
 San Diego Unified School District

Mark I. Richards

Print Name

7/18/2024

Date



**FOUNDATION**

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## Statement of Adherence to Confidentiality

The MiraCosta College Foundation and ("Volunteer") enter into this agreement regarding the protection and security of the information supplied to Volunteer from MiraCosta College's database of alumni and friends ("data").

The MiraCosta College Foundation grants Volunteer access to the data solely for the purpose of assisting the college in identifying, qualifying and cultivating potential donors to the college.

In performing the Volunteer Activity for the MiraCosta College Foundation, Volunteer agrees:

1. The data is proprietary information and the exclusive property of the MiraCosta College Foundation and MiraCosta College.
2. Volunteer will use the data solely for performance of the Volunteer Activity.
3. Volunteer will exercise all reasonable precautions to assure that the data is held in strict confidence.
4. Volunteer will not disclose the data to any third party (including other alumni volunteers) without prior written consent of the MiraCosta College Foundation unless the third party has also entered into an "Agreement for the Protection of Proprietary Information" with the MiraCosta College Foundation.
5. Volunteer will exercise all reasonable precautions to prevent loss, theft, compromise, or misuse of the data.
6. Immediately upon completion of performance of the Volunteer Activity, Volunteer will destroy the data.
7. Volunteer will not retain any copy or copies of the data once the Volunteer Activity has been performed or completed.
8. If Volunteer is required to disclose any data pursuant to legal process, Volunteer shall notify the MiraCosta College Foundation before disclosing the data in order to allow the College to seek an appropriate remedy to protect the data.

All requests for the MiraCosta College Foundation authorization, consent, or permission pursuant to this agreement should be addressed to MiraCosta College's Vice President, Institutional Advancement at 760-795-6775 or [foundation@miracosta.edu](mailto:foundation@miracosta.edu). No such authorization, consent, or permission is valid unless signed by the executive director of the MiraCosta College Foundation.

Mark I. Richards

Volunteer Name

7/18/2024

Date





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## Board Involvement Agreement

I understand as a MiraCosta College Foundation Board Member that I will fulfill the following commitments:

- **As Donors:** Members are expected to donate at least \$1,000 annually to the Foundation. Ideally, this should come from a personal donation by the member. Being able to state that all members are donors makes a powerful statement about commitment and credibility to individuals, companies, and institutions being asked to support MiraCosta College.
- **As Participants:** Members have a fiduciary responsibility to the Foundation. They will remain aware of fiscal management and other activities of the Foundation by attending the annual board retreat and at least two board meetings per year. They will also actively participate in at least two committees and attend at least two college events and one fundraising event per year. In addition, members will help review scholarships and innovative grant applications, as well as cultivate new board members.
- **As Advocates:** Members speak favorably about the college and the Foundation to friends and acquaintances that may have the ability to assist the college financially. Board members are ambassadors; they know the college story, tell it, and sell it.

Mark I. Richards

Board Candidate Name

7/18/2024

Date

Foundation Office Only

Nomination Approval Date

Nominator

Alumnus/ae:

Yes

No



# Mark I. Richards

## COMPLEX LITIGATION ATTORNEY

Redacted for Privacy

2024-08-06 MZCF Governance & Nominations Committee Meeting Agenda Packet Page 26 of 31  
Carlsbad, California 92010

LinkedIn: <https://www.linkedin.com/in/mark-i-richards-64b4543b/>

As a highly skilled and experienced complex litigation attorney, I have successfully represented plaintiffs in class actions and individual suits against corporations and businesses. With a proven track record, I am dedicated to fighting for the rights of individuals who have been harmed by negligent and unfair and deceptive practices. My expertise in consumer protection laws, product liability, regulatory compliance, and litigation strategy allows me to provide my clients with effective and efficient representation. Dedicated to upholding the highest standards of professionalism and ethics, I am committed to achieving justice for those who have been wronged.

## Professional Experience

**Associate Attorney** McCune Law Group (f/k/a McCune Wright Arevalo, LLP)| August 2018- Present

- Managed a mixed case load of consumer class actions (70% of practice), product liability (30% of practice), personal injury/wrongful death (5% of practice), and commercial litigation (5%) cases on behalf of plaintiffs in federal and state courts across the United States.
- Established meaningful relationships and trust with clients, defense counsel, co-counsel firms, and colleagues.
- Effectively conducted and defended depositions (fact witnesses, corporate representatives, and expert witnesses).
- Vetted, retained, and worked with various expert witnesses (liability and damages).
- Successfully drafted and argued dispositive motions, discovery motions, class certification motions, and pre-trial motions.
- Acted as lead counsel during numerous mediation and settlement negotiations.
- Actively supervised junior attorneys, paralegals, and legal assistants.
- Successfully developed intake and case analysis processes for automotive vehicle safety defect class action practice group.
- Independently responsible for the recovery of over \$1MM in personal injury actions.
- Integral team contributor responsible for the recovery of over \$10MM in consumer class actions.

**Law Clerk** Kazan, McClain, Satterley, & Greenwood P.C.| May 2016 - December 2017

- Assisted trial attorneys with drafting discovery, pleadings, correspondence on behalf of individuals diagnosed with mesothelioma and asbestos related diseases.
- Provided trial support on a two-month long wrongful death trial that resulted in a \$22MM verdict in favor of the plaintiff - *Booker v. Imerys Talc America, Inc. and Vanderbilt Minerals, LLC*, Case No. RG15796166, Superior Court of California, County of Alameda.

**Judicial Extern** Hon. Jaqueline Scott. Corely (USDC, Northern District of California)| May 2015 - May 2017

- Drafted court orders and bench memorandums.
- Conducted complex research and drafted memorandums in support of judicial opinions.

**Law Clerk** U.S. Attorney's Office Northern District of California (Economic Crimes Division)| January 2016 - April 2016

- Conducted complex legal research in support of the federal prosecution of financial crimes.
- Successfully drafted an opposition to a motion to dismiss charges arising from an alleged ponzi scheme.

## Education

**Juris Doctor** University of California Hastings College of the Law at San Francisco, CA| 2017

- Notes Editor, UC Hastings Business Journal

**Bachelor of Arts in Political Science** University of California Berkeley at Berkeley, CA| 2013

## Amissions

The State Bar of California (SBN 321252); U.S. Court of Appeals for the Ninth Circuit; USDC, Central District of California; USDC, Southern District of California; USDC, Eastern District of California; USDC, Northern District of California; USDC, Eastern District Of Michigan; USDC, Northern District of Illinois

## Volunteer

**Board Member - Inland Counties Legal Services (2/2020 - 4/2022)**

Successfully assisted non-profit legal organization's leadership by advising and consulting on management decisions and budgetary matters.

# Key Skills

- Client Acquisition and Management
- Taking and Defending Depositions
- ESI Discovery Project Management (DISCO proficient)
- Brief Writing and Oral Argument
- Settlement Negotiations
- Trial Preparation
- Case Value Analysis and Cost Management
- Legal Research (WestLaw Proficient)

# Affiliations

Consumer Attorneys of California ("CAOC")

Attorneys Information Exchange Group ("AIEG")

American Association for Justice ("AAJ")

Board Member	Area of Expertise																	DIVERSITY				
	Corporate Representation	Education	Government	Health / Medical / Biotech	Technology	Executive Management	Entrepreneur	Wealth Mngt / Investments	Accounting (CPA)	Legal System	Lawyer	Estate Law	Real Estate	Marketing / PR	Fund Raising	Gift Planning	Other BoD Positions	CRA (Comm Reinvest Act)	Gender	Ethnicity	LGBTQ	Veteran/Military
Benson, Dottie	1	1	1					1		1	1	1	1	1	1	1			Female	White	No	No
Crockett, Hema	1					1	1												Female	Asian American	No	No
Figueroa, Jimmy			1			1													Male	Latino/Hispanic	No	No
Flores, Alma	1																		Female	Latino/Hispanic	No	No
Kurth, MD, Janice				1	1		1										1		Female	White	No	No
McGuigan, David	1			1		1	1							1	1		1		Male	White	No	No
McNamara, Amy	1							1					1						Female	White	No	No
Mills, Diane	1						1						1	1					Female	Latino/Hispanic	No	No
Musser, Cindy									1										Female	White	No	No
Pearson, Karen	1		1											1	1		1		Female	White	No	No
Saadat, Val		1	1							1									Female	African American	No	No
Snodgrass, Tim	1						1		1		1	1	1	1	1				Male	White	No	No
Stillinger, Denise		1				1								1	1				Female	White	No	No
Wiback, Sharon	1			1	1														Female	White	No	No

Red = Gap Areas

## **Committee Roles & Responsibilities**

A revision of Committee Roles & Responsibilities <https://foundation.miracosta.edu/foundation-board/board-manual/board-committees.html> was presented at the Q4 committee meeting.

Since then, staff discovered that this information, as well as more comprehensive information, is also included in the bylaws: <https://foundation.miracosta.edu/foundation-board/board-manual/bylaws.html>.

To eliminate unnecessary duplication and avoid 'version control' (which was beginning to occur), staff recommendation is to eliminate the duplicate section "Committee Roles & Responsibilities" since Bylaws ARTICLE VII: Committees addresses the proposed changes. Rather, the website page can be called "Committee Assignments" and be updated annually to reflect the committee members.

## **Section 5: Emeritus Members to the Board**

Board members with emeritus status shall be selected from those board members who have served on the Foundation Board with distinction and excellence. Emeritus member candidates will have served on the Board for a minimum of two (2) terms and are considered deserving of this title for outstanding service. An emeritus board member shall be entitled to receive all notices and information which are provided to the Board, to attend all Board meetings, to participate in meetings of the committees in which they serve, and encouraged to attend other events conducted by the Foundation. An emeritus board member shall not be subject to any attendance policy, counted in determining if a quorum is present at a meeting, entitled to hold office, or entitled to vote at any Board meeting. The Governance and Nominations Committee will consider potential candidate(s) and make recommendations to the Executive Committee. The Executive Committee will present the nomination(s) along with supporting statements to the Board for consideration. A simple majority vote of the Board present at a meeting at which a quorum is present is sufficient to approve appointment.

### **Discussion**

- Discuss who will present the opportunity to future potential emeritus members and when
  - Possible recommendations: between GNM & ECM or between ECM & QBM
- Four previous board members currently qualify
  - Alec Babiarz
  - Bruce Bandemer
  - Hap L'Heureux
  - Sudershan Shaunak

## **Role of Committee Vice Chair**

**Draft 1 July 2024**

### **Purpose**

The purpose of identifying a Vice Chair at the committee level is to provide leadership and succession planning for the committee, as well as leadership of the committee when the chair is absent.

### **The Vice-Chair can:**

- Participate in agenda planning by suggesting agenda items and reviewing draft agendas
- Request time with the Committee Chair and Executive Director to plan for meetings as needed
- Lead committee meetings, either in the absence of the Chair or in place of the Chair
- Attend Executive Committee meetings on behalf of the chair, as a non-voting member, to report in the absence of the committee chair

### **Selection**

Each committee will select a Vice-Chair in the first quarter of the Fiscal Year, as an action item.