

Minutes
February 15, 2006
San Mateo, California

The meeting was called to order at 6:05 p.m.

Board members present: President Mandelkern, Vice-President Clerk Hausman, Trustees Holober and Miljanich; and Student Trustee Burns

Board members absent: Trustee Schwarz

Others present: Chancellor Galatolo, Executive Vice Chancellor Keller, Vice Chancellor Joel, Skyline President Morrow, Cañada Interim President Mohr, CSM President Kelly, and District Academic Senate President Kapp

Pledge of Allegiance

DISCUSSION OF THE ORDER OF THE AGENDA

President Mandelkern asked the Board to approve the hearing of Board Report No.05-2-100B (Reappointment of Bond Oversight Committee) and Board Report No. 06-2-103B (Receipt and acceptance of the 2004-05 Bond Financial and Performance Reports) immediately following the action on the personnel reports (Nos. 06-2-1A – 06-2-3A). The Board approved the request.

MINUTES

It was moved by Trustee Hausman and seconded by Trustee Miljanich to approve the minutes of the Study Session of January 11, 2006. The motion carried by a vote of 4-0, all members present voting “Aye.”

It was moved by Trustee Hausman and seconded by Trustee Miljanich to approve the minutes of the Regular Meeting of January 25, 2006. The motion carried by a vote of 4-0, all members present voting “Aye.”

PRESENTATIONS TO THE BOARD BY PERSONS OR DELEGATIONS

None

STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES

Executive Statements/Reports covering recent activities, events and staff honors at the Colleges and Chancellor’s Office were presented by Chancellor Galatolo, Cañada Interim President Mohr, CSM President Kelly, Skyline President Morrow, Executive Vice Chancellor Keller, and District Academic Senate President Kapp.

Chancellor Galatolo reported that CSM President Kelly and Vice President Griffin have announced their retirements, scheduled for June 2006 and August 2006 respectively.

Members of the Board as well as executive staff expressed their appreciation and good wishes to the President and Vice President; these wishes were tempered with regret that the District will lose these highly-regarded leaders at CSM.

Copies of the Executive Statements/Reports were available for distribution at the meeting and are attached to the official minutes of record.

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

None

NEW BUSINESS

APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (06-2-1A)

It was moved by Trustee Holober and seconded by Trustee Hausman to approve the actions in Board Report No. 06-2-1A. The motion carried by a vote of 4-0, all members present voting “Aye.”

ADOPTION OF RESOLUTION NO. 06-1 TO ALLOW DECEASED RETIREES' ELIGIBLE SPOUSES WITH NO MONTHLY ALLOWANCE TO CONTINUE GROUP HEALTH CARE THROUGH CALPERS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT (06-2-2A)

It was moved by Trustee Holoher and seconded by Trustee Hausman to adopt Resolution No. 06-1 to allow deceased retirees' eligible spouses with no monthly allowance to continue group health coverage through CalPERS. The motion carried by a vote of 4-0, all members present voting "Aye."

DISTRICT'S INITIAL CONTRACT PROPOSAL TO AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), LOCAL 829 (06-2-3A)

It was moved by Trustee Holoher and seconded by Trustee Hausman to accept the District's initial proposal to AFSCME Local 829 and hold a public hearing of the proposal at the next regularly scheduled Board meeting. The motion carried by a vote of 4-0, all members present voting "Aye."

REAPPOINTMENT OF BOND OVERSIGHT COMMITTEE (06-2-100B)

It was moved by Trustee Miljanich and seconded by Trustee Hausman to approve the reappointment of the individuals listed in the report to the District's Bond Oversight Committee. The motion carried by a vote of 4-0, all members present voting "Aye."

Jim Wyatt, chair of the Bond Oversight Committee, stated that this committee is an outstanding group that is committed to the work of ensuring that projects funded by the bond remain as authorized by the voters. He expressed his appreciation to Director Christensen for her efforts to provide the committee with first-hand evidence of the improvements funded by the bond by scheduling committee meetings at various locations at the Colleges. He also thanked Executive Director of Facilities and Planning Nuñez, Facilities Director da Silva, and Swinerton Consultant Powell.

Members of the Board thanked Chairman Wyatt for the committee's efforts to oversee the District's expenditures.

RECEIPT AND ACCEPTANCE OF THE 2004-05 BOND FINANCIAL AND PERFORMANCE REPORTS (06-2-103B)

Executive Vice Chancellor Keller stated that the auditors reported that the records presented are accurate and present fairly the position of the District. Furthermore, the financial statements present fairly, in all material respects, the financial position of the capital outlay-bond fund for the District.

Following the report, the Board, by consensus, received and accepted the 2004-05 financial and performance audits for the District's Capital Outlay-Bond Fund.

APPROVAL OF CONSENT AGENDA (06-2-1CA – 06-3CA)

The Consent Agenda consists of the following board reports:

- 06-2-1CA Augmentation to design build contract for Science Building 36 – College of San Mateo
- 06-2-2CA Augmentation to design build contract for Student Support & Community Services Center
 Building 6 and Science Annex Building 7A – Skyline College
- 06-1-3CA Ratification of second quarter District warrants, 2005-06

President Mandelkern asked that Board Reports 06-2-1CA and 06-2-2CA be set aside for separate discussion.

It was then moved by Trustee Hausman and seconded by Trustee Miljanich to approve the Consent Agenda as amended. The motion carried by a vote of 4-0, all members present voting "Aye."

AUGMENTATION TO DESIGN BUILD CONTRACT FOR SCIENCE BUILDING 36 – COLLEGE OF SAN MATEO (06-2-1CA)

AUGMENTATION TO DESIGN BUILD CONTRACT FOR STUDENT SUPPORT & COMMUNITY SERVICES CENTER BUILDING 6 AND SCIENCE ANNEX BUILDING 7A – SKYLINE COLLEGE (06-2-2CA)

Regarding these two augmentations, President Mandelkern asked whether an analysis was done to determine the level of return on these investments for the specified projects. Executive Director of Facilities and Planning Nuñez responded that there is an expected savings of \$200,000 per year for these projects. Student Trustee Burns said that he supports the use of the augmentation for instructional enhancements.

Following discussion, the Board approved, by a vote of 4-0, the recommendations for augmentations to design build contracts as detailed in the report.

ADOPTION OF RESOLUTION NO. 06-2 AUTHORIZING ISSUANCE OF TAX AND REVENUE ANTICIPATION NOTES (06-2-101B)

It was moved by Trustee Hausman and seconded by Trustee Holober to adopt Resolution No. 06-2 authorizing issuance of 2006-07 Tax and Revenue Anticipation Notes in an amount not to exceed \$20,000,000. The motion carried by a vote of 4-0, all members present voting "Aye."

ADOPTION OF RESOLUTION NO. 06-3 AUTHORIZING PARTICIPATION IN SETTLEMENT AGREEMENT WITH ENRON ENERGY MARKETING CORPORATION (06-2-102B)

It was moved by Trustee Hausman and seconded by Trustee Miljanich to adopt Resolution No. 06-3 authorizing settlement of the District's bankruptcy claims against Enron, including participation in the "true-up" process, and authorizing the Community College League of California to execute the settlement agreement on behalf of the District. The motion carried by a vote of 4-0, all members present voting "Aye."

UPDATE OF ART ON CAMPUS PROGRAMS AND APPROVAL OF PURCHASE OF SCULPTURE FOR CAÑADA COLLEGE (06-2-104B)

Chancellor Galatolo opened discussion, stating that, on Opening Day two years ago, he expressed interest in exploring the concept of art on the campuses. Since that time, each of the Colleges has independently developed a process for addressing this need. He said that each of the Colleges is close to making a decision about finalizing plans and will present their ideas at this time.

CSM President Kelly stated that Martha Tillman, dean of technology, has spearheaded the art movement at CSM. Dean Tillman stated that her task force is looking at a 7-10-year plan, with a water theme. The objectives include a possible lecture series, walking tours, environmental and scientific art, using outdoor locations. She presented a video, using outdoor locations at CSM to demonstrate the intent of the art displays to be forward-thinking while reflecting the past. In response to questions from the Board, Dean Tillman explained that it is expected that the first step would be CSM's planetarium as a "gallery" for projects with a water/science theme. She added that, because the displays are nature-based with a limited life span they would not be permanent but would rather be part of a planned rotation that would also be interactive. She added that the process has included all constituencies and will continue to do so throughout the life of the projects; she stated that it is hoped that the displays would include work by students. Chancellor Galatolo emphasized that funding for art projects throughout the District would not be financed by bond funds. Further, the Chancellor reiterated that no operating funds would be used to pay for these projects. Instead, he said the funding would come from capital funds which are monies that can be used only for capital expenditures.

Skyline President Morrow introduced Donna Bestock, Skyline dean of social science/creative arts, who explained the charge of the College's art on campus task force. She said that the task force will recommend policy to the College President, and will address appropriate media for art works, subject matter, locations (both indoor and outdoor) and procedures for selection. The nature of the art works will encompass subject matter, media, accessibility and a "good neighbor" policy to ensure that the neighborhood constituencies' concerns are addressed. She said that the process has been inclusive and that further work will be done to explore potential sites for future art works. President Morrow said that, as the Facilities Master Plan is expanded and refined, more opportunities will present themselves regarding art on the Skyline campus.

Representing Cañada College, Professor Denise Erickson presented an extensive report on the process used at the College to select a piece of sculpture intended to be a "signature piece" for Cañada. This piece was created by an artist (Deborah Butterfield) known for her sculptures of horses. According to Professor Erickson, it was determined by all who were involved in the selection process to be a piece of outstanding artistic merit that is a work specifically suitable to the unique setting of Cañada College. She said that the piece would be a source of ideas and stimulation for discussion; a model of creative energy; a powerful expression by a well-known artist of her commitment to universal and timeless pride; and an expression to the community of Cañada's commitment to excellence. She explained that, during the year-long consultation process, which included all constituencies, the response to the piece has been very positive. The Board extensively discussed the cost of the sculpture and the selection process. Of particular concern to the Board was the possibility that the expenditure could be viewed negatively by the community, especially since there seemed to be little competition presented by other art works. Chancellor Galatolo, once again, emphasized that no bond funds or operating funds would be used to finance this purchase. Cañada Interim President Mohr, Vice President Lucas-Woods and Cañada Counselor Karen Olesen stated that this art piece has been widely discussed on campus for an extended period of time and has received favorable endorsements from all constituencies, including faculty.

Because the Board expressed concerns about approving this purchase without additional opportunity to view other pieces by the artist (such as the piece at Stanford) and further discussion, Trustee Holober moved to table a decision at this time and to take action at a future meeting. Both Trustee Holober and President Mandelkern approved this motion, with Trustee Hausman abstaining, and Trustee Miljanich voting "No" for tabling the action. Final action will be taken at an upcoming Board meeting.

STATEMENTS FROM BOARD MEMBERS

Student Trustee Burns extended special appreciation to CSM President Kelly and Vice President Griffin for their support of Phi Theta Kappa, which now has a chapter at CSM.

Trustee Holober reported that he attended the recent CCLC Legislative Conference, at which there was a major presentation on a ballot measure sponsored by CCLC. He said that the outlook for this ballot measure is optimistic since funding would probably grow; however, the measure may not appear on the ballot due to lack of financial support.

Trustee Hausman reported that she attended a retirement event for Dianne Eyer and Dick Claire, long-time faculty leaders at Cañada.

President Mandelkern commented that there has been good local press coverage on the District's new on-line auction program. He would like to have more discussion and information on this topic.

COMMUNICATIONS

None

The Board recessed to Closed Session at 9:15 p.m.

The Board reconvened to Open Session at 10:30 p.m.

CLOSED SESSION ACTIONS TAKEN

President Mandelkern reported that, at the Closed Session conducted earlier, the Board considered the personnel items listed on the printed agenda and unanimously approved the actions in Board Report No.1-A and 1-B. He also reported that the Board discussed collective bargaining matters with Chief Negotiator Joel; no action was taken.

ADJOURNMENT

It was moved by Trustee Miljanich and seconded by Trustee Hausman to adjourn the meeting. The motion carried by a vote of 4-0, all members present voting "Aye." The meeting was adjourned at 10:30 p.m.

The next meeting of the Board will be a Study Session on March 8, 2006 at 6:00 p.m. at a dental training facility in Foster City.

The next Regular Meeting of the Board will be March 22, 2006, beginning at 6:00 p.m. in the District Board Room.

The Board will also hold a retreat on Saturday, March 4, 2006 in the Community Room of *College Vista*.

Submitted by

Ron Galatolo
Secretary

Approved and entered into the proceedings of the March 22, 2006 meeting.

Helen Hausman
Vice President-Clerk