

Minutes of the Regular Meeting of the Board of Trustees
San Mateo County Community College District
September 23, 2009
San Mateo, CA

The meeting was called to order at 6:10 p.m.

Board Members Present: President Karen Schwarz, Vice President-Clerk Patricia Miljanich, Trustees Helen Hausman, Richard Holober and Dave Mandelkern, and Student Trustee Virginia Medrano Rosales

Others Present: Chancellor Ron Galatolo, Executive Vice Chancellor Jim Keller, Skyline College President Victoria Morrow, College of San Mateo President Michael Claire, Cañada College President Tom Mohr and Vice President Sarah Perkins, and District Academic Senate President Patty Dilko

Pledge of Allegiance

DISCUSSION OF THE ORDER OF THE AGENDA

President Schwarz announced that Jane Hetrick requested that "Statements from the Public on Non-Agenda Items" be heard after approval of the minutes. The Board agreed to the request.

MINUTES

It was moved by Vice President Miljanich and seconded by Trustee Hausman to approve the minutes of the September 9, 2009 study session. The motion carried, all members voting "Aye."

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Jane Hetrick said she has worked in the District for 30 years and is considering retirement. She has a two-year-old daughter whom she introduced to the Board. Ms. Hetrick requested that the Board consider adding dependent coverage to the medical plan for retirees. She said that the District and AFT have not been responsive and she is attempting to withdraw her membership from AFT Chapter 1493 under conscientious objector status. Ms. Hetrick said that she, like many other women, have delayed childbirth and she cited companies which have changed their definition of family. She said she recognizes that the District's benefits are generous, but asked the Board to think in broader terms.

Joe Galligan told the Board he is seeking office as County Treasurer to replace Lee Buffington who is retiring. He said the Treasurer's job affects schools, teachers and children. Mr. Galligan said he would like to come back and speak to the Board publicly or speak privately with individual Board members. He gave a brief synopsis of his experience and asked to distribute copies of his resume to the Board. President Schwarz thanked Mr. Galligan for his comments and asked that he send the resume directly to Board members rather than distributing it at the meeting.

SWEARING IN OF STUDENT TRUSTEE

President Schwarz administered the oath of office to Student Trustee Medrano Rosales, who is serving a second term. On behalf of the Board, President Schwarz welcomed Student Trustee Medrano Rosales back and said the Board is pleased that she is continuing for a second year. Student Trustee Medrano Rosales said it is an honor to serve.

STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES

Executive Reports were presented by Chancellor Galatolo, President Morrow, President Claire, President Mohr, President Dilko and Skyline College Associated Students President Denisse Gonzalez. Copies of the Presidents' Executive Reports were available for distribution at the meeting and are attached to the official minutes of record.

Chancellor Galatolo congratulated Student Trustee Medrano Rosales and said she is a wonderful addition to the team. Chancellor Galatolo displayed a copy of *College Services*, the magazine published by the National Association of College Auxiliary Services (NACAS), which contains a photograph of President Mohr and information about the Cañada campus. President Mohr is one of four presidents chosen by NACAS to highlight in an advertising campaign for the current year. Chancellor Galatolo toured Building 10 at College of San Mateo yesterday and said the Board

will tour the building in the near future. Chancellor Galatolo announced the death of Chris McCarthy, President of Napa Valley College, and asked that this meeting be adjourned in his memory.

President Morrow said a second debriefing forum was held on the shooting incident at Skyline, during which the addition of new communication tools, such as electronic message boards and phone message blasts, was discussed. Two counselors also discussed issues which might be affecting students and employees. President Morrow said that Skyline will receive awards in three categories from the National Council for Marketing and Public Relations. Karen Wong, Professor of English and Skyline's SLOCC Coordinator, and Rob Johnstone, Dean of Planning, Research and Institutional Effectiveness, were selected for statewide awards by the Academic Senate for the California Community College/Research and Planning Group Collaborative on SLO Assessment. President Morrow said the topping off ceremony for Building 4 will take place on September 24.

President Claire said an all-college meeting on the budget was held today and was well-attended; President Claire will send the Board a copy of his PowerPoint presentation. President Claire said the President's Lecture Series gives students a university experience with excellent speakers. He invited Board members to attend any and all of the programs. President Claire noted the launch of the President's Blog which is proving to be a popular program site. President Claire announced that former CSM baseball player Scott Feldman is currently a starting pitcher for the Texas Rangers and former CSM football player Julian Edelman made the New England Patriots 2009-2010 roster.

President Mohr said the annual Arts & Olive Festival will be held on October 4. The summer Math Jam program has been very successful. President Mohr described events which were held to welcome students to Cañada and make their transition to college easier. Upcoming events include a Fashion Design Sale; a performance of a play written by Theater Arts Professor Anna Budd; a Session on Classroom Assessment Techniques (SCAT) Book Club organized by Biology Professor Carol Rhodes; and a special seminar on new teaching technologies being used at Cañada which will be led by Professor of Mathematics Ray Lapuz. Students in the TRIO and CBET programs have formed a partnership with the Redwood City Library and the Cañada College Library to volunteer with the Traveling Storytime program.

President Dilko said faculty are engaged in discussion across the District regarding the budget. She said a commitment was made last year that administrators would not make changes to instructional programs over the summer without waiting for faculty to return, and that commitment was honored. Faculty are looking at programs Districtwide through the Board-approved Program Improvement and Viability Program which is designed to support instructional program excellence. The three themes in this process are to study (1) the effectiveness of existing programs, (2) the structure of the budget allocation model and (3) opportunities for increased revenues not based on State apportionments. President Dilko said faculty are working on finishing revisions to the District Rules and Regulations. They have also requested that all Deans and Vice Presidents be sent faculty service areas for discussion with individual faculty members. President Dilko said that as District Academic Senate President, her primary responsibility is to report to the Board on what occurs in the three College Academic Senates as well the District Academic Senate. She meets regularly with Chancellor Galatolo and Vice Chancellor Luan. With Vice Chancellor Luan, she co-chairs the District Shared Governance Council, the District Strategic Planning Committee and the Compressed Calendar Taskforce. She sits on the District Education Advisory Committee and other committees as necessary. She also attends meetings of the AFT Executive Committee as necessary. President Dilko said she strives to keep the lines of communication open.

Denisse Gonzalez, President of Associated Students of Skyline College (ASSC), said ASSC's goals are to advocate for and protect student rights, increase cultural awareness, develop and implement student activities, improve communication between campus and District constituency groups, develop an inclusive and responsive campus climate, and increase and improve financial resources and services for students. Plans for 2009-10 include full student participation in shared governance committees, developing new and diverse programming, creating easier access to ASSC information online, and increasing the number of books available through the textbook rental program. Ms. Gonzalez said Skyline currently has 39 recognized student groups which focus on academics, athletics and social and cultural interests. Ms. Gonzalez described ASSC activities on Welcome Day and during Welcome Week. Ms. Gonzalez said students' concerns after the shooting incident included general safety, communication, emergency text messaging, not hearing the sound system, not understanding terminology, and being unclear on evacuation procedures. Ms. Gonzalez said all of these concerns were addressed by President Morrow during the debriefing forums. ASSC future plans include promotion of awareness against violence and the resources available to students.

President Morrow said Ms. Gonzalez attends College Council meetings and has tremendous leadership abilities. President Schwarz said Ms. Gonzalez attended the dedication of the Cañada College Facilities Maintenance Center and also serves on the Bond Oversight Committee. Student Trustee Medrano Rosales noted that Ms. Gonzalez was the recipient of a Chicano Latina Foundation scholarship.

NEW BUSINESS

APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (09-9-2A)

It was moved by Trustee Hausman and seconded by Trustee Holober to approve the actions in Board Report No. 09-9-2A. The motion carried, all members voting "Aye."

Other Recommendations

CONTRACT AWARD FOR SKYLINE COLLEGE THEATER AUDIO AND VISUAL EQUIPMENT UPGRADES (09-9-100B)

It was moved by Trustee Holober and seconded by Vice President Miljanich to approve the contract award as detailed in the report. The motion carried, all members voting "Aye."

APPROVAL OF CONTRACT WITH CASEY PRINTING, INC. TO PRINT AND DELIVER 2010 CLASS SCHEDULES (09-9-101B)

It was moved by Trustee Holober and seconded by Vice President Miljanich to approve the contract as detailed in the report. Trustee Mandelkern asked if the quantity of schedules that are printed and mailed is still appropriate, given the budget situation and different means of communication available. Presidents Morrow, Claire and Mohr said the schedules are important as a marketing tool as they continue to promote awareness of and information about the Colleges as well as listing the schedules. The number of copies to print is regularly reviewed by each College. After this discussion, the motion carried, all members voting "Aye."

MULTIPLE CONTRACT AWARDS FOR ADMINISTRATIVE FURNITURE (09-9-102B)

It was moved by Vice President Miljanich and seconded by Trustee Hausman to approve the awards as detailed in the report. Trustee Hausman noted that there are no dollar amounts shown in the report. Jan Roecks, Director of General Services, said this is a multiple contract based on a number of factors such as performance and service. Vendors provide percentage amounts rather than specific dollar amounts, so there is no succinct chart showing a comparison of dollar amounts. After Ms. Roecks' explanation, the motion carried, all members voting "Aye."

ESTABLISHMENT OF SAN MATEO ATHLETIC CLUB AND AQUATICS CENTER AT COLLEGE OF SAN MATEO (09-9-103B)

It was moved by Trustee Hausman and seconded by Vice President Miljanich to approve the contract for consulting services as detailed in the report. Tom Bauer, Director of Auxiliary Services, said that while there are employees in the District with expertise in certain areas, staff believes guidance is needed from experienced professionals who have established such facilities and have done it well. Mr. Bauer said Club One is a corporation with a unique business model; in addition to corporate and branded clubs, they also run clubs for colleges and universities, including San Francisco State University and Cal Poly Pomona. They allow clients to use various areas of their expertise to establish their own clubs. Mr. Bauer said Club One will provide pre-marketing support to build memberships, advice and assistance with budgeting and operations, and guidance with Human Resources.

Mr. Bauer showed a rendering of the fitness center which will appear as the back cover of College of San Mateo's next schedule and will include a website address for more information. Club One will also work with the District on additional marketing techniques.

Trustee Holober said it makes sense to work with professionals. He asked the status of a fee schedule for District employees and students and said he would like this issue to come back to the Board for consideration. Chancellor Galatolo said Club One will help with the fee structure, balancing the cost of operations against attracting District employees and students. He said the fee structure proposal will be brought to the Board.

Trustee Mandelkern said he was taken aback by the recommendation because while the Board has heard about the project a number of times, there was no mention that the District lacks the expertise to run or administer the facility. Trustee Mandelkern said he thought the Board had been led to believe such expertise did exist and that is why facility design and equipment purchase went forward. He said it appears this might have been “putting the horse before the cart” as the consultant could say the wrong equipment was purchased, etc. Trustee Mandelkern said this calls into question, in his mind, the basic assumptions about this being a revenue-generating opportunity.

Trustee Mandelkern said he is also concerned about the specific recommendation regarding Club One. He said there seems to be an implication that there will be a need for ongoing operations support, in which case Club One would have an advantage in that there was not a more open and competitive contracting process.

Chancellor Galatolo said that with regard to choosing a consultant, there was recognition that time was of the essence since a membership base must be built before opening the facility in order to have a revenue stream. Chancellor Galatolo said he believes it is not entirely true that the District could not run the operation, but we do lack the aptitude and ability that professionals in the industry have and so would not run it as well. He said the District’s core competency is to educate students. Running a fitness club is a very different venture and there are others with a more refined core competency in this area. Chancellor Galatolo said it is true that the contract would open a door for a possible long-term solution as well as an interim solution. Regarding the design of the facility and the purchase of equipment, Chancellor Galatolo said there are employees in the District who have experience and understand the types of equipment needed and the proper design of the space. He said that the operations side is very different matter and this is where professional experience would be beneficial.

Trustee Mandelkern said he understands the issue of timing, but believes that since it has been known for a long time that the facility would be opening in six months, there seems to have been poor advance planning in bringing this recommendation to the Board, and he does not like feeling pushed into making a decision.

Trustee Hausman asked if there is reasonable assurance that the facility will be financially successful. Chancellor Galatolo pointed to a study conducted by a consultant which found a captive audience for such a facility at College of San Mateo, along with a very high viability at Skyline.

Trustee Mandelkern noted that Trustee Holoher has pointed out previously that there is much negative sentiment on the part of consumers regarding athletic clubs and he said the marketing approach should be in keeping with standards and principles that the District needs to have. Chancellor Galatolo said principles established by the Board in terms of being fair and reasonable will be followed. He said he believes the District can do innovative things to generate revenue beyond the traditional means and do so in a responsible, fair and honest manner. Chancellor Galatolo said Club One has a different philosophy than other fitness clubs and has been given very good references by other colleges with which they have worked. He said the facility will have a strong academic component and Club One believes in this concept. Mr. Bauer added that Club One will be working closely with him and others in the District and everything would be vetted through the District before any action is taken.

Trustee Mandelkern asked if it is appropriate to award the contract without an open bid process. Chancellor Galatolo said it is a professional services contract and is no different than hiring an architect or law firm. President Schwarz noted that when the bond measure was passed, the District hired Swinerton to guide it through the proper use of the funding. When the second bond measure was passed, the District used what it had learned to take over some of the positions. She added that KCSM hires professionals to market programs. She said she does not have a problem with the proposal because she understands we are trying to do something different that will benefit the community. President Schwarz said her concern will come later when it is time to hire personnel; she hopes that any employees who do not have anything available to them through the managed hiring process can be line for some of the jobs.

Trustee Holoher said Trustee Mandelkern’s point regarding the process is well-taken; he said he does not mind hiring professionals to work with the District, but the board should have been told going in that soliciting professional help would be part of the project. Trustee Holoher said he recognizes that no competitive bids were required and although he would have preferred to see a couple of proposals, he will trust the judgment of administrators that Club One was properly vetted. Trustee Holoher said he would have a problem if this consulting arrangement to get us started leads to a permanent arrangement with Club One. He said he believes that anyone brought in to get an operation running should not be setting it up for them to actually run the operation. Trustee Holoher said he has consistently opposed

contracting out, including the bookstores and child care centers. He noted that with Swinerton, the District went from an initial large-scale enterprise to one in which many positions were brought in-house. Chancellor Galatolo said this model of a transitional timeframe is one the District is looking at as a progressive solution.

Trustee Holoher said he would like whatever marketing proposal is developed to be brought to the Board before it goes out to the community.

Vice President Miljanich said she is comfortable with going forward with the contract. She said she cannot say at this time whether the fact that Club One is consulting with the District should mean they cannot do something with the District later. She said she would like to see how they do and what they know before making that judgment. Vice President Miljanich said that, like President Schwarz, she hopes there is an avenue for shifting some District employees to the new facility. Vice President Miljanich said she did not interpret the report to mean that District employees know nothing about the industry, but that expertise is lacking in the areas of marketing and membership drives. Mr. Bauer confirmed that these are the areas in which District employees lack expertise.

Trustee Mandelkern said he agrees with the concept of the fitness center and also believes in the need to bring in expertise when necessary. He said his issue with this recommendation is the timing and process in which it was done.

President Schwarz said the San Mateo County Community College District is a classy organization which is respected in the community and this will be reflected by people coming to the facility and paying fees.

Chancellor Galatolo suggested using the October 14 study session to have a further in-depth discussion on the fitness center, specifically regarding the next steps in the process, and to hear the intent of the Board.

After this discussion, the motion to approve the contract as detailed in the report carried, with Trustee Mandelkern voting "No" and the remainder of Board members voting "Aye."

AUTHORIZATION TO AUGMENT THE DESIGN BUILD CONTRACT FOR THE COLLEGE OF SAN MATEO BUILDINGS 12/15/17/34 MODERNIZATION PROJECT, AND EXPAND THE CONTRACT TO INCLUDE RENOVATION OF BUILDING 9 (09-9-104B)

It was moved by Trustee Hausman and seconded by Vice President Miljanich to approve execution of a change order to augment the existing design build contract, as detailed in the report. The motion carried, all members voting "Aye."

INFORMATION REPORTS

DISCUSSION OF DISTRICT RULES AND REGULATIONS SECTION 8.38, GIFTS AND DONATIONS (09-9-3C)

President Schwarz said that at the Cañada College Facilities Maintenance Center ribbon cutting last week, a glass etching was presented to Danny Glass and the break room in the Facilities Maintenance Center was named for Mr. Glass. President Schwarz said the intent was wonderful and she wants to take nothing away from it, but it was noted that nothing came before the Board for approval and the question arose as to whether there is a policy. It was determined that the policy does exist and President Schwarz asked if everyone understands the policy and if there are problems with it that need to be discussed. Vice President Miljanich asked how the gift and naming was determined. Vice Chancellor José Nuñez said the Cañada maintenance team wanted to honor Mr. Glass because of his work at all of the Colleges, his can-do attitude and his positive leadership style. Vice Chancellor Nuñez said the decision was made only by him and the Facilities team and it was his mistake that it was not brought to the Board for approval. President Schwarz said she thinks there is a need to distribute information on the policy more widely so that people understand there is a policy.

Trustee Mandelkern said he is sure that Mr. Glass has made outstanding contributions to the District and it is wonderful that his colleagues wanted to honor him, but the policy is in place because the Board has a responsibility to make sure things are done fairly, openly and transparently.

Vice President Miljanich said the policy allows for the possibility of such an award and she believes the Board would have approved if it had been brought to them.

Trustee Hausman said it is important to not set precedent. She asked if qualifications for naming of a building should be spelled out, e.g. basing the decision on a person's contribution to the District, the amount of a contribution, whether the person is deceased, etc. Chancellor Galatolo said there is a clear procedure which has purposeful ambiguity in terms of contribution amounts. Vice President Miljanich said she supports the current policy because it would be a mistake to tie the District's hands by specifying dollar amounts of contributions. She said there is nothing in the policy to preclude the Board having a discussion about precedent if and when something is presented. She said she would prefer to wait rather than speculating about what the amounts should be. Trustee Mandelkern agreed with the need for ambiguity regarding financial contributions, but said for internal matters such as the one that arose recently, it is important to have a process in place that everyone understands. Trustee Holober agreed and said he is sure staff will keep it on track and inform people of the policy.

STATEMENTS FROM BOARD MEMBERS

Trustee Hausman attended the President's Breakfast at Cañada College and said students were full of questions. Trustee Hausman was impressed with the fitness and aquatics center during the tour at the last meeting.

Trustee Holober said Assembly Bill 48 is on the Governor's desk for signature. The bill reauthorizes an agency that oversees private, for-profit schools and colleges. Unfortunately, the bill does not contain student rights and anti-fraud protections sought by Trustee Holober and others. Trustee Holober attended the San Mateo County School Boards Association meeting, along with President Schwarz and Chancellor Galatolo, at which Scott Plotkin, Executive Director of the California School Boards Association, provided a good but sobering presentation. Mr. Plotkin noted that during the five years of the Depression, California made cuts to education of 25%; currently, in a little more than one year, California has made cuts to education of 18%. Trustee Holober said work is occurring within the State School Boards Association and other State and local organizations to force the issue of education funding in a more positive direction. Trustee Holober suggested that Board members become more involved in working with organizations such as the School Boards Association, the Community College League of California and other local school boards. Trustee Hausman said that because of advances in technology since the Depression, the need for education is even greater than before.

President Schwarz said that after listening to and speaking with Mr. Plotkin, she believes that reform is the only way to make things better. She said she would like to be involved in working with the School Boards Association and others in the effort to move forward rather than being passive, and she would encourage other Board members to also become involved. Vice President Miljanich said she also is in favor of participating.

Trustee Mandelkern said he met with Stephani Scott, Executive Director of the San Mateo County Community Colleges Foundation, and outlined the idea for revenue-generating opportunities for programs and staff and faculty positions instead of scholarships only. Trustee Mandelkern said Ms. Scott understood the concept and will meet with the District's executive management team. Any proposals would then go to the Foundation Board. Trustee Mandelkern said the Foundation has taken steps forward in terms of putting technology and data bases in place to help with donor lists. Trustee Mandelkern said he believes a study session on the Foundation is planned within the next few months and Chancellor Galatolo confirmed this.

Trustee Mandelkern said he researched the District's retiree benefits program with Vice Chancellor Joel and was pleasantly surprised to see that the benefits are very generous in comparison with the private sector, especially to those with a hire date prior to 1987. Trustee Mandelkern said that dependent coverage is set by insurance companies and generally taps out at ages 23-25. He said it is his understanding that retirees can add dependents to their coverage if they are willing to pay for it.

Trustee Mandelkern referenced a newspaper article regarding a San Mateo Union High School District study on a \$30 million solar power project and the savings it would provide. He will provide the article to Vice Chancellor Nuñez. Trustee Mandelkern also referenced an article in *The San Matean* regarding the issue of free speech. He said he sees no evidence of an attempt to stifle dissent or first amendment rights. He and other Board members asked President Claire to comment on the situation. President Claire said he is working with students to address their concerns. Since the students have hired an attorney and the District has engaged Tom Casey, President Claire offered to discuss the issue at the next Closed Session if the Board wishes.

Trustee Mandelkern attended President Mohr's Breakfast and had an opportunity to interact with students. He heard how the fee increase has impacted students' lives. He also heard that there are not enough books available through the textbook rental program and he congratulated Mr. Bauer on the success of this program. Trustee Mandelkern attended the initial meeting of this year's Skyline President's Council and the ribbon cutting for the Cañada Facilities Maintenance Center. Vice Chancellor Nuñez noted that this is the first LEED certified building in the District.

Student Trustee Medrano Rosales attended the President's Breakfast at Cañada. She will attend the Skyline Building 4 topping off ceremony and the Chinese dance performance. Student Trustee Medrano Rosales said the Skyline Running Club will participate in the San Jose half marathon.

President Schwarz said she is happy to serve on President Mohr's advisory committee, focusing on how to make Cañada College more visible within the community. President Schwarz said she met a five-semester student who came to President Mohr's breakfast simply to tell the Board how much she loves Cañada. President Schwarz attended the ribbon cutting at Cañada and noted that the maintenance staff has been patient while waiting for the new facility. President Schwarz also attended the Foundation meeting at which the Donor Wall was discussed. The recommendation brought forth was very expensive and Executive Vice Chancellor Keller suggested using an electronic message board as an alternative. President Schwarz will attend the topping off ceremony at Skyline tomorrow and the Chinese dance production.

COMMUNICATIONS

None

RECESS TO CLOSED SESSION

President Schwarz announced that during Closed Session, the Board will discuss the personnel item listed as 1-B on the printed agenda.

The Board recessed to Closed Session at 8:22 p.m.

The Board reconvened to Open Session at 9:48 p.m.

CLOSED SESSION ACTIONS TAKEN

President Schwarz reported that, at the Closed Session just concluded, the Board considered the personnel item listed on the printed agenda and voted 5-0 to approve the action in Board Report No. 1-B.

ADJOURNMENT

It was moved by Trustee Holober and seconded by Vice President Miljanich to adjourn the meeting. The motion carried, all members voting "Aye." The meeting was adjourned at 9:52 p.m. in memory of Dr. Chris McCarthy.

Submitted by

Ron Galatolo
Secretary

Approved and entered into the proceedings of the October 14, 2009 meeting.

Patricia Miljanich
Vice President-Clerk