

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES
REGULAR MEETING AGENDA
September 26, 2007
District Office Board Room
3401 CSM Drive, San Mateo, CA**

NOTICE ABOUT PUBLIC PARTICIPATION AT BOARD MEETINGS

The Board welcomes public discussion.

- *The public's comments on agenda items will be taken at the time the item is discussed by the Board.*
 - *To comment on items not on the agenda, a member of the public may address the Board under "Statements from the Public on Non-Agenda Items"; at this time, there can be discussion on any matter related to the Colleges or the District, except for personnel items. No more than 20 minutes will be allocated for this section of the agenda. No Board response will be made nor is Board action permitted on matters presented under this agenda topic.*
 - *If a member of the public wishes to present a proposal to be included on a future Board agenda, arrangements need to be made through the Chancellor's Office at least seven days in advance of the meeting. These matters will be heard under the agenda item "Presentations to the Board by Persons or Delegations." A member of the public may also write to the Board regarding District business; letters can be addressed to 3401 CSM Drive, San Mateo CA 94402.*
 - *Persons with disabilities who require auxiliary aids or services will be provided such aids with a three-day notice. For further information, contact the Executive Assistant to the Board at (650) 358-6753.*
 - *Regular Board meetings are taped; tapes are kept for one month.*
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6:00 p.m. ROLL CALL

Pledge of Allegiance

DISCUSSION OF THE ORDER OF THE AGENDA

MINUTES

07-9-1 [Minutes of the Regular Meeting of the Board of Trustees of August 22, 2007](#)
07-9-2 [Minutes of the Study Session of the Board of Trustees of September 4, 2007](#)

PRESENTATIONS TO THE BOARD BY PERSONS OR DELEGATIONS

07-9-2C [Presentation of Award to Professor Sam Rohde](#)

07-9-3C [Teaching and Learning Series: Student Learning Outcomes/Assessment Cycle \(SLOAC\)](#)

STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

NEW BUSINESS

07-9-1A [Approval of personnel actions: changes in assignment, compensation, placement, leaves, staff allocations and classification of academic and classified personnel](#)

- 07-9-2A [Public Hearing of California School Employees Association \(CSEA\), Chapter 33 Initial Contract Proposal to the District and District's Initial Proposal to CSEA; Adoption of District's Initial Proposal to CSEA](#)

Approval of Consent Agenda

All items on the consent agenda may, by unanimous vote of the Board members present, be approved by one motion after allowing for Board member questions about a particular item. Prior to a motion for approval of the consent agenda, any Board member, interested student or citizen or member of the staff may request that an item be removed to be discussed in the order listed, after approval of remaining items on the consent agenda.

- 07-9-1CA [Declaration of Surplus Property](#)
- 07-9-2CA [Approval to Execute Cell Site Use Permit with Verizon Wireless – Cañada College](#)
- 07-9-3CA [Renewal of Agreements with American Institute for Foreign Study \(AIFS\), 2007-08](#)
- 07-9-4CA [Approval of Community College League of California \(CCLC\) Membership Dues, 2007-08](#)

Other recommendations

- 07-9-100B [Hearing of the Public on the Initial Study for the Faculty/Staff Housing Project at Cañada College; Certify the Initial Study; Adopt a Mitigated Negative Declaration for the Project; and Approve the Project](#)
- 07-9-101B [Adoption of Resolution 07-9, Application to LAFCo to Initiate Proceedings on Boundary Reorganization at Cañada College](#)
- 07-9-102B [Public Hearing of 2007-08 Final Budget](#)
- 07-9-103B [Adoption of the 2007-08 Final Budget](#)
- 07-9-104B [Authorization for Executive Vice Chancellor to Execute or Renew Contract with an Energy Service Provider for Direct Access Electricity](#)

INFORMATION REPORTS

STATEMENTS FROM BOARD MEMBERS

COMMUNICATIONS

RECESS TO CLOSED SESSION

1. Closed Session Personnel Items
 - A. Public Employment
 1. **Employment: Cañada College** – Laboratory Technician, Science & Technology; **College of San Mateo** – Interim Dean, Business & Creative Arts; Child Development Center Aide II (Teacher), Special Services; **District** – Custodian (Swing), Facilities Planning & Operations – 4 positions; Staff Assistant, Construction Planning – 2 positions
 - B. Public Employee Discipline, Dismissal, Release

CLOSED SESSION ACTIONS TAKEN

ADJOURNMENT

Adjourn meeting in honor of Mr. Coleman Campbell

**Minutes of the Regular Meeting of the Board of Trustees
San Mateo County Community College District
August 22, 2007
San Mateo, CA**

The meeting was called to order at 6:00 p.m.

Board Members Present: President Hausman, Vice President-Clerk Holoher, Trustees Mandelkern, Miljanich and Schwarz, and Student Trustee Young

Others Present: Chancellor Galatolo, Executive Vice Chancellor Keller, Skyline College President Morrow, College of San Mateo President Claire, Cañada College President Mohr, and District Academic Senate President Dilko

Pledge of Allegiance

DISCUSSION OF THE ORDER OF THE AGENDA

None

MINUTES

It was moved by Trustee Schwarz and seconded by Trustee Miljanich to approve the minutes of the meeting of the Board of July 25, 2007. The motion carried, all members voting "Aye."

PRESENTATIONS TO THE BOARD BY PERSONS OR DELEGATIONS

None

STATEMENTS FROM EXECUTIVES

Executive Reports were presented by Skyline President Morrow, College of San Mateo President Claire, Cañada College President Mohr, Executive Vice Chancellor Keller and District Academic Senate President Dilko. Copies of the Presidents' Executive Reports were available for distribution at the meeting and are attached to the official minutes of record.

Adding to her written report, President Morrow distributed a packet of materials, including the 2007-08 Academic Planner and Student Handbook which was given to all students, and a pen that shows six different messages regarding financial aid which was also distributed to students.

Adding to his written report, President Claire noted that the blue t-shirts that he and other College of San Mateo attendees were wearing were part of CSM's welcome program, used to identify people who could provide information and answer questions. President Claire distributed copies of a DVD which was shown on opening day and which contains slide shows from photo archives and from the last year. President Claire also thanked Trustees Miljanich and Schwarz for volunteering at the CSM table at the San Mateo County Fair.

Adding to his written report, President Mohr announced that there are 83 students enrolled in the Middle College. He also said that on the last two Sundays, teams of faculty and staff went to local churches, particularly those with Spanish-speaking populations, to provide information about Cañada College to members of the congregations. President Mohr played a 30-second marketing ad which he said was professionally produced for approximately \$7,500.

Executive Vice Chancellor Keller said the State Legislature passed the State budget. To date, it appears that there is no major financial impact on community colleges; however, it is not yet known which items the Governor will target with the line-item veto. Because there was a two-month delay in passage, the District will incur some costs, including approximately \$20,000 in lost interest on the Tax and Revenue Anticipation Note (TRAN) and costs associated with retroactive salary increases. Also because of the delay, the District will present its budget at a slightly later date than previously anticipated.

District Academic Senate President Dilko said she feels fortunate to be able to represent District faculty. She said the Senate will be working on the Distance Education Planning Initiative and Implementation Plan and the concurrent enrollment plan. The Senate will also work with the curriculum committees from the Colleges.

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

None

UNFINISHED BUSINESS

APPROVAL OF INCREASE IN PARKING FEES (07-6-105B)

Chancellor Galatolo announced that, along with Student Trustee Young, the Associated Students presidents from each campus were present and that they had proposed an agreement on the parking fee increase which displayed their creativity and willingness to collaborate with staff to achieve a mutually agreed upon outcome. Therefore, staff recommended a modification to its recommendation to the Board. Chancellor Galatolo distributed the students' "Resolution on Proposal to Increase the Student Parking Fee" to the Board. He also provided the District response to each proposal:

- The District supports the suggestion of a yearly student parking permit for \$70.
- The District does not support an increase to \$1.25 rather than \$2.00 for the daily permit because (1) \$2.00 is not an unreasonable fee, particularly when compared with other community colleges in the area, and (2) the machines do not provide change and it would be costly to retrofit.
- The District supports dialogue regarding parking fund expenditures, but does not believe it is necessary to specify annual reviews; the issue will be brought for discussion any time it is requested by any student organization or constituency.

Staff modified its recommendation to read: It is recommended that the Board of Trustees approve establishment of the District Student Parking Fee at \$35 per semester, \$20 per summer session and \$2 for a daily permit, effective Spring 2008 semester and \$40 per semester effective Fall 2008 semester. It is also recommended that the Board approve establishment of a non-refundable annual Student Parking Fee of \$70, to include Fall and Spring semesters, effective Fall 2008 semester.

Trustee Mandelkern asked if further consideration was given to increasing the fine for parking citations. Student Trustee Young replied that during discussion, student leaders decided they preferred no increase. College of San Mateo Associated Students Acting President Matthew Kaidor added that students have not taken a formal position on citations. Chancellor Galatolo said the District's objective is to not raise the dollar amount of fines; if this position were to change, students would be consulted as part of that decision-making process.

After this discussion, it was moved by Trustee Miljanich and seconded by Trustee Schwarz to approve the increase in parking fees, as modified. The motion carried, all members voting "Aye."

NEW BUSINESS

APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (07-8-1A)

It was moved by Vice President Holober and seconded by Trustee Mandelkern to approve the actions in Board Report No. 07-8-1A. The motion carried, all members voting "Aye."

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION (CSEA), CHAPTER 33 INITIAL CONTRACT PROPOSAL TO THE DISTRICT AND DISTRICT'S INITIAL PROPOSAL TO CSEA (07-8-2A)

It was moved by Trustee Schwarz and seconded by Trustee Mandelkern to accept the proposals as described in the report. The motion carried, all members voting "Aye."

APPROVAL OF CONSENT AGENDA

The Consent Agenda consists of the following Board Reports:

- 07-8-1CA Ratification of Fourth Quarter District Warrants, 2006-07
- 07-8-2CA Declaration of Surplus Property
- 07-8-3CA Approval of Off-Campus Facilities, 2007-08
- 07-8-4CA Approval to Renew Agreement with County of San Mateo to Furnish Meals for Child Development Centers, 2007-08 – College of San Mateo and Skyline College

Trustee Schwarz asked that Board Report No. 07-8-4CA be removed from the Consent Agenda for further discussion.

Regarding Board Report No. 07-8-2CA, Trustee Mandelkern asked if there was any feedback on the outcome of the items listed as surplus property. Chancellor Galatolo said that staff will report back to the Board on this question.

After this discussion, it was moved by Vice President Holober and seconded by Trustee Mandelkern to approve items 07-8-1CA through 07-8-3CA on the Consent Agenda. The motion carried, all members voting “Aye.”

APPROVAL TO RENEW AGREEMENT WITH COUNTY OF SAN MATEO TO FURNISH MEALS FOR CHILD DEVELOPMENT CENTERS, 2007-08 – COLLEGE OF SAN MATEO AND SKYLINE COLLEGE (07-8-4CA)

It was moved by Trustee Mandelkern and seconded by Trustee Miljanich to approve the renewal. Trustee Schwarz noted that the District has been using the service from the County since 1989, and asked if there are other vendors providing the same service and, if so, whether the District has considered any other vendors. Chief Financial Officer Kathy Blackwood said it is difficult to find vendors willing to deal with the stringent requirements regarding portions, nutritional value, vitamin content, etc. She added that there is a great deal of paperwork involved and that the District gets audited to make sure it is in compliance. Executive Vice Chancellor Keller also said that there are very few vendors providing the service, but said the District will look again before the next renewal. After this discussion, the motion carried, all members voting “Aye.”

Other Recommendations

RECEIPT OF THE INITIAL STUDY AND PROPOSED MITIGATED NEGATIVE DECLARATION FOR FACULTY/STAFF HOUSING PROJECT AT CAÑADA COLLEGE AND SET PUBLIC HEARING DATE (07-8-100B)

It was moved by Vice President Holober and seconded by Trustee Mandelkern to accept the Initial Study/Draft Mitigated Negative Declaration as presented, and set a public hearing on these documents for September 26, 2007 at 6:00 p.m. in the District Board Room. Director of Government/Community Relations Barbara Christensen introduced County Counsel Tom Casey and thanked him for the assistance County Counsel’s office provided on this project. Director Christensen distributed compact discs containing the Initial Study and said there are printed copies available for those who want them. She said that no significant environmental impacts were identified that cannot be mitigated. There is a 20-day public review period beginning August 23 at 9:00 a.m., during which the District will receive any public comments that have been submitted. There will be a public hearing on September 26 and it is hoped that the Board will certify the Initial Study and approve the project at that time. Trustee Mandelkern requested that the Board be provided the public comments in the Board Packet before the September 26 meeting and Director Christensen agreed to the request.

Director Christensen said that a firm was hired which uses global technology to provide satellite photos, topographic maps and the architect’s plans, showing what the project will look like from various locations. She said that the simulation is very helpful because it takes the debate away from what the project might look like to

what it will look like. Chancellor Galatolo suggested that Director Christensen show the Board the photo simulations during the first part of Closed Session. After this discussion, the motion carried, all members voting “Aye.”

APPROVAL OF CONSTRUCTION CONSULTANTS (07-8-101B)

It was moved by Vice President Holoher and seconded by Trustee Miljanich to approve the construction consultant services as detailed in the report. The motion carried, all members voting “Aye.”

CONTRACT AWARD FOR CAÑADA COLLEGE BUILDINGS 16 AND 18 RENOVATION PROJECT (07-8-102B)

It was moved by Trustee Schwarz and seconded by Student Trustee Young to award the contract as detailed in the report. Vice President Holoher noted that this item was brought to the Board at a previous meeting and asked for an update on costs. Vice Chancellor of Facilities Planning, Maintenance and Operations José Nuñez reminded the Board that this was originally put out to bid as a multiple prime project. Because not enough bids were received, it was repackaged and put out to bid as a one hard-bid project. Leigh Sata of Swinerton Management said that the new package was more attractive to contractors, partly because the buildings would not be occupied during construction. The District saved approximately \$1.5 million over the original bid. After this discussion, the motion carried, all members voting “Aye.”

STATEMENTS FROM BOARD MEMBERS

Student Trustee Young thanked President Morrow for hosting the opening day event at Skyline and commented that she enjoyed the guest speaker’s presentation. She said it is important that students know they can come to the Colleges and be successful. She also said the new Library and the Butterfield horse at Cañada College are beautiful.

Trustee Schwarz welcomed Patty Dilko as the new District Academic Senate President and complimented her on her comments at the opening day event. Trustee Schwarz also said that Student Trustee Young’s maturity and skill in helping to negotiate an agreement on the parking increase showed why the presence of a student trustee is important. Trustee Schwarz attended the CSEA conference where she was asked to speak about the Board’s recognition program for employees. She also volunteered at the County Fair along with Trustee Miljanich, and suggested that all three Colleges might want to provide information at this venue in the future. Trustee Schwarz attended the opening day event at Skyline and said that the messages from Chancellor Galatolo and guest speaker Dr. Kirst were very important. She also attended the ribbon cutting for the Library and Student Center at Cañada College and commented on the lovely view from the Library.

Vice President Holoher said that the transformation at Cañada College is amazing and that the new Library enhances and completes the campus.

Trustee Mandelkern said that the opening day event was very well done. He enjoyed the comments by the District Academic Senate President and the representatives from AFT and CSEA. He added that he hopes a representative from AFSCME will be present at future events. Trustee Mandelkern also noted that no one has chosen to challenge him, Trustee Miljanich and Trustee Schwarz for their Board positions in the November election.

President Hausman said that she agrees with the comments made by Chancellor Galatolo at the opening day event. She also said that guest speaker Dr. Kirst made an excellent presentation. President Hausman was present when the Butterfield horse arrived at Cañada College and said it was very interesting to see it put in place. She also attended the ribbon cutting for the Library and Student Center at Cañada and said it was a special and exciting event. President Hausman also addressed new faculty members at College of San Mateo and enjoyed meeting new members of the College community.

COMMUNICATIONS

None

RECESS TO CLOSED SESSION

The Board recessed to Closed Session at 7:22 p.m.
The Board reconvened to Open Session at 8:10 p.m.

CLOSED SESSION ACTIONS TAKEN

President Hausman reported that, at the Closed Session just concluded, the Board considered the personnel items listed on the printed agenda and voted 5-0 to approve the actions in Board Report No. 1-A and 1-B. The Board also conducted a conference with legal counsel regarding one case of anticipated litigation.

ADJOURNMENT

It was moved by Trustee Miljanich and seconded by Trustee Schwarz to adjourn the meeting. The motion carried, all members voting "Aye." The meeting was adjourned at 8:15 p.m.

The next meeting of the Board will be a Study Session on September 4, 2007 at 4:30 p.m. in the District Board Room.

Submitted by

Ron Galatolo
Secretary

Approved and entered into the proceedings of the September 26, 2007 meeting.

Richard Holober
Vice President-Clerk

**Minutes of the Study Session of the Board of Trustees
San Mateo County Community College District
September 4, 2007
San Mateo, CA**

The meeting was called to order at 4:32 p.m.

Board Members Present: President Hausman, Vice President-Clerk Holober, Trustees Mandelkern, Miljanich and Schwarz, and Student Trustee Young

Others Present: Chancellor Galatolo, Executive Vice Chancellor Keller, Skyline College President Morrow, CSM President Claire, and Cañada College President Mohr

Pledge of Allegiance

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

None

INFORMATION REPORTS

STUDY SESSION: FACILITIES UPDATE (07-9-1C)

José Nuñez, Vice Chancellor of Facilities Planning, Maintenance and Operations, introduced the team that would make the presentation: Executive Director Rick Bennett and Project Manager Mary Ann Duggan from the Construction Planning Department, and Jeff Gee, Leigh Sata and Mark Smolley from Swinerton Management and Consulting. Vice Chancellor Nuñez said the team would report on the status of current projects and on the design-build projects at College of San Mateo and Skyline College. He then gave a brief synopsis of the current status of projects at Cañada College, College of San Mateo and Skyline College.

Rick Bennett opened the discussion regarding the design-build process. He explained that for the second phase of the Capital Improvement Program (CIP 2), the District is following the prescribed process to select design-build teams for the CSM and Skyline projects included in the Facilities Master Plan. This process was very successful during the first construction phase, resulting in the design and completion of several projects. However, the construction market has changed substantially since that time. While three teams plus one alternate per campus were pre-qualified, one team for each campus has withdrawn and it is possible that others may withdraw. This is because the construction industry is overburdened with work at this time.

Jeff Gee next addressed the current industry context. He noted that there are many projects currently being planned or constructed and the industry is approaching 100% employment, creating a particularly high demand for skilled trades workers. The District is competing with private, negotiated bid projects such as hospitals and airports, and many of them are in San Mateo County. Mr. Gee also said that the Education Division of Swinerton Management and Consulting is bidding \$250 million in 2008 for projects in the Bay Area.

Mr. Gee said that Swinerton Management and Consulting conducts a thorough review and analysis of all proposals in terms of responsiveness and cost. They also study the logistics of each project to ensure that it will not negatively impact academic programs and operations, and that the projects are in alignment with academic needs.

Mr. Gee concluded his remarks by asking for Board guidance regarding any concerns they have as the design-build process moves forward at CSM and Skyline.

President Hausman inquired about legal constraints regarding design-build language. Mr. Gee explained that California State Assembly Bill 1000 gave the District and three other districts authority to use the design-build method with any project over \$10 million within a very prescriptive process; the District has followed that process and continues to do so. He added that there is currently a new bill which seeks to allow all community college districts to use the design-build method.

Vice President Holober asked if it is permissible to reopen the process at this time in order to seek more respondents. Vice Chancellor Nuñez said that it could be reopened but in doing so, the District would very likely lose the remaining firms while new respondents may or may not be identified, and costs would escalate during the time the process is repeated. The time needed to repeat the process would be six-eight months at a minimum.

Trustee Mandelkern expressed concern that if there is only one design-build team to choose, the District would lose the value of different design ideas from multiple teams. Executive Director Bennett said that the Planning team has seen very creative ideas from the teams that have remained, and Leigh Sata added that the teams are building upon previous design ideas prepared by the bridging architects.

Vice President Holober asked about the effect of increasing the stipulated sum and design stipend. Chancellor Galatolo said that the design stipend is currently \$70,000 and one design-build team requested that it be raised to \$300,000, with no guarantees that they would ultimately respond to the District. Leigh Sata added that the teams that have dropped out could protest that they would not have withdrawn had the stipulated sum been raised prior to their withdrawal.

Trustee Mandelkern said he is concerned about the possibility of not being able to complete all of the projects in the Facilities Master Plan. Chancellor Galatolo said plans are regularly updated based on costs and market conditions. He said that the current budget reflects a \$10 million shortfall; however, it is still very early in the process and budget adjustments are forthcoming to realign the project scope with the budget. Also, additional dollars will be available from interest on issued debt. It is also possible, and even likely, that the District will receive State funds that aren't recognized yet in the budget.

Trustee Schwarz said she is pleased to see that the District's partnership with Swinerton under the design-build delivery method is working well. Vice Chancellor Nuñez added that there is collaboration with the College presidents as well.

Vice President Holober asked if costs are locked in at the time a contract is signed or if the design-build teams can adjust costs if the price of materials increases. Executive Director Bennett responded that escalation clauses are added to the contracts. Firms have a choice of (1) indexing a certain number of materials costs, or (2) receiving a lump sum amount with no future adjustments. Currently, we are experiencing an annual escalation rate in construction costs of approximately 8%.

Trustee Mandelkern asked if there is crossover of skilled workers from the residential sector to the commercial. Mr. Gee replied that there is not a lot of crossover and that it doesn't work well because the skills and abilities are very different for classroom/office construction and residential. Barbara Christensen, Director of Community/Government Relations, added that there are not many union residential builders and those that do exist are moving into office/commercial work because of the slow-down in residential work. For example, Devcon Construction, which was the contractor for College Vista, has declined to bid on the new faculty/staff housing project at Cañada College.

Chancellor Galatolo thanked the Board for their input and guidance.

ADJOURNMENT

It was moved by Trustee Schwarz and seconded by Trustee Mandelkern to adjourn the meeting. The motion carried, all members voting "Aye." The meeting was adjourned at 5:29 p.m. The next meeting of the Board will be a Regular Meeting on September 26, 2007 at 6:00 p.m. in the District Board Room.

Submitted by

Ron Galatolo
Secretary

Approved and entered into the proceedings of the September 26, 2007 meeting.

Richard Holober
Vice President-Clerk

PRESENTATION OF AWARD TO PROFESSOR SAM ROHDE

There is no printed report for this agenda item.

**TEACHING AND LEARNING SERIES:
STUDENT LEARNING OUTCOMES/ASSESSMENT CYCLE (SLOAC)**

There is no printed report for this agenda item.

BOARD REPORT 07-9-1A

TO: Members of the Board of Trustees
FROM: Ron Galatolo, Chancellor-Superintendent
PREPARED BY: Harry W. Joel, Vice Chancellor, Human Resources and Employee Relations
(650) 358-6767

APPROVAL OF PERSONNEL ITEMS

A. REASSIGNMENT

Skyline College

Susan Lorenzo Assistant Registrar Enrollment Services

Promotion from a full-time, 12-month Division Assistant position at Skyline College (Math/Science/Tech), effective August 1, 2007.

District Office

Devitt Hartney Systems Engineer Facilities Planning & Operations

Promotion from a full-time, 12-month Project Engineer position in the Construction Planning Department, effective October 11, 2007.

B. CHANGES IN STAFF ALLOCATION

College of San Mateo

Recommend reclassification of the Administrative Secretary position (4C0365) in the Office of the President to Administrative Assistant at Grade 180S of the Classified/Professional Supervisory Salary Schedule 40, effective May 1, 2007. Also recommend that the incumbent, Christianne Marra, be placed at the new salary, effective May 1, 2007.

Skyline College

Recommend a change in staff allocation to increase one Media Services Technician I position (2C0177) from 75% of full-time to 80% of full-time, effective August 20, 2007. Also recommend that the assignment of the incumbent, Jose Felix Perez, be increased to 80%, effective August 20, 2007.

District Office

Recommend a change in staff allocation to add one full-time (100%) IT Support Technician III position, effective September 17, 2007. The new position will perform advanced-level technical functions at Cañada College and will provide a promotional opportunity for existing staff. The source of funding will primarily be from the deletion of a current lower-level position once the internal recruitment has been completed.

C. LEAVE OF ABSENCE

College of San Mateo

Krystal Romero

Program Services Coordinator

Counseling

Recommend approval of a pregnancy disability leave of absence, effective August 14, 2007, pursuant to provisions of the Family and Medical Leave Act of the California Rights Act. Pursuant to District policy, employee is entitled to a maximum of twelve (12) calendar months of leave.

Skyline College

May Lee

Associate Professor

Business Division

Recommend approval of an extension of a medical leave of absence, effective August 20, 2007 through December 21, 2007. A previous leave of absence was Board approved on January 24, 2007 for the Spring 2007 semester.

District Office

Norma Vasquez

Custodian

Facilities Planning & Operations

Recommend approval of a pregnancy disability leave of absence, effective August 30, 2007, pursuant to provisions of the Family and Medical Leave Act of the California Rights Act. Pursuant to District policy, employee is entitled to a maximum of twelve (12) calendar months of leave.

BOARD REPORT NO: 07-9-2A

TO: Members of the Board of Trustees
FROM: Ron Galatolo, Chancellor-Superintendent
PREPARED BY: Harry Joel, Vice Chancellor Human Resources (358-6767)

**PUBLIC HEARING OF CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION
(CSEA), CHAPTER 33 INITIAL CONTRACT PROPOSAL TO THE DISTRICT
AND DISTRICT'S INITIAL PROPOSAL TO CSEA;
ADOPTION OF DISTRICT'S INITIAL PROPOSAL TO CSEA**

At its meeting of August 22, 2007, the Board of Trustees received an initial contract proposal from CSEA Chapter 33. A copy of the CSEA proposal is attached and by reference made a part of this agenda item.

The proposal received was the first phase of the comprehensive proposal negotiated during the 2005-06 negotiations, which called for an additional three-year term from July 1, 2007 through June 30, 2010. Effective July 1, 2007, the complete contract is up for reopeners, excluding Articles 8.1.1 (compensation) and 9.1.1 (medical insurance benefits). The Board also received the District's initial response to the contract proposal from CSEA and proposed no changes to the current contract, which will expire on June 30, 2010.

Staff proposes that the Board hold a public hearing on the proposal as required by the Educational Employment Relations Act.

RECOMMENDATION

It is recommended that the Board of Trustees hold a public hearing at this meeting. After the public hearing, it is recommended that the Board adopt the District's initial proposal to CSEA.

CONTRACT PROPOSAL 2006-2007

ARTICLE 1: RECOGNITION

ARTICLE 1.1 *Exclusive Agent:*

Subject to the rules of the Public Employment Relations Board (PERB), the SMCCD Board of trustees The Board hereby recognizes the California School Employees Association (CSEA) Chapter No. 33, as the exclusive and sole negotiation agent for ~~the unit described in Appendix A of this agreement~~ all classified service positions, except for positions lawfully designated by the employer as management, supervisory, confidential, or represented by another union. A current example of classified service positions is described in Appendix A of this agreement. All newly created classified positions shall be assigned by the Employer to the appropriate unit, subject to the rules of the Public Employment Relations Board (PERB).

Unless specifically exempted by law, all newly created positions or classes of positions, shall be assigned to the CSEA bargaining unit if the job descriptions consist of duties performed by employees in the bargaining unit or which by the nature of the duties should reasonably assigned to the CSEA bargaining unit. The Employer shall meet on a timely basis with the CSEA to discuss a position's assignment to or removal from any unit. This ~~does~~ shall not exclude the ~~state association~~ California School Employees Association from representation of members of CSEA Chapter No. 33 in the employment relations with the District under the terms of Government Code Section 3540 et. Seq.

ARTICLE 1.4 *Union Represents Unit Members:*

The CSEA agrees that neither it nor its members or agents will attempt to represent, in any negotiations or grievances, the interests of anyone other than members of ~~the unit described in Appendix A~~ **its bargaining unit** members.

- a) **"Classification" means that each position in the classified service shall have a designated title, a regular minimum number of assigned hours per day, days per week, and months per year, a specific statement of the duties required to be performed by the employees in each such position, and the regular monthly salary ranges for each such position.**
- b) **"Regular" as used in the phrase "regular classified employee," or any similar phrase, refers to a classified employee who has probationary or permanent status.**
- c) **"Confidential employee" means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.**
- d) **"Management employee" means any employee in a position having significant responsibilities for formulating district policies or administering district programs. Management positions shall be designated by the public school employer subject to review by the Public Employment Relations Board (PERB).**

- e) **“Supervisory Employee” means any employee, regardless of job description, having authority in the interest of the employer to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to assign work to and direct them, or to adjust their grievances, or effectively recommend that action, if in connection with the foregoing functions, the exercise of that authority is not of a merely routine or clerical nature, but requires the use of independent judgment.**

ARTICLE 4: ORGANIZATIONAL RIGHTS

Article 4.2 Board Agendas:

~~The~~ CSEA shall have the right to receive two copies of the agenda, minutes, and Board reports of regular Board meetings **5 business days in advance of any Board meetings. CSEA shall have the right to receive and review all classified personnel items 10 business days prior to the items being included in the finalized board packet.**

Article 4.13 Web Site:

The district shall provide a CSEA web page on the District’s web server, serviced by the District with content **provided by** ~~from~~ and controlled by CSEA. Content will adhere to both CSEA and District policies, rules, and regulations. ~~The~~ CSEA web page will be accessible through both intranet and Internet by CSEA members and the public **and create a link from the district portal to the Chapter 33 website.**

New section: **Article 4.15**

Move our Memorandums of Understanding (MOU) on Managed Hiring and Reorganization Procedures into the contract. (See the attachments).

Also add the following paragraph somewhere in the Managed Hiring language.

In the event that the District contemplates un-funding of a classified service position, the District will provide retraining of all displaced employees. The employee will need to indicate a willingness to undergo the prescribed training program. The employee will retain their full status as permanent employee of the District.

New section: **Article 4.15.1**

Any outstanding MOUs exceeding three (3) years, and impacts the bargaining unit as a whole, will be reviewed and may become part of the CSEA contract.

ARTICLE 6: VACATION

Article 6.1.2 Guidelines:

4. Employees’ requests for vacation ~~should~~ **shall** be in writing; supervisors ~~should~~ **shall** respond within five working days. The supervisors’ responses ~~should~~ **shall** be written and dated with reasons cited if the request is denied. **Requests not responded to in writing shall be considered approved.**

**Memorandum of Understanding between the SMCCCD and CSEA, Chapter 33
Regarding a Program of Managed Hiring**

The parties agree to a program of managed hiring as outlined herein.

1. The District will establish and distribute a list of vacant positions to all classified employees in the District. All classified employees will have the opportunity to apply for these positions. Requests for lateral transfers received in writing will be considered on a priority basis at this time. An interview and selection process will occur. **(Round 1)**
2. The District will post a revised vacancy list to all unit members who hold a position identified as less essential in an overall staffing plan for the College or District. Unit members holding such positions will have the opportunity to apply for vacant positions. An interview and selection process will occur.**(Round 2)**
3. Following Round 2, the District may place a unit member in a remaining vacant position for which the employee is qualified after consultation with the employee and CSEA. More senior employees will be given first consideration. Every effort will be made to insure that every employee who wants to remain employed by the District will be placed in a position. **(Round 3)**
4. Employees placed in a lower classification shall have their pay rate “Y-rated” until such time as the compensation rate for that position exceeds their current pay or the employee takes another position in which the pay exceeds the “Y-rated” pay rate. Contractual conditions regarding longevity increases (LSI) will apply to the “Y-rated” pay rate. The unit member will continue to hold seniority rights per Article 18 of the current Agreement.
5. On-the-job training will be provided for unit members who need to gain necessary skills and can do so in a reasonable amount of time.
6. Employees selected for or placed in a higher classification as a result of this managed hiring program shall serve a six-month probationary period in the higher classification but shall retain permanent status in the District per Article 11.2.4 of the current Agreement.
7. Employees selected for or placed in a position at the same or lower classification shall not serve a probationary period.
8. Job titles and classifications for vacant positions shall not be changed without consultation with CSEA.
9. There shall be an expedited process to resolve any disputes arising out of the implementation of this agreement. Disputes shall be addressed in writing to the Employment Manager, office of Human Resources for resolution. Appeals will go directly to the Vice Chancellor of Human Resources for a final decision.
10. This process shall not be retroactive and is only available to current unit members.
11. Violations of this agreement shall be subject to the grievance process.

**San Mateo County Community College District
REORGANIZATION PROCEDURES**

The District may consider department or division reorganizations with the goal of creating a more streamlined, cost-effective service delivery in the Colleges and Chancellor's Office. Implementation of these new processes may have a direct impact on current position allocations, staffing levels and current position classifications. The District is proposing processes to be followed that will be used to reorganize job functions and the delivery of services and to address the impact of these changes on individual employees. The intent is to have employees understand the rules, be well informed about the process, know what to anticipate, and be treated fairly.

The Chancellor and Board of Trustees have adopted the following "principle" as a guideline for these changes:
There will be no employee lay-offs as a result of reorganization

The following is a summary of the reorganization processes "characteristics" discussed to date:

1. A systems approach will be taken to identify the College and/or Chancellor's Office departments (divisions) that would benefit most by reorganization of their primary and supportive services.
2. Department and division reorganizations shall be implemented only to create streamlined, efficient and effective service delivery models, which address current student and organizational needs.
3. Reorganizations may result in different staffing allocations and/or position classifications that include the following three scenarios:
 - Classifications requiring the same sets of knowledge, skills and abilities falling within a plus or minus 5% salary range change
 - Classifications requiring different sets of knowledge, skills and abilities and a salary range increase greater than 5%. A skills demonstration may be required of candidates for positions in which there is a higher level of knowledge skills and abilities required.
 - Classifications requiring different sets of knowledge, skills and abilities and a salary range decrease of greater than 5%

Where positions are represented by a collective bargaining agreement, the union concurrence on all new classifications will be reached prior to implementation of the classification.

4. Incumbents will initially be apprised of the purpose, principles, goals, and potential classification, staffing and assignment changes, and will participate in ongoing communication throughout implementation of the reorganization.

**San Mateo County Community College District
REORGANIZATION PROCEDURES**

5. Incumbents will be provided a reorganization implementation plan that includes various employment options available to them on a priority basis. Available options may include such changes as the following:
 - Eligibility to apply for future-dated, newly created allocations and classifications that result from the reorganization, using internal recruitment and selection procedures (represented and non-represented incumbents would be eligible to apply) provided that the employee meets the minimum qualifications for the position
 - Eligibility to apply for other, alternative vacant positions within the District, or the option to exercise vested seniority rights.
 - Eligibility for alternative severance options if offered by the Board of Trustees
 - Eligibility to elect service retirement through CalPERS or CalSTRS
 - Availability of early retirement incentives if offered by the Board of Trustees. As an example, if employees are eligible to retire (age 55 or older and vested in the CalPERS or CalSTRS pension plan), but lack one year to hit the “magic 75”, the Board of Trustees might elect to give a one year service credit so employees could retire with Retiree Health Benefits.
 - Where two or more incumbents met the minimum qualifications for a position, seniority shall be the determining factor as to which employee is selected for a position.
6. Employees who are impacted by a reorganization will maintain their current classifications, assignments and salaries until such time as the reorganization is implemented.
7. Affected employees who are reassigned to lower-paying positions as the result of the internal selection procedures will have their current salary “Y-rated” only if their current base salary exceeds the top step of the lower-paying position. This means that an employee will not have his/her current base salary reduced, but no future base salary increases will occur until such time that the top base salary step exceeds the employee’s base salary rate. The employee will continue to receive LSI, if applicable, and any other pay differential that applies to the new assignment. Each individual so impacted will receive a written explanation of how this job change will impact any future salary increases.

BOARD REPORT NO. 07-9-1CA

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor-Superintendent

PREPARED BY: Jan Roecks, Director of General Services, 650-358-6879 &
Bob Domenici, Senior Buyer, 650-358-6728

DECLARATION OF SURPLUS PROPERTY

In accordance with Education Code Sections 81450 and 81452, property that becomes surplus to the needs of the District will be declared as such by the Board with the method of disposal dictated by the value of this property. Board policy (Section 8.02, District Rules and Regulations) delegates the disposal, in compliance with State or local laws and regulations, to the Chancellor, Associate Chancellor, or designee.

As the Capital Improvement Program progresses, the volume and variety of surplus continues to grow. The Colleges have miscellaneous equipment that is surplus to the District's needs including:

- Shelving and library carrels from Canada College
- Outdated cafeteria equipment in building 2, credit card machines with printers and CRT monitors from Skyline College
- Furniture, ice maker, CRT monitors and CPUs, slide projector, typewriter and overhead projector from College of San Mateo
- Conference room table from the District Office

A complete listing of this equipment follows the board report. As always, the General Services Department is committed to handling this surplus in an efficient manner. The Department anticipates that local area educational institutions, non-profits, or agencies will be able to use the District's surplus equipment at the least cost to the District and the Colleges. The District is committed to handling electronic waste in a responsible manner and if we cannot sell or donate our old computers, a responsible recycler connected to the California Electronic Waste program will be contracted to recycle our surplus electronic waste.

RECOMMENDATION

The District recommends that the Board of Trustees declare the items specified on the attached list surplus to the mission of the District and the Colleges.

Surplus items

Quantity	Campus	Item Description	Total Value\$	Disposition Plan
121	CAN	Shelving free standing	\$1000	To be donated or sold
37	CAN	Shelving wall mount	\$500	To be donated or sold
6	CAN	Library carrels	\$200	To be donated or sold
1	SKY	Outdated cafeteria equipment bldg.2	\$6000	To be donated or sold
6	SKY	Credit card machine and printer	\$400	To be donated or sold
37	SKY	Monitors	\$0	To be donated or recycled
1	KCSM	Office file cabinet	\$20	To be donated or sold
2	CSM	Glass display cabinet	\$50	To be donated or sold
1	CSM	Vinyl record shelf	\$80	To be donated or sold
1	CSM	5 drawer file cabinet	\$15	To be donated or sold
1	CSM	4 drawer legal file cabinet	\$20	To be donated or sold
1	CSM	Computer desk	\$50	To be donated or sold
1	CSM	Ice maker	\$1500	To be donated or sold
17	CSM	CPUs	\$0	To be donated or recycled
2	CSM	Monitors	\$0	To be donated or recycled
1	CSM	Slide projector	\$0	To be donated or recycled
2	CSM	IBM typewriter	\$0	To be donated or recycled
1	CSM	Overhead projector	\$15	To be donated or sold
1	District	Table	\$500	To be donated or sold

BOARD REPORT NO. 07-9-2CA

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor-Superintendent

PREPARED BY: José D. Nuñez, Vice-Chancellor, Facilities Planning, Maintenance & Operations,
358-6836

**APPROVAL TO EXECUTE CELL SITE USE PERMIT WITH VERIZON WIRELESS –
CAÑADA COLLEGE**

In September 1987 (Board Report No. 87-8-101B), the Board approved a use permit with GTE Mobilnet of California Limited Partnership d/b/a Verizon Wireless for installation and operation of cellular communications equipment at Cañada College. The permit was issued for a period of five (5) years and renewed for three (3) successive five (5)-year renewal terms to end September 30, 2007.

Verizon Wireless wishes to continue their business relationship with the District. As such, the District has renegotiated a new use permit. The permit calls for a one-time administrative fee of \$2,000 and an annual payment to the District of \$30,000, with a provision for an annual five percent (5%) increase throughout the period of the permit. The period would be for five (5) years with an option to renew for two (2) successive five (5)-year renewal terms.

RECOMMENDATION

It is recommended that the Board of Trustees approve the execution of the cell site use permit with GTE Mobilnet of California Limited Partnership d/b/a Verizon Wireless at Cañada College.

BOARD REPORT NO. 07-9-3CA

TO: Members of the Board of Trustees
FROM: Ron Galatolo, Chancellor-Superintendent
PREPARED BY: James W. Keller, Executive Vice Chancellor, 358-6790

**RENEWAL OF AGREEMENTS WITH AMERICAN INSTITUTE FOR
FOREIGN STUDY (AIFS), 2007-08**

On November 24, 1984, the Board first approved an agreement with the American Institute for Foreign Study (AIFS) initiating a partnership with AIFS for providing an overseas study program. This program has sent students and faculty to London each Fall semester since 1985, as well as in Summer 2000. Foreign study programs for Spring semesters have been offered in Paris, Florence, and Guadalajara through agreements with AIFS.

The District has received agreements for the Fall 2007 program in London, England and the Spring 2008 program in Paris, France. These new agreements with AIFS are similar to earlier agreements. The District is responsible for educational curriculum, selection and employment of faculty, academic advisement, student enrollment, and academic record keeping. AIFS is responsible for student housing, optional transportation between San Francisco and the study site, a broad array of student support services, and a social/cultural program to enable students to make the most of their foreign study experience.

The District receives regular State apportionment revenue for California residents attending classes offered through these foreign study programs; non-residents are charged the same fees they would pay if enrolling in on-campus classes. When District faculty are assigned to teach abroad, the cost of hourly replacement is reimbursed to the respective Colleges. A modest budget is maintained to cover the cost of miscellaneous instructional expenses and supplies, including photocopying. Administrative coordination and supervision are provided by the College of San Mateo without additional expenditure.

RECOMMENDATION

It is recommended that the Board approve renewal of agreements with the American Institute for Foreign Study for the Fall 2007 (London, England) and Spring 2008 (Paris, France) foreign study programs.

BOARD REPORT NO. 07-9-4CA

TO: Members of the Board of Trustees
FROM: Ron Galatolo, Chancellor-Superintendent
PREPARED BY: James W. Keller, Executive Vice Chancellor, 358-6790

**APPROVAL OF COMMUNITY COLLEGE LEAGUE OF CALIFORNIA (CCLC)
MEMBERSHIP DUES, 2007-08**

The Community College League of California (CCLC) was formed in 1990 as the result of the merger of the California Association of Community Colleges (CACC), the California Community College Trustees (CCCT), and the Chief Executive Officers of the California Community Colleges. The CCLC staff provides assistance to its members in the areas of education services, research and policy analysis, governmental relations, communications, athletics and association operations as well as facilitation of Board retreats and sponsorship of workshops and seminars.

The District has been a member in good standing of the CCLC since its inception in 1990 and was a member of the CACC and CCCT for many years prior to the merger.

The CCLC assesses its dues annually in conjunction with the dues for the Commission on Athletics (COA) which is a part of the CCLC. For 2007-08, the total being assessed by CCLC/COA for the District's annual membership is \$41,851 (a \$4,481 increase from 2006-07).

Payment of the CCLC portion of the dues (\$26,606) is prorated among the Board of Trustees, the Chancellor's Office, and the three Colleges. Payment of the COA portion of the dues (\$15,245) is prorated among the three Colleges only.

RECOMMENDATION

It is recommended that the Board of Trustees approve payment of Community College League of California membership dues, including dues for the Commission on Athletics, in the amount of \$41,851 for 2007-08.

BOARD REPORT NO. 07-9-100B

TO: Members of the Board of Trustees
FROM: Ron Galatolo, Chancellor-Superintendent
PREPARED BY: Barbara Christensen, Director of Community/Government Relations, 574-6560

HEARING OF THE PUBLIC ON THE INITIAL STUDY FOR THE FACULTY/STAFF HOUSING PROJECT AT CAÑADA COLLEGE; CERTIFY THE INITIAL STUDY; ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE PROJECT; AND APPROVE THE PROJECT

As the "lead agency" for the Faculty /Staff Housing Project at Cañada College, the San Mateo County Community College District is required to complete the environmental review process required by the California Environmental Quality Act. The most basic steps of the environmental review process are:

1. Determine if the activity is a "project" subject to CEQA;
2. If a project, determine if it is exempt from CEQA;
3. If not exempt, complete an Initial Study to identify the environmental impacts of the project and determine whether the identified impacts are "significant". Based on its findings of "significance," the lead agency prepares one of the following environmental review documents:
 - a. Negative Declaration if it finds no "significant" impacts;
 - b. Mitigated Negative Declaration if it finds "significant" impacts but revises the project to avoid or mitigate those significant impacts;
 - c. Environmental Impact Report (EIR) if it finds "significant" impacts.

The District engaged Jones & Stokes Associates, Inc. to complete a study of the project and prepare the necessary CEQA documents. Following their study, it was determined that, while there are potentially significant impacts of this project, these impacts can be mitigated by a variety of actions that would reduce the impact to "less than significant." These mitigation measures are outlined in the Initial Study and the Draft Proposed Mitigated Negative Declaration that the Board received at the August 22, 2007 Board meeting.

The public comment period on the Initial Study/Mitigated Negative Declaration ran from August 23 through September 13. During the public comment period, the District received three comments, which are summarized below. The Board was previously provided with the full text of the comments and the District's response. These will also be on display at the Board meeting tonight.

Comment One: Nonspecific concern about traffic.

District response: Mailed the traffic study to the individual. The traffic engineer, using standard methodology, determined that the traffic impact would be insignificant because many of the residents of

the project are expected to walk to work whereas, currently, they are commuting from a variety of locations to the campus. The traffic engineer estimated the project would generate an additional 200 trips per day (relative to existing conditions), two fewer trips in the morning peak hour and 17 more trips in the p.m. peak hour.

Comment Two: Suggested that the project should be located below Parking Lot 6 or below the soccer field instead of on Parking Lot 3.

District Response: This person's suggestion for an alternative location for the project is not a CEQA concern because it does not raise an issue that is related to an environmental impact. However, the District informed the individual that the new Cañada Facilities Maintenance Center will be located in the current open area below parking Lot 6 and that the area below the soccer field is in the "athletic zone" of the college and is reserved for future athletic improvements. Both sites are in the Town of Woodside and are not contiguous to Redwood City. Woodside does not have a multi family zoning designation in its General Plan, so building there would require a General Plan and zoning change, which would be very difficult to obtain and time consuming. Parking Lot 3 was selected as the site for the housing project because it could easily be incorporated into Redwood City; it has electricity and storm drain on site; and it is conveniently located adjacent to the sewer line and above the sewer connection in Farm Hill Boulevard.

Comment Three: Concern about landscaping mitigation on the south end of the site, which is briefly visible from Farm Hill Boulevard.

District Response: The Initial Study includes a mitigation measure (AES-1 on page 3-6 of the Initial Study) that calls for planting additional trees and landscaping around the Eastern and Southern perimeters of the Project site and hillside and adding a berm or small natural amphitheatre on the Southern side. Both of these mitigation measures are intended to soften and partially screen project buildings from offsite views.

Tonight, following a brief presentation on the Initial Study, the Board will hold a public hearing to receive comments on this matter. After considering those comments, it is recommended that the Board adopt the recommendations listed below.

RECOMMENDATION

It is recommended that the Board of Trustees

1. Certify the Initial Study and Adopt a Mitigated Negative Declaration for the Faculty/Staff Housing Project by making the following findings that:
 - a. The Mitigated Negative Declaration is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines.
 - b. On the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the proposed project will have a significant effect on the environment.
 - c. The Mitigated Negative Declaration reflects the independent judgment of the Board of Trustees.
 - d. The mitigation measures identified in the Mitigated Negative Declaration and incorporated into the Mitigation Monitoring and Reporting Plan in conformance with California Public Resources Code section 21081.6 are adopted and agreed to by the District.

2. Find that:
 - a. The Initial Study was conducted by this lead agency, which evaluated the potential for this project to cause an adverse effect – either individually or cumulatively – on wildlife resources. For this purpose, wildlife is defined as “all wild animals, birds, plants, fish, amphibians, and related ecological communities, including the habitat upon which the wildlife depends for its continued viability” (Section 711.2, Fish and Game Code).
 - b. There is no evidence that the proposed project would have any potential for adverse effect on wildlife resources.
3. Approve the Project and authorize staff to continue and complete design and development of the Faculty/Staff Housing Project as described in the Initial Study.

BOARD REPORT NO. 07-9-101B

TO: Members of the Board of Trustees
FROM: Ron Galatolo, Chancellor-Superintendent
PREPARED BY: Barbara Christensen, Director of Community/Government Relations, 574-6560

ADOPTION OF RESOLUTION 07-9, APPLICATION TO LAFCo TO INITIATE PROCEEDINGS ON BOUNDARY REORGANIZATION AT CAÑADA COLLEGE

Parking Lot 3 at Cañada College, which is the selected site for the District's second Faculty/Staff housing project, is situated partially in Redwood City and partially in Woodside. In order to develop the housing project within one jurisdiction, it is necessary to de-annex a portion of Parking Lot 3 from the Town of Woodside and the Woodside Fire Protection District and to attach it to the City of Redwood City.

The attached resolution is required to initiate the boundary reorganization process through the Local Agency Formation Commission (LAFCo). All interested and subject agencies have been notified about the Board's intent to adopt this resolution, as required by LAFCo polices and state law.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the attached Resolution 07-9.

Resolution No. 07-9

**Board of Trustees
San Mateo County Community College District
San Mateo County, California
September 26, 2007**

A Resolution of Application by the San Mateo County Community College District Requesting the Local Agency Formation Commission to Take Proceedings for the Reorganization of a Portion of Cañada College involving Detachment from the Town of Woodside and Woodside Fire Protection District and Annexation to the City of Redwood City (approximately 3.3 acres)

WHEREAS, the San Mateo County Community College District desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the Proposed Reorganization of Cañada College; and

WHEREAS, notice of intent to adopt this Resolution of application has been given to each interested and each subject agency; and

WHEREAS, the territory proposed to be reorganized is uninhabited, and an exhibit showing the boundaries of the territory labeled as Parking Lot 3 is set forth in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, the proposal is not consistent with the sphere of influence of the Town of Woodside, Woodside Fire Protection District and City of Redwood City and it is appropriate that the spheres be amended to include the territory; and

WHEREAS, it is desired to provide that the proposed reorganization be subject to the following terms and conditions:

None at this time

WHEREAS, the reason for the proposed reorganization is to place all lands proposed for development as a multifamily Faculty/Staff Housing project in the jurisdiction of the City of Redwood City where there are consistent and compatible adjacent land uses and available municipal services (water, sewer storm drain, etc); and

WHEREAS, the Board of Trustees of the District certifies that this proposal is not exempt from the provisions of the California Environmental Quality Act under Section 15319 of the State CEQA Guidelines; and that a CEQA environmental assessment has been conducted by a qualified consultant per all the requirements of CEQA.

NOW, THEREFORE, BE IT RESOLVED THAT this Resolution of Application is hereby adopted by the Board of Trustees of the San Mateo County Community College District, and the Local Agency Formation Commission of San Mateo County is hereby requested to take proceedings for the detachment of a portion of Cañada College from the Town of Woodside and the Woodside Fire Protection District and annexation to the City of Redwood City (described in Exhibit A) in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

PASSED AND ADOPTED by the Governing Board of the San Mateo County Community College District in San Mateo, California, this 26th day of September, 2007, by the following vote:

Ayes:

Nays:

Absent:

Abstentions:

Attest: _____

Richard Holober
Vice President-Clerk, Board of Trustees



BOARD REPORT NO. 07-9-102B

TO: Members of the Board of Trustees
FROM: Ron Galatolo, Chancellor-Superintendent
PREPARED BY: Kathy Blackwood, Chief Financial Officer, 358-6869

PUBLIC HEARING OF 2007-08 FINAL BUDGET

California Code of Regulations, Title V §58301, specifies that the proposed budget for the ensuing year be available for public inspection and that a public hearing be held.

The proposed 2007-08 budget to be presented for adoption has been available since September 21, 2007, and, in conformance with §58301, the public hearing has been scheduled for this meeting of September 26, 2007.

In accordance with the Code, notification of the dates and locations at which the proposed budget was available for inspection, as well as the date, time, and location of the public hearing, was published in the *San Mateo County Times*.

RECOMMENDATION

It is recommended that the Board of Trustees proceed with the public hearing on the proposed 2007-08 Final Budget for the San Mateo County Community College District.

BOARD REPORT NO. 07-9-103B

TO: Members of the Board of Trustees
 FROM: Ron Galatolo, Chancellor-Superintendent
 PREPARED BY: Kathy Blackwood, Chief Financial Officer, 358-6869

ADOPTION OF THE 2007-08 FINAL BUDGET

Section No. 58305(c) of the California Code of Regulations, Title 5, requires that “on or before the 15th day of September, the governing board of each district shall adopt a final budget.” The adoption of the budget will provide the District with a comprehensive financial plan of income sources and proposed expenditures for the 2007-08 fiscal year.

Given the lateness of the State Budget, a number of districts have requested permission for an extension of time for the “Filing and Approval of a Final Budget” that is required by Title 5, Section 58305. Based on the authority provided to the Chancellor’s Office under paragraph (b) of Section 58306, an extension for all districts was granted with the deadlines as follows: the September 15th deadline for the governing board of a district to adopt a final budget is extended to October 15th; and the September 30th deadline for completion of the adopted financial and budget report is extended to November 1st.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the [2007-08 Final Budget](#) in the amounts detailed below, and that the CCFS-311 report be submitted to the State Chancellor's Office.

Unrestricted General Fund	\$ 110,827,112
Self-Insurance Fund	745,647
Debt Service	28,149,707
Restricted General Fund	24,120,524
Capital Outlay Projects Fund	103,270,877
Bookstore Fund	7,981,250
Cafeteria Fund	175,446
Child Development Fund	1,077,761
Trust Fund (Financial Aid)	5,983,510
Post-Retirement Benefits Fund	<u>2,520,000</u>
TOTAL 2006-07 FINAL BUDGET	\$ 284,851,834

BOARD REPORT NO. 07-9-104B

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor-Superintendent

PREPARED BY: José D. Nuñez, Vice Chancellor, Facilities Planning Maintenance & Operations,
650-358-6836

**AUTHORIZATION FOR EXECUTIVE VICE CHANCELLOR TO EXECUTE
OR RENEW CONTRACT WITH AN ENERGY SERVICE PROVIDER FOR
DIRECT ACCESS ELECTRICITY**

On September 25, 2002 (Board Report No. 02-9-104B), the Board approved ratification of an electricity service agreement with AES/NewEnergy, Inc. (now known as Constellation NewEnergy, Inc.) for the period September 1, 2002 through June 30, 2003. The Board subsequently approved renewals of that agreement on June 25, 2003 (Board Report No. 03-6-12CA), December 15, 2004 (Board Report No. 04-12-2CA), May 18, 2005 (Board Report No. 05-05-3CA), December 14, 2005 (Board Report No. 05-12-5CA), March 22, 2006 (Board Report No. 06-3-4CA) for the period July 1, 2006 through June 30, 2007, and most recently January 10, 2007 (Board Report No. 07-1-3CA) for the period of July 1, 2007 through December 30, 2007.

The Community College League, together with the League's Energy Consultant and with Constellation NewEnergy (CNE), has worked closely with participating Districts to ascertain if remaining on direct access electrical service is in their best interests. For the past several years, electricity prices have been trending high due to international demand, high crude oil and natural gas prices, a strong economy in the United States, and recent natural disasters. Utility generation rates are expected to increase significantly over the next several years, so maintaining direct access service offers budget certainty. By procuring direct access electricity, the District preserves its ability to purchase electricity in the future using this method, thus retaining the best opportunity to achieve favorable market rates for the commodity, as well as lock in costs for budgeting purposes. Furthermore, returning to bundled service requires a three-year commitment to that procurement method, exposing the District to potential new exit fees should we want to return to direct access. For these reasons, together with the proven benefits of being on direct access for the past six years, procuring direct access electricity from an Energy Service Provider (ESP) is in the District's best interest.

Recent direct access electricity contract renewals have been for short terms, given market pricing volatility. While CNE has been an excellent business partner, providing value-added services beyond simply selling electricity, the League wanted to have a second supplier, Sempra Energy Solution (SES) ready to submit an executable price bid alongside CNE's bids. This will ensure that participating districts have access to the most competitive direct access pricing in the market. If CNE wins the bid, participating districts will be expected to renew the contract while CNE's pricing remains valid. If SES wins the bid, participating districts will be expected to execute a contract with SES.

For that reason, the Board is being asked to authorize the Executive Vice Chancellor to renew the existing contract with CNE or execute a new contract with Sempra, depending on which ESP could provide a better rate.

The term for the new or renewed contract will be one year, for the period January 1, 2008 through December 30, 2008. The contract will include service on a full-requirement, fixed-price basis. The exact price per kWh is not known at this time; however the indicative price is at \$0.80 per kWh. An indicative price is the only price available at this time because wholesalers will hold fixed prices open for only a few minutes. California Independent System Operator (ISO) charges, all applicable taxes, and any new California Public Utilities Commission or Department of Water and Power charges are passed through to the District. Energy distribution charges will continue to be billed directly by PG&E.

RECOMMENDATION

It is recommended that the Board of Trustees authorize the Executive Vice Chancellor to renew the agreement with Constellation NewEnergy, Inc. or execute a new agreement with Sempra Energy Solution for provision of direct access electric energy service, as detailed above, for the period January 1, 2008 through December 30, 2008.