

MINUTES  
December 18, 2006  
San Mateo, California

**The meeting was called to order at 6:04 p.m. by President Mandelkern**

**Board Members Present:** President Mandelkern, Vice President-Clerk Hausman (via telephone), Trustees Holober, Miljanich and Schwarz, and Student Trustee Young

**Others Present:** Chancellor Galatolo, Executive Vice Chancellor Keller, Skyline College President Morrow, Cañada College Interim President Mohr, CSM Vice President Claire, and District Academic Senate President Kapp

**Pledge of Allegiance**

**ORGANIZATION OF THE BOARD OF TRUSTEES**

President Mandelkern announced that tonight is the annual organizational meeting of the Board to elect officers for the coming year, as required by the Education Code. President Mandelkern stated that it has been a privilege to lead the Board and mentioned accomplishments by the Board that further the quality of education to students. These accomplishments include passage of a bond measure which helps to provide new buildings and programs for students, and the hiring of new staff including incoming CSM President Mike Claire.

President Mandelkern called for nominations for Board President. Trustee Miljanich nominated Vice President-Clerk Hausman for the position. It was moved by Trustee Holober and seconded by Trustee Schwarz to elect Vice President-Clerk Hausman to serve as President. The motion carried by a vote of 4-0, with Vice President-Clerk Hausman abstaining.

President Hausman called for nominations for Board Vice President-Clerk. Trustee Miljanich nominated Trustee Holober for the position. It was moved by Trustee Schwarz and seconded by Trustee Mandelkern to elect Trustee Holober to serve as Vice President-Clerk. The motion carried by a vote of 4-0, with Trustee Holober abstaining.

President Hausman called for nominations for the position of Representative of the Board to elect members to the County Committee on School District Organization. Trustee Schwarz nominated Trustee Mandelkern for the position. It was moved by Trustee Miljanich and seconded by Trustee Schwarz to elect Trustee Mandelkern to serve as Board Representative. The motion carried by a vote of 4-0, with Trustee Mandelkern abstaining.

It was moved by Trustee Mandelkern and seconded by Vice President-Clerk Holober to continue the appointment of Chancellor Galatolo as Secretary for the Board. The motion carried, all members voting "Aye."

President Hausman thanked the Board and District staff for the flowers, cards and notes of support during her recuperation from surgery. She said that she would continue to conduct the meeting and would ask that Vice President-Clerk Holober take over upon her request. President Hausman thanked Trustee Mandelkern for a very fine year of leadership and asked Vice President-Clerk Holober to present Trustee

Mandelkern with a gift from the Board of an engraved crystal octagon tower. Vice President-Clerk Holober praised Trustee Mandelkern's leadership, mentioning the ribbon cuttings and groundbreakings that have been visual representations of accomplishments; contract negotiations with all three bargaining units; and his skill at chairing meetings, allowing all Board members the chance to provide input.

#### **DISCUSSION OF THE ORDER OF THE AGENDA**

President Hausman announced that in order to accommodate Auditor Terri Montgomery, it is requested that Board Report No. 06-12-100B, Receipt and Acceptance of the 2005-06 District Audit Report, and Board Report No. 06-12-101B, District Capital Outlay – Bond Fund Financial and Performance Reports, be placed next on the agenda. There were no objections.

#### **NEW BUSINESS**

##### **RECEIPT AND ACCEPTANCE OF THE 2005-06 DISTRICT AUDIT REPORT (06-12-100B)**

Auditor Terri Montgomery from the firm of Vavrinek, Trine, Day & Co., LLP, presented the audit report. She noted that it is important to look for the phrase "present fairly" in the Independent Auditor's Report, and that this phrase is present on page 2 of the report. Auditor Montgomery pointed out that pages 4-15 of the report show Management's Discussion and Analysis, and pages 16-30 show the audited financial statements. Auditor Montgomery referred to page 52, Reconciliation of Annual Financial and Budget Report with Fund Financial Statements, stating that the purpose of the audit is to validate the figures given to the auditor. Page 64 of the report shows one recommendation by the auditor regarding instructor certification of enrollment. She said that certification is completed by the majority of instructors, but not by all.

##### **RECEIPT AND ACCEPTANCE OF THE 2005-06 DISTRICT CAPITAL OUTLAY – BOND FUND FINANCIAL AND PERFORMANCE REPORTS (06-12-101B)**

Auditor Montgomery explained that the Financial Report looks at revenues and expenditures and the Performance Report audits how the funds were spent, in order to assure that funds were spent only on projects approved by the voters. In the Financial Report, it is again important to see the words "present fairly" which appear on page 1. Page 3 shows the activity for the year.

On page 3 of the Performance Report, each fund is accounted for separately as required. No expenditures reviewed by the auditor were inappropriate.

Trustee Mandelkern noted that the report gave a bond approval date of August, 2005. Auditor Montgomery said this will be corrected.

After hearing the reports and subsequent discussion, it was moved by Trustee Miljanich and seconded by Trustee Schwarz to approve the receipt and acceptance of the 2005-06 District Audit Report. The motion carried, all members voting "Aye." It was moved by Trustee Mandelkern and seconded by Trustee Schwarz to approve the receipt and acceptance of the 2005-06 District Capital Outlay – Bond Fund Financial and Performance Reports. The motion carried, all members voting "Aye."

Chancellor Galatolo commended Executive Vice Chancellor Jim Keller and staff for the preparation of the Management's Discussion and Analysis section (pages 4-15) of the District Audit Report.

## MINUTES

It was moved by Trustee Miljanich and seconded by Trustee Schwarz to approve the minutes of the Regular Meeting of the Board of November 8, 2006. The motion carried, all members voting "Aye."

It was moved by Trustee Miljanich and seconded by Trustee Schwarz to approve the minutes of the Special Meeting of the Board of November 21, 2006. The motion carried, all members voting "Aye."

## PRESENTATIONS TO THE BOARD BY PERSONS OR DELEGATIONS

None

## STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES

Executive Reports were presented by Chancellor Galatolo, Skyline President Morrow, CSM Vice President Claire, Cañada President Mohr, Executive Vice Chancellor Keller and District Academic Senate President Kapp.

Chancellor Galatolo expressed gratitude to Trustee Mandelkern for his dedicated leadership and sound judgment during his term as President. He congratulated President Hausman, wishing her a speedy recovery, and Vice President-Clerk Holober. Chancellor Galatolo welcomed guest Rachel Young, sister of Student Trustee Richael Young.

Chancellor Galatolo reported that he, Director of Community/Government Relations Barbara Christensen and Chief Financial Officer Kathy Blackwood were in New York last week to sell \$332 million in taxpayer-authorized bonds. He said that the timing was exceptional, achieving a total interest rate of 4.48%, which will save taxpayers millions of dollars each year.

Adding to her written report, President Morrow thanked Trustee Mandelkern for his dedicated and capable service, and added her congratulations to President Hausman and Vice President-Clerk Holober.

Vice President Claire said that President Kelly is on vacation and he is representing her at the meeting. Adding to the written report, he thanked Trustee Mandelkern for his outstanding leadership and congratulated President Hausman and Vice President-Clerk Holober.

Adding to his written report, President Mohr expressed gratitude to Trustee Mandelkern for his leadership and sense of partnership, and also congratulated President Hausman and Vice President-Clerk Holober.

Executive Vice Chancellor Keller noted that the District was awarded the highest bond rating of any community college in the State. He said that everyone benefits from both this high rating and low interest rates. He said that the proceeds from the bond sale will be received by the District on December 21.

District Academic Senate President Kapp said that he is very impressed with the bond rating and the favorable issuance of the bonds. He thanked Trustee Mandelkern for his leadership and noted that he has been a friend to faculty. He congratulated President Hausman and Vice President-Clerk Holober. President Kapp said that, at this time of year, faculty is very busy correcting papers and tests and compiling grades.

Chancellor Galatolo announced that there will be no student report this evening.

Chancellor Galatolo congratulated Jan Roecks in advance on her appointment as Manager of General Services for the District.

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

**STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

None

**NEW BUSINESS, continued**

**APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (06-12-1A)**

It was moved by Trustee Schwarz and seconded by Trustee Miljanich to approve the actions in Board Report No. 06-12-1A. Regarding the request to add a full-time Maintenance Engineer as the result of the addition of new buildings at the College of San Mateo, Trustee Mandelkern asked how the District is assessing the need for new personnel. Executive Director of Facilities Planning and Operations José Nuñez responded that the addition is needed to maintain the service level rather than increasing it. Executive Vice Chancellor Keller added that in determining the need for personnel, a resource allocation model making square footage the determinant was used. After this discussion, the motion carried, all members voting "Aye."

**APPROVAL OF CONSENT AGENDA (06-12-1CA – 06-12-4CA)**

The Consent Agenda consists of the following Board reports:

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|-----------|--|
| 06-12-1CA | Approval of Trustees' Fund for Program Improvement Projects for Cañada College and Skyline College |
| 06-12-2CA | Declaration of Surplus Property  |
| 06-12-3CA | Approval of Renewal of Contract with Action Vending  |
| 06-12-4CA | Acceptance of External Grant Funds   |

Trustee Mandelkern requested that Board Report No. 06-12-3CA be removed from the Consent Agenda for separate discussion. After this request, it was moved by Trustee Miljanich and seconded by Trustee Schwarz to approve the Consent Agenda. The motion carried, all members voting "Aye."

**APPROVAL OF RENEWAL OF CONTRACT WITH ACTION VENDING (06-12-3CA)**

Trustee Mandelkern asked if any consideration has been given to adding healthy snacks and drinks to the vending machines. Executive Director of Construction Planning and General Services Rick Bennett replied that he has been in discussion with Action Vending regarding this topic. He said that the District has recently partnered with Healthy Silicon Valley and the program should begin in the spring. Trustee Mandelkern asked if there are guidelines regarding the drinks available in the soda machines. Executive Director Bennett replied that there are diet sodas, water and juice available as well as regular soda. He added that the term "healthy" is relative. President Hausman said that getting people to purchase healthy food and drinks is a national problem. Following discussion, it was moved by Trustee Mandelkern and seconded by Trustee Schwarz to approve the renewal of the contract with Action Vending. The motion carried, all members voting "Aye."

## **Other Recommendations**

### **APPROVAL OF COMMUNITY SERVICES CLASSES, WINTER-SPRING 2007 – CAÑADA COLLEGE, COLLEGE OF SAN MATEO, AND SKYLINE COLLEGE (06-12-1B)**

It was moved by Trustee Miljanich and seconded by Trustee Schwarz to approve the Community Services classes. The motion carried, all members voting "Aye."

### **ADOPTION OF RESOLUTION 06-20 OF THE SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES IN SUPPORT OF THE DREAM ACT (06-12-2B)**

It was moved by Trustee Miljanich and seconded by Trustee Schwarz to approve Resolution 06-20. Vice President-Clerk Holober noted that this issue has come before the Board previously and asked what the status of the legislation is. Chancellor Galatolo replied that the status is not known. Vice President-Clerk Holober said that the resolution is consistent with the Board's previous support position. After this discussion, the motion carried, all members voting "Aye."

### **APPROVAL OF AMENDMENT OF DISTRICT RULES AND REGULATIONS SECTIONS 7.28, STUDENT RECORDS, AND 2.35, USE OF DISTRICT COMMUNICATIONS SYSTEMS; AND ADDITION OF SECTION 2.36, POLICY ON USE OF STUDENT EMAIL ADDRESSES (06-12-102B)**

It was moved by Trustee Miljanich and seconded by Trustee Schwarz to approve the proposed amendments of and addition to District Rules and Regulations. The motion carried, all members voting "Aye."

## **INFORMATION REPORTS**

### **ACCEPTANCE OF GIFTS BY THE DISTRICT (06-12-1C)**

The Board received the report which covered the period late June 2006 through mid-December 2006.

### **FIRST QUARTER REPORT OF AUXILIARY OPERATIONS, 2006-07 (06-12-2C)**

The Board received the report which covered the period July 1, 2006 through September 30, 2006.

### **REPORT ON CAMPUS UTILITY SHUT DOWNS (06-12-3C)**

Executive Director of Facilities Planning and Operations José Nuñez distributed a report on utility shutdowns and discussed the information in the report, including scheduled and unscheduled shutdowns at the campuses; coordination processes; pre and post shutdown procedures; and lessons learned. A copy of the report is attached to the official minutes of record.

Trustee Mandelkern said that his primary concern is unscheduled shutdowns which affect instruction when classes are cancelled; he asked if anything had been learned from the recent shutdowns. Executive Director Nuñez replied that part of the problem is that the infrastructure is more than 40 years old. He said that the Construction Planning Department is conducting a study to determine which electrical panels need upgrading and the report is due in January. He also noted that with hundreds of projects in process, accidents will happen. Trustee Mandelkern asked if the system is being overtaxed and if construction should be halted and the infrastructure evaluated before proceeding further. Executive Director Nuñez said that he believes construction should keep moving forward and that planning will be adjusted as necessary when the report is issued.

Trustee Schwarz said that the report presented by Executive Director Nuñez is reassuring. She is concerned about the perception by the public who might wonder why there are problems with something as fundamental as power outages while there are beautiful new athletic fields, etc. She asked if there is a way to reassure the public. Executive Director Nuñez said that communication should be coordinated with the marketing departments.

Vice President-Clerk Holober said that the Board was notified of the shutdowns in a timely fashion. Trustee Schwarz added that students and parents of children at the Child Development Center were also notified quickly. Vice President-Clerk Holober said he believes that the best method(s) for notification should be discussed. Methods could include radio, telephone greeting, web site announcement, and mass email. Executive Director Nuñez said he will talk with Director of ITS Frank Vaskelis and Associate Director Eric Raznick regarding this issue.

CSM President-elect Claire said that safety is the first concern and that procedures need to be tightened, including better signage to address traffic problems.

#### **STATEMENTS FROM BOARD MEMBERS**

Trustee Mandelkern expressed thanks for the gift presented to him and for the comments regarding his presidency.

Trustee Schwarz attended a theater performance at Cañada College and commented that the department has an exceptional group of young people. She also attended the CSEA holiday luncheon, the Skyline College Automotive Technology lunch and ribbon cutting, and the District holiday party.

Trustee Miljanich said that she will be attending the 2007 Annual Legislative Conference in Sacramento in January.

Vice President-Clerk Holober attended the Skyline College Automotive Technology lunch and ribbon cutting and commented that it is a wonderful facility. He also attended the CSEA holiday luncheon and the District holiday party.

#### **COMMUNICATIONS**

Chancellor Galatolo recommended that nominations for the Board of Directors of the California Community College Trustees be placed on the agenda for the January 10 Regular Meeting.

President Hausman requested that Vice President-Clerk Holober chair the meeting from this point on as she would be ending the conference call.

#### **MEETING OF THE SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT FINANCING CORPORATION**

The meeting was called to order at 7:35 p.m. by Corporation President Mandelkern.

#### **Naming of Officers for 2007**

The new officers for 2007 will be:

President – Helen Hausman

Vice President – Ron Galatolo

Secretary – Richard Holober

Treasurer – Jim Keller

It was moved by Trustee Schwarz and seconded by Corporation President Mandelkern to approve the new officers. The motion carried, all members voting "Aye."

Trustee Mandelkern continued to chair the Corporation meeting in the absence of President Hausman.

**Approval of Minutes of December 14, 2005 Meeting**

It was moved by Trustee Schwarz and seconded by Corporation Secretary Holober to approve the minutes. The motion carried, all members voting "Aye."

**Information Report on Defeasance of Certificates of Participation**

Trustee Mandelkern reported that the San Mateo County Community College District 2004 Certificates of Participation were defeased on Wednesday, April 26, 2006. The amount defeased was \$31,297,842.10.

**Adjournment**

The meeting of the Financing Corporation was adjourned at 7:43 p.m.

**RECESS TO CLOSED SESSION**

The Board recessed to Closed Session at 7:50 p.m.

The Board reconvened to Open Session at 9:30 p.m.

**CLOSED SESSION ACTIONS TAKEN**

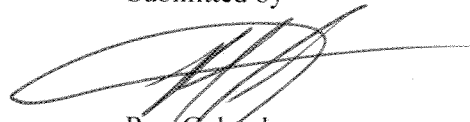
Vice President-Clerk Holober reported that, at the Closed Session just concluded, the Board considered the personnel items listed on the printed agenda and voted 4-0 to approve the actions in Board Report No. 1-A and 1-B.

**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 9:32 p.m.

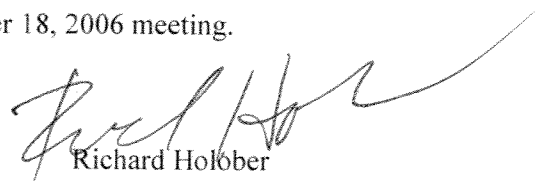
The next meeting of the Board will be a Regular Meeting on January 10, 2007 in the District Board Room.

Submitted by



Ron Galatolo  
Secretary

Approved and entered into the proceedings of the December 18, 2006 meeting.



Richard Holober  
Vice President-Clerk