

**Minutes of the Regular Meeting of the Board of Trustees
San Mateo County Community College District
February 25, 2009
San Mateo, CA**

The meeting was called to order at 6:05 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, and Cañada College President Tom Mohr

Pledge of Allegiance

DISCUSSION OF THE ORDER OF THE AGENDA

President Schwarz announced that there was a request to consider item 09-2-102B prior to item 09-2-101B. There were no objections.

MINUTES

It was moved by Trustee Mandelkern and seconded by Trustee Hausman to approve the minutes of the Regular Meeting of January 28, 2009. The motion carried, all members voting "Aye."

It was moved by Trustee Hausman and seconded by Trustee Holober to approve the minutes of the Annual Retreat of February 7, 2009. 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, President Morrow, President Claire, President Mohr, and College of San Mateo Associated Students Vice President Roger Nishimoto. Executive Vice Chancellor Keller deferred his report until consideration of item 09-2-102B. Copies of the Presidents' Executive Reports were available for distribution at the meeting and are attached to the official minutes of record.

Chancellor Galatolo announced that Presidents Mohr and Morrow will both receive the 2009 Shirley B. Gordon Award, presented to college executives who have demonstrated a strong level of support for Phi Theta Kappa. Chancellor Galatolo said that Ellis Garlington, widow of Skyline founding president Philip Garlington, passed away on February 16 and asked that this meeting be adjourned in her memory.

Adding to her written report, President Morrow said Skyline held an emergency preparedness exercise on February 24 and 25. The training included a live drill during an earthquake scenario, with full activation of the Emergency Operations Center. President Morrow thanked Board members for attending the February 19 groundbreaking and ribbon cutting ceremonies at Skyline. President Morrow said that students Khalil Dabeet and Maher Dabit, winners of this year's All-California Academic Team program which is administered by Phi Theta Kappa, will both intern with Hensel Phelps on the Building 4 project at Skyline.

Adding to his written report, President Claire thanked Board members who attended the Building 5N topping out ceremony. He said the groundbreaking ceremony for Buildings 5 and 10 will be held on March 5 at 2:15 p.m. President Claire recognized the nursing program at College of San Mateo which has received grant funding from the Peninsula Health Care District. The program graduates approximately 60 students per year.

President Claire encouraged Board members to visit CSM's website to view upcoming events; there is also a link to City of San Mateo events.

Adding to his written report, President Mohr said that Cañada will be celebrating its 40th anniversary with a series of events and programs designed to highlight student success. President Mohr announced that Carlene Gibson will be the interim Vice President of Student Services while a national search is conducted to fill the position. President Mohr distributed a report comparing enrollment trends at Cañada College and Foothill College; a copy is attached to the official minutes of record.

Mr. Nishimoto said ASCSM is a very diverse and bright group who all get along well. Events sponsored by ASCSM include welcome week in fall and spring, club days, Oktoberfest, a Halloween event, Spring Fling, and an Alumni Day barbecue at a football game. In addition, ASCSM funds library hours in order to keep the library open until midnight during final exam week. A special election was held to elect a new president and senators. Upcoming events include a Science and Art Exhibit in April and the March in March rally in Sacramento. Mr. Nishimoto said ASCSM might institute regular concerts on campus to bring CSM to the "forefront of coolness."

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Mario Mihelcic, Admissions Assistant and Certifying Official for Veterans Benefits at College of San Mateo, informed the Board that on February 24, the Disabled Students Programs & Services hosted a forum, "Beyond PTSD: Understanding and Coping with Post Traumatic Stress Disorder." Also on the 24th, the San Bruno Veterans Center participated in the health fair at CSM. Mr. Mihelcic said that his office is working with Congresswoman Jackie Speier's office in planning an event for veterans; Cañada and Skyline are also participating in planning the event. Mr. Mihelcic said Santa Clara University donated \$740 to help fund the Veterans Scholarship. Mr. Mihelcic said he and his wife moved to College Vista and he thanked Barbara Christensen and the Board for making housing available to faculty and staff. President Schwarz thanked Mr. Mihelcic for his update on the Veterans Services program.

NEW BUSINESS

APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (09-2-1A)

It was moved by Vice President Miljanich and seconded by Trustee Hausman to approve the actions in Board Report No. 09-2-1A. The motion carried, all members voting "Aye."

APPROVAL OF CONSENT AGENDA

The Consent Agenda consists of the following Board Report:

09-2-1CA Ratification of Second Quarter District Warrants, 2008-2009

It was moved by Trustee Hausman and seconded by Vice President Miljanich to approve item 09-2-1CA. The motion carried, all members voting "Aye."

Other Recommendations

AMENDMENT OF DISTRICT RULES AND REGULATIONS, CHAPTER 1, SECTIONS 1.02, ORGANIZATION OF THE BOARD; 1.05, STUDENT TRUSTEE; 1.10, DUTIES AND RESPONSIBILITIES OF THE BOARD; 1.15, OFFICERS OF THE BOARD; 1.20, DUTIES OF OFFICERS; 1.25, SECRETARY FOR THE BOARD; 1.30, COMPENSATION OF BOARD MEMBERS; 1.35, BOARD MEMBER CONDUCT; 1.40, MEETINGS OF THE BOARD; 1.45, AGENDAS FOR MEETINGS; 1.50, MINUTES OF MEETINGS; 1.55, ORDER OF BUSINESS AND PROCEDURE; 1.60, RULES OF ORDER FOR BOARD MEETINGS; 1.65, COMMUNITY RELATIONSHIPS; 1.70, BOARD

ACTION ON LEGISLATIVE ISSUES; AND ADDITION OF SECTION 1.00, THE SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT (09-2-100B)

It was moved by Trustee Hausman and seconded by Vice President Miljanich to approve the changes and addition as outlined in the report. Trustee Holober said he agrees with the new Section 1.00, but wants clarification that this policy will not affect the practice of Board members being able to endorse candidates for office and listing their titles as identification. Trustee Mandelkern said it has always been understood that if a Board member endorses a candidate, he/she does so as an individual and uses the title only for identification purposes. Dan Kaplan said the language ("This policy does not in any way restrict the ability of an employee of the District from using his/her title or the name of the College or the District in the regular course of his/her duties") is ambiguous and asked if a faculty member who writes a letter to the editor would be permitted to identify his/her position. President Schwarz questioned whether Board members would be included in this statement as "employees." Barbara Christensen suggested that the Board table Section 1.00; she will confer with County Counsel for clarification on the issues raised and will bring this policy back to the Board for approval at a future meeting.

Trustee Mandelkern recalled an issue with the selection of the student trustee by lot and asked if Section 1.05 addresses this issue; Chancellor Galatolo said it does. Vice President Miljanich said another issue was eligibility requirements for the student trustee; Ms. Christensen said this issue is addressed by the addition of 2(e) in Section 1.05.

President Schwarz said that while the first item in Section 1.45 calls for the Chancellor to prepare the meeting agenda, she believes it should state that the agenda will be prepared jointly by the Chancellor and the Board President. President Schwarz noted that the preparation is handled well now but should be clarified for future Boards. Chancellor Galatolo suggested the following language: "An agenda for each meeting of the Board shall be prepared jointly by the President of the Board or designee and Chancellor." The Board agreed unanimously with this change. Vice President Miljanich said it has been her practice as a Board member to contact the Board President to request that an item be placed on the agenda. Trustee Holober added that if the Board President does not agree to add the item, a Board member may then raise the issue at a Board meeting to ask that it be added to a future agenda. Ms. Christensen will include this in a revised Section 1.45, to be brought to the Board for approval at a future meeting.

The Board voted unanimously to approve the new and revised policies as shown in the report, with the exception of Sections 1.00 and 1.45.

ACCEPTANCE OF 2008-09 MID-YEAR BUDGET REPORT AND APPROVAL OF BUDGETARY TRANSFERS AND INCOME ADJUSTMENTS FOR THE PERIOD ENDING DECEMBER 31, 2008 (09-2-102B)

It was moved by Trustee Mandelkern and seconded by Trustee Hausman to accept the report and approve the transfers as outlined in the report. Executive Vice Chancellor Keller addressed four areas of concern:

1. Enrollment. The Colleges have been successful in increasing enrollment and this is the basis for the District's financial health. They have also greatly improved productivity.
2. Cash Flow. This is a significant issue at the State level and, therefore, the District's main issue as well. The effect of the triple flip, deferral of apportionment dollars and the Lehman Brothers loss have forced the District to front bills, mainly through issuance of Tax and Revenue Anticipation Notes (TRANS).
3. State Budget. The impact to the District of the budget approved for the remainder of 2008-09 is on the low end of the range of scenarios explained by CFO Kathy Blackwood at an earlier meeting, with required reductions in the range of \$4 million to \$6 million. There is no COLA and there is deferral of a significant amount of State apportionment. The 2009-10 budget is relatively good for community colleges, with no student fee increase and maintenance of CAL Grants. Funds are provided for approximately three percent enrollment growth. There is no COLA, very little flexibility for categorical funds, and no protection for community colleges from a property tax shortfall. There is new borrowing in the budget including \$5.9 billion in TRANS to be issued and loans from other funds.

All initiatives on the May 19 State ballot must pass in order for the approved budget to be enacted. If the initiatives are not approved, there will be a May revise. Issues which will affect the District include a spending cap for California, an increase in the sales tax, and securitization of lottery funds.

4. Federal Stimulus Act. To be eligible for Fiscal Stabilization Funds, states must meet federal Maintenance of Effort (MOE) requirements, i.e. a state is required to assure that it will provide education funding at least at the fiscal year 2006 level in fiscal years 2009 and 2010. States must apply for the funds.

After EVC Keller's report, the motion to accept the budget report and approve budgetary transfers and income adjustments carried, all members voting "Aye."

ADOPTION OF RESOLUTION 09-1, FOR INTERFUND TRANSFER FOR 2008-09 CAPITAL OTULAY FUND TO GENERAL UNRESTRICTED FUND (09-2-101B)

It was moved by Trustee Miljanich and seconded by Trustee Holober to approve adoption of Resolution 09-1. Trustee Mandelkern asked how the District will repay the transferred amount if funds from the State are not forthcoming. EVC Keller said this is money that has been set aside for projects and it is a cash flow issue; there are no State funds involved. After this discussion, the motion carried, all members voting "Aye."

ADOPTION OF RESOLUTION NO. 09-2 OF THE SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT AUTHORIZING ISSUANCE OF TAX AND REVENUE ANTICIPATION NOTES (09-2-103B)

It was moved by Vice President Miljanich and seconded by Trustee Hausman to approve adoption of Resolution No. 09-2. Trustee Mandelkern asked what the market is likely to be for TRANs. EVC Keller said the District's credit rating is very good and Controller Raymond Chow thinks they will be issued at the fairly low rate of about 1.2 percent, for a maximum of thirteen months. Trustee Mandelkern asked if the District would wait to issue the TRANs until it is known if the State has been successful in its issuance. EVC Keller said the District's TRANs are normally issued in June so the status of the State's TRANs should be known. He added that this resolution represents what the District anticipates the needs will be for 2009-10. After this discussion, the motion carried, all members voting "Aye."

INFORMATION REPORTS

ACCOUNTABILITY REPORTING FOR THE COMMUNITY COLLEGES (ARCC) REPORT, 2008 (09-2-5C)

Vice Chancellor Jing Luan explained that the State requires the ARCC report to be presented annually. In 2007, Vice Chancellor Luan and College researchers presented a report to the Board and explained the details of accountability reporting and its uses. Vice Chancellor Luan asked if there are any questions about the 2008 report. Trustee Holober asked if there are areas that are of particular concern to Vice Chancellor Luan and the researchers. Vice Chancellor Luan said that how peer groups are identified is in a state of flux and that the 2009 performance indicators in the peer grouping section will be slightly different. Trustee Mandelkern asked if transfer rates are shown in the report. Vice Chancellor Luan said they are buried in Table 1.1. AFT Executive Secretary Dan Kaplan asked Vice Chancellor Luan if he could "unbury" the transfer rate and inform those present tonight what it is. Vice Chancellor Luan said he did not have the information available tonight, but noted that by federal law, transfer information in the Student Right to Know reporting is available in the College catalogs each year.

REPORT ON DISTRICTWIDE VIDEO MONITORING (09-2-6C)

Vice Chancellor José Nuñez said that video monitoring is used to promote safety awareness, as a deterrent and for forensic capabilities. He described various events that might occur, along with the location and time each would most likely occur and the reasons video monitoring would be used for each event. Vice Chancellor Nuñez said the Access Control and Alarm Monitoring System (ACAMS) allows public safety officers to see events, such as unauthorized entries, from their desks. Vice Chancellor Nuñez displayed maps showing the locations of cameras at each campus and also showed photos of the camera equipment and camera views. He listed

buildings at each campus which are not currently monitored. Vice Chancellor Nuñez said there are currently 266 cameras at the three Colleges. Issues and challenges include how to use and maintain new technology and train staff in its usage. Vice President Miljanich asked if other nearby colleges are using cameras. Vice Chancellor Nuñez said he does not know of any that use cameras. Trustee Holoher said that while video monitoring provides an extra level of safety, it does pose a risk in terms of privacy, including the safeguarding and disposal of records. He asked if notices of the presence of cameras are posted. Vice Chancellor Nuñez said signs are up at certain locations and are in the process of going up at others. Signs are not yet posted at College of San Mateo because the cameras are not yet operational. Cameras will not be placed in classrooms, offices or locker rooms. Vice President Miljanich noted that many young people are used to being observed and are comfortable with it. Student Trustee Medrano Rosales said the presence of video monitoring equipment makes her feel safer, particularly when taking night classes. Trustee Mandelkern asked if the issue of sharing information with other agencies or entities has been addressed. Vice Chancellor Nuñez said information could be provided to law enforcement upon request. He added that many of the issues raised are addressed in District Rules and Regulations Section 8.13, Public Safety on District Property, which was reviewed by the District Shared Governance Council and approved by the Board; he will forward copies of the policy to the Board for further clarification.

2009 CONTRACTOR PREQUALIFICATION UPDATE (09-2-7C)

Rick Bennett, Executive Director of Construction Planning, said planning for the 2009 prequalification initiative began in October of 2008 and the deadline for submission of applications was December 12, 2008. Mr. Bennett congratulated Alan Miller and Yanelly Pulido for the very successful process this year. Mr. Bennett said the charts at the back of the report show the increase in applicants over time and where the pool is drawn from, meeting some Board goals of attracting local, small and emerging businesses. The pool is well-rounded except in the case of ethnicity; forty-nine percent declined to state and of the remaining fifty-one percent, forty-one percent identified themselves as Caucasian. Trustee Holoher said there have been discussions in the past regarding targeted efforts to engage underrepresented groups in the contractor community. Mr. Bennett said notifications that the District is seeking prequalification are sent to a variety of Chambers of Commerce and other associations targeted to underrepresented groups. Staff is also very aggressive in building the vendor database, including the addition of contractors they meet at conferences, personal meetings, etc. Trustee Mandelkern said that at an earlier meeting, there was discussion regarding the process by which changes are made to prequalification criteria and to the questionnaire, and he does not see this issue addressed in the report. Mr. Bennett said the questionnaire was updated in 2007, based on the requirements of the California Department of Industrial Relations. The only revision since that time was the inclusion of additional questions based on the Owner Controlled Insurance Program (OCIP). The prequalification process will be brought to the Board on an annual basis and if there are changes, the Board will be provided the application for review before starting the process for the current year.

STATEMENTS FROM BOARD MEMBERS

Student Trustee Medrano Rosales attended the topping out ceremony at College of San Mateo and the groundbreaking and ribbon cutting ceremonies at Skyline. Student Trustee Medrano Rosales said the recent Board Retreat was the first she attended and she found it very educational.

Trustee Hausman attended the groundbreaking and ribbon cutting ceremonies at Skyline and particularly enjoyed talking with faculty and staff of the surgical assistant and other programs during the building tour.

Trustee Mandelkern enjoyed the topping off ceremony at College of San Mateo and the groundbreaking and ribbon cutting ceremonies at Skyline, where he also had a chance to interact with enthusiastic faculty and staff. Trustee Mandelkern noted the passing of Ellis Garlington and said she and Mr. Garlington were active participants in the Skyline President's Council. Trustee Mandelkern said the Skyline President's Breakfast will be held on March 26. Trustee Mandelkern said he wants to have his personal perspective on record regarding a recent communication that was sent to faculty members and others concerning the salary policies of the Board and how salaries are set. Trustee Mandelkern said that during his time on the Board, he believes Board members have always had a policy of fairness and equity across all units, whether it be the bargaining units,

administrators or faculty, and they have always tried very hard to be fair and equitable in the percentage increase to all members. Trustee Mandelkern said he does not believe the Board has ever given administrators pay raises first and then tried to have the bargaining units settle for some fraction of that increase.

Trustee Holober also enjoyed the Skyline groundbreaking and ribbon cutting ceremonies. Trustee Holober said he saw an email this afternoon describing the status of the budget and asking for feedback; he said he hopes people will respond. He believes voters are being presented with impossible choices with the propositions on the May ballot.

President Schwarz attended the topping off ceremony at College of San Mateo and hopes to attend the March 5 groundbreaking ceremony. President Schwarz received a copy of the District Strategic Plan and commented that it is easy to understand and a credit to the District; she thanked everyone involved.

COMMUNICATIONS

None

RECESS TO CLOSED SESSION

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

The Board recessed to Closed Session at 8:18 p.m.
The Board reconvened to Open Session at 9:09 p.m.

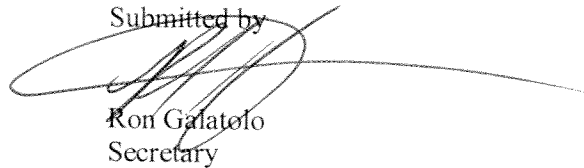
CLOSED SESSION ACTIONS TAKEN

President Schwarz 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-B.

ADJOURNMENT

It was moved by Trustee Holober and seconded by Trustee Hausman to adjourn the meeting. The motion carried, all members voting "Aye." The meeting was adjourned at 9:10 p.m. in memory of Ellis Garlington.

Submitted by



Ron Galatolo
Secretary

Approved and entered into the proceedings of the March 11, 2009 meeting.



Patricia Miljanich
Vice President-Clerk