

**Minutes of the Study Session of the Board of Trustees
San Mateo County Community College District
July 14, 2010, San Mateo, CA**

The meeting was called to order at 6:08 p.m.

Board Members Present: President Patricia Miljanich, Vice President-Clerk Dave Mandelkern, Trustees Helen Hausman, Richard Holober and Karen Schwarz, and Student Trustee Father Jay Maharaj

Others Present: Chancellor Ron Galatolo, Executive Vice Chancellor Jim Keller, Skyline College Director of Business Services Eloisa Briones, College of San Mateo President Michael Claire, Cañada College President Tom Mohr and District Academic Senate President Patty Dilko

Pledge of Allegiance

DISCUSSION OF THE ORDER OF THE AGENDA

None

President Miljanich called on Ms. Briones, who introduced Joseph Madrigal, Interim Vice President of Student Services at Skyline College. Mr. Madrigal earned his Master's Degree in Education from Harvard University. Over the past 35 years, he has been actively involved in community colleges, holding various leadership roles at Hartnell College, Mendocino College and Palomar College. He retired from Palomar one year ago. Mr. Madrigal will serve at Skyline until a permanent Vice President of Student Services is hired. The screening process is beginning now and the goal is to have the selection made by the end of the year.

MINUTES

It was moved by Trustee Holober and seconded by Trustee Hausman to approve the minutes of the June 23, 2010 meeting of the Board. Trustee Schwarz asked that the statement that she began her friendship with Trustee Hausman when they served on a previous board together (page 1) be amended to read that their friendship began while they served on separate boards. The motion to approve the minutes as amended carried, all members voting "Aye."

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

None

NEW BUSINESS

APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (10-7-1A)

It was moved by Trustee Holober and seconded by Trustee Hausman to approve the actions in Board Report No. 10-7-1A. The motion carried, all members voting "Aye."

HEARING OF THE PUBLIC ON AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), LOCAL 829, COUNCIL 57 INITIAL CONTRACT PROPOSAL TO THE DISTRICT AND DISTRICT'S INITIAL PROPOSAL TO AFSCME; ADOPTION OF DISTRICT'S INITIAL PROPOSAL (10-7-2A)

President Miljanich declared the public hearing open and asked if there were questions or comments. Hearing none, President Miljanich declared the public hearing closed. It was moved by Trustee Hausman and seconded by Vice President Mandelkern to adopt the District's Initial Proposal to AFSCME. The motion carried, all members voting "Aye."

HEARING OF THE PUBLIC ON 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 (10-7-3A)

President Miljanich declared the public hearing open and asked if there were questions or comments. Hearing none, President Miljanich declared the public hearing closed. It was moved by Trustee Schwarz and seconded by Trustee Hausman to adopt the District's Initial Proposal to CSEA. The motion carried, all members voting "Aye."

INFORMATION REPORTS

PARCEL TAX; ACCOUNTING, UTILIZATION AND OVERSIGHT COMMITTEE (10-7-1C)

Chancellor Galatolo said that with passage of the parcel tax measure, there are documentation and compliance issues that must be addressed. He said he would like to engage the Board in a dialogue about accounting, utilization of the monies, and the composition of the mandatory oversight committee.

Accounting: Chancellor Galatolo said that money from the parcel tax is a special revenue stream. The District will treat it as a separate fund and account for it outside of the unrestricted general fund, as a resource distinct and separate from the apportionment and property taxes that are received. The accounting will capture all revenues and expenditures from the fund.

Utilization: Because the Measure G campaign emphasized the large waitlist and other academic and support-related issues, Chancellor Galatolo recommends using a large portion of the funds to cover adjunct faculty salaries as more core sections are added. The three Colleges will also be provided an opportunity to come up with plans on how they would identify expenditures relative to the support services needed to accomplish the addition of more classes.

Trustee Schwarz said devising plans on how the money should be spent will be an involved process and she asked about a timeline. Chancellor Galatolo said that during the summer, dialogue will begin with the College presidents and their executive teams. When the fall semester begins, the College Councils will be engaged and a more defined budget and refined plan will be brought to the Board shortly thereafter. Trustee Schwarz recalled that during the discussion of budget cuts last year, it was agreed that no decisions would be made over the summer; she asked if this would apply in this case as well. Chancellor Galatolo said it is important to develop a framework, set the groundwork and build a foundation and then, in the fall, engage with the College Councils to develop more specifics of a plan. He said that unless the Board objects, he wants to focus almost solely on academic and support-related services and he assumes that the lion's share will go to adjunct faculty salaries. Chancellor Galatolo added that it is critical to keep in mind that the parcel tax provides funds only for a four-year period and the budget must be reflective of the one-time nature of the monies.

Trustee Holober said that the needs were presented to the public as urgent. He said that although the first influx of money will not have been received, he would urge that some of the money be used to restore classes for the fall semester, anticipating that it will have to be backfilled. Chancellor Galatolo said there is a 60 day period during which people can challenge the election and it could present a risk to start using the funds before that period has passed. He agreed, however, that there are some immediate needs and it might be worth taking a risk on these.

Professor Dilko said the desire to meet immediate needs and utilization of shared governance are diametrically opposed because the shared governance process could not be started until fall. Chancellor Galatolo said there might be emergency items that could be addressed, e.g. classes that were let go at the last minute or addition of high-demand classes. Professor Dilko agreed, but cautioned that this must be carefully managed if shared governance is to be honored. Trustee Holober noted that the ways in which funds will be used are governed by what was in the ballot language. He said it is also important to pay particular attention to what voters were told about the purposes for which the funds would be used, including nursing and allied health, public safety, and academic programs that move students toward transfer to four-year institutions. Trustee Holober added that significant cuts were made to classified staff who are integral to the District's ability to deliver academic programs, and this issue should be addressed as well.

Vice President Mandelkern said that, with all due respect to the risk of potential challenges and respect for the shared governance process, there are opportunities to track enrollment where there is high demand for certain classes and to prepare responses, such as identifying adjunct faculty to be hired to teach these classes. Hopefully, the shared governance process can then move rather quickly. Chancellor Galatolo said he is asking the College presidents to set the groundwork as suggested by Vice President Mandelkern in preparation of unveiling it to the shared governance bodies at the Colleges in the fall.

Vice President Mandelkern asked if there could be an opportunity to use a Tax and Revenue Anticipation Note (TRAN) in order to get money during the fall semester which would be repaid with money coming in during winter; because a TRAN can be rolled over if needed, this would put the District at less risk than using general fund dollars which would have to be backfilled. He said it is important to keep in mind that this is an emergency measure meant to deal with an urgent situation this semester. He said the public expectation is that we would be able to act quickly and it would be disappointing to wait another semester before beginning to provide the public benefit. Chancellor Galatolo said a TRAN was issued and staff can see if any of the resources can be used for this purpose. Executive Vice Chancellor Keller said the TRAN was not sized with the expectation that a State budget would not be passed until late October and this presents a considerable challenge.

Trustee Hausman said that while everyone is aware of the urgency, this is a multifaceted problem to solve and she urged everyone to be very careful and thorough. Chancellor Galatolo said the goal is to do pre-planning and lay the groundwork. He said there may be emergency needs that could be treated as exceptions; if the College presidents identify urgent needs because of a huge demand from students, they could bring those needs to the Board in time to hire adjunct faculty. Constituent groups that are present during summer would be informed and shared governance would be engaged quickly in the fall. President Claire said that he believes sections could be added in the fall in critical high-demand areas at a cost that would not put the District at risk. President Mohr said he believes the presidents could move forward with a list of needs; he said some needs are more dire than others and the presidents know with some certainty what needs to be done at once.

Trustee Schwarz said she believes the public is aware that the money will not be available right away and they do not expect changes to be made before the money is received. Trustee Schwarz said quickly addressing emergency needs is a good idea; however, she is not supportive of putting the District at any kind of risk. She said she believes the voting public will understand if nothing can be done until the second semester.

Oversight Committee: Chancellor Galatolo said the composition of bond oversight committees is clearly defined in Proposition 39, but the size and duration of terms for parcel tax oversight committees are less clearly defined. Chancellor Galatolo asked the Board to discuss the recommendation that the committee be composed of seven members, as follows:

- one individual from the three major Chambers of Commerce in the north, south and mid-County
- possibly approach former trustee and current Controller Tom Huening because he knows the District from different perspectives
- a tax accountant or CPA
- a County Supervisor (currently, Rose Gibson Jacobs serves on the Bond Oversight Committee)
- an active community member who has been engaged with the District at some level, e.g. Memo Morantes or Virginia Chang Kiraly

President Miljanich said the composition of the committee should be such that the public will be confident in the oversight, as is the case with the Bond Oversight Committee. Chancellor Galatolo said the District has received two commendations from the Civil Grand Jury for the Bond Oversight Committee and it would be wise to use the same structure and level of individuals for the parcel tax oversight committee. Vice President Mandelkern agreed that it would be reasonable to adopt a similar structure. Trustee Holober agreed with using the Bond Oversight Committee as a model; however, he does not think it would be a good idea to have elected officials on the committee because of public perception, right or wrong, of politicians "having each others' backs."

Trustee Schwarz said that some employees are critical of the Bond Oversight Committee because they don't understand what they do, and she would like to have employees serve on the committee if it is allowed. Chancellor Galatolo said it is important to clarify that the purpose of the oversight committee is not to give direction on policy; rather, it is to verify that the money is spent in accordance with the language in the ballot argument. He said he would recommend against employees serving on the committee in order to prevent the possible perception of a conflict of interest.

President Miljanich suggested that the parcel tax oversight committee might not need as many members because the funding is much less than bond funds. Vice President Mandelkern agreed, but expressed concern that, with fewer members, it could be difficult to get a quorum at meetings.

Chancellor Galatolo said further clarification is needed regarding Trustee Holober's concern about elected officials serving on the committee. Trustee Schwarz said it is her preference that no elected officials be named. Trustee Hausman said that Tom Huening might be an exception because he was a member of the District Board of Trustees for many years. Vice President Mandelkern said he would be comfortable with either none or one elected official on the committee.

Regarding Trustee Schwarz' wish to have employees on the committee, Chancellor Galatolo said it could be problematic if committee members are perceived to have decision-making authority. He suggested that there be ex-officio members who would represent employee groups. Trustee Schwarz agreed with this idea. Vice President Mandelkern said he shares the concern about active staff members having potential conflicts of interest, but believes retirees could serve without this perception. He mentioned Dick Claire as a retiree who has an accounting background and knowledge of the community.

President Miljanich said there seems to be an issue of communication and asked what employees' expectations of the Bond Oversight Committee are, e.g. do they believe the committee has influence on particular projects. Vice Chancellor Nuñez emphasized that the role of the committee is to ensure that the money is spent in accordance with the ballot language. He added that all agendas, minutes and reports are posted on the committee website. Trustee Holober said it might be helpful to issue a separate annual report that is easy for the public to read and understand.

Professor Dilko said that faculty feel a disconnect from the District Office and Board of Trustees and allowing ex-officio advisory members might be a way to send a positive message. Trustee Holober said it is very important that everyone, including committee members, understand that the role of oversight committees is not policy making. He said his main concern about disconnect was when a member of the Bond Oversight Committee expressed to the press an unawareness about funding of a particular project. Trustee Holober said committee members must be informed of their role and be provided all appropriate information. Trustee Hausman said it should be noted that the Grand Jury commended the District twice on the Bond Oversight Committee. Chancellor Galatolo added that the proceedings of the Committee have been very transparent and it would be unwise to make changes because one member of the Committee did not correctly understand information that was provided.

Vice President Mandelkern said he agrees with trying to encourage greater engagement with faculty and staff, but believes the oversight committees are not the best avenues because their roles are limited to compliance. He said the focus should be on other venues, such as Board meetings, since the Board is a policy-making body where issues such as these are discussed.

President Miljanich said the Board wants to be transparent and wants people to understand what it is doing. She said it is appropriate to remind people where they can get information, including information about Board meetings. She said that people also must take some responsibility to reach out and express what they don't understand.

Chancellor Galatolo said the Board has provided direction and staff will continue to work on recommendations for the formulation of a parcel tax oversight committee.

PRESENTATION BY COLLEGE OF SAN MATEO PROFESSORS MOHSEN JANATPOUR AND DARRYL STANFORD (10-7-2C)

Professor Janatpour introduced his co-presenters, Professor Stanford and Dean Drumheller, Astronomy Technician. Their presentation included discussion of exoplanets, paths of the planets, and the various compositions of stars. Using the STAR projector, they demonstrated what will be visible in the sky at different times this evening and into the near future. A video demonstrated how ancient Egyptian culture was heavily influenced by astronomy; for example, pyramids and temples were built and positioned in relation to the stars and the Egyptian calendar was based on astronomical indicators.

President Miljanich thanked Professors Janatpour and Stanford and Mr. Drumheller for a very informative and interesting presentation.

President Miljanich said that President Mohr has requested that tonight's meeting be adjourned in memory of J. William Wenrich, who passed away on July 6. Dr. Wenrich was President of Cañada College from 1975-79. Most recently, he was Chancellor of the Dallas County Community College District, the largest undergraduate institution of higher education in the state of Texas.

RECESS TO CLOSED SESSION

President Miljanich said that during Closed Session, the Board will consider the personnel items listed as IA on the printed agenda. The Board will also hold a conference with agency labor negotiator Harry Joel; the employee organizations are AFT, AFSCME and CSEA.

The Board recessed to Closed Session at 8:15 p.m.
The Board reconvened to Open Session at 9:55 p.m.

CLOSED SESSION ACTIONS TAKEN

President Miljanich reported that at the Closed Session just concluded, the Board voted 5-0 to approve the items listed as IA on the printed agenda.

ADJOURNMENT

It was moved by Trustee Hausman and seconded by Vice President Mandelkern to adjourn the meeting. The motion carried, all members voting "Aye." The meeting was adjourned at 9:59 p.m. in memory of J. William Wenrich.

Submitted by



Ron Galatolo
Secretary

Approved and entered into the proceedings of the July 28, 2010 meeting.



Dave Mandelkern
Vice President-Clerk