

**Minutes of the Study Session of the Board of Trustees
San Mateo County Community College District
July 11, 2012, San Mateo, CA**

The meeting was called to order at 6:05 p.m.

Board Members Present: President Dave Mandelkern, Vice President Helen Hausman, Trustees Richard Holober, Patricia Miljanich, Karen Schwarz, and Student Trustee Bailey Girard

Others Present: Chancellor Ron Galatolo, Executive Vice Chancellor Kathy Blackwood, Skyline College President Regina Stanback Stroud, College of San Mateo President Michael Claire, and Cañada College President Jim Keller

Pledge of Allegiance

DISCUSSION OF THE ORDER OF THE AGENDA

None

MINUTES

It was moved by Trustee Schwarz and seconded by Vice President Hausman to approve the minutes of the June 27, 2012 meeting of the Board. The motion carried, with President Mandelkern abstaining and all other members voting "Aye."

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

President Claire said he was informed earlier this week that former College of San Mateo student body president Matthew Kaidor passed away of natural causes. He asked that the Board adjourn this meeting in Mr. Kaidor's memory.

NEW BUSINESS

APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (12-7-1A)

It was moved by Trustee Holober and seconded by Trustee Schwarz to approve the actions in Board Report No. 12-7-1A. The motion carried, all members voting "Aye."

RECOMMENDATION FOR ADMINISTRATOR EMPLOYMENT CONTRACT RENEWALS (12-7-2A)

It was moved by Trustee Miljanich and seconded by Vice President Hausman to approve the recommendations as listed in the report. The motion carried, all members voting "Aye."

Other Recommendations

APPROVAL OF MEDI-CAL ADMINISTRATIVE CLAIMING AGREEMENT BETWEEN SKYLINE COLLEGE, THE CONTRA COSTA COUNTY OFFICE OF EDUCATION AND THE BAY REGION LOCAL EDUCATIONAL CONSORTIUM (12-7-100B)

It was moved by Vice President Hausman and seconded by Trustee Miljanich to approve the agreement as outlined in the report. The motion carried, all members voting "Aye."

STUDY SESSION

UPDATE ON KCSM-TV (12-7-1C)

Chancellor Galatolo said that staff routinely performs contract negotiations but the negotiations for the sale of KCSM-TV have been very complex and have taken considerable time and effort. He said staff was anticipating outlining a recommendation at this meeting and bringing the recommendation to the Board for action at a subsequent meeting. However, negotiations are still ongoing. An update will be provided but Chancellor Galatolo cautioned that not all information can be shared because doing so could jeopardize negotiations.

Jan Roecks, Interim Dean of Business, Workforce & Athletics at Cañada College, said that on April 11, in her capacity as Director of General Services (the position she held until recently), she presented to the Board a status update on the sale of KCSM-TV. At that time she reported what the team had done so far and what they anticipated they would need to do in order to complete the sale. The team consisted of Ms. Roecks; Marilyn Lawrence, General Manager of KCSM; Larry Miller, an attorney who specializes in FCC law; and County Counsel Eugene Whitlock. Ms. Roecks outlined the lengthy and complicated process of creating the RFP and putting it out to bid. She reported that six bids were received, two of which the team determined met the criteria and would be viable offers. The three critical criteria that the team considered were (1) whether the bidder met the FCC rules for taking assignment of the KCSM-TV non-commercial license, (2) whether the bidder met the FCC regulations regarding local control and educational programming, and (3) the price offered, source of funding and terms of financing. Ms. Roecks said that at the April 11 meeting, she told the Board that the team hoped to bring a recommendation in approximately two weeks. However, the process to sell the station has been extremely complex and has been slower than the team thought it would be or wanted it to be. The team has had significant communication with both bidders and continues to negotiate actively with both. Ms. Roecks said the team feels confident that they will be able to bring forward a recommendation for a buyer who will meet the requirements.

Trustee Miljanich said the Board understood that the sale of the station would be a complex process and she is not completely surprised that it is taking longer than originally anticipated.

President Mandelkern asked Ms. Roecks if she could share more details on what has caused the delay. Ms. Roecks said there are different issues with the two bidders, all of which involve the three criteria listed above. President Mandelkern asked if both bidders are still active, viable contenders; Ms. Roecks said they are. President Mandelkern asked if a third bidder from the list of responders should be brought in to create more incentive. Ms. Roecks said she does not believe this is necessary. Each of the two bidders with whom the team is negotiating is aware that the other is bidding but does not know the details of the bid. This has made them more aggressive in trying to close the deal with the District. President Mandelkern asked Ms. Roecks if the team is comfortable that they are moving toward closure. Ms. Roecks said they are confident that they are moving in a positive direction in the negotiations.

Trustee Holober said the *Daily Post* ran a story that named the top two bidders. Ms. Roecks said she named all six bidders in April and it is public information. The top two bidders are FM Media and the San Mateo Community Television Corp.

Trustee Holober asked if an initial screening was done to determine if potential bidders would be able to meet the FCC criteria. Ms. Roecks said the RFP was very specific about what was required. There was also an Asset Purchase Agreement that included specific steps and rules. Chancellor Galatolo said a mandatory pre-bid conference was held to explain what was expected of bidders, e.g., they would be required to show they had economic resources and could meet the local control and other FCC requirements. Ms. Roecks said thirteen potential bidders attended the pre-bid conference and, of those, six submitted bids.

Marilyn Lawrence, General Manager of KCSM, said that the FCC sent a letter in March which more clearly identified the rules for programming and ownership. This information was shared with potential bidders and they were given an extra 30 days to respond.

Trustee Holober said that during the discussion in April, it was pointed out that while a buyer must meet the FCC requirements regarding educational programming, the District is not legally permitted to consider the actual programming in making its decision. Therefore, of all potential buyers that meet the FCC requirements, the Board would consider which one offers the best financial deal for the District. Ms. Roecks said this is correct.

Trustee Holober said he applauds the work staff is doing in this complex process. He said the primary purpose of the Board's decision to sell KCSM-TV was to stop the hemorrhaging of funds that the Board believes should be put into classrooms, and bringing in one-time dollars is secondary. He said that during the process of trying to sell the station, money that would be gained from the sale is lost due to the status quo operation of the station. He questioned at what point it would make sense to go to a third bidder, if that bidder could meet the requirements, in order to save more months of hemorrhaging. Ms. Roecks said the team has always been very aware of the Board's

direction regarding the sale and has taken it into consideration at each step in trying to bring a recommendation that will meet all criteria.

President Mandelkern asked if there is a timeline for honoring the public records request that was discussed at the April meeting. Ms. Roecks said that as soon as the negotiations are finalized, she will release the bid documents of the top two bidders, as was requested. She said she has been in contact with the requester to let her know that negotiations are still ongoing. President Mandelkern said the Board will also need time to review the documents before making a decision.

Trustee Schwarz said that, while this is a unique situation, it shares in common with other contracts the negotiation process. She asked if a timeline is imposed on the bidders. Ms. Roecks said the team has been working with the bidders on a timeline but it has had to be extended because negotiations have not been finalized. Trustee Schwarz said it is not generally a good practice to extend timelines and doing so can create other problems. Ms. Roecks said the team is very aware of the timeline and is pushing as hard as they can and being firm about what the District needs. She said that because some of the timeline has not been met, bidders have been asked to show more of a commitment than was previously requested. Chancellor Galatolo said that the failure of the first of the top two bidders to meet the timeline triggered conversations with the other bidder with whom the team is negotiating.

President Mandelkern asked Ms. Roecks if she believes the process is moving toward successful closure rather than having to move on to other bidders. Ms. Roecks said she feels confident that they are moving toward closure. Chancellor Galatolo said the team wants to make sure that, after a signed Asset Purchase Agreement and financing are in place, an offer will not be rejected by the FCC.

Trustee Miljanich said we are in an environment in which there will not be a large number of potential buyers. She said she appreciates the fact that the team is balancing this reality with the search for a buyer who can meet the stated criteria.

Tracy Rosenberg, Executive Director of Media Alliance, said she understands from Ms. Roecks' comments that the team is still negotiating with the top two bidders (A and B) and that when negotiations with A got "stuck," the team went to B in order to push A. Chancellor Galatolo said the team did not go to B in order to push A. The team is currently negotiating with both A and B, with both bids in play.

Ms. Rosenberg asked if there is an estimated time when an agreement will be reached. Ms. Roecks said she cannot give a specific date, but Ms. Rosenberg will know as soon as negotiations are completed because her public records request will be honored at that time.

Ms. Rosenberg said she hopes the Board will allow time after the bids are released for the public to have a chance to review the bids and provide input. She said that the station is a public asset and, while it is owned by the District and the final decision is up to the Board, she believes the ownership is larger than just the people in this room. She would like to see a fairly deliberate process to make sure that a sale is the best possible outcome. President Mandelkern said the Board is committed to a fair and transparent process, as stated at the April meeting. He said adequate time will be provided for both the public and the Board to review a recommendation and to discuss it fully before any decision is made. Ms. Roecks thanked the Board and Ms. Rosenberg for their patience.

Trustee Holober asked if there are expiration dates on the bids from the original six bidders, or if the other four would still be current if the top two bidders do not work out. Ms. Roecks said there is no expiration date and the other bidders could be brought into play. Chancellor Galatolo said it is important to note that the top two bidders were chosen for negotiations because of the three main criteria listed earlier. He said there was a considerable drop-off in the ability to meet these criteria from the remaining bidders.

Regarding the current operation of the station, President Mandelkern said that after several years of trying to reduce the financial subsidy to KCSM-TV, the Board made the difficult decision to sell the station. He said the station is still operating at a deficit and taking resources away from classrooms. He asked Ms. Lawrence if anything more can be done to reduce the need for subsidy while waiting for negotiations to conclude. Ms.

Lawrence said she does not see a way to reduce costs more than what has already been done. She said employees have been moved out of TV and into other positions through managed hiring. She has changed the programming schedule so that fewer people are needed in that area and programming costs are now next to nothing. However, because she thought the sale would be completed sooner, she stopped the pledge drive because people cannot be asked to pledge for a station that is going away. Ms. Lawrence said she is very aware of the issue and tries to make all decisions based on finances. Trustee Holober asked if the major cost is payroll. Ms. Lawrence said the major costs are payroll, transmission and power. The transmitter and power are critical to keeping the station on the air. In terms of payroll, she is using more student assistants and many staff members are doing multiple jobs. Chancellor Galatolo said that, because the pledge drive was stopped when the sale of the station was expected to be completed sooner, support from members is down 70% and this exacerbates the problem.

Trustee Miljanich said it took a long time for the Board to get to the point of actually acknowledging what was happening. The Board then went through a lengthy process of determining the best course of action and Trustee Miljanich said there are not a lot of other viable options. President Mandelkern said an option would be to shut the station down but that would remove the ability to sell the license. Student Trustee Girard said that if the station is shut down, the District would gain nothing. President Mandelkern said shutting the station down could be considered if it gets to a point where losses exceed the value that would be gained from the sale of the license, but he does not believe we are at that point currently.

Trustee Schwarz said there are certain requirements that must be met in order to keep a station running and she appreciates that KCSM-TV is running on bare bones in terms of staff. She said Ms. Roecks has conducted the process very well in the face of unexpected delays. Trustee Schwarz said she appreciates what Ms. Roecks and Ms. Lawrence are doing for the District.

Vice President Hausman said the Board is aware of the complexity with which Ms. Roecks and Ms. Lawrence are dealing and she appreciates that they are not losing sight of the Board's goals.

President Mandelkern said that the Supreme Court recently threw out fines and sanctions for indecency imposed by the FCC against Fox and ABC. He asked if this ruling has an effect on the case brought by the FCC against stations' airing of "The Blues: Godfathers and Sons" which KCSM-TV was a party to. Ms. Lawrence said the KCSM case is dead because it is past the statute of limitations. She said the FCC had asked the station to sign a document waiving the fine but the station would still have had a black mark on its record. The offer was refused by the District. She said the more recent case did not address content but was based on lack of fair notice.

President Mandelkern thanked Ms. Roecks and Ms. Lawrence for their presentation and thanked members of the public for attending the meeting and participating as well.

COMMUNITY NEEDS ASSESSMENT UPDATE (12-7-2C)

Barbara Christensen, Director of Community/Government Relations, said that community needs assessment was one of the goals discussed by the Board in February and adopted in April 2012. Staff has been working to begin the process and define the composition of the assessment. It is anticipated that the community needs assessment will have five parts:

1. An environmental scan with demographic information, both past and projected for the future, about our students and businesses in the community. A meeting was held today with researchers and Workforce Development staff at the Colleges along with staff and researchers from the Workforce Investment Board (WIB), who will work on this part of the project.
2. A survey of the general public which will probably be conducted by telephone, but could also be an online survey. Ms. Christensen provided a list of the types of questions that will be included (a copy of which is attached to the official minutes of record) but said the researchers and other staff at the Colleges are still working on the questions. The survey will most likely be contracted out and an RFP will be sent out in approximately one week.

3. A survey of high school counselors, administrators and faculty, which will also be included in the RFP. The purpose is to understand from their perspective why students choose our Colleges, the barriers students face in coming to college, how successful we are in communicating with the high schools, what more they need from us, and how we can better integrate our curriculum with what the high schools are doing. Ms. Christensen provided a list of sample questions for this portion of the survey as well (a copy of which is attached to the official minutes of record).
4. A survey of students attending the three Colleges in the District. Cañada College and Skyline College administered the Community College Survey of Student Engagement (CCSSE) survey this year and have the results. College of San Mateo agreed to send the same survey to its students in the fall. However, Ms. Christensen would also like to ask questions on topics that were not included in the CCSSE survey, such as registration, financial aid, scholarships, and career-technical offerings. Ms. Christensen provided a list of areas that students would rate, along with a sample of questions (a copy of which is attached to the official minutes of record).
5. A comprehensive business needs assessment. Ms. Christensen learned from Linda Asbury, President/CEO of the San Mateo Area Chamber of Commerce, that the WIB was embarking on a similar project. Ms. Christensen and Chancellor Galatolo met with the WIB director and found that their goals are very much aligned with the District's goals. Subsequently, Chancellor Galatolo, Ms. Christensen and the WIB director met with the San Mateo County Economic Development Association (SAMCEDA). Roseanne Foust, President and CEO of SAMCEDA, was very enthusiastic about being a partner in the project. As a result, the three Colleges, the WIB and SAMCEDA will partner in launching the business needs assessment. The methodology has not been determined, but will likely include some surveys and some focus groups.

Ms. Christensen said a planning meeting was held this afternoon with some of the Deans and staff of Business and Workforce at the Colleges, along with WIB staff and researchers. It was agreed that in September and October, the College leaders will discuss with their Workforce Development faculty what sectors of County businesses they are most interested in studying. Ms. Christensen provided a Business/Employers Needs Assessment Proposal (a copy of which is attached to the official minutes of record) which lists some of the potential sectors. Within each sector, the needs assessment will be designed to discover what kinds of skills employers need, what our Colleges are offering that helps employers, what we are not offering that would be helpful, and what the skill gaps are in the County and region. Each College will identify two sectors to pursue first and two to four sectors to be pursued in the longer term. All information will be informed by the massive amount of research done by the WIB on the career sectors in the County that are growing and those that are declining.

Ms. Christensen said that Economic Development Directors of all cities in the County, as well as Chamber of Commerce heads of all cities in the County, will also be involved in the project. The WIB has already convened each of these groups and everyone is very enthusiastic about the project.

Ms. Christensen said that because the business needs assessment is complex, it will probably take two years to complete. However, information about the first six sectors (two from each College) should be available this year.

Ms. Christensen said she has solicited input from the College Presidents and researchers. She said she would appreciate the Board's input and suggestions for any additions or changes in the way the questions are asked or on the scope of the project.

Student Trustee Girard said each College has a program research and institutional effectiveness group that conducts a survey every year and some of the questions seem to overlap with those on the handout distributed tonight. Ms. Christensen said the College researchers made the same point; they know the full range of what has been done already, including activities regarding student satisfaction that were conducted as part of the accreditation process, and will refine the questions accordingly. President Claire said that College of San Mateo actively surveys students in-depth and was also already on track to administer the CCSSE survey. He said all of the Colleges administered the Noel-Levitz survey in 2010. Ms. Christensen said the results of the Noel-Levitz surveys will also be incorporated.

Vice President Hausman asked if there is a listing of agencies or groups that were used as sources, such as unions, the National Association of Manufacturers, and others. Ms. Christensen said the WIB has collected data by sector and occupation from a variety of sources. She said each Career/Technical program at the Colleges is required to have an advisory group whose members are well-connected with our programs, and the project will use these groups as sources as well.

Trustee Miljanich said the District has gathered information in the past to try to improve the work we do with students, but she particularly likes the business piece of this project. She said this project will strengthen the communication between the Colleges and the business community. She said it will help students understand what is needed in the community and will help the District to provide pathways that can meet those needs.

Trustee Holober said the project looks very comprehensive. He suggested other pieces that might be worth looking at:

- students who are recent graduates of our Colleges and what they think about the Colleges
- students who are dropping out, why they drop out and what might make a difference
- high school students who are trying to figure out where to go next, and how they and their parents perceive our Colleges

Ms. Christensen said these issues came up in the meeting today and she agrees that the first two should be included. Regarding the high schools, the decision was made to talk first with counselors and administrators and then consider a survey.

Trustee Schwarz said that involvement with other organizations will be beneficial. She said she was told that the Middle College High School at Cañada College has a waitlist because the high school counselors have been promoting the program. She said she hopes that counselors will promote additional programs when they have a better understanding of what the Colleges can offer. Ms. Christensen agreed that it is important to understand what more the District needs to do in terms of communicating with high school counselors and administrators.

President Mandelkern said he is impressed and pleased with what has been done thus far. Regarding the high school component, he said that in addition to articulation and transition for students leaving high school, it is also important to consider concurrent enrollment in terms of opportunities for high school students taking classes on our campuses, offering college classes on the high school campuses, and the middle colleges. Ms. Christensen said the middle colleges and concurrent enrollment are included on the list for the RFP. She said the questions need to be formulated.

President Mandelkern said that President Stanback Stroud is hosting a Success Summit at Skyline College in October. The Summit will be attended by members of the President's Council and various segments of the community. He said it will provide an opportunity to get feedback about programs, particularly from the small business community. President Mandelkern encouraged the other College Presidents to consider holding a similar type of event. President Stanback Stroud said that approximately 150 people are expected to attend the Summit. She said the Summit is designed to talk about ways in which the Colleges can be responsive in the entire region. President Stanback Stroud said Skyline College is also hosting a San Bruno Chamber of Commerce Mixer tomorrow. Each attendee who completes a five-question survey about how the College can be more responsive to the community will be eligible to receive a Netbook, provided by Tom Bauer, Vice Chancellor of Auxiliary Services and Enterprise Operations. President Stanback Stroud said she will share the information from the surveys with the other Colleges.

President Mandelkern said that in addition to gathering information, the community needs assessment process provides an opportunity to educate the community about what the Colleges have to offer. He said that in communications with all individuals or groups, the following two things should be emphasized: (1) the District cares about and listens to what people in the community think, and (2) the District has many resources and opportunities that people often do not know about

Ms. Christensen said she does not know yet what the costs of the community needs assessment will be. She said costs will be low for the environmental scan and the student survey. The WIB has agreed to split the cost for the business survey and Roseanne Foust has volunteered to put SAMCEDA money in as well.

RECESS TO CLOSED SESSION

President Mandelkern said that during Closed Session, the Board will consider the personnel items listed as 1A and 1B on the printed agenda. The Board will also meet with Agency Labor Negotiator Harry Joel; the employee organizations are AFSCME, AFT and CSEA.

The Board recessed to Closed Session at 7:30 p.m.

The Board reconvened to Open Session at 8:55 p.m.

CLOSED SESSION ACTIONS TAKEN

President Mandelkern announced that at the Closed Session just concluded, the Board voted 5-0 to approve the personnel items listed as 1-A and 1B on the printed agenda.

ADJOURNMENT

It was moved by Trustee Schwarz and seconded by Trustee Holoher to adjourn the meeting. The motion carried, all members voting "Aye." The meeting was adjourned at 8:59 p.m. in memory of Matthew Kaidor.

Submitted by

Ron Galatolo, Secretary

Approved and entered into the proceedings of the July 25, 2012 meeting.

Helen Hausman, Vice President-Clerk