

**Minutes of the Study Session of the Board of Trustees
San Mateo County Community College District
March 11, 2020 – San Mateo, CA**

The meeting was called to order at 4:30 p.m.

Board Members Present: President Karen Schwarz, Vice President Thomas A. Nuris, Trustee Maurice Goodman, Trustee Richard Holober, Trustee Dave Mandelkern

ANNOUNCEMENT OF CLOSED SESSION ITEMS FOR DISCUSSION

President Schwarz said that during closed session, the Board will (1) hold a conference with legal counsel regarding two cases of anticipated litigation as listed on the printed agenda, (2) hold a conference with agency labor negotiators as listed on the printed agenda, and (3) hear a student grievance appeal.

STATEMENTS FROM THE PUBLIC ON CLOSED SESSION ITEMS ONLY

No statements at this time.

RECESS TO CLOSED SESSION

The Board recessed to closed session at 4:32 p.m.

RECONVENE TO OPEN SESSION

The Board reconvened to open session at 6:09 p.m.

Board Members Present: President Karen Schwarz, Vice President Thomas A. Nuris, Trustee Maurice Goodman, Trustee Richard Holober, Trustee Dave Mandelkern, Student Trustee Kaelynn Malani

Others Present: Interim Chancellor Michael Claire, Chief Financial Officer Bernata Slater, Skyline College Acting President Eloisa Briones, College of San Mateo Acting President Kim Lopez, Cañada College President Jamillah Moore, District Academic Senate President Jeremy Wallace

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

President Schwarz stated the Board voted to approve a settlement based on certain material terms and authorized the Chancellor to negotiate and execute a final agreement consistent with those material terms.

SWEARING IN OF THE STUDENT TRUSTEE

President Schwarz announced that due to the resignation of the student trustee, the District Student Council has met and named a new student trustee to complete the unexpired term for 2019-2020 academic year. President Schwarz introduced new Student Trustee Kaelynn Malani and administered the oath of office. Trustee Malani is a student at Skyline College.

DISCUSSION OF THE ORDER OF THE AGENDA

No requests made at this time.

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Bill Collins said he spoke on the previously discussed topic of televising the District Board meetings and questioned when this might actually happen. President Schwarz stated there have been presentations and discussions about televising the Board meetings and this process was in the works and would be happening very soon.

Trustee Goodman stated as a member of the housing board, he would be reading a letter on behalf of an individual who could not attend the meeting in person. The letter read as follows:

“Dear Board Members,

We feel blessed for the opportunity to live at Cañada Vista, however we hoped to detail the reality of our living conditions. Despite the surrounding’s natural beauty of the land, we’ve experienced pervasive and chronic mold problems. When we reported the mold, the respond was always the same – clean it with bleach. Unfortunately, our

living situation deteriorated significantly with the testing and construction started in 2015. We've lacked access to our patio, windows and even bedrooms for months; we can't get fresh air. The District responded to our concerns with the following email dated April 25, 2017:

We have had a number of construction defects and issues throughout the complex at Cañada Vista. The District has filed a lawsuit over these construction issues and is currently trying to mediate our dispute through a state-sponsored mediator. In order to prove our allegations, we need to undertake some more constructive testing at the complex, which will begin May 1st and will include windows, sliding doors, private decks, wood, posts, secured concrete and several structural tests.

What did they find during the constructive testing? We never found out. We complied with all their requests and allowed contractors in our homes. In May 2019, we found mold behind our children's bed. The contractors waited two months to address the mold. The rooms looked like something out of a horror movie with plastic barriers. In Fall 2019, we came home to a horrible smell in our apartment. We immediately informed the contractor and was told to put towels at the base of all our doors, which should help with the smell. The smell was similar to paint thinner, but much stronger. We asked for the MSDS (Materials Safety Data Sheet); after many months of waiting, we were given the name of the product and told the smell was not from anything currently being used. The walkways of the second and third floors were ripped up and we were told the smell was from materials or chemicals used during original construction. We called the County, submitted an online request for the MSDS and nothing – the County did not have records for it. Our family's health has declined and we are currently experiencing some health issues that were not apparent prior to moving here. It would have been nice to know what was found wrong during the constructive testing so we would know what we were dealing with. We wondered why the windows, sliding doors, sidings, concrete, walkways needed to be replaced. Are there any other chemicals that could hurt us? Throughout the ordeal, we probably stayed because we love this community. Yet another consideration was the high cost of rent on the Peninsula.

We hope our concerns will cause you to look deeper and see what the living conditions are at the Vista apartments.”

Trustee Goodman recommended that Interim Chancellor Claire look into resident concerns and the Housing Board convene at its earliest convenience to address such issues.

NEW BUSINESS

APPROVAL OF PERSONNEL ITEMS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (20-3-1A)

President Schwarz stated staff made a request for a change to Section E-4; it should read “Executive Vice Chancellor.”

It was moved by Trustee Nuris and seconded by Trustee Holober to approve the personnel report.

Trustee Holober stated for the record the change documented in Section E-2. The creation of a Chief Human Resources Officer and elimination of a Vice Chancellor position will be a cost savings to the District ranging from \$30,000 - \$39,000 per year.

The motion carried, all members voting Aye.

Other Recommendations

APPROVAL OF SERVICE AWARD FOR STUDENT TRUSTEE (20-3-100B)

It was moved by Trustee Goodman and seconded by Trustee Holober to approve the service award.

Vice Chancellor/Chief of Staff Mitchell Bailey stated at the previous Board meeting, the Board accepted the resignation of Student Trustee Jordan Chavez and directed staff to prepare an action item to present Mr. Chavez with the portion of his student trustee service award for which he is eligible. This recommendation is the presentation of that request.

The motion carried, all members voting Aye.

APPROVAL OF REVISIONS TO BOARD POLICY 1.05: STUDENT TRUSTEE (20-3-101B)

It was moved by Trustee Holober and seconded by Trustee Nuris to approve the revisions.

Vice Chancellor/Chief of Staff Mitchell Bailey stated after consulting with the Associated Students at each college, there is a recommendation to adjust the campus election schedule cycle back by one month. This adjustment will allow the college Associated Student organizations to conduct their campus elections and a separate election for student trustee in a more effective manner. This change would not impact the beginning and ending of the term of service currently established for the student trustee.

The motion carried, all members voting Aye.

STUDY SESSION

UPDATE ON PROFESSIONAL SERVICES AGREEMENT WITH EXOS COMMUNITY SERVICES TO OPERATE THE SAN MATEO ATHLETIC CLUB IN PARTNERSHIP WITH THE DISTRICT (20-3-1C)

Vice Chancellor of Auxiliary and Community Services Tom Bauer thanked the Board for the opportunity to present about the San Mateo Athletic Club (SMAC) and noted that he had spoken about SMAC upwards of 70 times in the past. Mr. Bauer began by noting that many in the room were not present at the time when College of San Mateo Building 5, as part of the Bond, was being developed and the fitness center in the building was to be used by the Kinesiology program at College of San Mateo. At that time, Mr. Bauer noted, the faculty and staff had worked on the programming of the building and then the 2008 financial crisis hit. Mr. Bauer was directed by then-Chancellor Galatolo to develop a program for a community-based fitness center to run along side the college programs because the District was a revenue-limit district and was going to have to reduce enrollment at the college significantly. Mr. Bauer then researched and explored operating modes and in 2010 the Board agreed to bring on Medifit (now EXOS) as a outside operator.

Mr. Bauer noted that SMAC has exceeded every goal that it has been given and he highlighted that SMAC would not be what it is today with the work of Diana Thomas who was the general manager of SMAC (but is no longer) and she was supposed to be the general manager for only a year, but stayed because she loved the community and the work. Mr. Bauer also noted that due to COVID-19, EXOS chief operating officer Bill Bourque would not be able to attend the meeting tonight to answer the Board's questions, as planned, because he is leading his company's emergency operations center. Mr. Bauer also noted that there are several community members in the audience should the Board want to hear from them as part of the conversation.

Mr. Bauer said that SMAC operates in alignment with District goals, including operating a full-service, community-based center and seamless integration with the academic program and student life. He said that at recent Board meetings, there had been discussion about SMAC with attention regarding the locker room at SMAC and signage directing students to use the locker room in Building 8. Mr. Bauer noted that that was not EXOS's decision, it was a District decision made before Medifit was brought on as a partner, and that the locker room at the time was small and would not have accommodated the number of students at the time. Additionally, he said, that there was also the issue with the code of conduct and that the code for members is stricter than that for students in locker rooms. He said that, at the time, the CSM vice presidents for instruction, student services, the dean, college president, chancellor and Mr. Bauer made the decision regarding the locker room. He noted that he will be meeting with college administration to review the issue to see if the current position is still necessary. Mr. Bauer also explained that fees, over time, have increased for community members, but fees for faculty and staff have been reduced. He said that the fees for students have remained constant at \$35 and noted that based on feedback he has received from Trustee Mandelkern and Trustee Goodman he would be working with his team to prepare a revised student fee schedule and would be bringing it back to the Board in October.

Mr. Bauer continued with a review of the goals, including creating programs that attract community members to campus and serve as a workforce development complement to the academic program. He noted that when community members are onboarded to the club, they are reminded that it is an active classroom and that there may be limited access to certain machines at certain times because students will be using them. Mr. Bauer further explained that SMAC must be financially sustainable, be service oriented, be a leading club in the community and create an open environment where every demographic feels comfortable.

An overview of the current operations was provided, including that there are currently 147 employees, 46 percent of whom are CSM graduates or currently enrolled students. Mr. Bauer noted that there are more than 25,000 member visits per month, that SMAC has exceeded annual new member goals each year of operation, and there are over 6,300 members as of February 1, 2020. He said that SMAC achieved break even status in the first quarter of fiscal year 2011/12. Mr. Bauer also explained that SMAC creates programs, events, certifications and clinics to engage the community, provides community support, has nationally recognized programs, and has collaborated with San Mateo Union High School District. He said he would explain the club's tagline, 'Where Education Meets Fitness,' later in his presentation.

Mr. Bauer then provided a breakdown of the membership, which includes 6,352 total members, of which 2,465 are community members, 1,023 are students, 1,297 are seniors, 553 are faculty and staff, and 1,014 are corporate members. He further reported that 46 percent of SMAC employees are CSM students or graduates, that the club is open 364 days per year, that 95 percent of Pilates instructors are CSM students, that more than 1,000 CSM students purchase SMAC memberships, and there is a "No Excuses" option for students who are enrolled in the spring and fall, but not the summer term. He highlighted that there 320,812 annual SMAC member visits, with an average of 26,700 visits per month, and that 48,386 annual visits from CSM students enrolled in courses, with an average of 4,000 visits per month.

As it relates to financial performance, Mr. Bauer explained that, since inception, SMAC has generated \$8,241,057 in net operational surplus, that surplus funds offset over \$2 million in District salary and benefits, that SMAC has funded all of the equipment replacement used by both the Club and academic programs, has offset \$712,000 in pool and aquatic expenses and funded over \$2.6 million in support for the colleges and district programs. He continued to note that SMAC has exceeded membership goals each year in operation adding members year over year despite attrition, that the Club has generated a reserve of over \$4 million through December 2019, and that SMAC continues to exceed revenue expectations in FY2020 and will meet net operational surplus goal.

Mr. Bauer then discussed community engagement at SMAC. He noted that SMAC cross promotes with academic and support programs at CSM, including with Nursing, Kinesiology, Yoga, Dance, Cosmetology, and Veterans Affairs. He said SMAC also supports student initiatives like the Associated Students toy drive, canned food drive, scholarships, and health fairs. He said that SMAC supports the Bay Area Pathways Academy (BAPA) by providing programming in swimming, water polo, yoga, cross-fit, and CPR courses. He noted that SMAC serves as the masters swimming swim meet host site, which was the first in the state, provides swim lessons for all ages, along with lifeguard certification CEC course work. Mr. Bauer also highlighted the partnership with San Mateo Union High School District for a group of adult-aged special needs students who visit SMAC and get practical life skills. SMAC also supports Swim Across America, and has raised \$300,000 to support cancer research at local children's hospitals. He also noted the San Mateo County Workforce Adaptability program support as well as the annual coat drive.

The SMAC aquatics activities were also highlighted by Mr. Bauer who noted that water (pools) is one of the most coveted items in the county and that the swim community is a tight-knit community. He noted that SMAC offers youth and adult swim lessons, has a lap swim, recreational swim and masters swim options, with 375 participants in those programs. He noted the significance of the youth programs as those activities bring adults to the campus and introduce them to the college. He also noted that there is a masters and youth water polo program, as well as a youth swim team with 309 participants. Mr. Bauer explained that SMAC also offers group exercise classes, serves as host site for community swim meets, offers lifeguard courses along with swim clinics and workshops.

Mr. Bauer explained that in his prior career, due to the nature of his work, there was often a them/us view of his organization (Barnes and Noble bookstores). He said he has been intentional about creating an environment at SMAC where there is not an us/them, but a we/us/our approach. With that, he said the SMAC team uses an inclusive approach and that when speaking as "we" they wear, speak, and bleed bulldog blue, that the team speaks inclusively, they educate themselves about the services on campus because Building 5 is the de-facto front door to the campus and so many students and campus visitors stop there first, and the team educates members that Building 5 is a shared academic space. Mr. Bauer further noted that every person that walks through the doors receives 100 percent of the team's best and that more than 90 percent of the membership is unaware that SMAC employees are not CSM employees.

SMAC's tagline, "Where Education Meets Fitness", was developed by the dean and vice president of instruction at CSM in collaboration with Mr. Bauer's team, by overlaying the academic program over a community program, said Mr. Bauer. He acknowledged that when the facility opened 10 years ago, there were scheduling issues as the building is a shared space.

He noted that those scheduling hurdles were resolved and that in the last four years, he has not had to be involved in any scheduling issues, as the academic and SMAC teams work seamlessly. Mr. Bauer further noted that the general manager and other managers at SMAC explain to all members that, “We are an extension of the College of San Mateo campus and an active classroom whereby classes for students are held on our fitness floor, in our pools and our group exercise studios. At times this means that some of these areas will be shared with students and at other times, areas may be reserved for students only.”

As it relates to workforce development, Mr. Bauer noted that SMAC employs 140 people, 46 percent of whom are CSM graduates or current students, and that 95% of SMAC Pilates instructors are CSM graduates. He also noted that SMAC offers a variety of certifications, including lifeguard, CPR/AED, spin, Aquatic Exercise Association and Red Cross Baby Sitter training. Mr. Bauer also explained that as far as career progression, ideally, CSM students in kinesiology, Pilates and yoga get hired at SMAC as trainers, lifeguards or part of the membership staff. He noted that because EXOS is a worldwide company, employees from SMAC do have an opportunity to work at other locations around the world. Mr. Bauer also referenced a number of programs and certifications offered at SMAC.

President Schwarz called for comments from members of the public.

Bill Collins, a community member, asked about the fees for SMAC for the various categories of membership. For students, he suggested that no fees be charged. He also asked what fee, if any, administrators and members of the Board paid. Mr. Collins said that the Board had not been clear with voters about this project when asking for support of the Bond.

Trustee Mandelkern said that he is a member and pays \$79 per month. Mr. Bauer said that the Board approves the fees for every SMAC membership classification. Mr. Bauer also noted that the student fee is \$35 per month, the original rate when SMAC opened in 2010 and it has not changed. He referenced his earlier comment that he would be looking into new membership levels for students which would be brought back to the Board in October.

Juanita Celaya, a District employee, asked about the initial issue with the locker rooms and noted that if the District knew there was an issue with size, why was the issue not considered at the time as the issue is also surfacing at Cañada Building 1. Interim Chancellor Claire noted that during the Great Recession, it was the state that limited enrollment and due to the repeatability restrictions, the kinesiology program continues to experience issues. He noted, in relation to the locker rooms, that based on his experience, students do not use the locker rooms to the degree as members. Ms. Celaya also asked about the financials as presented and questioned the completeness of the information and referenced the Board’s prior discussions in 2011 regarding the original goal of giving District classified staff an opportunity at SMAC.

John Pimentel, a member of the public, asked a number of questions, including: (1) was the original contract competitively bid; (2) what process was used to bid the contract; (3) why is the contract five year and not a shorter period to address service issues; (4) who bought the initial furnishings that went into the club, the contractor or the Bond; and (5) who sets the target for revenue sharing in the contract?

Mr. Bauer responded by saying that the equipment was purchased with bond funds even before the athletic club was established. He said that the contract was originally competitively bid in 2010, and there were three bidders, including Medifit. In 2015, County Counsel advised that SMAC qualified under the special services clause and if the District was satisfied with services it did not have to bid the services. Mr. Bauer said that County Counsel opinion has been reaffirmed. As it relates to the five-year duration, Mr. Bauer explained that there was language in the contract that allows the District to take action if it is not satisfied with the vendor.

Maxine Turner, a member of the public, said she felt the staff report left out many important pieces of information, including the information from the last speaker. She said she would like to know what is being paid to EXOS and why this information is not included in the report. She said she thinks that other vendors may be able to provide the service. She asked how students were being counted, if on a FTE or headcount basis, to qualify for a student membership and she also noted that she would encourage that community member rates be set similar to other area athletic clubs.

Trustee Mandelkern said he had similar questions regarding the fees and asked if his understanding was correct that the management fee and incentive payment totaled around \$500,000 and the staff bonuses totaled \$24,764. Mr. Bauer confirmed that Trustee Mandelkern’s understanding was correct.

In response to Ms. Terner's comments, Mr. Bauer noted that student membership is based on the District criteria of a minimum of six units of study, which also applies to student worker requirements. As it relates to financial details being provided, Mr. Bauer noted that several years ago, staff were directed to narrow the information provided as it was voluminous. President Schwarz concurred that that was a prior request. Mr. Bauer also noted in relation to Ms. Celaya's comment regarding comparison of EXOS staff with District positions, that the information provided is not easily translatable and the study provided, as was of interest to Trustee Holoher, was prepared in 2015. He noted that he would be working with EXOS to try to create an apples-to-apples comparison next week.

Gil, a member of the community, noted that he was a member of SMAC and a former professional athlete. He complimented SMAC and said he chooses a club based on good staff, good service and good atmosphere.

Randy Brown, a member of the community, said he has been a member of SMAC since 2010 and he has been on swim teams for 62 years. He said he has never had a better head swim coaching or assistant coaching than he has now and he has never been to a club cleaner than SMAC. He complimented the SMAC staff and said it was important to commend them on a job well done.

A member of the community (name not provided), commented on her experience as a CSM graduate who received a Pilates certification at SMAC and now has an opportunity to work all over the world if she wants because of her training at SMAC.

A member of the community (name not provided), said she was impressed with the club and knowledge of the staff.

Mike Barberich, a community member, said he has been a member of numerous athletic clubs in the county and generally only stays six to eight months. He said he has been at SMAC for six years and that it has changed his life and saved his life. He complimented trainers at SMAC for helping him and his family. He said the facility is friendly, safe and clean.

Sterling, a member of the public, commented that he teaches a class at SMAC for less fit older individuals. He said this offering is not one you are likely to find at other gyms but the SMAC classes continue to grow. He said participants attend because they find it to be a welcoming environment.

Ira Birnbaum, a member of the public, said he has been a member of SMAC since the doors opened in 2010. He said the gym has been a community support organization and he is glad his tax money supports it.

Phil Ricciardi, a trainer at SMAC, said he started as a member as a student doing shoulder rehabilitation and later got his certification. He said it is an inspirational place to learn and work and last year he graduated with his doctoral degree in physical therapy. He said EXOS is the premier fitness organization.

Trustee Holoher thanked individuals for attending the meeting and for their comments. He said the reason the study session was scheduled is because it is coming around to the time to either renew or go in a different direction, as the contract with EXOS will be up for renewal in the next couple of months. He said when the Board was first looking at the contract with Medifit/EXOS, he raised questions about the management arrangement and he said he makes no bones about the fact that he supports living wages for working people and that he opposes contracting out of District jobs. He said, at the time, he asked why the District could not bring some or all of the jobs in house, having them be District employees. He said the response that was given was that doing so would make the athletic club unprofitable, but he said that for him, that was about paying living wages. He also said an important point for him was that the District, with limited exceptions for short duration specialized jobs, does not generally contract out work. Trustee Holoher noted that he believes it makes sense, at this point, to evaluate options relating to the operation of SMAC. He noted his appreciation for those who gave accolades to the current management group of the club. He further noted that it is important to get other data regarding pay and benefits of current EXOS employees to be able to provide a comparison, as he believes there are errors in trying to match the EXOS positions to District positions as provided in the report. He noted that he does not believe that any certificated employees would be involved in SMAC as there are no for credit courses being taught. Trustee Holoher said that an independent reviewer should be brought in to complete a study of what it would cost to bring the operation in house. He also added that after 10 years, if the Board is looking at its options and is considering continuing with an outside vendor, then it is important to conduct a competitive bid process and possibly consider a shorter-term contract.

Trustee Mandelkern stated that his philosophy of SMAC is that students are the first priority and helping them train for jobs, then the priority is providing the community a benefit. He said the Board encourages the community to use facilities when they are not being used by students, but that students come first. He said that the response he gets from members of the community who are not at tonight's meeting is overwhelmingly positive, but that satisfaction is not the issue being considered by the Board tonight. Trustee Mandelkern noted that he believes the Board has a responsibility as fiduciaries to ensure monies are being well spent and that we live our District values, including economic justice and social justice. He explained that he remembers when the contract was presented to the Board in 2010 for approval that the financial information was blacked out and that he voted no because of that fact. He said he then submitted questions requesting information and was told by the then-Board president that the information requested was an overwhelming amount of data being requested and getting the information would not be possible. Trustee Mandelkern explained that in 2015, when the contract was presented for renewal, more information became available regarding management fees and incentive fees. He said that he believes there is still a lack of clarity regarding the financial data and what is missing includes items referenced by Trustee Holober regarding employment relationships and compensation information of SMAC employees. He said he still has questions regarding the contribution of SMAC to the District's general fund and what is being paid as it relates to equipment and replacement of equipment that is used by SMAC. He also had questions regarding non-college support and believes that the data are complicated by factoring in information relating to the bookstores. He said he wanted to better understand where money is going and what really is the bottom line for SMAC. Trustee Mandelkern said that it is an appropriate time to assess continuing with an outside operator or performing the work in house, noting that he remembered original discussions of having some positions migrated to be District employees, and he questioned what the impact of that transition would be. He said that he also believes it is misleading that SMAC employees are perceived to be District employees when they are not and when SMAC employees do not receive the same wages and benefits as District employees. He expressed concern about the outsourcing of services by the outside operator, such as janitorial services, when the outsourced vendor does not represent District values. He said the goal is not to make a profit, it is to educate students and that District personnel have the skills to provide janitorial services. Trustee Mandelkern said the Board should do its due diligence and look at options as it relates to other vendors or bringing services in house.

Vice President Nuris thanked those who came and spoke this evening; he said it was refreshing to hear from individuals about something that is being done well and that the community likes it. He said he was confused by the discussion regarding the inference of needing to go out to look for another operator because the District is paying too much for the current operator, while on the other hand saying the District should perform those same functions with its employees and pay them more. He said this is difficult to balance in his mind. Vice President Nuris said that he believes that the District should provide something that is a service to students and the community and SMAC provides that service. He said he understands the notion of needing to explore service from other vendors to see if there is better service, but if there is not an apples-to-apples comparison, then he said he is not interested because there is a risk of a bidder coming in and operating it in a less satisfactory manner. He noted that he believes having SMAC employees being perceived as District employees is not being disingenuous or a negative, he said he believes it is a positive because the SMAC staff have integrated themselves into the college. He said he is willing to move forward in fulfilling the Board's fiduciary duty responsibly, but he is not interested in changing something that is working correctly and serving the community and doing a good job.

Trustee Goodman said, in reference to Vice President Nuris' comment, that while something may not have been identified as being broken, there are opportunities to make tweaks, such as locker rooms and parking. He said the Board has a duty to bid the operator contract and to ensure the process is fair with no confirmation bias. He said he believes going 10 years with a contract is too long to have a contract go unchecked and a bid process will keep the District and the vendors sharp. Trustee Goodman said that a lot of the questions and concerns recently have come as a result of a lack of responsiveness and clarity around Building 1 at Cañada College. He said he believes the call to action is to know what has been learned and what is being done to address those concerns as discussions occur about how Cañada Building 1 will be operated. He said that utilizing the We-Us-Our attitude then there can be a path forward, but he noted that he doubts that was what we had over the last few months, which has led to the groundswell of faculty, staff and students regarding space allocation and division of operations. Trustee Goodman also commented on the cost of membership for the most vulnerable and financially insecure students is of the utmost importance and ensuring that those students have access. He said that issue is being looking at and he has confidence that it will be addressed. He said the Board is trying to make something work and is trying not to duplicate the challenges from SMAC at the Cañada building. He said that the timing of the contract comes with leverage and that ultimately it is the Board's decision.

President Schwarz said there have been tweaks along the way with SMAC operations. She said she was originally adamant about having only District employees operating SMAC, but along the way, realized that that was almost impossible. She said that the Board will be getting more information which will provide clarity in April.

Mr. Bauer noted that he will follow-up at a future meeting with responses to the questions and concerns of Trustees. He also noted that the current contract is up on June 30, and if the District wants to do an RFP, which will take time to prepare and administer, then the current contract will need to be extended.

Trustee Holober asked about the timing of the opening of Cañada Building 1. Mr. Bauer said that the anticipated opening date was April 2021.

Trustee Mandelkern said that he believes there needs to be a discussion regarding the operation of Cañada Building 1, because believes it is not a given that the same vendor will run SMAC and CANB1.

Trustee Holober suggested that there may be value in examining the roster of EXOS employee classifications and matching those with similar District positions, which should be done by someone other than District staff to provide a fresh set of eyes. Trustee Holober volunteered to be part of a Board subcommittee to work with the Chancellor on this issue. Vice President Nuris said that he wants to make sure that issues relating to supervision, accountabilities and service to members is also part of the analysis.

COMMUNICATIONS

No communications were received at this time.

STATEMENTS FROM BOARD MEMBERS

Trustee Mandelkern congratulated the new student trustee on her position. He also thanked the staff for preparations and responses relating to COVID-19 and said the Board is appreciative of the work. He said that at a time such as this, it is important to be fact-based in our information and decisions. He also acknowledged the technology gaps that students may face as there are transitions to online learning. He also reminded everyone to follow protocols of social distancing, covering coughs and hand washing. Trustee Mandelkern also noted that as we explore the concept of student housing, this health crisis highlights the importance of carefully evaluating policies and processes, as many university partners in the region are sending students home who live in student housing. Trustee also asked if there was a way to explore financial support from the Foundation for students to assist with rental deposits, as those tend to be a significant barrier to securing housing.

President Schwarz announced that the next meeting of the Board of Trustees would be on March 25.

ADJOURNMENT OF BOARD OF TRUSTEES MEETING

The Board adjourned by consensus at 8:41 p.m.

RETURN TO CLOSED SESSION

The Board returned to closed session at 8:50 p.m. to continue consideration of the closed session items listed on the printed agenda.

RECONVENE TO OPEN SESSION

The Board reconvened to open session at 9:56 p.m.

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

President Schwarz said the Board took no reportable action during closed session.

Submitted by

Michael Claire, Secretary