



**Wednesday, April 26, 2023**  
**REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES**

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT**

**Closed Session 5:00 p.m.; Open Session 6:00 p.m.**  
**In person at 3401 CSM Drive, San Mateo, CA 94402**

**Members of the Public may also participate via Zoom.**  
**Zoom Meeting ID - <https://smccd.zoom.us/j/82673488048>**  
**Dial-In: 1-669-900-9128 - Webinar ID: 826 7348 8048**

**NOTICE ABOUT PUBLIC PARTICIPATION AT BOARD MEETINGS**

**OBSERVING THE MEETING**

**Members of the public who wish to observe the meeting in-person or remotely by accessing the link or calling the following telephone number above at the beginning of the meeting.**

**For individuals who attend the meeting in person: San Mateo County's current COVID Community Level is LOW, and face masks are strongly recommended but not required while indoors any SMCCCD facility. As the San Mateo County community level changes, information will be provided to students, employees, and visitors.**

**PROVIDING PUBLIC COMMENT DURING THE MEETING ON NON-AGENDA ITEMS**

**To make a comment regarding a non-agenda item, members of the public:**

- (1) If in person, may seek recognition at the speaker's lectern when called upon by the Board President, or**
- (2) If remote, once in the Zoom meeting (via above link), can utilize the "raise hand" function on the bottom right corner of the screen. This will allow for the Board President to recognize members for comment and will allow staff to activate audio access to individual participants. Members of the public who "raise their hand" will be called upon in the order they appear.**
- (3) Members of the public making comment are reminded of the 3-minute time limit for comment.**

**PROVIDING PUBLIC COMMENT DURING THE MEETING ON AGENDA ITEMS**

**To make a comment regarding an item on the agenda, members of the public:**

- (1) If in person, may seek recognition at the speaker's lectern when called upon by the Board President, or**
- (2) If remote, once in the Zoom meeting (via above link), can utilize the "raise hand" function on the bottom right corner of the screen. This will allow for the Board President to recognize members for comment and will allow staff to activate audio access to individual participants. Members of the public who "raise their hand" will be called upon in the order they appear.**
- (3) Members of the public making comment are reminded of the 3-minute time limit for comment.**

**ACCOMMODATIONS**

**Persons with disabilities who require an accommodation or service should contact the Chancellor's Office at (650) 358-6877 at least 24 hours prior to the Board meeting.**

**1. CLOSED SESSION - 5:00 p.m.**

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Subject 1.1 Call to Order / Roll Call  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 1. CLOSED SESSION - 5:00 p.m.  
Type Procedural

## **2. CLOSED SESSION ITEMS FOR DISCUSSION**

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Subject 2.1 Conference with Legal Counsel – Potential Litigation: Significant Exposure to Litigation Pursuant to Gov. Code, §54956.9, Subd. (d)(2): One Case  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 2. CLOSED SESSION ITEMS FOR DISCUSSION  
Type

Subject 2.2 Public Employee Performance Evaluation: Review of Goals - Chancellor  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 2. CLOSED SESSION ITEMS FOR DISCUSSION  
Type

Subject 2.3 Conference with Labor Negotiator - Agency Designated Representatives: Melissa Moreno and Richard Storti Employee Organization: Non-represented Employees  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 2. CLOSED SESSION ITEMS FOR DISCUSSION  
Type

Subject 2.4 Conference with Labor Negotiator - Agency Designated Representative: Randy Erickson and Richard Storti Employee Organizations: AFT and CSEA  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 2. CLOSED SESSION ITEMS FOR DISCUSSION  
Type

Subject 2.5 Conference with Legal Counsel – Potential Litigation: Significant Exposure to Litigation Pursuant to Gov. Code, §54956.9, Subd. (d)(4): One Case  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 2. CLOSED SESSION ITEMS FOR DISCUSSION

Type

Subject 2.6 Pursuant to Gov. Code, §54957: Public Employee Discipline/Dismissal/Release  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 2. CLOSED SESSION ITEMS FOR DISCUSSION

Type

Subject 2.7 Pursuant to Gov. Code, §54957: Discussion of Complaint Against Employee  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 2. CLOSED SESSION ITEMS FOR DISCUSSION

Type

### **3. PUBLIC COMMENTS ON CLOSED SESSION ITEMS ONLY**

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Subject 3.1 Comments by Community Members  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 3. PUBLIC COMMENTS ON CLOSED SESSION ITEMS ONLY  
Type Information

### **4. CLOSED SESSION**

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Subject 4.1 Recess to Closed Session  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 4. CLOSED SESSION  
Type Procedural

### **5. OPEN SESSION - 6:00 p.m.**

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Subject 5.1 Call to Order / Roll Call / Pledge of Allegiance  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 5. OPEN SESSION - 6:00 p.m.  
Type Procedural

Subject 5.2 Announcement of Any Reportable Action Taken in Closed Session  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 5. OPEN SESSION - 6:00 p.m.

Type Information, Procedural

Subject 5.3 Discussion of the Order of the Agenda

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 5. OPEN SESSION - 6:00 p.m.

Type Discussion

## **6. STATEMENTS FROM EXECUTIVES, ACADEMIC SENATE, AND STUDENT REPRESENTATIVES**

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Subject 6.1 Chancellor and Chancellor's Cabinet

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 6. STATEMENTS FROM EXECUTIVES, ACADEMIC SENATE, AND STUDENT REPRESENTATIVES

Type Informational, Procedural

File Attachments

[2023\\_ExecutiveBoardReport\\_April\\_edit.pdf \(14,207 KB\)](#)

Subject 6.2 District Academic Senate

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 6. STATEMENTS FROM EXECUTIVES, ACADEMIC SENATE, AND STUDENT REPRESENTATIVES

Type Informational, Procedural

Subject 6.3 Student Trustee and/or Associated Student Body

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 6. STATEMENTS FROM EXECUTIVES, ACADEMIC SENATE, AND STUDENT REPRESENTATIVES

Type Informational, Procedural

## **7. STATEMENTS FROM OTHER REPRESENTATIVE GROUPS**

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Subject 7.1 AFT, Local 1493

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 7. STATEMENTS FROM OTHER REPRESENTATIVE GROUPS  
Type Information  
Subject 7.2 CSEA, Chapter 33  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 7. STATEMENTS FROM OTHER REPRESENTATIVE GROUPS  
Type Information  
Subject 7.3 AFSCME, AFL-CIO, Local 829, Council 57  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 7. STATEMENTS FROM OTHER REPRESENTATIVE GROUPS  
Type Information

## **8. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Subject 8.1 Comments by Community Members  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 8. PUBLIC COMMENTS ON NON-AGENDA ITEMS  
Type Information

## **9. APPROVAL OF MINUTES**

Subject 9.1 Approval of Minutes from March 22, 2023 Regular Meeting (5 Minutes)  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 9. APPROVAL OF MINUTES  
Type Action, Procedural

Recommended Action It is recommended that the Board of Trustees approve the presented minutes.

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

PREPARED BY: Candice E. Bell, Executive Assistant to the Board

### **APPROVAL OF MINUTES FROM MARCH 22, 2023 REGULAR MEETING**

Minutes are to specifically reflect reportable Actions taken by the Board of Trustees during the times at which they meet. Minutes do not have to reflect verbatim statements or comments by any Member of the Board, Faculty, Staff, and/or Community Member(s). We encourage all to visit the San Mateo County Community College District's website to view the recorded Board Meetings in order to review and/or hear detailed statements or comments.

## RECOMMENDATION

It is recommended that the Board of Trustees approve the presented minutes.

File Attachments

[2023-03-22 Minutes.pdf \(215 KB\)](#)

## 10. NEW BUSINESS

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Subject 10.1 Approval of Personnel Items (5 Minutes)

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 10. NEW BUSINESS

Type Action

Recommended Action It is recommended that the Board of Trustees approve the attached Personnel Report.

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

PREPARED BY: Julie Johnson, Chief Human Resources Officer  
David Feune, Director, Human Resources

### APPROVAL OF PERSONNEL ITEMS

Staff presents in the attached report for the Board's consideration recommendations for approval of new employment; changes in assignment, compensation, and placement; leaves of absence; changes in staff allocation and classification of academic and classified personnel; retirements, phase-in retirements, and resignations; equivalence of minimum qualifications for academic positions; and short-term temporary classified positions.

File Attachments

[Approval of Personnel Items\\_04-26-23.pdf \(643 KB\)](#)

## 11. CONSENT AGENDA

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Subject 11.1 Approval of Construction Consultants

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 11. CONSENT AGENDA

Type Action (Consent)

Preferred Date Mar 22, 2023

Absolute Date Mar 22, 2023

Fiscal Impact Yes

Dollar Amount      \$658,000.00

Budgeted            Yes

Budget Source      Measure H general obligation bonds, State Capital Outlay, grants and local funds

Recommended Action      It is recommended that the Board of Trustees approve these construction consultant services, as detailed above, in an amount not to exceed \$1,200,000.

**TO:**                    Members of the Board of Trustees

**FROM:**                Melissa Moreno, J.D., Interim Chancellor

**PREPARED BY:**      Michele Rudovsky, Chief Facilities and Operations Officer  
Yanely Pulido, Director of General Services

**APPROVAL OF CONSTRUCTION CONSULTANTS**

To fulfill the requirements of its Capital Improvement Program (CIP3), the District must retain consulting expertise and various construction consulting services. The professional services required by the District in support of its Capital Improvement Program are temporary or specialized in nature and District employees do not provide such expertise. Services provided include architectural and design, engineering, master scheduling, project management, program information and project controls, building commissioning, construction testing and inspection, environmental testing, construction-related legal services and documentation for construction planning, as required by the State Chancellor’s office.

Listed below are prequalified consultants that the District will have under contract in support of CIP3 planning, design and construction efforts.

| Firm            | Board Approval Requested | Activity/Projects   |
|-----------------|--------------------------|---|
| A Kennedy Group | \$495,000                | <p>Consulting and Support Services for General Obligation Bond Compliance, Accountability and Reporting Requirements.</p> <p>This includes three (3) years of software support (\$315K) and three (3) years of bond management support services, that include bond compliance training and other related services; support to the Citizens’ Bond Oversight Committee, including financial reports, meeting coordination, website management, annual reports, etc., that are billed on actual hours used (not to exceed \$60K per year).</p> <p>Funding source for this consultant services is from local funds.</p> |
| Servitas LLC    | \$163,000                | <p>Grant Application Support and Consulting Services for Districtwide Student Housing Projects</p> <p>This includes support for the</p> <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> round student housing grant application at the CSM site. Contract valued at \$89K</li> <li>• 3<sup>rd</sup> round student housing application at the Skyline College site. Contract valued at \$74K</li> </ul> <p>Funding source for this consultant services is from State and local funds.</p>  |

## RECOMMENDATION

It is recommended that the Board of Trustees approve these construction consultant services, as detailed above, in an amount not to exceed \$658,000.

*Approval of Consent Agenda All items on the consent agenda may, by unanimous vote of the Board members present, be approved by one motion after allowing Board member questions about a particular item. Prior to a motion for approval of the consent agenda, any Board member, interested student or citizen or member of the staff may request that an item be removed to be discussed in the order listed, after approval of remaining items on the consent agenda.*

Subject 11.2 Ratification of January and February 2023 District Warrants

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 11. CONSENT AGENDA

Type Action (Consent)

Budgeted Yes

Recommended Action It is recommended that the Board of Trustees approve the warrants issued during the period January 1, 2023 through February 28, 2023 and ratify the contracts entered into leading to such payments.

**TO:** Members of the Board of Trustees

**FROM:** Melissa Moreno, J.D., Interim Chancellor

**PREPARED BY:** Bernata Slater, Chief Financial Officer

### RATIFICATION OF JANUARY AND FEBRUARY 2023 DISTRICT WARRANTS

Attached as Exhibits A and B are the warrants in excess of \$10,000 that were issued in the months of January and February 2023 respectively. The schedules include total warrants issued for the subject period in addition to the warrant sequences. The District now seeks Board approval of the warrants listed in the attached Exhibits.

## RECOMMENDATION

It is recommended that the Board of Trustees approve the warrants issued during the period January 1, 2023 through February 28, 2023 and ratify the contracts entered into leading to such payments.

### File Attachments

[Exhibit A-January 2023 Warrants.pdf \(92 KB\)](#)

[Exhibit B-February 2023 Warrants.pdf \(90 KB\)](#)

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Subject 11.3 Approval of Contract Award for District-wide Americans with Disabilities Act Signage Project

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 11. CONSENT AGENDA

Type Action (Consent)

Preferred Date Apr 26, 2023

Absolute Date Apr 26, 2023

Fiscal Impact Yes

Dollar Amount \$498,749.00

Budgeted Yes

Budget Source LOCAL FUNDS

Recommended Action It is recommended that the Board of Trustees authorize the Chancellor or designee to execute a contract with Express Sign & Neon for the Districtwide ADA Signage Project, Bid #86888R, in an amount not-to-exceed \$498,748.58, which includes an owner's allowance of 10% of the base bid.

**TO:** Members of the Board of Trustees

**FROM:** Melissa Moreno, J.D., Interim Chancellor

**PREPARED BY:** Michele Rudovsky, Chief Facilities and Operations Officer  
Yanely Pulido, Director of General Services

### APPROVAL OF CONTRACT AWARD FOR DISTRICT-WIDE AMERICANS WITH DISABILITIES ACT SIGNAGE PROJECT

On February 2021, the Board adopted the Districtwide Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan (Board Report No. 21-02-103B). The survey identified that several signs at all three colleges do not meet ADA requirements to maintain accessible spaces. The survey can found in <https://smccd.edu/ada2020/>.

The Districtwide ADA Signage Project will replace approximately 1,468 signs at the three colleges with ADA-compliant signage. The general scope of work for the project includes removal, fabrication, and installation of signs and relocating of existing signs to meet ADA requirements and the current California Building Code.

On December 15, 2022, the District received one (1) bid for the project from Weidner Architectural Signage / House of Signs Inc dba Weidner CA, with a total Bid Price of \$530,646.74. The cost proposal exceeded the project budget target for construction costs by 44%. Upon District staff recommendation on January 25, 2023 (Board Report No.11.2), the Board of Trustees rejected the bid and authorized Facilities to re-bid the Project to foster more competition.

The District adjusted the budget to meet current market conditions. The Facilities Planning Department, with the assistance of General Services, developed a second competitive bidding process. The Invitation for Bids (Bid #86888R) was advertised through the District's online bid portal and a formal Advertisement to Bid was published in a local newspaper for two consecutive weeks on March 2 and March 9, 2023. Ten (10) Signage and general contractors attended the mandatory pre-bid conferences and six (6) prospective bidders submitted their Prequalification applications.

On April 4, 2023, the District received two (2) bids for the project as follows:

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| Contractor  | Total Bid    |
|---|--------------|
| Weidner Architectural Signage / House of Signs Inc dba Weidner CA | \$530,646.82 |
| Express Sign & Neon   | \$498,748.58 |

This project will be funded by local funds.

## RECOMMENDATION

It is recommended that the Board of Trustees authorize the Chancellor or designee to execute a contract with Express Sign & Neon for the Districtwide ADA Signage Project, Bid #86888R, in an amount not-to-exceed \$498,748.58, which includes an owner's allowance of 10% of the base bid.

*Approval of Consent Agenda All items on the consent agenda may, by unanimous vote of the Board members present, be approved by one motion after allowing Board member questions about a particular item. Prior to a motion for approval of the consent agenda, any Board member, interested student or citizen or member of the staff may request that an item be removed to be discussed in the order listed, after approval of remaining items on the consent agenda.*

Subject 11.4 Curricular Additions, Deletions and Modifications - Cañada College, College of San Mateo, and Skyline College

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 11. CONSENT AGENDA

Type Action (Consent)

Preferred Date Apr 26, 2023

Absolute Date Apr 26, 2023

Fiscal Impact No

Budgeted No

Budget Source n/a

Recommended Action It is recommended that the Board approve the attached curricular changes for the Cañada College, College of San Mateo, and Skyline College catalogs.

**TO:** Members of the Board of Trustees

**FROM:** Melissa Moreno, J.D., Interim Chancellor

**PREPARED BY:** Dr. Aaron McVean, Vice Chancellor, Educational Services and Planning

### **CURRICULAR ADDITIONS, DELETIONS AND MODIFICATIONS - CAÑADA COLLEGE, COLLEGE OF SAN MATEO, AND SKYLINE COLLEGE**

The addition of two courses and four programs to the College catalogs are proposed by Cañada College, College of San Mateo, and Skyline College at this time. Additionally, three courses are proposed to be offered in the distance education mode.

Four courses were assigned inactive status, which removes them from the catalog and schedule. Since they have not been deleted, they can be more easily reinstated at a later time. If reinstatement is unlikely, the courses will be deleted in the coming years.

Furthermore, thirty courses and three programs were modified.

Each of the proposed courses and programs has been reviewed by the appropriate Division Dean and approved by the College Curriculum or Instruction Committee, acting on behalf of the local Academic Senate. In addition, the Academic Senate Presidents provide oversight with respect to the necessary role of the local Senates in the review and approval process. The rigor of the approval process assures that each new course has substance and integrity in relation to its discipline and that it fills a clear student need not being served by existing course offerings.

## RECOMMENDATION

It is recommended that the Board approve the attached curricular changes for the Cañada College, College of San Mateo, and Skyline College catalogs.

### File Attachments

[Brd 04-26-23 Attachment A\\_CAN.pdf \(38 KB\)](#)

[Brd 04-26-23 Attachment B\\_CSM.pdf \(74 KB\)](#)

[Brd 04-26-23 Attachment C\\_SKY.pdf \(46 KB\)](#)

*Approval of Consent Agenda All items on the consent agenda may, by unanimous vote of the Board members present, be approved by one motion after allowing Board member questions about a particular item. Prior to a motion for approval of the consent agenda, any Board member, interested student or citizen or member of the staff may request that an item be removed to be discussed in the order listed, after approval of remaining items on the consent agenda.*

|                    |   |
|--------------------|---|
| Subject            | 11.5 Acceptance of Google Career Certificate Grant Funding Through Jobs For the Future (JFF)  |
| Meeting            | Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES   |
| Category           | 11. CONSENT AGENDA  |
| Type               | Action (Consent)  |
| Preferred Date     | Apr 26, 2023  |
| Absolute Date      | Apr 26, 2023  |
| Fiscal Impact      | No  |
| Budgeted           | No  |
| Recommended Action | It is recommended that the Board of Trustees approve the acceptance of the \$ 15,000 grant, plus \$175 per student upon completion of certification, provided by Jobs for the Future (JFF). |
| TO:                | Members of the Board of Trustees  |
| FROM:              | Melissa Moreno, J.D., Interim Chancellor  |
| PREPARED BY:       | Dr. Aaron McVean, Vice Chancellor, Educational Services and Planning<br>Perla Rumayor, Interim Executive Director, Community, Continuing & Corporate Education (CCCE)                       |

## ACCEPTANCE OF GOOGLE CAREER CERTIFICATE GRANT FUNDING THROUGH JOBS FOR THE FUTURE (JFF)

Jobs for the Future (JFF) is working with Google to help community colleges integrate Google Career Certificates into their for-credit curriculum. Google's objective is to support learners to enter high-growth, high-demand jobs, especially learners who identify as Black, Latinx, non-male, or other groups currently underrepresented in these fields. Cañada College and College of San Mateo (CSM) worked during the 2021-22 academic year and 2022-23 academic year to incorporate the Google UX Design Professional Certificate into their existing for-credit UX courses and certificate/degree programs. The expansion of this program is being examined for Skyline College. Through joint efforts between faculty and administrators at Cañada and CSM, three cohorts have already begun the 'enhanced' for-credit offering paired with the Google Certificate. Cañada College seeks to partner with Community, Continuing & Corporate Education (CCCE) to administer the grant funding and act as a liaison between the colleges and Jobs for the Future (JFF) while exploring additional opportunities for partnerships.

A "Yes" vote by the Board of Trustees will result in the acceptance of these grant funds. A "No" vote by the Board of Trustees will result in the rejection of these grant funds. It is recommended that the Board of Trustees approve the acceptance of the \$ 15,000 grant, plus \$175 per student upon completion of certification, provided by Jobs for the Future (JFF).

### RECOMMENDATION

It is recommended that the Board of Trustees approve the acceptance of the \$ 15,000 grant, plus \$175 per student upon completion of certification, provided by Jobs for the Future (JFF).

*Approval of Consent Agenda All items on the consent agenda may, by unanimous vote of the Board members present, be approved by one motion after allowing Board member questions about a particular item. Prior to a motion for approval of the consent agenda, any Board member, interested student or citizen or member of the staff may request that an item be removed to be discussed in the order listed, after approval of remaining items on the consent agenda.*

|                    |   |
|--------------------|---|
| Subject            | 11.6 SMCCCD and Oxford Day Academy College and Career Access Pathways (CCAP) Agreement              |
| Meeting            | Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES                                       |
| Category           | 11. CONSENT AGENDA  |
| Type               | Action (Consent)  |
| Preferred Date     | Apr 26, 2023  |
| Absolute Date      | Apr 26, 2023  |
| Fiscal Impact      | No  |
| Budgeted           | No  |
| Recommended Action | It is recommended that the Board of Trustees approve the initial Oxford Day Academy CCAP Agreement. |
| TO:                | Members of the Board of Trustees  |
| FROM:              | Melissa Moreno, J.D., Interim Chancellor  |
| PREPARED BY:       | Dr. Aaron McVean, Vice Chancellor of Educational Services and Planning                              |

## SMCCCD AND OXFORD DAY ACADEMY COLLEGE AND CAREER ACCESS PATHWAYS (CCAP) AGREEMENT

Dual Enrollment is one of the key components of the Free Community College strategic initiative in the San Mateo County Community College District. [Assembly Bill \(AB\) 288](#) was passed in October of 2015 and authorized College and Career Access Pathways (CCAP) dual enrollment programs established between community college districts and high school and unified school districts that allow high school students to earn college and high school credit simultaneously while taking courses as part of their regular high school schedule at their local high school campus. AB 288 made significant changes to previous concurrent enrollment practices, formally establishing structured dual enrollment pathways, and allowing high school students to earn up to 15 college units per term in designated academic programs that lead to a degree or certificate. The included brief provides an overview of CCAP dual enrollment in the SMCCCD.

The SMCCCD in its District Strategic Plan 2021-2026 identifies Dual Enrollment as a key component of its Free Community College Initiative. In accordance with the provisions of AB 288, AB 30, and SB 586, the SMCCCD is interested in establishing a College and Career Access Pathways (CCAP) agreement with Oxford Day Academy to provide dual enrollment opportunities on its high school campus. The SMCCCD currently has CCAP agreements in place, as approved by the Board of Trustees, with the Cabrillo Unified School District, Jefferson Union High School District, La Honda-Pescadero Unified School District, San Mateo Union High School District, Sequoia Union High School District, South San Francisco Unified School District, and the San Mateo County Office of Education.

A “Yes” vote by the Board of Trustees will allow for the continued expansion of dual enrollment opportunities for high school students at the Oxford Day Academy. A “No” vote by the Board of Trustees will limit dual enrollment opportunities for high school students at the Oxford Day Academy.

## RECOMMENDATION

It is recommended that the Board of Trustees approve the initial Oxford Day Academy CCAP Agreement.

### File Attachments

[SMCCCD CCAP DualEnrollment Brief.pdf \(210 KB\)](#)

[Oxford Day Academy SMCCCD \(CCAP\) - Agreement 2022-2025.pdf \(375 KB\)](#)

*Approval of Consent Agenda All items on the consent agenda may, by unanimous vote of the Board members present, be approved by one motion after allowing Board member questions about a particular item. Prior to a motion for approval of the consent agenda, any Board member, interested student or citizen or member of the staff may request that an item be removed to be discussed in the order listed, after approval of remaining items on the consent agenda.*

|                |   |
|----------------|---|
| Subject        | 11.7 SMCCCD and Summit Public Schools College and Career Access Pathways (CCAP) Agreement |
| Meeting        | Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES                             |
| Category       | 11. CONSENT AGENDA  |
| Type           | Action (Consent)  |
| Preferred Date | Apr 26, 2023  |
| Absolute Date  | Apr 26, 2023  |
| Fiscal Impact  | No  |
| Budgeted       | No  |

Recommended Action      It is recommended that the Board of Trustees approve the initial Summit Public Schools CCAP Agreement.

TO:                              Members of the Board of Trustees

FROM:                            Melissa Moreno, J.D., Interim Chancellor

PREPARED BY:      Dr. Aaron McVean, Vice Chancellor of Educational Services and Planning

### **SMCCCD AND SUMMIT PUBLIC SCHOOLS COLLEGE AND CAREER ACCESS PATHWAYS (CCAP) AGREEMENT**

Dual Enrollment is one of the key components of the Free Community College strategic initiative in the San Mateo County Community College District. [Assembly Bill \(AB\) 288](#) was passed in October of 2015 and authorized College and Career Access Pathways (CCAP) dual enrollment programs established between community college districts and high school and unified school districts that allow high school students to earn college and high school credit simultaneously while taking courses as part of their regular high school schedule at their local high school campus. AB 288 made significant changes to previous concurrent enrollment practices, formally establishing structured dual enrollment pathways, and allowing high school students to earn up to 15 college units per term in designated academic programs that lead to a degree or certificate. The included brief provides an overview of CCAP dual enrollment in the SMCCCD.

The SMCCCD in its District Strategic Plan 2023-2026 identifies Dual Enrollment as a key component of its Free Community College Initiative. In accordance with the provisions of AB 288, AB 30, and SB 586, the SMCCCD is interested in establishing a College and Career Access Pathways (CCAP) agreement with Summit Public Schools to provide dual enrollment opportunities on its Summit Everest high school campus. The SMCCCD currently has CCAP agreements in place, as approved by the Board of Trustees, with the Cabrillo Unified School District, Jefferson Union High School District, La Honda-Pescadero Unified School District, San Mateo Union High School District, Sequoia Union High School District, South San Francisco Unified School District, and the San Mateo County Office of Education.

A “Yes” vote by the Board of Trustees will allow for the continued expansion of dual enrollment opportunities for high school students at Summit Public Schools. A “No” vote by the Board of Trustees will limit dual enrollment opportunities for high school students at the Summit Public Schools.

#### **RECOMMENDATION**

It is recommended that the Board of Trustees approve the initial Summit Public Schools CCAP Agreement.

#### File Attachments

[SMCCCD CCAP DualEnrollment Brief.pdf \(210 KB\)](#)

[Summit Public Schools-CCAP Agreement-2023-2026.pdf \(467 KB\)](#)

*Approval of Consent Agenda All items on the consent agenda may, by unanimous vote of the Board members present, be approved by one motion after allowing Board member questions about a particular item. Prior to a motion for approval of the consent agenda, any Board member, interested student or citizen or member of the staff may request that an item be removed to be discussed in the order listed, after approval of remaining items on the consent agenda.*

Subject                      11.8 Delegation of Authority to Negotiate Fourth Amended Master Agreement with the Foundation

Meeting                     Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category                    11. CONSENT AGENDA

Type                         Action (Consent)

Preferred Date Apr 26, 2023

Absolute Date Apr 26, 2023

Recommended Action It is recommended that the Board of Trustees authorize the Executive Vice Chancellor to negotiate a Fourth Amended Master Agreement between the District and Foundation and to establish an ad hoc subcommittee of the Board that includes two trustees to work with the EVC.

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

PREPARED BY: Dr. Richard Storti, Executive Vice Chancellor

#### DELEGATION OF AUTHORITY TO NEGOTIATE FOURTH AMENDED MASTER AGREEMENT WITH THE FOUNDATION

The San Mateo County Community Colleges Foundation (the "Foundation") was formed by the Board of Trustees of the San Mateo County Community College District ("District") on March 25, 1966. The Foundation is a nonprofit California corporation existing to serve the District. The purposes of the Foundation include promoting student success and nourishing program innovation and excellence by securing donations and grants and providing financial support for students and the colleges of the District.

A master agreement establishing parameters of the relationship between the District and Foundation was established in 2002 and later amended in 2007, 2013 and 2018. With the Third Amended Master Agreement expiring on June 30, 2023, the District will negotiate terms of a new agreement with the Foundation.

#### RECOMMENDATION

It is recommended that the Board of Trustees authorize the Executive Vice Chancellor to negotiate a Fourth Amended Master Agreement between the District and Foundation and to establish an ad hoc subcommittee of the Board that includes two Trustees to work with the EVC.

*Approval of Consent Agenda All items on the consent agenda may, by unanimous vote of the Board members present, be approved by one motion after allowing Board member questions about a particular item. Prior to a motion for approval of the consent agenda, any Board member, interested student or citizen or member of the staff may request that an item be removed to be discussed in the order listed, after approval of remaining items on the consent agenda.*

## 12. OTHER RECOMMENDATIONS

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Subject 12.1 Consideration of Appointment of Members to the Bond Oversight Committee (10 Minutes)

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 12. OTHER RECOMMENDATIONS

Type Action

Recommended Action It is recommended that the Board of Trustees consider the application of interested applicant and determine if the applicant will be approved for appointment to the District's Bond Oversight Committee.

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

PREPARED BY: Richard Storti, Executive Vice Chancellor

## CONSIDERATION OF APPOINTMENT OF MEMBERS TO THE BOND OVERSIGHT COMMITTEE

The Board of Trustees makes appointments of members to the District's Bond Oversight Committee. The Committee is charged with the responsibility to assure voters that the bond proceeds are expended only for construction, reconstruction, rehabilitation, or replacement of facilities in compliance with the ballot language approved by the voters, and that no funds are used for teacher or administrator salaries or other other operating expenses. Appointed members serve two-year terms and may serve no more than three terms.

An application has been received for consideration for appointment to the Bond Oversight Committee to fill the seat designated for a member of a business organization. The current representative in this position is scheduled to term out in May 2024. Accordingly, if appointed, the applicant would be initially a community at-large member and would assume the vacated business organization position in May 2024. The applicant is Bart Pantoja and his application is provided for consideration.

As a reminder to the Board, the Bond Oversight Committee currently has six members and can have as many as 15 members. Three of the six members are filling statutorily mandated positions (i.e., business organization, senior citizens; organization, and bona-fide taxpayers association) and the remainder of the members serve as at-large members. Currently, the vacant statutorily mandated positions are a member of a district-support organization and a student representative.

### RECOMMENDATION

It is recommended that the Board of Trustees consider the application of interested applicant and determine if the applicant will be approved for appointment to the District's Bond Oversight Committee.

File Attachments

[Bart Pantoja Application.pdf \(680 KB\)](#)

Subject 12.2 Resolution 23-07 to Establish an Account with the County of San Mateo for the Cañada College Athletic Center (10 Minutes)

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 12. OTHER RECOMMENDATIONS

Type Action

Fiscal Impact No

Recommended Action It is recommended that the Board of Trustees approve Resolution 23-07 to establish an account with the County of San Mateo for the Cañada College Athletic Center.

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

PREPARED BY: Richard Storti, Executive Vice Chancellor

## RESOLUTION 23-07 TO ESTABLISH AN ACCOUNT WITH THE COUNTY OF SAN MATEO FOR THE CAÑADA COLLEGE ATHLETIC CENTER

In accordance with the Education Code Section 41001, the District maintains substantially all of its cash in the County Treasury. In August 2022, the Cañada College Athletic Center opened its door to students and the community. Staff established an internal separate accounting structure in the District's financial management system for the Cañada College Athletic Center that allows for the



tracking of financial activities separately from the accounts already established for the College of San Mateo Athletic Center. However, revenue from both athletic centers have been co-mingled into one account within County Treasury pool. Staff contacted the County Treasurer's Office to open a separate and distinct account to align with the internal accounts for easier accounting of financial activities between the two athletic centers.

Per Governmental Accounting Standards Board (GASB) Statement 84, which authorizes the establishment of new accounts under the Standardized Account Code Structure for the San Mateo County Community College District, the County Treasurer requires the San Mateo County Community College District's Board of Trustees to pass this resolution for them to establish a new account for the Cañada College Athletic Center.

## RECOMMENDATION

It is recommended that the Board of Trustees approve Resolution 23-07 to establish an account with the County of San Mateo for the Cañada College Athletic Center.

### File Attachments

[Resolution to establish new account for Cañada College Athletic Center.pdf \(40 KB\)](#)

|                    |   |
|--------------------|---|
| Subject            | 12.3 Approval of Contract Award for Skyline College Building 2 Workforce and Economic Development Prosperity Center Modernization (10 Minutes)  |
| Meeting            | Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES   |
| Category           | 12. OTHER RECOMMENDATIONS   |
| Type               | Action  |
| Preferred Date     | Mar 22, 2023  |
| Absolute Date      | Feb 22, 2023  |
| Fiscal Impact      | Yes   |
| Dollar Amount      | \$49,766,000.00   |
| Budgeted           | Yes   |
| Budget Source      | Measure H general obligation bonds, State Capital Outlay and local funds  |
| Recommended Action | It is recommended that the Board of Trustees authorize the Chancellor or designee to execute a contract for the Skyline College Building 2 Workforce and Economic Development Prosperity Center Project (Bid #86871) to Wickman Development in an amount not-to-exceed \$49,766,000 which includes an owner's allowance of \$3,219,000. The formal notice of award for this project will be on hold pending State approval. |

**TO:** Members of the Board of Trustees

**FROM:** Melissa Moreno, J.D., Interim Chancellor

**PREPARED BY:** Dr. Richard Storti, Executive Vice Chancellor of Administrative Services  
Michele Rudovsky, Chief Facilities and Operations Officer

APPROVAL OF CONTRACT AWARD FOR SKYLINE COLLEGE BUILDING 2 WORKFORCE AND ECONOMIC DEVELOPMENT  
PROSPERITY CENTER PROJECT

The Skyline College Building 2 Workforce and Economic Development Prosperity Center Project involves the renovation of a 31,762 assignable square footage (asf) Campus Center that was originally constructed in 1969. In June 2009 and August 2010 (Board Report nos. 09-6-103B and 10-8-101B), the Five-Year Capital Construction Plan Reports to the Board included this project as an Initial Project Proposal (IPP). From 2012 through 2018 (Board Report nos. 12-6-101B, 13-6-104B, 14-6-104B, 15-6-106B, 16-6-101B, 17-6-103B, and 18-7-113B), the Five-Year Capital Construction Plan Reports included this project as a Final Project Proposal (FPP). In March 2019, the State Chancellor's Office approved funding of the project.

The project will address seismic/structural deficiencies, remove hazardous materials as well as provide appropriate spaces to meet changing program needs and student support services. The location of this campus is regarded as a region of high seismic activity. A seismic study conducted in November 2018 assessed the Campus Center with an overall seismic rating of 6 on a 7point scale. 6 indicates "a priority for improvement". This project will provide a readily accessible integrated service center that responds to the need to link services, benefits, opportunities, and instruction to build on the State's investment in workforce and economic development and to strengthen the connections of the public to benefits and opportunities that help build personal and community economic sustainability.

The facility will include Strategic Workforce, Admissions & Records, Cashier, Financial Aid, Transfer Center, Counseling, Health Center, Promise Scholar, Outreach, Guardian Scholars/Extended Opportunity Program and Services, CARE, CalWorks, Assessment Center, Middle College, Veterans Resource Center, and general classrooms. The project will also activate 7,897 asf of unassigned space. The building will have a full seismic retrofit as well as upgrades to utility systems such as power, lighting, data, security, heating ventilation and air conditioning, plumbing.

The Facilities Planning Department, with support from Swinerton Management & Consulting, procured the project through the competitive bidding process. The Invitation For Bids (Bid #86871) was advertised through the District's online bid portal and a formal Advertisement to Bid was published in a local newspaper for two consecutive weeks on January 3 and January 10, 2023. Seven (7) general contractors attended the mandatory pre-bid conferences and job walks held on January 10 and January 12, 2023.

On February 9, 2023 the District received three (3) bids for the project as follows:

| <b>Contractor</b>         | <b>Total Bid</b> |
|---------------------------|------------------|
| Wickman Development       | \$49,766,000     |
| Rodan Builders, Inc.      | \$52,600,000     |
| Gonsalves & Stronck, Inc. | \$56,809,000     |

On February 13, 2023 the second lowest bidder filed a bid protest pursuant to the District's protest procedures set forth in the Invitation For Bids. The protest asserted that the apparent low bid was not responsive to the bid requirements and that the apparent low bidder was not a responsible bidder. District staff and counsel reviewed the bid protest and determined that it should be rejected because (a) the low bidder was fully responsive to the bid requirements and (b) the low bidder was a responsible bidder—indeed the District had already prequalified the firm on its list of qualified bidders for the project. The Executive Vice Chancellor informed the protester of the determination and notified the protester that it could appeal the determination to the Board of Trustees. The protester has not availed itself of the opportunity to appeal and so the rejection is final without the need for further Board action.

Staff conducted its due diligence investigation of the bid results. Wickman Development was deemed the lowest responsive responsible bidder and meets all the requirements of the project.

This project is covered under the approved Program Stabilization Agreement amended by the Board of Trustees on March 16, 2016 (Board Report 16-3-103B).

This project will be funded by State Capital Outlay (\$24M), Measure H general obligation bonds (\$41.1M), and local funds (\$3M).

**RECOMMENDATION**

It is recommended that the Board of Trustees authorize the Chancellor or designee to execute a contract for the Skyline College Building 2 Workforce and Economic Development Prosperity Center Project (Bid #86871) to Wickman Development in an amount not-to-exceed \$49,766,000 which includes an owner's allowance of \$3,219,000. The formal notice of award for this project will be on hold pending State approval.

File Attachments

[2023 0426 SKY B2 Contract Award FINAL.pdf \(340 KB\)](#)

### 13. DISCUSSION ITEMS

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Subject 13.1 First Read of the MOU with Longfellow to Explore Student and Employee Housing Opportunities at Cañada College (5 Minutes)

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 13. DISCUSSION ITEMS

Type Informational

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

PREPARED BY: Richard Storti, Executive Vice Chancellor

#### **FIRST READ OF THE MOU WITH LONGFELLOW TO EXPLORE STUDENT AND EMPLOYEE HOUSING OPPORTUNITIES AT CAÑADA COLLEGE**

Longfellow is an industry leader with a well-earned reputation as a world-class life science real estate developer, owner, and operator. Longfellow is proposing to redevelop an outdated 84-acre office park in Redwood Shores into a 21st-century campus for today's leading life science companies. This project, called RedwoodLIFE:Evolve, will replace the existing outdated office buildings with 15 new state-of-the-art life science buildings; transform acres of surface parking into parks with expansive green, publicly accessible open spaces; address sea-level rise and invest in levee improvements; provide inviting community space for its neighbors; exceed environmental sustainability best practices; make enhancements to the San Francisco Bay Trail; and allow Redwood City to attract world-class life science and innovation companies and secure long-term economic vitality for generations to come. In connection with RedwoodLIFE:Evolve, and as part of its commitment to investing in the Redwood City community, Longfellow is proposing an Alternative Affordable Housing Plan that will meet and exceed the City's requirements for contributing to the development of affordable housing. The Plan proposes that instead of paying into the City's affordable housing fund, where the money may wait years to be applied to construction, Longfellow will invest its contribution directly with organizations actually developing affordable housing, so that new affordable housing can come online quickly and efficiently. The anticipated investment is approximately \$20 million.

In connection with processing the planning application for RedwoodLIFE:Evolve, the City of Redwood City has requested that Longfellow identify specific locations and opportunities where its contributions to affordable housing can be directed. Potential sites are at Canada College. The District and Longfellow have initiated discussions regarding Cañada College's critical need for student and staff housing and how Longfellow's contributions could help it meet that need and allow Cañada College to deliver new high-quality affordable housing on its Redwood City campus for its students and staff.

The purpose of the proposed Memorandum of Understanding ("MOU") is for the parties to work together in good faith to explore and identify opportunities and specific locations on the Cañada College campus for the development of affordable student and/or employee housing that aligns with the SMCCCD and Cañada College's long-range planning efforts and the City of Redwood City's Affordable Housing Ordinance. This MOU is for discussion purposes only, and accordingly, none of the Parties shall have any obligation to proceed with the transactions described herein unless and until the Parties execute and deliver definitive documents in their sole and absolute discretion.

File Attachments

[Canada College - SMCCCD - Longfellow - Housing MOU 4.26.23.pdf \(136 KB\)](#)

Subject 13.2 SMCCCD Enrollment Projections and Goals (15 minutes)  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 13. DISCUSSION ITEMS  
Type Discussion  
TO: Members of the Board of Trustees  
FROM: Melissa Moreno, J.D., Interim Chancellor  
PREPARED BY: Dr. Aaron McVean, Vice Chancellor of Educational Services and Planning

### SMCCCD ENROLLMENT PROJECTIONS AND GOALS

Like many sectors of the U.S. economy, the SMCCCD is in the process of recovering from the COVID-19 global pandemic on multiple fronts. This includes in no small measure recovering substantial enrollment losses that have been continuous for more than a decade and were drastically accelerated during the pandemic years from Fall 2020 to Fall 2022. With the development of the District's Free Community College strategic initiative, the passage of SB 893 legislation in October 2022, and the implementation of interim Board Policies that made college free in the SMCCCD, the District saw a significant increase in enrollment in the Spring 2023 semester. The District is looking to continue this momentum, with approved funding for a continued strategic marketing campaign and the adoption of final longer-term Board Policies codifying Free Community College in the SMCCCD. Based on the increases seen in the Spring 2023 semester, and historical trends related to new student recruitment and current student retention, the District has developed enrollment projections and goals for the Fall 2023 semester.

#### File Attachments

[SMCCCD Enrollment Projections&Goals Fall2023-FINAL.pdf \(162 KB\)](#)

Subject 13.3 Approval of College of San Mateo and Cañada College Athletic Centers Monthly Fee Increase (10 Minutes)  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 13. DISCUSSION ITEMS  
Type Discussion  
TO: Members of the Board of Trustees  
FROM: Melissa Moreno, J.D., Interim Chancellor  
PREPARED BY: Richard Storti, Executive Vice Chancellor  
Kurt Scholler, Director of Auxiliary Services

### FIRST READ OF COLLEGE OF SAN MATEO AND CAÑADA COLLEGE ATHLETIC CENTERS MONTHLY FEE INCREASE

The monthly fee structure for district athletic center memberships has not increased since January 2019. This was a result of COVID-19 and the transition of operations from an externally managed model to internally management model. As the safety environment related to COVID-19 has improved and operations have successfully transitioned to an internally managed model, an analysis has been performed on the current fee structure, escalations in operating expenses, and fee structures / increases at nearby comparable facilities. To address operating expense escalations while maintaining quality of operations and a competitive price point, staff recommends increasing monthly fees by 10% for all membership classifications with the exception of students and SMCCCD Faculty & Staff and San Mateo County K-12 Teachers, Administrators and Staff.



|   |       |   |   |   |   |   |   |   |   |   |
|---|-------|---|---|---|---|---|---|---|---|---|
| Family  | 61/76 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| <b>SMCCCD Faculty/Staff: (No Rate Increase)</b> |       |   |   |   |   |   |   |   |   |   |
| <b>SM County Teachers:</b>                      |       |   |   |   |   |   |   |   |   |   |
| Individual                                      | 30    | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Couple  | 55    | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Family  | 75    | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| <b>SMCCCD Faculty/Staff: (No Rate Increase)</b> |       |   |   |   |   |   |   |   |   |   |
| <b>SM County Teachers:</b>                      |       |   |   |   |   |   |   |   |   |   |
| <b>(Non-Prime Time)</b>                         |       |   |   |   |   |   |   |   |   |   |
| Individual                                      | 12    | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Couple  | 24    | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Family  | 33    | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**RECOMMENDATION**

It is recommended that the Board of Trustees approve a revised fee structure for the College of San Mateo and Cañada College Athletic Centers, as highlighted on the attached monthly fee schedule comparative, effective April 1, 2023.

**14. INFORMATIONAL REPORTS**

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Subject            14.1 2023 Contractor Prequalification Update (10 Minutes)

Meeting            Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category           14. INFORMATIONAL REPORTS

Type                Informational

TO:                 Members of the Board of Trustees

FROM:              Melissa Moreno, J.D., Interim Chancellor

PREPARED BY:    Michele Rudovsky, Chief Facilities and Operations Officer  
                          Yanelly Pulido, Director, General Services

**2023 CONTRACTOR PREQUALIFICATION UPDATE**

The District has required prequalification of prospective bidders on public works projects subject to public bidding requirements since April 2000, when the Board of Trustees approved use of Public Contract Code Section 20111.5. Under these provisions, only prequalified bidders are eligible to submit bids for District formal bids on public works construction projects over \$200,000. This initiative has provided the District’s Capital Improvement Program (CIP) with a pool of highly qualified contractors using an extensive application process. This process has been refined through more than two decades of use, and continues to deliver a robust pool of reputable firms, an integral component of successful project delivery.

Planning for the 2023 prequalification process began in August 2022. Initial notifications of the application process were placed on the District’s Facilities website, in legal advertisements, various trade journals, and in direct emails to current and previously prequalified contractors. The notification included a list of the

specific projects and services the District intends to procure this calendar year in effort to target contractors licensed to perform the needed work. In addition to the initial invitation, each registered contractor was invited by phone to encourage participation and remind contractors of the application deadline.

In continued effort to increase opportunities with qualified business enterprises that are small, locally owned, or owned by members underrepresented in their fields (women, minorities, veterans, disabled individuals, members of the LGBTQIA community), staff contacted several trades representatives, chambers of commerce, and professional organizations to assist in publicizing and enhancing interest in the District's contractor prequalification process. Staff held three virtual non-mandatory outreach and education workshops on October 10, 12 and November 2, 2022, to provide applicants an overview of the District's procurement solicitation methods, bid requirements, and information of the current construction contractor prequalification program. Seven firms attended these non-mandatory workshops.

San Mateo County Community College District requires its prequalified contractors to meet certain applicable criteria, such as:

- Construction Experience/Work History
- Contractor's License/Department of Industrial Relations (DIR) Registration and Compliance
- Litigation and Arbitration History
- Disqualification from Previous Projects
- Compliance with Statutory Requirements
- Documented Safety Record
- Labor Code and Prevailing Wage Requirements
- Project Personnel
- Benefits and Retirement Programs
- Insurance Requirements and Bonding Information
- Financial Information

Submitted applications are reviewed for thoroughness and completeness. The contractor's license must be confirmed on the Contractors State License Board website. Other qualitative documents that staff reviews include: project experience, certified payroll examples, résumés of key personnel, certified financial statements, letter from a surety company confirming bonding capacity, claims and litigation history, and current Certificates of Insurance.

The deadline for application submission was November 14, 2022. A total of 100 applications were submitted for consideration for the 2023 prequalification process for formal bids on public works construction projects over \$200,000. This is a 9% decrease from the 2022 pool of 110 submitted applications. As of January 25, 2023, staff has evaluated the 100 submitted applications. Contractors were officially notified of their prequalification status promptly upon completion of the evaluation process. Ninety-six(96) firms met all published criteria and have been included in the 2023 pool as publicized on the District's Facilities website.

Four (4) applications have been deemed ineligible either due to a deficiency in their submittal, exceeding the District's Experience Modification Rate (EMR) threshold or significant litigation/claims history. These firms have been notified of their standing and have been given the opportunity to appeal.

Subject 14.2 Update on the FY 2023-24 Tentative Budget Development for the Unrestricted General Fund (10 Minutes)

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 14. INFORMATIONAL REPORTS  
Type Informational  
TO: Members of the Board of Trustees  
FROM: Melissa Moreno, J.D., Interim Chancellor  
PREPARED BY: Dr. Richard Storti, Executive Vice Chancellor

#### UPDATE ON THE FY 2023-24 TENTATIVE BUDGET DEVELOPMENT FOR THE UNRESTRICTED GENERAL FUND

Dr. Storti will provide an update on the development of the District's Tentative Budget for FY 2023-24, including current assumptions, leading to its adoption on June 28, 2023.

File Attachments  
[Budget Update April 26 2023 \(Revised\).pdf \(359 KB\)](#)

Subject 14.3 Draft Telework Program Administrative Procedure (20 Minutes)  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 14. INFORMATIONAL REPORTS  
Type Informational  
TO: Members of the Board of Trustees  
FROM: Melissa Moreno, J.D., Interim Chancellor  
PREPARED BY: Julie Johnson, Chief Human Resources Officer

#### DRAFT TELEWORK PROGRAM ADMINISTRATIVE PROCEDURE

##### Background

On October 26, 2022, the Board reviewed a proposed Administrative Procedure 2.11.2 – Telework Pilot Program. However, we are considering the past two years of our telework program to be the pilot, and now have evidence and a rationale for adopting an administrative procedure for the purpose of Human Resource management. The past Board discussion of the potential impacts of continuing hybrid schedules on the delivery of student services generated follow-up items for the Office of Human Resources. In response to the Board's feedback, the following action items have occurred:

1. Two concerns addressed:
  - a. The potential for the word “professional” to limit telework opportunities for classified staff. As such, the word professional has been deleted, and
  - b. The concern of inequitable treatment of positions with a hybrid schedule by managers. To address the concern, and after consultation with the Anti-Racism Council, a process for reviewing denials and terminations of a proposed Telework Plan by Human Resources and the appropriate designee of the President or Chancellor has been added to the administrative procedure.
2. Also, feedback and discussion occurred with two primary consultative bodies: the Equal Employment Opportunity Committee and the Anti-Racism Council.

The District's pilot telework program was implemented in Fall 2021. The Board reviewed an updated version of the proposed pilot program on December 14, 2022. No action was taken on the proposal, and the Board agreed to continue the pilot program through the spring 2023 semester.



For your consideration, included as attachments are:

1. Overview of recent data for Spring 2023 participation, December 2022 manager's survey, and October 2022 survey of SMCCD students,
2. Survey of community college districts and public Higher Education Institutions telework programs.
3. Qualitative feedback from the April 2022 and December 2022 surveys of managers on the informal telework program.

## RECOMMENDATION

Staff recommends the Board review and adopt an administrative procedure that provides a Human Resources structure with minimum expectations, requirements, and eligibility criteria for the approval of telework schedules. This item is intended for discussion today and to come back for approval at the next regular board meeting.

File Attachments

[Draft Telework Program Administrative Procedure.pdf \(1,011 KB\)](#)

Subject 14.4 Report on Conflict of Interest Compliance (5 Minutes)

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 14. INFORMATIONAL REPORTS

Type Informational

**TO:** Members of the Board of Trustees

**FROM:** Melissa Moreno, J.D., Interim Chancellor

**PREPARED BY:** Richard Storti, Executive Vice Chancellor  
Julie Johnson, Chief Human Resources Officer  
David Feune, Director, Human Resources

### REPORT ON CONFLICT OF INTEREST COMPLIANCE

The Political Reform Act of 1974 (Act) prohibits public officials from using their official position to influence a governmental decision in which they have a financial interest. Every state and local agency must adopt a conflict of interest code that identifies agency officials and employees who make governmental decisions based on their position. The individuals in the designated positions (designated filers) must disclose their financial interests as specified in the agency's conflict of interest code.

The Act requires:

1. Adoption of a unique conflict of interest code by the public agency,
2. Identification of agency positions filled by individuals who make or participate in making governmental decisions that could affect their personal economic interests,
3. Identification of the Designated Filing Officer, and
4. Periodic review and updating the agency's conflict of interest policy as necessary.

The District is part of San Mateo County Registration and Elections Division's Electronic Filing System, NetFile, to maintain the District's record of designated filers.

Each Board member and designated filer under the District's Conflict of Interest Code must file an annual statement of economic interest ("Form 700") with San Mateo County. The Form 700 is the tool used by public officials to disclose their financial interests that may be affected by their public official decisions to ensure the public is aware of the public official's financial interests and to remind the public official of potential conflicts. The District's designated filing officer is Director of Human Resources David Feune.

## Designated Filers

The District's Conflict of Interest Policy identifies sixteen designated filer classifications. Individuals with broad decision-making authority must disclose more interests than those in positions with limited discretion. In addition, certain consultants qualify as public officials because they make, participate in making, or act in a staff capacity for governmental decisions.

In addition to annual statements, designated employees must file a Form 700 within thirty days of assuming office and leaving office.

## Annual Filing Compliance

Annual statements are generally required to be filed by April 1. The District identified 83 designated filers required to complete the annual statement. Of the identified filers, 100% completed the annual statement.

## Assuming Office Compliance

The District identified 12 designated filers who assumed office within the last six months. Of the identified filers, 100% filed their assuming office statement.

## Leaving Office Compliance

The District identified six designated filers who left office within the last six months. Of the identified filers, 83% filed their leaving office statement.

The Designated Filing Officer is responsible for keeping the list of designated filers current, sending forms and notifications, reviewing forms for completeness, and referring non-filers to the San Mateo County Registration and Elections Division.

All statements are public documents and accessible online or during regular business hours.

Subject                    14.5 Report on Proposed Agenda Items for Future Meetings (5 Minutes)

Meeting                    Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category                    14. INFORMATIONAL REPORTS

Type                        Discussion, Informational

TO:                         Members of the Board of Trustees

FROM:                      Melissa Moreno, J.D., Interim Chancellor

PREPARED BY:            Candice E. Bell, Executive Assistant to the Board

## REPORT ON PROPOSED AGENDA ITEMS FOR FUTURE MEETINGS

For planning purposes and to allow for Trustee engagement, below is a running list of known and potential agenda items for upcoming Board of Trustees meetings.

### MAY

- District Financial Summer for Quarter Ending March 31
- Ratification of March and April District Warrants
- Adoption of Annual Meeting Calendar
- Future of Faculty and Student Housing at SMCCCD

### JUNE

- Adoption of Resolution Establishing 2023-2024 Budget Limits (GANN)
- Approval of Internal Borrowing Resolution
- Adoption of Tentative Budget 2023-2024
- Approval of Budgetary Transfers and Adoption of Resolution Authorizing Budget Transfers for 2022-2023

Subject 14.6 San Mateo County Community College District Antiracism Council Resolution Supporting the Creation of a District Diversity Officer (3 Minutes)

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 14. INFORMATIONAL REPORTS

Type Informational

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

PREPARED BY: San Mateo County Community College District Antiracism Council

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT ANTIRACISM COUNCIL  
RESOLUTION SUPPORTING THE CREATION OF A DISTRICT DIVERSITY OFFICER**

Interim Chancellor Moreno consulted with the San Mateo County Community College District Antiracism Council for feedback which resulted in a Resolution recommending the establishment of this position to the Chancellor. In addition, connected to this position is a \$30,000 unrestricted grant from the "Equity Forward" initiative sponsored by the Silicon Valley Community Foundation to pilot such a position for one year. For more information on Equity Forward: <https://www.siliconvalleycf.org/nonprofits/grants/equity-forward>. This position will be a net zero FTE given the elimination one Director position in the District Office.

**RECOMMENDATION**

District Administration is recommending adding a new position of Chief Diversity Officer and Ombuds.

File Attachments

[San Mateo County Community College District Antiracism Council.pdf \(26 KB\)](#)

Subject 14.7 Report of Public Information Requests for March and April 2023

Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES

Category 14. INFORMATIONAL REPORTS

Type Informational

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

PREPARED BY: Julie Johnson, Chief Human Resources Officer

**REPORT OF PUBLIC INFORMATION REQUESTS FOR MARCH AND APRIL 2023**

Attached for the Board's information is a report on public information requests through the Public Records Act (PRA), media requests, and communications from the public for the Board received in the month of March and April 2023.

File Attachments

[Public Information Report - March and April 2023.pdf \(5 KB\)](#)

## **15. COMMUNICATIONS**

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## **16. STATEMENTS FROM BOARD MEMBERS**

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## **17. RECONVENE TO CLOSED SESSION (if necessary)**

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Subject 17.1 Reconvened to Close Session  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 17. RECONVENE TO CLOSED SESSION (if necessary)  
Type Procedural

## **18. RECONVENE TO OPEN SESSION (if necessary)**

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Subject 18.1 Reconvened to Open Session  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 18. RECONVENE TO OPEN SESSION (if necessary)  
Type Procedural

Subject 18.2 Announcement of Reportable Action Taken In Closed Session (if necessary)  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 18. RECONVENE TO OPEN SESSION (if necessary)  
Type Procedural

## **19. ADJOURNMENT**

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Subject 19.1 Adjourn  
Meeting Apr 26, 2023 - REGULAR BOARD MEETING OF THE BOARD OF TRUSTEES  
Category 19. ADJOURNMENT  
Type Procedural