

July 27, 2005  
San Mateo, California

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

Chancellor Galatolo announced that DeAnne Wilkes-O'Rourke had been hospitalized and that Sue Harrison would be taking that support role this meeting.

**Board Members present:** President Miljanich, Vice-President Clerk Mandelkern, Trustees Hausman, Holober, and Schwarz; and student Trustee Burns

**Others present:** Chancellor Galatolo, Executive Vice Chancellor Keller, Vice Chancellor Joel; Skyline President Morrow; Dean Susan Estes for CSM President Kelly; and District Academic Senate Nick Kapp.

**Pledge of Allegiance**

**DISCUSSION OF THE ORDER OF THE AGENDA**

None

**MINUTES**

It was moved by Trustee Holober and seconded by Trustee Schwarz to approve the minutes of the Study Session of June 8, 2005. The motion carried with four members voting "Aye" and Trustee Schwarz abstaining because she was not in attendance at the study session on June 8<sup>th</sup>.

It was moved by Trustee Mandelkern and seconded by Trustee Hausman to approve the minutes of the Regular Meeting of June 22, 2005. The motion carried, all members voting "Aye".

**PRESENTATIONS TO THE BOARD BY PERSONS OR DELEGATIONS**

None

**STATEMENTS FROM EXECUTIVES**

Chancellor Galatolo noted that Tom Mohr was in attendance and, after action to be taken in closed session this evening, Mr. Mohr would be the interim president at Cañada College during the search for a new President. He acknowledged Mr. Mohr and his many years of service in public education and noted that faculty and staff at Cañada will be pleased to have him on board.

Executive Reports covering recent activities, events and staff honors at the Colleges were presented by Skyline President Morrow and Dean Susan Estes for CSM President Kelly.

President Morrow, adding to her written report, expressed her thanks to the facilities staff for the level of support and coordination her college has received during the various construction projects at the campus.

Also, in addition to her written report, President Morrow showed a video that was presented at the Workforce Innovations Conference in Philadelphia recently at which Skyline was awarded a Recognition of Excellence for its regional biotech partnership.

President Morrow also noted that she had recently returned from the Harvard Graduate Seminar for Presidents and thanked the District for its support in this endeavor.

In addition to her written report, Dean Estes distributed additional information related to the Independent Living Program (ILP) which is highlighted in the Executive Report. She also distributed a brochure about CSM Connects which is CSM's Volunteer Community Service Program. President Miljanich noted that her firm has worked with CSM and the ILP Program and that it has been a very successful collaboration.

Executive Vice Chancellor Keller noted that the annual general assembly of the facilities staff had been held recently and a new facilities newsletter was introduced at the session. The newsletter is meant to keep facilities employees informed about department activities and to introduce facilities staff to their co-workers.

He also noted that the District had received advanced apportionment information this morning. He stated that the information will be presented in the annual proposed budget, however he noted that the results reflect the impact of the "triple flip" on the District. He commented that the District will lose \$4 to \$5 million in ERAF as well as a large amount due to folding in of PFE funds. Exec Vice Chancellor Keller noted that the District will receive \$20 million in apportionment funding, which is approximately 1/2 of 1% of the apportionment of the entire system.

Chancellor Galatolo again expressed his dismay at the apportionment results and effect of the "triple-flip" on the District. He noted that the District had not received general apportionment money for several years but is now back to "square one." He indicated that the District would continue to pursue legislative relief in this area.

#### **STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

None

#### **NEW BUSINESS**

#### **APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (05-7-2A)**

It was moved by Trustee Holoher and seconded by Trustee Hausman to approve the actions in Board Report No. 05-7-2A. The motion carried, all members voting "Aye".

#### **APPROVAL OF CONSENT AGENDA (05-7-1CA THROUGH 05-7-4CA)**

The consent Agenda consists of the following board reports:

- 05-7-1CA Approval of amendment to contract with Swinerton Management & Consulting for Capital Improvement Program management services for additional labor compliance monitoring services
- 05-7-2CA Declaration of surplus property
- 05-7-3CA Approval of Trustees' Fund for Program Improvement Projects for Cañada College
- 05-7-4CA Approval of extension of the use of the County of Los Angeles contract for Districtwide office supply purchases

It was moved by Trustee Schwarz and seconded by Trustee Hausman to approve the Consent Agenda. The motion carried, all members voting "Aye".

**ADOPTION OF RESOLUTION NO. 05-12 ORDERING AN ELECTION TO AUTHORIZE THE ISSUANCE OF SCHOOL BONDS, ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON NOVEMBER 8, 2005 (05-7-101B)**

It was moved by Student Trustee Burns and seconded by Trustee Schwarz to adopt resolution No. 05-12 ordering an election to authorize the issuance of school bonds, establishing specifications of the election order and requesting consolidation with other elections occurring on November 8, 2005.

Referring to the District's last bond measure, Chancellor Galatolo noted that the District had raised over \$100 million in funds from state, local and private sources along with the \$207 million provided through taxpayer dollars from that Bond. He also noted that the projects authorized by the previous measure had been completed on time and on budget and that the purpose of the new measure is to complete the remainder of the projects identified in 2001. He noted that, if approved, the \$468 million measure before the board would cost approximately \$13.45 per \$100,000 of assessed value for the average homeowner.

Trustee Hausman asked how the \$13.45 per \$100,000 of assessed value compared to the amounts tested in the research conducted by Godbe and Associates. Chancellor Galatolo said that the research had tested three bond amounts in \$50 million increments starting at \$283 million up to \$433 million. He recalled that a \$433 million bond equated to \$12.40 per \$100,000 in assessed valuation and that the survey results showed 65%-67% approval rating at that level. The Chancellor also noted that the bond amounts tested in the survey were benchmark amounts used to gauge voter approval threshold as well as to determine assessed valuation amounts. An analysis of unmet needs has been conducted which indicates that unmet need totals \$468 million.

Trustee Mandelkern noted that after having toured the campuses and having seen the facilities under construction, he has seen the need for continuing renovation and adaptation of the physical plant to meet the needs of students and community. He thanked the facilities staff and Chancellor for keeping the board informed, through various presentations and tours, of the work that is yet to be done. He also said he does believe that the District has effectively spent the funds from the first bond and that it is timely that the District plans to continue the renovation process.

He noted some concerns/questions regarding the measure including: the financial impact of the CIP projects on the operating budget in terms of the impact of adding additional square footage; concerns about the size of the measure and whether all options have been pursued in terms of leveraging other available funds to reduce the size of the measure; the impact on the taxpayer in the county given existing parcel taxes and school measures; and whether the upcoming special election in November is the best time to pursue the measure.

Chancellor Galatolo acknowledged Trustee Mandelkern's concern regarding staffing of new facilities but noted that buildings and facilities are being designed with efficiencies to minimize staffing and maintenance needs where possible—for example the use of artificial turf on athletic fields, use of materials in buildings requiring less waxing and maintenance, and upgraded heating and ventilation requiring fewer repairs—in an effort to free up staff for other maintenance issues.

Regarding Trustee Mandelkern's concerns about the size of the issue, the Chancellor noted that the size of the measure represents the documented unmet facilities needs. He noted that the list of unmet needs reflects necessary modernization of classrooms and he noted that additional state, local and private monies would again be leveraged with bond funds to fulfill these unmet needs.

Trustee Hausman asked about Godbe's opinion regarding placing the measure on the special election ballot. Chancellor Galatolo recalled that the researchers at Godbe had indicated they did not anticipate a huge disparity in

the voters due to the nature of the election and that a 67% approval rating was indicative of community support for the measure.

Trustee Holober addressed the issue of timing of the election. He indicated that, due to the special election, the electorate will be larger than a normal off year electorate, however it will still be smaller than the electorate in a primary or general campaign. This, he said, would be advantageous to the District in that campaign costs will be smaller with the smaller electorate. He also thought that people who support education and education funding will be highly motivated to vote in this special election due to the nature of some of the measures on the ballot.

Regarding the size of the measure, Trustee Holober asked if there had been follow-up conversations with Godbe regarding the \$468 million bond amount. Chancellor Galatolo indicated that there had been follow-up with Godbe and other campaign professionals regarding this question and that the feeling was that the difference between the \$430 million tested and the \$468 million amount suggested for the ballot would not make a big difference in terms of support for the measure.

President Miljanich indicated she was concerned about the prospect of going back to the voters again in a few years if the full amount to cover unmet needs is not requested at this time.

Trustee Holober expressed his concern that by not going forward there is a risk of leaving newly modernized buildings standing next to those not renovated in 35-40 years and said that this sends a bad message to students regarding the value that the District and community place on their education. Student Trustee Burns agreed and noted that student comments to him indicated they want to see the project come to fruition and to see the impact in all of their classrooms.

Trustee Hausman noted that it was advantageous that the measure was coming on the heels of the positive Grand Jury Report regarding the Districts' management of Bond Funds. Trustee Schwarz noted that much of the infrastructure and health and safety work has been completed and that projects funded by the new measure will be more visible. She also noted that it is important that taxpayers understand that the cost per \$100,000 in assessed valuation will be \$13.45. Trustee Schwarz expressed her support for moving forward with the measure for the benefit of the students and the community.

Trustee Mandelkern indicated that based on the persuasive arguments from the other trustees that he also now believed the District should move forward. He noted that the process of change should be considered a continuous one.

At this point in the meeting, the board discussed the ballot language at length. Barbara Christensen introduced Chris Lynch, bond counsel from Jones Hall, and Nageen Darani, Financial Advisor from Morgan Stanley. Based on the board's input, Director Christensen, Ms. Darani and Mr. Lynch worked on minor revisions to the ballot question to make sure the issue of health careers was included while still keeping the language to the required 75 word length.

After discussion, Barbara Christensen read the revised ballot wording as follows: To prepare College of San Mateo, Cañada College, and Skyline College students for universities and high demand jobs; upgrade nursing, health career, science, computer, and biotechnology labs; improve accessibility for disabled students; make earthquake safety improvements; repair/modernize libraries, classrooms, and aging facilities; and other projects in the Bond Projects List, shall San Mateo County Community College District be authorized to issue \$468,000,000 in bonds at interest rates within legal limits and with oversight by a Citizens' Advisory Committee?

Bond Counsel Chris Lynch noted that the motion for consideration should be restated to indicate that the resolution is adopted with the ballot measure amended as discussed and with the authority to staff to amend the ballot question and other items in the ballot measure, if necessary, without making substantive changes.

Trustee Miljanich asked for any further discussion on the bond projects list or the resolution.

There was no other discussion and the motion to adopt resolution No. 05-12, as amended, carried with all members voting "Aye".

**CONTRACT AWARD FOR UNIT PRICE WINDOW TREATMENTS, DISTRICTWIDE (05-7-102B)**

It was moved by Trustee Schwarz and seconded by Trustee Hausman to approve the contract award for unit price window treatment Districtwide to Peninsulators in an amount not to exceed \$120,000 for the first calendar year. The motion carried, all members voting "Aye".

**RATIFICATION OF SUBCONTRACT WITH STANFORD UNIVERSITY TO DEVELOP AN EARLY COLLEGE PROGRAM WITH EAST PALO ALTO HIGH SCHOOL (05-7-103B)**

It was moved by Student Trustee Burns and seconded by Trustee Hausman to ratify the subcontract with Stanford University to develop an Early College Program with East Palo Alto High School.

Trustee Hausman asked whether East Palo Alto High school is public or private. Canada's Vice President of Student Services, Phyllis Lucas-Woods indicated that the school is a Charter School. She explained there are three entities in the project and that the project has been in the planning stages for some time.

Board members posed the following questions: Trustee Hausman asked whether the program at the High School was open to all; Trustee Mandelkern asked if there are students at Cañada who came from this program. Vice-President Woods indicated that there were no students yet, but that the purpose of the program was to achieve that result.

Trustee Schwarz asked if the effective dates of September 1, 2004 through August 31, 2005 were correct. Trustees Hausman and Schwarz also wondered if the contract amount of \$61,375 was an amount that was to be paid out by the District or received by the District.

Trustee Holoher noted that the District often loses students from the southern end of this District and that the District needs to support programs such as these.

President Miljanich tabled the item until Vice-President Lucas-Woods contacted Vice-President McBride to clarify these issues.

**ACCEPTANCE OF FEDERAL TRIO FUNDS (05-7-104B)**

It was moved by Trustee Schwarz and seconded by Trustee Mandelkern to approve the acceptance of Trio Funds in the amount of \$1,100,000 from September 1, 2005 through August 31, 2010. The motion carried, all members voting "Aye".

**ADOPTION OF PUBLIC HEARING DATE AND RESOLUTION NO. 05-10 REGARDING INTENTION TO EXECUTE AN EMERGENCY VEHICLE ACCESS EASEMENT TO THE CITY OF SAN MATEO (05-7-105B)**

It was moved by Trustee Holoher and seconded by Trustee Schwarz to adopt a public hearing date and Resolution No. 05-10 regarding intent to execute an emergency vehicle access easement to the City of San Mateo.

Director Christensen noted that the hearing referenced in this item would be at the August 17<sup>th</sup> meeting at 6:30 p.m. She also noted that the easement was actually to be conveyed to San Mateo Executive Park, LLC so that the motion should be amended to reflect the change. The District recently became aware that the easement was not originally

recorded in 1970 and it is important to have it recorded now because there is a potential land contract in which the easement will be important. Director Christensen gave the Board a revised resolution reflecting this change.

The motion, amended as noted above, carried, all members voting "Aye".

**ADOPTION OF RESOLUTION NO. 05-11 AUTHORIZING CONTRACT WITH LOS ANGELES UNIFIED SCHOOL DISTRICT FOR POLYVISION WHITEBOARDS, TACKBOARDS AND ACCESSORIES (05-7-106B)**

It was moved by Trustee Hausman and seconded by Trustee Schwarz to adopt Resolution 05-11 authorizing a contract with Los Angeles Unified School District for Polyvision Whiteboards, Tackboards and Accessories in an amount not to exceed \$130,000 for the period June 2005 through July 2006. The motion carried, all members voting "Aye".

**CONTRACT AWARD FOR SPECIALTY OFFICE FURNITURE (5-7-107B)**

It was moved by Trustee Schwarz and seconded by Trustee Holoher to approve the contract award for specialty office furniture to Allsteel and HumanScale for the duration of the CIP with expenditures for Allsteel not to exceed \$45,000 for the period beginning July 1, 2005 through June 30, 2006 and the expenditures for HumanScale not to exceed \$135,000 for the same period. The motion carried, all members voting "Aye".

**CONTRACT AWARD FOR THE LIBRARY AND STUDENT RESOURCE CENTER, BUILDING 9, CAÑADA COLLEGE (05-7-108B)**

It was moved by Trustee Hausman and seconded by Student Trustee Burns to approve the contract award to S.J. Amoroso Co., Inc. in an amount not to exceed \$22,249,000 for the Library and Student Resource Center, Building 9, Cañada College.

Trustee Mandelkern asked if Amoroso would be required to meet the terms of the District's project labor agreement since the funds are largely from state capital outlay funds rather than bond project funds. Director Da Silva noted that Amoroso will comply with all prevailing wage requirements and because it is a state project, there is a labor compliance program in force. Trustee Mandelkern asked if subcontractors were covered under that program as well and Director Da Silva noted that all workers on the project must comply.

Trustee Schwarz commented on the close nature of the bids. Trustee Holoher asked why only three of the nine contractors attending the pre-bid conference actually bid on the project. Director Da Silva referred the question to Jeff Gee from Swinerton Management. He indicated that there is a considerable amount of competition in the construction market and that it can easily cost \$30,000 to \$50,000 to bid on a project of this size making it a tough balancing act for construction companies with a number of choices of projects on which to bid. He indicated that the closeness of the bids is indicative that the bids are accurate and quality bids.

There was no further discussion and the motion carried, all members voting "Aye".

**STATEMENTS FROM BOARD MEMBERS**

Trustee Hausman indicated that she had attended the Chancellor's Circle Luncheon and that she had enjoyed hearing the story of a recipient who had benefited from a Foundation scholarship. She also enjoyed a KCSM program called "I Can't Give You Anything But Love".

Trustee Holoher reported that he, also, had attended the Chancellor's Circle Luncheon. He also said that he will be going, along with President Miljanich and Chancellor Galatolo, to the CSEA Convention in Las Vegas.

**CONTINUATION OF DISCUSSION OF ITEM 05-7-103B**

At this point in the meeting, Vice-President Lucas-Woods returned with information regarding the agenda item related to the Early College Program at East Palo Alto High School. President Miljanich re-opened the item for discussion.

Vice-President Lucas-Woods indicated that she had spoken to Vice-President McBride on the telephone. She noted that the contract referred to in the report is related to a Stanford Grant. Cañada College has been written into this Grant and will receive \$61,375 for activities related to the planning and coordination of the program. The dates noted in the board report are correct. There are 400 students at the school and all of them will be expected to take courses at Cañada.

The motion carried, all members voting "Aye".

**COMMUNICATIONS**

None

The Board recessed to Closed Session at 7:45 p.m.

The Board reconvened to Open Session at 8:20 p.m.

**CLOSED SESSION ACTIONS TAKEN**

President Miljanich reported that, at the Closed Session conducted earlier, the Board considered the personnel items listed on the printed agenda and voted 5-0 to approve the actions in Board Report No.1-A. She also reported that the Board conferred with Chief Negotiator Joel regarding collective bargaining matters; no action was taken.

**ADJOURNMENT**

It was moved by Trustee Hausman and seconded by Trustee Schwarz to adjourn the meeting. The motion carried, all members voting "Aye." The meeting adjourned at 8:20 p.m.

The next Regular Meeting of the Board will be August 17, 2005, beginning at 6:00 p.m. in the District Board Room.

Submitted by

Ron Galatolo  
Secretary

Approved and entered into the proceedings of the August 17, 2005 meeting.

Dave Mandelkern  
Vice President-Clerk