

**Minutes of the Regular Meeting of the Board of Trustees  
San Mateo County Community College District  
July 22, 2015, San Mateo, CA**

**The meeting was called to order at 6:01 p.m.**

**Board Members Present:** President Patricia Miljanich, Vice President Dave Mandelkern, Trustees Richard Holober, Thomas Mohr and Karen Schwarz, Student Trustee Rupinder Bajwa

**Others Present:** Chancellor Ron Galatolo, Executive Vice Chancellor Kathy Blackwood, Skyline College Vice President of Administrative Services Eloisa Briones, College of San Mateo President Michael Claire, Cañada College President Larry Buckley, District Academic Senate President Diana Bennett

**Pledge of Allegiance**

**DISCUSSION OF THE ORDER OF THE AGENDA**

President Miljanich said that, in order to accommodate guest presenters, there was a request to hear item 15-4-4C, Report on Extended Opportunity Programs and Services, following Statements from the Public on Non-Agenda Items. There were no objections from the Board.

**MINUTES**

It was moved by Trustee Mohr and seconded by Trustee Schwarz to approve the minutes of the meeting of July 8, 2015. In the section of the minutes reporting discussion of the strategic plan, after "The Board also discussed increased access for poor and underrepresented populations; the use of outside contractors as it relates to equity and social justice; and the need for clear framing and parameters regarding broader community," Trustee Holober asked that "and the appropriateness of proposed entrepreneurial activities" be added. The motion to approve the minutes as amended carried, all members voting "Aye."

**PRESENTATION TO THE BOARD BY PERSONS OR DELEGATIONS: PRESENTATION OF SEWWUP SAFETY RECOGNITION AWARD FOR THE CAÑADA COLLEGE SOLAR PROJECT (15-7-3C)**

Rick McHale, Vice President at Keenan & Associates, said Keenan is the broker and administrator for the Wrap-Up insurance program, of which the District is a participant. He said that, because of the focus on safety, there were no accidents or injuries connected with the solar project. He presented plaques to Project Manager Peter Hempel of Swinerton Management & Consulting; Project Manager Mike Johnson of Alana Buick & Bers; and José Nuñez, Vice Chancellor of Facilities Planning, Maintenance and Operations.

**STATEMENTS FROM EXECUTIVES**

Chancellor Galatolo said the District had a successful OCIP (owner-controlled insurance program) on the Cañada College Solar Project and on previous projects as well, saving tens of millions of dollars. He said there have now been some creative changes to CCIPs (contractor-controlled insurance programs) and the District is analyzing various options going forward to determine the most cost-effective method for insuring projects. Chancellor Galatolo introduced Jamillah Moore, Interim Vice Chancellor of Educational Services and Planning.

Skyline College Vice President Briones said the Middle College at Skyline College will open in fall 2015. Fifty students have enrolled and that number is expected to double by fall 2016. Eight Skyline College students will participate in an international service learning project in Guatemala which was organized by the District's Study Abroad Program, in collaboration with International Volunteer HQ. The Skyline College Classified Executive Board recently hosted a Classified Staff Professional Development Retreat. Skyline College hosted the Annual Facilities Planning, Maintenance and Operations General Session which recognized the entire Facilities staff at the three Colleges.

College of San Mateo President Claire said he testified before the State Senate Committee on Education regarding two bills on accreditation sponsored by Assemblymember Phil Ting. He said this is an important step because it sends a message to the accrediting commission that if they are not willing to make some simple, common-sense changes, the State Legislature will step in and do so. President Claire said AB 1397 has already passed the Assembly and the Senate Committee on Education and is now proceeding to the Senate Appropriations Committee. Chancellor Galatolo thanked President Claire for his outstanding testimony before the Senate Committee on Education.

Cañada College President Buckley said the College, in partnership with Community, Continuing & Corporate Education, hosted 70 students in the College for Kids program. Engineering Professors Amelito Enriquez and Nicholas Langhoff were presented the Best Paper Award for the Minorities in Engineering Division at the American Society for Engineering Education annual conference. For the third year in a row, Cañada College participated in the Redwood City Fourth of July festivities. The College's float won first place and was awarded \$1,050 in prize money, which has been placed in the Associated Students' scholarship fund. President Buckley thanked the Associated Students for their work, along with Mike Walsh and the Theater Design staff. Trustee Schwarz said the most recent edition of *Spectrum*, a monthly Redwood City magazine, contains several pictures and commendations for Cañada College.

Executive Vice Chancellor Blackwood said the year-end close is in process and is going well. She said she and her team appreciate the help provided by the Colleges. Reporting on recent activities, Executive Vice Chancellor Blackwood said she serves on the Advisory Committee for the Institutional Effectiveness Partnership Initiative (IEPI), which is funded by the State to increase institutional effectiveness in community colleges. She also serves on a Professional Resource Team at Berkeley City College, working with the College on its enrollment management. Executive Vice Chancellor Blackwood said the District will host a training on enrollment management that will be jointly sponsored by the IEPI and ACBO (Association of Chief Business Officials). She, along with Eugene Whitlock, Vice Chancellor of Human Resources and General Counsel and Gregory Anderson, Vice President of Instruction at Cañada College, will serve on a panel as part of the training.

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

None

#### **REPORT ON EXTENDED OPPORTUNITY PROGRAMS AND SERVICES (EOPS) – CAÑADA COLLEGE, COLLEGE OF SAN MATEO AND SKYLINE COLLEGE (15-7-4C)**

Jennifer Hughes, Vice President of Student Services at College of San Mateo, introduced her fellow presenters: Krystal Romero, Director of Student Support Services, College of San Mateo; Lorraine Barrales-Ramirez, EOPS Counselor, Cañada College; Angélica Garcia, Vice President of Student Services, Skyline College; Kim Lopez, Interim Vice President of Student Services, Cañada College; Lizette Bricker, Interim Dean of Counseling, Advising and Matriculation, Cañada College; Aaron McVean, Dean of Planning, Research and Institutional Effectiveness, Skyline College; and Luis Escobar, Interim Dean of Counseling, Advising and Matriculation, Skyline College.

Ms. Romero presented an overview of the EOPS Program, which was established in 1969 by SB 164. Education Code Section 69640 states, "It is the intent of the Legislature that the California Community Colleges recognize the need and accept the responsibility for extending the opportunities for community college education to all who may profit from that education regardless of economic, social, and educational status." The primary goal of the program is to increase outreach, recruitment, enrollment, retention and goal completion of students with language, social, economic and educational disadvantages. The SSSP, TRiO and other programs build on the successful EOPS model.

Ms. Romero said the Cooperative Agencies Resources for Education (CARE) program was established in 1981 by AB 3103. It is a supplemental component of EOPS, providing direct support to EOPS students who are also single heads of household with young children under the age of 14. The goal is to create education that can lead to employment and self-sufficiency.

Ms. Barrales-Ramirez said in order to be eligible for EOPS, students must (1) be enrolled full-time or equivalent; (2) be eligible for the Board of Governors Fee Waiver A, B or C with \$0 EFC; (3) have completed fewer than 70 degree applicable units; and (4) have placed in basic skills math, English, reading or ESL. She said that 26% of San Mateo County households live below the self-sufficiency standard. Students in the CARE program must (1) meet EOPS eligibility criteria; (2) be single, head of household, and at least 18 years of age; (3) have at least one child under the age of 14; and (4) be receiving Temporary Assistance for Needy Families or CalWORKs. Ms. Barrales-Ramirez said that of the 26% of households below the self-sufficiency standard, approximately 57% are single parents.

Dean Escobar said EOPS students receive "Wrap Around Services" in three clusters:

- Student Support – includes having an identified counselor to work with a student throughout the academic year as well as priority registration
- Academic Support – includes progress monitoring and tutoring services
- Financial Support – includes book vouchers and transportation services

Dean Escobar said CARE students receive all of the services provided to EOPS students as well as additional Academic Support, Student Support and Financial Support services. She said EOPS and CARE program strengths include the wide range of Wrap Around Services, knowledgeable and skilled faculty and staff, coordination/collaboration with other college services and programs, and active advisory committees.

Dean McVean said EOPS and CARE are tied to District Strategic Goal #1 concerning increasing student access and success. He said EOPS students outperform non-EOPS counterparts with similar characteristics in all metrics – course completion, Dean’s List recognition, degrees and certificates earned, and transfer rates. He said more detailed comparisons are shown on the documents that were distributed with the board packet.

Vice President Garcia said the number of EOPS students served annually has decreased over the last seven years, largely due to the decrease in categorical funding by the State; she said the State allocation has dropped by 40% during that time period. She said the ideal program structure would (1) serve all eligible students; (2) provide adequate funding for direct services (book vouchers, transportation, grants, food assistance and university tours); (3) provide and maintain adequate staff, including a full-time director and adequate outreach personnel; and (4) provide gathering spaces for students.

Trustee Mohr asked what it would take to include the majority of students who are eligible for EOPS but are not currently participating in the program. Vice President Lopez said funding has been a serious problem. She said a major drawback to serving more students is the lack of full-time directors at the campuses. Ms. Romero said the new increase in funding for categorical programs and COLA increases now provide the opportunity for discussions on how to increase outreach to eligible students.

Trustee Schwarz asked how many students are eligible but are not being served. Dean McVean said it is likely double the number of students who currently participate in the program. He said it is not known how many of these students would become full-time students if resources were available to serve all eligible students. Trustee Schwarz said it is known that many students are able to complete their educational programs because of EOPS. She said she would entertain a conversation about how to enhance the program.

President Miljanich said many students in the District have not benefitted from the improved economy. She also said it is widely believed that being a full-time student increases the likelihood of success; therefore, she believes it is important to have a discussion about how to expand the program. President Miljanich asked if there is a community college that has a model program that can be examined. Ms. Barrales-Ramirez said Title 5 defines what is considered a model program. She said it has been difficult meeting the criteria of the model because of funding issues.

President Miljanich said students being turned away from a program that has proven to be of benefit is of major concern. Vice President Garcia said students who are turned away are often referred to other campus resources such as learning communities and TRiO.

Trustee Mohr said this is an area replete with social justice issues. He noted that foster youth are the most vulnerable population that the District serves; he said offering the EOPS program to all foster youth who are eligible would be an important component of the goal to expand the program.

Trustee Schwarz said the Board appreciates the work of those involved in the EOPS program. She said the Board would like to find ways to help them expand the program and serve more students.

## **NEW BUSINESS**

### **APPROVAL OF PERSONNEL ITEMS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (15-7-2A)**

It was moved by Trustee Holober and seconded by Trustee Mohr to approve the actions in board report no. 15-7-2A. The motion carried, all members voting “Aye.”

### **APPROVAL OF CONSENT AGENDA**

President Miljanich said the consent agenda consists of board reports 15-7-1CA through 15-7-3CA as listed on the printed agenda. It was moved by Trustee Schwarz and seconded by Trustee Mohr to approve the items on the consent agenda. The motion carried, all members voting “Aye.”

## Other Recommendations

### **APPROVAL OF CONTRACT AWARD FOR ASL INTERPRETING SERVICES AND CART TRANSLATION SERVICES (15-7-100B)**

It was moved by Vice President Mandelkern and seconded by Trustee Holober to approve the contract award as detailed in the report. The motion carried, all members voting “Aye.”

### **RATIFICATION OF AGREEMENT WITH THE WESTIN ST. FRANCIS FOR THE SKYLINE COLLEGE CENTER FOR INTERNATIONAL TRADE DEVELOPMENT’S “INTEGRATING GLOBAL TRADE & LOGISTICS AND CYBERSECURITY” (IGTLC) CONFERENCE (15-7-101B)**

It was moved by Trustee Holober and seconded by Trustee Mohr to ratify the agreement as detailed in the report. The motion carried, all members voting “Aye.”

### **AUTHORIZATION AND UTILIZATION OF LAS LOMITAS ELEMENTARY SCHOOL DISTRICT CONTRACT WITH ENVIROPLEX, INC. FOR PURCHASE OF PORTABLE BUILDINGS FOR TEAM ROOMS AT SKYLINE COLLEGE AND CAÑADA COLLEGE (15-7-102B)**

It was moved by Trustee Schwarz and seconded by Trustee Mohr to authorize the contract as detailed in the report. The motion carried, all members voting “Aye.”

### **APPROVAL OF AGREEMENTS FOR DISTRICTWIDE MOVING SERVICES: OFFICE FURNITURE AND EQUIPMENT (15-7-103B)**

It was moved by Trustee Schwarz and seconded by Trustee Holober to approve the agreements as detailed in the report. The motion carried, all members voting “Aye.”

### **APPROVAL OF REVISIONS TO BOARD POLICY 8.06, INVESTMENT OF DISTRICT FUNDS (15-7-104B)**

It was moved by Trustee Holober and seconded by Trustee Schwarz to approve the revisions as detailed in the report. Executive Vice Chancellor Blackwood said she worked with Vice President Mandelkern on updating the policy and used much of the language that is in the County’s investment policy. She consulted with financial advisers to make sure the revised policy is within State regulations. Executive Vice Chancellor Blackwood said more information regarding risk was added, along with clarification about investment instruments. The revised policy also makes clear the District’s priorities in terms of preservation of capital.

Vice President Mandelkern suggested the following changes:

- In the section on investments in commercial paper, (1) include the definition of prime quality and (2) add “or less” to “. . . maturity limited to 180 days.”
- In conjunction with the “Security Description” table, add a statement regarding aggregate limits per issuer and minimum credit ratings.

Executive Vice Chancellor Blackwood said she will make these changes.

Vice President Mandelkern noted that the policy states that shorter-term portfolios should be benchmarked against indices like the 3 month T-bill; he asked if a 3 month or 6 month T-bill is more appropriate. Executive Vice Chancellor Blackwood said she chose the 3 month period because LAIF is generally shorter-term.

Vice President Mandelkern asked if individuals involved in investment activities report certain gifts and income in accordance with the Political Reform Act. Executive Vice Chancellor Blackwood said all those involved are included in the Board policy specifying individuals who must complete the Statement of Economic Interests (Form 700).

Executive Vice Chancellor Blackwood thanked Chief Financial Officer Raymond Chow for helping with the revisions to the policy. Trustee Holober thanked Executive Vice Chancellor Blackwood and CFO Chow, along with Vice President Mandelkern, and said he is pleased that a key objective is preservation of capital. After this discussion, the motion to approve the revisions with the changes noted above carried, all members voting “Aye.”

### **ACCEPTANCE OF CONTRACT TO RETAIN THE SERVICES OF BRIGHTLINE DEFENSE PROJECT TO EXPLORE AND ANALYZE A LOCAL HIRE REQUIREMENT FOR THE DISTRICT’S CONSTRUCTION PROGRAM (15-7-105B)**

It was moved by Trustee Holober and seconded by Vice President Mandelkern to accept the contract as detailed in the report. Trustee Holober thanked Karen Powell, Executive Director of Facilities Planning & Operations, and José Nuñez,

Vice Chancellor of Planning, Maintenance and Operations, for preparing the report. Trustee Holober said the proposed contract includes conducting the research needed to bring back data which would enable the Board to make an informed decision about whether to go forward with developing some sort of requirements. However, he said the contract also includes what he would consider a second phase in which Brightline would “. . . propose a Local Hiring Program for the District and plan for implementation,” Trustee Holober said he does not want to presume that the Board is prepared to act on such a proposal; rather, he believes Board members have questions they would like to have answered before deciding whether a local hire program is feasible.

Ms. Powell said staff’s conversations with Brightline centered on conducting a survey and gathering data to help the Board understand what the opportunities and challenges might be. She said the assumption was that Brightline would offer various options and potential approaches rather than a “take it or leave it” proposal.

President Miljanich said her understanding was that a proposal from Brightline would be directed toward putting a mandated local hire program in place. Vice President Mandelkern said his recollection is that the Board was not ready to make a decision on moving forward with a mandated local hire program but would keep an open mind and have data brought back, such as the number of contractors that may or may not participate in a mandated program, local hiring hall capacity, and whether enough apprentices are available through the TIP program or otherwise. He said staff has reported that it has been difficult to secure such data from the local building trades and contractors. Vice President Mandelkern said he believes the first two tasks listed by Brightline are in line with this type of data gathering. He said he does not believe the Board is at a point of accepting the third task which is to propose a local hiring program and for plan for implementation.

Trustee Mohr said that, with the County unemployment rate at approximately 3%, he believes that looking at a mandated local hire program is off course. He said the Board’s values and mission statements, along with Board goals, make clear that the first responsibility is to advance the interest of the students who are served by the District. He said there are many social justice issues surrounding students, including the number of students living in poverty. He said that expending money to advance the interest of other groups of people is not directly related to the interests of students that the District is bound to serve. Trustee Mohr said he considers this a matter of priorities and of the central mission of the organization. He said he has great respect for the intention of a local hire program but does not believe it is an essential priority of the District.

Trustee Schwarz said the discussion at the July 8<sup>th</sup> study session ended with the majority of the Board agreeing to keep open minds and to seek a proposal from Brightline or another vendor to gather information. She said it is clear to her from Brightline’s proposal and from their prior meetings with the Board subcommittee that their goal is to help the District develop a local hire program, at a beginning charge of \$50,000. She said it might be time for the Board to decide who is in favor of a mandate or who is not.

Trustee Holober said he believes Brightline responded to what they were asked to respond to by staff. He said the result is different than where the Board’s discussion ended, which was a desire to gather more information about facts that could lead the Board to believe a mandatory local hire program cannot be done, can be done on a modest basis, or can be done on a less than modest basis. He said the Board’s direction was not to seek an actual proposal for a local hire program and a plan for implementation. President Miljanich said she asked repeatedly at the study session whether the purpose of going forward with a proposal from Brightline was to create a local hire mandate; she said it was clear to her that this was the point of moving forward. President Miljanich said staff is already working with local union leadership on the TIP program and this does not require any involvement by Brightline.

Trustee Holober said he is not comfortable with the assumption that the Board is ready to move forward with a program but would be interested in the possibility of getting feedback on information that Brightline can gather to help in the decision making process. Chancellor Galatolo said he believes the third task listed by Brightline – to propose a local hire program and plan for implementation – is intended to be a second phase; he said the subsequent activities listed by Brightline include:

- “Within six months, Brightline would produce a local hiring study to be submitted to the Board of Trustees, which would lay the foundation for a local hiring program as directed by the Board.”
- “Pending further action by the Board, Brightline can also assist in creating, passing, and implementing a new local hiring policy from January 2016 to December 2016.”

Ms. Powell said she made it clear to Brightline in her first email and in subsequent conversations that the Board authorized staff to seek a proposal to gather data and analyze the data to see if a local hire program would make sense for the District.

She said she informed Brightline that the Board would like to see a range of options and approaches. However, she said she believes that Brightline has an inherent assumption that the path forward is a mandated percentage.

President Miljanich said she is not in favor of spending \$50,000 to hire Brightline. She said she believes much is already known about the impact of a mandated program on a small governmental entity vs. the City and County of San Francisco. She said she does not believe this is within the core mission of the District. She said she believes it would distract from the core mission and do nothing to benefit underserved students. She said the District has just begun to do work with the TIP program and she supports Trustee Schwarz's concept of bridging work designed to make sure graduates find positions. She said she believes the local unions would support this effort but do not favor a local hire mandate. President Miljanich said she believes a mandated program attempts to shortcut the process of working with students who need to improve the skills and abilities that would enable them to get apprenticeships. She said she is opposed to building a new bureaucracy to monitor compliance related to a local mandate rather than working on educational programs. President Miljanich said she does not believe enough has been done to look at alternatives other than a mandate. She said the real issue might be that Board members do not all agree on the issue of the District imposing hiring requirements.

Vice President Mandelkern said he agrees that \$50,000 is a substantial amount of money that could be spent in ways that would directly impact students. He said \$50,000 is more than he expected the proposal to be. He said he questions spending that amount on something to which he is not sure the Board is committed. Vice President Mandelkern suggested asking Brightline if there is a way to have either a lower cost or a phased version so that the Board can see some initial data. Ms. Powell said she asked Brightline if there is a more economically efficient way to secure the data; she was informed that the cost cannot be modified because the research and survey are very time intensive.

Vice President Mandelkern said his recollection is that with previous bond measures, the Board had a goal of promoting local hire or apprenticeship programs on a voluntary basis; he asked Trustee Holober if this is his recollection as well. Trustee Holober said that the bond measure of ten years ago, the Board started down the same path, with internal discussions and some discussions with the building trades. He said the obstacles raised at that time are the same as those being raised now and the Board tried to work through fact vs. myth. He said he believed that seeking assistance from an entity with expertise could provide data that would allow the Board to see if a local hire program is something they would like to pursue. Trustee Holober said a voluntary program never moved forward because it was not incorporated into anything. Chancellor Galatolo said the District was met with great resistance by the local building trades which were concerned about leapfrogging and pulling people out of hiring halls. He said it has been difficult to secure data from the building trades. He said that a proposal from Brightline was seen as an option to get data from an independent body.

Trustee Schwarz said apprenticeship programs all have rules as to how they move participants through their systems and she does not believe this will change. She said she believes the only way to get a percentage of locally hired people is through a mandate. She said she would like to see the District employ locally hired people but is not comfortable with mandates. Trustee Schwarz said the Colleges give students opportunities to get an education but do not mandate that they work in a specific field if they complete a certificated program. She said she believes that mandates are not within the boundaries of what the District should be doing. She said she would like to see more work being done in conjunction with the TIP program.

Vice President Mandelkern said he hopes that if the proposed contract from Brightline is not approved, discussions will continue about what can be done through a PLA, reinforcing the TIP program, etc. to support the community. He noted that unemployment in the County is low but there are pockets of poverty where construction jobs that pay well could help.

Trustee Mohr said the intention of a local hire program involves a sensibility that the Board should not let go of. He said the District is in the business of bettering the lives of people and should be more engaged in creating educational pathways that lead to employment.

President Miljanich called for a vote on the motion to retain the services of Brightline. The motion failed, with Trustee Holober voting Aye and Vice President Mandelkern, President Miljanich, Trustee Mohr and Trustee Schwarz voting No.

Trustee Schwarz said she would like to continue the discussion about the TIP program. Chancellor Galatolo said this will be a study session topic or information report so that staff can get direction from the Board on how they would like to proceed. Trustee Holober said he has heard clearly that the Board wishes to focus only on things that are part of the core educational mission. He said this will inform his thinking on many proposals that will be brought forward in the future.

## **INFORMATION REPORTS**

### **DISCUSSION OF PROGRAM LABOR STABILIZATION AGREEMENT (15-7-5C)**

President Miljanich said this item is on the agenda because at the last meeting, the PLA was discussed as though there was an assumption it would be renewed and perhaps amended. She said the Board is different than when the PLA was initially approved and it is appropriate to have a broader conversation before making a decision at a future time.

Trustee Holober said he skimmed the studies that were included with the board report. He said that, like most academic research studies, they contain conflicting information and opinions and, therefore, might be interesting but not of great importance.

Vice Chancellor Nuñez said he is concerned about the costs associated with a PLA as well as the escalating construction costs in the County.

Trustee Mohr said there are two overarching matters that governing board members should consider: (1) how actions taken advance the interests of students and the presentation of curriculum and (2) protecting fiduciary responsibility by stewarding well and acting prudently with the funds provided by the community. He said PLAs have served districts well in many places; however, in the current environment, it is important to discover what the additional costs are likely to be before determining if a PLA would meet the overarching matters listed above. He recalled that Vice Chancellor Nuñez said at an earlier meeting that the \$388,000,000 bond approved by voters is not enough to complete all of the construction projects that were identified to advance the educational mission. He said additional costs due to having a PLA might reduce the advancement of the mission even further.

Trustee Schwarz said she did not realize the issue of whether to have a PLA was in question. She said the District adopted a PLA in the past and she has heard from many people that it has served the District well. She said that being able to have jobs done well and on time saves money. She said she is not opposed to discussing amending the PLA if appropriate but knows that she is in favor of continuing to have a PLA.

Trustee Holober said this is a politically charged issue. He said the first study included with the board report was funded by the Associated Builders and Contractors which is a non-union trade association which opposes PLAs. He said he believes it is worthwhile to conduct a comprehensive evaluation of economic conditions, particularly as the District gets closer to awarding contracts. He said there are many conditions that affect the cost of construction and assumptions have been made that may no longer be applicable. For instance, he said he questions the assumption that design/build should be the delivery method because he believes the environment is such that more competition might save money.

President Miljanich asked about the timing for going out to bid on construction projects. Chancellor Galatolo said discussions with partners offering Construction Manager at Risk, Design/Build and Lease/Leaseback methods, along with lowest responsive bidders, should begin within the next three to four months.

Vice President Mandelkern said he is surprised that the issue of the PLA is being brought forth at this time. He said he believes the PLA has served the District well through CIP1 and CIP2. He said he sees the sense of pride of local workers who use the facilities they helped build. He said he believes a PLA will continue to serve well as the District embarks on CIP3. He said he is not opposed to discussing appropriate modifications to the PLA.

President Miljanich said the issue of a PLA is being brought forth at this time because the makeup of the Board is not the same as when the initial PLA was approved and, therefore, it is appropriate to have a new discussion.

Trustee Mohr said there is much evidence that PLAs have been positive and constructive. However, he said it is the duty of the Board to examine the cost of discharging the public's money. He said he believes it is reasonable to ask how escalating costs would be connected or not connected with the imposition of a PLA.

Ms. Powell said that Bill Nack, former Business Manager of the Building and Construction Trades Council of San Mateo County, was a tremendous partner and helped generate competition in order to get favorable pricing. She said she is confident that the relationship will continue with James Ruigomez, current Business Manager/Executive Director of the San Mateo County Building and Trades Council.

Mr. Ruigomez said he represents 16,000 highly skilled men and women in the construction industry in San Mateo County who appreciate working on District projects. With regard to a local hire program, Mr. Ruigomez said it is difficult to hire people because of their zip codes rather than their skill sets. He said it is inconclusive whether a PLA increases costs. He said that without a PLA, the quality of work is often inferior and work has to be redone, costing a great deal of money. Mr. Ruigomez said a PLA is on target with the mission of social justice as it makes sure workers receive a fair wage. He said that, in doing so, workers take great pride in their work and deliver projects on time and on budget. He said he is eager to negotiate a PLA with the District.

Chancellor Galatolo said staff needs clarity from the Board regarding which projects will be included in a PLA, the nature of what will be included in the PLA, and incorporation of some flexibility in terms of trying to increase the number of respondents.

Trustee Mohr suggested that staff investigate what the cost of a PLA would be in the present environment, as well as the possibility of including flexibility so that if costs soar to a certain point, some other means will be open to the District.

Trustee Holober said he would like to discuss a comprehensive approach regarding how the \$388 million will be spent. He said there are many facets in addition to whether a PLA will increase costs, including consideration of whether this is the right time to commence construction vs. putting it on hold for a period of time. Trustee Holober said that if decisions are to be driven by economizing in order to maximize dollars for students, other areas such as green building goals might need to be reconsidered.

Vice President Mandelkern asked if a prospective housing project at Skyline College would be included in a PLA. He noted that the College Vista and Cañada Vista projects were not included in the PLA and the only labor disruption the District experienced was on the Cañada Vista project. Chancellor Galatolo said the housing projects were not included in the PLA because of the nature, subject and magnitude of the projects. He said “stick projects” are traditionally non-union. He said 94% of the work on Cañada Vista was union and 6% was non-union; the 6% caused the protest that occurred. Chancellor Galatolo said all projects included in the \$388 million bond would be PLA projects. He said the potential housing project at Skyline College is not now included as a PLA project but the Board would decide whether to include it.

President Miljanich said she is concerned about the possibility of delaying the commencement of construction. She said it was made clear to the voters who approved the bond that the needs were immediate. Chancellor Galatolo said experts in the industry have indicated that there is a  $\pm$  26 month backlog of construction projects. He said it could be wise to delay construction by two years when there might be available resources and increased competition. However, he said there is also a risk that the construction boom will continue and costs could escalate even more. President Miljanich said it is also a risk of harming the public’s opinion after a campaign that stressed the fact that these are critical needs. She said if a decision is made to delay, the reasons should be made very clear to the community. Vice President Mandelkern agreed that needs were identified on the campuses and were conveyed to the community. He said he believes projects should be prioritized to make sure that projects connected with the core educational mission come first. Chancellor Galatolo said prioritization is taking place; for instance, the project to expand the Health and Wellness Center at College of San Mateo has already been scrapped.

Chancellor Galatolo thanked the Board for their guidance. He suggested that staff work with the local trades to get construction cost estimates, particularly mechanical, electrical and plumbing costs, and bring the estimates back to the Board to aid in making informed decisions.

### **THIRD QUARTER REPORT OF AUXILIARY OPERATIONS, 2014-15 (15-7-6C)**

Trustee Holober said the report shows that there has been a net income from the San Mateo Athletic Club (SMAC) and Aquatic Center which has not been returned to the general fund but is increasing the reserves of SMAC. He said that at the time of the last audit, it was reported that a vast majority of net income was being banked for future costs of maintaining the pool. He asked if the report presented tonight reflects this and, if not, why the income has not been returned to the general fund. Chancellor Galatolo said Trustee Mohr raised this issue at an earlier meeting and suggested that the Board should have more active involvement and direction in how money from enterprise operations is used. Chancellor Galatolo suggested that this be a regular item on the agenda for the Board’s annual retreat; each year staff will bring a report on revenues and the Board will be asked to provide direction on how the funds should be utilized. Trustee Mohr said Chancellor Galatolo stated his point correctly. He said this is not a discretionary fund; it is money that comes out of the enterprise that results in the District having additional revenue. He said it is the business of the Board to direct utilization of resources that are generated not only by SMAC but other enterprise operations as well. Vice President Mandelkern noted

that funds were provided to support Jazz on the Hill and the Skyline College President's Innovation Fund. He said these are worthwhile programs but asked if these are the types of expenditures that will be decided by the Board. Chancellor Galatolo said they will. Trustee Holoher said he believes it is appropriate to earmark revenue sources for specific programs. However, he said it appears that there is a banking of all revenues and this is not good practice. He said revenues that are in excess of funds needed for equipment maintenance should be returned to the general fund.

### **COMMUNICATIONS**

President Miljanich said that since the last meeting, the Board received an email from a fisherman at Pillar Point Harbor regarding issues with the Harbor Commission.

### **STATEMENTS FROM BOARD MEMBERS**

Student Trustee Bajwa said he is preparing a comprehensive report to students on items from the last several Board meetings. He will bring back to the Board any comments or questions the students have.

Trustee Mohr welcomed Vice Chancellor Moore to District and to the important role she is filling. He said AB 288 is in the State Senate; this bill would allow high school students other than seniors to take up to 15 units at community colleges; Trustee Mohr said this would open pathways to underrepresented student populations. Trustee Mohr said he is pleased to see College for Kids operating successfully at Cañada College.

Vice President Mandelkern welcomed Vice Chancellor Moore and said he looks forward to working with her.

President Miljanich welcomed Vice Chancellor Moore to the District and said she is excited to have her join the District. President Miljanich said she will be unable to attend the Board meeting on August 12 and requested that Vice President Mandelkern chair the meeting.

Trustee Schwarz said she enjoyed "The Sky Tonight" Planetarium Show at College of San Mateo and reminded those present that this event is held on the second Friday of each month. She also enjoyed the Classified Appreciation Lunch and Service Awards Ceremony at College of San Mateo.

### **RECESS TO CLOSED SESSION**

President Miljanich announced that during Closed Session, the Board will hold a conference with Labor Negotiator Eugene Whitlock; the employee organization is AFT. The Board will also hold a conference with legal counsel regarding one case of anticipated litigation as listed on the printed agenda.

The Board recessed to Closed Session at 9:05 p.m. and reconvened to Open Session at 9:40 p.m.

### **CLOSED SESSION ACTIONS TAKEN**

President Miljanich reported that at the Closed Session just concluded, the Board took no action.

### **ADJOURNMENT**

It was moved by Vice President Mandelkern and seconded by Trustee Schwarz to adjourn the meeting. The motion carried, all members voting "Aye." The meeting was adjourned at 9:42 p.m.

Submitted by

Ron Galatolo  
Secretary

Approved and entered into the proceedings of the August 12, 2015 meeting.

Dave Mandelkern  
Vice President-Clerk