

**Minutes of the Regular Meeting of the Board of Trustees  
San Mateo County Community College District  
April 25, 2018, San Mateo, CA**

**The meeting was called to order at 5:00 p.m.**

**Board Members Present:** President Richard Holober, Vice President Maurice Goodman, Trustee Dave Mandelkern, Trustee Thomas Mohr, Trustee Karen Schwarz

**ANNOUNCEMENT OF CLOSED SESSION ITEMS FOR DISCUSSION**

President Holober said that during closed session, the Board will (1) hold a conference with legal counsel regarding three cases of existing litigation and one case of potential litigation as listed on the printed agenda, (2) hold a conference with labor negotiators as listed on the printed agenda, and (3) ratify January and February 2018 confidential District warrants.

**STATEMENTS FROM THE PUBLIC ON CLOSED SESSION ITEMS ONLY**

None

**RECESS TO CLOSED SESSION**

The Board recessed to Closed Session at 5:02 p.m.

**RECONVENE TO OPEN SESSION**

The Board reconvened to Open Session at 6:00 p.m.

**Board Members Present:** President Richard Holober, Vice President Maurice Goodman, Trustee Dave Mandelkern, Trustee Thomas Mohr, Trustee Karen Schwarz, Student Trustee Alfredo Olguin Jr.

**Others Present:** Chancellor Ron Galatolo, Executive Vice Chancellor Kathy Blackwood, Skyline College President Regina Stanback Stroud, College of San Mateo President Michael Claire, Cañada College President Jamillah Moore, District Academic Senate President Leigh Anne Shaw

**PLEDGE OF ALLEGIENCE**

President Holober announced that President Moore has requested that this meeting be adjourned in memory of Maxwell Vincent, a Cañada College student who tragically died in an automobile accident. The Board agreed to do so.

**REPORT OF ACTION TAKEN DURING CLOSED SESSION**

President Holober said that during closed session, the Board voted unanimously to ratify the confidential District warrants.

**DISCUSSION OF THE ORDER OF THE AGENDA**

President Holober said there is a request to have Item 18-4-5C, Discussion with Collective Bargaining Units to Explore the Possibility of Engaging in Pre-Sunshining Discussions, be the first item discussed under Information Reports. The Board agreed to this request.

**MINUTES**

It was moved by Trustee Schwarz and seconded by Trustee Mohr to approve the minutes of the meeting of March 28, 2018. The motion carried, all members voting Aye.

It was moved by Trustee Mandelkern and seconded by Trustee Mohr to approve the minutes of the Board Retreat of April 7, 2018. The motion carried, all members voting Aye.

**STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES**

Chancellor Galatolo called on Aaron McVean, Interim Vice President of Planning, Research and Institutional Effectiveness, to make an announcement. Vice President McVean said the District submitted a grant application for a Higher Education Innovation Award for expansion of the College Promise Program across the District. He said he

received notification from the State Chancellor's Office that the District was successful in its application and will receive an award. The exact amount of the award will be announced soon and will be in the millions of dollars. Chancellor Galatolo congratulated Vice President McVean and the College Presidents, who worked collaboratively on the application. Executive Vice Chancellor Blackwood said this funding will help the District budget.

College of San Mateo President Claire announced that Project Change has been selected as a Kent Award winner.

Cañada College President Moore said the Cañada College Radiologic Technology Program earned a California Community Colleges' Strong Workforce Gold Star award.

District Academic Senate President Shaw said she is excited because at this meeting, many wonderful faculty members are being recommended to join the full-time ranks.

President Shaw said four faculty members attended the Institute for Equity in Faculty Hiring at Community Colleges sponsored by the Center for Urban Education. She said it was a powerful and transformative experience which has already resulted in discussion and action on increasing diversity. President Shaw said the Academic Senate for California Community Colleges held their State Plenary on April 12-14, at which Chancellor Galatolo, Executive Vice Chancellor Blackwood and President Stanback Stroud led a breakout session on the new state budget model. She said Senate members were strongly encouraged to reach out to legislators regarding problems with the budget model. She said Senate members would be interested in talking with the on this item.

President Shaw said the Academic Senate approved bylaws that will change their election cycle from two years to three years, with one year being served as president-elect, one as president and one as past president. The Senate also reviewed comments made by President Shaw on September 13, 2017 to assess the status of healing and transformation of the campus cultures. President Shaw said there is a standing agenda item for Academic Senate meetings titled Equity Matters.

Luis Méndez, President of the Associated Students of Cañada College (ASCC), along with Vice President Raghad AbdAlJawad, presented the student report. They discussed ASCC initiatives, including:

- Transportation Initiative – the Student Senate provided 4,500 discounted rides in spring 2018.
- Meal Subsidies Program – the Student Senate, in partnership with SparkPoint and the Bookstore, provided more than 350 discounted meals to students in spring 2018.
- Game Room Initiative – with its investment in new “de-stress” equipment, there was a seven percent increase in student usage.
- Canvas - the ASCC worked with the Learning Center on issues with Canvas and created a Canvas survey.

Mr. Méndez and Ms. AbdAlJawad highlighted spring 2018 events which included Black History Month, with speaker Dr. Daina Berry; Sexual Harassment Awareness, with campus-wide training provided by District Director of Policy, Training and Compliance Mwanaisha Sims; an Awareness Summit on Housing, Food and Transportation, with one Senate member participating on each panel; and Earth Day, in partnership with Peninsula Clean Energy and District Sustainability.

Mr. Méndez and Ms. AbdAlJawad said student leaders attended the American Student Association of Community Colleges conference, at which they learned about advocacy and met with Congresswomen Anna Eshoo and Jackie Speier and a representative from Senator Diane Feinstein's office.

Mr. Méndez said he will be graduating at the end of this semester and will be transferring. Ms. AbdAlJawad will be the new District Student Trustee. The new student body president for Cañada College will be Johnny Yang who is currently a Senator. Mr. Méndez said this has been an amazing year full of ups and downs. He said he learned about decision-making and how to deal with adversity. He said he appreciates the guidance and support of Misha Kealoha, Student Life and Leadership Manager.

Ms. AbdAlJawad invited the Board to attend the Leadership Awards ceremony on May 4 from 2:00 to 3:30 p.m.

Chancellor Galatolo wished Mr. Méndez well and thanked him for his work at Cañada College. He said he looks forward to working with Ms. AbdAlJawad.

Student Trustee Olguin congratulated Mr. Méndez and Ms. AbdAlJawad. He thanked Ms. Kealoha for the hard work she does and noted that the ASCC functions well.

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

Isin al-Otat said she graduated from Cañada College last year. She said she has a complaint against President Moore, Ms. Kealoha and the Commencement Committee for revoking her invitation to give the salutatory speech at the 2017 commencement for what she believes was a political reason. She said this is still hurtful to her and she has spoken to the Daily Journal about it. President Holober said the complaint will be referred through the appropriate channels. Trustee Mandelkern asked that the Board receive a report after the investigation.

#### **NEW BUSINESS**

#### **APPROVAL OF PERSONNEL ITEMS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (18-4-2A)**

It was moved by Trustee Mohr and seconded by Trustee Mandelkern to approve the items in board report 18-4-2A. The motion carried, all members voting Aye.

#### **RE-EMPLOYMENT OF CONTRACT AND REGULAR FACULTY FOR THE 2018-19 ACADEMIC YEAR (18-4-3A)**

It was moved by Vice President Goodman and seconded by Student Trustee Olguin to approve the re-employment of faculty as detailed in the report. The motion carried, all members voting Aye. Trustee Mohr congratulated the faculty members who are advancing to tenure. He said it is a great honor to be recognized by one's peers. Student Trustee Olguin said it is wonderful that the faculty members are being advanced. President Holober said he is pleased to see the large number of faculty members being promoted this year.

#### **APPROVAL OF CONSENT AGENDA**

President Holober said the consent agenda consists of board reports 18-4-1CA through 18-4-4CA as listed on the printed agenda. It was moved by Vice President Goodman and seconded by Trustee Schwarz to approve the items on the consent agenda. The motion carried, all members voting Aye.

#### **Other Recommendations**

#### **APPROVAL OF THE THIRD AMENDED MASTER AGREEMENT BETWEEN THE SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT AND SAN MATEO COUNTY COMMUNITY COLLEGES FOUNDATION (18-4-100B)**

It was moved by Trustee Mohr and seconded by Trustee Mandelkern to approve the Agreement as detailed in the report. Sapna Singh, Chair of the Foundation Board of Directors, confirmed the Foundation's commitment to work with the District to fulfill the promises being made to students.

Tykia Warden, Interim Executive Director of the Foundation, introduced Anthony Djed, Business Manager, and Prusela Phillips, Alumni Relations Manager.

Ms. Warden provided a three-year perspective on Foundation financials. She noted that FY 2018 is not yet ended and the financials show the results as of the third quarter. She said that this fiscal year, the Foundation is on track to distribute more funds for scholarship and program support than in FY 2016 and 2017, while spending less money on operations expenses than in previous years. The District's return on investment has also become more efficient; for every dollar spent on Foundation salaries and benefits in 2018, the District reaps \$3.00. Donations for FY 2018 are currently at \$2.5 million and are projected to exceed the previous year's donations. Investment income is highly volatile and depends on the skill of the investment manager and overall market conditions. There was a substantial gap in investment income between FY 2016 and FY 2017, with an unrealized loss of approximately \$930,000 due to investment strategies. The Foundation is in the process of soliciting investment managers in order to secure a better return. The Endowment Fund is currently close to \$21 million and \$1.4 million has been raised in the past eleven months.

Ms. Warden said the Foundation Board of Directors adopted a Strategic Plan with three major goals:

1. Raise at least \$25 million by 2023.

2. Increase awareness within the community.
3. Manage resources to improve the Foundation's ability to achieve long-term strategic goals.

Ms. Warden said the Foundation has established new initiatives to raise funds for scholarships and programs; these include: increasing the annual campaign to twice a year; cultivating alumni, faculty and staff toward becoming major gift and planned giving donors; creating a Corporate Council-Advisory Board of County companies; initiating family and corporation grant applications; and strengthening the planned giving strategy. In addition, the Foundation will sponsor County events and will provide emergency funding for students and programs.

Ms. Warden said the strategic direction of the Foundation includes new initiatives for cultivation and stewardship of current donors and outreach to new donors. The initiatives include increasing donor recognition; a new website; the Foundation's annual report; and the Foundation's internal newsletter.

Ms. Warden said the Foundation team has reached out to the community to increase awareness about its mission and purpose. The team is involved with service organizations such as Upward Scholars, Rotary and Chambers of Commerce. Ms. Warden was recently appointed to serve on the Sequoia Hospital Board.

Ms. Warden thanked the Foundation Board of Directors for their commitment, including Board of Trustees members Karen Schwarz and Tom Mohr.

Trustee Mohr said that at the Board of Trustees meeting of March 8, 2017, the Board requested that the Foundation address the following four elements: (1) enhancement of the Foundation Board of Directors, (2) more community engagement, (3) a strategic plan with definite goals, and (4) accountability. He said all of these elements have been addressed since that time.

Trustee Mandelkern thanked Trustee Mohr and Trustee Schwarz for their service on the Foundation Board and said their presence makes him confident in the proposed revised Master Agreement.

Trustee Mandelkern asked what the composition is of the Foundation's Executive Committee. Ms. Warden said the Executive Committee consists of the Foundation Chair, Vice Chair, Treasurer and Secretary, along with the two District Board of Trustees members.

Trustee Mandelkern asked if the goal to raise \$25 million by 2023 is cumulative or an annual goal. Ms. Warden said it is a cumulative goal. She said the Foundation is now averaging \$3 million per year and wants to increase the amount raised to \$5 million per year.

Trustee Mandelkern said many colleges and universities use the concept of raising funds for specific endowed professors or programs and he asked if this strategy has been considered. Ms. Warden said she relies on the leadership of the Chancellor and College Presidents when setting fundraising initiatives. Trustee Mandelkern suggested that they consider this strategy.

Trustee Mandelkern complimented Ms. Warden on the ongoing series of posts on social media. He said the stories of distinguished alumni have been particularly well done. He also complimented Ms. Warden on her work as Interim Executive Director of the Foundation. He said the increase in the Foundation's involvement in events and its increased communications have been outstanding. Trustee Mandelkern asked about the status of the search for a permanent Executive Director. Ms. Singh said the hiring process is in place but the Board of Directors wanted to have the Master Agreement in place before moving forward. She said that after approval of the Master Agreement, she hopes to complete the hiring process within two months.

Trustee Schwarz said she believes the Foundation has moved forward in a positive manner due to a process of research, listening and leadership. She said she believes the Foundation is using the District's support wisely. She said there is a long-term goal that the Foundation be self-sufficient and she appreciates that the Foundation will work in that direction. Trustee Schwarz said the next step will be to hire a permanent Executive Director.

Trustee Mohr thanked Ms. Warden for presenting a fiscal analysis. He said this has never been done before and it informs the District about what is being done with its investment. Trustee Mohr said Ms. Warden has brought vitality

and leadership to the Foundation. He said the process of crafting the Master Agreement has been solid and incorporates the Foundation's Strategic Plan.

President Holober thanked everyone involved in the process and particularly acknowledged the leadership of Trustee Schwarz and Trustee Mohr. He said the revised Master Agreement is the result of taking stock of where the Foundation has been and where it is going. President Holober said the goals outlined by Ms. Warden are very ambitious and would be a tremendous achievement.

President Holober noted that the revised Master Agreement does not include renewal and termination dates but references a review date before the end of five years. He said he believes the Board should consider this to be a renewal/change date and should start looking at potential changes before the end of the five-year period.

After this discussion, the motion to approve the Third Amended Master Agreement carried, all members voting Aye.

**APPROVAL OF SOLE SOURCE SERVICES AGREEMENT BETWEEN SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT AND STRATEGIC ENERGY INNOVATIONS (18-4-101B)**

It was moved by Vice President Goodman and seconded by Trustee Mohr to approve the Agreement as detailed in the report. The motion carried, all members voting Aye.

**AUTHORIZATION TO AUGMENT THE DESIGN-BUILD CONTRACT FOR CAÑADA COLLEGE BUILDING 23N NEW SCIENCE AND TECHNOLOGY PROJECT (18-4-102B)**

It was moved by Trustee Schwarz and seconded by Trustee Mandelkern to authorize the augmentation as detailed in the report. Trustee Schwarz said the amount of the augmentation is large but she recognizes that it is a sign of the times in the construction industry.

Trustee Mandelkern said he understands why costs have increased. However, he said that there are limited sources of funds and he asked if some projects will be taken off the table or if there might be alternative or additional sources of funding. José Nuñez, Vice Chancellor of Facilities Planning, Maintenance and Operations, said he is confident that all projects now underway can be completed. He said other projects will not be undertaken until costs can be determined and sufficient funding is available. Chancellor Galatolo said the District has submitted some projects to the State but they would require matching funds from the District. He said the Governor is not releasing the funds now. If and when they are released, it is hoped that the District can develop contingency plans, such as a COP, in order to proceed with the projects.

President Holober said that in addition to approving the augmentation due to escalating costs, the request includes an expanded scope of the project. He asked if the scope of a project could be anticipated earlier and included at the time the project is brought to the Board for approval. Chancellor Galatolo said the expanded scope includes smaller projects that were included in the Master Plan. He said they can be done at a lower cost when connected with the larger project because they are close in proximity and the contractors are already mobilized and on site.

After this discussion, the motion carried, all members voting Aye.

**AUTHORIZATION TO AUGMENT THE DESIGN-BUILD CONTRACT FOR SKYLINE COLLEGE BUILDING 12N ENVIRONMENTAL SCIENCE PROJECT (18-4-103B)**

It was moved by Vice President Goodman and seconded by Trustee Mandelkern to authorize the augmentation as detailed in the report. The motion carried, all members voting Aye. Vice Chancellor Nuñez introduced Erin Allred of XL Design-Build LLC.

**APPROVAL OF CONTRACT AWARD FOR SKYLINE COLLEGE BUILDING 14 LOMA CHICA / CHILD DEVELOPMENT CENTER RENOVATIONS PROJECT (18-4-104B)**

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

**APPROVAL OF CONTRACT AWARD FOR COLLEGE OF SAN MATEO BUILDINGS 2, 3, 4, 4A ROOF REPLACEMENT (18-4-105B)**

It was moved by Trustee Schwarz and seconded by Trustee Mandelkern to approve the contract award as detailed in the report. The motion carried, all members voting Aye. Trustee Schwarz noted that the roofs were originally replaced in 1996. Vice Chancellor Nuñez said the roofs have performed well and this is scheduled maintenance.

**ACCEPTANCE OF GRANT FROM THE COUNTY OF SAN MATEO AND ALLOCATION OF FUNDS FOR IMPROVING AND EXPANDING THE DISTRICT'S MODEL ZERO WASTE PROGRAM DISTRICTWIDE (18-4-106B)**

It was moved by Trustee Mohr and seconded by Trustee Schwarz to accept the grant and allocate funds as detailed in the report. In response to a question from Trustee Schwarz, Vice Chancellor Nuñez said the matching funding will come from energy efficiency funds. After this discussion, the motion carried, all members voting Aye.

**ADOPTION OF RESOLUTION NO. 18-12 REGARDING BOARD ABSENCE (18-4-107B)**

It was moved by Trustee Schwarz and seconded by Trustee Mandelkern to adopt Resolution No. 18-12. The motion carried, with Vice President Goodman abstaining and all other members voting Aye.

**INFORMATION REPORTS**

**DISCUSSION WITH COLLECTIVE BARGAINING UNITS TO EXPLORE THE POSSIBILITY OF ENGAGING IN PRE-SUNSHINING DISCUSSIONS (18-4-5C)**

President Holober said this item was raised by the Board recently. He said the Board believes it is good to communicate and that prior to entering into formal negotiations, it might be valuable and productive to discuss the broader goals of both sides regarding items such as the success of the District, success of students, and running a high performing institution that honors and rewards its hard-working employees. He said that years ago, joint bargaining training by a third party was held and this could be something to consider. President Holober said the contracts will not expire for more than a year. He said that if discussions are started early, there will be more time to ensure that negotiations can be concluded before the contracts expire, which the Board believes is good practice.

Bargaining unit representatives who were present introduced themselves:

John Cuevas, AFSCME President  
 Annette Perot, CSEA Chapter President  
 Chris Weidman, Chief Negotiator for CSEA  
 David Wood, CSEA Labor Relations Representative  
 Dan Kaplan, Executive Secretary, AFT Local 1493

Mr. Kaplan said Monica Malamud, who is the AFT president and a member of the negotiating team, teaches on Wednesday nights and is not able to be present. He said Joaquin Rivera, who has been AFT's chief negotiator for many years, had a prior commitment. Mr. Kaplan said AFT welcomes the opportunity to have a dialogue with the Board. He said this is a new way to keep the lines of communication open. He said the Board will have the opportunity to hear about AFT's interests and priorities before the beginning of the bargaining process and this will be more transparent for all involved. He said he believes this can improve fairness because the Board usually hears only from District negotiators in closed session. Mr. Kaplan said that years ago, the District and AFT went through interest-based bargaining; he said he does not believe this process works well when negotiating financial terms.

Mr. Cuevas said he will take this information back to AFSCME members and collaborate to see what they can do. President Holober said he recognizes that each bargaining unit will have to confer with their membership in order to be able to state their goals and issues.

Mr. Wood commended the Board for its decision to be transparent. He said there is not a lot of time to talk to CSEA members or look into CSEA policies to determine whether they can share interests through this process. He said he is open to exploring interest-based bargaining but it is a complicated process and ground rules are often not followed correctly. He said some items are better dealt with through traditional bargaining and he believes it might be possible to move back and forth between the two methods. Regarding holding discussions at the May meeting, Mr. Wood said he will report back after having examined CSEA policies and determining the interests of CSEA members.

Trustee Mohr suggested that to get the conversation started, the bargaining units could convey to the Board their priorities regarding conditions that impact their work and what they would like to see the District invest in that would ameliorate working conditions.

Trustee Schwarz said it is important to find out if the bargaining units would prefer to hold the discussions with all three units present at one meeting or if they would prefer to do so at separate meetings. Mr. Kaplan said he would prefer to have separate meetings for each unit. Chancellor Galatolo suggested that the discussion with AFT be scheduled for the May 16 meeting because faculty leave for the summer. Mr. Kaplan said a survey of faculty is always conducted prior to creating negotiating proposals and this takes time; however, since the discussion with the Board will be preliminary, he said a formal survey might not be necessary before the meeting.

Trustee Schwarz asked if AFSCME and CSEA are agreeable to individual meetings. Mr. Cuevas said he does not foresee any problems but would like to discuss it with the business agent. Mr. Wood said separate meetings are acceptable but asked that the CSEA meeting not be scheduled for the June 27 meeting.

President Holober said he spent most of his career in the labor movement and knows that the three bargaining units are very progressive. He said the District thinks of itself as being progressive as well and has equity, social justice and economic justice as part of its mission. He said these values have been the mission of the bargaining units for a very long time. President Holober said he believes the District and the bargaining units are close to being in accord on goals and values. He said the question is how to make it work when it comes to issues at the classroom and individual levels.

Trustee Mohr said the District and the bargaining units need to understand each other's interests and goals and this cannot happen without communicating with one another. He said intentions are always good but understanding each other's intentions is even better.

Trustee Mandelkern said bargaining unit representatives represent organizations that are valued partners with the District and the District could not accomplish the great things it does without their help. He said he looks forward to the conversations and hopes Mr. Wood will be able to see his way clear for CSEA to participate.

President Holober said staff will wait for each bargaining unit to go through their internal processes and follow up to schedule meetings when key participants are available.

#### **PUBLIC SAFETY STUDY UPDATE: DISTRICT COMMUNITY FEEDBACK, ADDITIONAL DATA AND IMPLEMENTATION ALTERNATIVES (18-4-2C)**

President Holober thanked José Nuñez, Vice Chancellor of Facilities Planning, Maintenance and Operations, and his team for addressing questions raised by Board members at previous meetings.

Vice Chancellor Nuñez acknowledged Ed Barberini, San Bruno Chief of Police; Susan Manheimer, San Mateo Chief of Police; and Carlos Bolanos, San Mateo County Sheriff. He said they have been helpful in developing the implementation alternatives that will be discussed during this presentation. Vice Chancellor Nuñez also acknowledged Bill Woods, Director of Public Safety; Mitchell Bailey, Chief of Staff; Aaron McVean, Interim Vice President of Planning, Research and Institutional Effectiveness; Kathy Blackwood, Executive Vice Chancellor; and Arlene Calibo, Facilities/Public Safety Business Manager.

Vice Chancellor Nuñez said there was extensive stakeholder outreach on the Public Safety Study, with more than 400 faculty, staff and students participating in briefings and public forums. Stakeholder feedback indicated agreement with the preliminary staff recommendation to reject moving to a sworn and armed police force; a desire to have Public Safety officers be more engaged in the campus community; and a desire to personally be more aware of public safety practices and protocols. There were reports that there are locations at some areas of the campuses where alarms and audible notifications cannot be heard. There were also questions regarding the response times from local law enforcement partners.

Vice Chancellor Nuñez discussed crime statistics for the District, Bay Area community college districts, and Bay Area public universities and concluded that the District has very safe campuses. He compared the safety models of schools that have suffered active shooter incidents. He said that whether the model includes armed or unarmed officers, the extraordinary can happen and lives can be lost. He provided updated information on select Bay 10 college-level safety models, showing five colleges that have hybrid models and three that have unarmed models.

Mr. Woods outlined four Public Safety alternatives to having sworn and armed officers and provided the approximate cost to the District associated with each model:

1. Contracted Policing (\$2 million-\$2.5 million) – would operate as a full-service police department. The District received proposals for this model from the three local law enforcement agencies.
2. School Resource Officer (SRO) (\$600,000-\$800,000) – an officer would be devoted to a campus and would be part of the community. The District would be intimately involved in selecting the officer. This model is utilized at all San Mateo County high schools.
3. Non-sworn officers who are permitted to carry firearms (\$800,000-\$900,000) – the District Public Safety Department would continue to be non-sworn but officers would be permitted to carry either concealed or open firearms. Officers would be required to go through rigorous training, along with polygraph and psychological exams.
4. Contracted armed security (\$1 million) – these are security guards with low training.

Vice Chancellor Nuñez said authorization to have armed officers on the campuses already exists. He said federal law permits honorably retired police officers to carry concealed weapons on their person in any state in the nation (with certain conditions). He said there are various sworn and retired officers who visit or work on our campuses every day (police academy and criminal justice faculty, etc.). He said current Board Policy 8.13 permits the hiring of outside policing and security services. Further, the policy prohibits firearms or other weapons “except for activities conducted under the direction of district officials or as authorized by an official law enforcement agency.”

Isin al-Otat said she was a student at Skyline College when a shooting occurred. She said she was told that there were no police officers available in the City of San Bruno because everyone was responding to the situation at the College. She said law enforcement should be reminded that no home base should be unguarded.

Sara Benchohra, a student at Skyline College, said having an armed police force would be frightening to a number of students. She said Skyline College is a safe campus and she does not believe there is a need for a great body of officers to handle one event. She said she believes the Public Safety officers should be trained on how to handle situations without using firearms.

Doug Hirzel, a faculty member in the District, said he represents an alternative view that supports all of the Margolis Healy recommendations, including the establishment of a sworn and armed police force on campus. He said the report noted that fewer than ten of the approximately 400 people polled by the District disagreed with the District recommendation rejecting the concept of creating a police department. He said the District made the assumption that the 390 individuals who were silent agreed with this position, but in reality the reason for their silence is unknown. He said Margolis Healy’s poll of the District found that only 50 percent of those polled opposed the creation of a sworn and armed force, which is not overwhelming. Professor Hirzel said that when the District invites people to open forums after they have already said they agreed on a conclusion that supports students, particularly minority students, it is very difficult for anyone to speak out in opposition without the risk of being accused of racial insensitivity. He said the District is not always a welcoming place for opposing viewpoints, especially if they are controversial. He asked the Board to consider the evidence of other districts across the state and the wisdom of those districts’ Boards of Trustees in establishing sworn and armed officers. He said that basing decisions on public opinion polls is not good policy.

Ms. Benchohra said this topic should not be approached with bias and agreed that silence should not be taken as agreement. She encouraged the District to hold public forums that promote respectful dialogue. She said she is willing to listen to Professor Hirzel’s opinions and offered to meet with him.

Vice President Goodman said his bias is to not have sworn and armed officers on the campuses. He said this issue arose when he was a student leader at Skyline College more than twenty years ago and students let their voices be heard in opposition. He said that during his time at Skyline College, an incident occurred in which a Public Safety officer called African Americans monkeys. Because students spoke up, that officer was terminated. He said he cannot imagine what harm could have been done to students if that officer had a gun or Taser in his hands.

Vice President Goodman said that before addressing Public Safety models, the District must first talk about what is happening in the country. He said Black men are three times more likely and Hispanic men twice as likely as white men to die from police use of force. He said the fear of incidents on campus is real but these incidents happen only every so often. He said Black and Brown students live with prejudice and fear every day, both on campuses and in their communities, as evidenced by the recent incident at a Starbucks.

Vice President Goodman said the data presented shows that the Bay Area campuses with hybrid models are in cities where people can use BART to get quickly on and off in order to do harm. He said it is important to look at data to see what makes sense for this District, considering what its identity is and what it will continue to be.

Vice President Goodman said his bachelor's degree is in criminal justice and he works with the San Francisco Police Department, which utilizes SROs, every day. He said it is easy to find negative incidents involving SROs, such as a young Black girl being body slammed to the ground because she was being unruly in class. He said he is open to discussing the presence SROs on the campuses, but the conversation should include desensitization of young people who are becoming officers, implicit bias training, mental stability and background checks, training in de-escalation, and the District's role in selecting the SROs. Vice Chancellor Nuñez said all of the points raised by Vice President Goodman were included in the conversations with Chief Barberini, Chief Manheimer and Sheriff Bolanos. He said the District was assured that it would have a say in the selection of SROs.

Trustee Mohr said it is important to keep the matters addressed by Vice President Goodman in mind as the discussion takes place because these elements are affecting campuses across the country. He said one matter that educators always have in mind is that something extraordinary and terrible can happen even on campuses that are safe places. He said he believes it is the responsibility of the Board to address the extraordinary in a carefully reasoned way.

Trustee Mohr said that twenty years ago, he and Chief Manheimer had long and serious discussions about how to make schools safer. A decision was made to have a police officer on each campus. The officers were very carefully selected and were interviewed by student leaders. The officers became highly regarded and respected members of the faculty, were on campus every day, and participated in all special activities. An advisory committee of students interacted with the officers in a regular, systematic way. Trustee Mohr said that because of this experience, he tends to see the Board's responsibility in this way, but is open to other ideas. He said he is not in favor of having a great number of firearms on campus, but has a nagging concern regarding how to protect the people for whom the District is responsible should an extraordinary event occur.

Trustee Mandelkern said the Board welcomes public input and wants to hear all voices on all sides of the issue. He said he believes everyone shares the goal of making the campuses as safe as possible for everyone at all times. He said that not all extraordinary events involve active shooters, but may include earthquakes, fires, flooding, bomb threats, etc. He said the Board must use its best judgment to allocate resources to ensure the safest possible environment at all times. He said the best investments are not always complex, but can address issues such as making sure that all doors in all buildings can be locked from the inside.

Trustee Mandelkern said the Public Safety Department is making progress on implementing several of the recommendations made by Margolis Healy. He said it is important that Public Safety officers be integrated into the community, receive de-escalation training, and be active members of the threat assessment teams.

Trustee Mandelkern said that based on the data provided in the report and on his own research, he does not see a correlation between having sworn and armed forces on campus and preventing or minimizing active shooter incidents. He said he does see that active shooters tend to kill themselves when police enter the building; it is not clear whether the police were already present at the site of the event or came from outside. Trustee Mandelkern said he believes there are better ways to create safer campuses than to have sworn and armed officers.

Trustee Mandelkern said he was disappointed that the Margolis Healy study indicated that the District is one of the only districts in the state to not have sworn and armed officers on campus. He said this has been shown to be inaccurate and leads him to call into question Margolis Healy's overall conclusion.

Trustee Mandelkern said he is open to learning more about the first two alternatives (contracted policing and SROs), recognizing that they would require careful selection of officers and special training for the officers. He said he is not comfortable with the third and fourth alternatives (non-sworn officers who are permitted to carry firearms and contracted armed security). He said he is concerned that these individuals might view firearms as the first choice of response rather than the last choice. He said he believes that having fewer guns on campus is a better idea than having more guns on campus. He said he also would not be in favor of utilizing armed retired officers due to concerns regarding training, monitoring and control. Trustee Mandelkern said that Philip Zimbardo, a psychologist who taught at Stanford University and was famous for his "Prison Experiment" showing that good people are capable of doing evil things, found that the opposite is true as well and that heroism training is possible. Trustee Mandelkern said he believes

the District should look into this concept because heroism training could help people to intervene in a positive way, similar to the young man who disarmed the shooter at the Waffle House in Nashville.

Student Trustee Olguin said that last week, a student at Skyline College had a seizure and Public Safety personnel did not know how to respond. Given that case, he questioned whether they would know how to respond in a situation with an active shooter on campus. He said the SRO at Stoneman Douglas High School did not know how to react to the shooter on that campus and he cited other incidents that he said show that officers do not know how to de-escalate situations. Student Trustee Olguin said he does not believe that arming officers is the solution; he said we live in a violent society and guns add more violence. He said the reality is that police officers and SROs have biases. He said a society cannot replicate a system of oppression and expect things to get better. He said he believes the District should help to work on solutions in the community and should work on the redesign of policing. Mr. Woods said that when the Skyline College student had a seizure, medics were called and Public Safety officers followed correct procedure to not touch or restrain the student. President Holober said it would be worthwhile to get a report on the incident.

Trustee Schwarz said she appreciates the discussions that have taken place over many months. She said that during these discussions, she has heard that students feel safe on campus and has also heard that some things can be improved, such as cell phone reception.

Trustee Schwarz said that if an active shooter came onto one of the campuses, there is no way to know if an officer would be in the right place at the right time. She said it is sad to hear repeatedly that there were warning signs regarding a shooter but no one did anything. She said she knows that the District Public Safety officers stress that “if you see something, say something.” She said it is important that Public Safety officers be part of the community so that staff and students feel comfortable going to them if they see warning signs.

Trustee Schwarz said she is not in favor of having sworn and armed officers on campus but is open to discussing having SROs who could be part of the community on each campus.

Trustee Mohr said the fundamental question is whether the District will have anyone on the campuses who is armed. He said he believes in human interaction and is not in favor of contracted policing, non-sworn officers who are permitted to carry firearms, or contracted armed security. He said the Board is confronted with the issue of how to take the final step to make the environment safe in case there is a need to respond immediately.

Vice President Goodman thanked Professor Hirzel and the students who spoke up. He said that different experiences and different lives that people live every day must be acknowledged in order to understand each other’s points of view. He said people must interact with each other as human beings before being able to come to common ground. He said the District needs to be proactive rather than reactive and should train not only Public Safety officers, but also faculty and staff, on de-escalation. He said the District should make sure that it is 100 percent compliant on door locks before moving forward on anything else. He said it is also important to have coherent plans and blueprints that are shared with the three local law enforcement agencies.

President Holober thanked the presenters for their report and thanked members of the public who spoke. He said he attended rounds of public presentations that were poorly attended by students. He said the campuses are not necessarily reflecting on this particular subject and it is difficult to get a high level of participation. He said this has been a repeated experience on a number of topics. He said the interest in the Public Safety study was greater when it was first being addressed. President Holober said the input gathered from public forums and surveys is helpful in informing the Board’s decision; however, he said he needs to think about the issue independently using the data provided.

President Holober said he is disappointed that there appears to be no data from other community college districts regarding the success or lack of success of having armed officers on their campuses, along with the affect the presence of various models has had on the atmosphere of the campuses.

President Holober said that Vice President Goodman articulated vital issues that must in the center of whatever decisions are made, recognizing that the presence of police can produce very different reactions in different communities. He said he is also informed by the remarks of Trustee Mohr regarding his experience with SROs in the high schools, with much thought going into the selection and control of the SROs. He suggested the possibility of testing an SRO at one campus, within the District’s control and guidelines, to assess the experience after a period time,

perhaps one year. He said an important role of the SRO would be to be an integral part of the team so that people would feel comfortable coming to the SRO to report warning signs they might observe.

Trustee Mandelkern said he believes President Holober's suggestion has merit. He said he also shares Trustee Schwarz's concern about whether an officer would be in the right place at the right time. He said there seems to be openness on the part of the Board to discuss SROs. He suggested that staff come back with more information and perhaps invite a police chief to come to speak to the Board about SROs. Trustee Mohr said he would also like to solicit the opinions of the Colleges' leadership teams. He said they have the most intimate knowledge of how people relate and react to each other on their campuses.

Trustee Mohr said that door locks and issues with cell phones are serious matters. He suggested forming an advisory body of students to interact with Public Safety officers on a regular basis. Student Trustee Olguin said students would appreciate the opportunity to talk with Vice Chancellor Nuñez and Mr. Woods and would be in favor of an advisory body.

Vice President Goodman cautioned against moving forward with a recommendation before following through with questions such as door locks, sharing plans and blueprints, etc. Vice Chancellor Nuñez said the locks are 83 percent complete and the project is continuing to move forward. He said there has been campus crisis training and de-escalation training has been high on the list. He said blueprints have been shared with all local law enforcement agencies and fire departments.

The Board agreed to postpone making a decision on any of the Public Safety alternative models presented. They agreed to invite Chief Barberini, Chief Manheimer and Sheriff Bolanos to a future meeting to provide more information on SROs and to solicit feedback on SROs from campus administration. It was also agreed that Vice Chancellor Nuñez will bring a comprehensive list Public Safety enhancements and improvements made in response to recommendations by Margolis Healy and by participants at public forums.

#### **UPDATE ON TRANSITION TO BY-TRUSTEE AREA ELECTION METHOD (18-4-3C)**

President Holober said this item was requested by the Board and he invited discussion by the Board. Trustee Schwarz said she believes the request was to discuss how to publicize the new election method in Area 2 (North County), where there is currently no trustee, and encourage people who reside in that area to run for the Board. Vice President Goodman confirmed this and said the issue is holding the Board accountable for living up to the spirit of what they voted for when changing to the new election method. He said this means making sure that the Board and the District inform the public in Area 2 about the election and proactively do everything possible to make sure the new trustee is able to have a seamless transition to the Board. He said the publicity could include meetings in the North County with the Board and Chancellor making themselves available. He said it is important to work hand-in-hand with the community so that they understand that this allows them to have representation and to have a voice. Vice President Goodman said this process should not come directly from the Board; he said the Board should rely on Chancellor Galatolo and Chief of Staff Bailey, with the Board as support.

Mr. Bailey said he is working with the County Division of Elections to finalize the transition to by-trustee area elections. He said that after the election method change has been processed, activities to publicize the election can begin without the risk of providing false information.

President Holober said that when the Board adopted the by-trustee area election method, they intentionally did so without regard to incumbency. He said that as a result, there are two districts where the need to inform the public is identical; therefore, he believes that whatever the Board decides to do should be directed to informing the residents of those two districts. President Holober said the latest information he has is that the County is yet to finalize information that would allow people to positively identify whether they live in a particular district. He said his understanding is that this will occur after the primary election. Mr. Bailey said the District is required to provide information to the County by July 4 but staff's intention is to submit it as soon as possible. He said he is working with the demographer hired by the Board to finalize the last part of the parcelization of the trustee area maps, which will clearly specify which individual addresses go into each district. President Holober said he believes it would be a disservice not to have that data available.

President Holober said he is not in favor of holding forums with the Chancellor. He said he believes that Board elections should be de-politicized. He said he believes the duty of the District is to notify the public that there is an

election; provide filing opening and closing dates; and provide information on the website where people can see if they qualify, can access information on how to file and how to get more information. He said he believes this should be done through conventional means, e.g. newspapers/journals.

Trustee Schwarz asked if there is certainty that the process with the County will be finalized in time for the November election to be held using the new election method. Mr. Bailey said it is certain. Trustee Schwarz said she believes it is very important to publicize the election because the public does not necessarily understand the change in the election method. She said the purpose of changing to by-trustee area elections was to open the process up to people who normally did not have the opportunity or means to run in a Countywide election. She said she believes it is important to do everything possible to publicize the election in both open districts.

Vice President Goodman said he believes it would be a tremendous disservice if the District did not do more than would be done in a traditional election because this is not a traditional election. He said that when there is an attempt to increase diversity on the Board and increase representation, it is not sufficient to just check the box and then assume that if people had wanted to run for the Board they would have done so. He said a forum may not need to have the Chancellor present, but someone should be present – perhaps the College Presidents or someone from the school being served by the district – to say you are welcome and we want you here.

Vice President Goodman said that as elected officials, Board members hear a lot from other elected officials. He said that when a person hears something that is reprehensible, whether it might be rumor or innuendo, it is hurtful. He said that to have an elected official and member of the community speak on the health of Vice President Goodman's colleague offends him because of the context in which the person brought it up. Vice President Goodman said that when the Board talks about disservice, they need to be 100 percent sure that they are being transparent about what they are doing and why they are doing it. He said that if someone finds a reason to ask for an endorsement months and months ahead of time and brings up someone's health, he finds it tasteless. He said again that this could be rumor or innuendo, but the fact that someone mentioned it to him is hurtful. Vice President Goodman said he also does not like the idea of saying "let's wait as long as we can before we tell anybody." He said he understands that it is not etched in stone that a certain address belongs to a certain district; however, staff has a good idea of what the addresses for each district might be. He said he believes the District and Board can speak to that issue. He encouraged the Board to stick to the spirit of what they voted on as a body – to increase representation on the Board regardless of incumbency.

Trustee Mandelkern said he is also concerned that the process is being dragged out to the point where people will not officially know what district they reside in until shortly before the filing period. However, he said the vast majority can identify their district and he supports the concept of beginning to educate people now and provide additional information later. Trustee Schwarz agreed with beginning the process of publicizing the election as soon as possible. She said it would be easy to note where additional information can be accessed as it becomes available. Trustee Schwarz said she would be willing to go out into the community to help publicize information about the election.

Trustee Mohr said the Board changed the election method in order to be in compliance with the spirit of the law, which is to provide greater opportunities for all members of the electorate to participate. He said the Board did not consider incumbency because they believed that not doing so would provide more opportunities to the entire community. He said that people who might consider running are sometimes the most inexperienced about how to get elected to office. He suggested that the District ask the *Daily Journal* to publish an article to explain to the public what the new districts are, who the incumbents are, etc.

Trustee Mandelkern agreed that asking the *Daily Journal* to write an article about the new districts is a good idea; however, he does not agree with including information about incumbents because the stated goal of the majority of Board members was that incumbency should not be a consideration. He pointed out that the decision of the majority of the Board on the selection of the trustee areas was divisive and that two other options that had higher concentrations of traditionally non-represented members on the Board were passed over.

Student Trustee Olguin said many people in the County do not understand what the Board is and what Board members do. He said he believes it is the duty of the District and Board to educate the community.

President Holoher said there is agreement on the part of the Board to put a notice in local newspapers to include:

- there will be an election in November for the Board of Trustees
- there are two new districts that will be open in November

- a general idea of what the new district boundaries are with information on how access information on the official boundaries in June or July
- opening and closing dates of the filing periods
- information on what the qualifications are with a link to County website for more information

Chancellor Galatolo said that if the *Daily Journal* chooses not to print an article, the District could run a paid advertisement that would first be brought to the Board for review. Trustee Mandelkern said this might be the best option because it would give the District more control. President Holober said that if the District runs an advertisement, he believes it should be reviewed by outside legal counsel first.

Vice President Goodman said that in addition to advertising in the newspaper, he believes the District should utilize the skills of the professionals who work every day with intentionality around hiring a diverse staff. He said he believes it should be left up to the administration and staff to devise a plan on how to go out to the community. President Holober said he strongly disagrees with this concept. He said he believes this topic should not be addressed by administration or staff. He said there are certain lines in the sand that exist and he believes that getting administration involved in the outreach and recruitment of candidates crosses the line. He added that as individuals, anyone can go out to the community. Vice President Goodman said it is important to reach out to these communities and he asked President Holober for his recommendation on how to do so. President Holober said this might be posed to the County Chief Elections Officer to see if they have a process on how to conduct public forums. Vice President Goodman said he feels strongly about forums. He said there is nothing to stop individual Board members from holding forums and he suggested that he will rely on staff to help hold a forum in the North County. Trustee Mandelkern said staff has expertise on how to conduct outreach to various communities and he believes it is appropriate to ask their advice. However, he said he believes it is the role of the Board as elected officials to actually go out into the community. He said he is not comfortable with having administration or staff involved in the process of recruitment of candidates. He said he believes it is inappropriate for the administrative body to be basically recruiting their bosses.

Trustee Schwarz said she believes it is the District's right to provide information and said information about the election should be put on the District website. She said that providing information to the public is not the same as recruitment. Vice President Goodman agreed, saying that he believes it is appropriate for administration and staff to set up forums and be present to answer questions; he said this would not be recruiting candidates. He said that if this presents a problem, it means that the Board does not trust the administration and staff, and this is a deeper problem. President Holober said he does not believe this is an issue regarding not trusting administration and staff, but is rather a legal question. He suggested that outside election law counsel be engaged to clarify what is allowed in terms of administration's involvement. He said he believes it is off limits for the administration to do anything except provide information. Vice President Goodman said it goes without saying that involvement by administration and staff would be for the purpose of providing information rather than advocacy. He said he will work offline with administration and staff who want to help him set up a forum in the North County and would welcome help from any Board members who want to join him. Trustee Mohr and Trustee Schwarz said they would be interested in participating. Student Trustee Olguin offered to post flyers throughout the North County once they are approved.

Trustee Mohr said he talks to members of the community constantly about running for the Board. He said he has encouraged people to look at Board meeting agendas and to attend Board meetings to see if have interest in running for the Board.

President Holober said there is agreement to develop an advertisement or series of advertisements that will be reviewed by outside election law counsel and vetted by the Board. Chancellor Galatolo said staff will work on creating a document that can be put on the District website and used by everyone. President Holober offered to provide the names of law firms that specialize in election law to review the document.

#### **DISCUSSION OF PUBLIC WORKS LABOR OPTIONS IN REGARD TO SKYLINE FACULTY AND STAFF HOUSING DEVELOPMENT (18-4-4C)**

Vice Chancellor Nuñez said the District has had a Project Labor Agreement (PLA) in place for 16 years for capital projects. He said that Amendment 4 of the PLA encourages hiring of Trades Introduction Program (TIP) graduates.

Chris Strugar-Fritsch, Director of Capital Projects, said there are two labor options in regard to the Skyline faculty and staff housing development – the PLA, which is a pre-hire collective bargaining agreement between the District and the Building Trades Council, or prevailing wage. He said that as a public entity, the District is required by law to pay

prevailing wages on its projects. Prevailing wages are determined by the Department of Industrial Relations and are based on union collective bargaining agreements in each local area. This is meant to ensure that union contractors have the same opportunity as open or merit shop contractors. Mr. Strugar-Fritsch said that even with this level playing field, the bids by union contractors and merit shop contractors may vary; some of the reasons are:

- current market supply and demand
- different bids received by subcontractors
- the number of hours a contractor estimates a project will take

Mr. Strugar-Fritsch said that with a PLA, there is a no-strike clause, which is beneficial for academic buildings so that they can be completed on time. He said that union contractors offer very good apprenticeship and training programs, have impeccable safety records, and provide a highly skilled workforce. He said that merit shop contractors also offer apprenticeship programs.

Mr. Strugar Fritsch said there can be wage theft with merit shop contractors because there is no guarantee that they actually pay the prevailing wage to the employees. He said union contracts guard more fully against wage theft.

Mr. Strugar Fritsch said staff seeks direction from the Board on how they want to see the Skyline faculty and staff housing development completed. He said each option has advantages.

Vice President Goodman asked if it is known which option would provide more savings to the District in this situation. Mr. Strugar-Fritsch said it will depend on the bids that are received. He said factors will be the margins charged by the contractor and contractor workloads. He said union contractors and merit shop contractors both argue that they can complete projects at a lower cost. He said the UC Berkeley Labor Center conducted a study last year which concluded that there is no significant cost differential between PLA and prevailing wage projects. Vice President Goodman said it is important to him to ensure that local dollars stay with the local workforce.

Trustee Mandelkern said the specific question the Board wanted answered was whether there was a cost differential between the PLA and prevailing wage options. He said there appears to be no cost differential. He said other factors then come into play. He said he believes the District should use the community's money to benefit the community and because of this, he has always been a proponent of the PLA. Trustee Mandelkern said it seems that workmanship issues on District projects have occurred with projects that used prevailing wage rather than the PLA. He said he believes that using the PLA option in this situation is the right thing to do.

Trustee Mohr asked if it is possible for most of the project to be under the PLA but to have some subcontractors who are not under the PLA. Mr. Strugar-Fritsch said the PLA requires that all employees working on a project become members of a union within eight days of beginning work on the project.

Trustee Mohr asked if there is a risk that contractors might submit bids that are more to their advantage than they need to be if the Board makes clear that they prefer that the project be done under a PLA. Mr. Strugar-Fritsch said the bidders are still competing and want to win the project; therefore, he does not believe they would inflate their prices.

Trustee Mohr asked if there would be a cost differential between the two options if contractors have to bring in workers from the outside due to a shortage of workers. Mr. Strugar-Fritsch said this can affect both equally. Trustee Mohr asked if bringing workers from the outside impacts the quality of work. Mr. Strugar-Fritsch said it can have an effect if workers are commuting for long periods or are working a great deal of overtime.

President Holober said that under the methodology for determining the prevailing wage rate in California, the union rate is in effect the prevailing wage rate. He said that California law also requires that for public works projects, one out of five workers must be in a certified apprenticeship program. He said that in Sacramento and elsewhere, there are unilateral non-union apprenticeship programs that are fighting to be certified. He said most certified apprenticeship programs are joint labor-management programs and this is true in the Bay Area. President Holober said he has heard stories about non-union workers who were sleeping in their cars because they were coming from very remote areas and were not being paid a living wage or receiving benefits.

President Holober said he believes the PLA option is the right thing to do for the project. He said the PLA guarantees labor peace. He said that if the project was done using prevailing wage and some of the contractors were non-union, there would likely be informational picket lines at the workplace. He said the only way to avoid that becoming a

problem is to have a two-gate system, with non-union employees entering through a different gate as a way for the company to limit the impact of informational picketing. President Holober said he would hate to see the District have construction sites with two gates for the purpose of limiting the impact of informational picketing.

Trustee Schwarz said her concern has been to keep costs low for employees who live in the housing development and she was hoping to see a cost analysis. She said that because of circumstances occurring in the construction industry, including non-union contractors importing workers which could result in safety issues, she believes it would be beneficial to construct the project under the PLA.

Trustee Mohr said he much prefers using the PLA but believes it is in the best interest of the District to see what the costs are for both the PLA and prevailing wage options. Vice Chancellor Nuñez said the procurement process could be structured in a way that would provide this information. Yanely Pulido, Contracts Manager, said the process could be either to have two separate forms or to have a bid form with a line item for “Alternate” which could designate either the PLA or prevailing wage. She said a construction attorney would be asked if this type of form is permissible. Trustee Mohr said he thought there would be an easier way to compare costs. He said that because the process would be complicated, he is in favor of moving forward with the PLA.

President Holober said staff was seeking from the Board and there is Board consensus that the project should be constructed under the PLA.

### **COMMUNICATIONS**

None

### **STATEMENTS FROM BOARD MEMBERS**

Trustee Mohr said he appreciates that Judge John Bates told the federal government that they have 90 days to explain why DACA was removed and if they do not give valid answers, he will order that students be able to enroll anew. Trustee Mohr congratulated Dr. Jeremiah Sims on his new book, “Revolutionary STEM Education: Critical-Reality Pedagogy and Social Justice in STEM for Black Males.” He said he looks forward to reading Dr. Sims’ book. He suggested that the equity teams from the three Colleges be invited to a Board meeting to engage in a continued discussion on race, class and privilege.

Student Trustee Olguin said it is an honor to serve on the Board. He said he believes that the Associated Students and Student Trustee need more support. He said the role of the Student Trustee is important and it is difficult for one student to represent the three campuses.

Trustee Mandelkern thanked Student Trustee Olguin for his participation on the Board during the last year and said it has been a pleasure to work with him. Trustee Mandelkern congratulated the leadership team for the Innovation Award for expansion of the College Promise Program. He also congratulated those involved in Project Change and the Cañada College Radiologic Technology Program for their awards. Trustee Mandelkern said he is continuing to work on a Countywide Promise Program. He thanked President Stanback Stroud for her help in setting up meetings with the San Bruno Community Foundation and the Oakland Promise Program. He said he also discussed the program with leaders at the Progress Seminar and with former Assemblymember Ted Lempert, who is President of Children Now and a member of the San Mateo County Board of Education. He said the goal of the Countywide Promise Program is to ensure that every student who graduates from a San Mateo County high school is prepared economically, emotionally, socially and academically to undertake the challenge of college should they choose to do so. Trustee Mandelkern said the Progress Seminar afforded an opportunity to become informed on a number of issues and meet with County leaders.

Trustee Mandelkern said he is proposing a pilot program to remediate housing insecurity. He said anecdotal evidence and student registration data indicate that there are 110 to 120 District students who consider themselves homeless. He said the number of staff who consider themselves homeless is unknown but there is anecdotal evidence from other institutions in the area of faculty and staff who live in their cars and it could be extrapolated that similar situations exist within the County and the District.

Trustee Mandelkern said his idea for a pilot program to address this issue would consist of identifying a suitable parking lot at one of the three campuses where students and staff could park and sleep in their vehicles overnight. Limited portable bathroom facilities would be provided at the selected site for overnight use, and parkers would make use of showers, cafeterias, and support services offered on the campus during the day. Trustee Mandelkern

said this would provide a safer and more humane alternative to the current practice of parking on public roads, commercial areas, or residential neighborhoods throughout the County.

Trustee Mandelkern said other communities and school districts provide similar parking options to their members with housing insecurity issues. Examples include Palo Alto allowing overnight parking/sleeping in vehicles at the former Cubberly High School site and the Ravenswood School District providing support for homeless families, including washers and dryers at each District school site. Trustee Mandelkern said he would recommend using the City of Santa Barbara Safe Parking program, which also serves students at Santa Barbara City College, as a model.

Trustee Mandelkern said the program would require finding a suitable location which has a minimal amount of facilities, including a 20amp 120VAC circuit and a standard garden hose water tap for a restroom trailer; shower facilities; a cafeteria that provides cooked food options for participants; and a SparkPoint program. He said the District would develop "Rules of Engagement" based on the Santa Barbara model. He said an initial set of proposed rules might include the following: the program would be limited to District students and employees and would be limited to vehicles only; vehicles would be required to have a valid student or staff parking permit; vehicles would have to be moved at least once every 72 hours; and vehicles would be required to have valid registration and current insurance.

Trustee Mandelkern cited an example from Nor\*Cal Waste Services as an ADA compliant restroom that could be provided. The cost for this is \$4,500 per month and includes weekly waste tank service and maintenance. It is available on a month-to-month rental basis with no minimum term.

Trustee Mandelkern said additional services to be provided or considered include the Public Safety Department adding the site to their overnight patrol routine and notifying the local police agency so that it can be added to their patrol.

Trustee Mandelkern suggested that the pilot program be run for six to seven months, from June/July 2018 through December 2018, to see if it is a service that is needed and used by students and employees. He said the estimated cost of the pilot program is \$30,000 to \$50,000. He said that if the pilot program is of interest to the Board, he would ask that staff bring a proposal for action at the May 16 meeting on how to implement the program.

Vice President Goodman said he is agreeable to bringing the issue back to the Board but this was not one of the items that the Board agreed to include on upcoming agendas. He said it is up to the Board President to determine a time when it would best fit on an agenda.

Trustee Schwarz said she would be willing to talk more about housing in the future. Chancellor Galatolo said staff is working on a comprehensive white paper on housing and Trustee Schwarz said the discussion might work in conjunction with the discussion of the white paper. Trustee Mandelkern said he would prefer to do something sooner because of the pressing need. President Holober agreed that this item can be discussed as a temporary measure separate from discussion of the white paper.

Trustee Schwarz said she has heard Trustee Mandelkern mention his work on a Countywide Promise Program several times. She said she is not familiar with the program and asked that he send information about it, such as how it got started and who appointed him to the committee. Trustee Schwarz said the Second Harvest Newsletter highlighted a new food distribution program at Mission College in Santa Clara. Representatives of the District's three Colleges confirmed that the Colleges also have partnerships with Second Harvest.

Vice President Goodman thanked Mr. Kaplan for being present at the meeting. He said that in addition to attending the Progress Seminar, he attended the Enacting Educational Equity Train the Trainer Series (E<sup>3</sup>TTS) meeting at College of San Mateo led by Dr. Jeremiah Sims. At that meeting, it was mentioned that professor-to-professor or staff-to-staff, individuals know who might be LGBT or Q; however, there are students who do not have that familiarity with professors with whom they might have something in common. He said there was a discussion about what could be done to provide a sense of support for these teachers so that they in turn can support students. Vice President Goodman also suggested that there be a field on the registration form for a student's "preferred name" which would be the name with which they identify.

President Holober said several items for future exploration were identified at the recent Board Retreat. He said one of the items is the 50 Percent Law and he said the Board agreed to discuss this item at a future study session. He said the most recent audit highlighted the fact that the District is not in compliance with the law and there has been some controversy surrounding this. He said there are two issues: the pros and cons of the law and compliance with the law. He said he thinks of the budget adoption as the time that the Board speaks to compliance issues; therefore, he would like to have this discussion soon since the tentative budget will come before the Board in June. Chancellor Galatolo said there will not be a study session in May and suggested that this item be placed on the agenda for discussion at the regular meeting on May 16. President Holober agreed with this suggestion.

**ADJOURNMENT**

The meeting was adjourned by consensus at 10:58 p.m.

Submitted by

Ron Galatolo, Secretary

Approved and entered into the proceedings of the May 16, 2018 meeting.

Maurice Goodman  
Vice President-Clerk