

**Minutes of the Study Session of the Board of Trustees  
San Mateo County Community College District  
June 12, 2019, San Mateo, CA**

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

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

**ANNOUNCEMENT OF CLOSED SESSION ITEMS FOR DISCUSSION**

President Goodman said that during closed session, the Board will (1) hold a conference with legal counsel regarding two cases of existing litigation as listed on the printed agenda, (2) consider employee discipline, dismissal, release, and (3) hold a conference with labor negotiators as listed on the printed agenda.

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

None

**RECESS TO CLOSED SESSION**

The Board recessed to closed session at 5:00 p.m.

**RECONVENE TO OPEN SESSION**

The Board reconvened to open session at 6:25 p.m.

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

Others Present: Chancellor Ron Galatolo, Chief Financial Officer Bernata Slater, Skyline College President Regina Stanback Stroud, College of San Mateo President Michael Claire, Cañada College President Jamillah Moore, District Academic Senate President-Elect Jeramy Wallace

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION**

President Goodman said no reportable actions were taken during closed session.

**DISCUSSION OF THE ORDER OF THE AGENDA**

President Goodman said the Board will suspend Items 19-6-1, 19-6-1A and 19-6-2A and will remove item 19-6-3C from the agenda. He said the Board will return to closed session after hearing statements from the public on non-agenda items and Items 19-6-1C and 19-6-2C and will consider the suspended items upon reconvening to open session.

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

President Claire introduced Dr. Micaela Ochoa, the new Vice President of Administrative Services at College of San Mateo.

Chancellor Galatolo introduced Dr. Jannett Jackson, who will serve as Interim President at Skyline College beginning July 1. He welcomed Student Trustee Jordan Chavez who assumed office on June 1.

Dr. Zack Bruno said he has been teaching music at Skyline College for the last eight years. He thanked President Stanback Stroud and said she is leaving a great legacy. Professor Bruno said he was a member of a public safety committee from 2016 to 2018. He said a Request for Proposals was sent out to solicit bids for a study and data collection for a potential public safety overhaul. Margolis Healy was selected and made recommendations to the District. At the Board meeting of May 16, 2018, the Board rejected the most important and prominent recommendation. At the same meeting, the Board appointed a subcommittee to look further at the School Resource Officer (SRO) model and at potentially contracting with local law enforcement agencies. Professor Bruno said he has not seen any follow-up on the work of the subcommittee and requested that an update be on an agenda for a future meeting.

## **STUDY SESSION**

### **DISCUSSION OF BROADCASTING OF BOARD MEETINGS (19-6-1C) / DISCUSSION OF PROPOSED CHANGES TO BOARD POLICY 1.50, MINUTES OF MEETINGS (19-6-2C)**

Mitchell Bailey, Vice Chancellor/Chief of Staff, said the Board previously discussed editing the process for collecting and storing minutes of meetings. He said the Board asked that broadcasting of meetings be included in the conversation. He said that as a public institution, the District always strives to be transparent and conforms to the laws of the state. He said the issue of transparency as it relates to broadcasting of meetings can cut both ways. He said the board packet includes a link to a document produced by the Association of Community College Trustees which discusses both positive and negative aspects for boards to consider when contemplating whether to broadcast board meetings. Vice Chancellor Bailey said that if the Board decides to broadcast meetings, the issues of financial and space limitations will have to be addressed.

Marie Baldisseri, a member and past president of the League of Women Voters of North and Central San Mateo County, read the following correspondence that was sent to each Board member:

“The Leagues of Women Voters of San Mateo County respectfully request that the San Mateo County Community College District Board of Trustees delay the proposed modification of Board meeting minutes from detailed to action only until the District can provide a live visual and/or an on-line video archive of each board meeting.

“Today the College District does not provide any real-time live visual (live TV/streaming) or on-line video archived recordings of their meetings as most other Peninsula governmental agencies do. They do create an audio tape; however, it is retained for only 30 days. The primary purpose of the audio recording of each board meeting is to assist the Board Secretary's preparation of detailed minutes. The Board makes a CD of the audio recording of a board meeting upon request, but only if it's requested within 30 days after the board meeting. It's important to note the audio recordings of board meetings are erased/destroyed after 30 days which, is authorized by the California Records Act.

“The League of Women Voters has been an active champion of openness and transparency in government throughout its history. The organization's principles include the requirement that "government bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible." Over the years, the League has supported various federal, state and local initiatives to expand open government requirements and has fought against proposals aimed at limiting access to public information.

“Our nation's access laws are only as good as we, the people, demand that they be. Protecting the public's access to information-either written public documents or access to governmental meetings-is fundamental to the League's mission and, we believe, is fundamental to the health of our democracy.

“In the spirit of openness and transparency, the Leagues of Women Voters of San Mateo County request the San Mateo County Community College District Board of Trustees to delay the proposal to modify their current policy regarding Board Meeting Minutes - to downscale from detailed Board Meeting minutes to action *only* minutes.”

Ms. Baldisseri asked that the Board change its policy regarding the retention of audio recordings of meetings so that the recordings are maintained until 30 days after the Board has approved the minutes of the meeting.

Paul Bissember, AFT Executive Secretary, said he believes it is important to maintain transparency. He said many faculty and others cannot attend meetings. He said the previous discussion included concern about the amount of work involved in taking and transcribing minutes. He said good examples of alternative ways to make the record of meetings more accessible are available. He said he believes that having videos archived online is one alternative.

Annette Perot, CESA Chapter President, said CSEA appreciates having detailed written minutes available. She said that if the method of presenting minutes changes, she believes meetings should be streamed with closed captioning and transcripts.

Trustee Mandelkern said that since 2003, he has been regularly requesting that meetings be broadcast in order to reach a wider audience. He said it is not easy for some members of the community to come to meetings at 6:00 p.m. on a week night. He said he believes the District has a responsibility to be as transparent as possible and to make the functioning of the District and of the Board accessible to members of the community. He said he does not believe that an audio recording is as good as streaming video or video capture. He said that at a minimum, the District could use fixed point of

view cameras which should be inexpensive to stream over the internet and provide a YouTube channel on which to view the meetings. He said that proceeding forward with an entity such as Peninsula TV would be an even better way of making meetings available to the public. Trustee Mandelkern said he believes detailed minutes serve a useful purpose and he is in favor of maintaining the current method even if streaming or broadcasting of meetings is implemented.

Trustee Holober said the District prides itself on doing more than the legal minimum, as evidenced by presentations by staff at Board meetings on programs for students and by the Board's continuing discussions on matters involving race, class and privilege. He said the District is a government agency, with the Board being elected by the residents of San Mateo County, and to not exceed the bare minimum is not in keeping with the spirit of what the Board holds themselves to be in the community. He said that as an elected official, he believes in transparency and accessibility, making the work the Board does as available as possible to the entire community. Trustee Holober said he believes the District does a good job in making a written record available to the public through meeting minutes, but the activities of the Board would be more accessible if meetings were livestreamed and archived, which is the prevailing practice in local government and likely in the nation. He said that while the Board strives for consensus, the five elected members bring different points of view on items and sometimes have to agree to disagree. He said he believes the public has a right to understand the contents of deliberations, how decisions are made and the positions taken by each Board member. He said he is in favor of livestreaming meetings at a minimum and archiving them indefinitely. He said he believes this can be done at a much lower cost than projected in the board report. He added that there could be an opportunity for students in media and broadcasting programs to be involved and this would enhance their education.

Vice President Schwarz said the transcribing of detailed minutes takes a tremendous amount of time and she believes staff time could be used in better ways. She said the method of reporting minutes that is in line with the guidelines of the City Clerks Association of California is the modern method. She said this in no way means limiting access. She said the Board is very concerned with transparency and always invites people to come to and participate in meetings. She said she believes that the audio recordings of meetings should be kept for more than 30 days and she would like to discuss this further. Trustee Schwarz said she would not object to having a detailed discussion in the future about broadcasting meetings. She said it might be a good idea to explore an opportunity with Peninsula TV, including having students involved.

Trustee Nuris said he has served on boards where meeting were televised and his experience is that meetings last longer when cameras are present. He said it often changes dynamics of the meeting, with comments becoming speeches. He said that city councils and the Board of Supervisors consider very political issues; however, the District Board is involved in education. He said that being entrusted with providing education to the community is more narrow and consequently not as controversial. He said the Board does not try to hide anything and not being on television is not an indictment against being transparent. He said he would not like to change the process of how the Board deals with issues of education and the way the Board makes decisions. Regarding minutes, Trustee Nuris said it takes an excessive amount of time to keep almost verbatim minutes. He said not everything that is said at meetings is important enough to have recorded in the minutes. He said it might be possible to find a happy medium between detailed minutes and action minutes and he suggested that the Board continue this discussion. He said he agrees that the audio recordings of meetings should be maintained for a greater length of time.

Student Trustee Chavez said he has served as secretary of the Associated Students of College of San Mateo and understands the tedious process of capturing details of meetings in the minutes. However, he said he believes it is important that details not be omitted so that there is a record of what transpired during the meetings. He said he believes Board meetings should, at the very least, be video recorded and archived indefinitely.

Trustee Holober said he received an email from a member of the public, Barbara Niss, who asked to have it read into the record:

“Unfortunately, I can't make the meeting as I can't leave work until 7:00 p.m. tonight. Would you please submit into the record that I believe these meetings should be transparent, i.e. full minutes made public and preferably broadcast/streamed similar to other official meetings in San Mateo so people like me can view them online or after the meetings occur. The final note I will make is that holding meetings at 6:00 p.m. makes it impossible for San Mateo residents who commute outside of our city to attend these meetings due to timing and traffic constraints. Additionally, I could see an issue for parents even who work and live in San Mateo to attend your meetings due to the early start time. This make broadcasting/streaming even more important.”

President Goodman said he believes transparency is not simply about whether people come to meetings, but is about intentionality regarding accessibility. He said the Board has discussed various solutions regarding broadcasting of meetings and reporting of minutes and the next step is to focus on each and come to a consensus on how the Board wants to proceed.

1. Minutes – President Goodman said some Board members want to continue to have detailed minutes as they are currently recorded. He said others have suggested finding a compromise between detailed minutes and action minutes.
2. Broadcasting of meetings – President Goodman said there is consensus that audio recordings be kept for longer than 30 days. He said the Board will continue to address the issue of video recording including logistics, costs, and a possible relationship with Peninsula TV. He asked that staff bring various options to a future meeting.

Trustee Holober said the issues of the recording of minutes and broadcasting of meetings are connected and his willingness to consider reducing the details recorded in the minutes is conditional on getting full video streaming and archiving of meetings. He said it is incorrect to make assumptions about Peninsula TV. He said he asked staff to issue an RFP to look at other options. He noted that the District also has the ability to bring in cameras and record meetings and then archive them.

Trustee Mandelkern said he agrees there should be follow-up discussions at which Board members bring their ideas regarding broadcasting of meetings. He said Zoom videoconferencing is available on the board room laptops and this could be used at a near zero cost. He noted that the cost of audio and video streaming is not very much different.

President Goodman said it is important that people be made to feel welcome at Board meetings and that if people are waiting outside the board room, there should be adequate space to accommodate them. He said the Board has also held meetings in outside locations which provides additional access and he believes this should continue to be part of the Board's governance. Trustee Nuris said a larger number of people will attend meetings on certain issues and he suggested moving these meetings to a larger venue such as one of the campuses. Vice President Schwarz said she would also like to see meetings held at outside locations and said the Board has not done so for some time.

President Goodman said he would like to direct staff to immediately maintain audio recordings of meetings for longer than 30 days and to livestream audio recordings and make them available on the District website.

Before returning to closed session, President Goodman presented a video recording from the legacy celebration held in honor of President Stanback Stroud.

Vice Chancellor Bailey said he has witnessed no better advocate for students, Skyline College, the District and the community than President Stanback Stroud. He wished her luck in her retirement and said she will be missed.

President Claire said President Stanback Stroud has made Skyline College and all of the colleges better because of her vision.

Tammy Robinson, Vice President of Instruction at Cañada College, thanked President Stanback Stroud for being an advocate for her personally and for Skyline College. She said the Western Region Council on Black American Affairs, of which she is President, will hold a celebration for President Stanback Stroud in October. She said the Western Region and the National Council owe a great debt to President Stanback Stroud.

President Moore said it has been a pleasure to be able to serve with President Stanback Stroud side by side. She said she appreciates the colorful language President Stanback Stroud uses to direct a discussion to the true heart of the matter. She said President Stanback Stroud reminds everyone that the mission is not about themselves, but about the students they serve.

Chancellor Galatolo said President Stanback Stroud has made everyone better because of her presence. He said she will always be part of the fabric of Skyline College and of the District. He said she will be sorely missed and never forgotten.

Trustee Nuris said President Stanback Stroud was a legend when he began serving on the Board and has lived up to that reputation. He said he has not seen anyone more dedicated to what she does. He wished her the best in her retirement.

Trustee Mandelkern said President Stanback Stroud is an institution within the institution. He said she exhibits a sense of humor, grace, intelligence and leadership. He said she is an amazing person who has given so much to the District and to Skyline College, including the concept of the Scholars Promise and the SparkPoint Centers which are aimed at making students' lives better so that they can stay in school. He said President Stanback Stroud is always willing to talk with everyone and to share and educate. He said she has had a tremendous impact on the District over the past eighteen years and it has been a pleasure working with her.

Trustee Holober said it has been a wonderful privilege to serve with President Stanback Stroud. He said she leaves Skyline College and the District a better place because of her imprint and the difference she has made for students. He said she operates on a different level, seeing the big picture. He said President Stanback Stroud has brought much to college life and to Board meetings with elegance and grace. He said she is a force of nature and he wished her Godspeed.

President Goodman thanked President Stanback Stroud for challenging the trustees to be their best. He thanked her for her encouragement and empowerment of those around her and said he has personally seen her impact on the young women in his life. He said he appreciates her thoughtfulness and her way of getting to the point. He said she is very honorable and leaves others in awe at the way she presents herself.

President Stanback Stroud said she is humbled by the support and love she has received. She said she gave her all to Skyline College and the District and she has no regrets. She said the reason she was able to do so much is because she had the support and guidance of Chancellor Galatolo. She said she believes in the vision, creativity, innovation and culture of the institution and is grateful to Chancellor Galatolo for the opportunity to serve this great District under his leadership.

The Board returned to closed session at 7:45 p.m. and reconvened to open session at 9:45 p.m. President Goodman announced that the Board took no reportable action during closed session.

### **MINUTES**

It was moved by Trustee Mandelkern and seconded by Trustee Holober to approve the minutes of the study session of April 10, 2019. The motion carried, all members voting Aye.

### **NEW BUSINESS**

#### **APPROVAL OF PERSONNEL ITEMS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (19-6-1A)**

It was moved by Trustee Holober and seconded by Trustee Nuris to approve the items in the report. David Wood, Labor Relations Representative for the California School Employees Association, spoke on behalf of Chapter 33. He said that as CSEA reviewed the items on the personnel report for this meeting, they had an equity concern related to the post-retirement medical benefits being offered to two employees. He said CSEA is in favor of offering the best medical benefits to everyone and is not against these two retirees receiving the level of benefits currently available only to employees hired prior to 1992 even though the employees in question do not meet this criteria. He said CSEA wants to make certain the Board is committed to doing this for all employees and not just a select few. He said that, unfortunately, this is not the first time an equity related retiree medical benefits case of this nature has occurred and it erodes the Board's credibility and commitment to equity every time it happens. He asked that the Board keep this conversation and its commitment to equity in the forefront of its collective mind in the future when discussions of retiree medical benefits for CSEA and other groups arise. He asked that the Board, by their actions, stand behind and breathe life into the beautiful words they have expressed to the public.

Trustee Mandelkern said he is not sure what the issue is because there are contracts that spell out retirement benefits based on the date of hire or number of years of service. President Goodman said some contracts have other terms of employment written into them. Annette Perot, CSEA Chapter 33 President, said it is an equity issue because contracts for managers and executives can have amendments specifying that they do not have to meet the minimum requirements that all other employees must meet. Mr. Wood said the issue specific to the personnel report is that an employee was hired 18 years ago and will receive retirement benefits while others are not eligible until they have 20 years of service. In addition, he said the employee will receive benefits in keeping with a hire date of 1992 or earlier. Trustee Mandelkern said there is a lack of clarity in the board report. He suggested that in the future, a more explicit explanation be provided

when something is not part of a standard contract. Vice President Schwarz agreed that she would like to have wording on personnel reports be more understandable when there are special circumstances.

Trustee Holober said the standard form of contracts is the same for administrators, executives and college presidents, with tiers based on the date of hire and years of service. He asked if the two retirees listed on the board report have something other than the standard form of contracts. David Feune, Director of Human Resources, said the two individuals have provisions written into their contracts that are other than the standard. Trustee Holober said the issue raised is crucial and is an equity issue. He said he does not want a two tier workforce or economy within the District. He said that the District changed its practice regarding post-retirement benefits in 1993 but did not implement it for some time. He said it became an issue only when the District started implementing it. Trustee Holober said he agrees with CSEA's larger view. He said contracts that are in place must be honored but he believes these deals should not be made in the future. Mr. Feune said there have been occasions in which classified staff have been allowed to have special agreements due to circumstances such as illness. Chancellor Galatolo said exceptions are based on circumstances and there is no separation between "haves" and "have nots." President Goodman said this is an equity issue because high level employees have more power and leverage to negotiate their terms of employment. He said that if flexibility is allowed, it should be done equitably across the board.

Chancellor Galatolo said one of the retirees on the personnel report for this meeting came from another district with close to 20 years of service and negotiated with the District to bridge benefits. Trustee Mandelkern said he would be interested in knowing whether a classified employee who comes to the District from another district is given credit for the years of service at the other institution. Chris Weidman, Instructional Aide at Skyline College and CSEA Chief Negotiator, said he does not believe that employees who take a break in service with the District should have to have the clock start over again upon their return. Chancellor Galatolo said these are topics that could be brought up at the bargaining table.

Trustee Holober said he has heard descriptions of three different circumstances: (1) consideration of credit for years of service at another institution, (2) consideration of providing benefits when an employee experiences an unexpected hardship and (3) consideration of credit for time served prior to a break in service. He said the Board can continue to discuss all of these circumstances but he believes the overriding point is that it should be uniform from top to bottom. President Goodman thanked the speakers for bringing the issue to the Board's attention and said the Board will continue the conversation. After this discussion, the motion carried, all members voting Aye.

#### **APPROVAL/RATIFICATION OF DISTRICT ADMINISTRATOR CONTRACTS (19-6-2A)**

It was moved by Trustee Nuris and seconded by Trustee Schwarz to approve/ratify the contracts as detailed in the report. David Feune, Director of Human Resources, provided an oral summary for each contract recommended for approval/ratification, as required by California Government Code Section 54953(c)(3).

Trustee Holober asked if the Board previously acted on all administrator promotions. Mr. Feune said the promotions were included in previous personnel reports upon which the Board acted. Trustee Holober said he did not vote in favor of the promotion of the Provost, International Education position and asked that this contract be removed for separate consideration. It was moved by Trustee Nuris and seconded by Trustee Schwarz to approve/ratify all contracts included in the report except that of the Provost, International Education. The motion carried, all members voting Aye.

It was moved by Trustee Nuris and seconded by Vice President Schwarz to approve the ratification of the contract for the Provost, International Education. The motion carried, with Trustee Holober voting No, Trustee Mandelkern abstaining, and all other members voting Aye.

#### **STATEMENTS FROM BOARD MEMBERS**

Student Trustee Chavez said he is pleased to be a member of the Board and looks forward to working with the Board during the coming year.

Trustee Mandelkern welcomed Student Trustee Chavez. He said he attended the commencement ceremonies at Cañada College and College of San Mateo. He said a recurring theme from graduates was that when they came to one of the District colleges, they were taken seriously as scholars for the first time in their academic careers and people at the colleges spent time with them to help them be successful. Many of the students said they want to come back to teach in the District and be able to give other students the same opportunity they were given. Trustee Mandelkern said he believes this speaks highly of the students and of the bond that is created in the District.

Trustee Nuris said he was pleased to attend the commencement ceremonies for Cañada College and College of San Mateo, as well as the College of San Mateo nurses pinning ceremony. He said he was impressed with the ceremonies and the enthusiasm exhibited by the graduates.

**ADJOURNMENT**

The meeting was adjourned by consensus at 10:20 p.m.

Submitted by

Michael Claire, Secretary

Approved and entered into the proceedings of the September 11, 2019 meeting.

Karen Schwarz, Vice President-Clerk