

**Minutes of the Regular Meeting of the Board of Trustees
San Mateo County Community College District
March 24, 2021 – San Mateo, CA**

This was conducted remotely via Zoom. A video recording of the meeting can be accessed at:
<https://smccd.edu/boardoftrustees/meetings.php>.

The meeting was called to order at 5:07 p.m.

Board Members Present: President Thomas A. Nuris, Vice President Richard Holober, Trustee Maurice Goodman, Trustee Lisa Petrides, Trustee John Pimentel

ANNOUNCEMENT OF CLOSED SESSION ITEMS FOR DISCUSSION

President Nuris said that during closed session, the Board will take up items as listed on the printed agenda, including: (1) Hold a Conference with Labor Negotiators for Employee Organizations: AFT and CSEA; (2) Hold a Conference with Labor Negotiators for Employee Organizations: Unrepresented Employees: Provost – International Education, Vice Chancellor – Chief of Staff, Vice Chancellor – Education Services & Planning, Vice Chancellor – Facilities, Vice Chancellor – Auxiliary Services & Enterprise Operations; (3) Hold a Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to Gov. Code, § 54956.9, subd. (d)(2): Two cases; (4) Consideration of Liability Claims pursuant to Gov. Code § 54956.95: Workers’ Compensation Claim: One Case; (5) Consideration of Employee Discipline, Dismissal, Release; and (6) Hold a Conference with Legal Counsel – Existing Litigation: Two cases (a) Peasegood v. San Mateo County Community College District – Case No.: 19 CIV 06689 and (2) Mayeli v. San Mateo County Community College District – Case No.: 20 CIV 02463.

STATEMENTS FROM THE PUBLIC ON CLOSED SESSION ITEMS ONLY

Joaquin Rivera spoke about AFT negotiations and urged the Board to accept a proposal pertaining to transitioning the adjunct instructional schedule to a step and column schedule and setting a new base rate.

RECESS TO CLOSED SESSION

The Board recessed to closed session at 5:13 p.m.

RECONVENE TO OPEN SESSION

The Board reconvened to open session at 6:02 p.m.

Board Members Present: President Thomas A. Nuris, Vice President Richard Holober, Trustee Maurice Goodman, Trustee Lisa Petrides, Trustee John Pimentel, Student Trustee Jade Shonette

Others Present: Chancellor Michael Claire, Chief Financial Officer Bernata Slater; Skyline College President Melissa Moreno, College of San Mateo Interim President Kim Lopez, Cañada College President Jamillah Moore, District Academic Senate President Jeramy Wallace

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

[\(Time Stamp: 00:58:46\)](#)

President Nuris stated that no reportable actions were taken in Closed Session.

DISCUSSION OF THE ORDER OF THE AGENDA

[\(Time Stamp: 00:58:56\)](#)

There were no changes to the order of the agenda.

PRESENTATIONS TO THE BOARD BY PERSONS OR DELEGATIONS

Recognition by the Board of Trustees of District and College Classified Employees of the Year and Selection of Nomination to be Forwarded to the State Chancellor's Office (21-03-05C)

[\(Time Stamp: 00:59:17\)](#)

Summary of Discussion: President Nuris explained that the award honors community college classified employees who demonstrate the highest level of commitment to professionalism and community colleges. Each of the Colleges and the District Office were invited to nominate one classified employee and each will be honored by the Board tonight. Each community college district may forward the information of one nominee to the California Community Colleges Chancellor's Office for consideration of a statewide award; that nominee is selected by the Board and will be announced at the end of this presentation.

President Melissa Moreno introduced and recognized Gary Cheang, the nominee from Skyline College. Interim President Kim Lopez introduced and recognized Michelle Schneider, the nominee from College of San Mateo. President Jamillah Moore introduced and recognized Vivien Huynh, the nominee from Cañada College. Chief Technology Officer Daman Grewal introduced Alexis Arreola, the nominee from the District Office.

It was announced that the District Classified Employee of the Year was Michelle Schneider and her nomination will be submitted to the State Chancellor's Office as the District's nominee for State Community College Classified Employee of the Year.

The Board congratulated all of the nominees and recognized Michelle Schneider for this honor.

Contemporary Conversation Regarding Race, Class, Gender, Privilege and Equity: Celebrating Women's History Month (21-03-06C)

[\(Time Stamp: 01:22:27\)](#)

Summary of Discussion: Professor Danielle Powell from Skyline College provide an overview of the history of Women's History Month and highlighted the Women's Mentoring and Leadership Academy, a program that provides leadership development, personal and identify development, professional and career development, hosts events and speakers, explores wellness, work and life balance programming, reaching financial and personal goals. She showed a video that highlighted student participants in the Women's Mentoring and Leadership Academy and the impact of the program on participants personally and academically. She also shared personal stories of several of the program alumnae. Professor Powell then engaged the Board in a discussion of what they and other District leaders could do to support the Women's Mentoring and Leadership Academy and women students in the District.

Trustees thanked Professor Powell for the excellent presentation and for sharing the very personal and impactful stories of the students. Trustee Petrides offered to visit Professor Powell's classes and meet with students in the Women's Mentoring and Leadership Academy. Trustee Goodman said that it was important to create ally-ship and to remove barriers and support programs that empower and uplift women in the District and community. Trustee Pimentel noted that he would be interested in knowing about the District's harassment complaints process, childcare programs and would be supportive of making women's menstrual products free of charge in District facilities if they are not already. Vice President Holober noted that today was Equal Pay Day for women, meaning that it was the day in the year when women earned as much as men did as of December 31 of last year; he noted that for Black women, Equal Pay Day is August 3 and for Latina women

it is October 31, 10 full months later. He said that the broader societal and economic trends are important to pay attention to.

STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES

(Time Stamp: 02:10:16)

Chancellor Claire noted that former interim Skyline College President Jannett Jackson has been appointed as interim chancellor of Peralta Community College District. He also asked that the meeting be adjourned in memory of two former coaches who recently passed away: Silvano Vial, former head men's soccer coach at Cañada College, and Rich Donner, former water polo and swimming coach at College of San Mateo.

Chancellor Claire also noted that as a follow-up to prior conversations regarding bond refunding, the District has received the highest possible ratings from the credit rating agencies.

Dr. Moreno reminded everyone about the Skyline President's Breakfast tomorrow morning.

STATEMENTS FROM OTHER REPRESENTATIVE GROUPS

(Time Stamp: 02:15:11)

- ***AFT, Local 1493:*** Katharine Harer spoke about the financial and faculty employment at City College of San Francisco and urged support for the college. Rika Yonemura-Fabian spoke about the need to combat anti-Asian hate, racism and violence and referenced partnerships and programs that AFT is part of.
- ***CSEA, Chapter 33:*** Annette Perot congratulated the classified employee of the year nominees and winner. She also noted that CSEA looks forward to the salary adjustments and retro payments from the recently ratified contract.

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

(Time Stamp: 02:26:51)

- Vera Quijano spoke about Brain Injury Awareness Month; she also spoke about her classes being cancelled and she advocated for a \$14 per hour retro pay adjustment for adjunct faculty in the Kinesiology, Athletics and Dance division who had to convert courses due to COVID.
- Sam Chuang spoke about the youth swim program at the San Mateo Athletic Club (SMAC) and inquired about a return to activities plan.
- Frank Elliott spoke about a records request relating to the SMAC RFP, and also urged collaboration and engaging an advisory board for SMAC.
- Lane Poms proposed that the District test a District-run operating model at the Cañada College Building 1 athletic facility and use it as a model for SMAC. She also suggested naming the pool at Cañada College for Rich Donner.

MINUTES

(Time Stamp: 02:42:15)

Approval of the Minutes of the March 10, 2021 Study Session (21-03-10)

Motion to Approve by: Trustee Goodman

Second by: Trustee Petrides

Action: Approved unanimously, with all Trustees voting Aye

Summary of Edits or Corrections: None.

Approval of the Minutes of the March 17, 2021 Special Closed Session Meeting (21-03-11)

Motion to Approve by: Vice President Holober

Second by: Trustee Goodman

Action: Approved unanimously, with all Trustees voting Aye

Summary of Edits or Corrections: None.

Approval of the Minutes of the March 18, 2021 Special Closed Session Meeting (21-03-12)

Motion to Approve by: Trustee Petrides

Second by: Trustee Goodman

Action: Approved unanimously, with all Trustees voting Aye

Summary of Edits or Corrections: None.

NEW BUSINESS

Approval of Personnel Items: Changes in Assignment, Compensation, Placement, Leaves, Staff Allocations and Classification of Academic and Classified Personnel (21-03-03A)

[*\(Time Stamp: 02:43:51\)*](#)

Motion to Approve by: Trustee Pimentel

Second by: Vice President Holober

Action: Approved as amended, with all Trustees voting Aye

Summary of Discussion: Staff requested that item E(2) – International Education Counselor at Cañada College – be pulled from the report.

Public Comment: None.

Adoption of Resolution No. 21-4 Fixing the Employer Contribution Under Section 22895 of the Public Employees' Medical and Hospital Care Act (21-03-04A)

[*\(Time Stamp: 02:45:30\)*](#)

Motion to Approve by: Trustee Petrides

Second by: Vice President Holober

Action: Approved with roll-call vote, with all Trustees voting Aye and Student Trustee casting an affirmative advisory vote.

Summary of Discussion: Staff asked for a technical correction on the numbering of the resolution to 21-01 rather than 20-04. Trustee Pimentel asked about the fiscal impact of this action. David Feune, director of Human Resources, said he could gather that information. Trustee Pimentel suggested, and President Nuris agreed, that it would be helpful to provide information relating to fiscal impacts, if there are any, in future staff reports.

Public Comment: None.

NEW BUSINESS: Approval of Consent Agenda
(Time Stamp: 02:48:39)

Approval of Curricular Additions, Deletions and Modifications – Cañada College, College of San Mateo and Skyline College (21-03-01CA)

Disposition of District Records – Skyline College (21-03-02CA)

Acceptance of the California Earned Income Tax Credit Grant (21-03-03CA)

Acceptance of Gifts by the District (21-03-04CA)

Ratification of Telecommunications Use Permit Renewal with New Cingular Wireless PCS, LLC – College of San Mateo (21-03-05CA)

Ratification of Telecommunications Use Permit Renewal with T-Mobile West LLC – College of San Mateo (21-03-06CA)

Motion to Approve by: Vice President Holober

Second by: Trustee Pimentel

Action: Approved unanimously, with all Trustees voting Aye

Summary of Discussion: None.

NEW BUSINESS: Other Recommendations

Reaffirmation of Previous Board Statement Reinforcing Civility, Tolerance and Acceptance (21-03-103B)

(Time Stamp: 02:49:35)

Motion to Approve by: Trustee Pimentel

Second by: Trustee Petrides

Action: Approved as amended, with all Trustees voting Aye

Summary of Discussion: Trustees expressed support for the statement and for the Asian community and condemned the recent violence in Atlanta and elsewhere. They acknowledged the diversity of our local community and the need to support students, employees and members of the community. Trustees suggested that the additional language from the staff report be included in the statement.

Public Comment: None.

Renewal of Agreement with Atkinson, Andelson, Loya, Ruud & Romo for District Legal Services (21-03-104B)

(Time Stamp: 03:06:48)

Motion to Approve by: Trustee Goodman

Second by: Vice President Holober

Action: Approved unanimously, with all Trustees voting Aye

Summary of Discussion: The Board asked that for future such items that feedback be sought prior to presenting a contract and that a rationale and cost impact be included in the staff report.

Public Comment: None.

Consideration of Endorsement of Legislation: AB 103 (by Assemblymember Holden) (21-03-105B)
(Time Stamp: 03:09:56)

Motion to Approve by: Trustee Pimentel

Second by: Vice President Holober

Action: Approved unanimously, with all Trustees voting Aye

Summary of Discussion: None.

Public Comment: None.

Approval of Community, Continuing and Corporate Education Collaborative Programming: Full Stack Developer Continuing Education Certificate in Partnership with Cañada College (Menlo Park Site) (21-03-106B)
(Time Stamp: 03:10:58)

Motion to Approve by: Trustee Petrides

Second by: Trustee Pimentel

Action: Approved unanimously, with all Trustees voting Aye

Summary of Discussion: Tammy Robinson, vice president of instruction at Cañada College, provided an overview of the program, noting that the program is in nine modules and takes nine months to complete, with students having an earnings potential from \$60,000 to six figures. The program is being expanded locally through Strong Workforce funds. Trustee Goodman asked about any consideration given to providing pathways for students to earn certificates or degrees rather than short-term programming. Vice President Robinson explained that programs such as this are a way to test programs and students still have an opportunity to participate in parallel programs that lead to certificates or degrees. Trustee Petrides asked about the relationship between the college and the provider. Jonathan Bissel, executive director of Community, Continuing and Corporate Education, explained that the provider would have a contract with the workforce department at the college and that students would register through the continuing education program and complete an assessment of eligibility. Damany Fisher, regional director of special workforce projects at Cañada College, provided an overview of the provider. Vice President Holober said that it would be helpful to get a refresher on corporate and community education programs and alignment with college programs at a future meeting.

Public Comment: None.

Approval of College of San Mateo/Community, Continuing and Corporate Education Collaborative Programming: Green Building Certificate (21-03-107B)
(Time Stamp: 03:43:43)

Motion to Approve by: Trustee Goodman

Second by: Vice President Holober

Action: Approved unanimously, with all Trustees voting Aye

Summary of Discussion: Trustee Holober asked about the existing associate degree program at CSM and how this certificate fits into that programming. He also asked about the vendor and the college's work with them. Alex Kramer, director of workforce at CSM, explained that the college does have an associate degree in Building Inspection and this workforce program was a direct request of the faculty in that program. He also explained that the vendor trains professionals in the field in Green Building and offers other industry-recognized certifications.

Public Comment: None.

Acceptance of Shuttle Grant Funds in Support of the Skyline College Express Program (21-03-108B)
(Time Stamp: 03:56:48)

Motion to Approve by: Trustee Goodman

Second by: Vice President Holober

Action: Approved unanimously, with all Trustees voting Aye

Summary of Discussion: Trustee Pimentel asked how the funds are being used during the campus closure. President Moreno explained that the shuttle is not in operation due to the pandemic and the funds are sitting with the Transit Authority until the shuttle service resumes.

Public Comment: None.

Approval of Instructional Services Agreement with Community Initiatives to Support Dual Language Learning Courses in Early Childhood Education (21-03-109B)
(Time Stamp: 03:58:32)

Motion to Approve by: Vice President Holober

Second by: Trustee Goodman

Action: Approved unanimously, with all Trustees voting Aye

Summary of Discussion: None.

Public Comment: None.

Approval of Contract Award for External Consulting for Training and Research Activities to Better Access Job Opportunities (21-03-110B)
(Time Stamp: 03:59:23)

Motion to Approve by: Trustee Petrides

Second by: Trustee Goodman

Action: Approved unanimously, with all Trustees voting Aye

Summary of Discussion: None.

Public Comment: None.

Approval of Extension of EXOS Contract for the Operation of the San Mateo Athletic Club (21-03-111B)
(Time Stamp: 04:00:13)

Motion to Approve by: Trustee Petrides

Second by: Trustee Pimentel

Action: Approve a three-month extension of the contract. Approved, with Vice President Holober, Trustee Petrides and Trustee Pimentel voting Aye, and President Nuris and Trustee Goodman voting No.

Summary of Discussion: Chancellor Claire provided an overview of activities that had occurred in exploring a possible extension with EXOS beyond the March 30, 2021 contract expiration. He explained that he carried the Board's direction relating to extending the contract in short-term increments, reduction of management fee and evaluation of staffing. Chancellor Claire reported that there was mutual interest in keeping SMAC operational, but that during the negotiations, EXOS was hesitant to reduce the fee or augment staffing due to uncertainty of the contract extension through the RFP process. He explained that his focus needed to be on guiding the District through the pandemic recovery and that the District did not have the capacity at this time to operate SMAC without a management company. Chancellor Claire recommended that he be granted flexibility to negotiate an extension with EXOS through October 31, 2021.

Based on information provided to the Board, Trustee Goodman questioned why there would be an obligation to pay the vendor if the contract ends. He said he would be in favor of letting the contract lapse and opening the facility to the community, or closing the facility temporarily if an operation solution could not be identified. He also questioned if there would be any exposure to further extension, noting that the Board had previously voted not to grant a one-year extension. Trustee Goodman stated that he would be voting no on any extension.

Vice President Holober asked if there was any safe way to allow for a bare-bones use of the facility without a management company. He also encouraged the Board not to shelve or discard exploration of other operation options even with an RFP. He noted that he was conflicted because he shared the concerns of other trustees but that he also understands there is significant public use of the facility and a temporary closure might not be in the best interest.

President Nuris stated that he believes the most important thing is getting the RFP underway and extending the current contract allows the focus to be on the RFP. He explained that he believes that shutting down the facility will have an adverse impact on RFP bidding as the membership base of SMAC will be lost. President Nuris said that he finds no value in only extending the contract by three months and that a longer extension is needed.

District Academic Senate President Wallace stated that he believes the number of hours devoted to this issue is mindboggling. He said his focus was on recovering from the pandemic and getting the colleges open and faculty in the classrooms. He urged the Board to find a solution so they could be available to address the policy issues that will need consideration for pandemic recovery.

Trustee Petrides affirmed that the Board had voted not to grant a one-year contract extension and noted that a path of least resistance approach was not what was called for now. She stated that she believes that now is the time to explore the opportunity to do things differently and explore other operating models. Trustee Petrides also expressed concern that there may be other systemic issues embedded in this matter. She said she would not be in favor of an extension beyond three months.

Trustee Pimentel acknowledged the concerns of the Chancellor and Academic Senate President regarding needing to focus on pandemic recovery to re-open the campuses. Though he said he does not necessarily agree with an extension through October, he would defer to the Chancellor about how to respond and move forward.

Trustee Petrides moved and Trustee Pimentel seconded that a three-month extension of the EXOS contract be granted.

Public Comment:

- Nancy Littlefield commented that an advisory group still has not been fully formed and she asked about the composition of an RFP review committee and the RFP requirements.
- Sam Chuang said SMAC is a world-class facility and he is invested in the long-term future of the institution.
- Lane Poms said she thinks that continuing with EXOS through the end of the year makes sense so the RFP can be completed; she also again suggested testing a District-run model at Cañada College and port to SMAC.
- Gary Dilley said that as a former dean of the division that works with SMAC, the project is too large and overwhelming that current staff can not take on the management of SMAC.

INFORMATIONAL ITEMS

Proposed Promise Scholars Program Expansion with Support from the San Mateo County Board of Supervisors (21-03-07C)

[*\(Time Stamp: 05:04:57\)*](#)

Summary of Discussion: Chancellor Claire thanked Trustee Goodman and Trustee Pimentel for initiating the conversation with Supervisor David Canepa that has led to a commitment of funding from the County. Dr. Aaron McVean, too, thanked Trustee Goodman, Trustee Pimentel and Supervisor Canepa for the support of the Promise Scholars Program and explained that the San Mateo County Board of Supervisors had voted to grant the District \$2 million over two years to support the program. This funding will allow the District to expand the program by 500 students.

Trustees applauded the work of the program and expressed appreciation to the County for its support and encouraged continued collaboration and cooperation with the County and other organizations to further the support of students. Trustees also highlighted opportunities to expand District services including waiving fees, utilizing zero-textbook-costs materials, and re-prioritizing budget allocations.

Update on International Education Program (21-03-08C)

[*\(Time Stamp: 5:16:27\)*](#)

Summary of Discussion: Dr. Jing Luan, provost for International Education, Diane Arguijo, director of International Education, and Dr. Aaron McVean provided an overview of the District's international education program that included a history of the program, overview of the current staffing structure, enrollment data and trends, and budget data and future plans. It was noted that since the program began in 2012, students from 135 countries have attended the District's colleges through the international education program and there are now 151 university transfer partnerships worldwide. It was noted that at its peak, the program served nearly 1,400 students. Additionally, the program's peak revenue was just over \$10.3 million, which resulted in net revenue of over \$7.3 million, the vast majority of which is allocated to the colleges for their use. During the prior federal administration, international enrollments declined locally and across the nation, and the global pandemic has further caused a massive decline in international enrollments. The District team is optimistic about future potential growth of the program with a new federal administration, recovery from the pandemic, solid existing in-country partnerships, development of the Global Online

Learning program and commitment of the District and community as a welcoming place for international students.

Trustee Pimentel asked about indirect costs associated with the program, including the need for more sections and ESL programming. He said he believed this was an excellent program and wished that the same level of success could be realized locally in underrepresented communities. He noted that he would like to see a tie between revenues to District priority programs support, such as Promise Scholars. Vice President Holober asked about increased staffing costs at the District office and expressed concerns about international travel and the need for clearer rules for such travel.

Student Trustee Shonette noted that, being an international student herself, without the program she would not be at the District. She also explained that many international students appreciate the size of the program because they do not get lost at the colleges and have direct access to support in the international education offices. Trustee Petrides applauded the program and encouraged exchanges between cultures, countries and peoples, because she believes that in doing so that is how global problems are solved. Trustee Goodman agreed and said that bringing international students to the District's campuses was important because so many students may never get an opportunity to travel or experience different countries or cultures.

Public Comment: Maxine Turner said she supported international education but that it was supplemental to the mission of the District. She also said that she had a number of questions and would follow-up with District staff on those questions.

Review of Revisions to Board Policy 1.10 – Duties and Responsibilities of the Board (21-03-09C)

(Time Stamp: 06:01:11)

Summary of Discussion: Trustees had no further edits and asked that the revised policy be agendaized for action at a future meeting.

Review of Feedback Process on Matter of Importance to the Board of Trustees Relating to the Upcoming RFP Process for a Contractor to Operate the San Mateo Athletic Club (21-03-10C)

(Time Stamp: 06:03:59)

Summary of Discussion: Trustees agreed that they would review the prior RFP and provide feedback on areas they would like to be added, refined, or removed. Feedback will be collected by staff and provided to the Board ad-hoc RFP committee for incorporation into the RFP.

Receipt of Bond Oversight Committee Annual Report to the Community (21-03-11C)

(Time Stamp: 06:09:28)

Summary of Discussion: President Nuris noted, for the record, that the report had been received.

COMMUNICATIONS

(Time Stamp: 06:10:12)

Chancellor Claire noted that his office has received comments for the Board regarding offering classes in distance modality in the summer and fall and has provided responses for those comments.

STATEMENTS FROM BOARD MEMBERS

[\(Time Stamp: 06:11:15\)](#)

President Nuris: None.

Vice President Holober: None.

Trustee Goodman: None.

Trustee Petrides: None.

Trustee Pimentel: Noted that he had four items: (1) he would like to see a report on how the District is spending CARES and COVID relief funds; (2) he asked about the bond refunding status; CFO Bernata Slater reported that a roughly 12% savings was expected; (3) he would like to have a discussion about planning for a post-COVID community college, and (4) he would like to see prioritization of a whistleblower policy and process.

Student Trustee Shonette: None.

President Nuris announced that the next meeting of the Board of Trustees would be a study session on April 14, 2021, conducted via Zoom.

RECONVENE TO CLOSED SESSION

[\(Time Stamp: 06:16:11\)](#)

The Board recessed to Closed Session at 11:23 p.m.

RECONVENE TO OPEN SESSION

[\(Time Stamp: 07:45:40\)](#)

The Board reconvened to Open Session at 12:53 a.m.

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION (if necessary)

President Nuris announced and/or confirmed that (1) the Board of Trustees unanimously approved a compromise and release Workers' Compensation claim settlement in the amount of \$46,890, (2) at the Board meeting of March 10, 2021, the Board of Trustees unanimously took action to non-renew a contract faculty member. Pursuant to Government Code section 54957.1(a)(5) report out of Board action to non-renew an employee must be deferred until the first public meeting following the exhaustion or waiver of any appeal available to the employee. Today's meeting of the Board of Trustees constitutes the first public meeting since the faculty member waived or exhausted their appeal rights. Therefore, the Board's action to non-renew is now final and is being announced out at this time; and (3) the Board voted to approve a settlement based on certain material terms and authorized the Chancellor to negotiate and execute a final agreement consistent with those material terms.

ADJOURNMENT

The meeting adjourned by consent at 12:56 a.m. in the memory of Silvano Vial and Rich Donner.

Submitted by

Michael Claire, Secretary