

**Minutes of the Regular Meeting of the Board of Trustees  
San Mateo County Community College District  
April 28, 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 5:09 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: Unrepresented Employees: Provost – International Education, Vice Chancellor – Chief of Staff, Vice Chancellor – Education Services & Planning, Vice Chancellor – Facilities, Vice Chancellor – Auxiliary Services & Enterprise Operations; (2) Hold a Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to Gov. Code, § 54956.9, subd. (d)(2): Two cases; (3) Consideration of Public Employee Performance Evaluation: Review of Goals – Chancellor; and (4) Consideration of Ratification of January and February 2021 Confidential District Warrants.

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

None.

**RECESS TO CLOSED SESSION**

The Board recessed to closed session at 5:09 p.m.

**RECONVENE TO OPEN SESSION**

The Board reconvened to open session at 6:10 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 Acting Interim President Mike Holtzclaw, Cañada College President Jamillah Moore, District Academic Senate President Jeremy Wallace

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

*[\(Time Stamp: 01:03:21\)](#)*

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

**DISCUSSION OF THE ORDER OF THE AGENDA**

*[\(Time Stamp: 01:03:28\)](#)*

There were no changes to the order of the agenda.

**Approval of the Minutes of the March 24, 2021 Regular Meeting (21-04-01)**

*Motion to Approve by:* Vice President Holober

*Second by:* Trustee Petrides

*Action:* Approved, as amended below, with all Trustees voting Aye

*Summary of Edits or Corrections:* Trustee Pimentel asked that his remarks relating to the international education be corrected to reflect that he thought the recruiting effort was excellent and he would like to see that effort in local hard to reach communities; his remarks were not directed at the program quality.

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

**Presentation of Spring Semester Activities by Associated Students of Cañada College, College of San Mateo and Skyline College (21-04-04C)**

*(Time Stamp: 01:09:06)*

*Summary of Discussion:* Student Trustee Shonette introduced the presentations from the Associated Students of Cañada College and College of San Mateo. She noted that the Associated Students of Skyline College were unable to participate in the meeting.

Adrian Afif and Chili Montain, president and vice president respectively of the Cañada College Associated Students, shared a video presentation of their report that highlighted their organization's initiatives and activities, including of a screening of the movie "Self Made," hosting a De-stress Day event, pet therapy, Title IX and sexual assault awareness, and Southeast Asian New Year's event and acknowledging violence there. They also highlighted their newsletter to students and activities relating to mental health wellness, environmental sustainability and anti-racism.

College of San Mateo Associated Students president Joseph Nguyen and vice president Dyana Huaraz presented an update on the AS's organizational structure and events hosted during the spring semester, including Reboot Week in January, Black History Month in February, Student Panel on Myanmar in March, and Student Forum in April. They also highlighted upcoming events, including a virtual club fair, active minds "Movies for Mental Health" and Transfer Club virtual tour week.

On behalf of the Board, President Nuris thanked all student panelists for their great presentations and commended them on their great work in supporting students on their campuses.

**Contemporary Conversation Regarding Race, Class, Gender, Privilege and Equity: Impact of Verdict in Trial of Murder of George Floyd (21-04-05C)**

*(Time Stamp: 01:24:58)*

*Summary of Discussion:* President Nuris noted that the murder of George Floyd last May in Minneapolis reignited a movement for accountability and galvanized a call for an end to racism, discrimination, hate and violence in all forms and in all places. He said that last week, a jury in Minnesota convicted the police officer charged with Mr. Floyd's murder. That verdict came at an emotional time in our nation and tonight we will discuss the impacts of that verdict.

President Nuris explained that this evening, the Board was going to slightly alter the format of the discussion and hear not only from members of the Board about their thoughts, but he also invited members of the panel and members of the public in attendance to join in this discussion with their thoughts.

Trustee Petrides noted that there was a sense of relief upon hearing the verdict but that true justice would be with Mr. Floyd still alive. She noted that while the verdict was not full justice, it was a step in the right direction. Chancellor Claire noted that he continues to learn and grow in his understanding and recently was reminded that the language used to describe the verdict was not justice but instead accountability. President Nuris questioned by did we have to sit on the edge of our seats anticipating a guilty verdict? He noted it was because there was a feeling that there was a chance that the verdict could have gone the other way and the system could have failed us.

Trustee Goodman commented that it is important to recognize that the African American community are dealing with collective trauma and continue to have their lives devalued by people in authority. He noted that within an hour of the verdict, there was another shooting. He explained that with the verdict there can begin to be conversations to hold those responsible accountable. Trustee Goodman also explained that the systems in place were set up to yield the results they are getting in oppressing people of color and women. Trustee Goodman noted that systems of oppression must be dismantled at all costs.

Vice Chancellor Tom Bauer noted that he, too, felt relief and that as the father of a son of color he fears that his son is in harm's way every time he leaves home. Skyline President Moreno said that we have to do better and be better. She said the justice system has never served people of color. At Skyline, she and her college community are galvanized around the message of unity, social justice and equity in preparing students to carry those messages when they go into the world. Academic President Wallace agreed with Trustee Goodman and President Moreno and said that we all need to affirm that Black Lives Matter and Black Minds Matter, and the District needs to continue the work of anti-racism, fostering ethnic studies programs so that students can be prepared when they leave our colleges.

Trustee Pimentel agreed with Trustee Goodman that we must deconstruct racist systems and said as a District we could focus on accessible education for more people in under-represented and under-served communities to change social and economic mobility. He said the District can reallocate resources to support those efforts to provide education and support for students.

### **STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES**

*[\(Time Stamp: 01:50:31\)](#)*

Chancellor Claire congratulated Dr. Jennifer Taylor-Mendoza on being recommended as the next president of College of San Mateo. He also congratulated Dr. Jamillah Moore on her appointment as Vice President for Student Affairs and Enrollment Management at San Francisco State University. Chancellor Claire noted that he would be engaging Cañada College campus leadership to begin the search process for a new president.

Chief Financial Officer Slater thanked the Board for acting quickly in approving the General Obligation Bond refunding and reported that the refunding closed on April 14, 2021 and will result in over \$25 million in gross savings to taxpayers. She also emphasized that none of the savings go to the District they go directly to taxpayers.

### **STATEMENTS FROM OTHER REPRESENTATIVE GROUPS**

*[\(Time Stamp: 01:55:40\)](#)*

None.

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

*(Time Stamp: 01:56:20)*

- Jennafer Carson spoke about re-opening the colleges and urged that it be done so as soon as possible.

**NEW BUSINESS**

**Approval of Personnel Items: Changes in Assignment, Compensation, Placement, Leaves, Staff Allocations and Classification of Academic and Classified Personnel (21-04-02A)**

*(Time Stamp: 02:00:32)*

*Motion to Approve by:* Trustee Goodman

*Second by:* Vice President Holober

*Action:* Approved as corrected, with all Trustees voting Aye

*Summary of Discussion:* Staff requested that two technical corrections be made to the report: The first in Section E – Changes in Staff Allocation should read “Skyline College” rather than “College of San Mateo.” And the Second in Section J – Professional Expert/Contract Positions; in the second item relating to Professional Expert: Art Models, the location should read “Cañada College” rather than “Skyline College.”

Trustee Pimentel asked if the art models are paid or volunteer; Human Resources Director David Feune confirmed that those positions are paid. Trustee Pimentel asked what the 74 coaches and 10 equipment managers would be doing with the campuses closed. Chancellor Claire, Vice President Holtzclaw and Mr. Feune explained that there is athletic conditioning and competition currently taking place at the colleges and this number of personnel is similar to years past.

*Public Comment:* None.

**Consideration and Approval of College of San Mateo President Employment Agreement (21-04-03A)**

*(Time Stamp: 02:05:54)*

*Motion to Approve by:* Trustee Goodman

*Second by:* Trustee Petrides

*Action:* Approved unanimously, with all Trustees voting Aye

*Summary of Discussion:* None.

*Public Comment:* None.

**NEW BUSINESS: Approval of Consent Agenda**

*(Time Stamp: 02:07:30)*

**Approval of Curricular Additions, Deletions and Modifications – Cañada College, College of San Mateo and Skyline College (21-04-01CA)**

**Approval of Academic Calendar for 2022-2023 Academic Year (21-04-02CA)**

**Approval of Updates to Board Policy 1.10 – Duties and Responsibilities of the Board (21-04-03CA)**

**Ratification of January and February 2021 District Warrants (21-04-04CA)**

*Motion to Approve by:* Vice President Holober

*Second by:* Trustee Goodman

*Action:* Approved unanimously, with all Trustees voting Aye

*Summary of Discussion:* None.

**NEW BUSINESS: Other Recommendations**

**Consideration of Support of Legislation: AB 1073 Relating to Early Childhood Education Workforce and AB 927 Relating to Community College Baccalaureate Degree Pilot Program (21-04-103B)**

[\*\(Time Stamp: 02:08:07\)\*](#)

*Motion to Approve by:* Trustee Goodman

*Second by:* Vice President Holober

*Action:* Approved unanimously, with all Trustees voting Aye

*Summary of Discussion:* None.

*Public Comment:* None.

**Approval of Contract Award for College of San Mateo Fire Pump Replacement Project (21-04-104B)**

[\*\(Time Stamp: 02:10:44\)\*](#)

*Motion to Approve by:* Trustee Goodman

*Second by:* Vice President Holober

*Action:* Approved unanimously, with all Trustees voting Aye

*Summary of Discussion:* None.

*Public Comment:* None.

**Approval of Construction Consultants (21-04-105B)**

[\*\(Time Stamp: 02:11:42\)\*](#)

*Motion to Approve by:* Trustee Pimentel

*Second by:* Trustee Petrides

*Action:* Approved unanimously, with all Trustees voting Aye

*Summary of Discussion:* Trustee Pimentel asked how many of the firms were minority and or women owned businesses and said he would like to see appropriate legal consideration given to those firms if possible. Trustee Goodman asked for an overview of the process and reminded staff that permission is not always necessary from the Board to pursue equity in our processes. Trustee Petrides noted that she would like to see equity metrics for such items going forward to allow for year-over-year comparisons. Vice Chancellor Jose Nunez explained that he would gather that data and provide it to the Board and further explained that for these professional services, unlike with contractors, this was a different process to gain pre-qualification and the requested data fields can be added to the questionnaire.

*Public Comment:* None.

**Approval of Revisions to Board Policies: 2.35 – Use of District Communications Systems; 6.05 – Academic Calendar; and 8.74 – Exemptions and Waivers from Fees (21-04-106B)**

**(Time Stamp: 02:18:18)**

***Motion to Approve by:*** Trustee Petrides

***Second by:*** Trustee Pimentel

***Action:*** Approved unanimously, with all Trustees voting Aye

***Summary of Discussion:*** As it related to Policy 2.35, Trustee Pimentel noted that he would like the District to be more aggressive in its marketing and suggested potential amendments to the policy relating to prospective students and marketing and recruitment. Vice Chancellor Aaron McVean responded that, as constructed, the proposed policy does not restrict those activities.

As it related to Policy 8.74, Trustee Pimentel suggested adding parking fees to the list of waivable fees. Chief Financial Officer Slater suggested that staff would check the legality of such a waiver. Vice Chancellor Jose Nunez also noted that due to COVID, the parking fund has taken a \$1.7 million hit and any additional waivers would further the loss of revenue that support operations. Trustee Pimentel also asked about the international student fee waiver process and questioned why fees would be waived. Vice Chancellor McVean explained that Education Code provides for limited waivers in extraordinary circumstances and that the District must maintain a process for such waivers. He noted that an example of an extraordinary circumstance would be the military coup in Myanmar. Trustee Pimentel asked that a report of international fee waivers be periodically provided to the Board.

After discussion, no edits were made to policies presented.

***Public Comment:*** None.

**INFORMATIONAL ITEMS**

**Review of District Whistleblower Policies, Procedures and Protections (21-04-06C)**

**(Time Stamp: 02:40:36)**

***Summary of Discussion:*** Chancellor Claire explained that the District does have an existing Whistleblower policy and process but would like to make it easier to find and understand. Trustee Petrides asked how the policy has worked and if any changes are needed based on data that might be available. Chancellor Claire noted that there is currently no centralized data repository of claims and that during his time as chancellor, he has not been aware of any such claims.

Vice President Holober noted that this is a good topic to keep open in relation to other processes the Board is considering, such as the internal auditor. He also noted that knowledge of the policy and training for those responsible for processing complaints was important. Trustee Pimentel suggested that he would like to see the policy encourage both named and anonymous reporting of issues; possibly consider a duty to report matters, rather than simply being a permissible action; have a physical place for reporting matters, such as an office, hotline and/or website; and he noted he would like for the Board to receive periodic reports on harassment claims data.

President Nuris expressed concern with requiring a duty to report and Trustee Petrides agreed. Trustee Petrides noted that an essential component is the protection for those who do come forward. She also suggested that it needs to be clear as to how claims are reported and that revised processes be user-tested for clarity purposes.

Trustees agreed that additional research and benchmarking would be helpful and that further discussion could happen at a future meeting once additional information is gathered and presented.

### **Discussion of Internal Auditor Position (21-04-07C)**

*[\(Time Stamp: 3:00:01\)](#)*

**Summary of Discussion:** Chancellor Claire and Vice President Holober provided an overview of conversations with executives from Antelope Valley College as it relates to their internal audit position. President Nuris asked about the feasibility of finding a candidate who has knowledge of all areas of an organization. He also expressed concern with leapfrogging the chancellor and going directly to the Board with issues. Vice President Holober explained that there is an organization that sets the standards for audits and that an individual must have an understanding of the areas they audit. For this role, he noted, it would relate to finances and other data, not issues related to curriculum, pedagogy, etc. Chancellor Claire noted that at Antelope Valley there appeared to be a working partnership with the internal auditor, the chancellor, district and board. He said that is an approach he could work with.

Trustee Goodman expressed concern about adding another Cabinet-level position to simply join an existing workgroup of employees who are already responsible for the matters that will be audited. He supported the need for the work but not creating a new position. Trustee Pimentel stated that he believes this is a value-added position and that it should be outside of the normal organizational chart to assist the chancellor with concerns of fraud, waste, abuse. He also noted that the position was not uncommon in other organizations.

Vice President Holober suggested that this position related to systems and rules that are or needed to be in place, not about people in place. President Nuris stated that all organizations are made up of personalities and people. He said the District is the exception and not the rule and that issues that are fostering the interest in this position do not happen to everyone. He noted that there needed to be proper supervision and accountability put in place to protect against matters suggested from the past.

Trustee Petrides said she believes such a position actually builds trust, creates a culture of accountability, is a value add and provides for continuous improvement. She said that the District is a system, not just personalities, and it is important to do things differently as part of continuous learning and improvement. Trustee Goodman noted that he questions the need for an in-house role versus having an expert on retainer to perform the functions that have been suggested. Vice President Holober explained that it was important to have both internal and external expertise and services and establish rules and accountability measures.

The Board agreed that its ad-hoc committee would work with the Chancellor and a draft position description which would be brought back for review and discussion at the next meeting.

**Public Comment:** None.

### **Review of Board Meeting Protocols (21-04-08C)**

*[\(Time Stamp: 03:40:29\)](#)*

**Summary of Discussion:** Trustees suggested a variety of measure to make their meetings more efficient and effective, including: assigning time limits for agenda items and enforcing those limits; facilitating dialogue as part of presentations; carefully balancing and setting the agenda; ensuring

that there is no grandstanding and that questions that can be asked and answered with staff before meetings are done so; exercising Board self-restraint and not feeling obligated to comment or congratulate on every item, but allowing the President to offer comments on behalf of the Board. The Board agreed to begin to implement these suggestions.

### **COMMUNICATIONS**

*[\(Time Stamp: 03:53:48\)](#)*

Trustee Pimentel offered a communication regarding San Mateo Athletic Club and Cañada Building 1 that he previously circulated to the Chancellor and intended to be a public document. That communication is included with these minutes as Attachment #01.

### **STATEMENTS FROM BOARD MEMBERS**

*[\(Time Stamp: 03:53:48\)](#)*

***President Nuris:*** Congratulated Dr. Moore and Dr. Taylor-Mendoza on their new positions and thanked Kim Lopez for her service as interim president at CSM.

***Vice President Holoher:*** Congratulated Dr. Moore and Dr. Taylor-Mendoza on their new positions. Also expressed interest in discussion of accelerating opening colleges for fall.

***Trustee Goodman:*** Congratulated Dr. Moore and Dr. Taylor-Mendoza on their new positions and supported Trustee Pimentel's suggestion of agendizing free college policy discussion at a future meeting.

***Trustee Petrides:*** Expressed interest in discussion of accelerating opening colleges for fall and volunteered to serve on an ad-hoc committee relating to free college/college access, as suggested by Trustee Pimentel.

***Trustee Pimentel:*** Asked that the topic of free college policy options be agendized at a future meeting and suggested an ad-hoc committee be established to further the work on this topic. Suggested that budget change proposals be considered to support Board priorities. Asked that a discussion occur soon relating to accelerating reopening of colleges.

***Student Trustee Shonette:*** None.

President Nuris announced that the next meeting of the Board of Trustees would be a study session on May 12, 2021, conducted via Zoom.

### **RECONVENE TO CLOSED SESSION**

*[\(Time Stamp: 04:07:25\)](#)*

The Board recessed to Closed Session at 9:16 p.m.

### **RECONVENE TO OPEN SESSION**

*[\(Time Stamp: 06:10:21\)](#)*

The Board reconvened to Open Session at 11:19 p.m.

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

President Nuris announced that in closed session the Board approved the confidential district warrants for January and February 2021.

**ADJOURNMENT**

The meeting adjourned by consent at 11:20 p.m.

Submitted by

Michael Claire, Secretary