

**Minutes of the Regular Meeting of the Board of Trustees
San Mateo County Community College District
August 25, 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 5:06 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 stated that during Closed Session, the Board will take up items as listed on the printed agenda, including: 1) Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to Gov. Code, § 54956.9, subd. (d)(2): Two Cases; 2) Ratification of May and June 2021 Confidential District Warrants; 3) Public Employee Appointment: Executive Vice Chancellor for Administrative Services.

STATEMENTS FROM THE PUBLIC ON CLOSED SESSION ITEMS ONLY

None.

RECESS TO CLOSED SESSION

The Board recessed to closed session at 5:07 p.m.

RECONVENE TO OPEN SESSION

The Board reconvened to open session at 6:20 p.m.

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

Others Present: Chancellor Michael Claire, Chief Financial Officer Bernata Slater; Skyline College President Melissa Moreno, College of San Mateo President Jennifer Taylor-Mendoza, Cañada College Interim President Kim Lopez, District Academic Senate President Kate Williams Browne

ADJOURNMENT IN MEMORY

President Nuris announced that this evening's meeting will be adjourned in honor of two prominent community leaders, who also served our District: Ruth Nagler who was a former Director of Community Education at Cañada College and the District Office, and Rosalie O'Mahony who was a professor of Mathematics at College of San Mateo.

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

President Nuris announced that there were no reportable actions taken in closed session.

DISCUSSION OF THE ORDER OF THE AGENDA

(Time Stamp: 1:15:34)

It was requested that the following items be moved up in the agenda to be considered after the Discussion of the Order of the Agenda: (1) Review of Bookstore Business Model Analysis (21-08-02C) and (2) Update on Crystal Springs Cross Country Course Use Agreement and Stakeholder Engagement (21-08-03C). The Board agreed, and there are no further changes to the agenda.

INFORMATIONAL ITEMS

Review of Bookstore Business Model Analysis (21-08-02C)

(Time Stamp: 1:16:14)

Summary of Discussion: Vice Chancellor Bauer provided a brief overview of the bookstore and its available services and resources to students. He also provided information on how internal and external factors have impacted the bookstore finances.

Tom Byrne of Campus Bookstore Consulting (CBC), an independent consulting firm for bookstores based in Massachusetts, presented findings of an analysis his firm has conducted at the District's request. He noted that the assessment had two goals: (1) to assist the District in analyzing the financial performance of current bookstore operations; and (2) to identify and assess viable business models for the District to consider. He briefly presented current industry challenges, current focuses and contributions to the SMCCCD Bookstores, bookstore business models, and self-operation/contract management comparison. It was noted that the Bookstores have not been profitable since FY 2016 and have relied on Reserve Funds to continue operations.

Trustee Goodman asked if the information regarding the financial situation was presented to administration from 2019-2020 and if so, what could have been done to keep the District from going down this path? Staff responded that the financial trajectory has been noted for some time and that the pandemic has delayed discussion at this level until this point.

Trustee Petrides wants to understand the assumptions or projections of the profit and revenue on textbook sales. She asked if they assume a continuing decline of textbooks. She also asked about the use of OER or print on demand.

Vice President Holoher commented that he does not believe the District needs to contract out the bookstore operations.

Chancellor Claire advised that staff needed direction from the Board on how to move forward with the bookstores.

This item will come back to the Board for further consideration and ultimate action.

Public Comment:

- Rosalyn Young stated the bookstore was so much more than a bookstore, and the staff go above and beyond their job duties and responsibilities.
- Maria Lara stated they had an issue with needing to print diplomas and programs, and the staff took care of it without hesitation. She commended the Cañada College Bookstore staff, and how they go out of the way to help the students.

Update on Crystal Springs Cross Country Course Use Agreement and Stakeholder Engagement (21-08-03C) (Time Stamp: 2:06:49)

Summary of Discussion: Chancellor Claire started this discussion by acknowledging those that commented and addressed concerns regarding this item. He also acknowledged Bob Rush, who founded the course in 1971, the SFPUC (San Francisco Public Utilities Commission) and the City of Belmont. The Chancellor noted that College of San Mateo felt that the license should be terminated due to the course not being utilized as much. It is, however, being used by high schools and the community. He stated that the purpose of this agenda item this evening was to allow for public feedback about the course and to get Board direction. The Chancellor explained that the District had contracted with a third-party mediator to facilitate a discussion between the track users and the Belmont Homeowners Association and that mediation process did not yield any agreement.

Public Comment:

- Frank Hunt spoke against closing the course and limiting the number of participants and events.
- Luis Folan said this is possibly the best Cross Country Course he has seen in the United States and he is against closing the course and limiting the number of participants.
- Kira Holman said she is against closing the course and limiting the number of meets and that the neighborhood loves the course.
- Bill Kurtz spoke in favor of limiting the numbers of participants and events, but against closing the course.
- Deniz Bolbol stated that events have not gone under environmental review, and the Board needs to consider making that happen. She is for limiting the number of participants and events, basically due to “the sound” at night.
- Jennifer [last name not provided] spoke in favor of limiting the number of participants and events.
- Brad Mathaney spoke against closing the course.
- David Grissom spoke against closing the course.
- Jake Lang spoke against closing the course.
- Anna Feland spoke against closing the course.
- Cliff Lentz stated there is no report that indicates significant disruption during events. He spoke against limiting the number of participants and events.
- Barbara Posch mentioned the fire hazards in the area, specifically around the course and that fire season needs to be considered when scheduling the meets, as well as the number of participants.
- Rich Wood spoke against closing the course, as well as limiting the number of participants and events.
- Charles Stone (Mayor of Belmont) spoke against closing the course and limiting the number of participants and events. He thanked SMCCCD for the collaboration in managing and planning the events, and also for making the course available to students across the region and state. Encouraged administration and Board to adopt about 20 races, including Middle School level.

- Lydia Newayser spoke against closing the course and limiting the number of participants and events.
- Davis Turner spoke against closing the course and limiting the number of participants and events.
- Asad Baheri spoke against closing the course and limiting the number of participants and events.
- Lee-Lin Thye spoke against closing the course and limiting the number of participants and events.
- Jet Turner spoke against closing the course and limiting the number of participants and events.
- Jim Marheineke spoke against closing the course, but for limiting the number of participants and events.
- Paul Sheng spoke against closing the course and limiting the number of participants and events.
- Judith [last name not provided] spoke against closing the course.
- Jared Saal spoke against closing the course and limiting the number of participants and events.
- Patrick McCrystle spoke against closing the course and limiting the number of participants and events.
- John Cooper spoke against closing the course and limiting the number of participants and events.
- Thaddeus Block spoke against closing the course.
- Joan Dentler spoke against closing the course and limiting the number of participants and events.

President Nuris thanked everyone for their comments. He mentioned that the Board has received dozens of emails regarding this issue, and they've had the opportunity to review them.

Trustee Goodman mentioned that when this matter came up for Administration, the Board responded to all communication regarding this issue. The Board has asked that the District allow them to hear from both sides; even paid for mediation. He hears the comments and empathizes with those who spoke. He mentioned the concerns do not outweigh the benefits the course has to the students and community. He believes equal access and opportunity to the students is extremely important. He recalls the recommendation was to decrease the number of events, but it needs to be looked at with an equitable lens.

Trustee Pimentel thanked the public for their participation and comments. He asked if the staff has been clear with the running community and neighborhood that we would make the CSM parking lot available to stage some of the traffic. It would minimize the footprint on the neighborhood, yet enable adequate access to the running facility.

Chancellor Claire stated they have a tentative schedule of events for the fall. He would like to receive recommendation on the perimeters for scheduling.

Vice President Holober thanked the public for their comments, as well as all of the emails they've received addressing their concerns. He had questions about the Board's role in the matter. He asked about the licensing piece, and how we go about getting a license and continue to have it. What is the requirement around Board ratification of signing contracts with other government entities? He would like to know this answer at a later date. He addressed the concerns mentioned about endangered species, fire hazards, and parking. He suggested perhaps offering parking at CSM and having a shuttle transportation, not at the District's expense, but it might help relieve some of the traffic.

Chancellor Claire stated the license is revocable, with a renewal for 8 years. The license is \$2,400.00 per year. SFPUC would like to have this conflict around use of the course resolved before renewing or executing the license.

President Nuris stated he is hoping we can move in the direction that Trustees Goodman, Pimentel, and Holober have suggested. He stated the program has been there for 50 years, and we need to consider the value that it provides to so many young people. This is a scarce asset that we have, and we need to handle the matter carefully.

Coach Andreas Wolf stated that the SFPUC advised that the environmental impact is minimal. If it was great, then the course would be closed. He did mention that they've discussed with the HOA (Homeowners Association) the possibility of using the CSM parking lot, but they were concerned about the traffic going up and down twice. They're discussing alternative parking.

Approval of the Minutes of the July 17, 2021 Board Retreat (21-08-01)

[\(Time Stamp: 3:43:08\)](#)

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 July 28, 2021 Regular Meeting (21-08-02)

[\(Time Stamp: 3:43:46\)](#)

Motion to Approve by: Vice President Holober

Second by: Trustee Petrides

Action: Approved unanimously, with all Trustees voting Aye.

Summary of Edits or Corrections: Trustee Pimentel asked that the comments from Maxine Turner be reflected in the minutes appropriately.

STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES

[\(Time Stamp: 3:44:35\)](#)

- Chancellor Claire introduced the Interim Chief Human Resources Officer Marie Billie.
- President Moreno stated that Opening Day was a great success with approximately 80 participants in person and 150 via Zoom. She also announced that there was a new initiative at

Skyline College called the People’s College Initiative, and she will discuss it further at a future meeting.

- President Taylor-Mendoza stated the college had a successful high flex Opening Day with approximately 80 participants in person and 145 via Zoom. students online). She also noted a recent ranking from Wallethub where CSM ranks number two as the best community college, up from number three last year.
- Interim President Lopez stated Cañada College has its first high flex Opening Day last week with approximately 30 participants in person and 130 online. She also noted that Dr. Tammy Robinson is working with the State Chancellor’s Office to put together a town hall meeting on September 9th to showcase some of the work happening at Cañada College.

STATEMENTS FROM OTHER REPRESENTATIVE GROUPS

[\(Time Stamp: 3:52:10\)](#)

- ***AFT, Local 1493:*** Monica Malamud commented about the District’s COVID-19 policies for employee and student safety and advocated for greater transparency and better communication.
- ***CSEA, Chapter 33:*** Annette Perot stated that a final return to work MOU had been reach.
- ***AFSCME, AFL-CIO, Local 829, Council 57:*** Joseph Puckett thanked facilities employees for their hard work in preparing the campuses for the return of employees and students. He advocated for a cost of living increase for AFSCME members.

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

[\(Time Stamp: 4:00:00\)](#)

- Lavinia Zanassi commented on behalf of counselors and called asked for transparency and consistency in the specifics about the return-to-school plans for them returning to campuses.

NEW BUSINESS

Approval of Personnel Items: Changes in Assignment, Compensation, Placement, Leaves, Staff Allocations and Classification of Academic and Classified Personnel (21-08-01A)

[\(Time Stamp: 4:04:00\)](#)

Motion to Approve by: Trustee Goodman

Second by: Vice President Holober

Action: Approved unanimously as amended, with all Trustees voting Aye.

Summary of Discussion: Staff asked that the following corrections and edits be made to the report: (1) Under Item C, the title for the Skyline College position should read “Senior Planning and Research Analyst” ; (2) Under Item I, the position should be assigned to College of San Mateo, not Skyline College; and (3) Under Item K, the Program Services Position at College of San Mateo and Staff Assistant for International Education at the District Office be removed.

Public Comment: None.

Consideration and Approval of Executive Vice Chancellor for Administrative Services Employment Agreement (21-08-02A) (Time Stamp: 4:05:06)

Motion to Approve by: Trustee Goodman

Second by: Trustee Petrides

Action: Approved unanimously, with all Trustees voting Aye.

Summary of Discussion: Trustees requested a technical correction in the report. The salary effective date should read September 13, 2021, not August 13, 2021.

As required by law, an oral summary of the terms and conditions of the agreement were read, including: Dr. Richard Storti's contract is for a three year term, through June 30, 2024. Effective August 13, 2021, his annual compensation will be that outlined in Executive Salary Schedule (10), Grade EC, Step 1 (currently \$249,912). Dr. Storti will receive 225 hours of vacation annually, and can cash out up to 10 days of vacation annually. He will receive one (1) day per month of sick leave, and the same health and welfare benefits, including post-retirement medical benefits, as are generally provided to management personnel of the District. He will be eligible for an annuity vesting after five years of service as Executive Vice Chancellor for Administrative Services.

Public Comment: None.

Approval of Modifications to Instructional Adjunct Salary Schedule (HI) (21-08-03A)

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.

NEW BUSINESS: Approval of Consent Agenda

(Time Stamp: 4:06:36)

Ratification of Agreement with the Registry for College and University Presidents for Interim Chief Human Resources Officer Services (21-08-01CA)

Ratification of District Warrants for May and June 2021 (21-08-02CA)

Approval of an Instructional Services Agreement with Community Initiatives to Support Dual Language Learning Courses in Early Childhood Education Including Tuition, Fees and Faculty Salary (21-08-03CA)

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 Declaration of Surplus Property (21-08-04CA)

This item was removed from consent to be discussed.

Motion to Approve by: Trustee Goodman

Second by: Trustee Petrides

Action: Approved unanimously, with all Trustees voting Aye.

Summary of Discussion: Trustee Goodman asked for clarification as to ways the District can dispose of surplus property in an effort to recoup funds from these items. The Chancellor and CFO commented that items are auctioned on a public surplus website.

Public Comment: None.

NEW BUSINESS: Other Recommendations

Approval to Continue Accommodation for Students Impacted by Extraordinary Conditions – Fee Refunds (21-08-101B)

[\(Time Stamp: 4:10:04\)](#)

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 Revision to Board Policy 6.21 – Grading and Academic Record Symbols (21-08-102B)

[\(Time Stamp: 4:10:42\)](#)

Motion to Approve by: Trustee Goodman

Second by: Vice President Holober

Action: Approved unanimously, with all Trustees voting Aye.

Summary of Discussion: Trustee Goodman asked if this is an opportunity to do retroactive withdrawals. Vice Chancellor McVean advised they wanted to reflect that this is an addition to use with grading.

Public Comment: None.

INFORMATIONAL ITEMS

Review of Proposed Allocation from Federal American Rescue Plan’s Higher Education Emergency Relief Fund III (21-08-04C)

[\(Time Stamp: 4:12:26\)](#)

Summary of Discussion: Vice Chancellor McVean provided a quick overview on HERF III Funds. This is the third installment of federal funds received during the Pandemic. Allocation amount is just over \$23,000,000.00, which is separately allocated in direct student aid or institutional dollars. 51% of the overall funds are allocated in direct student aid. \$11,500,000.00 in institutional funds,

which are allocated directly to the colleges. They have determined what is college institutional need and district-wide need. Administration is proposing \$4,500,000.00 (19%) towards district-wide needs and \$7,000,000.00 (31%) towards college institutional needs.

Trustee Pimentel supports the action that is said to help eliminate student debt, which is allocating \$700,000.00. He asked if there are any outstanding debts during the Pandemic that we are not waiving, of which there are none. He also asked if our outreach for engaging with and reenrolling students is an appropriate expenditure of these HERF III funds; how much is allocated (from college institutional need funds will be used).

Skyline College President Dr. Moreno commented that Skyline has received a college institutional need allocation of \$3,500,000.00 total. They've allocated \$600,000.00 to disproportionately impacted students, and \$426,000.00 to enrollment recovery efforts (includes recruitment and marketing).

Trustees would like a report from each of the colleges at a future meeting.

Public Comment: None.

Review of Suggested Updates to Board Policy 1.60 – Rules of Order for Board Meetings (21-08-05C)
[\(Time Stamp: 4:24:21\)](#)

Summary of Discussion: The Board requested at a prior meeting to consider setting adjournment times. Staff has drafted a report on this item, and presented it to the Board. President Nuris advised it can be taken out of draft form, and move forward to the next level.

Public Comment: None.

Review of Potential Board Ad-Hoc Committee on Board Operations (21-08-06C)
[\(Time Stamp: 4:25:24\)](#)

Summary of Discussion: Chancellor Claire advised he counted the number of meetings and there's been about 72 meetings over his tenure as Chancellor. He presented the idea of putting together an Ad-Hoc Committee comprised of two Board Members.

Trustees are in favor of this idea.

Vice President Holober stated he would like the committee to cover and discuss various topics and issues, not just Board Meetings.

Trustee Pimentel and Trustee Petrides have both volunteered to be on the committee.

Trustee Goodman officially nominated both Trustees Pimentel and Petrides to be on the committee; President Nuris appointed them on behalf of the Board.

Public Comment: None.

Report on the Use of Public Agency Contracts for the Purchase of Materials, Equipment, Supplies and Services (21-08-07C)

(Time Stamp: 4:30:41)

Summary of Discussion: President Nuris noted the report had been received.

COMMUNICATIONS

(Time Stamp: 4:31:13)

- President Nuris advised that the Board received a number of communications from community members relating to the Crystal Spring Cross Country Course. Those communications are noted for the record as having been received.
- President Nuris advised the Board received a communication from Maxine Turner relating to the facilities planning report at the July 28, 2021 meeting. That communication is noted for the record as having been received.

STATEMENTS FROM BOARD MEMBERS

(Time Stamp: 4:31:48)

President Nuris: None.

Vice President Holober: None.

Trustee Goodman: Met with Trustee Pimentel, the Chancellor and staff to discuss the opportunity to kick start the process to explore student housing. Discussed an issue getting support for student at one of the colleges and reminded that having a presence on campus is important to serving students.

Trustee Petrides: She and President Taylor-Mendoza serve the Coast Side community, and they have begun efforts to meet with representatives of the Coast, including wanting to host Coast Side Town Halls. She and Vice Chancellor McVean met with Cabrillo School District regarding Dual Enrollment.

Trustee Pimentel: Working on two projects with Trustee Goodman: student housing and the San Mateo County Community College Foundation. Said with the Foundation, there is opportunity to increase the endowment, which could generate an annuity used to support Promise Scholars or general free community college initiative.

Student Trustee Garcia: Spoke with the Student Advisory Council, and they support the strategies approaching the issue regarding the Cross Country Course; they hope we keep the course, because of the history and significance it has with Cross Country teams. Laurelwood Park was a suggested course, if there had to be an alternative.

President Nuris announced the next meeting will be Thursday, September 9, 2021. This will be a Business Meeting of which the Board will hold a Public Hearing and consider the adoption of the annual budget.

ADJOURNMENT

Meeting adjourned at 9:51 p.m.

Submitted by

Michael Claire, Secretary