

**San Mateo County Community Colleges Educational Housing Corporation  
Board of Directors | Special Meeting  
January 30, 2023 | 4:00 p.m.**

The San Mateo County Community Colleges Educational Housing Corporation Board of Directors will have the option to meet telephonically (through ZOOM) and in-person on January 30, 2023.

**Observing the Meeting**

Members of the public who wish to observe the meeting may do so by accessing the following link or calling the following telephone number at the beginning of the meeting:

**Zoom Meeting ID:** <https://smccd.zoom.us/j/88134223951>

**Dial-In:** 669 900 9128

**Webinar ID:** 881 3422 3951

**Providing Public Comment on NON-AGENDA Items**

To make a comment regarding a non-agenda item, members of the public, once in the Zoom meeting (via above link), can utilize the “raise hand” function on the bottom right corner of the screen. This will allow for the Board President to recognize member for comment and will allow staff to activate audio access to individual participants. Members of the public who “raise their hand” will be called upon in the order they appear. Members of the public making comment are reminded of the 3-minute time limit for comment.

Members of the public may also submit written comments on non-agenda items via email to [housing@smccd.edu](mailto:housing@smccd.edu). The length of the emailed comment should be commensurate with the three minutes customarily allowed for verbal comments, which is approximately 300 words. Emails received by 12:00 p.m. on January 30, 2023 will be provided to Housing Board members.

**Accommodations**

Individuals who require special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Carina Warne, Executive Assistant to the Chancellor, by 5:00 p.m. on January 29, 2023 at (650) 358-6877 or via email at [warnec@smccd.edu](mailto:warnec@smccd.edu).

**San Mateo County Community Colleges Educational Housing Corporation  
Board of Directors | Special Meeting  
January 30, 2023 | 4:00 p.m.**

**In Person at 3401 CSM Drive, San Mateo, CA 94402**

**Members of the Public may also participate via Zoom.**

**Zoom Meeting ID: <https://smccd.zoom.us/j/88134223951>**

**Dial-In: 669 900 9128 | Webinar ID: 881 3422 3951**

**AGENDA**

- I. Call To Order and Roll Call**
- II. Public Comments on Non-Agenda Items**
- III. Election of Officers**
- IV. Information Items**
  - a. Discussion of Taking Board Action without a Meeting
  - b. Discussion of the Future of Faculty & Staff Housing
- V. Action Items**
  - a. Adoption of Resolution to Make Findings Allowing Continued Remote Meetings Under Brown Act
  - b. Consideration of One Year Extension of Property Manager Contract for BLVD Residential
  - c. Adoption of Budgets for FY 2022-2023
    - i. College Vista
    - ii. Cañada Vista
    - iii. College Ridge
  - d. Approval of Minutes of June 14, 2022 Meeting

e. Approval of Minutes of July 5, 2022 Meeting

f. Setting of Meeting Dates for 2023

**VI. Statements from Directors**

**VII. Adjourn**

# HOUSING BOARD REPORT

**PREPARED FOR:** Educational Housing Corporation Board of Directors

**PREPARED BY:** Richard Storti, Executive Vice Chancellor of Administrative Services

**MEETING DATE:** January 30, 2023

**REPORT SUBJECT:** Election of Officers

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Per the Bylaws of the Educational Housing Corporation, the Board of Directors shall fill a vacancy in any office in the manner prescribed in the Bylaws for regular appointments. Officers to be elected include:

- **Vice President/Secretary**
- **Treasurer**

Following is the description of the duties of the respective office as prescribed in the Bylaws.

- **Vice President/Secretary**

If the President is absent or disabled, the Vice President/Secretary shall perform all duties of the President. When so acting, the Vice President/Secretary shall have all powers of and be subject to all restrictions on the President. The Vice President/Secretary shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

The Vice President/Secretary shall keep or cause to be kept, at the Corporation's Principal Office or such other place as the Board may direct, a book of minutes of all meetings, proceedings, and actions of the Board and committees of the Board. The minutes of meetings shall include the time and place that the meeting was held, whether the meeting was annual, regular, or special, and, if special, how authorized, the notice given, and the names of those present at Board and committee meetings. The Vice President/Secretary shall keep or cause to be kept, at the Principal Office in California, a copy of the Articles of Incorporation and Bylaws, as amended to date.

The Vice President/Secretary shall give, or cause to be given, notice of all meetings of the Board and of committees of the Board required by these Bylaws to be given. The Vice President/Secretary shall keep the corporate seal in safe custody and shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

- **Treasurer**

The Treasurer shall serve as the Chief Financial Officer of the Corporation and shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the Corporation's properties and transactions. The Treasurer shall send or cause to be given to the Directors such financial statements and reports as are required to be given by law, by these Bylaws, or by the Board. The books of account shall be open to inspection by any Director at all reasonable times.

The Treasurer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the Corporation with such depositories as the Board may designate, shall disburse the Corporation's funds as the Board may order, shall render to the President and the Board, when requested, an account of all transactions as Treasurer and of the financial condition of the Corporation, and shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

If required by the Board, the Treasurer shall give the Corporation a bond in the amount and with the surety or sureties specified by the Board for faithful performance of the duties of the office and for restoration to the Corporation of all of its books, papers, vouchers, money, and other property of every kind in the possession or under the control of the Treasurer on his or her death, resignation, retirement, or removal from office.

## **HOUSING BOARD REPORT**

**PREPARED FOR:** Educational Housing Corporation Board of Directors

**PREPARED BY:** Richard Storti, Executive Vice Chancellor of Administrative Services

**MEETING DATE:** January 30, 2023

**REPORT SUBJECT: Discussion of Taking Board Action without a Meeting**

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On occasion, due to time restraints and other factors, there is a need for the Educational Housing Corporation Board of Directors to conduct business and take action on items without needing to schedule a board meeting. The Housing Board will discuss the possibility of taking Board action without a meeting and review the related Bylaws associated with it.

The Bylaws of the San Mateo Colleges Educational Housing Corporation were originally approved by the Board of Trustees of the College District in January 2004, and subsequently amended and approved in 2011. Those Bylaws delegate to the Housing Corporation Board the responsibility of reviewing and amending the Bylaws as needed, subject to the approval of the Board of Trustees.

This item is presented for Board discussion, not as an action item, at this time.

The San Mateo Colleges Educational Housing Corporation is a California Nonprofit Public Benefit Corporation. It is an independent 501 (c) 3 organization, and not an auxiliary of the District.

**BYLAWS**

**OF**

**SAN MATEO COUNTY COLLEGES  
EDUCATIONAL HOUSING CORPORATION,**

**A CALIFORNIA NONPROFIT  
PUBLIC BENEFIT CORPORATION**

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**BYLAWS  
OF  
SAN MATEO COUNTY COLLEGES EDUCATIONAL HOUSING  
CORPORATION,  
A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION**

**ARTICLE I**

**NAME**

The name of this corporation is **SAN MATEO COUNTY COLLEGES EDUCATIONAL HOUSING CORPORATION** (the “Corporation”).

**ARTICLE II**

**OFFICES OF THE CORPORATION**

**Section 1. Principal Office**

The principal office for the transaction of the activities and affairs of the Corporation (“Principal Office”) shall be located in San Mateo County, California.

**Section 2. Other Offices**

The Board may at any time establish branch or subordinate offices at any place where the Corporation is qualified to conduct its activities.

**ARTICLE III**

**PURPOSES**

**Section 1. Purposes**

The purposes of this Corporation are (1) to advance education by supporting the San Mateo County Community College District in its efforts to attract and retain qualified educational employees through the management and operation of affordable housing for such employees; (2) to solicit gifts of money, real property, or personal property, to manage all such assets received by the Corporation, and to use and apply the whole or any part of the income and/or principal of such assets exclusively in the management and operation of affordable housing for educational faculty and staff; and (3) to engage in any other activities reasonably related to such purposes.

**Section 2. Limitations**

The purposes for which the Corporation is organized are exclusively charitable within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and Sections 214 and 23701d of the California Revenue and Taxation Code, as amended. Notwithstanding

any other provision of the Corporation's Articles of Incorporation or these Bylaws, the Corporation shall not carry on any activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States internal revenue law), or (b) by a corporation contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States internal revenue law).

**Section 3. Dedication of Assets**

The Corporation's assets are irrevocably dedicated to charitable purposes. No part of the net earnings, properties, or assets of the Corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any Director or Officer of the Corporation.

**ARTICLE IV**

**MEMBERSHIP**

The Corporation shall have no members within the meaning of the California Nonprofit Public Benefit Corporation Law. Any action which would otherwise require approval by a majority of all members or approval by the members shall require only approval of the Corporation's Board of Directors (the "Board"), subject to Article V, Section 2. All rights which would otherwise vest in the members shall vest in the Directors.

**ARTICLE V**

**BOARD OF DIRECTORS**

**Section 1. General Corporate Powers**

Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the Articles of Incorporation or Bylaws regarding actions that require the approval of the San Mateo County Community College District Board of Trustees, the Corporation's activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board.

**Section 2. Specific Powers**

Without prejudice to the general powers set forth in Section 1 of this Article, but subject to the same limitations, the Directors shall have the power to:

- (a) Appoint and remove all the Corporation's Officers, agents, and employees; prescribe powers and duties for them that are consistent with law, with the Articles of Incorporation, and with these Bylaws; and fix their compensation and require from them security for faithful performance of their duties.
- (b) Supervise the Corporation's Officers, agents, and employees to ensure that they perform their duties properly.

- (c) Meet at such time and place as required by these Bylaws.
- (d) Borrow money and incur indebtedness on behalf of the Corporation and cause to be executed and delivered for the Corporation's purposes, in the Corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and securities.
- (e) Adopt or amend the Articles of Incorporation or Bylaws of the Corporation, subject to the approval of the San Mateo County Community College District Board of Trustees.
- (f) Adopt or revise the Corporation's annual budget or long-range plan, subject to the approval of the San Mateo County Community College District Board of Trustees.
- (g) Appoint outside auditors.
- (h) Create a taxable or tax-exempt subsidiary, subject to the approval of the San Mateo County Community College District Board of Trustees.
- (i) Acquire a controlling interest in another entity, subject to the approval of the San Mateo County Community College District Board of Trustees.
- (j) Merge, dissolve, or transfer all or substantially all of the Corporation's assets, subject to the approval of the San Mateo County Community College District Board of Trustees.

**Section 3. Authorized Number and Qualifications**

The Board shall consist of at least seven (7) but no more than nine (9) Directors, with the precise number of Directors within this range to be determined by the San Mateo County Community College District Board of Trustees. One director shall be recommended for membership by the Academic Senate of the District and a second Director shall be recommended by the CSEA chapter. The qualifications for Directors shall be as established as needed by the San Mateo County Community College District Board of Trustees from time to time.

**Section 4. Restriction on Interested Persons as Directors**

No more than forty-nine percent (49%) of the persons serving on the Board may be interested persons. An interested person is:

- (a) any person compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise; and
- (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person.

However, any violation of the provisions of this paragraph shall not affect the validity or enforceability of any transaction entered into by the Corporation.

**Section 5. Appointment and Term of Office**

The Directors shall be appointed by the San Mateo County Community College District Board of Trustees. Directors shall serve for staggered four (4)-year terms, with approximately one-third of the Directors being appointed each year. A Director may serve a maximum of two consecutive four (4)-year terms, but may serve again after taking a one (1)-year hiatus. Each Director, including a Director appointed to fill a vacancy, shall hold office until expiration of the term for which appointed and until a successor has been appointed and qualified.

**Section 6. Events Causing Vacancy**

A vacancy or vacancies on the Board shall exist on the occurrence of the following:

- (a) the death or resignation of any Director;
- (b) the declaration by action of the Board or the San Mateo County Community College District Board of Trustees of a vacancy in the office of a Director who has been declared of unsound mind by an order of any court, convicted of a felony, or found by final order or judgment of any court to have breached a duty under Article 3 of Chapter 2 of the California Nonprofit Public Benefit Corporation Law;
- (c) the removal of a Director in accordance with Article V, Section 8, below; or
- (d) an increase in the authorized number of Directors.

**Section 7. Resignations**

Except as provided below, any Director may resign by giving written notice to the President or the Vice President/Secretary of the Corporation. The resignation shall be effective when the notice is given unless it specifies a later time for the resignation to become effective. If a Director's resignation is effective at a later time, the San Mateo County Community College District Board of Trustees may elect a successor to take office as of the date that the resignation becomes effective. Except on notice to the Attorney General of California, no Director may resign if the Corporation would be left without a duly appointed Director or Directors.

**Section 8. Removal**

The San Mateo County Community College District Board of Trustees may remove a Director from office if:

- (a) The Director fails to attend three (3) consecutive regular meetings of the Board without a leave of absence approved by the President; or
- (b) The Director otherwise fails to meet any qualification criteria in effect when the Director began his or her current term of office; or

- (c) The Director is removed for good cause in accordance with Corporations Code Section 5221.

**Section 9. Filling Vacancies**

A vacancy on the Board shall be filled by a person appointed by San Mateo County Community College District Board of Trustees, to serve the remaining term of the Director whose position became vacant.

**Section 10. No Vacancy on Reduction in Number of Directors**

No reduction in the authorized number of Directors shall have the effect of removing any Director before that Director's term of office expires.

**Section 11. Compensation and Reimbursement**

Directors and Officers shall not receive compensation for their services as Directors and Officers. They may receive reimbursement of expenses, as approved by the President and Treasurer.

**Section 12. Board President's Authority to Act on Behalf of the Board**

If a situation arises that, pursuant to these Bylaws, would ordinarily require approval of the full Board, but action and/or a decision is needed before a Board meeting can reasonably be noticed and convened, the Board President, acting in consultation with the District's Executive Vice Chancellor, may act on behalf of the Board to the full extent reasonably necessary to 1) protect or preserve Corporation assets or 2) protect residents' health or safety. Such action shall be presented at the next meeting of the Corporation Board for ratification.

**ARTICLE VI**  
**DIRECTORS' MEETINGS**

**Section 1. Place of Meetings**

Meetings of the Board shall be held at any place within California that has been designated by resolution of the Board or in the notice of the meeting or, if not so designated, at the Principal Office of the Corporation.

**Section 2. Method of Meetings**

All meetings of the Board are subject to and will comply with the requirements of the California open meetings act titled the Ralph M. Brown Act set forth in Cal. Govt. Code Section 54950 *et seq.*

**Section 3. Annual Meeting**

The Board shall hold a regular annual meeting for purposes of organization, election of Officers, and transaction of other business.

**Section 4. Other Regular Meetings**

Other regular meetings of the Board may be held at such time and place as the Board may fix from time to time.

**Section 5. Authority to Call Special Meetings**

Special meetings of the Board for any purpose may be called at any time by the President, the Vice President/Secretary, or any two (2) Directors.

**Section 6. Quorum**

A majority of the Directors then in office plus one Director shall constitute a quorum for the transaction of business, except to adjourn.

**Section 7. Voting**

Each Director shall be entitled to one (1) vote on each matter before the Board. Directors shall not be permitted to vote by proxy. The affirmative vote of a majority of the Directors then in office shall be the act of the Directors, except as otherwise provided in these Bylaws and subject to the more stringent provisions of the California Nonprofit Public Benefit Corporation Law, including, without limitation, those provisions relating to:

- (a) approval of contracts or transactions in which a Director has a direct or indirect material financial interest;
- (b) approval of certain transactions between corporations having common directorships;
- (c) creation of and appointments to committees of the Board; and
- (d) indemnification of Directors.

**Section 8. Adjournment**

A majority of the Directors present, whether or not a quorum is present, may adjourn any meeting to another time and place.

**Section 9. Conflicts of Interest**

(a) Duty to disclose material financial interest or common directorship. Any Director who has a material financial interest in a transaction to which the Corporation is a party or who is a director of another corporation or association with which the Corporation proposes to enter into a contract or transaction shall promptly disclose such material financial interest or common directorship to the Board. Such disclosure shall be made a part of the record of the Board's meetings.

(b) Procedure for considering transaction involving an interested Director. The Board shall not approve a transaction in which a Director has disclosed a material financial interest



unless the Board takes all of the following actions and records in the written meeting minutes that such actions were taken. The Board shall:

- i) Make a finding that the Corporation is entering into the transaction for its own benefit.
- ii) Make a finding that the transaction is fair and reasonable to the Corporation at the time the Corporation enters into the transaction.
- iii) Before consummating the transaction or any part of it, authorize or approve the transaction in good faith by a vote of a majority of the Directors then in office without counting the vote of the interested Director(s), and with knowledge of the material facts of the transaction and the Director's interest in the transaction. No action by a Board committee shall satisfy this requirement.
- iv) Before authorizing or approving the transaction, consider and in good faith determine after reasonable investigation under the circumstances that the Corporation cannot obtain a more advantageous arrangement with reasonable effort under the circumstances.

Interested Directors may be counted in determining the presence of a quorum at a meeting of the Board which authorizes or approves a contract or transaction.

(c) Procedure for considering transaction involving a common Director. The Board shall not approve a transaction involving a common Director unless the Board takes all of the following actions and records in the written meeting minutes that such actions were taken. The Board shall, after full disclosure of all the material facts of the transaction and the common directorship, authorize or approve the contract or transaction in good faith by a vote sufficient without counting the vote of the common Director(s).

(d) Because the knowledge of the interested or common Director may assist the Board in reaching an informed and reasonable decision, the foregoing requirements shall not prevent any interested or common Director from briefly stating his position on the transaction or from answering questions of other Directors.

(e) Each new Director shall be advised of the requirements contained in this Article VI, Section 9 upon becoming a Director.

## **ARTICLE VII**

### **COMMITTEES**

#### **Section 1. Committees of the Board**

The Board may create one or more committees, each consisting of not more than three Directors, to serve at the pleasure of the Board. Appointments to committees of the Board shall be by majority vote of the Directors then in office. The Board may appoint one or more Directors as alternate members of any such committee, who may replace any absent member at any meeting.

Any such committee shall have such authority of the Board, except that no committee, regardless of Board action, may:

- (a) Fill vacancies on the Board or on any committee that has the authority of the Board;
- (b) Amend or repeal these Bylaws or adopt new Bylaws;
- (c) Amend or repeal any resolution of the Board that by its express terms is not so amendable or repealable;
- (d) Create any other committees of the Board or appoint the members of committees of the Board;
- (e) Approve any contract or transaction to which the Corporation is a party and in which one or more of its Directors has a material financial interest, except as special approval is provided for in Section 5233(d)(3) of the California Corporations Code; or
- (f) Approve any action which the San Mateo County Community College District Board of Trustees is required to approve.

**Section 2. Meetings and Action of Committees of the Board**

Meetings and actions of committees of the Board shall be governed by, held, and taken in accordance with the provisions of these Bylaws concerning meetings and other Board actions, except that the time for regular meetings of such committees and the calling of special meetings of such committees may be determined either by Board action or, if there is none, by action of the committee of the Board. The Board may adopt rules for the government of any committee, provided they are consistent with these Bylaws or, in the absence of rules adopted by the Board, the committee may adopt such rules.

**ARTICLE VIII**

**OFFICERS**

**Section 1. Officers of the Corporation**

The Officers of the Corporation shall be a President, a Vice President/Secretary, and a Treasurer. The Corporation may also have, in the Board's discretion such other Officers as may be appointed in accordance with Section 3 of this Article. Any number of offices may be held by the same person, except that neither the Vice President/Secretary nor the Treasurer may serve concurrently as the President.

**Section 2. Election of Officers**

The Officers of the Corporation, except those appointed by the President under Section 3 of this Article, shall be chosen annually by the Board and shall serve at the pleasure of the Board, subject to the rights, if any, of any Officer under any contract of employment.

**Section 3. Other Officers**

The Board may appoint and may authorize the President to appoint any other Officers the Corporation may require. Each Officer so appointed shall have the title, hold office for the period, have the authority, and perform the duties specified in the Bylaws or determined by the Board.

**Section 4. Removal of Officers**

Without prejudice to any rights of an Officer under any contract of employment, any Officer may be removed with or without cause by the Board.

**Section 5. Resignation of Officers**

Any Officer may resign at any time by giving written notice to the Corporation. The resignation shall take effect as of the date the notice is received or at any later time specified in the notice and, unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to the rights, if any, of the Corporation under any contract to which the Officer is a party.

**Section 6. Vacancies in Office**

A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these Bylaws for regular appointments to that office; provided, however, that vacancies need not be filled on an annual basis.

**ARTICLE IX**

**RESPONSIBILITIES OF OFFICERS**

**Section 1. President**

The President shall preside at meetings of the Board, shall be the Chief Executive Officer of the Corporation, and shall supervise, direct, and control the Corporation's activities, affairs, and Officers. The President shall have such other powers and duties as the Board or the Bylaws may prescribe.

**Section 2. Vice President/Secretary**

If the President is absent or disabled, the Vice President/Secretary shall perform all duties of the President. When so acting, the Vice President/Secretary shall have all powers of and be subject to all restrictions on the President. The Vice President/Secretary shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

The Vice President/Secretary shall keep or cause to be kept, at the Corporation's Principal Office or such other place as the Board may direct, a book of minutes of all meetings, proceedings, and actions of the Board and committees of the Board. The minutes of meetings shall include the time and place that the meeting was held, whether the meeting was annual, regular, or special, and, if special, how authorized, the notice given, and the names of those present at Board and

committee meetings. The Vice President/Secretary shall keep or cause to be kept, at the Principal Office in California, a copy of the Articles of Incorporation and Bylaws, as amended to date.

The Vice President/Secretary shall give, or cause to be given, notice of all meetings of the Board and of committees of the Board required by these Bylaws to be given. The Vice President/Secretary shall keep the corporate seal in safe custody and shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

### **Section 3. Treasurer**

The Treasurer shall serve as the Chief Financial Officer of the Corporation and shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the Corporation's properties and transactions. The Treasurer shall send or cause to be given to the Directors such financial statements and reports as are required to be given by law, by these Bylaws, or by the Board. The books of account shall be open to inspection by any Director at all reasonable times.

The Treasurer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the Corporation with such depositories as the Board may designate, shall disburse the Corporation's funds as the Board may order, shall render to the President and the Board, when requested, an account of all transactions as Treasurer and of the financial condition of the Corporation, and shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

If required by the Board, the Treasurer shall give the Corporation a bond in the amount and with the surety or sureties specified by the Board for faithful performance of the duties of the office and for restoration to the Corporation of all of its books, papers, vouchers, money, and other property of every kind in the possession or under the control of the Treasurer on his or her death, resignation, retirement, or removal from office.

## **ARTICLE X**

### **INDEMNIFICATION**

#### **Section 1. Right of Indemnity**

To the fullest extent permitted by law, the Corporation or the San Mateo County Community College District shall indemnify the Corporation's Directors, Officers, employees, and other persons described in Section 5238(a) of the California Corporations Code, including persons formerly occupying such position, against all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that Section, and including an action by or in the right of the Corporation, by reason of the fact that the person is or was a person described in that Section. "Expenses," as used in this bylaw, shall have the same meaning as in Section 5238(a) of the California Corporations Code.

**Section 2. Approval of Indemnity**

On written request to the Board by any person seeking indemnification under Section 5238(b) or Section 5238(c) of the California Corporations Code, the Board shall promptly determine under Section 5238(e) of the California Corporations Code whether the applicable standard of conduct set forth in Section 5238(b) or Section 5238(c) has been met and, if so, the Board shall authorize indemnification.

**Section 3. Insurance**

The Corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its Officers, Directors, employees, and other agents, against any liability asserted against or incurred by any Officer, Director, employee, or agent in such capacity or arising out of the Officer's, Director's employee's, or agent's status as such.

**ARTICLE XI**

**RECORDS AND REPORTS**

**Section 1. Maintenance and Inspection of Corporate Records**

The Corporation shall keep:

- (a) Adequate and correct books and records of account; and
- (b) Written minutes of the proceedings of its Board.

The Board, without submitting a written request for inspection, shall have the right at all reasonable times to inspect such books and records. Inspection may be made in person or by authorized agent and includes the right to make photocopies and extracts.

**Section 2. Maintenance and Inspection of Articles and Bylaws**

The Corporation shall keep at its Principal Office the original or a copy of the Articles of Incorporation and the Bylaws, as amended to date, which shall be open to inspection by the Directors at all reasonable times during office hours.

**Section 3. Annual Statement of Certain Transactions and Indemnifications**

The Corporation shall annually prepare and furnish to San Mateo County Community College District Board of Trustees and each Director a statement of any transaction or indemnification of the following kind within one hundred twenty (120) days after the end of the Corporation's fiscal year:

- (a) Any transaction:
  - in which the Corporation, its parent, or its subsidiary was a party;

- in which an “interested person” had a direct or indirect material financial interest; and
- which involved more than \$50,000, or was one of a number of transactions with the same interested person involving, in the aggregate, more than \$50,000.

For purposes of this subparagraph (a), an “interested person” is either of the following:

- Any Director or Officer of the Corporation, or its parent or subsidiary (a person holding a mere common directorship shall not be deemed an “interested person” for purposes of this subparagraph); or
- Any holder of more than 10 percent of the voting power of the Corporation, its parent, or its subsidiary.

The statement shall include a brief description of the transaction, the names of the interested persons involved, their relationship to the Corporation, the nature of their interest in the transaction and, if practicable, the amount of that interest; provided that if the transaction was with a partnership in which the interested person is a partner, only the interest of the partnership need be stated.

- Any indemnifications aggregating more than \$10,000 paid during the fiscal year to any Officer or Director of the Corporation under Article X, Sections 1 and 2 of these Bylaws.

#### **Section 4. Corporate Loans and Guaranties**

The Corporation shall not make any loan of money or property to or guaranty the obligation of any Director or Officer, except as expressly allowed under California Corporations Code Section 5236.

## **ARTICLE XII**

### **CONSTRUCTION AND DEFINITIONS**

Unless the context requires otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these Bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, the plural includes the singular, and the term “person” includes both a legal entity and a natural person.

## **ARTICLE XIII**

### **AMENDMENTS**

#### **Section 1. Right to Amend Articles and Bylaws**

The Corporation's Articles of Incorporation and these Bylaws may be adopted, amended, or repealed only upon the approval of San Mateo County Community College District Board of Trustees and a majority of Directors present at a duly held Board meeting.

## **ARTICLE XIV**

### **DISSOLUTION**

#### **Section 1. Election to Dissolve**

This Corporation may elect to wind up and dissolve in any manner permitted by Section 6610 of the California Corporations Code or its successor statute.

#### **Section 2. Distribution Upon Dissolution**

On dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of the Corporation shall be distributed to the San Mateo County Community College District, or its successor, or, with the approval of the San Mateo County Community College District Board of Trustees, to a nonprofit fund, foundation or corporation which is established and operated exclusively for charitable purposes and which has established its tax-exempt status under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

**CERTIFICATE OF VICE PRESIDENT/SECRETARY**

I, the undersigned, do hereby certify:

That I am the duly elected and acting Vice President/Secretary of **SAN MATEO COUNTY COLLEGES EDUCATIONAL HOUSING CORPORATION**, a California nonprofit public benefit corporation; and

That the foregoing Bylaws, comprising fourteen (14) pages, including this page, constitute the Bylaws of said Corporation, as duly amended at a meeting of the Board of Directors held on January 20, 2010 and that they have not been amended or modified since that date.

Executed on \_\_\_\_\_, 2010, at \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_, Vice President/Secretary



# HOUSING BOARD REPORT

**PREPARED FOR:** Educational Housing Corporation Board of Directors

**PREPARED BY:** Richard Storti, Executive Vice Chancellor of Administrative Services

**MEETING DATE:** January 30, 2023

**REPORT SUBJECT: Discussion of the Future of Faculty & Staff Housing**

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The San Mateo County Community College District Board of Trustees established the employee Housing Program for the purpose of assisting employees to acquire owner-occupied housing. The program has been successful over the years and many employees have been able to purchase their own homes as a result. At the same time, the Bay Area has experienced a dramatic increase in real estate prices, which has made home acquisition much more difficult. In addition, while the District has added housing at all three campus sites, employee demand for below-market housing far exceeds supply. The Housing Board will discuss these developments and consider possible long-term responses.

The San Mateo County Community College District 2022 Facilities Master Plan is provided here for reference:

[https://www.smccd.edu/facilities/documents/SMCCCD\\_Districtwide\\_%20FMP\\_July\\_2022\\_v3.pdf](https://www.smccd.edu/facilities/documents/SMCCCD_Districtwide_%20FMP_July_2022_v3.pdf)

# HOUSING BOARD REPORT

**PREPARED FOR:** Educational Housing Corporation Board of Directors

**PREPARED BY:** Richard Storti, Executive Vice Chancellor of Administrative Services

**MEETING DATE:** January 30, 2023

**REPORT SUBJECT: Adoption of Resolution to Make Findings Allowing Continued Remote Meetings Under Brown Act**

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On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which rescinded his prior Executive Order N-29-20 and set a date of October 1, 2021 for public agencies to transition back to public meetings held in full compliance with the Brown Act. The original Executive Order provided that all provisions of the Brown Act that required the physical presence of members or other personnel as a condition of participation or as a quorum for public meeting were waived for public health reasons. If these waivers fully sunsetted on October 1, 2021, legislative bodies subject to the Brown Act would have to contend with a sudden return to full compliance with in-person meeting requirements as they existed prior to March 2020, including the requirement for full physical public access to all teleconference locations from which board members were participating.

On September 16, 2021, the Governor signed AB 361, a bill that formalizes and modifies the teleconference procedures implemented by California public agencies in response to the Governor's Executive Orders addressing Brown Act compliance during shelter in place periods. AB 361 allows a local agency to continue to use teleconferencing under the same basic rules as provided in the Executive Orders when certain circumstances occur or when certain findings have been made and adopted by the local agency.

AB 361 also requires that, if the state of emergency remains active for more than 30 days, the agency must make findings by majority vote every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules. The findings are to the effect that the need for teleconferencing persists due to the nature of the ongoing public health emergency and the social distancing recommendations of local public health officials. Effectively, this means that local agencies must agendaize a Brown Act meeting once every thirty days to make findings regarding the circumstances of the emergency and to vote to continue relying upon the law's provision for teleconference procedures in lieu of in-person meetings.

AB 361 provides that Brown Act legislative bodies must return to in-person meetings on October 1, 2021, unless they choose to continue with fully teleconferenced meetings because a specific declaration of a state or local health emergency is appropriately made. AB 361 allows local governments to continue to conduct virtual meetings as long as there is a gubernatorially-proclaimed public emergency in combination with (1) local health official recommendations for

social distancing or (2) adopted findings that meeting in-person would present risks to health. AB 361 is effective immediately as urgency legislation and will sunset on January 1, 2024.

Because San Mateo County's COVID-19 Community Level is currently in the Low tier as measured by the Centers for Disease Control, it is recommended that the Board avail itself of the provisions of AB 361 allowing continuation of online meetings by adopting findings to the effect that conducting in-person meetings would present an imminent risk to the health and safety of attendees. A resolution to that effect, and directing staff to return each 30 days with the opportunity to renew such findings, is attached hereto.

## **RECOMMENDATION**

It is recommended that the Educational Housing Corporation Board of Directors adopt Resolution No. 23-01 finding that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, meeting in-person would present imminent risks to the health or safety of attendees.

**RESOLUTION NO. 23-01**

**BY THE BOARD OF DIRECTORS OF THE SAN MATEO COUNTY COLLEGES  
EDUCATIONAL HOUSING CORPORATION**

**RESOLUTION FINDING THAT, AS A RESULT OF THE CONTINUING COVID-19  
PANDEMIC STATE OF EMERGENCY DECLARED BY GOVERNOR NEWSOM,  
MEETING IN PERSON FOR MEETINGS OF THE SAN MATEO COUNTY  
COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES WOULD PRESENT  
IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES**

**WHEREAS**, on March 4, 2020, the Governor proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code section 8625, that a state of emergency exists with regard to a novel coronavirus (a disease now known as COVID-19); and

**WHEREAS**, on June 4, 2021, the Governor clarified that the “reopening” of California on June 15, 2021 did not include any change to the proclaimed state of emergency or the powers exercised thereunder, and as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to California Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature; and

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the “Brown Act”), provided certain requirements were met and followed; and

**WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361 that provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body determines that meeting in-person would present imminent risks to the health or safety of attendees, and further requires that certain finding be made by the legislative body every thirty (30) days; and

**WHEREAS**, the Board of Directors has an important governmental interest in protecting the health, safety and welfare of those who participate in its meetings; and

**WHEREAS**, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID -19, the Board of Trustees deems it necessary to find that meeting in-person would present imminent risks to health or safety of attendees, and thus intends to invoke provisions of AB 361 related to teleconferencing;

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The recitals set forth above are true and correct.

2. The Board of Directors finds that meeting in-person would present imminent risks to the health or safety of attendees.
3. Staff is directed to return no later than thirty (30) days after the adoption of this resolution with an item for the Board to consider making the findings required by AB 361 in order to continue meeting under its provisions.
4. Staff is directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

**REGULARLY PASSED AND ADOPTED this 30<sup>th</sup> day of January 2023.**

Ayes:

Noes:

Abstentions:

Attest:

\_\_\_\_\_  
Vice President/Secretary  
Board of Directors

# **HOUSING BOARD REPORT**

**PREPARED FOR:** Educational Housing Corporation Board of Directors

**PREPARED BY:** Richard Storti, Executive Vice Chancellor of Administrative Services

**MEETING DATE:** January 30, 2023

**REPORT SUBJECT: Consideration of One-Year Extension of Property Manager Contract for BLVD Residential**

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In March 2021, the Housing Board approved a one-year contract with BLVD Residential to provide property management services for College Vista and Cañada Vista. The contract was effective April 1, 2021 through March 31, 2022, with the option of the Housing Board to renew the contract on an annual basis for up to two additional years.

At its March 15, 2022 meeting, the Housing Board approved a one-year extension of the property management agreement that (1) added the new property College Ridge at Skyline College to the management agreement, and (2) extended the agreement by one year. The contract was effective April 1, 2022 through March 31, 2023. All other terms, including management fees, remained unchanged.

The Board also asked that resident feedback be gathered about the performance of the property manager. Staff conducted a survey of residents and held one-on-one meetings with resident to gather feedback in informing the decision to recommend renewal of the property management agreement.

For the Housing Board's consideration, a proposed amendment is attached to this report to extend the agreement by one-year effective April 1, 2023 through March 31, 2024.

## **RECOMMENDATION**

It is recommended that the Housing Board approve the one-year extension of the property management agreement with BLVD Residential, Inc.

**Second Amendment to Management Agreement  
Between  
San Mateo County Colleges Educational Housing Corporation  
and BLVD Residential Inc.**

This Amendment No. 2nd (this "Amendment") is made and entered into as of January 30, 2023 ("Amendment Effective Date"), by and between San Mateo County Colleges Educational Housing Corporation ("Corporation") and BLVD Residential Inc. ("Manager").

**WHEREAS**, the Manager and Corporation entered into a Management Agreement for the Manager to act as the Corporation's agent to manage, operate, maintain, lease and rent the properties described in Section 2.01 of the Management Agreement as of April 1, 2021; and

**WHEREAS**, the Parties desire to amend the Management Agreement in the manner hereinafter set forth.

**NOW, THEREFORE**, the parties desire to amend the Management Agreement in the manner hereinafter set forth.

1. **Defined Terms.** Capitalized terms in this Amendment shall have the same meaning as like terms in the Agreement.
2. **Interpretation.** Except as set forth below, all provisions of the Agreement remain unchanged and in full force and effect. In case of any inconsistencies between the terms and conditions contained in the Agreement and the terms and conditions contained herein, the terms and conditions herein shall control.
3. The **Term of Contract** of the Agreement is extended to March 31, 2024.
4. This Amendment, together with all Exhibits and attachments thereto through the date hereof, shall constitute the entire Agreement.

**IN WITNESS WHEREOF**, the Parties have caused this Amendment to be executed by their duly authorized representatives as of the Amendment Effective Date.

**BLVD Residential Inc.**

**SAN MATEO COUNTY COLLEGE  
EDUCATIONAL HOUSING CORPORATION**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name/Title of Authorized Signatory

\_\_\_\_\_  
Authorized Signatory

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

# HOUSING BOARD REPORT

**PREPARED FOR:** Educational Housing Corporation Board of Directors

**PREPARED BY:** Richard Storti, Executive Vice Chancellor of Administrative Services

**MEETING DATE:** January 30, 2023

**REPORT SUBJECT: Adoption of Budget for FY 2022-2023 for College Vista, Canada Vista and College Ridge**

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Each year, the Housing Board adopts budgets for the housing complexes. These budgets are generally based on spending from the prior year and consider any anticipated increases or decreases in those categories.

Attached for the Housing Board's consideration are proposed FY 2022-2023 budgets for:

- College Vista
- Cañada Vista
- College Ridge (at Skyline College)

A few notes relating to the attached budgets:

1. The revenues could increase should the Housing Board adjust rental rates
2. For the College Ridge (at Skyline College) budget, as this is the property's first budget.
3. Insurance rates are estimates as final rates have not yet been provided to the District.

## RECOMMENDATION

Staff recommends the Housing Board:

- (1) Adopt the FY 2022-2023 budget for College Vista,
- (2) Adopt the FY 2022-2023 budget for Cañada Vista; and
- (3) Adopt the FY 2022-2023 budget for College Ridge (at Skyline College)



**Educational Housing Corporation**  
**College Vista**  
**Budget Proposal: FY 2022-2023 (as of January '23)**

		Notes/Assumptions	2021-22 BUDGET	2022-23 ACTUALS (through 12/31/22)	2022-23 YTD Budget	2022-23 BUDGET
<b>INCOME</b>						
	Rental Income		\$ 707,376	\$ 265,274	\$ 351,131	\$ 712,111
	Other Income	Application Fees	\$ 1,170	\$ 503	\$ 360	\$ 810
	Utility Income	Rebates	\$ -	\$ -	\$ -	
	Miscellaneous Income	Club House Income; Deposit Forfeiture	\$ 1,200	\$ (1,246)	\$ 800	\$ 1,400
<b>Total GROSS INCOME</b>			<b>\$ 709,746</b>	<b>\$ 264,531</b>	<b>\$ 352,291</b>	<b>\$ 714,321</b>
<b>OPERATING EXPENSES</b>						
	Staff Costs	Resident Manager salary	\$ 10,514	\$ 4,546	\$ 5,135	\$ 10,270
	Contract Services	Landscaping, Pest Control, Cable & Alarm	\$ 34,116	\$ 13,605	\$ 16,140	\$ 32,355
	Utilities	PG&E, Water, Sewer & Trash	\$ 61,336	\$ 34,424	\$ 36,066	\$ 73,132
	Routine Repairs & Maintenance	Materials, Electrical, Plumbing, Appliances	\$ 17,650	\$ 9,386	\$ 15,875	\$ 24,600
	Turnover Repairs & Maintenance	Painting, Cleaning	\$ 44,200	\$ 34,738	\$ 14,650	\$ 32,175
	Marketing		\$ 1,400	\$ -	\$ 3,000	\$ 5,700
	Administrative Expenses		\$ 8,467	\$ 11,087	\$ 4,651	\$ 11,298
	Management Fees	BLVD Residential Fees	\$ 50,160	\$ 25,080	\$ 25,080	\$ 50,160
	Insurance Expense		\$ 19,500	\$ 17,546	\$ -	\$ 19,500
<b>Total OPERATING EXPENSE</b>			<b>\$ 247,343</b>	<b>\$ 150,412</b>	<b>\$ 120,597</b>	<b>\$ 259,190</b>
<b>NET OPERATING INCOME</b>			<b>\$ 462,403</b>	<b>\$ 114,119</b>	<b>\$ 231,694</b>	<b>\$ 455,131</b>
<b>OTHER EXPENSES</b>						
	Non Routine Maintenance & Replacements	Appliances, Exterior Paint Project	\$ 35,475	\$ 369,605	\$ 318,325	\$ 371,150
	Replacement Reserve					\$ 126,000
<b>NET CASH FLOW</b>			<b>\$ 426,928</b>	<b>\$ (255,487)</b>	<b>\$ (86,631)</b>	<b>\$ (42,019)</b>

**Educational Housing Corporation**  
**Cañada Vista**  
**Budget Proposal: FY 2022-2023 (as of January '23)**

		Notes/Assumptions	2021-22 BUDGET	2022-23 ACTUALS (through 12/31/22)	2022-23 YTD Budget	2022-23 BUDGET
<b>INCOME</b>						
	Rental Income		\$ 1,010,122	\$ 417,985	\$ 492,774	\$ 1,008,058
	Other Income	Application Fees	\$ -	\$ 270	\$ 1,080	\$ 1,080
	Utility Income	Rebates		\$ 493	\$ -	
	Miscellaneous Income	Club House Income, Deposit Forfeiture	\$ 1,200	\$ 1,063	\$ 3,000	\$ 4,600
<b>Total GROSS INCOME</b>			<b>\$ 1,012,522</b>	<b>\$ 419,810</b>	<b>\$ 496,854</b>	<b>\$ 1,013,738</b>
<b>OPERATING EXPENSES</b>						
	Staff Costs	Resident Manager Salary	\$ 10,514	\$ 4,546	\$ 4,867	\$ 9,733
	Contract Services	Landscaping, Pest Control, Cable & Alarm	\$ 41,556	\$ 21,279	\$ 22,518	\$ 51,036
	Utilities	PG&E, Water, Sewer & Trash	\$ 108,100	\$ 52,728	\$ 54,505	\$ 108,510
	Repairs & Maintenance	Materials, Electrical, Plumbing, Appliances	\$ 39,775	\$ 14,340	\$ 23,750	\$ 47,400
	Turnover Repairs & Maintenance	Painting, Cleaning	\$ 73,460	\$ 18,807	\$ 35,110	\$ 50,635
	Marketing		\$ 1,400	\$ -	\$ 3,600	\$ 7,200
	Administrative Expenses		\$ 9,742	\$ 8,719	\$ 5,304	\$ 11,072
	Management Fees	BLVD Residential Fees	\$ 68,400	\$ 34,200	\$ 34,200	\$ 68,400
	Insurance Expense		\$ 22,500	\$ 21,235	\$ -	\$ 22,500
<b>Total OPERATING EXPENSE</b>			<b>\$ 375,447</b>	<b>\$ 175,855</b>	<b>\$ 183,853</b>	<b>\$ 376,486</b>
<b>NET OPERATING INCOME</b>			<b>\$ 637,075</b>	<b>\$ 243,955</b>	<b>\$ 313,001</b>	<b>\$ 637,253</b>
<b>OTHER EXPENSES</b>						
	Total Non Routine Maintenance & Replacements	Appliances, Exterior Paint Project	\$ 233,850	\$ 46,036	\$ 57,940	\$ 117,348
	Replacement Reserve					\$ 148,800
<b>NET CASH FLOW</b>			<b>\$ 403,225</b>	<b>\$ 197,919</b>	<b>\$ 255,061</b>	<b>\$ 371,105</b>

**Educational Housing Corporation**  
**College Ridge (Skyline)**  
**Budget Proposal: FY 2022-2023 (as of January '23)**

		Notes/Assumptions	YTD Actuals	2022-23 YTD BUDGET (9/1/22-12/31/22)	2022-23 BUDGET
<b>INCOME</b>					
	Rental Income		\$ 53,859	\$ 142,424	\$ 642,337
	Other Income	Application Fees	\$ 1,575	\$ 2,610	\$ 2,610
<b>Total GROSS INCOME</b>			<b>\$ 55,434</b>	<b>\$ 145,034</b>	<b>\$ 644,947</b>
<b>OPERATING EXPENSES</b>					
	Staff Costs	Resident Manager Salary	\$ 1,370	\$ 1,477	\$ 4,089
	Contract Services	Landscaping, Pest Control, Alarm	\$ 6,537	\$ 19,000	\$ 53,375
	Utilities	PG&E, Water, Sewer & Trash	\$ 28,209	\$ 25,100	\$ 53,800
	Repairs & Maintenance		\$ -	\$ 650	\$ 12,800
	Turnover Repairs & Maintenance	Cleaning	\$ 425	\$ 9,000	\$ 9,000
	Marketing		\$ -	\$ 9,200	\$ 9,500
	Administrative Expenses		\$ 2,396	\$ 2,845	\$ 7,591
	Management Fees	BLVD Residential Fees	\$ 17,100	\$ 13,500	\$ 32,400
	Insurance Expense		\$ -	\$ -	\$ -
<b>Total OPERATING EXPENSE</b>			<b>\$ 56,038</b>	<b>\$ 80,772</b>	<b>\$ 182,555</b>
<b>NET OPERATING INCOME</b>			<b>\$ -</b>	<b>\$ 64,262</b>	<b>\$ 462,393</b>
<b>OTHER EXPENSES</b>					
	Non Routine Maintenance & Replace	Exterior Signage	\$ 4,922	\$ 500	\$ 500
<b>NET CASH FLOW</b>			<b>\$ 4,922</b>	<b>\$ 63,762</b>	<b>\$ 461,893</b>



**Minutes of the Educational Housing Corporation Board Meeting**

**June 14, 2022**

**In-Person at the District Office (3401 CSM Drive, San Mateo, CA 94402)  
and ZOOM Webinar**

<b>Attendees:</b>	<b>Absent:</b>
Dennis McBride, President	Michael Pierce
Maurice Goodman, Vice President	<b>Other Attendees:</b>
Jonathan Wax	Mitchell Bailey, SMCCCD
Richard Holober	Bernata Slater, SMCCCD
Jessica Marshall	Bob Talbott, BLVD Residential
	Jonathan Garcia, BLVD Residential
	Yaakov Strauss, BLVD Residential
	Carina Warne, SMCCCD

**Call to Order and Roll Call**

The meeting was called to order at 3:05 p.m. Members in attendance are listed above.

**Public Comments on Non-Agenda Items**

- Mitzi Ulloa, College Vista resident, asked for a lease extension due to personal family circumstances.
- John Ulloa, Professor of History & Anthropology at Skyline College and College Vista resident, asked for a lease extension for the benefit of his family.

**Election of Officers**

It was moved by Mr. McBride and seconded by Mr. Wax to elect Mr. Pierce to serve as President. The motion carried unanimously.

It was moved by Mr. Holober and seconded by Mr. McBride to elect Mr. Goodman to serve as Vice President/Secretary. The motion carried unanimously.

It was moved by Mr. Holober and seconded by Mr. Wax to elect Mr. McBride to serve as Treasurer. The motion carried unanimously.

## **Staff Updates**

Mr. Bailey gave the following staff updates:

- Mr. Goodman, Mr. Holober, and Mr. Bailey attended the Grand Opening of the Jefferson Union High School District's Faculty and Staff Housing facility in Daly City. The new housing is a great addition to the educational fabric of this community.
- The Housing Board previously approved a contract award for a painting contractor at College Vista. Staff is working with BLVD Residential on a schedule of work for the project and communications with residents.
- The Housing Board approved, at the last meeting, the award of an additional year to the contract for BLVD Residential. Goals and expectations have been set for the coming year including enhancements to communications.
- The Housing Board thanked and acknowledged Mr. McBride for serving as President of the Housing Board for 7 years.

## **ACTION ITEMS**

### **Adoption of Resolution to Make Findings Allowing Continued Remote Meetings Under Brown Act**

It was moved by Mr. Holober and seconded by Mr. Wax to approve the Adoption of Resolution to Make Findings Allowing Continued Remote Meetings Under the Brown Act. The motion carried, with all members voting Aye.

### **Approval of Minutes of March 15, 2022 Meeting**

It was moved by Mr. Holober and seconded by Mr. Wax to approve the Minutes of March 15, 2022 Meeting. The motion carried, with all members voting Aye.

### **Consideration of New Rental Rates for College Ridge and for New Residents at College Vista and Cañada Vista**

Mr. Bailey said the Housing Board has discussed, at previous meetings, establishing a new rental rate category for College Ridge at Skyline College and new residents at College Vista and Cañada Vista.

At its December 14, 2021 meeting, the Housing Board established an ad-hoc committee (consisting of Mr. Holober, Mr. Wax and Mr. Pierce) to explore this item further. The ad-hoc committee met and recommends the following rental rates for College Ridge and all new residents at College Vista and Cañada Vista. The recommended rental rates are based upon the San Mateo County Below Market Rate index for Very Low Income, which include:

Unit Type	1-bedroom	2-bedroom	3-bedroom
Monthly Rent	\$1,713	\$2,056	\$2,375

The committee also recommended an exemption process for new residents (with income verification documentation) to petition to not have their monthly rent exceed 40% of their household income.

At the Housing Board meeting on March 15, 2022, the Board tabled the recommendation of the ad-hoc committee and asked that the District Board of Trustees be engaged in this topic.

The District Board of Trustees discussed this topic at their meeting on April 27, 2022. The District Board of Trustees discussed the vision for Faculty & Staff Housing and the need for additional housing. The District Board of Trustees appreciated learning about the housing program and gave their support with no specific guidance or objections.

Mr. Holober said the District Board of Trustees discussed rental increase funds be used for the Promise Scholars Program, funding additional Faculty & Staff housing, or funding student housing. Mr. Goodman agreed and said a plan should be put in place for any additional funds before the Housing Board agrees to a rental increase.

Mr. Holober said he supports the recommendation for rental increases. He said employee compensation has increased while rental rates have remained the same.

Mr. Wax said although he was part of the ad-hoc committee, he is not in support of rental rate increases. He asked if the Housing Board would consider lesser increases for College Ridge instead of the rate that is recommended. He also added that Jefferson Union High School District's housing rental rates are below the recommended rates.

Mr. Goodman said he supports the rental rates for College Ridge, but needs to understand more about the increases at College Vista and Cañada Vista. He suggested creating a stipend that staff can apply for to encourage them to stay in the area. Mr. Holober said that was an intriguing idea, but also added that the demand for housing is not being met.

Mr. Bailey said the Housing Board adopted a mechanism, several years ago, to increase rental rates modestly on an annual basis over a period of seven years. He said this was the launching point for establishing the ad-hoc committee. He said now is an opportune time to reset rental rates because College Ridge is coming online, and once rental rates are set, the law does not allow for an increase over 5% plus CPI (Consumer Price Index) every year.

Mr. Wax discussed the recommended exemption process for new residents. He suggested making a change to the recommendation and not have monthly rent exceed 25% of household income instead of 40%. Mr. McBride mentioned the general guideline that a person should not spend over 33% on housing costs. Mr. Wax also discussed individual employee income versus combined household incomes.

Public Comments:

- Gwen Kenny, housing resident and classified employee at the College of San Mateo, spoke about equity and asked the Board to examine the motivation for rental increases.
- Joan Murphy, classified employee at Cañada College, shared her thoughts about rental increases.
- Brittany R. said she does not agree with rental rate increases.

It was moved by Mr. Holober and seconded by Mr. McBride to approve the New Rental Rates for College Ridge. The motion was approved with a roll call vote with Mr. Holober, Mr. McBride and Ms. Marshall voting Aye and Mr. Goodman and Mr. Wax voting No.

It was moved by Mr. Wax and seconded by Mr. Goodman to approve an exemption process for new residents of College Ridge that the monthly rent not exceed 25% of their combined household income. The motion was denied with a roll call vote with Mr. Wax and Mr. Goodman voting Aye, Mr. Holober and Mr. McBride voting No, and Ms. Marshall abstaining.

It was moved by Mr. McBride and seconded by Mr. Holober to approve an exemption process for new residents of College Ridge that the monthly rent not exceed 33% of their combined household income. The motion was approved with a roll call vote with Mr. Holober, Ms. Marshall, Mr. McBride, and Mr. Wax voting Aye and Mr. Goodman voting No.

The Board discussed and agreed to table the new rental rates for new residents at College Vista and Cañada Vista agenda item to a future meeting.

**Consideration of Proposed Criteria for Evaluating Requests for Lease Extensions due to Extenuating Circumstances**

Mr. Bailey said, at a previous meeting, the Housing Board considered a petition of a resident seeking an extension of their lease due to an extenuating circumstance. The Board considered the circumstance and granted the extension. Since that meeting, staff has received five resident requests seeking extensions for extenuating circumstances.

The Housing Board has granted staff limited authority to extend resident maximum term eligibility. Currently, staff is authorized to exercise administrative discretion within a couple of month's timeframe. Mr. Bailey said staff asks the Housing Board to consider establishing criteria for evaluating requests for extensions beyond the allowable occupancy term due to extenuating circumstances. Staff offers the following criteria for the Board to consider:

- Death of a household member
- Catastrophic medical issue of resident or household member
- Immediate physical health or physical safety of the resident

Mr. McBride said it's important for the Housing Board to create the evaluation criteria for lease extension requests before reviewing the five resident requests, so that the Board's decisions are not skewed. In regards to the criteria, Mr. Wax said it seems reasonable to allow short lease

extensions for residents in the process of purchasing a home as well. Mr. McBride suggested adding a specific length of time to each criteria.

Mr. Holober said a six month extension is generous and the criteria is good, but there is a need for more detail. Mr. McBride said the criteria will help rationalize approval because it's easy to get caught up in emotion and want to help everyone.

Mr. Goodman suggested collaborating with San Mateo County housing resources because there are other housing opportunities that employees may be eligible for. Ms. Marshall agreed with Mr. Goodman and suggested giving residents a list of resources and housing options, including home buying information. Mr. Goodman said the District has partnered with LANDED and the San Mateo Credit Union, in the past, to assist employees and residents with housing.

The Board discussed and agreed to use the following criteria for evaluating requests for extensions beyond the allowable occupancy term due to extenuating circumstances:

- Death of a household member (within three months of the end of resident eligibility)
- Catastrophic medical issue of resident or household member, whereby an extension will provide for health stabilization to allow for a move (within six months of the end of the resident eligibility)
- Immediate physical health or physical safety of the resident (e.g. domestic violence) (within three months of the end of resident eligibility)
- Purchasing a home, whereby an extension will provide for occupancy of the home (within two months of the end of resident eligibility)

The Board also decided that any extension granted shall be up to six months in length.

It was moved by Mr. Holober and seconded by Ms. Marshall to approve Criteria for Evaluating Requests for Lease Extensions due to Extenuating Circumstances as amended. The motion carried, with all members voting Aye.

Mr. Bailey said a Special Housing Board Meeting will be called within the next ten days so the Housing Board may evaluate the requests for lease extensions. The requests will remain anonymous to the Housing Board.

## **ADJOURN**

The meeting was adjourned at 4:55 p.m.





**Minutes of the Educational Housing Corporation Special Board Meeting**

**July 5, 2022**

**In-Person at the District Office (3401 CSM Drive, San Mateo, CA 94402)  
and ZOOM Webinar**

<b>Attendees:</b>	<b>Other Attendees:</b>
Michael Pierce, President	Mitchell Bailey, SMCCCD
Maurice Goodman, Vice President/Secretary	Carina Warne, SMCCCD
Dennis McBride, Treasurer	Jonathan Garcia, BLVD Residential
Richard Holober	Stephanie Montenegro, BLVD Residential
Jessica Marshall	
Jonathan Wax	

**Call to Order and Roll Call**

The meeting was called to order at 3:32 p.m. Members in attendance are listed above.

**Public Comments on Non-Agenda Items**

None

**ACTION ITEMS**

**Consideration of Resident Petitions for Occupancy Extensions due to Extenuating Circumstances**

Mr. Bailey said, at its meeting on June 14, 2022, the Housing Board established criteria for processing requests from residents seeking extensions of occupancy limits due to extenuating circumstances. The criteria established by the Housing Board is:

- Death of a household member (within three months of the end of resident eligibility)
- Catastrophic medical issue of resident or household member, whereby an extension will provide for health stabilization to allow for a move (within six months of the end of the resident eligibility)
- Immediate physical health or physical safety of the resident (e.g. domestic violence) (within three months of the end of resident eligibility)
- Purchasing a home, whereby an extension will provide for occupancy of the home (within two months of the end of resident eligibility)

The Housing Board also decided any extensions granted may be for up to six months in length.

Mr. Bailey presented the six resident petitions for occupancy extensions to the Board. The petitions were presented to the Board anonymously with confidential information redacted. The Board reviewed and discussed each petition.

### Petition #1

It was moved by Mr. Holober and seconded by Mr. McBride to deny petition #1. The motion was approved with a roll call vote, with Mr. Pierce, Mr. McBride, Mr. Holober and Mr. Wax voting aye and Mr. Goodman and Ms. Marshall voting no.

### Petition #2

It was moved by Mr. Holober and seconded by Mr. McBride to deny petition #2. The motion was approved with a roll call vote, with Mr. Pierce, Mr. McBride, Mr. Holober and Mr. Wax voting aye and Mr. Goodman and Ms. Marshall voting no.

### Petition #3

It was moved by Mr. Holober and seconded by Mr. McBride to deny petition #3. The motion was approved with a roll call vote, with Mr. Pierce, Mr. McBride, Mr. Holober and Mr. Wax voting aye and Mr. Goodman and Ms. Marshall voting no.

### Petition #4

It was moved by Mr. Holober and seconded by Mr. McBride to deny petition #4. The motion was approved with a roll call vote, with Mr. Pierce, Mr. McBride, Mr. Holober and Mr. Wax voting aye and Mr. Goodman and Ms. Marshall voting no.

### Petition #5

It was moved by Mr. McBride and seconded by Mr. Holober to deny petition #5. The motion was approved with a roll call vote, with Mr. Pierce, Mr. McBride, Mr. Holober and Mr. Wax voting aye and Mr. Goodman and Ms. Marshall voting no.

### Petition #6

It was moved by Mr. Holober and seconded by Mr. Wax to deny petition #6. The motion was approved with a roll call vote, with Mr. Pierce, Mr. McBride, Mr. Holober and Mr. Wax voting aye and Mr. Goodman and Ms. Marshall voting no.

### Public comment:

- Mitzy Ulloa said the families asking for lease extensions today are asking for help and not trying to take advantage of the system. She expressed her disappointment for the Housing Board's decisions.
- Philipp Gleyzer said one of the petitions was his own. He said his mother has been living with him and he asked for more time for his current lease.

### **Adjourn**

The meeting was adjourned at 4:30 p.m.

# **HOUSING BOARD REPORT**

**PREPARED FOR:** Educational Housing Corporation Board of Directors

**PREPARED BY:** Richard Storti, Executive Vice Chancellor of Administrative Services

**MEETING DATE:** January 30, 2023

**REPORT SUBJECT: Setting of Meeting Dates for 2023**

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The Educational Housing Corporation Board of Directors (Housing Board) holds regular meetings on a quarterly basis each calendar year and other special meetings as needed.

For calendar year 2023, staff proposes the following regular meeting dates for the Housing Board's consideration:

- Thursday, April 20<sup>th</sup> 3PM
- Thursday, July 13<sup>th</sup> 3PM
- Thursday, October 19<sup>th</sup> 3PM

## **RECOMMENDATION**

Staff recommends the Housing Board adopt a meeting schedule for regular meetings for calendar year 2023.