



**STUDENT UNION, INC. BOARD OF DIRECTORS**

**Meeting Minutes for  
February 16, 2021 at 4:15 pm**

**This was a telecommute meeting by Zoom Video Conference.**

*This meeting was facilitated through an online Zoom format, consistent with the Governor's Executive Order N25-20, suspending certain open meeting law restrictions.*

**Voting Members Present:** Nicholas Ayala, Zachary Birrer, Antonio Bustamante, Sonja Daniels, Zobeida Delgadillo, Charlie Faas, Cynthia Fernandez-Rios, Ishan Gupta, Ellen Middaugh, Joshua Reyes, Emily Wughalter

**Voting Members Absent:** None

**Non-Voting Member Present:** Tamsen Burke  3/17/2021  
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**Guests Present:** David Alves, Jerry Darrell, Debbie Gairaud, Ryan Fetzer, Amy Guerra-Smith, Karyn Liensdorf, Caryn Collopy, Matt Lee, Kelsey Snook, Shawn Clark, Kristine Kirkendall, Larry Aldama, Kristina Hunt

**I. CALL TO ORDER**

Cynthia Fernandez-Rios called the February 16, 2021 Student Union Board of Directors meeting to order at 4:17pm.

**II. ROLL CALL**

Cynthia Fernandez-Rios asked Amy Guerra-Smith to take roll call. Amy Guerra-Smith completed a verbal roll call and noted there were 11 voting members present.

**III. APPROVAL OF FEBRUARY 16, 2021 AGENDA**

Cynthia Fernandez-Rios asked for any changes needed to the FEBRUARY 16, 2021 STUDENT UNION BOARD OF DIRECTORS MEETING AGENDA.

**Ellen Middaugh motioned to remove the closed session item from the agenda; Sonja Daniels seconded the motion.**

**Vote on the motion: 11-0-0 Motion Passed.**

**IV. APPROVAL OF JANUARY 29, 2021 MEETING MINUTES**

Cynthia Fernandez-Rios asked for any changes needed to the JANUARY 29, 2021 STUDENT UNION BOARD OF DIRECTORS MEETING MINUTES. Seeing no changes needed, Ms. Fernandez-Rios asked for a motion to approve the meeting minutes as presented.

**Emily Wughalter motioned to approve the meeting minutes; Charlie Faas seconded the motion.**

**Vote on the motion: 11-0-0 Motion Passed.**

**V. OPEN FORUM**

No one was present for the open forum.

## **VI. EXECUTIVE DIRECTOR'S REPORT**

Tamsen Burke gave the Board Members some highlights of what the Student Union has been working on, noting that the SRAC Pool continues to operate and to support Athletics. The SUI was able to work with FD&O and the Kinesiology department to support the transition of classes to the indoor pool in SPX.

The Event Center team was well prepared for the basketball game on Friday; however, the games were cancelled due to COVID concerns. Ms. Burke commended the Event Center team for working with Athletics to ensure safety and needs are met for a positive home game experience.

Ms. Burke noted this year she implemented a budget training session and budget development manual for all managers responsible for budgets to prepare the FY 21/22 budget with assumptions from the CFO mid year report to guide planning. The Accounting and Finance team provided the budget forms for FY 21/22 planning.

Tamsen Burke noted that the SUI has two staff members being recognized at the Spartan Service Celebration: Daniel Sanchez has been with the SUI for 15 years and Connie Guan has been with the SUI for 20 years.

## **VII. COMMITTEE REPORTS**

### **A. Audit Committee (Cynthia Fernandez-Rios)**

No report given.

### **B. Facilities & Programs Committee (Zachary Birrer)**

Zachary Birrer noted that SRAC pool is open and supports students and staff, as well as Athletics. Mr. Birrer also noted that SRAC is also working with FD&O to find a solution for a new acid tank which is too small for the pool operations and delivery issues.

Mr. Birrer commended the Event Center and thanked the team for their dedication to support our SJSU men's basketball for their home games during COVID restrictions.

In the Student Union, AS and the Spartan Bookstore are working to deliver curbside to students. Zach noted the SUI has been providing virtual programs for IMs, Club Sports, fitness classes, as well as several other programming opportunities for students.

### **C. Finance Committee (Zachary Birrer)**

Zachary Birrer noted that there is no Finance Committee report due to the Finance Committee being requested to be postponed by the VPSA.

### **D. Personnel Committee (Antonio Bustamante/Joshua Reyes)**

Joshua Reyes informed the Board Members that the Personnel Committee met and were presented with new opportunities from the Consolidated Appropriations Act, 2021 (CAA) extending many relief measures that were created by the FFCRA and the CARES Act.

Presented and discussed were increased staff benefits including paid sick time, 403b plan, educational fee waiver benefit and FSA extensions. The Personnel committee agreed to forward the proposals to the Board for approval.

Antonio Bustamante left the meeting. Voting members: 10.

## **VIII. DISCUSSION ITEMS**

### **A. Organizational Structure and Open Position Critical Need**

Tamsen Burke noted that the SUI is looking at the organizational structure of the corporation and the positions that are vacant.. Ellen Middaugh noted that when the Personnel Committee met and discussed what the needs are, the conversation was clarifying as to why some of these positions were critical in the operation of the corporation and it will be important for the Board Members to hear what those positions are and why they are critical in hiring. Ms. Burke presented the critical positions to the Board and will forward to the Vice President of Student Affairs for approval. Sonja Daniels noted that she is working with and continues to have conversations with the Vice President for Student Affairs about these positions. Dr. Daniels noted that the Vice President for Student Affairs indicated that he will be reviewing these critical positions in the next thirty days and provide an answer at that time.

**B. Personnel Committee Recommended Changes to the SU Education Benefit**

Joshua Reyes asked Debbie Gairaud, the SUI HR Director, to assist in the presentation to the Board Members the proposed changes to the benefits. Ms. Gairaud noted that the first change was to the paid sick leave benefit noting that under the Families First Coronavirus Response Act (FFCRA), which expired on December 31, 2020, the SUI was required to provide all full-time employees with Paid Sick Leave and Expanded Family and Medical Leave for specified reasons related to COVID-19. Ms. Gairaud noted companies with fewer than 500 workers are no longer required to offer coronavirus-related paid sick leave and expanded family and medical leave however she noted that the City of San Jose Ordinance No. 30512 outlines that all employers in San Jose provide sick leave as specified up to 80 hours of COVID related paid sick leave.

Joshua Reyes noted that for the Flexible Spending plan (FSA) the proposed changes are:

- to extend the grace period from 2020 to 12 months after the end of the plan year for both health care and dependent care FSAs
- mid-year FSA changes allows employees to make changes to FSA elections without qualifying life events
- post-terminated reimbursements for health care FSA provide reimbursements to employees terminated from the FSA plan through the end of the plan year, this is only for healthcare FSA only
- dependent care FSA carry forward for age outs (age 14 years old) allows employees carryover dependent care FSA that aged out during the current plan year

Joshua Reyes noted that the Personnel Committee reviewed the proposed changes for the 403b SUI Contribution and asked Debbie Gairaud to explain to the Board Members the changes. Ms. Gairaud noted that each qualified full-time employee receives an employer discretionary of 3% gross monthly salary with an employer match of up to 4% gross monthly salary. Ms. Gairaud explained that the Consolidated Appropriations Act, 2021 (CAA) extends relief measures that were created by the FFCRA and the CARES Act including extending coronavirus emergency relief benefits for borrowers with federal student loan payments through September 30, 2021. The SUI can allow full-time employees who wish to have their 3% discretionary contribution be applied to their federal student loans through September 30, 2021.

Joshua Reyes went on to explain the changes to the Educational Fee Reimbursement Program, noting that the proposed changes are:

- Reimbursement up to \$5,250 per year as a tax-free benefit; amounts over this will be reported as income and subjected to taxes for the employee
- Align semester grade point average requirements to 3.0 for graduate and 2.5 for undergraduate work

Joshua Reyes asked for any discussion needed on these proposed changes; there was no further discussion needed.

**IX. ACTION ITEMS****A. Approve Personnel Committee Recommended Changes to the SU Education Benefit**

Cynthia Fernandez-Rios asked for a motion to approve the changes by topic or to approve the changes as a whole.

**Emily Wughalter motioned to approve all the benefit changes as presented; Zachary Birrer seconded the motion.**

**Vote on the motion: 10-0-0.**

**Motion Passed.**

**X. CLOSED SESSION - Personnel**

This item was removed from the agenda.

**XI. MEETING ADJOURNMENT**

Cynthia Fernandez-Rios asked for any other business to discuss. Seeing no other business, Ms. Fernandez-Rios asked for a motion to adjourn the meeting at 4:56pm.

**Zachary Birrer motioned to adjourn; Joshua Reyes seconded.**

**Vote on the motion:**

**10-0-0.**

**Motion Passed.**