# Governing Board

## 2012 Meeting Minutes

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A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, January 10, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Mr. Balbir Dhillon
Mr. Ron Lind

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Okamura/Lease) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: FA
E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Ms. Mayra Cruz
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam
Mr. Mike Casas

Board Members Excused:
Mr. Balbir Dhillon
Mr. Ron Lind

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Lease/Tanaka) to approve the agenda as amended: Item G-4 was moved to 7:30 p.m. and changes were made to the Consent Agenda.

3. APPROVAL OF THE DECEMBER 13, 2011, GOVERNING BOARD MEETING MINUTES

M/S/C (Tanaka/Okamura) to approve the above listed meeting minutes as submitted.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Cruz/Okamura) to approve the Consent Agenda as amended: Item F-2, F-4 #1, Position Establishment, Professional Expert, F-4 #2a Employment and F-4, #3a Student Work, College Work Experience, Ann Nguyen were removed from the Consent Agenda.

Trustee Lease requested further information on F-3, 2a regarding the employment of a staff accountant. He still would like the Board to receive further information
regarding reorganization and new hires. Although some information was provided by the Chancellor, he requested more comprehensive information about the district’s reorganization plan. He also stated he would approve the hiring of the new staff accountant in lieu of hiring a new controller. Chancellor Cepeda answered that Phase I of the reorganization plan the Board approved has been fully implemented. However, Phase II was not implemented. The VPA positions were restored as a result of the Accreditation recommendations. She will provide more information about the district’s reorganization plan once it has gone through the district’s review process.

2. **MANAGEMENT PERSONNEL ACTIONS**

   This item was pulled from the Consent Agenda.

3. **CLASSIFIED PERSONNEL ACTIONS**

   The Board approved the Classified Personnel Actions as submitted.

4. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**

   The Board approved the Hourly, Student Work and Volunteer Personnel Actions as amended.

5. **FACULTY PERSONNEL ACTIONS – REGULAR**

   The Board approved the Faculty Personnel Actions as submitted.

6. **FACULTY PERSONNEL-ADJUNCT/OVERLOAD-EVC**

   The Board approved the Faculty Personnel-Adjunct/Overload-EVC

7. **FACULTY PERSONNEL-ADJUNCT/OVERLOAD-SJCC**

   The Board approved the Faculty Personnel-Adjunct/Overload-SJCC

8. **ENROLLMENT OF TEMPORARY ADJUNCT FACULTY IN THE CALIFORNIA STATE DISABILITY INSURANCE PROGRAM**

   The Board approved Resolution No. 011012-2 in order for the District to apply to the California Employment Development Department for acceptance of all temporary part time faculty in the employee-paid State Disability Insurance Program.

9. **DISTRICT BUDGET TRANSFERS AND REVISIONS**

   The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts.
10. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

   The Board ratified the contracts and purchase orders for the period of November 10, 2011, through December 9, 2011, as noted in the attached documents.

11. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**

   The Board approved the new course and program proposed by San Jose City College.

12. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

   The Board approved the curriculum recommendation for a new course submitted by Evergreen Valley College.

13. **EMERGENCY REPLACEMENT OF DISTRICT OFFICE BOILER SYSTEM**

   The Board awarded the contract to Thermal Mechanical, Inc., for the emergency replacement of the District Office boiler system.

14. **ACCEPTANCE OF GRANT FUNDS – EVERGREEN VALLEY COLLEGE**

   The Board accepted grant funds awarded to Evergreen Valley College from the National Science Foundation in the amount of $323,524 to extend Dr. Zhanjing Yu’s assignment with NSF.

G. **ACTION AGENDA**

1. **APPROVAL OF REVISED TRUSTEE REDISTRICTING BOUNDARIES**

   Chancellor Cepeda recognized Sam Ho, Dr. Thomas Griffin and Josh Newman, along with other community members, for their hard work in developing Plan 5, which she is recommending the Board approve. She reviewed the timeline of activities in the redistricting process. She also reviewed the six Board priorities that were used in developing the revised district boundaries. She also provided evidence that Mr. Ho reached out to the Asian community. Based on public input on Plan 4, Plan 5 was developed to address the community’s concerns that were expressed at the last meeting.

   The Board heard public comments from J. Nakamura and Andres Quintero, a representative from Supervisor George Shirakawa’s office. They thanked the Board for addressing the concerns they raised at the last meeting, which are reflected in Plan 5, and recommended the Board approve the proposed district boundaries.

   Trustee Cruz thanked everyone involved with coming up with another alternative that meets the Board’s guiding principles and community input.

   M/S/C (Okamura/Lease) to adopt Plan 5 for the redistricting of trustee boundaries in
accordance with California Education Code 5019.5.

2. **BP 2715 BOARD CODE OF ETHICS**

Chancellor Cepeda stated that BP 2715 Board Code of Ethics was revised from the draft submitted to the Board at the December 13, 2011, meeting. The change included adding student success language used by the Community College League of California. Trustee Cruz thanked the staff for adding the student success component she recommended at the last Board meeting. Student Trustee Casas reported that the Associated Students at SJCC have adopted the revised policy as submitted to the Board.

M/S/C (Cruz/Okamura) approve BP 2715 Board Code of Ethics.

3. **EVERGREEN VALLEY COLLEGE – CENTRAL PLANT & POLICE REMODEL – DESIGNER SELECTION**

Chancellor Cepeda stated the proposed design services would allow the college to proceed with its updated master plan, which was approved by the Board in November, 2011. The award would be given to Aedis Architecture and Planning for the remodeling and rehabilitation of the existing Central Utility Plan and Police Department at Evergreen Valley College. The purpose of leaving the Police Department at its current location would be to insure the safety of the campus rather than moving it further away from the core of the campus.

M/S/C (Okamura/Lease) to award the design services for the Evergreen Valley College Central Plant and Police Remodel to Aedis Architecture and Planning in the amount of $855,000.00

4. **RESOLUTION AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS FOR MEASURE G02010 IN TWO SERIES**

Mr. David Casnocha, bond counsel, reviewed the resolutions for the issuance of general obligation bonds for Measure G-2010. The district will issue $90 million. The plan is to sell the bonds in two series: Series A, $70 million to be used for capital and technology projects over the course of three years and Series B, $20 million for technology and deferred maintenance endowment. He stated the district administration did well in its recent meeting with the Standard & Poor’s and Moody’s credit agencies.

Trustee Okamura asked if the district’s rating would be impacted if it received redevelopment funds from the state. Mr. Casnocha answered there would be no impact to the rating.

M/S/C (Tanaka/Cruz) to approve the resolution authorizing the issuance of Measure G-2010 General Obligation Bonds, in two series, not to exceed $100,000,000.
H. INFORMATION AGENDA

1. BUDGET UPDATE

Chancellor Cepeda reported the budget was released five days early on Thursday after the documents were inadvertently posted on the Department of Finance website. The budget proposal assumes the governor’s tax initiative proposal will pass. In fact, 60% of voters polled support the tax measure on the November ballot; and this, of course, would impact our budget. Interim Vice Chancellor Smith stated he is preparing for 2012-13 based on the assumption the tax measure passes. If it passes, there would be no additional money given to the district and no cuts. If it doesn’t pass, the district is facing up to a $4 million deficit. However, that could be offset by basic aid. Additionally, he received new information concerning a property tax deficit, about $670K in the present year; but we are expecting more information soon. Our margins are narrow; and the district needs to reduce our spending where we can. The Board will receive the 2nd quarter budget report in a few weeks.

2. LEGISLATIVE UPDATE

Chancellor Cepeda reported the Board of Governors met Monday to take up the recommendations of the Student Success Task Force. The final version has been approved by the task force. Her legislative contacts have expressed concern about what they are being asked to do.

3. AB 540 NONRESIDENT STUDENTS: A HISTORY OF DISTRICT SUPPORT

Chancellor Cepeda reviewed the history of the passage of AB 540, which created a new exemption from payment of nonresident tuition for certain nonresident students who have attended high school in California and received a high school diploma or its equivalent. She stated the purpose of her presentation was to go on record about what the district has done from the management perspective regarding AB 540 students. In 2007, senior administration, in response to the Board’s commitment to social justice, implemented a “fee deferral promise” to be tendered to nonresident students. The colleges began to implement the “fee deferral” program based on administrative action established by the past chancellor. It is important to note, however, that no formal board action was taken on the process. And due to administrative turnover, fundraising efforts through the district’s Foundation and other venues were not fully realized. By Spring 2009, both colleges recognized the fiscal impracticality of maintaining an internal fee deferral promise and initiated plans to look for alternative ways to support nonresident students. At the beginning of her tenure in the summer of 2010, Chancellor Cepeda issued a new directive regarding the fee deferral promise to both colleges which would honor the promise made to students in the 2007/2008 through 2009/2010 years; but, beginning in Fall 2010, AB 540 students would be informed they would be responsible to pay their enrollment fees. She charged the colleges to identify student support strategies to continue supporting these students, and she also established a district-wide planning and coordinating team to address the fiscal liability incurred to date of $292,498. Chancellor Cepeda reaffirmed the district’s commitment to assist AB 540 students through programs such as OASSSIS and ALMASS. The district also has a plan that
if a student owes $50 or more, he/she can sign up for a fee payment plan. We are doing all we can to support students in need of financial assistance.

Fabio Gonzales, SJCC EOPS Counselor, introduced Patricia Cejudo and Luis Gutierrez, two SJCC ALMASS alumni who are now SJSU students. Ms. Cejudo and Mr. Gutierrez reported on the impact the ALMASS program had on providing them an opportunity to attend college and fulfill their dreams and potential.

Irma Archuleta, EVC, Vice President, introduced Ms. Margarita Jimenez and Ms. Maria de Lourdes Ramos. They both expressed appreciation for the support they received from the OASSSIS program.

Trustee Okamura stated the presentation was very good but opened up a lot of questions. However, he’s very proud of being a part of a district where students from all walks of life can be educated. Trustee Cruz thanked Mr. Gonzalez and Vice President Archuleta for their work in programs that other schools and colleges lack. These other institutions look to us as models. She enjoyed visiting the ALMASS and OASSSIS programs and seeing all we do in support of AB 540 students. She stated she would like more information about the success rates of students enrolled in these programs.

Student Trustee Lam stated she personnel knew a lot of students in the OASSSIS program, and they would not be able to attend the college without the support they receive from the program.

Trustee Fuentes asked Chancellor Cepeda to revisit this subject as an action or follow-up information item that would address the questions and outstanding issues raised during the presentation. Chancellor Cepeda answered she would do that and also provide information about the raising of public funds to cover the $292,498 liability.

I. ORAL COMMUNICATIONS

a. Board of Trustees

SJCC Student Trustee Casas thanked Mr. Fabio Gonzales for inviting the two AB 540 students to the meeting so they could share their experiences. It’s for those students that he rallied in Sacramento in support of the Dream Act. He also invited the State Chancellor, Jack Scott, and Scott Lay, to the upcoming White House summit the Board of Trustees are hosting at Evergreen Valley College.

EVC Student Trustee Lam discussed the Associated Students preparation for the upcoming March in March in Sacramento. She also thanked the Associated Students for their hard work during the hunger drive they participated in over the holidays.

Trustee Lease reported about the concerns raised over the move of the Oral Communications agenda item to the end of the meeting. He suggested the various constituency groups form a committee to discuss their concerns and
report back to the Board.
Trustee Cruz reported on her attendance at the EOPS holiday celebration. It was great to see our students with their families enjoying themselves. She also discussed her participation in the American Leadership Forum where she spoke about diversity in education.

Trustee Okamura discussed the activities of the committee working on the White House summit, which will be held on the EVC campus on Saturday, January 21. He invited all campus community members to attend and be sure to register for this very exciting opportunity for our district.

b. Chancellor

Chancellor Cepeda reported on the positive presentation she and other district administrators gave to the Standard and Poor’s and Moody’s agencies. They talked about the Board’s hard work towards fiscal responsibility. We should be receiving word by the end of the week.

The upcoming White House Community Action Summit on Saturday, January 21, is a very exciting event for our district. Chancellor Cepeda thanked her Chief Assistant, Rosalie Ledesma, for leading the work, Trustees Okamura and Lease for their work on the steering committee and President Yong and Vice President Gee, who are working on the logistics for the event.

c. Presidents

EVC President Yong reported he also enjoyed the EOPS holiday party with students and their families. He commended the staff for providing a little holiday joy. He also thanked the Associated Students and their work with VTA for requesting better ground transportation to the colleges. He also expressed his support for the upcoming White House Summit where jobs and access to education are among the topics that will be addressed.

SJCC President Barbara Kavalier also expressed her appreciation to Mr. Fabio Gonzalez, Romero Jalomo, Trustee Cruz, Barbara Hanfling and David Yancey for their work and attending the EOPS holiday dinner. The college is now engaged in outreach efforts for the Spring semester.

d. Constituency Group Representatives

EVC Academic Senate President Eric Narveson reported the senate is not in session now. Currently, he has 55 students on the roster for his class and 65 students on the waiting list. He requested that Summer Session be maintained as well because there is a real need for students to have access to classes. Mr. Narveson also expressed agreement that the Oral Communications section of the agenda be moved back to the beginning of the meeting.

SJCC Academic Senate member Fabio Gonzalez stated the college is
continuing its work on accreditation. He attended the Student Success Task Force Board of Governors meeting, and congratulated the Board of Trustees, district and colleges members for communicating their concerns with the task force recommendations.

FA President David Yancey expressed his opposition for the change in the agenda reflected in moving the Oral Communications to the end of the meeting. The reports given by the constituency representatives are too important to wait until the end of the meeting when most of the audience has already left the building.

Trustee Fuentes stated the purpose of moving the Oral Communications section of the meeting to later in the agenda was to allow for all business items to be taken care of first. All members of the public, including constituency representatives, have the opportunity to speak for three minutes on any agenda item; and there is also provision for them to speak on items not on the agenda. However, based on the feedback received at the meeting, she agreed to move the Oral Communications section back to where it was before—after the Consent Agenda. She also requested that moving forward these reports be kept to two minutes each so that the business items could be addressed as quickly as possible. Trustee Fuentes reviewed other changes she would like to make in the future, such as starting Open Session at 5:30 p.m. The purpose of this change would be to allow meetings to end at a reasonable time. She will make a decision after researching the feasibility of this change.

J. CONTINUATION OF CLOSED SESSION

No

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

L. ADJOURNMENT

The meeting adjourned at 8:35 p.m.

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Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
January 24, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, January 24, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA  95135.

Board Members Present:
Ms. Mayra Cruz
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Mr. Balbir Dhillon
Mr. Ron Lind

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Okamura/Tanaka) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 6:00 p.m. to consider the following items:

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: FA
E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Ms. Mayra Cruz
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam
Mr. Mike Casas

Board Members Excused:
Mr. Balbir Dhillon
Mr. Ron Lind

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Lease/Tanaka) to approve the agenda as amended: A correction was made to the Consent Agenda.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There was no report out from the Closed Session meeting.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.

5. APPROVAL OF THE JANUARY 10, 2012, GOVERNING BOARD MEETING MINUTES

M/S/C (Cruz/Tanaka) to approve the above listed meeting minutes as submitted.
F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S/C (Tanaka/Okamura) to approve the Consent Agenda as amended: A correction was made to Item F-8 Design Services Agreement for Evergreen Valley College Soccer Field Turf Replacement in the WHEREAS Section was changed from San Jose City College Campus to Evergreen Valley College Campus.

2. **MANAGEMENT PERSONNEL ACTIONS**

The Board approved the Management Personnel Actions as submitted.

3. **FACULTY PERSONNEL ACTIONS – REGULAR**

The Board approved the Faculty Personnel Actions as submitted.

4. **FACULTY PERSONNEL-ADJUNCT/OVERLOAD-EVC**

The Board approved the Faculty Personnel-Adjunct/Overload-EVC as submitted.

5. **CLASSIFIED PERSONNEL ACTIONS**

The Board approved the Classified Personnel Actions as submitted.

6. **HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS**

The Board approved the Hourly, Student Work & Volunteer Personnel Actions as submitted.

7. **SUNPOWER CHANGE ORDER #5: NO-COST TIME EXTENSION**

The Board approved a no-cost time extension as a change in contract scope with SunPower for the photovoltaic system at Evergreen Valley College.

8. **DESIGN SERVICES AGREEMENT FOR EVERGREEN VALLEY COLLEGE SOCCER FIELD TURF REPLACEMENT**

The Board approved the Design Services Agreement for the Evergreen Valley Soccer Field Turf Replacement to Bellinger Foster Steinmetz Landscape Architecture in the amount of $19,050.

9. **NON-RESIDENT TUITION RATE AND STUDENT CAPITAL OUTLAY FEE FOR ACADEMIC YEAR 2012-2013**

The Board approved the non-resident tuition rate of $199 per unit and the capital outlay fee of $19 per semester for the academic year 2012-2013.
10. **ACCEPTANCE OF $5,000 GRANT FROM BREATHE CALIFORNIA TO SJCC HEALTH SERVICES**

The Board accepted a $5,000 grant to SJCC Health Services for partnership to promote tobacco-free Santa Clara County from Breathe California.

11. **CHILDHOOD DEVELOPMENT TRAINING CONSORTIUM 2011-2012 INSTRUCTIONAL AGREEMENT**

The Board accepted the Childhood Development Training Consortium 2011-2012 Instructional Agreement.

12. **WESTED GRANT**

The Board accepted the WestEd Institute Grant.

G. **ACTION AGENDA**

1. **BOARD’S WORKPLAN/DASHBOARD UPDATE AND PROPOSED MONITORING PROCESS**

Chancellor Cepeda reported that she would provide an update on the Board’s workplan by reviewing the dashboard at each study session meeting. She reviewed the first dashboard, which was presented to the Board at the November 8, 2011, board meeting and the updates since that time. She stated the plan is to use Google Docs so that the lead person responsible for each item would update the status.

Trustee Okamura stated that the Board needs to align activities to our goals. We need to be strategic in terms of events. The White House initiative forum was a great event; but if we bring them here again, what can they do to give us funds? The Board needs to be religious about the dashboard. He expressed support for re-engaging the subcommittee. President Fuentes thanked Chancellor Cepeda for the update. She asked the Board if the same subcommittee that worked on the evaluation, Trustees Okamura, Cruz and Lease, were available to review the workplan on a monthly basis. Chancellor Cepeda stated that her chief assistant, Rosalie Ledesma, would work with the three subcommittee members to report at every Board study session meeting. Trustee Okamura answered that the Board had previously agreed to do an update at every meeting, and he would like to stick with that schedule. He stated his willingness to do the work required to ensure the dashboard would be ready for review at each meeting. President Fuentes stated that it should be the responsibility of the Board, working through the subcommittee, to do the reporting at the board meetings.

2. **SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2010/2011 INDEPENDENT ANNUAL FINANCIAL AND AUDIT REPORT**

The 2010/2011 Independent Annual Financial and Audit Report was presented by Ms. Tina Treis, Audit Partner for Crowe Horwath, LLP. This audit report had previously been reviewed by the Audit Committee on December 1st, which included
Trustees Okamura, Dhillon and Tanaka as well as Administrative Services staff and Business Office representatives from San Jose City and Evergreen Valley Colleges. Ms. Treis reviewed highlights of the primary contents of the audit report including the Independent Auditor’s Report, the Management’s Discussion and Analysis, the Basic Financial Statements, Supplementary Information, Independent Auditor’s Report on State Compliance Requirements and Findings and Recommendations. Particular note was made about the District’s status of meeting all of the requirements as outlined on page 61 regarding Financial Statements, Federal Awards, and State Awards. One significant deficiency in internal control over financial reporting was discussed which did not represent a material weakness. The Schedule of Audit Findings and Recommendations were reviewed as well as the Status of the Prior Year Findings and Recommendations. These were discussed in some level of detail.

Trustee Okamura stated this was the first meeting of the Board Audit Committee with the district’s new auditors, and it was a very good meeting. He thanked Peter Fitzsimmons, Director of Fiscal Services, for providing good continuity so the district could move forward during the transition.

M/S/C (Cruz/Tanaka) to accept the San José Evergreen Community College District Fiscal Year 2010/2011 Independent Annual Financial and Audit Report conducted by Crowe Horwath, LLP.


The Independent Annual Financial and Performance Audit Reports for 2010/2011, 2004 General Obligation Bonds (Measure G – 2004) was presented by Ms. Tina Treis, Audit Partner for Crowe Horwath, LLP. This audit was made by certified public accountants licensed by the California Board of Accountancy. Additionally, the ballot measure approved by the voters in November 2004 requires an annual financial and performance audit. This audit report had previously been reviewed by the Audit Committee on December 1st, which included Trustees Okamura, Dhillon and Tanaka as well as Administrative Services staff and Business Office representatives from San Jose City and Evergreen Valley Colleges. Ms. Treis reviewed highlights of the primary contents of the audit report including the Independent Auditor’s Report, Basic Financial Statements, Supplementary Information about the Bond Program and Purpose of Bond Issuance, and Other Reports including, Report of Independent Auditors on Internal Control over Financial Reporting and on Compliance and Other Matters in Accordance with Government Auditing Standards.

Following a review of the Annual Financial Audit, Ms. Tries, reviewed the Performance Audit which included a Report of Independent Auditors, a Background including Legislative History, and a the Text of the Ballot Language authorizing the issuance and sale of $185,000,000 principal amount of general obligation bonds. The Performance Audit included Objectives, Scope, Methodology, and Conclusions.

M/S/C (Lease/Okamura) to accept the San Jose Evergreen Community College District Fiscal Year 2010/2011 2004 General Obligation Bonds (Measure g – 2004)
Independent Annual Financial and Performance Audit Reports conducted by Crowe Horwath, LLP.

H. INFORMATION AGENDA

1. FACILITIES AND CAPITAL BONDS STUDY SESSION

Chancellor Cepeda reported that in the months where two board meetings would be held, the second meeting would be used as a study session. The focus of this study session is facilities, including a status report of the bond program and project management.

Chancellor Cepeda provided a history and background of Measures I 1998-2004, G-2004 and G-2010. The total taxpayer commitment of these bonds is $588 million. Major projects of Measure I include the stadium track and field, parking garage and Library/Learning Center at SJCC and Gullo I, Biology and Nursing addition (Sequoia) and multiple projects created as a result of Gullo I, such as the new Admissions & Records Office, Math & Science Resource Center in Acacia and the adjacent Faculty Center in Roble. Measure G 2004 included projects through 2010, such as the Science Complex, Applied Science, which contains the Construction College, and the Cosmetology/Reprographics and SJCC and the Student Services renovation, new Center of the Arts and modernization of the Cedro/PE building at EVC. Chancellor Cepeda stated that at the January 25, 2011, study session, the Board received a report on the lessons learned during the Measure G-2004 bond. These lessons included areas such as communication, program management, accounting/budgets, purchasing/contracts, quality control and warranty & closeout. The next step actions including the EIR consultant RFP, program/construction management RFP, development of operating policies and procedures, Citizen’s Bond Oversight Committee appointments, labor agreements, finalization of the initial project lists and budget, allocation of budgets and the building of district/college program teams. Chancellor Cepeda also reviewed the current status of the updated facilities master plans, bond project list revisions, the ratings presentations given by the Chancellor’s executive staff to Standard & Poor’s and Moody’s on January 5, 2012, and the actions to be taken as a result of the Board approved January 10 resolution to issue bonds.

Ms. Ann Kennedy, Finance Manager, Gilbane Building Company, reported on the Proposition 39 requirements of Measure G-2004 and Measure G-2010. Prop 39 is now a component of the CA Education Code, and the requirements include maintaining master bond project lists, the involvement of the Citizen’s Bond Oversight Committee, and the requirement of annual reports and annual financial and performance audits. It’s the responsibility of the CBOC to report regularly to the community, and one way to achieve that is through their website. Mr. Henry Gee, VP Administrative Services at EVC and Mr. Greg Nelson, VP Administrative Services at SJCC reported on the local college process and their work with the college councils, academic senates, community neighborhoods, safety and facility committees, and the Chancellor’s executive team and Board members in determining the college’s facilities master plan. Mr. Mark Miller, Sr. Project Manager, Gilbane Building Company, reported on the Construction Careers Program and the PLA. Mr. Scott Jewell, Program Manager, Gilbane Building Company reviewed the
program and project controls and the mitigation process that is worked into projects. He discussed how change management contingencies are built into all projects, and the importance of making sure the project starts with good design.

Trustee Cruz stated the CBOC website does not indicate which projects were completed for Measure G-2004. She asked what mechanism was used to ensure the website is kept up to date regarding projects. Ms. Kennedy answered that the CBOC is evolving and learning how to maintain its website. This will be an item for discussion at the February 7 CBOC meeting. Trustee Okamura stated he received input from contractors that the district has a certain list of vendors they will automatically consider for doing the work. He requested that all bidders be listed when a contractor is chosen as a means of transparency and to correct certain historical assumptions made about how the district does its business. Chancellor Cepeda answered that this is something the district can comply with. We want to dispel any concerns that there is an inner club. The district is currently looking into ways to simplify the RFP process. Trustee Tanaka asked what process is being used to allow the Board to approve the design of projects, not items such as the power plant but projects that include buildings. Chancellor Cepeda answered that the facilities master plans determine the footprint of a building. The new buildings are designed to ensure that they blend in with the current architecture. This is not normally understood to be a function of the Board. Trustee Okamura stated the issue is the Board does not trust the system. The system needs checks and balances. The Board is being asked to approve change orders in which the work has already been completed, and this makes them subject to liability. The Board wants to ensure the district is on target with projects so there is some sort of expectation that they would have some level of involvement in the process. Therefore, it's important for a system to be put in place which would give the Board confidence. Chancellor Cepeda reminded the board that the majority of change orders being brought to the board come from the Measure G 2004 period prior to the current checks and balances that have been put in place in the last 18 months. It is, in fact, because of the level of current oversight and accountability as part of the "lessons learned" bond oversight management study session that we have been able to reduce or eliminate things such as excessive change orders. Ms. Kennedy distributed a sample project list she would provide to the Board monthly so they could see any cost changes for projects. Trustee Okamura stated that although he liked the way the list was presented, he would still want included an actual schedule variance and cost variance. He is interested in seeing any problems in the early part of projects so that corrective action could be taken. President Fuentes requested a five-minute report on the status when the monthly reports are provided. Mr. David Yancey, FA President, expressed concern that the district would be charged for the requests being made by the Board and he would rather the cost of the Gilbane contract be used to fund the work directly related to the projects. Chancellor Cepeda replied that presenting the requested report would not require Gilbane's presence and could, in fact, be provided by Interim Vice Chancellor Smith.
I. CONTINUATION OF CLOSED SESSION

No

J. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

K. ADJOURNMENT

The meeting adjourned at 8:18 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the Governing Board Meeting
February 14, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, February 14, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135, and the Marriott Wardman Park Hotel, 2660 Woodley Rd. NW, Washington, D.C. 20008.

Board Members Present:
Ms. Mayra Cruz – (Participated via teleconference)
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease – (Participated via teleconference)
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S (Okamura/Lease) to approve the Closed Session agenda.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.
D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: FA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District Negotiator(s): Kim Garcia
Unrepresented Employee Group

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Ms. Mayra Cruz – (Participated via teleconference)
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease – (Participated via teleconference)
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam
Mr. Mike Casas

Board Members Excused:
None

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

President Fuentes announced the meeting would be adjourned in memory of Ismael Sanchez.

2. ADOPTION OF AGENDA

President Fuentes announced that since Trustees Cruz and Lease were
Minutes of February 14, 2012 Governing Board Meeting

participating via teleconference, all votes would be taken via roll call.

M/S (Dhillon/Lind) to approve the agenda as amended: Agenda Items I-1, I-2 and H-1, H-2, H-3, and H-4 were moved to follow approval of the Consent Agenda and a change was made to the Consent Agenda.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye

3. **APPROVAL OF THE JANUARY 24, 2012, GOVERNING BOARD MEETING MINUTES**

M/S (Tanaka/Dhillon) to approve the above listed meeting minutes as submitted.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S (Okamura/Dhillon) to approve the Consent Agenda as amended: Items F-7, Section 2d was removed from the agenda; Item F-2, Section 2a was moved to the Action Agenda for discussion and separate vote.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye
2. **MANAGEMENT PERSONNEL ACTIONS**
   
The Board approved the Management Personnel Actions as amended.

3. **FACULTY PERSONNEL ACTIONS – REGULAR**
   
The Board approved the Faculty Personnel Actions as submitted.

4. **FACULTY PERSONNEL-ADJUNCT/OVERLOAD-SJCC**
   
The Board approved the Faculty Personnel-Adjunct/Overload-SJCC as submitted.

5. **SPRING 2012 FACULTY REASSIGNED TIME – EVERGREEN VALLEY COLLEGE**
   
The Board approved the Spring 2012 Faculty Reassigned Time – Evergreen Valley College actions as submitted.

6. **CLASSIFIED PERSONNEL ACTIONS**
   
The Board approved the Classified Personnel Actions as submitted.

7. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**
   
The Board approved the Hourly, Student Work and Volunteer Personnel Actions as submitted.

8. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**
   
The Board ratified the contracts and purchase orders for the period of December 10, 2011 through January 9, 2012.

9. **DISTRICT BUDGET TRANSFERS AND REVISIONS**
   
The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

10. **STUDENT HEALTH FEE INCREASE**
    
The Board approved the Student Health fee increase of $1 per semester to $18.

11. **MEASURE G-2004 BUDGET REVISION**
    
The Board approved the revisions in the Measure G-2004 budget revisions and recommendations for realignment.
Minutes of February 14, 2012 Governing Board Meeting

12. **EMERGENCY UPGRADE OF HEATING HOT WATER PIPES FOR THE SEQUOIA BUILDING AT EVERGREEN VALLEY COLLEGE**

   The Board awarded the contract to Thermal Mechanical, Inc. for the emergency replacement of 120 feet of piping, supplying heating hot water to the Sequoia Building and Lecture Hall at Evergreen Valley College.

13. **ACCEPTANCE OF DONATION – EVERGREEN VALLEY COLLEGE NURSING PROGRAM**

   The Board accepted a donation in the amount of $3,500 from Evergreen Valley College’s Student Nursing Association (ENSA.)

14. **WORKFORCE INSTITUTE – AMENDMENT TO 2011-2012 WIA WORK2FUTURE OLDER YOUTH CONTRACT**

   The Board approved the amendment to the 2011-2012 WIA Older Youth Contract.

15. **WORKFORCE INSTITUTE – AMENDMENT TO 2011-2012 WIA WORK2FUTURE ADULT CONTRACT**

   The Board approved the amendment to the 2011-2012 WIA Adult Contract.

I. 1. **WHITE HOUSE HISPANIC COMMUNITY ACTION SUMMIT REPORT AND RECOGNITION OF PLANNING COMMITTEE AND STUDENT AMBASSADORS**

   Chancellor Cepeda reported that our district was the first of the 10 sites chosen to hold the White House Hispanic Community Action Summit, and we had over 250 attendees. We are still getting input from around the state about our student ambassadors. She thanked Rosalie Ledesma for her leadership in planning and organizing the event, and Presidents Yong and Kavalier and Vice President Henry Gee, in particular, for their hard work.

   A video of the event was shown, and the Chancellor, along with Ms. Ledesma, presented certificates to the following student ambassadors:

   **Evergreen Valley College Student Ambassadors**: Edward Balaoro, Timothy Burpee, Carmen Candelaria, Anna Cuevas, Diana Cuevas, Jessica Diaz, Amy Dundon, Araceli Garza, Edgar Guzman, Margarita Jimenez, Julie Ngo, David Nguyen, Maria de Lourdes Ramos, Matthew Sablan, Martin Tran and Bekki Zarco.

   **San Jose City College Student Ambassadors**: Mike Casas, Larry Harris, Jeff Guertin, Klayre Guzman, Natalie Lopez, and Charles Stevens.

   **De Anza College Student Ambassadors**: Silvina Arce, Angela DelaCruz, Lissette Lopez, Lin Pan, Amanda Sauffley-Martino, and Tami Whitman.

I. 2. **LATINA LEADERSHIP NETWORK CHAPTER PRESENTATION**

   The SJECCD Latina Leadership Network presented information about the
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scholarship that would be established in honor of Maria Romo, a community activist and long-time employee of San Jose State University. The amount of the scholarship has not yet been established and will depend on LLN’s fundraising efforts. The goal is to provide a $10K endowment. Since Ms. Romo was a single parent and an AB540 advocate, this target population will be highly considered as recipients of her scholarship. Therefore, the recipients must be of Latino descent, have a GPA of 2.5+ with plans to transfer to a four-year institution to pursue a B.A. Degree. Applicants must describe in a two-page essay how they relate to Ms. Romo’s passion for education and how they would give back to the community.

President Fuentes stated she knew Maria Romo personally and was pleased by the efforts made to honor her memory by supporting students she so strongly advocated during her lifetime.

H. 1. MEASURE G-2004 & MEASURE G-2010 CITIZENS’ BOND OVERSIGHT COMMITTEE’S 2010-2011 ANNUAL REPORT

Ms. Kathy Kyne, Chairperson, SJECCD Measure G Citizen’s Bond Oversight Committee presented the 2010-2011 Annual Report. She introduced a new concept in communicating the report to the voters in the area; namely, placement of the report online for access in multiple languages. The community will be notified of the report using a postcard including the weblink. This new approach will result in significant savings and supports paperless “green” efforts. The CBOC has the responsibility of providing oversight for both Measure G-2004 and G-2010, and Ms. Kyne reviewed the various projects completed and in process for both measures. The committee is pleased with the progress made during this fiscal year on both bond programs. Ms. Kyne reported that, to the best of its knowledge, SJECCD is in full compliance with the responsibilities as described in Article XIIIA, Section 1(b)(3) of the California State Constitution, which address bond indebtedness incurred by a community college district.

Ms. Kyne reviewed the CBOC website; and in the spirit of going green, the annual report would be posted at the website and no hard copies of the annual report would be distributed. She thanked Mr. Mike Chegini from Gilbane for the great work he has done in developing the website.

M/S (Dhillon/Okamura) to accept the Measure G-2004 and Measure G-2010 Citizen’s Bond Oversight Committee’s 2010-2011 Annual Report.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye
2. SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2010/2011 CHANCELLOR AND BOARD OF TRUSTEES DISCRETIONARY EXPENDITURES INDEPENDENT AUDIT REPORT

The Independent Auditors Report of Agreed-upon Procedures of 2010/2011 Chancellor and Board of Trustees Discretionary Expenditures was presented by Ms. Tina Treis, Audit Partner for Crowe Horwath, LLP. Ms. Treis reviewed highlights of the contents of their agreed-upon procedures engagement. These procedures included agreement of expense detail for discretionary expenses to the general ledger account balances, selection of 100% of items from the expense detail and obtained related supporting documentation, and examined for proper business purpose and compliance with Board approved Administrative Policies for Purchasing, Procurement Card Procedures and with Board Policy for Travel.

Ms. Treis described that Crowe Horwath examined 338 items which represent $245,158 in discretionary expenses incurred by the Board of Trustees and Chancellor for the year ended June 30, 2011. They did not identify any discretionary expenses that did not comply with Board approved administrative policies for Purchasing and Procurement Card Procedures or with the Board Policy for Travel.

M/S (Lind/Lam) to accept the San José-Evergreen Community College District Fiscal Year 2010-2011 Chancellor and Board of Trustees Discretionary Expenditures Independent Audit Report conducted by Crowe Horwath, LLP.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye

3. SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2010-2011 RETIREMENT FUTURIS PUBLIC ENTITY INVESTMENT TRUST INDEPENDENT ANNUAL FINANCIAL AND AUDIT REPORT

The Independent Annual Audit of the Retirement Futuris Public Entity Investment Trust for fiscal year 2010/2011 as conducted by Crowe Horwath was presented by Ms. Tina Treis, Audit Partner for Crowe Horwath, LLP. This audit was made by certified public accountants licensed by the California Board of Accountancy. Pursuant to California Education Code 84040, the governing board of each community college district shall provide for an annual audit of all funds, books, and accounts of the district in accordance with regulations of the board of governors. The audit shall be made by certified public accountants licensed by the California Board of Accountancy. Additionally, Section 15.02(i) of the Other Post Employment Benefits (OPEB) trust agreement requires the deliverance of an unqualified opinion in connection with the report.
Ms. Treis reviewed highlights of the primary contents of the audit report including the Independent Auditor’s Report, Management’s Discussion and Analysis, Statement of Net Assets, Notes to the Financial Statements, Supplementary Information, and Other Reports including, Report of Independent Auditors on Internal Control over Financial Reporting and on Compliance and Other Matters in Accordance with Government Auditing Standards.

M/S (Tanaka/Lind) to accept the San José-Evergreen Community College District Fiscal Year 2010/2011 Retirement Futuris Public Entity Investment Trust Independent Annual Financial and Audit Report conducted by Crowe Horwath, LLP.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye

4. **APPROVAL OF RESOLUTION NO. 021412-5 AUTHORIZING DISTRICT ADMINISTRATION TO PROCEED WITH FINANCING OPTIONS FOR THE 2009 TAXABLE OPEB BONDS**

Mr. Timothy Carty, Piper Jaffray, provided a history of the original thinking from 2009 and presented two options for moving forward. Option 1 allows the district to pay a fixed rate of 5.239% for 15 years. The estimated annual payments for Option 1 are $2.49M for FY 2013-2022 and $2.67--$5.51M for FY 2023-2044. Option 2 has a higher interest rate of 5.489% but would be fixed for the life term. The estimated annual payments for Option 2 are $2.61M for FY 2013-2022 and $2.76--$5.51M for FY 2023-2044. The benefit of choosing Option 1 is that the district would save approximately $120K per year for 15 years.

Chancellor Cepeda stated the district is expecting fiscal challenges in 2012-13 and is faced with the daunting task of identifying $5M cuts in order to maintain the 7% reserve. Therefore, any opportunity to reduce fiscal obligations would be helpful.

M/S (Lind/Okamura) to approve Resolution No. 021412-5 to authorize the District Administration to proceed with financing Option 1 for the restructuring of the District’s Outstanding 2009 Taxable OPEB (Other Post-Employment Benefit) Bonds.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye

G. ORAL COMMUNICATIONS

a. Board of Trustees

SJCC Student Trustee Casas reported on his attendance at the Student Success Task Force meeting in Sacramento and expressed concern about the recommendations being passed by the Board of Governors. He also encouraged everyone to participate in the March in March in Sacramento on March 5.

EVC Student Trustee Lam reported on the Latina Leadership Network conference and the grants provided to students in need of financial assistance.

Trustee Lease expressed his appreciation for those who worked so hard putting together the White House summit. It made a lasting impact in the community.

Trustee Cruz also thanked everyone who was involved with the summit. There was so much energy and enthusiasm. She also reported on her attendance at her first legislative summit in Washington, D.C. It’s important for Trustees to continue advocacy and stay involved in legislative activities.

Trustee Dhillon stated he was out of the country for his daughter’s wedding.

b. Chancellor

Chancellor Cepeda reported that President Kavalier was absent because she was being honored as a distinguished alumni by her Alma Mater, the University of Texas at Austin. In addition, Dr. Cepeda informed the board that she would be keynoting the 25th Anniversary Conference of the Latina Leadership Network in Long Beach, CA in March. The organization is now 30 years old. She also reported that she was pleased to receive the report from the Accreditation Commission because three of the six shared recommendations were removed. However, we still have work to do in the areas of research, technology and mapping.

c. Presidents

EVC President Yong reported that Black History Month activities are going strong at the college. He reported on some of the events. Also, the Tet New Year’s celebration was very well attended. The letter received by the ACJC indicated that EVC will remain on “warning” and will have one more year to take care of the remaining recommendations.

SJCC Vice President Nelson provided a brief report on transportation issues at SJCC and the football program.
d. **Constituency Group Representatives**

CSEA President Jan Tomisaka wished everyone a Happy Valentine’s Day.

SJCC Associated Students Region IV delegate Karrawinds Salters reported on student activities and the Chancellor’s February 3 meeting on shared governance.

SJCC Academic Senate President Heimler reported that the first AS meeting will be held on February 21, and they will have a slate of new officers.

FA President David Yancey reported that Ms. Karrawinds Salters will be one of the speakers at the March 5 March in March in Sacramento.

H. **ACTION AGENDA**

1. **MEASURE G-2004 & MEASURE G-2010 CITIZENS’ BOND OVERSIGHT COMMITTEE’S 2010-2011 ANNUAL REPORT**

   This item was moved to follow the Consent Agenda.

2. **SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2010/2011 CHANCELLOR AND BOARD OF TRUSTEES DISCRETIONARY EXPENDITURES INDEPENDENT AUDIT REPORT**

   This item was moved to follow the Consent Agenda.

3. **SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2010-2011 RETIREMENT FUTURIS PUBLIC ENTITY INVESTMENT TRUST INDEPENDENT ANNUAL FINANCIAL AND AUDIT REPORT**

   This item was moved to follow the Consent Agenda.

4. **APPROVAL OF RESOLUTION NO. 021412-5 AUTHORIZING DISTRICT ADMINISTRATION TO PROCEED WITH FINANCING OPTIONS FOR THE 2009 TAXABLE OPEB BONDS**

   This item was moved to follow the Consent Agenda.

5. **CALIFORNIA COMMUNITY COLLEGE TRUSTEES (CCCT) BOARD ELECTION 2012**

   There was no action taken on this item as no Trustee applied for membership to the CCCT Board.

6. **DIVISION OF STATE ARCHITECT (DSA) FEES FOR THE CENTRAL PLANT RENOVATION PROJECT AT EVERGREEN VALLEY COLLEGE**

   Chancellor Cepeda reported that it’s a requirement for the Division of the State Architect (DSA) to perform a review of project documents for the Central Plan and
Police renovation at EVC. The Board is being asked to approve the fees for that review.

M/S (Lind/Dhillon) to approve a payment to the Division of the State Architect (DSA) to perform mandated review of project documents for the Central Plant and Police Renovation and Remodel at Evergreen Valley College.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye

Advisory votes:
Student Trustee Lam – aye
Student Trustee Casas - aye

7. **RESOLUTION NO. 21412-2 IN SUPPORT OF CALIFORNIA PROPOSITION 29, THE TOBACCO TAX FOR CANCER RESEARCH ACT**

Chancellor reported that approval of CA Proposition 29 on the June 5 ballot would increase the tax on cigarettes by $1.00 per pack. The additional tax revenue would be used to fund cancer research, smoking reduction programs and tobacco law enforcement.

M/S (Okamura/Tanaka) to approve Resolution No. 21412-2 in support of California Proposition 29, the Tobacco Tax for Cancer Research Act.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye

Advisory votes:
Student Trustee Lam – aye
Student Trustee Casas - abstained

8. **RESOLUTION NO. 21412-3 IN SUPPORT OF THE MILLIONAIRES’ TAX TO RESTORE FUNDING FOR EDUCATION AND ESSENTIAL SERVICES ACT OF 2012**
Chancellor Cepeda reported that the Millionaires’ Tax to Restore Funding for Education and Essential Services Act of 2012 will raise $6 billion in new revenues for the state of California by asking people who make over $1 million per year to pay their fair share of taxes. She recommended the Board approve Resolution No. 21412-3 to support education.

M/S (Tanaka/Cruz) to approve Resolution No. 21412-3 in support of the Millionaires’ Tax to Restore Funding for Education and Essential Services Act of 2012.

9. RESOLUTION NO. 21412-4 IN OPPOSITION TO THE STUDENT SUCCESS TASK FORCE REPORT LEGISLATIVE IMPLEMENTATION PROCESS

The Board heard public comments from Ms. Karrawinds Salters, SJCC Associated Students Region IV Delegate, Mr. Charles Stevens, and Mr. Larry Harris SJCC students expressing their concerns about the impact the Student Success Task Force Recommendations would have on students by denying access to education for all students.

Trustee Lease asked why the Board is being asked to pass this resolution when they have already passed a resolution in opposition to the Student Success Task Force recommendations. President Fuentes answered that when the Board took action on the first resolution, we took action on the process. Now it’s at a different stage. Chancellor Cepeda has expressed concern about the impact the recommendations would have on our students. President Fuentes expressed concern, in particular, to how student success is being defined by the task force, which is reflected in their recommendations. The intent of this new resolution is to ask the Board of Governors to give more time to get information so that impact on students would be considered. Trustee Lease stated we need to be proactive and not reactive. FA President Yancey expressed concern that the SSTF recommendations will create a permanent underclass in this state, and social justice will be minimized.

President Fuentes announced a meeting of the Board Committee on Student Success would be held on Tuesday, February 21, at the Technology Center.

M/S (Dhillon/Okamura) to approve Resolution No. 21412-4 in Opposition to the Student Success Task Force Report.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye

Advisory votes:
Student Trustee Lam – aye
Student Trustee Casas - aye

F. 2. MANAGEMENT PERSONNEL ACTIONS – F-2a

Trustee Okamura requested follow up information regarding the process used to determine why one Dean received a 5% increase for their expanded role and the other received a 7.5% increase. SJCC Academic President Heimler stated the VP of Academic Affairs should be doing the additional work required for curriculum and enrollment management. He also expressed concern that when there are curriculum implications, the Academic Senate should be consulted. Chancellor Cepeda answered that this particular administrative action doesn’t fall under the 10 +1 participatory governance categories requiring mutual consent from the faculty. She discussed the review process her executive team used to determine the amount of increase and stated the VPA is being trained to produce this work.

Trustee Okamura stated the enrollment management discussion speaks to the culture in this district. We need to increase the trust level, and he asked that full discussions be held so that all parties are informed of the process. However, although he does not support an increase in pay at this time, he would support the Chancellor because there was a review process to justify the increase. Trustee Lease stated that he, too, did not like the increased pay for administrators when so many Classified staff were laid off; but he would support the process.

M/S (Lind/Okamura) to approve Management Personnel Actions – F-2a

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye

Advisory votes:
Student Trustee Lam – aye
Student Trustee Casas - aye

I. INFORMATION AGENDA

1. WHITE HOUSE HISPANIC COMMUNITY ACTION SUMMIT REPORT AND RECOGNITION OF PLANNING COMMITTEE AND STUDENT AMBASSADORS

This item was moved to follow the approval of the Consent Agenda.

2. LATINA LEADERSHIP NETWORK CHAPTER PRESENTATION

This item was moved to follow the approval of the Consent Agenda
3. **LEGISLATIVE REPORT**

Chancellor Cepeda reported that President Obama’s budget includes $8 billion for community colleges. The FY 2013 budget contains proposals to augment additional investments in education and workforce training, job creation and infrastructure. The budget incorporates and builds upon previous plans such as the American Jobs Act that were designed to enable community colleges to help more Americans secure employment. The $8 billion “Community College to Career” fund builds on the Trade Adjustment Assistance Community College and Career Training Grant Program to infuse more resources into job training programs at community colleges. The goal is to train 2 million workers with skills that will lead directly to employment.

4. **FY2011-2012 SECOND QUARTER BUDGET REPORT ENDING DECEMBER 31, 2011**

Interim Vice Chancellor Smith presented SJECCD’s budget update 2nd quarter report. He gave a summary of the 2011-12 budget, which had an ending fund balance of $5.4M. Major changes from 1st quarter include a 4% loss due to Tier 1/Tier 2 cuts, property tax deficit and student fee deficit. Projections for next year’s 2012-13 budget include a $5M structural deficit; therefore, we must target $5M in order to balance the budget. Some solutions being reviewed by the District Budget Committee include increasing revenues through parking fees, non-resident tuition, facility rental, public private ventures and expense reductions through enrollment management, contractual negotiations, and operating budgets. The key goal is to fix the structural deficit. More information will be provided at the February 28 budget study session. The District Budget Committee will work from March through May to analyze, make recommendations and decisions that will inform the adoption of the Tentative Budget in June. In September, the Board of Trustees will adopt the Final Budget.

J. **CONTINUATION OF CLOSED SESSION**

No

K. **RECONVENE OPEN SESSION**

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.
L. ADJOURNMENT

President Fuentes adjourned the meeting in loving memory of Ismael Sanchez.

Mr. Sanchez graduated from Silver Creek High School in June 2011 where he held the 2011 title of CCS Champion and State Champion place winner in wrestling. As early as 2009, Ismael enrolled at Evergreen Valley College as a high school student. He later returned to take classes at EVC just after his graduation in 2011 and had enrolled again for Spring 2012 courses. Ismael spent many summers with his father in the Central Valley providing wrestling lessons, coaching and mentoring migrant farmer youth. They also took in many of these boys to live with the family in San José and have access to wrestling and mentoring opportunities they did not have in their towns as migrant workers. Many of these students are now enrolled in college; two are now at Cornell University, and one is at CSU Bakersfield.

Ismael’s life was taken the Friday prior to the start of the Spring 2012 semester in a car accident near the campus entrance of Evergreen where a display has since been erected in his memory.

He has two sisters; one has been a student at EVC for over two years and is preparing for a career in nursing. His young sister is a high school student at Silver Creek High School. Our deepest condolences and love go out to the Sanchez family, his parents, Anthony and Lourdes as well as his younger sisters.

The meeting adjourned at 9:25 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the  
Governing Board Meeting  
February 28, 2012  
(Amended at 3.13.12  
meeting)

A. CALL MEETING TO ORDER

Vice President Tanaka called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, February 28, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz  
Mr. Balbir Dhillon  
Dr. Jeffrey Lease  
Mr. Randy Okamura  
Mr. Richard Tanaka

Board Members Excused:
Ms. Maria Fuentes
Mr. Ron Lind

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Okamura/Cruz) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
(Government Code Section 54956.9(c)

CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code Section 54957.6)  
District’s Negotiator(s): Kim Garcia
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: FA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District Negotiator(s): Kim Garcia
Unrepresented Employee Group

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam
Mr. Mike Casas

Board Members Excused:
Ms. Maria Fuentes
Mr. Ron Lind

1. PLEDGE OF ALLEGIANCE

Vice President Tanaka led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Cruz/Lease) to approve the agenda as amended: Item G-2 was moved to after Item H-5.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

Vice President Tanaka announced that Trustees Maria Fuentes and Ron Lind were excused from the meeting. There was no report out from the Closed Session meeting.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.
Minutes of February 28, 2012 Governing Board Meeting

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Dhillon/Cruz) to approve the Consent Agenda as submitted.

2. MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management Personnel Actions as submitted.

3. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified Personnel Actions as submitted.

4. FACULTY PERSONNEL ACTIONS – REGULAR

The Board approved the Faculty Personnel Actions as submitted.

5. FACULTY PERSONNEL-ADJUNCT/OVERLOAD-EVC

The Board approved the Faculty Personnel-Adjunct/Overload-EVC as submitted.

6. SPRING 2012 REASSIGNED TIME – SAN JOSE CITY COLLEGE

The Board approved San Jose City College’s faculty reassigned time for spring semester 2012.

7. SHORT-TERM HOURLY, SUBSTITUTE, PROFESSIONAL EXPERT & ATHLETIC SUPPORT SERVICES PERSONNEL ACTIONS

The Board approved the Short-Term Hourly, Substitute, Professional Expert & Athletic Support Services, Student Assistant and Volunteer personnel actions as submitted.

G. ACTION AGENDA

1. RESOLUTION SUPPORTING BACKFILL OF STUDENT ENROLLMENT FEES AND PROPERTY TAX REVENUES SHORTFALL

Chancellor Cepeda reported that action is being taken statewide to adopt a resolution supporting the backfill of student enrollment fees and property tax revenues shortfall. The Faculty Association, CSEA and students have requested we do all we can to see if we could recover some, if not all, of the latest rounds of cuts that was referred to by the State Chancellor’s Office.

M/S/C (Lease/Dhillon) to adopt Resolution No. 022812-1 supporting the backfill of student enrollment fees and property tax revenues shortfall.
G.  2. **BUDGET STUDY SESSION: ADOPTION OF BUDGET PRINCIPLES, BUDGET ASSUMPTIONS AND REBALANCING STRATEGIES**

This item was moved to follow Agenda Item H-5.

H. **INFORMATION AGENDA**

1. **2011 ACCOUNTABILITY REPORTING FOR COMMUNITY COLLEGES (ARCC): BEYOND COMPLIANCE, TAKING A DEEPER LOOK**

Chancellor Cepeda provided an overview of CA State Assembly Bill AB1417, which established the Accountability Reporting for the Community Colleges (ARCC) program that required the Board of Governors of the California Community Colleges to recommend to the Legislature and Governor a workable structure (framework) for an annual evaluation of community college performance in meeting statewide educational outcome priorities. She stated this report of our district's performance in 2011 would be used to inform our conversation about the Student Success agenda.

SJCC President Barbara Kavalier presented the ARCC performance indicators/definitions: student achievement, students earning 30 or more units, persistence, completion rate and improvement rate. President Kavalier provided a comparison of San José City College’s performance from 2004-2005 to 2009-2010 vs. 2005-2006 to 2010-2011. SJCC’s student achievement rate improved from 48.4% to 53.2%; students earning 30 or more units declined from 70.2% to 71.1%; persistence rate improved from 64.9% to 65.3%; completion rate for vocational courses declined from 74.3% to 72.2%; completion rate for basic skills declined from 63% to 61%; ESL improvement rate declined from 52.5% to 44.7% and basic skills improvement rate improved slightly from 52.3% to 52.8%. SJCC needs to review the reasons for the decline in basic skills and completion rate for vocational courses. The goal is to continue to build a culture of evidence and to further develop student success strategies.

EVC President Henry Yong provided a comparison of Evergreen Valley College’s performance from 2004-2005 to 2009-2010 vs. 2005-2006 to 2010-2011. EVC’s student achievement rate improved from 56.5% to 58.4%; students earning 30 or more units declined from 74.4% to 70.6%; persistence rate improved from 74.4% to 76.6%; completion rate for vocational courses declined from 80.8% to 76.3%; completion rate for basic skills declined from 70.7% to 69.3%; ESL improvement rate declined from 61.5% to 60.2% and basic skills improvement rate declined from 61.6% to 61.3%. President Yong reported on some activities the college is engaging in to increase its completion rate in credit vocational courses and to develop new vocational programs. He reviewed the new solar array system that will supply 33% of the college’s energy and the creation of a mobile computing for education pilot through a partnership with Apple. EVC is doing great things to address student success concerns.

President Yong provided an analysis of our district’s performance in comparison with our peer colleges and the statewide averages.
Trustee Cruz thanked Presidents Kavalier and Yong for their presentations and stated she would like to see a desegregation of the student achievement data.

2. **ACCREDITATION STATUS REPORT: AN UPDATE AND NEXT STEPS**

Chancellor Cepeda provided an overview of ACCJC’s response to the follow up reports submitted by the colleges. The ACCJC reviewed the reports at its January 10-12 meeting and decided to continue Evergreen Valley College on warning and San José City College on probation. Although the Commission acknowledged that significant work has been accomplished by both colleges, and even removed three of the shared recommendations, the Commission has chosen to wait until all work is completed and deficiencies resolved before taking action to remove sanctions. Chancellor Cepeda commended the District Council for their hard work in reviewing board policies. Chief Assistant to the Chancellor Rosalie Ledesma will take the lead in the district’s review of 20% of the board policies per year. Dr. Mathew Lee, consultant, will be working primarily with the colleges to assist with an evaluation model.

SJCC President Kavalier thanked the Board for their hard work, which enabled three of the shared recommendations to be removed. Three shared recommendations and six college specific recommendations still remain. The distance education item has already been completed, and two of the recommendations will be completed by the Spring. College recommendation No. 1 on Integrated Planning and Assessment will take a lot of work as the college works toward bringing the SLOs to the proficiency level. However, with all the work left to do; it’s a win that the college was not put on “show cause.” She thanked the faculty, staff and students for all the effort that went into, and will continue, to address the remaining Commission recommendations.

EVC President Yong recognized the work of faculty, management and support staff in working towards completing the Commission’s recommendations. Three recommendations from 2004 dealing with the technology master plan, SLOs and allocation of resources still need to be completed. The SLO’s are a very big factor and continues in the 2010 recommendations. EVC also needs to update its course outline records, and develop of its budget and financial management systems. Three shared recommendations involve developing a resource plan to achieve institutional goals and objectives, review and revise board policies and mapping of district and college functions still need to be completed. We are now preparing for the Accreditation site visit to be conducted in October.

Trustee Lease congratulated everyone for their hard work and success to date. There were several colleges placed on warning and show cause as a result of their submitted reports, and our colleges showed enough progress that we avoided being downgraded. Trustee Okamura thanked the Chancellor and college presidents for their leadership in getting so much work done in such a short time.

3. **BOARD COMMITTEE ON STUDENT SUCCESS: REPORT AND STATUS UPDATE**

Trustee Cruz reported that she was appointed to chair the Board Committee on
Student Success at its first meeting, which was held on February 21. Trustees Lease and Fuentes also attended the meeting, along with administrative staff and constituency representatives. The first meeting had an ambitious agenda, which was not completed. Instead, the focus of the meeting was a discussion on guiding principles and the definition of student success and how that definition would be unique to our district. Documents from the ACCT definition of student success and CLASS were also reviewed at the meeting. The responsibility of the Board and district constituency representatives was also reviewed. The Board will continue to keep working on the “what” and the Chancellor will work with constituents to determine the “how.”

4. **BOARD OF TRUSTEES WORKPLAN: ONGOING UPDATE AND DASHBOARD REVIEW**

Trustee Okamura, chair of the Board Committee on Self Evaluation, provided an overview of the meeting he held with Trustees Lease and Cruz and Ms. Rosalie Ledesma to review the status of the Board’s workplan. Although the Accreditation recommendations are a priority to address, another focus will be to work with the greater institution to ensure the strategic plans have been implemented. The District Office and colleges need to do more work completing the overall strategic plan. Trustee Lease stated that the Board needs to consider managing the policy and framework required to support the district’s strategic directions.

5. **BUDGET STUDY SESSION**

Interim Vice Chancellor Smith provided an overview of the 2nd quarter projections and 2012-13 budget. As of now, the 2012-13 budget includes a $5.0 million deficit, which requires $5.0 million in cuts to maintain a 7% reserve. He reviewed the impact of revenues that could change impact revenue, such as state backfills, Millionaires tax, and the Governor’s tax measure. The bottom line is the district still has a $5.0M target. The six rebalancing strategies include: resource development, enrollment management, reduction of “restricted program” support, elimination of vacancies, maximized use of other funds and collective bargaining. Interim Vice Chancellor Smith discussed a variety of options for implementing the rebalancing strategies.

Trustee Cruz asked what action the Board needs to take within the context of policy framework. Chancellor Cepeda answered that the Board is being asked to approve the budget principles and assumptions that will provide the framework for budget development. The Board was not being asked to take actions on the proposed strategies for balancing the budget because these needed a great deal more discussion through the participatory governance process. She acknowledged that the proposed strategies were the result of administrative analysis and did not yet represent the consensus of constituent groups. She also indicated that she was clear that none of the actions the district needs to take is possible without the support of the constituency groups. The budget solution needs to be a combination of things, and without total support we just won’t be able to make it. Therefore, the discussion of options is at the beginning phase and will be reviewed in detail with the District Budget Committee. Trustee Dhillon stated that we need to start from somewhere, and things may go back and forth. Everyone won’t be happy with all the solutions, but a lot of dialogue is needed to come up with the best solutions. Student Trustee Casas expressed concern about the $10 increase in tuition and its impact.
on students. FA President David Yancey expressed concern about the fundamental change in the budget development process. He stated the Chancellor had reviewed with her executive team the rebalancing strategies for over two months without reviewing them with the District Budget Committee. Therefore, it is difficult for the District Budget Committee members to support the strategies because they saw them for the first time at last Thursday’s meeting. The discussion should have started with the District Budget Committee. Trustee Dhillon stated the importance of having the right process, but he understood the district was just beginning its discussions on the strategies. Chancellor Cepeda stated the goal was for her executive team to do a lot of the groundwork and research so that correct and detailed information could be provided to the District Budget Committee. She had directed administrative analytical work to begin on January 25 knowing that faculty would not return to campus from the winter break until January 30, and the next District Budget Committee was not scheduled to meet until February 23. There was no intention to leave anyone out of the discussions; the efforts made were important to ensure that pressing timelines could be met. SJCC Academic Senate President Heimler also expressed concern about seeing the information for the first time at last Thursday’s District Budget Committee meeting and that the Board is being asked to give direction about summer school. Faculty has the best expertise about what happens in the classroom. There’s overwhelming data that students perform better in Spring and Fall when they have attended Summer School. Trustee Cruz stated that she understood the concerns expressed and recommended that everyone at least consider and discuss the rebalancing strategies. Chancellor Cepeda stated that a RIF was not one of the proposed strategies because we are still dealing with the effects of the last RIF, which really had a negative impact on the district. FA Executive Director Hanfling requested that the district really focus on land development and provide a plan and timeline for our best source of revenue. Trustee Lease answered that part of what held up the land development plan was political. There was a lot of opposition for having a major grocery store in that space. Chancellor Cepeda stated the district is now working with consultants to provide a plan for public private ventures. The district Foundation will also provide a report of very exciting things they are planning to increase grant funding.

After a discussion on the reduction of summer school, Trustee Cruz inquired about the number of FTEs for the last three summer sessions and what the proposal was for summer session in 2012. Chancellor Cepeda stated the importance of analyzing the educational outcome of enrollment management. What’s our philosophy of enrollment management? This is a complex issue; however, the option of reducing summer session is being brought to the Board because of an immediate need for cost reduction. Trustee Cruz inquired about collective bargaining and what was being discussed in that area. Vice Chancellor Garcia answered that last year salary and benefits reductions were discussed. It’s important to remember we probably won’t be able to use one solution to get where we need to be.

G. 2. BUDGET STUDY SESSION: ADOPTION OF BUDGET PRINCIPLES, BUDGET ASSUMPTIONS AND REBALANCING STRATEGIES

Chancellor Cepeda stated the district will do more work on the possible strategies we need to maintain a 7% reserve. She recommended the Board approve the budget principles and assumptions so that the district could do the work of ensuring we maintain the 7% reserve. FA President Yancey questioned what would happen
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if the district fell to a 6.2% reserve. Vice Chancellor Smith answered that maintaining a 7% reserve was important for our credit rating and selling OPEB bonds. Trustee Lease expressed his concerns that it is important the Board maintain its fiscal commitment and responsibility as expressed in the Accreditation Commission recommendations.

M/S/C (Cruz/Lease) to approve the budget principles and budget assumptions.

I. CONTINUATION OF CLOSED SESSION

No

J. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

K. ADJOURNMENT

The meeting adjourned at 9:05 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, March 13, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S (Cruz/Okamura) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
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(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Employee Organization: FA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District Negotiator(s): Kim Garcia
Unrepresented Employee Group

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam
Mr. Mike Casas

Board Members Excused:
None

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S (Dhillon/Tanaka) to approve the agenda as amended: Agenda Items H-3, I-4, I-8, H-1 and H-4 were moved to follow approval of the Consent Agenda.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There was no report from the Closed Session meeting.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

The Board heard a public comment from Dr. Jessica Breheny, Instructor of English at San José City College, in which she expressed the importance of summer session and her concerns that the schedule was being reduced.
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5. **APPROVAL OF THE FEBRUARY 14 AND FEBRUARY 28, 2012, GOVERNING BOARD MEETING MINUTES**

   M/S (Cruz/Okamura) to approve the above listed meeting minutes as amended: On the February 28, 2012, meeting minutes, the board action on Item G-2 has been amended as follows:

   M/S/C (Cruz/Lease) to approve the budget principles and budget assumptions.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

   M/S (Okamura/Cruz) to approve the Consent Agenda as amended. Consent Agenda Item F-11 was pulled and moved to the Action Agenda as Item H-5; Consent Agenda Item F-3-3 was pulled and moved to the Action Agenda as Item H-6.

2. **MANAGEMENT PERSONNEL ACTIONS**

   The Board approved the Management Personnel Actions as submitted.

3. **FACULTY PERSONNEL ACTIONS – REGULAR**

   The Board approved the Faculty Personnel Actions as amended: F-3-3 was moved to the Action agenda as item H-6.

4. **SPRING 2012 FACULTY REASSIGNED TIME – SAN JOSE CITY COLLEGE**

   The Board approved the Spring 2012 Faculty Reassigned Time – San Jose City College actions as submitted.

5. **CLASSIFIED PERSONNEL ACTIONS**

   The Board approved the Classified Personnel Actions as submitted.

6. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**

   The Board approved the Hourly, Student Work and Volunteer Personnel Actions as submitted.

7. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

   The Board ratified the contracts and purchase orders for the period of January 10, 2012 through February 9, 2012.

8. **DISTRICT BUDGET TRANSFERS AND REVISIONS**

   The Board approved the resolution authorizing the budget transfers and revisions
of funds within expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

9. **PIGGYBACK OFFICE DEPOT CONTRACT**

The Board approved the authorized the District to continue to “piggyback” on a contract with Office Depot.

10. **WORKFORCE INSTITUTE – AMENDMENT TO WIA WORK2FUTURE WORKSHOP CONTRACT**

The Board approved the amendment to the 2011-12 WIA Workshops contract.

11. **DESIGN SERVICES CONTRACT WITH LPAS FOR PE BUILDING AT SJCC (MEASURE G-2004)**

This item was moved to H-5 on the Action Agenda.

12. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**

The Board approved the new courses proposed by San Jose City College.

H. 3. **CALIFORNIA COMMUNITY COLLEGES CLASSIFIED EMPLOYEES OF THE YEAR**

CSEA President Jan Tomisaka read the following statement: “It is with great honor that CSEA Chapter 363 is submitting Gary Cooper’s name to the Board of Trustees to nominate him for the California Community College Classified Employee of the Year. Gary has been with the district for 35 years. He is the district’s groundskeeper/arborist and prides himself in his work and his love of the students. Gary, Art, Danny and Angelo are like family, including Emanuel our district mechanic. They work together and back each other up. With us tonight is Sandra, the love of Gary’s life and his family, including his beautiful granddaughters. Grandpa just can’t say no to those little ones; they melt his heart. Also with us tonight is Dr. Oscar Dace, Senior Pastor of Bible Way Christian Center, who has so many great things to say about Gary. One of the things that we are all familiar with is Gary’s famous words, “No problem, what do you need done?” If you would like to learn more about Gary the man, please read about him in the submission materials for the Classified Employee of the Year. Gary, thank you for all you do for each and every one of us. God bless you always.”

Board President Fuentes presented Mr. Gary Cooper with a certificate of recognition as the Board’s nominee for the California Community College Classified Employee of the Year. Mr. Cooper thanked everyone for their support and stated he was thrilled to hear such good words while he was still alive and could appreciate the kind words said about him.

M/S/C (Dhillon/Okamura) to accept Mr. Gary Cooper as the CSEA nominee for the California Community Colleges Classified Employees of the Year for submittal to the State Chancellor’s Office.
I. 4. SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOUNDATION’S 2012 ANNUAL REPORT

Foundation Board President Autumn Young presented information on the Foundation’s 2011 goals, results of the fiscal audit and plans for the year ahead. She stated the Foundation Board updated its bylaws to accurately reflect the scope of the Foundation. The Foundation Board also added three new members: Donald Young, Vice President, Salas O’Brien Engineers, Inc., Jennie Meehan, President/CEO Meehan Consulting and Trudy Johnson, Chief Nursing Officer, Valley Medical Center. The Foundation also increased its meeting times from bimonthly to once a month. The Foundation also added new leadership as Carol Coen, Interim Vice Chancellor, Workforce, Economic & Resource Development, will take a leadership role and work with Director Heather Saito in moving the Foundation forward. An exciting fundraising event to reach the local business community, community leaders and philanthropists, has been scheduled for August 16, 2012, at 12:30 p.m. in the Corinthian Grand Ballroom at the San Jose Athletic Club. At this year-end event, attendees will be introduced to the district, its constituents and campuses. Attendees will be provided information about the funding crisis in education and how it affects the local workforce and economic development. The goal is to have attendees identify areas where they can form partnerships that build bridges to crucial programs and services.

Trustee Dhillon congratulated Ms. Young on becoming president of the Foundation Board. He stated that in the last two years as a member of the board, he has seen a lot of changes that indicate the board is moving in the right direction. He suggested that everyone in the audience get involved in the August 16 event. Trustee Cruz stated she loved the idea of the signature event and hopes the Foundation will do one every year. President Fuentes stated that as the president of the Board of Trustees she is now also a member of the Foundation Board. She requested that sometime this year there be a joint meeting of the Board of Trustees and Foundation Board. She thanked President Young and members of the staff for the wonderful work they are doing in moving the Foundation Board in the right direction.

I. 8. UPDATE ON SURPLUS LAND DEVELOPMENT

Mr. Jim Eller, Attorney at Law and Consultant, reviewed the district history of land development for the 27 unused acres of land at the District Office location between Yerba Buena and San Felipe Road. He stated the district has been reviewing what to do with this space for many years and previous actions led to the development of the Evergreen Shopping Center. There are still 15 acres of vacant land in which the district is not receiving revenue. If the District Office remains in its current location, Gilbane estimates the cost would be approximately $9 million to renovate the space. The police academy is also being evaluated to see if the district can make better use of that space. Plescia and Gruen have been hired to evaluate market conditions, values and entitlement issues, etc. Gilmore is reviewing the possible DO relocation, analysis and brokerage services. Chancellor Cepeda and Interim Vice Chancellor Smith are meeting with the consultants to review the issues and develop a strategy for how best to utilize the space.
Trustee Lind stated that so much work was done in the past that it may be useful to resurrect some of the findings of that prior analysis. Mr. Eller answered that he and staff members did review some of those materials already. The district must determine what uses are desirable. Each different use has different economic criteria, which needs to be considered. There is also interest from private education users. All that is being reviewed now. President Fuentes expressed interest in how we are engaging the neighboring community in this discussion. The earlier we work with them, the better. The Board has previously taken the time to consider what to do with the space and has developed some direction and guiding principles. That work needs to be considered in the process. She requested the Board be presented some revenue projections. Mr. Eller answered that, since the land was last appraised in 2004, the Board may want to have the land appraised again to determine its current value. Trustee Okamura stated the district has a different rate on investment of the time to recover the cost. What this institution does with this space will be here for a very long time. We have the opportunity to put into place a model based on private industry. We are not land developers; we are a college district. What would the land value be if we develop it versus doing nothing? What’s the difference if we sell the land or sit on it for awhile? Trustee Dhillon stated the importance of the process and that he didn’t want the district to spend $200-300K without getting anything for it. The Board needs to review the options as a group. Chancellor Cepeda agreed to bring back the follow up information to the board.

H. 1. APPROVAL OF RESOLUTION #031312-2 AUTHORIZING SALE OF TAXABLE OPEB BONDS, SERIES B

Mr. David Casnocha, Attorney at Law, stated that at the February 14, 2012, board meeting, the Board approved one of two options for authorizing the sale of taxable OPEB bonds for Series B. As a result of choosing Option 1, the bonds will be privately placed with First Republic Bank in a variable interest rate mode for a maximum period of 15 years, terminating May 1, 2027. The District has the option to prepay the bonds after five years. The interest rate will be based on three month LIBOR plus 100 basis points and due on the first day of each month. The District will pay a fixed swap rate of 4.239% and 1.00% to First Republic Bank with an all interest rate of 5.239%. The current estimate of cost of issuance is $750,000 to be included in the bond proceeds. The estimated annual debt service is $2.49 million for fiscal year 2013/2022 and $5.51 million for years 2023 through 2044. After the Board approves the resolution, the district finance team will move into action immediately to lock down an interest rate. It will then take about 30-60 days to complete the legal paperwork commemorating the OPEB Bond restructuring.

M/S/C (Tanaka/Dhillon) to approve Resolution #031312-2 authorizing the sale of taxable OPEB bonds, Series B, approving legal documents, and authorizing certain other actions.

H. 4. MEASURE G-2010 BOND PROGRAM PROJECT UPDATES, HIGHLIGHTS, MONTHLY REPORT, CONTRACTS AND CHANGE ORDERS

The Board received information from Mr. Scott Jewell, Program Manager, Mr. Mark Miller, Program Manager, and Mr. Casey Michaelis, Sr. Project Executive, from Gilbane Building Company. The information provided addressed some of the issues and concerns the Board discussed at the facilities study session on January 24,
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2012. Ms. Ann Kennedy, President, Citizen’s Bond Oversight Committee, presented information and update on Measure G-2010 and reviewed the dashboard report of Measure G-2010 projects to date. Mr. Michaelis provided information on the change order process, including best practices. Trustee Okamura asked if there is a baseline for each project on the list. Ms. Kennedy answered that the baselines for each project is the current bond list that was approved by the Board. Trustee Okamura requested that as each project advances he would like the Board to be able to see the history of each baseline. Ms. Kennedy answered that once a quarter, a summary report is offered to the Citizen’s Bond Oversight Committee for review. Trustee Tanaka asked for information about which change orders the board gets to approve. Mr. Michaelis answered that the Board reviews and approves all change orders. However, the district is currently working on authorization amounts of change orders the Board needs to approve. Trustee Dhillon stated the summary report was very clear and helpful. Mr. Miller reported on the Outreach Program event on February 16 in which interested vendors received information on RFQ’s. There were 21 attendees at the meeting.

M/S/C (Lind/Tanaka) to approve the contracts and change order as submitted.

G. ORAL COMMUNICATIONS

a. Board of Trustees

SJCC Student Trustee Casas reported that 50 students participated in the March 6 march in Sacramento, along with faculty members David Yancey and Barbara Hanfling. EVC Student Trustee Lam also reported on the March 6 march in Sacramento. She thanked Trustees Fuentes and Cruz for their excellent presentation at EVC and for their dialogue with students and answering questions of students.

Trustee Cruz expressed her appreciation for the students who met with her today. Both she and Trustee Fuentes enjoyed the opportunity to share what motivated them to attend college, the barriers they faced and how they maintained their optimism for the future. She reported on her participation in the March 6 rally in Sacramento and was very touched by the energy and dialogue that was taken place.

Trustee Okamura announced the Board workplan/dashboard will be a standing report at the meetings. He and the other committee members, Trustees Cruz and Lease, as well as Ms. Rosalie Ledesma met to develop a strategic plan the Board could use to achieve the goals. Moving forward, they’ll be using Googledocs as a tool.

b. Chancellor

Chancellor Cepeda introduced Dr. Tamela Hawley, the new Executive Director of the Office of Research and Institutional Effectiveness. She expressed the importance of filling this position since the research function is a major accreditation finding, and Dr. Hawley will work hard to develop a
response to this accreditation concern. Dr. Hawley gave a few words about her work in education and research and stated how excited she was to be a part of the district.

c. Presidents

EVC President Yong thanked Trustees Cruz and Fuentes for taking time from their busy schedules to dialogue with students. He reported that EVC is still receiving lots of positive community feedback on the White House Summit. He has been asked by community members about the next step; therefore, the plan is to have a follow-up town hall meeting.

SJCC President Kavalier reported that the Metas Program has been featured in the local section of La Oferta, San Jose’s Latino newspaper. Former student of Metas and editor of La Oferta, Eliana Céspedes writes about Latino students who are given second opportunities and overcome despite the circumstances of our economy. Educational programs, like Metas at SJCC, open the doors for these second opportunities. President Kavalier commended Robert Gutierrez for the amazing work he is doing with METAS because some of the best retention and success rates are happening in the METAS program. President Kavalier also reported that Intel is sponsoring six week summer internships in San Jose this summer for community college freshman and sophomore engineering students. Students will attend for 20 hours/week in either a morning or afternoon cohort. The purpose of these internships is to engage the students in engineering activities and to keep the students on a path toward an engineering degree. Intel has agreed to reserve between 20 – 25 slots for SJCC students! Students who participate will receive a $1,000 stipend. Students who complete the program will receive up to a $2,000 scholarship for one semester for tuition, books and fees.

d. Constituency Group Representatives

SJCC Associated Students Region IV delegate Karrawinds Salters reported on the March 6 march in Sacramento and activities associated with Women’s History Month.

MSCC President Lauren McKee thanked Chancellor Cepeda and Vice Chancellor Garcia for the collaborative work regarding two-year contracts for administrators. So many administrators are going through the 360 evaluation process so they could qualify for two-year contracts.

EVC Academic President Narveson thanked Trustees Cruz and Fuentes for speaking with students, and he gave his students extra credit for attending the session. He also discussed the PDD preparations, which will be focused on SLO’s.

SJCC Academic Senate President Heimler reported the AS executive committee is meeting regularly with the president’s executive team to create college harmony. The senate is continuing to educate all groups about shared governance and the responsibilities of each group.
Minutes of March 13, 2012 Governing Board Meeting

FA President David Yancey reported on the March 6 march in Sacramento, which was focused on the theme of “Don't Raise Our Fees” and the Millionaire’s Tax initiative. Associated Student leader Karrawinds Salters was one of the chosen speakers and did an excellent job.

CSEA President Jan Tomisaka also thanked Trustees Cruz and Fuentes for speaking at the EVC campus.

H. ACTION AGENDA

1. APPROVAL OF RESOLUTION #031312-2 AUTHORIZING SALE OF TAXABLE OPED BONDS, SERIES B

This item was moved to follow the Consent Agenda.

2. CALIFORNIA COMMUNITY COLLEGE TRUSTEES BOARD ELECTION

The Board, through a show-of-hands vote, chose eight of eleven candidates to serve on the CCCT Board. The eight nominees who received the most votes were marked on the ballot, which was forwarded the CCCT Board.

M/S/C (Dhillon/Okamura) to submit the names of eight nominees chosen by the Board of Trustees to serve on the CCCT Board.

3. CALIFORNIA COMMUNITY COLLEGES CLASSIFIED EMPLOYEES OF THE YEAR

This item was moved to follow the Consent Agenda.

4. MEASURE G-2010 BOND PROGRAM PROJECT UPDATES, HIGHLIGHTS, MONTHLY REPORT, CONTRACTS AND CHANGE ORDERS

This item was moved to follow the Consent Agenda.

5. DESIGN SERVICES CONTRACT WITH LPAS FOR PE BUILDING AT SJCC (MEASURE G-2004)

Trustee Okamura stated that, although he would approve the item, he pulled it in order to remind district staff that every contract approval item should be submitted as an Action Item and not Consent Action Item. The purpose for this request, which the Board had made previously, is to ensure that enough information is presented for each contract. Trustee Okamura expressed concern that with regards to this contract, little information was provided on the efforts being made to diversify the subcontract by including local small women and minority businesses. Moving forward, he would like more information on those efforts. Interim Vice Chancellor Smith answered that this particular contract was part of Measure G-2004 and preceded the standards that were put in place for Measure G-2010. However, LPAS is a certified small business firm and qualifies under the criteria now being used in Measure G-2010. It is a good idea to apply those standards to any future contracts associated with Measure G-2004. Trustee Lind stated he didn’t think it was necessary, but he was not opposed to it.
M/S/C (Okamura/Lind) to approve a design services contract with LPAS for the PE Building at SJCC (Measure G-2004.)

6. **FACULTY PERSONNEL ACTIONS – REGULAR**

Vice Chancellor Garcia provided information on the grant funding for item F-3-3 and stated this position is funded on a year-to-year basis. Although the funding was cut for this position, this is not a layoff. There are certain requirements for the administrative contracts associated with this grant that prohibit the reduction of these contracts. However, the district is working on additional strategies for funding the counselor position.

M/S/C (Lind/Lease) to approve the Faculty Personnel Actions-Regular agenda item contained in Item F-3-3.

I. **INFORMATION AGENDA**

1. **BUDGET REPORT**

Chancellor Cepeda reported that on February 27 the Legislative Analyst’s Office (LAO) released updated revenue number for the current 2011-12 and 2012-13 years. The LAO projects $3 billion in lower revenues in the current year and $3.5 billion less in the next budget year. If the LAO’s forecast comes to pass, the governor’s proposed 2012-13 state budget is $6.5 billion out of balance, with or without the tax measure. The revenue shortfall is virtually all in personal income tax, and the LAO actually projects a larger sales tax collection in 2012-13 than the governor does. Interim Vice Chancellor Smith reviewed the discussion at the March 8 District Budget Committee meeting. The focus of the meeting was summer session scenarios and parking fees increase, both of which are time-sensitive items.

Trustee Cruz inquired about how the colleges were communicating with students, particularly students leaders, about the reduction of summer session. EVC President Yong answered that students leaders have been included in campus-wide meetings and the District Budget Committee meetings. Students are also communicating to us by telling us which courses they want. SJCC President Kavalier stated the college is moving toward a high productivity/high demand criteria when looking at what courses to keep or cut. She also will be meeting with Associated Students leaders to provide budget information and specific details on summer session. SJCC Associated Students Region IV delegate Karrawinds Salters reported that students agreed to the $5 parking increase but with a time limit so the college can deal with funding cuts. However, they were not supportive of a permanent increase in parking fees.

Trustee Lind stated that none of the choices we have is a good one. He encouraged administration to think about when cuts need to be made to programs to do it in such a way that leaves the framework intact. That way, when the budget improves, the programs can be brought back quickly. It’s important to think about long-term impacts. Trustee Okamura thanked everyone who has participated in the budget discussions. He stated that shared governance needs to grow to more than just the attendees at this particular board meeting. We must keep in mind what students
need to be offered to get the credits they need. Most of our students can’t afford to take 60 units in two years. If summer school expenses are so high, the district needs to review how to make it less expensive.

FA President Yancey stated there were few faculty involved in the decision as to the percentage of cuts to summer session. The faculty thinks 40% is too much; 30% would be much better. A 30% cut would at least maintain some marginal structure. Certain changes would also be made due to reduced enrollment.

Trustee Lease stated that anything we do at this point is going to have a negative impact on our students. The last thing we want to do is to have to lay off CSEA and MSC employees. Therefore, he does not support changing the 40% cut of summer session to a 30% cut to summer session. Trustee Cruz stated that a 40% cut is too high for a student-centered district. It’s time to look at possible cuts in vacant positions and through negotiations to see if more money could be saved through those venues. Trustee Okamura encouraged everyone to continue to talk so that the district can get to the number it needs. President Fuentes also indicated that 30% would be more appropriate. Chancellor Cepeda indicated that none of the options were good but that the 40% was established as a goal for the college presidents in order to comply with overall Board fiscal policy.

2. **LEGISLATIVE REPORT**

Chancellor Cepeda stated how impressed she was with the March in March event in Sacramento. On March 5, two busloads from both San José City College and Evergreen Valley College went to Sacramento and made sure their voices were heard. Two additional lobby days are now scheduled for March 28 and April 24, in which our district will participate in targeted lobbying in advance of key legislative budget hearings. The events are free. We’re trying to put together teams for each of the dates, which would include a trustee, college president, faculty member, classified staff member and a student. Ms. Rosalie Ledesma of the Chancellor’s Office will be working on the details of these trips to Sacramento.

3. **ACCREDITATION UPDATE REPORT**

SJCC President Kavalier reported that March 23 PDD will be focused on SLO review and integrated planning. The Accreditation Planning Committee meets every Thursday and is working on a rough draft of the report, which will be completed by June. The Academic Senate has approved the new Strategic Planning Committee. She also thanked the two faculty coordinators for the hard work they have done.

EVC President Yong reported that Dr. Lee will be visiting EVC to meet individual with key individuals working on accreditation recommendations. He will be submitting a report to show where the group is and what still needs to be done to ensure the college is on the right track.

Chancellor Cepeda reported there are still three shared recommendations that need to be addressed; research and evaluation; Board policies and mapping functions. Dr. Tamela Hawley, Ms. Rosalie Ledesma and Dr. Lee will assist the district in completing the work in these areas.
4. **SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOUNDATION’S 2012 ANNUAL REPORT**

   This item was moved to follow the Consent Agenda.

5. **PRESENTATION OF THE FACULTY ASSOCIATION, AFT 6157 CONTRACT REOPENER PROPOSAL WITH SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2012-2013**

   Vice Chancellor Garcia presented this item as information and reported it would be put on the April 10 board agenda for a public hearing and for Board approval.

6. **PRESENTATION OF THE SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT’S CONTRACT REOPENER PROPOSAL WITH THE FACULTY ASSOCIATION, AFT 6157 FOR 2012-2013**

   Vice Chancellor Garcia presented this item as information and reported it would be put on the April 10 board agenda for a public hearing and for Board approval.

7. **PRESENTATION OF THE SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT’S CONTRACT REOPENER PROPOSAL WITH THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 FOR 2012-2013**

   Vice Chancellor Garcia presented this item as information and reported it would be put on the April 10 board agenda for a public hearing and for Board approval.

8. **UPDATE ON SURPLUS LAND DEVELOPMENT**

   This item was moved to follow the Consent Agenda.

J. **CONTINUATION OF CLOSED SESSION**

   No

K. **RECONVENE OPEN SESSION**

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

   None.

L. **ADJOURNMENT**

   The meeting adjourned at 9:57 p.m.
Minutes of the
Governing Board Meeting
April 10, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, April 10, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Ms. Mayra Cruz

B. APPROVAL OF CLOSED SESSION AGENDA

M/S (Dhillon/Tanaka) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957(b))

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code Section 54956.9(c))

CONFERENCE WITH LABOR NEGOTIATORS
E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam
Mr. Mike Casas

Board Members Excused:
Ms. Mayra Cruz

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S (Dhillon/Lease) to approve the agenda as amended:

Item I.6 Public/Private Ventures Follow Up Report was moved to follow the approval of the Consent Agenda.

A correction was made to Item H.1, Action Item 1.b for SJCC Sandis Project Assignment Amendment #CC-01. Project Assignment Amendment (PAA) for Sandis for the design work associated with the rehabilitation of Parking Lots B & C at San Jose City College. The Amendment includes the total cost of services in
written and numerical formats. The numerical representation of $20,500 is correct; however, the written amount of “thirty one thousand three hundred dollars” was in error and has been corrected to reflect the proper amount of “twenty thousand five hundred dollars.”

A correction was made to the Consent Agenda.

3. **6:10 P.M. PUBLIC HEARING ON THE FACULTY ASSOCIATION, AFT 6157 CONTRACT REOPENER PROPOSAL WITH SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2012-2013**

M/S/C (Okamura/Tanaka) to open public hearing.

There were no public comments.

M/S/C (Lind/Lease) to close public hearing.

4. **6:12 P.M. PUBLIC HEARING ON THE SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT CONTRACT REOPENER PROPOSAL WITH CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 FOR 2012-2013**

M/S/C (Tanaka/Lease) to open public hearing.

There were no public comments.

M/S/C (Lind/Okamura) to close public hearing.

5. **6:14 P.M. PUBLIC HEARING ON THE SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT CONTRACT REOPENER PROPOSAL WITH THE FACULTY ASSOCIATION, AFT 6157 FOR 2012-2013**

M/S/C (Casas/Dhillon) to open public hearing.

There were no public comments.

M/S/C (Lease/Lind) to close public hearing.

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

There was no report from the Closed Session meeting.

7. **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

The Board heard a public comment from Mr. Charles Stevens, Activities Coordinator SSCC Region IV, inviting board members to the gala and fundraising event.
Minutes of April 10, 2012 Governing Board Meeting

8. **APPROVAL OF THE MARCH 13, 2012, GOVERNING BOARD MEETING MINUTES**

   M/S (Okamura/Lease) to approve the above listed meeting minutes.

9. **APPROVAL OF RESOLUTION 041012-7 TO EXCUSE TRUSTEE MAYRA CRUZ’S ABSENCE AT THE APRIL 10, 2012 BOARD MEETING**

   M/S/C (Okamura/Tanaka) to approve Resolution No. 041012-7.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

   M/S (Tanaka/Lease) to approve the Consent Agenda as amended.

   Correction to Item F-2 Management Personnel Actions
   Section 1:c Classification Changes – Position Establishment Director of Human Resources DO M28 - $8,422/mo - $9,749/mo
   Section 3:a Separation/Termination – Retirement End Date is 06/30/12

2. **MANAGEMENT PERSONNEL ACTIONS**

   The Board approved the Management Personnel Actions as submitted.

3. **FACULTY PERSONNEL ACTIONS – REGULAR**

   The Board approved the Faculty Personnel Actions as submitted.

4. **CLASSIFIED PERSONNEL ACTIONS**

   The Board approved the Classified Personnel Actions as submitted.

5. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**

   The Board approved the Hourly, Student Work and Volunteer Personnel Actions as submitted.

6. **DISTRICT BUDGET TRANSFERS AND REVISIONS**

   The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

7. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

   The Board ratified the contracts and purchase orders for the period of February 10, 2012 through March 9, 2012.
8. **EMPLOYEE BENEFIT INSURANCE BROKER SELECTION**

The Board awarded a contract not to exceed $110,000 annually to Alliant for Employee Benefits Insurance Brokerage Services for a Period of three years, subject to satisfactory service, with two optional one-year extensions with a 5% escalation.

9. **EMERGENCY CONTRACT FOR POWER SHUTDOWN AT EVERGREEN VALLEY COLLEGE, GULLO I**

The Board approved the emergency contract for Cupertino Electric, Inc. for the power shutdown at Gullo I due to the solar power tie in.

10. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**

The Board approved the new courses proposed by San Jose City College.

11. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

The Board approved the curriculum recommendations for new courses and certificate program submitted by Evergreen Valley College.

12. **THE SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT CONTRACT REOPENER PROPOSAL WITH THE FACULTY ASSOCIATION, AFT 6157 FOR 2012-2013**

The Board adopted the reopener proposals.

13. **THE SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT CONTRACT REOPENER PROPOSAL WITH CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 FOR 2012-2013**

The Board adopted the reopener proposals.

14. **THE FACULTY ASSOCIATION, AFT 6157 CONTRACT REOPENER PROPOSAL WITH SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2012-2013**

The Board adopted the opener proposals.

I. **PUBLIC/PRIVATE VENTURES FOLLOW UP: REVIEW OF PAST BOARD POLICIES AND GUIDELINES**

Mr. Jim Eller, Attorney at Law and Consultant, provided a review of the district history of land development for the 27 unused acres at the District Office location between Yerba Buena and San Felipe Road. He discussed his review of the 2003 RFQ and 2005 RFP documents. He stated that the 2005 RFP included language regarding the land development principles that were determined by the Board. The five basic themes from which the principles were developed include: the importance of creating a place that is a destination for Evergreen Valley College and the surrounding community; making sure that Evergreen Valley College and
new development are integrated and that the campus identity and gateway image are enhanced; pursuing development with uses that reflect the diversity of the District’s community, student, faculty and staff demographics; using new investment to enhance the connections between the college and the surrounding community; and a planning and development process that engages the community and college communities. From these five themes, principles were developed regarding the creation of a definable center and destination, design concepts that elevate the importance and identity of the Evergreen campus, recognition of on and off-site connections and provision for the community to participate in the planning of the site. These prior documents are currently being reviewed and re-evaluated to determine their context in 2012, but all the work that was done by the Board in the past is being taken into consideration and will inform the work that will be done to determine the best and highest use of the current acreage. The prior work will also be reviewed in the context of the City of San Jose 2040 Plan.

President Fuentes recommended the Board review the 2003 RFQ and 2005 RFP. She requested that electronic copies of these documents, as well as any information on the ground lease, be sent to the Board.

Interim Vice Chancellor Smith reported on the market assessment study being conducted and the review of the District Office needs and whether or not it would be more feasible to renovate the current DO or move it to another location. Trustee Okamura discussed the importance of the District Office location being accessible to everyone in the district. Chancellor Cepeda stated she would continue to work with Interim Vice Chancellor Smith and Mr. Eller and would schedule a Board Study Session to provide the Board with more updated and comprehensive information. Trustee Lind supported the recommendation to have a special study session on this topic and requested that the Board’s prior work be reviewed at that meeting. He also recommended the Board form a committee to review all the work being done and make recommendations to the Board. Trustee Dhillon recommended waiting until the study session to appoint a Board committee so that the charge of the committee would be better understood after the district has provided more detailed information. President Fuentes agreed that forming a Board committee would be a good idea as this would help the district move forward in the process. She asked board members to consider if they are interested in serving on the committee so that they could be appointed at the study session. Chancellor Cepeda stated she would work with staff to have the study session scheduled at one of the May board meetings.

G. ORAL COMMUNICATIONS

a. Board of Trustees

SJCC Student Trustee Casas reported on the March 27 student success task force roundtable discussion and that he would provide a more detailed report at the next student success committee meeting chaired by the Chancellor. Mr. Casas also provided information on other campus events.

EVC Student Trustee Lam invite the Board and other attendees to the EVC
talent show, which will be held on April 20 at the VPA building from 6:00-9:00 p.m.

Trustee Lease discussed his attendance at the SJCC lecture series scheduled by Merylee Shelton and stated how impressed he was with the professionalism of the event. He also invited everyone to attend the April 21 jazz program event, which is sponsored by Eastside Union High School as a benefit for Alum Rock students.

b. Chancellor

Chancellor Cepeda reported on the Regional Economic Summit 320 Silicon Valley Leaders she attended on March 30. She received information on strategic planning and ways in which the district can form ties with the business community. The business community, particularly those located in the Silicon Valley, are very much aware of the importance of cooperation with us and are willing to contribute and support us. The goal is to partner to strengthen the workplace by providing a talented pipeline. Chancellor Cepeda also reported on her attendance at the Learning Works\SSTF Follow Up Coalition meeting. The meeting focused on how we can deal with mandatory legislative changes and how we respond as community colleges. At the HACU 17th Annual National Capitol Forum on Hispanic Higher Education, March 25027, Chancellor Cepeda had the opportunity to visit with Congressional leaders to discuss issues that impact community colleges.

c. Presidents

EVC President Yong provided an update on follow-up activities from White House summit held at EVC. A subgroup of 12 individuals went to Washington D.C. for a meeting that focused on immigration. They were fortunate enough to get an audience with President Obama to discuss the need for comprehensive immigration reform and that it should respect human dignity. President Yong also discussed the budget challenges faced by EVC and thanked constituency representatives for working with the college to identify areas to reduce its budget by $670K. He also reported the college did a lot of work on the SLO’s during PDD.

SJCC President Kavalier reported on the March 15 Arts and Lecture Series, an “Evening with Mayor Chuck Reed.” She also reported on PDD activities, which focused on accreditation. She thanked Interim Vice Chancellor Smith and Director Peter Fitzsimmons for their participation in a March 28 town hall meeting on budget and accreditation. On March 30, SJCC hosted a meeting with representatives from S4CA, Foothill College, including President Miner, and the Workforce Institute to discuss expansion of our Construction College and the possibility of a partnership with Foothill College in grant opportunities.

d. Constituency Group Representatives

EVC Academic President Narveson reported on the successful work done by the college at PDD regarding SLO’s and assessment of college courses. They worked with copies of actual course outlines, and the college has
tangible evidence that this work has been completed. The goal is to have 100% of SLO’s for every course listed in the catalog. In excess of 200 courses are being updated and deleted from the catalog. The successful work completed showed the need for the college to have a permanent SLO coordinator.

SJCC Academic Senate President Heimler stated how impressed he was with the upbeat and collaborative atmosphere at the college. The exciting news is that SJCC awards about $60K in scholarships every year. In the midst of budget concerns, there are a lot of positive things going on at the college.

FA President David Yancey reported that on March 24th they took 35 students to an AFT student success seminar on how to be a success on both the campus and after that. Assembly member Paul Fong and Trustee Cruz spoke at the event.

CSEA President Jan Tomisaka reported on how difficult it is to hear positive news about the district and colleges when the news is not good for CSEA. Once again, CSEA members are facing layoffs. The concern is that if the district doesn’t receive additional funding, even more CSEA members will be losing their jobs. It’s hard for CSEA to be happy when such difficult things are happening to the group.

H. ACTION AGENDA

1. MEASURE G-2010 BOND PROGRAM PROJECT UPDATES, HIGHLIGHTS, SUMMARY REPORTS, CONTRACTS AND PROJECT ASSIGNMENT AMENDMENTS

Ms. Ann Kennedy, President, Citizen’s Bond Oversight Committee, presented the Measure G-2010 summary report through March 31, 2012. Interim Vice Chancellor Smith reported on the contract the Board is being asked to approve with HMC Architects and the SJCC Sandis Project Assignment Amendment.

M/S/C (Lind/Lease) to accept the program update/project highlights and summary report and approve the contract and project assignment amendments listed in Action Items Section 1A and 1B.

2. INCREASE PARKING PERMIT FEES AND DAILY PARKING RATES

Chancellor Cepeda discussed how difficult it is to raise parking fees for students during these difficult times, but the district finds it necessary to do so. Our proposed fee hike is comparable to what’s happening at other districts, such as West Valley Mission and Foothill-De Anza College. Interim Vice Chancellor Smith stated that raising parking fees was one budget reduction strategy, and it will yield about $230K. Student Trustee Lam reported that EVC student leaders voted 11 for, 1 opposed and 2 abstained on the parking fee increase. Student leaders at EVC understand the difficult budget decisions currently facing the district. Trustee Dhillon expressed appreciation for the students’ willingness to approve the increase. He
expressed concern, however, that the increase is 50%. He asked if it was possible to do an incremental change. Director Peter Fitzsimmons answered that West Valley Mission and Foothill DeAnza increased their daily parking fees to $3 and our fee increase would make us comparable to them. Trustee Okamura thanked Student Trustee Lam for providing input from students.

M/S/C (Okamura/Lease) to increase the parking permit fees and daily parking fees as submitted.

3. **FY2012-2013 ISSUANCE OF TAX AND REVENUE ANTICIPATION NOTE (TRAN)**

Chancellor Cepeda discussed the need for the TRAN to ensure that funds are available to meet payroll and other expenditures for months when there is negative cash flow.

M/S/C (Tanaka/Oakamura) to adopt resolution No. 041012-2 authorizing the borrowing of funds for Fiscal Year 2012-2013 in an amount not to exceed $15,000,000 through the issuance and sale of a Tax and Revenue Anticipation Note (TRAN) by participating in the Community College League of California Tax and Revenue Anticipation Notes Program.

4. **ADOPTION OF RESOLUTION NO. 041012-3 ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES**

Chancellor Cepeda reported that the layoff is necessary due to the positions being funded by soft money and notice must be provided to affected employees if the grant is not fully funded. Trustee Lease inquired if soft money positions could be hired on a temporary basis contingent upon whether or not funding is available so that the district would not have to lay off employees. Vice Chancellor Garcia answered that we could not hire these employees as temporary because they would become permanent in 12 months. However, we could address this issue through collective bargaining. SJCC Academic Senate President Heimler expressed concern about how the non-funded position layoffs affect departments and programs at the colleges when the administrative staff keeps changing due to bumping rights. Vice Chancellor Garcia stated that this situation is also one that would need to be addressed through collective bargaining.

M/S/C (Lind/Lease) to adopt resolution No. 041012-3 – Reduction of Classified Services – Eliminate Positions and Layoff Classified Employees.

5. **ADOPTION OF RESOLUTION NO. 041012-4 ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES**

Chancellor Cepeda reported that the positions eliminated in the resolution are, once again, soft money positions and notice must be provided to affected employees in case they need to be laid off on June 30, 2012.

M/S/C (Tanaka/Oakamura) to adopt resolution No. 041012-3 – Reduction of Classified Services – Eliminate Positions and Layoff Classified Employees. Student Trustee Casas abstained from making an advisory vote.
6. **ADOPTION OF RESOLUTION NO. 041012-3-5 ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES**

   M/S/C (Tanaka/Lease) to adopt resolution No. 041012-3 – Reduction of Classified Services – Eliminate Positions and Layoff Classified Employees.

7. **CHANGE ORDER FOR HARRY L. MURPHY CONTRACT FOR EVC PE RESTROOM FLOORING**

   Trustee Okamura expressed appreciation for the comprehensive information provided in the board packet. He stated his concern, however, that the information indicates the original work was not done correctly; but he would support the change order.

   M/S/C (Okamura/Dhillon) to approve the increase to the contract with Harry L. Murphy, Inc., for the moisture barrier and sheet flooring installation in the PE women's restroom at Evergreen Valley College.

8. **CHANGE ORDER FOR INDEPENDENT AUDIT SERVICES CONTRACT**

   Chancellor Cepeda stated the reason for the change order was that additional audit work was provided, including an audit of the Board of Trustees and Chancellor's discretionary expenditures.

   M/S/C (Dhillon/Lind) to approve the change order for the contract with Crowe Horwath, LLP for independent audit services for Fiscal Year 2010-2011 for $53,453 for a total revised contract of $131,303.

9. **CHANGE ORDER TO CONSULTING SERVICES AGREEMENT WITH JOHN SCHULZE**

   Chancellor Cepeda stated that the purpose of this change order is to cover the costs of additional work that will be provided by Mr. John Schulze.

   M/S/C (Lease/Okamura) to increase the consulting services agreements with John Schulze by $5,000 for Measure G-2004 and by $20,000 for Measure G-2010.

10. **LEGISLATIVE REPORT: SB 1456 LOWENTHAL**

    Chancellor Cepeda reported that April 11 was the deadline for feedback on the amended bill to the Senate Education Committee. She stated she would like to communicate on behalf of the Board regarding the district’s concerns regarding the amended bill. Trustee Okamura stated that, normally, when a bill is opposed, recommended language is provided to the legislature along with the reasons why the bill is opposed. However, he would support the bill analysis the Chancellor recommends sending to the Senate Education Committee.

    M/S/C (Okamura/Dhillon) to go on record to oppose 1456 Seymour-Campbell Student Success Act of 2012; unless amended.
11. **RESOLUTION NO. 041012-6 SCHOOLS AND LOCAL PUBLIC SAFETY AND PROTECTION ACT OF 2012**

Chancellor Cepeda stated the passing of the Schools and Local Public Safety and Protection Act of 2012 would raise billions of dollars in new revenues for the state of California through a progressive tax initiative that requires people who make in excess of a quarter of million dollars per year to pay their fair share of taxes to support education and other services. She recommended the Board approve Resolution No. 041012-6.

M/S/C (Lind/Okamura) to approve Resolution No. 041012-6 in support of the Schools and Local Public Safety Protection Act of 2012.

I. **INFORMATION AGENDA**

1. **BUDGET REPORT**

Chancellor Cepeda reported that the first public hearing on community college budget issues occurred on Monday, April 9, in the Senate and was well attended by system advocates. While the entire hearing was informational and the committee took no action on any of the proposals, advocates attended to ensure their voice was heard. Vice Chancellor of Fiscal Policy Dan Troy walked the committee through the impact of the series of cuts our colleges have experienced since the beginning of the fiscal year and underscored the impact of $564 million in cuts since July 1, 2011. The Community College 2012-13 Governor’s Budget Proposals will be discussed again by the Assembly Budget Subcommittee on Education Finance on Wednesday, April 25, and hearings are scheduled which will provide another opportunity for community college advocates to have their voices heard by their legislators.

Capitol Days are back. On Tuesday, April 24, community college leaders will go to Sacramento to participate in advocacy efforts focused on legislators with the greatest influence over community college budget and legislative priorities.

2. **LEGISLATIVE REPORT**

Chancellor Cepeda reported that the State Legislature returned from spring recess and will hold hearings and take action on hundreds of bills and budget subcommittee hearings. The Senate Education Committee will meet on Wednesday, April 11, to review community college bills, including those on open resources council/digital library, textbooks, design-build contracts and student athletes. On Wednesday, April 18, community college bills will be heard, including those on CCC Board of Governors, educational data, Student Success Act of 2012, student veterans, extension courses, college funding, and student expulsion.

A bill of interest is SB 1560 (Anderson) which is a reintroduction of the original version of SB 1143/2010 (Liu). It would withhold half of the funding for a student’s enrollment in a class until/unless the student completes the class. However, this bill fails to recognize fixed costs of colleges; holds the colleges responsible for course completion when it is often beyond their control; would redirect funds to colleges...
serving populations with higher incomes; and ignores the work of the Student Success Task Force, which concluded that performance-based funding would not be appropriate at this time. The League is urging community colleges to oppose this bill.

3. **ACCREDITATION UPDATE REPORT**

Chancellor Cepeda reviewed the scope of work that Dr. Matthew Lee, consultant, would provide to ensure SJCC, EVC and the District Office complete the targeted work and timeline response to the Accrediting Commission. In particular, he will assist executive leadership in completing the district’s governance and decision-making structures, communication processes, and mapping functions. Dr. Tamela Hawley is working to complete the research component; and Ms. Rosalie Ledesma is working to complete the Board established 20% review of policies, and we are now close to achieving that goal.

EVC President Yong reported on the college’s work with consultant, Dr. Matthew Lee, regarding gap analysis. The Accreditation Steering Committee is working very hard, and PDD was extremely productive. On that day everyone came prepared to work, especially on SLO’s.

SJCC President Kavalier reported that a lot of progress has been made in meeting the deficiencies cited by the Commission, and the college is well on its way of ensuring full compliance by October 15, 2012. A Strategic Planning Committee has been formed and is being chaired by Dr. Romero Jalomo and Senate President, Charles Heimler. Eighty percent of all college courses have defined SLO’s and between 84-97% of all college courses can document on-going assessment of learning outcomes. Between 71-100% of college courses have on-going assessment of learning outcomes and 86% of students and learning support activities have defined SLO’s. Fifteen out of the sixteen programs or 94% of all programs that were scheduled for comprehensive program reviews this year have submitted drafts.

4. **COMMITTEE ON STUDENT SUCCESS: STATUS UPDATE**

Chancellor Cepeda reported on the first meeting of the Board Committee on Student Success, which was held on Tuesday, February 21. Trustee Mayra Cruz was appointed chair of the committee. The committee charged the Chancellor to work with staff and constituency representatives on implementation strategies designed to address the Board’s policy direction. Chancellor Cepeda thanked Mr. Sam Ho for providing administrative support to the committee. The next meeting has been scheduled for Monday, April 30, 5:30 p.m. at SJCC in the Technology Center.

5. **BOARD OF TRUSTEES WORKPLAN: ONGOING UPDATE AND DASHBOARD REVIEW**

Trustee Okamura distributed a draft of the Board Strategic Plan. This strategic plan is continuing to develop, and its goal is to come up with one that allows the Board to concentrate on the work it is charged to do. An integrated strategic planning process should be taking place at the district and college levels so that everything is aligning with the direction provided by the Board. He also reviewed the dashboard and
stated that the Board is behind in its work. The Board needs to engage more in policy and provide the framework for the district. The Board should not get involved in the procedural issues. He charged the Chancellor and her team to try to figure out how we can make this happen. Trustee Lease stated that this is the beginning of the Board’s conversation; and, ultimately, the goal is to develop a strategic plan that is in sync with the work the district is also doing.

6. PUBLIC/PRIVATE VENTURES FOLLOW UP: REVIEW OF PAST BOARD POLICIES AND GUIDELINES

This item was moved to follow the approval of the Consent Agenda.

J. CONTINUATION OF CLOSED SESSION

Yes

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

L. ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
April 24, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, April 24, 2012, at 4:30 p.m., in the Technology Center, Room T-415, at San José City College,

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura – (Absent for 1st part of Closed Session, 4:30-6:00 p.m.)
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Tanaka/Lease) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54959 (b))

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code Section 54956.9(c)

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: FA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District Negotiator(s): Kim Garcia
Unrepresented Employee Group

COMPLAINTS OR CHARGES AGAINST A DISTRICT EMPLOYEE
(Government Code Section 54957)

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Ron Lind
Mr. Richard Tanaka
Mr. Mike Casas

Board Members Excused:
Ms. Linda Lam

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Lind/Cruz) to approve the agenda as submitted.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

President Fuentes announced that the Board took the following action in Closed Session. She read a resolution approved by the Board in Closed Session. A copy of the resolution is attached to the meeting minutes.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.
5. **APPROVAL OF THE APRIL 10, 2012, GOVERNING BOARD MEETING MINUTES**

M/S/C (Tanaka/Dhillon) to approve the above listed meeting minutes.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S/C (Lind/Lease) to approve the Consent Agenda as submitted.

2. **MANAGEMENT PERSONNEL ACTIONS**

The Board approved the Management Personnel Actions as submitted.

3. **CLASSIFIED PERSONNEL ACTIONS**

The Board approved the Classified Personnel Actions as submitted.

4. **HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS**

The Board approved the Hourly, Student Work & Volunteer Personnel Actions as submitted.

5. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

The Board approved the curriculum recommendation for a new course submitted by Evergreen Valley College.

G. **ACTION AGENDA**

1. **ADOPTION OF RESOLUTION NO. 042412-3 LAYOFF OF CLASSIFIED EMPLOYEES DUE TO LACK OF FUNDS/LACK OF WORK**

Vice Chancellor Garcia reported that the resolution was not a request for an additional layoff resolution but one employee affected by a prior layoff had a unique history with the district, and this affected the bumping rights of other employees.

M/S/C (Tanaka/Cruz) to adopt Resolution No. 042412-3 Notice to Affected Employees due to Layoff.

H. **INFORMATION AGENDA**

1. **SJCC PRESENTATION TO THE BOARD**

SJCC President Barbara Kavalier welcomed the Board and members of the district
and community to SJCC for this special meeting in which the college would showcase a few of its programs. Student Trustee Mike Casa introduced faculty members who reviewed four key areas the college is engaged in: Mental Health Services, Globalization and International Studies, Faculty Development Center and partnerships. Dr. Jim Potterton reviewed the activities of the Mental Health Services Advisory Committee and how they meet to discuss the issues students face in trying to succeed at the college and how mental health issues often poses a barrier to their success. Dr. Mary Conroy and Counselor Doriann Tran reviewed the Global and International Studies program. Faculty members Celia Cruz-Johnson and Jesus Covarrubias presented on the activities of the Faculty Development Center. A video was also shown in which Vice Chancellor Coen, members of the business community and neighbors discussed the importance of partnering together to meet the needs of the community.

Trustee Cruz stated that the college presentations are the best moments she has at board meetings. It fills her heart to know that so much positive activity is going on to support our students. She also expressed her desire to personally visit the programs and activities of the college. Trustee Lease commended the college for the good work that’s being done to ensure the neighboring community is a part of what’s happening at the college. Just a few years ago the relationship was not a good one, and it’s great to see the progress that has been made. Trustee Lind agreed that he also is impressed with the turn around that has occurred in just one year. As a Board, Trustees deal with a lot of difficult issues, but it’s great to see the excellent work that’s being done in support of students. Trustee Dhillon thanked the staff or their excellent presentation and encouraged them to keep up the good work. Trustees Okamura and Tanaka also expressed gratitude for the positive presentation, especially the excellent work being done to form partnerships. President Fuentes thanked everyone for their presentations and stated how impressed she was that the college was moving toward greater involvement in International Studies. She quoted some remarks made by her granddaughter and discussed the interest of young students in what is happening around the world and how they can help other nations in crises. Chancellor Cepeda stated that mental health issues and international studies were key topics at the recent AACC conference she attended.

2. PRESENTATION OF THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 CONTRACT REOPENER PROPOSAL WITH SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2012-2013

Vice Chancellor Garcia reviewed the reopeners and stated that a public hearing would be held at the May 22 board meeting.
I. CONTINUATION OF CLOSED SESSION

Yes

J. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

At 9:29 p.m. President Fuentes provided the following report regarding the action taken in Closed Session:

Under the Public Employee Performance Evaluation (Government Code Section 549(b)), the Board reviewed board/chancellor relations agreed upon a course of action designed to strengthen this area including the formation of a board subcommittee to review conflicting policies and procedures and identification of future development and training.

K. ADJOURNMENT

The meeting adjourned at 9:30 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the Governing Board Meeting
May 8, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, April 10, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Mr. Ron Lind

B. APPROVAL OF CLOSED SESSION AGENDA

M/S (Cruz/Lease) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957(b))

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.
Board Members Present:  
Ms. Mayra Cruz  
Mr. Balbir Dhillon  
Ms. Maria Fuentes  
Dr. Jeffrey Lease  
Mr. Randy Okamura  
Mr. Richard Tanaka  
Ms. Linda Lam  
Mr. Mike Casas

Board Members Excused:  
Mr. Ron Lind

1. **PLEDGE OF ALLEGIANCE**

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. **ADOPTION OF AGENDA**

M/S (Tanaka/Dhillon) to approve the agenda as amended: Item I-1 was moved to follow the approval of the Consent Agenda.

Corrections were made to the Consent Agenda.

3. **6:10 P.M. PUBLIC HEARING ON THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 WITH SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2012-2013**

M/S/C (Cruz/Lease) to open public hearing.

There were no public comments.

M/S/C (Lease/Okamura) to close public hearing.

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

There was no report from the Closed Session meeting.

5. **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

The Board heard a public comment from MSC President Lauren McKee about hurtful statements about administrators sent via district email. She urged the board to express their support of administrators and to do whatever they could to create an environment where all members of the district are equally respected and appreciated.

President Fuentes stated that although the Board could not comment or take action on a public comment made about an item not on the agenda, she asked the
Chancellor to meet with Ms. McKee to discuss the concerns she expressed and work with all constituency groups to develop a climate of respect and appreciation for one another.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S (Dhillon/Tanaka) to approve the Consent Agenda as amended.

The following items were removed from the Consent Agenda:
F-3, Classified Personnel Actions, Creation of New Classification and Position Established, Nos. 1-a and 1-b
F-4, Hourly, Student Work & Volunteer Personnel Actions, Position Establishment, No. 1-a

2. MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management Personnel Actions as submitted.

3. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified Personnel Actions as amended.

5. HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS

The Board approved the Hourly, Student Work and Volunteer Personnel Actions as amended.

6. DISTRICT BUDGET TRANSFERS AND REVISIONS

The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

7. 2012-2013 SCHEDULE OF GOVERNING BOARD MEETING DATES AND CORRESPONDING DEADLINES

The Board approved the 2012-2013 Schedule of Governing Board Meeting Dates and Corresponding Deadlines.

8. CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE

The Board approved the new courses proposed by San Jose City College.
9. **DESTRUCTION OF RECORDS - BOOKSTORES**

   The Board approved the destruction of records listed per Section 7080.203 of the Retention and Destruction of Records under Board policies.

10. **THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 CONTRACT REOPENER PROPOSAL WITH SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2012-13**

   The Board adopted the opener proposals.

11. **CAREER TECHNICAL EDUCATION (CTE) TRANSITIONS**

   The Board approved the Career Technical Education (CTE) transitions Year-to-Date expenditures and progress report for 2011-2012.

I 1. **RETIREMENT BOARD OF AUTHORITY ANNUAL REPORT**

   Cary Allison, Morgan Stanley Smith Barney, Scott Rankin, Benefit Trust Company, and Gail Beal, Keenan & Associates, provided a report on the status and performance of the OPEB bonds implemented by the district to fund 100% of medical, prescription drug, and EAP benefits for eligible retirees and their spouses until he/she attains age 65. The long term liability associated with these benefit commitments was determined to be $95,087,707 per an actuarial study issued by Rael and Letson dated June 30, 2007. Taxable OPEB bonds were issued on May 14, 2009, in the amount of $46,775,000 to fund this liability and were deposited into the OPEB Trust. An updated actuarial study by Rael & Letson dated June 30, 2011, determined that the long-term liability associated with these benefit commitments is $40,376,440 with net assets of $49,703,700, which means that the liability is over-funded as of June 30, 2011, by $9,327,260. On March 13, 2012, the Board of Trustees adopted Resolution 031312-2 authorizing the re-marketing of the bonds to further reduce the exposure to the General Fund and to lock in a fixed rate for the next 15 years. It is estimated that in FY2012-2013, the General Fund will contribute $808,705 towards the $2.49 million

   Trustee Okamura thanked Keenan Financial Services for their presentation. He stated that it took a lot of discussion with the Board to get the OPEB bond program started, and we need to continue to tell the story of why we started it so that future employees know why we do what we are doing.

G. **ORAL COMMUNICATIONS**

a. **Board of Trustees**

   SJCC Student Trustee Casas reported that student elections would be held between May 14—16. He also reported on SJCC activities, including Asian Pacific Islander history month.

   Trustee Lease reported on his attendance at the EVC jazz festival. He
thanked the staff, especially Mr. Henry Gee, for making sure the facility ran well. He also reported on his attendance at the CCLC conference in San Diego where he learned more about the role of a trustee, especially the Board’s role in accreditation. He learned that although colleges have a two-year grace period, the ACCJC had a one-year accountability timeline.

EVC Student Trustee Lam announced that EVC students have completed their online elections, and a new student trustee has been elected for next year. The new student trustee will be shown in the first meeting in June.

Trustee Cruz reported on her attendance at EVC’s Day at the Green. Her goal was to learn more about the orientation process. Everyone did a fabulous job, and it was an excellent, well organized event.

President Fuentes congratulated Trustee Cruz on receiving the Educator of the Year Award given by the Association of Mexican American Educators. This is a very important award that reflects Trustee Cruz’s significant contributions in education, and we are very proud of her achievement.

Trustee Okamura stated that later in the meeting he would provide an update on the Board’s strategic plan. He stated the importance of creating a district culture where we value one another, and we need to figure out how to get there. If we want to be leaders in education, we need to learn how to treat others with respect.

Trustee Dhillon reported on his attendance at the scholarship ceremonies at both colleges. He expressed concern about scenarios where one student receives three or four scholarships and stated the importance of improving the system for administering scholarships. Some colleges receive $9 million in scholarship money. We need to find ways to provide more financial assistance to our students.

b. Chancellor

Chancellor Cepeada reported on the selection of Vice Chancellor for Administrative Services. This was a major focus of work since the last meeting, and she was pleased to be able to bring to this board a recommendation to hire Doug Smith. She provided information about the career and achievements of Mr. Smith. Vice Chancellor Smith has a Master of Arts in Education Administration for CSU Sacramento; and a Bachelor of Science in Business Administration and Accounting from SDSU- Vice Chancellor Smith also completed a Business Managers Academic at Fresno Pacific College and had pursued Graduate Studies in Education Administration at CSU Hayward. Doug Smith brings with him a 24 year career as Chief Business Officer specifically focusing on school finance and administration including 15 years as a CBO in the California Community College System. He has also served as our Interim Vice Chancellor for Administrative Services since November 2011; and in that time, he has undertaken issues of great complexity and brought them to fruition. He has impressed her as Chancellor for the excellent use of fiscal services staff and their specific areas of expertise and his work as a member of the Executive
Minutes of May 8, 2012 Governing Board Meeting

Team where his contributions have also been significant. She thanked the extensive involvement of constituents districtwide, their efforts and due diligence was unparalleled. It is with pleasure, therefore, that she has recommended to this board within the consent agenda the selection and hire of Douglas Smith as our new Vice Chancellor of Administrative Services.

Chancellor Cepeda also met with the Greater San Jose Hispanic Chamber of Commerce-Focus on International Connections, Study Abroad and the growth of International Students. Focus on joint ventures in seeking federal funding designed to grow the economy and partnerships with small businesses.

Chancellor Cepeda reported on the Today in America with Terry Bradshaw show. After more than seven months of scheduling, script development and the like, the camera crew arrived today and conducted interviews at the DO, EVC and SJCC- With the exception of my introductory remarks, the five minute segment is dedicated primarily to the voice of students. Rosalie Ledesma worked with the show’s staff to identify students representing a cross-section of our work as a District. All of these students are prime examples of the ways in which we change lives and address the needs of a very diverse student population. The show’s primary focus is the role that community colleges play in the economic and workforce development efforts of the nation. We will receive a complete of the segment with complete licensing rights for legal and marking/promotional purposes. This will be great collateral for outreach to our community and for fundraising purposes. The feature will be used on the Today in America show airing two (2) times nationally over the FOX Business Network, and 12 times regionally through a combination of Regional News Networks and/or ION Broadcast Stations in up to 15 markets. All airings will occur between 6:00 a.m. and 11:00 p.m.

c. Presidents

President Yong reported on his attendance at the AACC 92nd Annual Convention in Orlando, FL, on April 19-23. On April 24 he attended a legislative visited in Sacramento where he visited the offices of 10 legislators, and met with 3 legislators in person – Rosalie Ledesma (Exec Dir Governmental Relations), Chuck Stevens (SJCC student), Steve Graham (faculty), Irma Archuleta (EVC VPSA), also participated in the visit. The April 27 Scholarship Award Ceremony was very successful. Over $82,000 in scholarships (both internal and external) was awarded, including the Pfister Scholarship Winner: Mayra Salvador (scholarship is $10K a year, for two years, at UC Santa Cruz. On May 2 a Poetry Festival was held where different types of poetry from different cultures were read. A book was published, which President Yong presented to Board President Fuentes. “Today in America” filming on May 2 featured the Nursing and Business Information Modeling (BIM). The May 3 Cinco de Mayo Celebration was very well attended, with cultural music and dances. The May 5 Day At the Green–freshmen orientation for about 300 students and their parents, held in the gym, was very successful. President Yong thanked Trustee Cruz for attending. President Yong also invited the Board and audience to attend a Tribute to our Armed Forces on May 9 at 11:30 a.m. in the lawn area, in front
of Gullo II, led by Tino de Guevara, an adjunct faculty. He also announced that the Juried Student Art Exhibit will run until May 15 in the Gallery in the VPA bldg.

SJCC President Kavalier on April 19, SJCC welcomed 750 kindergartners to our annual Kindercaminata event. Thanks to the leadership of Ms. Jennifer Neil and Mr. Takeo Kubo and others, it was a very successful day. On April 20th, SJCC hosted its first annual Student Success Symposium. The Symposium allowed an opportunity for presenting and discussing current data, reviewing best practices for increasing student success, and engaging our campus community in a relevant dialogue about student success. On April 21st, I attended the Region IV Gala called “Building Bridges to Student Success.” President Kavalier recognized our own student leaders for their participating in organizing this very special event. On Friday, April 20th, SJCC launched its first Farmers Market. Since she began as President of SJCC, she has had the goal of bringing a Market to the campus, and in partnership with the West Coast Farmers Market organization, SJCC has finally initiated this important community outreach effort. The Farmers Market will be every Friday, from 9-1 at SJCC in the parking lot adjacent to the football stadium. On April 24th, SJCC held its annual tenure recognition ceremony. We honored nine distinguished faculty members. President Kavalier distributed a copy of the program for your review. On Friday, May 4th approximately 125 high school and college students attended the first annual African American & Latino Male Summit. Thanks to Dr. Elaine Burns for her leadership of this event.

d. Constituency Group Representatives

SJCC Academic Senate President Heimler reported on the election results to the SJCC Academic Senate this Spring: Full-time Faculty at large include Jesus Covarrubias, Ethnic Studies; Elena Dutra, Counseling; Charles Heimler, English & Reading; Joseph King, Senior Research Librarian, and Mark Newton, Biology.

EVC Academic President Narveson reported that he was re-elected as the President of the Academic Senate and Marjorie Clark, Service Learning, continues as Vice President of the Senate. Mr. Soledad Santos, Business Instructor, was elected Treasurer. He stated the focus was to continue to ensure that 100% of EVC courses continue to have SLO’s. At this moment, over 200 courses have been reviewed, and there are three more meetings of the Curriculum Committee scheduled.

FA President David Yancey reported that the tax initiative has received the required signatures. The work moving forward is to ensure that a significant part of that money goes to higher education. Mr. Yancey also reported that 35 students were a part of the CFTE state convention. Executive Director Barbara Hanfling provided results of the new officers: David Yancey, President, Frank Espinoza, Vice President; Kieron Connolly, SJCC Full Time Rep; Nasreen Rahim, EVC Full Time Rep; and Paul Humann, EVC Adjunct Rep.
CSEA President Jan Tomisaka reported that CSEA hasn’t had any elections yet, but there are now two new fully jacketed stewards: John Thompson, EVC CTSS and Joe Barraza, EVC CTSS. Members of the year will be announced at the next board meeting.

H. ACTION AGENDA

APPROVAL OF RESOLUTION 050812-3

M/S/C (Okamura/Cruz) to approve Resolution 050812-3 to excuse Trustee Ron Lind from attending the regularly scheduled meeting of May 8, 2012.

1. MEASURE G-2010 BOND PROGRAM PROJECT UPDATES, HIGHLIGHTS, SUMMARY REPORTS, CONTRACTS AND PROJECT ASSIGNMENT AMENDMENTS

Mr. Mark Miller, Program Manager, Gilbane Building Company, provided an update of Measure G-2010 projects at Evergreen Valley College, including the Photovoltaics Solar Array and Central Plant and Police Office renovation. Mr. Scott Jewel, Program Manager, Gilbane Building Company, provided a background and analysis of the District Office project and reviewed various options the district can pursue. He reported that the current District Office buildings have been in place since 1972, and the cost to renovate them, including adding space to accommodate future growth, interim housing, furniture and equipment is $14.8 million. However, if the DO was renovated, the district would forego any land lease revenue, which could around $450K to $700K annually. Mr. Jewel recommended the option of relocating the District Office to an off-campus facility so that the district can use the current space for revenue generation and also take advantage of the current favorable market conditions. He stated that at the May 22 meeting, the Board would be presented with a preliminary list of the initial facility selection criteria and be asked for authorization to proceed with a search for new off-campus facilities.

Trustee Okamura stated that even if a new site is chosen, it doesn’t mean the district needs to move to a new facility, and expenses can be lowered by using used furniture instead of purchasing new furniture. It would also be beneficial to choose a site close to public transportation so that employees can take advantage of that. Trustee Lease expressed excitement about the EVC Campus Police renovation. He also stated the market is favorable for the district to purchase something, and a central location between the two campuses would be ideal. Trustee Balbir stated that the key to purchasing real estate is location, location, location. It's also important to determine if the district needs to expand or reduce its space. Trustee Cruz inquired if data has been reviewed that would indicate what we could expect, i.e. how favorable is favorable? Mr. Jewel answered that whatever the district purchases would need some level of renovation, and we won’t know until we can look at some available facilities. Trustee Okamura requested that the equipment have wireless capability so the DO location should have a flexible layout to accommodate that function. Trustee Lease stated that a thorough needs assessment is important. Trustee Tanaka stated that there is a benefit of having the DO as a part of one of the college campuses, and he would oppose any action to move it to a remote location. Trustee Dhillon expressed support for Trustee
Tanaka’s recommendation to have the DO remain as part of the campus community.

M/S/C (Dhillon/Okamura) to accept the information reports including Project Highlights, District Office Facility, and Monthly Summary Report and approve the Contracts and Project Assignment Amendments as submitted.

2. **NO-COST CHANGE ORDERS FOR THE BLACH CONSTRUCTION CONTRACT ASSOCIATED WITH THE MULTI-DISCIPLINARY & FINE ARTS BUILDING AT SJCC**

Vice Chancellor Smith provided an overview of the project and the additional materials and inspection costs that came as a result of additional testing required by DSA. He stated this change order would not cost any additional money due to an agreement with Blach Construction to pay this additional amount under their current contract.

M/S/C (Lease/Dhillon) to approve the no-cost change orders #3 and #4 for the Blach Construction contract associated with the Multi-Disciplinary & Fine Arts Building at SJCC.

3. **RESOLUTION IN SUPPORT OF CLASSIFIED SCHOOL EMPLOYEE APPRECIATION MONTH RESOLUTION NO. 050812-2**

Vice Chancellor Garcia reported that the Education Code designates the third full week in May as Classified School Employee Week. The District Office will hold a ceremony on May 18, and each college will organize at least one event.

Trustee Okamura stated that, although he wholeheartedly supports the resolution, the Board is proud of all employee groups. He asked that all groups share the same goal and value the contributions made by the other groups in the district.

M/S/C (Cruz/Lease) to approve resolution No. 050812-2: Classified School Employee Appreciation Month.

I. **INFORMATION AGENDA**

1. **RETIREMENT BOARD OF AUTHORITY ANNUAL REPORT**

   This item was moved to follow the approval of the Consent Agenda.

2. **FY2011-2012 THIRD QUARTER BUDGET REPORT ENDING MARCH 31, 2012**

   Vice Chancellor Smith presented the third quarter report and reviewed changes from the last budget report. He projected FY2012-2013 will finish at 7.23% reserve, which is approximately $5.4M. He stated the use of one-time adjustments from the Bookstore transfer, enrollment strategies and defunding position strategies enabled the district to attain its reserve. He reviewed the fragile state budget, which is still facing a $10B problem. He also reviewed the Board’s budget principles: The Board will provide the policy framework; the Chancellor will execute/implement strategies
which that framework; the district will maintain a student-centered approach; the district will be in compliance with accreditation standards, and the district will continue to develop ongoing and one-time strategies to achieve its target. Trustee Okamura thanked Vice Chancellor Smith for his presentation and congratulated him on his appointment. He expressed his support of the budget principles outlined in Vice Chancellor Smith’s presentation. He requested more information about operational efficiencies so that the Board can review operational results instead of financial results. For example, Trustees should be aware of property values so that when it comes time for the Board to take action, they already have the information. Trustee Lease stated that although he likes to expect the best, we need to be prepared for the worst. The district continues to have deficit spending. How can it build a large enough reserve so that it doesn’t have to rely on TRANS and other one-time strategies? Trustee Fuentes expressed the importance of building into the budget the values and goals the district has in supporting the students.

3. **LEGISLATIVE REPORT**

Chancellor Cepeda reported that we continue to monitor AB 1456 (Lowenthal) very carefully. The League has asked that we focus on AB 2591 (Furutani): Community Colleges Tax Revenue; which is in the Assembly Appropriations Committee Suspense File (meaning it will not be reviewed until late May.) This bill will create an automatic backfill funding mechanism for community colleges when property tax and fee revenues fall short of the amounts estimated in the annual Budget Act. In doing so, it would remove funding uncertainty and prevent the destructive mid-year cuts to California’s Community colleges.

Last week, President Obama issued an EO aimed at increasing oversight for higher educational programs and institutions serving veterans. The EO focuses on increasing data on program affordability and value, establishing a national system to report fraud and abuse, and curbing aggressive and fraudulent practices in recruiting veterans and military service members. The ACCT has prepared a “fact sheet” designed to facilitate reporting and compliance with the EO by its member institutions.

4. **ACCREDITATION UPDATE REPORT**

Chancellor Cepeda presented an overview of accreditation oversight and the status of San Jose City College (placed on probation) and Evergreen Valley College (placed on warning.) She reviewed the meanings of the sanctions, i.e. warning, probation and show cause. She also reviewed the status of shared recommendations Nos. 1, 5 and 6. President Yong reviewed Evergreen Valley College’s recommendations from 2010 and 2004 regarding the SLO’s, review and revision of course outlines, budget and financial management systems, college technology plan and resource allocation; and he also reviewed the status of the 2004 recommendations: college technology plan, resource allocation. President Kavalier reviewed the status of San Jose City College’s recommendations: integrated planning and assessment, program review, student learning outcomes, human resources, and facilities resources.

Trustee Cruz stated she went through the process of course evaluation at her college and recommended the district utilize a software system to assist with this
work.

Trustee Fuentes thanked the Chancellor and presidents for an excellent presentation. She commended everyone for their hard work. This is a serious effort and analysis taking place at the district and campuses. Accreditation is a priority, and the Board would support any resources needed to complete this work.

5. **BOARD OF TRUSTEES WORKPLAN: ONGOING UPDATE AND DASHBOARD REVIEW**

Trustee Okamura reported that the work is progressing slowly, and the Board needs to meet and realign their goals. He requested that the Chancellor and her secretary poll the Board to identify a time to hold a half day retreat, preferably on a Saturday, to move this work forward.

6. **BOARD COMMITTEE ON STUDENT SUCCESS**

Chancellor Cepeda provided an update on the Student Success Constituents Workgroup that met on April 30, 2012. The group is continuing to refine the draft definition of student success, as well as developing a set of quantitative and qualitative metrics to measure institutional progress toward student success. The next meeting is scheduled for May 14, 2012.

Trustee Cruz stated the Board has been involved in the great work on student success since 2008. The Board set up a Student Success Committee in 2011. Trustee Cruz reviewed the action the Board took to oppose SB 1456, and will also engage in advocacy activities. She requested that Ms. Rosalie Ledesma provide a packet of materials that could be used when the Board goes on legislative visits.

J. **CONTINUATION OF CLOSED SESSION**

Yes

K. **RECONVENE OPEN SESSION**

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

None.

L. **ADJOURNMENT**

The meeting adjourned at 10:30 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
May 22, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, May 22, 2012, at 4:30 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA, 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Richard Tanaka

Board Members Excused:
Mr. Ron Lind
Mr. Randy Okamura

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Lease/Dhillon) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54959 (b))

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code Section 54956.9(c))
E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Richard Tanaka
Mr. Mike Casas
Ms. Linda Lam

Board Members Excused:
Mr. Randy Okamura
Mr. Ron Lind

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Cruz/Dhillon) to approve the agenda as amended: A change was made to the Consent Agenda.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

The Board heard public comments from Linda Lam, who thanked the Board for her great experience serving as Student Trustee and Mr. Andy Nguyen, who petitioned the Board to save the Ms. Diep Nguyen's job as the only Vietnamese speaking person working at SJCC Student Services Office.

President Fuentes thanked Ms. Lam for her service to the Board and for being a voice for students. She also informed Mr. Nguyen the Board could not comment on a matter that is not on the agenda; however, she encouraged Mr. Nguyen to discuss this matter with Chancellor Cepeda and, if necessary, put it on the June 12 meeting agenda.

5. GOVERNING BOARD ORGANIZATION

M/S/C (Lease/Dhillon) to approve all privileges outlined in BP 2105 for Student Trustees, with the exception of attending Board Closed Session meetings.
6. **RECOGNITION OF GARY COOPER, ONE OF CSEA’S TOP 2012 MEMBERS OF THE YEAR**

The Board congratulated Mr. Gary Cooper on his selection as one of CSEA’s top 2012 Members of the Year. President Fuentes read a letter sent to Chancellor Cepeda from Ms. Carla Held, Chairperson, CSEA Awards Committee, about Mr. Cooper’s selection for the award. Both Mr. Gary Cooper and Chancellor Cepeda will attend the CSEA Member of the Year Awards Program, which will be held at the Paris Hotel in Las Vegas on August 2, 2012. They will both speak for about two minutes, and Mr. Cooper will receive his award.

Mr. Eugene Heck, Vice President of CSEA, presented the CSEA 2012 Employee of the Year awards to Steve Hulse, District Office; Jan Tomisaka, EVC, and Teresa Paiz, SJCC. President Fuentes congratulated the recipients for the excellent work on behalf of the district and colleges.

7. **APPROVAL OF THE APRIL 24 AND MAY 8, 2012, GOVERNING BOARD MEETING MINUTES**

M/S/C (Tanaka/Cruz) to approve the above listed meeting minutes as amended: President Fuentes requested that Mayra Cruz’s award as Educator of the Year Award given by the Association of Mexican American Educators be added to the May 8 meeting minutes.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S/C (Cruz/Dhillon) to approve the Consent Agenda as amended.

F-1a – New Hire – Ms. Sandra DeWolfe was hired as Dean of Nursing & Allied Health at EVC.

F-5-1a – was removed from the Consent Agenda by Trustee Lease for further discussion and separate vote.

2. **MANAGEMENT PERSONNEL ACTIONS**

The Board approved the Management Personnel Actions as amended.

3. **FACULTY PERSONNEL ACTIONS**

The Board approved the Faculty Personnel Actions as submitted.

4. **CLASSIFIED PERSONNEL ACTIONS**

The Board approved the Classified Personnel Actions as submitted.

5. **HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS**

The Board approved the Hourly, Student Work & Volunteer Personnel Actions as amended. Item 1a was removed from the Consent Agenda for discussion and
Minutes of May 22, 2012 Governing Board Meeting

separate vote.

6. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

The Board approved the curriculum recommendation for the new courses and degree program submitted by Evergreen Valley College.

7. **SJCC ASSOCIATED STUDENT 2012/2013 BUDGET**

The Board approved the San Jose City College proposed budget for 2012-2013.

5. **ITEM 1A WIN/CALWORKS PROGRAM – CAL WORKS STUDENT MENTOR**

Trustee Lease requested CSEA President Tomisaka elaborate her concerns about the establishment of this position. Mr. Joe Mendoza, CSEA Labor Relations Representative, answered that after reviewing the job description and comparing it to the previous Classified Employee, who was laid off, it seems the duties are similar. The position entails giving students information about the colleges and assisting them in reviewing their assignments. The case was made by management that the student mentor would be able to provide the information from a student perspective. CSEA understands it’s important for students to have work available to them; however, at a time when CSEA expects more layoffs and cuts to Classified staff, students should not be hired to do CBA work. He asked the Board to consider this matter before approving this position.

Vice Chancellor Garcia answered that it’s the district’s intent to honor the work of Classified employees and work within the constraints of the CBA. It is equally important to note that student work experience is an important part of a student’s education. College work study programs are also required for the students to receive loans from grant money. It’s also critical for students to share their experiences peer to peer. Interaction with fellow students enhances the learning experience. Ms. Tomisaka expressed concern about the message that Classified employee work is less important than providing work for students. She stated that CSEA has always been supportive of student workers; however, the line is crossed when student workers do bargaining unit work. Chancellor Cepeda answered that the issue is not about whose less important or more important. It is not possible to compare the rights of represented employees and the requirements that institutions of higher learning have regarding administration of financial aid and work study grants. In addition, she noted that students are the goal of this organization. The issue is the availability of funds. Students have a right to work study and student aid. We have a responsibility to students to provide these opportunities. We also want to comply with the CSEA contract. Vice Chancellor Garcia added that the district will continue to review student work to ensure they do not do bargaining unit work. She recommended; however, that the Board approve the Student Mentor position to allow student work to proceed. The district is trying to define student employment. The creation of this position is another attempt to do so the district can eliminate infringing of CSEA work.

Trustee Lease stated that there are over 20 items listed on the position description and not all those items are Classified work. It’s important for students to receive the financial aid they need. What would the impact be if this position was approved at a
later board meeting? Vice President Archuleta answered the impact would be that this student would not be able to receive their CalWorks aid. We will continue to have this encounter as we begin a new year and bring other work study positions to the Board; and if we can’t work together with CSEA to find what job functions are acceptable to them, it would greatly impact our students’ ability to receive the financial aid they so desperately need.

Trustee Cruz encouraged the groups to have further dialogue. It’s important that everyone has a clear understanding of the changes that have happened and what CalWorks actually requires. Trustee Dhillon stated that he understood the concerns expressed by CSEA, but student work is very important for this district. He made a motion to approve the action.

M/S/C (Dhillon/Cruz) to approve Item F-5, 1a, Position Establishment, Cal Works Student Mentor.

G. ACTION AGENDA

1. SPECIFICATIONS OF THE ELECTION ORDER

Chancellor Cepeda provided an overview of BP 2140 Partial Reimbursement for Candidate Filing Fees and the Elections Code Section 13307, which requires that Governing Board members must determine the Specifications of the Election Order to the Santa Clara County Registrar of Voters. The deadline for this submission is June 8, 2012.

M/S/C (Lease/Dhillon) to approve the Trustee areas up for election, the length of the candidates’ statements, the payment of filing fees and to adopt Resolution No. 052212-1.

2. NAMING OF THE FINE ARTS BUILDING AT SAN JOSE CITY COLLEGE

President Fuentes read Resolution No. 052212-2, which is a recommendation that the new Fine Arts Building at San Jose City College be named in honor of Carmen Castellano. She thanked the college for the discussions that were held, especially the hard work of Professor Jesus Covarrubias in leading the dialogue to make this happen.

Chancellor Cepeda stated it was an excellent suggestion as the Castellano’s have supported education and are patron of the arts, not just in San Jose, but in the Bay Area. President Kavalier agreed that Carmen Castellano is worthy to receive this honor, and this would also greatly benefit the college. She also thanked Professor Covarrubias for his leadership in making this happen.

M/S/C (Cruz/Lease) to approve Resolution No. 052212-2 to name the Fine Arts Building at San Jose City College the “Carmen Castellano Fine Arts Center.”
3. **STRATEGIC TECHNOLOGY INFRASTRUCTURE SERVICES SELECTION**

Chancellor Cepeda provided an overview of the assessment conducted by CampusWorks, Inc., which was presented to the Board at the December 13, 2011, Governing Board Meeting. She discussed the need for IT leadership that would provide adequate leadership, direction and organization and assist with planning. She distributed a Questions and Answers document, which outlined the questions asked of district members during the board docket review meeting held the prior afternoon.

Trustee Cruz requested that more information be provided about the process that led the district to choose CampusWorks. She also asked if CampusWorks is ready to provide the district the necessary expertise to meet its needs for the 21st century. Mr. Peter Fitzsimmons, Director of Fiscal Services, reviewed the RFP process and noted the posting in the San Jose Post Record. The district received two bids, and one no bid. A committee, comprised of the Vice Chancellor of Administrative Services, Vice Chancellor of HR, Executive Director of Research and Institutional Effectiveness, District Purchasing Agent, representatives from ITSS and CSEA and himself, reviewed both bids and chose CampusWorks as the contractor who could best provide the services the district needs at this time. Trustee Dhillon expressed concern that CampusWorks is located in Florida, and our district is located in the Silicon Valley. Why do we not have bidders from the area, especially since the Silicon Valley is a leader in the high technology field? Chancellor Cepeda answered that the district is not offering enough compensation for the work we require to attract local vendors. We also require specialized skills associated with uses of technology infrastructures within the context of postsecondary education; this area of expertise and focus is not particularly well developed in the Silicon Valley. Trustee Dhillon also asked for information about the number of employees and ethnicity breakdown of CampusWorks staff. Ms. Liz Murphy, CEO of CampusWorks answered that 50 senior level IT executives are employed by CampusWorks, and they come from all over the United States and serve community colleges exclusively. CampusWorks serves over 100 community colleges and assists them in making decisions about what technologies would work best for them. She stated she did not know offhand the ethnic breakdown of the company’s employees, but it's about 50/50 male/female from various ethnic groups.

Trustee Tanaka asked if CampusWorks would move the district toward upgrading Datatel or getting rid of it and replacing with a new software system. Ms. Murphy answered that the recommendation is to continue using Datatel while reviewing the district processes. District-wide users have not been adequately trained to utilize Datatel to its capacity. Mr. Dan Hawkins, CSEA, asked about the cost of living adjustment included in the contract. He expressed concern that district members have not received COLA in a long time and asked if this would be a part of the three-year contract. Ms. Murphy answered that the contract would be amended to ensure CampusWorks employees didn’t receive a COLA if district members did not receive one. Trustee Dhillon asked how the district would be assured that CampusWorks is keeping up with the latest technology. Chancellor Cepeda stated that technology represents one of the highest costs in education and is one of the highest investments of community colleges. The district already has good software but is not making the most of it. As a result, IT staff is overburdened. The Board needs to make the best choice about continuity and costs. President Fuentes
requested information about the breakdown of management and Classified staff dedicated to IT and asked how many employees were cut from the staff. Vice Chancellor Garcia gave the IT breakdown for the district and both campuses and answered that one employee was cut from the Help Desk area at the District Office and one network technician and webmaster were eliminated from San Jose City College. President Fuentes stated that she would be voting against the contract with CampusWorks because she couldn’t remember when the IT department had a high level position. The district needs a high-level technology officer that can provide the leadership in the area. She would be in favor of supporting the creation of a Vice Chancellor of Technology. Chancellor Cepeda answered that, although having a CTO would be ideal, the district recruited twice for this position without success. We have had no takers at the salary we have offered. SJCC Academic Senate President Heimler expressed his concerns about the cost of the contract and that using a CTO level person from outside the district is problematic since people outside the district don’t understand shared governance. Trustee Lease stated that he will support anything that will get IT working well, and if the CampusWorks contract is the best way to do that, then he will support the district recommendation. Trustee Dhillon stated that, although he understands the critical need for IT leadership at this time, he did not see in the proposal enough details about the scope of work about what would be done at the colleges. He also expressed concern that the district may be cutting corners instead of ensuring it has the most updated technology. He suggested having someone with technical expertise provide the Board with the information they need to make this decision. Therefore, he is not ready to support the recommendation. Trustee Tanaka stated the proposal did not contain enough financial information for him to figure out what was going on. The three year program and some related expenses are provided, but other expenses such as software and equipment are not indicated. What is the district putting into this contract, and what will be covered from the bond money? We are taking it by faith that going in this direction will be a very positive thing for the district. How much of a financial commitment are we actually going to have to make to support this contract? Chancellor Cepeda answered that the scope of work was determined by the review processes that were presented. She stated the Board had charged her over two years ago to fix the district’s IT capacity. The district has significant deficits in all IT dependent components, including administrative systems, academic technology, network infrastructure, desktop computing and planning. In addition, there are concerns about network security. We need to make a significant leap to come up to par. It is important to note that CampusWorks is not providing a “software fix”; they are providing the expert technology infrastructure planning and implementation knowhow to make that kind of transition. We are not providing CampusWorks with equipment—that will be provided through Measure G bond money—but the recommendation provided to the Board is the best solution we have found to fix IT and meet the needs required by accreditation. President Kavalier stated that the colleges would love to be able to state in their accreditation reports that the IT concerns have been addressed. Evergreen Valley College has a specific recommendation regarding the development of a technology strategic plan. CampusWorks can assist in writing this plan. Executive Director Hawley stated that the functionality with Datatel is lacking and underutilized. The enhancement of the research capacity, another key accreditation concern, is greatly compromised unless we get the outside assistance that’s needed to get us where we need to be. Trustee Lease stated that first and foremost accreditation is the district’s biggest concern. If we lose that, our students lose everything. FA President Yancey agreed
that accreditation is the highest concern, and the district needs to move the process forward regarding the best reorganization of ITSS. However, in the meantime, the CampusWorks contract is needed to get the district to where it needs to go right now.

M/S (Lease/Cruz) to award a contract not to exceed $517,452 annually to CampusWorks for strategic technology infrastructure services for a period of three years, subject to satisfactory performance, commencing July 1, 2012, with two optional one-year extensions. Trustees Lease, Cruz, Tanaka voted yes, Trustee Fuentes voted no, and Trustee Dhillon abstained. Motion failed.

4. **DISTRICT OFFICE FACILITY**

Chancellor Cepeda stated that at the May 8 board meeting, the District Office Project Team provided three options for consideration: 1) renovation of the existing District Office; 2) construction of a new office facility on District-owned property, and 3) the purchase and renovation of an existing off-campus facility. The Board had questions about the options, especially the option relating to moving the District Office to another location. At this meeting, the goal is to present options for having a District Office that meets the needs of staff and the Board of Trustees, as well as the highest and best use of taxpayer dollars.

Mr. Scott Jewel, Program Manager, Gilbane Building Company, provided a cost analysis for the three options considered by the Project Team to be the most viable for the future of the District Office and asked if the Board had any questions related to the analysis. Trustee Lease noted that he would support Option 3- Purchase and renovate a new off-campus facility. Trustee Tanaka indicated that he was also supportive of Option 3- Purchase and renovate a new off-campus facility. Trustee Dhillon asked if a new facility would better meet the needs of the District because it would be built to suit the specific requirements. Mr. Jewel responded that although a new facility would be built to suit the District’s needs, the cost of new construction is prohibitive and well in excess of the project budget. Mr. Jewel explained that the cost for Option 2- Construct a new on-campus facility was reasonable based on the information available at this time. He noted that to further develop the cost analysis, a site would need to be selected and studied. Mr. Jewel also explained that the cost for Option 3- Purchase and renovate a new off-campus facility was only one possible scenario and that multiple scenarios are possible with an inverse relationship between the purchase and renovation costs. The district can only determine feasibility for a purchased facility on an individual facility basis after a facility has been screened and determined to be good potential candidate.

M/S/C (Cruz/Dhillon) to approve the District to move forward with further investigations of Options 2 and 3.

H. INFORMATION AGENDA

1. **PRESENTATION FOR NEW FINE ARTS & MULTI-DISCIPLINARY BUILDING**

Mr. Bryan Rosavear, Project Manager, Blach Construction, gave a presentation and schedule update for the new Fine Arts & Multi-Disciplinary Building at San José City
College. He showed pictures of the exterior of the Arts Wing and Arts Gallery, along with the Multi-Disciplinary Wing in the back of the building. He also showed pictures of the view from Moorpark Avenue and from various points at the campus. The great news is that this building will be completed in July 2012, much earlier than the January 2013 original completion date. The final projected cost is $26,386,700, which is $441,506 lower than the original guaranteed maximum price of $26,671,663.

President Fuentes complimented everyone on the amazing work that was done to ensure the building was finished under budget and before schedule. She requested that the Board of Trustees be given a tour of the new building. President Kavalier answered that she will schedule a tour soon.

2. **FY2012/13 CONTRACT RENEWAL FOR MEASURE G-2010 PROGRAM/CONSTRUCTION MANAGEMENT SERVICES WITH GILBANE BUILDING COMPANY – FIRST READING**

Mr. Casey Michaelis, Sr. Project Executive, Gilbane Building Company, gave a presentation on the 2011-2012 accomplishments of the work provided by Gilbane on the Measure G-2010 bond. Some program management accomplishments include: implementation of the PROMPT financial management system, updates to facilities master plans, bond list development and revisions, master schedule development and updates, Series A&B bond issuance, website and intranet development. Some project/construction management accomplishments in 2011-2012 include: District Office Building assessment, PV and Central Plant/Police Station design at EVC, and maintenance projects at SJCC. For 2011/12 the project/construction contract award amount was not to exceed $2,166,832, and the total estimated cost is $2,043,821. Mr. Michaelis reviewed the scheduled tasks and projects for 2012-2013, and reviewed the costs associated with those projects. The total renewal contract amount for 2012-2013 is $4,646,050.

Chancellor Cepeda commended the work of Gilbane, especially the high level of scrutiny, accountability and ability to get projects completed on time and under budget. FA President Yancey commented that next year’s contract has doubled in cost. Do we need to anticipate another big increase for 2013-14 because we have several years out for the bond and will have already spent over $6 million for the project management portion? Mr. Casey answered that Gilbane would like to bring on more project managers and engineers to assist with quality control and safety. The amount may go up in 2013-14, but is not expect to be at the rate of this contract renewal.

Vice Chancellor Smith stated that the Gilbane contract will be put on the June 12 board agenda as an action item for the Board to approve.

3. **LAND DEVELOPMENT PROJECT STUDY SESSION**

Mr. Aaron Gruen, Gruen Gruen & Associates, provided an overview of previous land development activities, including the Evergreen Marketplace at San Felipe Road and Yerba Buena Road. He also reviewed the land development principles the Board approved in 2004. As the district moves forward in its desire to create
revenue through its land development, he discussed the market conditions and types of development opportunities, such as the market for apartments, which will grow as the economy continues to recover, and the market for office and R&D uses. The Envision San Jose 2040 General Plan, which supersedes the previously approved policy for Evergreen-East Hills area, would need to be considered in any plan the district would pursue. It’s important to establish an agreement with the City of San Jose on land use designation that allows mixed-use development. Mr. Jim Eller, consultant, said the Board needed to consider which of the 27 acres will be offered for development. He stated the next step would be to have a meeting with the Board committee on land development to review the principles and determine what direction the Board would like to move in.

President Fuentes stated that Trustees Dhillon, Tanaka and herself have showed the most interest and, therefore, will serve on the committee. The Board doesn’t want to wait too long when the market may be favorable for us to make a move now. Trustee Dhillon recommended having a special meeting on land development so the Board can receive more information. Trustee Lease recommended the Chancellor work with Mr. Jim Eller to bring this information back to the Board. Chancellor Cepeda recommended the Board focus on the advocacy with the San Jose City Council, and it would be better for the committee to immerse themselves in the work. The committee can do the research and come back to the Board with the specific details. We are two years or more away. President Fuentes stated the first step would be to get the committee going. Mr. Eller encouraged the Board to begin working with the San Jose City Council, District 8, as we will certainly need their help moving forward. Trustee Lease requested that Mr. Eller provide the Board with 3-5 talking points that they could use in meeting with city officials.

President Fuentes requested that district staff arrange for the Board Committee on Land Development to meet sometime over the summer.

4. **BOARD POLICY 1ST READING: BP 4021.1 AS-T AND AS-S DEGREES**

Chancellor Cepeda requested the Board review BP 4021.1, which is being brought to them as a first reading. The policy will be brought to the Board for approval at the June 12 board meeting.

5. **BOARD POLICY 1ST READING: BP 4235 CREDIT BY EXAM**

Chancellor Cepeda requested the Board review BP 4235, which is being brought to them as a first reading. The policy will be brought to the Board for approval at the June 12 board meeting.

6. **NEW BOARD POLICY 4100.2 FOREIGN TRANSCRIPTS**

Chancellor Cepeda requested the Board review BP 4100.2, which is being brought to them as a first reading. The policy will be brought to the Board for approval at the June 12 board meeting.
I. CONTINUATION OF CLOSED SESSION

No

J. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None

K. ADJOURNMENT

The meeting adjourned at 10:37 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the Governing Board Meeting
June 12, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, June 12, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S (Tanaka/Dhillon) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
(Government Code Section 54957 (b))
Title: College Presidents

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957(b))
E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

**Board Members Present:**
Ms. Mayra Cruz  
Mr. Balbir Dhillon  
Ms. Maria Fuentes  
Dr. Jeffrey Lease  
Mr. Ron Lind  
Mr. Randy Okamura  
Mr. Richard Tanaka  
Mr. Mike Casas  
Mr. Shawn Sieu-Nguyen

**Board Members Excused:**
None

1. **PLEDGE OF ALLEGIANCE**

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

After the Pledge, M/S/C (Lease/Tanaka) to approve Resolution No. 052212-3 to excuse Trustees Ron Lind and Randy Okamura from attending the May 22, 2012, Governing Board Meeting due to work-related conflicts.

2. **ADOPTION OF AGENDA**

M/S (Dhillon/ Lease) to approve the agenda as amended:

A correction was made to H-1: the title of the agenda item was changed to “Strategic Technology Services: CampusWorks Proposal.

Item I-5 was removed from the agenda.

A correction was made to the Consent Agenda.

3. **GOVERNING BOARD ORGANIZATION**

President Fuentes administered the Oath of Office to Student Trustees Mike Casas and Shawn Sieu-Nguyen.

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

There was no report from the Closed Session meeting.
5. **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

The Board heard a public comment from Mr. Andy Nguyen, VSA’s president at San Jose City College, who also distributed a signed petition requesting that Ms. Diep Nguyen’s position be saved at San Jose City College so that she could continue to serve Vietnamese students. Student Trustee Casas expressed concern about getting this item on the board agenda.

The Board also heard public comments from Ms. Rosemary Lazetera, Program Assistant, and Ms. Jan Tomisaka, President, CSEA Chapter 363, regarding the two-day, off-site retreat being scheduled by the Chancellor. Ms. Tomisaka’s comments are as follows:

I have a great concern about this retreat which is scheduled for July 13th and 14th off site. CSEA members have been losing their jobs since April of 2009 with an uncertain future given the financial climate. We were told that not all of the work was going to be done because of the lack of manpower and yet nothing (except personnel) has gone away. The work load is still there and the only difference now is that there is Board Approval for students to do our work. At this point whatever the reason, the perception is not good. CSEA would like to know how much this retreat is costing for the venue, including the mileage and overtime cost for the members in attendance.

Every time extraordinary sums of money are being spent on Consultants, Conferences, Executive Carts etc. members are asking me where the money is coming from. They remind me they have taken furlough days while some others have not. Where is the 1.6 million dollars in found money? Members losing their jobs are not concerned with the fact there is money for retreats in special funds. One of the items to be discussed is the reorganizing and restructuring and if there are changes in job descriptions and working conditions, you know these are items that are negotiable and classified members of the district council are in no position to make any decisions, including myself.

As CSEA President and a member of the District Council, I have respectfully declined the invitation to attend the two day retreat off campus due to the uncertain financial climate of the state and what will happen in the next 6 months, classified personnel are once again at risk of losing their jobs. We need to be more mindful of how we are spending our money. First and foremost we need to be able to sustain jobs and offer our students classes which they so richly deserve. Should the two day retreat be held on campus, I will attend.

6. **APPROVAL OF THE MAY 22, 2012, GOVERNING BOARD MEETING MINUTES**

M/S/C (Cruz/Tanaka) to approve the above listed meeting minutes.
F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S (Lind/Lease) to approve the Consent Agenda as amended:

A correction was made to Item F-10 – Page 5 of the agreement, Recitals C, has the incorrect amount written. The amount is $257,740.

Item F-8 was removed from the Consent Agenda to Action Agenda, H-14, for further discussion and separate vote.

2. MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management Personnel Actions as submitted.

3. FACULTY PERSONNEL ACTIONS - REGULAR

The Board approved the Faculty Personnel Actions as submitted.

4. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified Personnel Actions as amended.

5. HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS

The Board approved the Short-Term Hourly, Substitute, Professional Expert & Athletic Support Services, Student Assistant and Volunteer personnel actions as submitted.

6. RATIFICATION OF CONTRACTS AND PURCHASE ORDERS

The Board ratified the contracts and purchase orders for the period of April 10, 2012 through May 9, 2012.

7. DISTRICT BUDGET TRANSFERS AND REVISIONS

The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

8. SUB-CONTRACT FOR CHILD CARE – CALIFORNIA DEPT. OF EDUCATION CONTRACTS

This item was moved to Action Agenda, H-14.
9. **ESTABLISHMENT OF FISCAL YEAR 2012-2013 APPROPRIATION LIMIT (GANN)**

   The Board adopted the Fiscal Year 2012-2013 Appropriation Limit (GANN) resolution.

10. **WORKFORCE INSTITUTE – WIA WORKSHOP GRANT**

    The Board approved the Second Amendment to the 2011-2012 WIA Workshops Contract.

11. **WORKFORCE INSTITUTE – 2012-2013 WIA WORK2FUTURE YOUTH CONTRACT**

    The Board approved the 2012-2013 WIA Youth Contract.

12. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

    The Board approved the curriculum recommendation for the new course submitted by Evergreen Valley College.

G. **ORAL COMMUNICATIONS**

   a. **Board of Trustees**

      SJCC Student Trustee Sieu-Nguyen reported on the success of EVC Associated Student Government’s training day. The ASG is working together to enrich the lives of students.

      Trustee Lease announced the birth of his daughter Sophie and the joy his family is experiencing in spite of lack of sleep.

      Trustee Cruz congratulated both colleges for the amazing graduation ceremonies. The 1500 students who graduated will definitely enrich the lives of those in their own communities.

      Trustee Dhillon invited members of the district to attend the Punjabi Mela event at EVC on June 23-24.

   b. **Chancellor**

      Chancellor Cepeda stated she would provide her report as part of the State of the District presentation during the Information Agenda items.

   c. **Presidents**

      EVC Vice President Gee reported that the portables are being removed from the campuses. He congratulated the graduates and those who received
nursing degrees. He reported on the power failure at EVC and the work being done to correct the problem.

SJCC President Kavalier reported that 850 Associate Degrees and certificates were given at the graduation ceremony. She reported on the 120 scholarships that were provided to SJCC students. Enrollment looks steady for Summer and Fall sessions.

d. Constituency Group Representatives

MSC President McKee reported that an executive council will be elected at the membership meeting in July. MSC continues to support CSEA events.

EVC Academic Senate Narveson reported on the hard work being done to complete the SLO’s. The college has achieved 100% completion for courses in the EVC catalog. Nearly 300 courses were reviewed over the Spring.

SJCC Academic Senate President Heimler announced that the faculty executive council will be working over the summer to complete the review of courses and SLOs. He congratulated Student Trustees Casas and Siue-Nguyen on their election and stated that faculty would continue to be their advocates.

H. ACTION AGENDA

1. STRATEGIC TECHNOLOGY SERVICES: CAMPUSWORKS PROPOSAL

Chancellor Cepeda stated that at the May 22, 2012, Governing Board Meeting, the Board requested additional information about the CampusWorks contract. In particular, the Board had requested detailed information about the scope of the contract, including timelines and deliverables. The Board also requested an opinion from a high-level IT expert in community colleges, who could provide clarification and answer questions about the contract.

Ms. Liz Murphy, CEO of CampusWorks, Inc., provided a brief overview of the extensive IT assessment they conducted at the district and the participatory approach that was used. Dr. Fred Sherman, Vice Chancellor of Technology at Foothill-De Anza College, stated he did not know anyone personally at the district. At the request of the Chancellor, he read reviewed the proposal and offered to provide an expert opinion. He stated the CampusWorks proposal was comprehensive. The assessment they conducted indicates the district is in a situation that urgently needs to be addressed. The three-year plan proposed by CampusWorks is a bit aggressive. Dr. Sherman discussed the benefits of using consultants to provide IT leadership vs. hiring a permanent IT leader. He stated the benefits of using CampusWorks would allow the district to take a step forward in the IT area as they would come in with an expert team that can work together. Hiring a permanent person would be ideal, but it would slow down the process for the work that needs to be done to satisfy the requirements of accreditation. Whatever path is chosen, the planning process for hiring a senior IT leader needs to be started soon. Dr. Sherman also discussed the need for successful implementation of Datatel and
the training required for all users that would be provided by CampusWorks.

President Fuentes thanked Dr. Sherman for sharing his knowledge and expertise. Trustee Cruz expressed her concern about the district being ready for the accreditation site visit in October. Trustee Okamura agreed that the district needs to do whatever is necessary to get ready for accreditation. Trustee Okamura asked about the ability for students who just graduated from Evergreen Valley High School to enroll in our courses and get information on our degrees using iPhone. This is how students are doing things now, and the colleges need to use the latest technology to ensure every student has access. Ms. Murphy answered that Datatel already offers that application. However, the data in Datatel needs to be cleaned up. The district doesn't have IT leadership in place. Once the IT district strategic plan has been developed and is in line with the colleges IT plans, the district can move forward in addressing the software issues. Trustee Dhillon stated that he was the Board member who requested the expert opinion. After hearing that opinion, he is still unclear as to what we need to do now, although it's obvious the district needs to establish IT leadership. We need to hire someone who can lead. If that leadership person cannot supervise IT staff because they are not an employee of the district, the concern about leadership is still there. Trustee Tanaka stated in reviewing the proposal, it was unclear to him what the total package would cost. Trustee Lind inquired if the $517K annually expense was actually the limit. Chancellor Cepeda answered that the $517,452 was the absolute maximum, and the contract would reflect that amount. Ms. Murphy answered that CampusWorks provides a fixed cost for the services they provide, and the Chancellor would receive a monthly report. CampusWorks will provide the leadership and skill sets; the bond will provide the software. Trustee Lind asked about the size of the team the district would receive. Ms. Murphy answered that 1.5 FTE could be as many as eight different people. The CISO is a full-time person who is retained on site. The remaining FTES is based on the projects CampusWorks would be working in. The district would receive very experienced staff to senior leadership. Trustee Lind expressed concern that the contract was a draft document. Chancellor Cepeda answered that she wanted the Board to see the contract even though the final one was not yet ready for review. Trustee Lease stated the issue was how fast we could get this done. Getting a CTO is critical for the district, but going with CampusWorks would give the district a head start in meeting accreditation standards. The Board is charged first and foremost with responsibility to the public for how this district using its funds. We have $10 million to spend in bond money, and we need to use it wisely. The expertise CampusWorks could provide to help the district develop a technology plan is critical. Trustee Cruz stated the importance of demonstrating to the accreditation team that the district is taking the right steps forward. Trustee Fuentes stated that although it's clear we need to move forward and have someone do the important work in IT, she cannot support the proposal. The assessment done by CampusWorks did not include the active participation of the IT staff. The district has had staff cuts in IT and has lost its webmaster. Staff needs basic training. The district can get a CTO to provide the needed leadership. IT Applications Manager Dolly Zen expressed support of CampusWorks because of their expert knowledge in the Banner System and their ability to help the district with CTO functions. ITSS Lead Application Analyst David Lo expressed concern about using CampusWorks because his prior experience at other districts with using consultants in IT did not work very well. Trustee Dhillon expressed the need for the contract to contain three months or six months assessments, and that the contract is subject to Board approval.
The Board agreed they could not approve the contract proposal as submitted, and they charged the Chancellor to bring back a revised contract that would include deliverables and subject to yearly extensions that would be approved by the Board.

M/S/C (Lind/Dhillon) to authorize the Chancellor to proceed with contract negotiations to come back with a contract subject to Board approval that would entail at a minimum one year with the appropriate deliverables subject to yearly extensions not to exceed three years. So it’s a three-year contract. We do it year by year. And we get approval each year by the Board based on performance. Trustee Fuentes voted no.

2. **2012-2013 TENTATIVE BUDGET**

Vice Chancellor Smith reviewed the 2012-13 tentative revenues of $75,555,288 and expenditures of $75,402,625, for a projected ending fund balance of 7.82%. He stated that major assumptions for 2012-2013 include reduced spending and rebalancing strategies of $2.8 million, medical benefit, OPED revenue strategies of $2.2 million and a $2.5 million one-time revenue. If the tax measure passes, no further cuts are needed. However, if it doesn’t pass, it will most likely push us into a Basic Aid district. Vice Chancellor Smith explained how moving to basic aid would impact the district.

Trustee Okamura inquired about the $1.7 million the district is at risk if the tax measure fails. Can that be made up by increasing student capacity or is the cap still in place if the district goes basic aid? Vice Chancellor Smith answered that the cap is out if the district goes to basic aid. Trustee Lease thanked Vice Chancellor Smith for his information about basic aid. When he first heard the district could move in that direction, he was concerned this would be more risky. However, it may be a way to stop the bleeding that has resulted from the state budget problems.

M/S/C (Lease/Lind) to approve the Tentative Budget for fiscal year 2012-2013.

3. **BP 4235 CREDIT BY EXAMINATION**

Chancellor Cepeda stated that the draft policy was submitted to the Board as a first reading at the May 22 meeting and recommended the Board approve the policy.

M/S/C (Dhillon/Cruz) to approve the updated policy BP 4235 Credit by Examination.

4. **BP 4100.2 FOREIGN TRANSCRIPTS**

Chancellor Cepeda stated that the draft policy was submitted to the Board as a first reading at the May 22 meeting and recommended the Board approve the policy.

M/S/C (Okamura/Tanaka) to approve the updated policy BP 4100.2 Foreign Transcripts.

5. **NEW BP 4021.2 AA-T AND AS-T DEGREES**

Chancellor Cepeda stated that the draft policy was submitted to the Board as a first
reading at the May 22 meeting and recommended the Board approve the policy.

M/S/C (Tanaka/Dhillon) to approve the updated BP 4021.2 AA-T and AS-T Degrees.

6. ADOPTION OF RESOLUTION NO. 061212-3 CLASSIFIED POSITIONS REINSTATEMENT AND RESCINDING OF LAYOFF – REESTABLISHMENT OF FOUR POSITIONS

Vice Chancellor Garcia stated the good news that more grant funding was provided and, therefore, the district was able to reinstate some positions that were included in a prior layoff resolution.

M/S/C (Dhillon/Tanaka) to adopt Resolution No. 061212-3 – Classified Positions Reinstatement and Rescinding of Layoff – Re-establishment of Four Positions.

7. MEASURE G-2010 BOND PROGRAM UPDATES, HIGHLIGHTS, SUMMARY REPORTS, CONTRACTS, AND PROJECT ASSIGNMENT AMENDMENTS

Mr. Scott Jewel, Project Manager, Gilbane Building Company, reviewed the Measure G-2010 summary report and the bid proposal to replace vehicles at the district. He also reviewed the bond list of projects revision.

Trustee Okamura thanked Mr. Jewel for his report and requested that future agenda items be prepared in a more delineated format.

M/S/C (Lease/Lind) to accept the information reports, including (A.2.a) Alternative Project Delivery Systems – Lease/Leaseback, and (A.3.a) Monthly Summary Report through May 31, 2012 and to approve Action Items (B.1.a) the Master Agreement for Design Professional Services, (B.1.b) SJCC Synthetic Turf Replacement construction contract, (B.1.c) the purchase of District vehicles, (B.2.a) Change Order #001 to Impact Sciences, (B.2.b) Change Order #003 to SunPower Corporation, Systems, and (B.3.a) Bond List Revision #2.

8. MEASURE G-204 BOND LIST REVISION AND PROJECT REALIGNMENT

Mr. Scott Jewel, Project Manager, Gilbane Building Company, reviewed the budget revisions and projects for Measure G-2004.

M/S/C (Okamura/Cruz) to approve the budget revisions and project realignment as detailed in the Measure G-2004 Bond Project List.

9. AWARD OF CONTRACT FOR BID PROPOSAL #0514-12 FURNITURE & EQUIPMENT FOR SJCC MULTI DISCIPLINARY ARTS (NOW KNOWN AS THE CARMEN CASTELLANO FINE ARTS CENTER

Vice President Nelson stated the new Carmen Castellano Fine Arts Center is in the process of buying new furniture. The bids were reviewed by the college, who submitted samples of their products.

M/S/C (Cruz/Tanaka) to award the contract of Bid Proposal #0514-12 Furniture & Equipment for SJCC Carmen Castellano Fine Arts Center.
10 **MEASURE G-2004 EVERGREEN VALLEY COLLEGE FIELD REPLACEMENT PROJECT**

Vice President Gee provided an overview of the project. Trustee Dhillon inquired if the work has already been scheduled. Mr. Gee answered there is a tentative schedule. The soccer field is 10 years old and needs a lot of work. The college wants to get the work done in June because the soccer season starts in August.

M/S/C (Dhillon/Lease) to award the contract for the construction of Evergreen Valley College Field Replacement project to Park West Landscape Construction in the amount of $695,110.

11 **MEASURE G-2010 PROGRAM/CONSTRUCTION MANAGEMENT (PM/CM) SERVICES CONTRACT RENEWAL FOR FISCAL YEAR 2012-2013**

Vice Chancellor Smith stated that Casey Michaels, CEO of Gilbane Building Company, gave a presentation on the work they have done in their first year with the district. The Board is being asked to approve a five year commitment with annual renewals. Trustee Dhillon asked what the impact would be if the Board did not approve the contract. Vice Chancellor Smith answered that the district would probably have to suspect the bond program. Trustee Okamura stated that it’s fortunate that Gilbane staff has been present at the meetings to answer questions. He asked Vice Chancellor Smith if he was happy with Gilbane’s work. Vice Chancellor Smith answered that he was very happy. Trustee Lind thanked Mr. Scott Jewel for the good work that Gilbane is doing for the district.

M/S/C (Lind/Okamura) to approve the renewal of Gilbane Building Company’s Measure G-2010 Program/Construction Management (PM/CM) Services Contract for Fiscal Year 2012/2013.

12 **MASTER AGREEMENT BETWEEN SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT AND LPAS, INC.**

Vice Chancellor Smith stated the Board has already been provided information about the LPAS master agreement for services on the Physical Education Complex at San Jose City College as part of Measure G-2004. It is now being submitted for formal approval of the Board.

M/S/C (Dhillon/Lease) to approve the Master Agreement between San Jose-Evergreen Community College District and LPAS, Inc.

13 **BOARD OF TRUSTEES RESOLUTION IN SUPPORT OF ASSEMBLY BILL 1741 (FONG)**

Chancellor Cepeda reported that AB 1741 was written by Assemblymember Paul Fong so that community college districts would be provided financial assistance to cover the costs associated with implementing SB 1456. She recommended the Board approve Resolution 061212-4.

M/S/C (Okamura/Cruz) to approve Resolution No. 061212-4 in support of AB 1741 (Fong).
14 **SUB-CONTRACT FOR CHILD CARE – CALIFORNIA DEPT. OF EDUCATION CONTRACTS**

President Fuentes abstained from participating in the vote because of her work association with St. Elizabeth’s Day Home.

Vice President Greg Nelson stated that San Jose City College has reviewed other potential subcontractors and determined that St. Elizabeth’s Day Home is the most qualified to perform these services. The arrangement is that they are taking in the children of our students and billing us later. He recommended the Board renew its contract with St. Elizabeth’s Day Home.

M/S/C (Dhillon/Okamura) to approve the contract not to exceed $315,781 to sub-contract the State Department of Education Grants to St. Elizabeth's Day Home. Trustee Fuentes abstained.

### I. INFORMATION AGENDA

#### 1. STATE OF THE DISTRICT

Chancellor Cepeda reviewed her performance objectives, accomplishments and challenges of the past year. She started with her main challenges of dealing with budget cuts that required the district to implement a reduction in force, accreditation issues, redistricting, State Chancellor’s Office Student Success Task Force recommendations and how they impact our students and the reduction of Summer School. She provided an overview of her performance objectives established by the Board of Trustees and vetted by the District Council: strategic planning and goals, regular review of board policies, district reorganization, development of strong executive and management teams, accountability indicators for college presidents, responding to shared and college accreditation concerns, resource development through public/private partnerships, developing a district culture of civility and mutual respect and professionalism, implementing and strengthening an emergency response team, and bond management and oversight. Chancellor Cepeda discussed her accomplishments in each of these areas. She stated the importance of creating a culture of civility. In moving toward that goal, she has scheduled civility training at the upcoming July 13, 14th off-site planning meeting and will work toward providing this training for all members of the district. She has put in place a permanent executive management team and created the Vice Chancellor Workforce, Economic and Resource Development, to increase funding, strengthen the district’s Foundation, and build partnerships in the community. The upcoming “Bridge to the Future 2012” Foundation event on August 16 is an important step toward building community partnerships and receiving critical funding for our students. She has added six new Classified positions since last year. She has increased her 1:1 meetings with constituency leaders to keep them informed, receive their input and listen to their concerns. She has supported and participated in the CSEA Job Shadowing Exercise and she highlighted the District-wide involvement in Emergency Preparedness Response training. She has required college presidents to provide a set of performance objectives that directly align with her own objectives and agreed on a set of training and development opportunities to support their development. She has strengthened the research area through the
hiring of Dr. Tamela Hawley. Of course, all these achievements required the hard work and commitment of all the members of the district. Chancellor Cepeda thanked everyone for supporting her in the many accomplishments that have taken place during the year.

Trustee Lease stated that “a picture tells a thousand words,” and thanked the Chancellor for her inspiring presentation.

2. LEGISLATIVE REPORT

Chancellor Cepeda distributed a binder to the Trustees to assist them in their legislative advocacy efforts. She thanked Rosalie Ledesma, Executive Director of Government and External Affairs, for compiling this helpful information.

3. ACCREDITATION UPDATE REPORT

EVC President Yong provided an update on course reviews and SLO’s. He reported that 20 additional course outlines would be updated by early September. The SLO coordinator for EVC had a family emergency and the summer retreat that was originally planned needed to be postponed. However, it is a work in progress that’s been posted online for campus community input.

SJCC President Kavalier reported the college’s strategic planning committee and accreditation team met to advance their work in developing and evaluating a strategic planning process. Four students participated in the meeting. A first draft of the accreditation college recommendations has been completed, and the goal is to have the final draft completed by the July 1.

4. PRESENTATION – LATINA LEADERSHIP NETWORK

Ms. Blanca Ezquerro, President, SJECCD Latina Leadership Network Chapter, provided an update on fundraising activities and the 25th Annual LLN Conference, which was held March 1-3, 2012. The LLN awarded ten student scholarships of $500 to Latina students currently attending California Community Colleges. Students Jessica Diaz, Sandy Moreno, and Isabel Macias thanked the LLN for their awards. The 4th Annual Latina Leadership Network Golf Tournament, coordinated by Josie Gutierrez, will be held on Saturday, June 23.

5. MEMORANDUM OF UNDERSTANDING – UNIVERSITY OF PHOENIX AND EVERGREEN VALLEY COLLEGE – 1ST READING

Item was pulled from the agenda.

6. SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FOUNDATION REPORT ON “BRIDGE TO THE FUTURE” EVENT

Interim Vice Chancellor Coen provided an update on the Foundation’s Bridge to the Future event, which will be held at the San Jose Athletic Club on Thursday, August 16 at 12:30 p.m. Keynote speakers include Carl Guardino, CEO of the Silicon Valley Leadership Group and Chancellor Cepeda. As public/private partnerships have
become very popular due to the economy, this event is an important step for the district in securing these partnerships. This fundraising effort can only be successful as we all work together to make it happen. Trustee Dhillon asked everyone to help out in some way. We need events like this to connect with our community.

7. **BOARD POLICY CHAPTER 5 STUDENT SERVICES REVIEW OF DRAFT DOCUMENT**

Chancellor Cepeda stated this policy is being submitted to the Board for a first reading. She stated the review of board policies is currently on track with the schedule the Board had approved. This policy will come back to the Board for approval at the July 10 meeting.

J. **CONTINUATION OF CLOSED SESSION**

Yes

K. **RECONVENE OPEN SESSION**

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

None.

L. **ADJOURNMENT**

The meeting adjourned at 11:00 p.m.

______
Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Fuentes called the Special Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, June 19, 2012, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA, 95135.

Board Members Present:
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Ms. Mayra Cruz
Mr. Ron Lind

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Dhillon/Tanaka) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957 (b))
E. RECONVENE INTO OPEN SESSION

1. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.

2. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

J. ADJOURNMENT

The meeting adjourned at 8:56 p.m.

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Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Fuentes called the Special Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, June 26, 2012, at 4:30 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA, 95135.

Board Members Present:
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Ms. Mayra Cruz
Mr. Ron Lind

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Tanaka/Lease) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
(Government Code Section 54957 (b))
Title: College Presidents’ contracts

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54959 (b))
CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Government Code Section 54956.8)  
Property: 3180 Newberry Drive, San Jose, CA, and 1922 The Alameda, San Jose, CA  
District’s Negotiator: James Eller, Attorney at Law, Eller & Associates  
Names of Negotiating Parties: Owners of the properties  
Under Negotiation: Price & Terms of Payment

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:20 p.m.

Board Members Present:  
Mr. Balbir Dhillon  
Ms. Maria Fuentes  
Dr. Jeffrey Lease  
Mr. Randy Okamura  
Mr. Richard Tanaka

Board Members Excused:  
Ms. Mayra Cruz  
Mr. Ron Lind

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Tanaka/Okamura) to approve the agenda as submitted.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Lease/Dhillon) to approve the Consent Agenda as submitted.
2. **MANAGEMENT PERSONNEL ACTIONS - REGULAR**

   The Board approved the Management Personnel Actions as submitted.

3. **CLASSIFIED PERSONNEL ACTIONS**

   The Board approved the Classified Personnel Actions as submitted.

4. **HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS**

   The Board approved the Hourly, Student Work & Volunteer Personnel Actions as submitted.

G. **ACTION AGENDA**

1. **STRATEGIC TECHNOLOGY INFRASTRUCTURE SERVICES SELECTION**

   Chancellor Cepeda stated the Board requested she bring back the contract with annual approval of the contract including termination clauses for non-performance. The Board also wanted a clear set of deliverables, including a timeline for when those would be achieved. She reviewed the deliverables that would be accomplished in the first 120 days.

   Trustee Dhillon stated he didn’t like the contract as written because he felt it was not what the Board requested at the last meeting with yearly approval. Chancellor Cepeda answered that the RFP stated the contract was for three years with annual renewal subject to Board approval. If the district changes the RFP, it will be subject to liability. The contract as presented does address the board’s interest in annual review and approval but it also has to adhere to the RFP wording which establishes a three-year time period for the work to be completed by the contractors. She noted that the contract states the Board has the right to end the contract based on non-performance. Peter Fitzsimmons, Director of Fiscal Services, stated that he received legal opinion which confirmed the district needs to abide by the length of the contract indicated in the RFP. Trustee Okamura inquired when the Board had approved the RFP. Chancellor Cepeda answered that RFP’s are a management tool developed through an internal review process at the district. She also noted that RFPs approval has not been part of past board policy. Trustee Okamura expressed concern that the Board was not included in the technology planning process. Chancellor Cepeda reminded the board of their involvement in the findings from the IT assessment presented to the Board at their December meeting, which identified the components that would form part of an RFP for the development of the IT Infrastructure. Trustee Fuentes commented that there were items contained in the RFP that were not included in the contract. She asked what the timeline would be if the district went out with another RFP. Mr. Fitzsimmons answered that it would take about two or three months to complete the process. Chancellor Cepeda added that starting the process anew would seriously endanger the ability of the colleges to meet critical accreditation timelines. President Kavalier confirmed the critical timelines in place and confirmed the importance on the development of a Strategic Technology Plan to the accreditation process. Trustee Dhillon continue to express
concern that the contract was unclear about how it would be terminated if the performance objectives were not met. Trustee Okamura asked Trustee Dhillon what he would need to see in the contract that would make him comfortable with approving it. He answered that he would need the language stated in the RFP added to Section 9, which contains the conditions for termination of the contract. Mr. Fitzsimmons stated the motion to approve the contract can add the language “as contained in the RFP.”

M/S/C (Okamura/Lease) to award a contract not to exceed $517,452 annually to CampusWorks for strategic technology infrastructure services for a period of three years, subject to determination of satisfactory performance annually by the Board of Trustees commencing July 1, 2012, with the right to terminate the contract as contained in the RFP. Trustee Fuentes voted no.

H. CONTINUATION OF CLOSED SESSION

Yes

I. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None

J. ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Fuentes called the Special Meeting of the Governing Board of the San José/Evergreen Community College District to order on Saturday, June 30, 2012, at 2:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA, 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Rón Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

1. INFORMATION ON PUBLIC COMMENTS AND DISABILITY ACCESS

This information was provided in the board agenda.

2. PLEDGE OF ALLEGIANCE

President Fuentes led members of the audience in the Pledge of Allegiance.

3. ADOPTION OF THE AGENDA

M/S/C (Cruz/Lease) to approve the agenda as submitted.

B. ACTION AGENDA

1. DISTRICT STRATEGIC PLANNING PROCESS

Trustee Okamura provided an overview of the strategic planning process, and although strategic plans are easy to develop, implementation is not. He explained why strategic plans are important. He also discussed how the goals of the district, one of which is to achieve a climate of civility, is crucial to the strategic plan. Trustee Lease discussed the important of using common themes to develop a strategic plan for the Board that would align with the plans instituted at the colleges.
Trustee Cruz discussed the importance of the Board developing vision, mission and values statements that would be recognized and implemented district-wide. The mission answers why we exist. The vision answers what we strive to be. The values answer what we believe in. The Board discussed their stated values of Opportunity, Equity and Social Justice are determined they are still appropriate for the district. The Board then worked to develop draft vision and mission statements that would be sent to the district community for review and input. Trustee Cruz led the Board members in an exercise where each Board member wrote their vision statements, and she incorporated those into one final draft statement, which is: By 2017, SJECCD will become the premier institution for advancing opportunity, equity and social justice for everyone through educational excellence. She conducted the same exercise for the draft mission statement, and the Board approved the following: As a leading educational institution, the mission of SJECCD is to meet the diverse educational and workforce needs of our community. The meeting notes the Board used to develop the mission and vision statements are attached to these minutes.

Trustee Okamura stated the Board’s goals are combined with the Chancellor’s goals. He stated the Board further work on its goals with the assistance of Rosalie Ledesma. The draft will be sent out, and the Board will hold a study session to review them. The draft strategic plan will be sent to the District Council for review and recommendations. By November 16 the Board will review the proposed changes and recommendations. In Spring the Board should have received the final definition of student success from the district. The goal is for the Board to formally adopt the mission and vision statements at the November 18, 2012, Governing Board Meeting.

Trustee Okamura thanked Executive Director Rosalie Ledesma for her hard work in putting together the materials that were used in the meeting.

M/S/C (Lease/Tanaka) to approve a process for a District Mission, Vision and Strategic Plan which includes constituent input. Trustee Cruz was not present for the vote.

C. ADJOURNMENT

The meeting adjourned at 4:25 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the Governing Board Meeting  
July 10, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, July 10, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135, and Calle 7-H43, Urb. El Conquistador, Trujillo, Puerto Rico 00976.

Board Members Present:  
Ms. Mayra Cruz – participated via teleconference  
Mr. Balbir Dhillon  
Ms. Maria Fuentes  
Dr. Jeffrey Lease  
Mr. Randy Okamura  
Mr. Richard Tanaka

Board Members Excused:  
Mr. Ron Lind

B. APPROVAL OF CLOSED SESSION AGENDA

M/S (Okamura/Tanaka) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Government Code Section 54957(b))

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
(Government Code Section 54956.9 (c))
E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Ms. Mayra Cruz – participated via teleconference
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka
Mr. Mike Casas
Mr. Shawn Sieu-Nguyen

Board Members Excused:
Mr. Ron Lind

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

After the Pledge, M/S/C (Tanaka/Okamura) to approve Resolution No. 071012-2 to excuse Trustee Ron Lind from attending the July 10, 2012, Governing Board Meeting due to a work-related conflict.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Fuentes – aye
Trustee Lease – aye
Trustee Cruz – aye

Advisory votes:
Student Trustee Sieu-Nguyen – aye
Student Trustee Casas - aye

2. ADOPTION OF AGENDA

M/S (Lease/Dhillon) to approve the agenda as amended:

A change was made to the Consent Agenda.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Fuentes – aye
Trustee Lease – aye
Trustee Cruz – aye

Advisory votes:
Student Trustee Sieu-Nguyen – aye
Student Trustee Casas - aye

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There was no report from the Closed Session meeting.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.

5. APPROVAL OF THE JUNE 12, JUNE 19, JUNE 26 AND JUNE 30, 2012, GOVERNING BOARD MEETING MINUTES

M/S/C (Tanaka/Okamura) to approve the above listed meeting minutes.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Fuentes – aye
Trustee Lease – aye
Trustee Cruz – aye

Advisory votes:
Student Trustee Sieu-Nguyen – aye
Student Trustee Casas - aye

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S (Lease/Cruz) to approve the Consent Agenda as amended.

A correction was made to F-3-2a Classified Personnel, Separation, Retirement – The end date was changed to 8/1512.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Fuentes – aye
Minutes of July 10, 2012, Governing Board Meeting

Trustee Lease – aye
Trustee Cruz – aye

Advisory votes:
Student Trustee Sieu-Nguyen – aye
Student Trustee Casas - aye

2. MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management Personnel Actions as submitted.

3. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified Personnel Actions as amended.

4. HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS

The Board approved the Short-Term Hourly, Substitute, Professional Expert & Athletic Support Services, Student Assistant and Volunteer personnel actions as submitted.

5. DISTRICT BUDGET TRANSFERS AND REVISIONS

The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

6. RATIFICATION OF CONTRACTS AND PURCHASE ORDERS

The Board ratified the contracts and purchase orders for the period of May 10, 2012 through June 9, 2012.

7. EVERGREEN VALLEY COLLEGE – ASSOCIATED STUDENTS 2012-13 BUDGET

The Board approved the Evergreen Valley College Associated Students budget for 2012-13.

G. ORAL COMMUNICATIONS

a. Board of Trustees

Trustee Dhillon reported that the Punjabi Mela event at EVC on June 23-24 was very successful and made the Sikh community very happy. He thanked President Yong, Vice President Gee and EVC staff for their hard work and commitment in making this a special event.

Trustee Okamura reported on the work that was done at the June 30, 2012,
Special Governing Board where the Board reviewed its mission and vision statements and the preliminary work on the strategic plan. He asked members of the district community to review the board minutes that contain the work that was done. The Board developed a draft document, which will be reviewed district-wide. He commended the colleges for the work they have already done in their own strategic planning process. The goal is for the board and campus communities to develop strategic plans that are integrated. The Board’s goal is that in 10 years, the mission/vision/values statements and strategic plans will be the best document in the world.

Trustee Lease thanked the constituency representatives that are working hard to develop a student success policy for the district. The work that was done to develop a definition of student success has been amazing, as well as the commitment to move the district toward achieving success for all our students.

Student Trustee Sieu-Nguyen reported that EVC students are working on a mural, and there is a lot of commitment being shown towards this project. It should be finished by late August.

Student Trustee Casas congratulated Vice President Nelson and Vice Chancellor Coen for receiving a very important health grant. He reported that he will be attending a student trustee leadership workshop sponsored by the CCLC.

b. Chancellor

Chancellor Cepeda reported on the accreditation work being done at the district office regarding mapping functions. The questions being addressed include the functions and roles of the district office. The program review process has been constructive, and the goal is to make that information well known throughout the district. Chancellor Cepeda reported on the upcoming planning session on July 13-14, in which district representatives and leaders will receive training on items such as civility and shared governance.

Both college presidents are attending an AACC training conference for college presidents.

c. Presidents

EVC Vice President Aytch thanked Vice President Gee for the hard work he did in coordinating the Punjabi Mela event on the campus. Many members of the district contributed toward making this event successful. Vice President Aytch also provided an accreditation update. He stated a draft report covering five of the nine recommendations has been posted to the college website. He thanked Kim Garcia, Tamela Hawley and Rosalie Ledesma for their work in making this happen. There will be an upcoming retreat to finish the work on SLO’s.

SJCC Vice President Burns reported that SJCC, in collaboration with San
Mateo County Community College District, AACI and the Workforce Institute has received an innovation grant in the amount of $2,684,545. The name of the project is Patient Navigation Center, and SJCC will teach 12-15 member cohorts of Asian and Latino youth from East San Jose about customer service, medical interpreting, case management and patient self-care training. SJCC will also help retrain AACI nurses and social workers for PNC supervisory and advice positions. Summer enrollment – FTES is up 4% and headcount is up 12%. Vice President Burns reported that SJCC is in the process of creating a master draft of its Follow-Up Report and collecting documentation. The deadline for submitting individual college and shared recommendations was July 2. This summer SJCC will be creating a Handbook for Integrated Planning, Program Review and Resource Allocation. This will be included as an addendum to the Follow-Up Report that is due October 15.

d. Constituency Group Representatives

SJCC Associated Students Region IV Chuck Stevens reported that the Associated Students is in the process of transitioning into a student senate.

MSC President McKee reported that the newly elected MSCC executive council for 2012-13 is as follows: Lauren McKee, President, Romero Jalomo, Vice President, Keiko Kimura, Secretary, Kishan Vujjeni, Treasurer, Keith Aytch, Elaine Burns, Tammeil Gilkerson, Mark Gonzales, Takeo Kubo, Eileen Luna, and Alma Tanon.

EVC Academic Senate Narveson reported that EVC has chosen a new articulation officer to assist with the work on SLO’s. The new student mural at EVC is located outside his office and is becoming an impressive work.

SJCC Academic Senate President Heimler announced that the faculty executive council has been meeting bi-weekly to continue the accreditation work. Faculty has also been involved in the strategic planning committee.

FA President Yancey reported that the first student success seminar will be held by the South Bay Labor Council next month. He thanked VP Frank Espinosa for his work in putting the seminar together. Student success is all our business.

CSEA President reported her concerns that student workers continue to do the work of Classified employees. She thanked Vice Chancellor Garcia for working with CSEA on a sensitive issue.

H. ACTION AGENDA

1. MEASURE G-2010 BOND PROGRAM UPDATES, HIGHLIGHTS, SUMMARY REPORTS, CONTRACTS, AND PROJECT ASSIGNMENT AMENDMENTS

Mr. Joe Vela, Associate Principal, Director of Construction, Aedis Architecture & Planning Company, gave a presentation regarding EVC’s Central Energy Plant &
Police Station project. The plant will be using reclaimed water, which will pay dividends for the next nine years. It will have a high efficiency rate. Trustee Okamura asked about the security and safety of the police station and was assured that a safety barrier will be in place around the plant and police station. Trustee Tanaka asked if the police station had holding cells, and Mr. Vela answered that there is a location that can hold a witness before transferring them, but it’s not a holding cell.

Vice Chancellor Smith stated that at the last meeting, the Board had requested the district pursue two options for the District Office; to relocate at a separate location off-site or look for a location at Evergreen Valley College. Mr. Scott Jewel, Project Manager, Gilbane Building Company, reviewed the costs associated with both options and stated the cost to build at EVC would be much higher than finding an adequate building off-site that would need to be renovated to meet the needs of the District Office. He stated that the EVC facility master plan has no allocation for the District Office. There is also concern about the fault line located at EVC, which would make reconfiguring the land to allow for a new building much more difficult. Trustee Okamura inquired about the savings that could be incurred by using shared open work spaces that is a current business model. However, he stated he is still in favor of relocating the District Office off campus. Trustee Fuentes stated she would prefer the district build its own building, while at the same time staying within budget. Perhaps a portion of the 27 acres that’s already available can be used. She requested that this third option be presented to the Board at a future meeting. Trustee Dhillon expressed his concern about technology and the pros and cons of a new facility given the technology changes we will see in the future. Mr. Jewel stated he would continue the work of reviewing options and bringing more information to the Board at a later meeting.

Mr. Mark Miller, Project Manager, Gilbane Building Company, reviewed the Measure G-2010 Summary Report through June 30, 2012. Trustee Okamura inquired if the report can indicate which funds are encumbered once a project is started. Mr. Miller answered that the report shows the costs associated with the work Gilbane is doing. Trustee Okamura stated he really appreciated receiving the report and the fact that Gilbane staff has attended the board meetings to answer questions.

M/S/C (Lease/Okamura) to accept the information items and approve the action items, which include Contracts and Professional Service and Construction Change Orders.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Fuentes – aye
Trustee Lease – aye
Trustee Cruz – aye

Advisory votes:
Student Trustee Sieu-Nguyen – aye
Student Trustee Casas - aye

vii
2. **INTERAGENCY AGREEMENT – FOUNDATION FOR CALIFORNIA COMMUNITY COLLEGES STATE OF CALIFORNIA BAR SMOG REFEREE AND STUDENT TRAINING PROGRAM**

Chancellor Cepeda stated that this item is a continuation of a site license that has previously been in place, and there are no changes to the agreement.

M/S/C (Okamura/Tanaka) to approve a continuation of a site license to support the State of California BAR Smog Referee and student training program at Evergreen Valley College.

Roll call vote was as follows:

- Trustee Dhillon – aye
- Trustee Okamura – aye
- Trustee Tanaka – aye
- Trustee Fuentes – aye
- Trustee Lease – aye
- Trustee Cruz – aye

Advisory votes:
- Student Trustee Sieu-Nguyen – aye
- Student Trustee Casas - aye

3. **MOU BETWEEN COUNTY OF SANTA CLARA AND EVC TO PROVIDE TRADITION OF CARING PROGRAM**

Chancellor Cepeda stated the MOU between the County of Santa Clara and Evergreen Valley College to provide a Tradition of Caring Program assists new foster parents or adoptive parents through a series of at-home consultations and training sessions. Funding would be provided through the State Chancellor’s Office.

M/S/C (Lease/Dhillon) to approve the MOU between the County of Santa Clara and Evergreen Valley College to provide a Tradition of Caring Program.

Roll call vote was as follows:

- Trustee Dhillon – aye
- Trustee Okamura – aye
- Trustee Tanaka – aye
- Trustee Fuentes – aye
- Trustee Lease – aye
- Trustee Cruz – aye

Advisory votes:
- Student Trustee Sieu-Nguyen – aye
- Student Trustee Casas – aye

4. **REVISION TO AWARD OF CONTRACT FOR BID PROPOSAL #0514-12 FURNITURE AND EQUIPMENT FOR THE SJCC MULTI-DISCIPLINARY**
BUILDING AND CARMEN CASTELLANO FINE ARTS CENTER

Chancellor Cepeda stated that furniture and equipment to furnish the new Carmen Castellano Fine Arts Center at San Jose City College are currently being identified. There are minor changes to the last contracts list the Board has approved. The total is now $582,135.09. Trustee Okamura stated that although he would approve the item, he has concerns about using Staples since they are so expensive.

M/S/C (Tanaka/Lease) to revise the awarded contracts of Bid Proposal #0514-12 to the vendors as listed.

Roll call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Fuentes – aye
Trustee Lease – aye
Trustee Cruz – aye

Advisory votes:
Student Trustee Sieu-Nguyen – aye
Student Trustee Casas - aye

I. INFORMATION AGENDA

7. BOARD POLICY CHAPTER 5 STUDENT SERVICES – OFFICAL 1ST READ

Chancellor Cepeda stated this policy is being submitted to the Board for a first reading.

J. CONTINUATION OF CLOSED SESSION

Yes

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

L. ADJOURNMENT

The meeting adjourned at 8:13 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A. **CALL MEETING TO ORDER**

President Fuentes called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, August 14, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135.

**Board Members Present:**
Ms. Mayra Cruz  
Mr. Balbir Dhillon  
Ms. Maria Fuentes  
Dr. Jeffrey Lease  
Mr. Ron Lind  
Mr. Randy Okamura

**Board Members Excused:**
Mr. Richard Tanaka

B. **APPROVAL OF CLOSED SESSION AGENDA**

M/S (Lease/Lind) to approve the Closed Session agenda.

C. **PUBLIC COMMENTS ON CLOSED SESSION AGENDA**

There were no public comments.

D. **RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS**

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

**PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT**  
(Government Code Section 54957 (b))  
Title: College Presidents

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
(Government Code Section 54957(b))
E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Mike Casas
Mr. Shawn Sieu-Nguyen

Board Members Excused:
Mr. Richard Tanaka

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

After the Pledge, M/S/C (Lind/Okamura) to approve Resolution No. 081412-3 to excuse Trustee Richard Tanaka from attending the August 14, 2012, Governing Board Meeting due to illness.

2. ADOPTION OF AGENDA

M/S (Dhillon/Cruz) to approve the agenda as submitted.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There was no report from the Closed Session meeting.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Mr. Gary Cooper, CSEA employee, expressed concerns about his safety in working at the lake at Evergreen Valley College.

President Fuentes stated the Board could not discuss the item since it was not put on the agenda, but she would ask the Chancellor to look into the matter and provide information at the next meeting.

MSCC President Lauren McKee read a statement on behalf of the MSCC Executive Committee and leadership in which she thanked Chancellor Cepeda for addressing her performance goal to promote a district climate of civility, mutual
respects and professionalism. She thanked the Chancellor for holding an off-site retreat and providing training on civility.

5. **APPROVAL OF THE JULY 10, 2012, GOVERNING BOARD MEETING MINUTES**

M/S/C (Lease/Cruz) to approve the above listed meeting minutes.

6. **MILPITAS/SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT JOINT EDUCATION SERVICES CENTER UPDATE**

Chancellor Cepeda introduced Superintendent Cary Matsuoka, and stated that she is very impressed with Superintendent Matsuoka’s leadership in moving forward with the joint SJECCD/Milpitas Educational Center. She stated that from October 26, 2010 to January 11, 2011, a lot of work was done in determining what kind of center both institutions were looking for, and now both institutions are taking the necessary steps to finalize a Memorandum of Understanding (MOU) for approval at a future joint meeting of the MUSD and SJECCD Governing Boards. In 10-15 years this Center may evolve into a new community college.

Superintendent Matsuoka expressed thanks from the Board of Directors and residents of the Milpitas Unified School District. On September 11, 2012, both Boards will receive a draft MOU, which will be finalized and ready for approval at a joint meeting of both Boards on November 13, 2012. The MOU will include the timeline for ground breaking of the Center.

Trustee Lind thanked Chancellor Cepeda and Superintendent Matsuoka for moving this process along. He has been working on getting this Center in place since he ran for the Board in 2000, and at least the MOU will be signed before he ends his Board term. He will continue to keep an eye on the developments. He thanked all participants who have been working to make this a reality. Trustee Cruz thanked Chancellor Cepeda and Superintendent Matsuoka for their work in bringing access to students in Milpitas. Trustee Fuentes expressed her appreciation for all the work that has been done and will continue during the future planning process.

Chancellor Cepeda stated that at one point this was an EVC program. They had been the architect, but now the district, including Vice Chancellor Coen, has taken over the planning.

President Fuentes thanked Superintendent Matsuoka for attending the meeting.

**F. CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S (Okamura/Cruz) to approve the Consent Agenda as submitted.
2. **MANAGEMENT PERSONNEL ACTIONS**

   The Board approved the Management Personnel Actions as submitted.

3. **FACULTY PERSONNEL ACTIONS - REGULAR**

   The Board approved the Faculty Personnel Actions-Regular as submitted.

4. **CLASSIFIED PERSONNEL ACTIONS**

   The Board approved the Classified Personnel Actions as submitted.

5. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**

   The Board approved the Short-Term Hourly, Substitute, Professional Expert & Athletic Support Services, Student Assistant and Volunteer personnel actions as submitted.

6. **FACULTY PERSONNEL-EVC ADJUNCT**

   The Board approved the Faculty Personnel-EVC Adjunct personnel actions as submitted.

7. **FALL 2012 FACULTY REASSIGNED TIME – EVERGREEN VALLEY COLLEGE**

   The Board approved the Evergreen Valley College's faculty reassigned time for fall semester 2012.

8. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

   The Board ratified the contracts and purchase orders for the period of June 10, 2012 through July 9, 2012.

9. **DISTRICT BUDGET TRANSFERS AND REVISIONS**

   The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

10. **AGREEMENT – 2013 STATE CHANCELLOR’S OFFICE TAX OFFSET PROGRAM (COTOP)**

    The Board approved the contract with the State Chancellor’s Office for the District to participate in the 2013 Chancellor’s Office Tax Offset Program (COTOP.)

11. **REVISION #2 TO AWARD OF CONTRACTS FOR BID PROPOSAL #0514-12 FURNITURE & EQUIPMENT FOR THE SJCC MULTI-DISCIPLINARY BUILDING AND CARMENT CASTELLANO FINE ARTS CENTER**
The Board revised the awarded contracts of Bid Proposal #0514-12 to the vendors listed within the agenda item.

12. ACCEPTANCE OF DONATIONS TO SJCC BUSINESS & TECHNOLOGY DIVISION

The Board accepted the donations in the amount totaling $22,485.00 that were given to the SJCC Business & Technology Division in the Cosmetology, Dental Assisting and Laser departments for student use in the classroom laboratories.

13. EMERGENCY WORK DUE TO EVERGREEN VALLEY COLLEGE POWER OUTAGE

The Board approved the emergency work of Cupertino Electric, Inc. due to the Evergreen Valley College power outage.

G. ORAL COMMUNICATIONS

a. Board of Trustees

Student Trustee Casas reported on his attendance at the July 15 off-site retreat and the training he received on civility. On July 26 he and Chuck Stevens attended the White House Summit at Las Positas College, sponsored by the Department of Education. He also reported on student participation on the SJCC Strategic Planning Council. Student Trustee Casas announced that at the last CCLC meeting, he was elected as a member of the League’s Advisory Committee on Education Services.

Student Trustee Sieu-Nguyen reported he was happy to attend the district training retreat as it was an opportunity for him to learn about what the district is doing. A lot of students are unaware of what the district does and how it works, and he plans to assist students in understanding the key role the district plays in supporting students. He also announced his participation on August 15 in a panel for the College Connection Academy. The EVC ASG will be participating in a press conference to bring more awareness of the dangers of texting while driving. The mural project at EVC is almost complete and everyone is invited to look at the work done by students.

Trustee Lind announced that he was elected to the California Labor Federation.

President Fuentes reported on her attendance at the CSEA event in Las Vegas where Gary Cooper received a CSEA Employee of the Year award. Mr. Cooper gave a very powerful speech, and she spoke as well. The CSEA also presented a plaque to the district, which she requested it be hung in the District Board Room. President Fuentes stated the importance of appreciating the important work people do in support of schools.

Trustee Okamura stated he is very excited about the work the district is doing.
this year, including the workshop recently conducted regarding civility. Since this is his last year on the Board, he’s experienced both rewards and frustrations. However, he encourages the district to keep working on civility and to keep championing for students. This will be a tough budget year, especially if the tax initiative doesn't pass.

Trustee Dhillon reported on the tragic shooting event at a Sikh temple in Wisconsin on August 5. One person gave his life to save others. It was a very sad event. He attended a rally on August 9 at the State Assembly, which included Assemblymember Paul Fong. Congressman Mike Honda is committed to bringing change. Education is the answer that will provide the change. Our community needs to be trained in the beliefs and practices of the Sikh religion so that people don’t make the wrong judgments about the Sikh community.

b. **Chancellor**

Chancellor Cepeda reported that our district’s proposal to present its work on a definition of student success at the October 3 Research Planning Group conference has been accepted. We are working on finalizing the group of presenters for the conference, and the group to attend will come from the Student Success Constituency Group Task Force.

The SJECCD Foundation fundraising event, The Bridge to the Future, is scheduled for this Thursday. The is the Foundation’s first fundraising event which targets business and industry leaders to enlist their support, not only for the event itself, but also as future partners in meeting the educational needs of our community. Kudos to Vice Chancellor Coen, Foundation President Autumn Yong and staff for their outstanding work in organizing this event.

Chancellor Cepeda stated that hence the Board would receive a monthly report on the work being performed by CampusWorks. She asked Tamela Hawley, Executive Director RIE, to provide a brief status of what is happening in ITSS. Dr. Hawley reported that Dr. Mike Russell has been appointed as the Chief Information Services Officer (CISO) and will begin his work with the district on August 20. Next month Dr. Russell will begin providing the Board with monthly updates. Dr. Russell will begin working on establishing the district’s strategic technology plan. CampusWorks has provided a draft template, and Dr. Russell will begin working with the district and colleges to create a draft plan. The goal is to have this approved by the Board and in place prior to the accreditation site visit in October. During the next six months, Dr. Russell will work with the district in creating usable institutional reporting documents, and he will also assist us in creating effective ways for communication with students, which may include student email.

Trustee Okamura stated that he would like to see a State of the Art IT department. This is the way our district would be able to serve students. It’s important to see what Microsoft and AT&T are doing, and that should be reviewed from our users’ point of view.
Chancellor Cepeda reported that the written reports for accreditation shared recommendations 1, 5, and 6 have already been completed. The goal now is to communicate this information broadly, and she would be reporting this at the upcoming PDD at both colleges on August 30-31. On August 18 she and Vice Chancellor Smith and Fiscal Service Director Fitzsimmons will be participating in a teleconference with Dr. Barbara Beno to answer her questions regarding the district budget.

c. Presidents

EVC President Yong provided an update on accreditation. He stated the draft report has been written, although there will be updates added due to the continued work on SLOs. There will be substantial work done on SLOs during the upcoming PDD. President Yong also reported that Summer Session ended 40% below last summer's numbers, not all full-time faculty received an assignment; and EVC was unable to serve all the students. However, the feedback from students was very positive. So far, orientation is going very well. The College Connection Academy will be starting in the Fall.

SJCC President Kavalier stated the college is looking forward to welcoming back faculty to the campus, and PDD schedule for August 30-31 is now being planned. She also announced the naming ceremony of the Carmen Castellano Fine Arts Center on September 6 and invited everyone to attend. The ceremony will begin at 2:00 p.m. President Kavalier thanked Vice President Nelson and Faculty members Merylee Shelton and Jesus Covarrubias for their hard work in planning this very special event. SJCC has completed the final draft report for accreditation. Faculty are finishing up the editing on the five college representatives and will be working on the six shared recommendations next week.

d. Constituency Group Representatives

SJCC Associated Students Region IV Chuck Stevens stated the Associated Students at SJCC are moving towards becoming a senate so they will mirror the other community colleges across the state. A one dollar rep fee will be put in place to support the student legislature. A handbook will be provided as well as a panel discussion to explain how that fee will be used.

EVC Academic Senate President Narveson stated the first meeting of the Academic Senate will not be held until September. He reported that 68 students received grades in his summer school history class—an increase from the average 55 students he normally teaches. It was unfortunate his class had a waiting list in excess of 150 students. The accreditation committee is currently working on completing the SLOs, and the work will continue at PDD.

SJCC Academic Senate Vice President, Fabio Gonzales reported that faculty are working on the college’s strategic plan and also addressing issues regarding course catalogs and programs. Faculty is excited about the start of the new academic year.
FA Executive Director Hanfling stated the next two months are a battle for our lives. Politics is what working in the public sector is all about. The FA is working with the CSEA and community colleges to ensure that Proposition 30 passes. We are determined in fight against Proposition 32, which would take away our rights. So along with the excitement of a new school year, the faculty are working to ensure we have the ability to provide opportunity and access for our students.

CSEA President Tomisaka thanked President Fuentes for attending the CSEA 86th Annual Conference in Las Vegas and speaking on in support of Gary Cooper’s award as one of CSEA’s top 2012 Members of the Year.

H. ACTION AGENDA

1. MEASURE G-2010 BOND PROGRAM UPDATES, HIGHLIGHTS, SUMMARY REPORTS, CONTRACTS, AND PROJECT ASSIGNMENT AMENDMENTS

Mr. Scott Jewel, Gilbane Project Manager, stated the monthly report was provided to the Board for information. Trustee Okamura thanked him for the new format of the summary report. He also expressed appreciation for the contract awarded to a woman vendor in the Salas O’Brien contract. Trustee Okamura and President Fuentes recommended that the minority business report be presented to the Board each month.

Vice Chancellor Smith read each resolution included in H-1.

M/S/C (Lind/Okamura) to approve:

The selection of the firms listed in each group listed in Item H-B-1-a for issuance of a Master Agreement for Professional Services in their specialty for Measure G-2010 projects.

The selection of firms listed in Items H-B-1-b as pre-approved for their area of professional expertise on Measure G-2010 projects.

Issuance of a PAA to Salas O’Brien in the amount of $54,000 for the SJCC Phase 1 – Mechanical, Electrical, Plumbing and Fire Protection Upgrade Project.

Issuance of a PAA to Salas O’Brien in the amount of $42,580 for Utility Extension for new and existing buildings at SJCC.

Issuance of a PAA for design and construction phase services on the EVC South Campus Development Project to HMC Architects in the amount of $3,575,000.

Issuance of a PAA to Meyer Silberberg Land Architects for Landscaping Programming and Assessment Services at EVC in the amount of $322,770.

Issuance of a PAA to Salas O’Brien in the amount of $70,000 for EVC Phase I – Mechanical, Electrical, Plumbing and Fire Protection Upgrade Project.
Issuance of a PAA to Salas O’Brien in the amount of $180,000 for the EVC Phase 1 – 21 kV Electrical Upgrade Project.

Issuance of a professional service revision to Bellinger Foster Steinmetz Landscape Architecture in the amount of $5,330 for additional services related to the SJCC Track & Field Project.

Issuance of a Prime Contract Change Order OC Jones & Sons Inc. in the amount of ($27,596) for the SJCC Track & Field Project.

Issuance of Revision 1 to Marcy Wong Donn Logan Architecture in the amount of $84,993 for design and construction administration services for the SJCC New Theater & VocTech – Temporary Fitness Center Housing.

2. BOARD RESOLUTION NUMBER 081412-2 FOR LEASE-LEASE BACK PROJECT DELIVERY METHOD FOR THE SAN JOSE CITY COLLEGE NEW THEATER & VOCATIONAL TECHNOLOGY PROJECT

Chancellor Cepeda stated approval of the resolution is a validation action of an approval the Board had already given on July 10, 2012, authorizing the use of the Lease-Lease Back project delivery system for two Measure G-2010 projects, the San Jose City College New Theatre and Vocational Technology project and the Evergreen Valley College South Campus Development project.

M/S/C (Dhillon/Okamura) to approve Resolution Number 081412-2 for Lease-Lease Back Project Delivery Method for the San Jose City College New Theater & Vocational Technology Project.

3. 2015 INITIAL PROJECT PROPOSAL FOR THE ACACIA – ROBLE REPLACEMENT (ENGINEERING & APPLIED TECHNOLOGY) FOR SUBMISSION TO THE STATE CHANCELLOR’S OFFICE FOR CONSIDERATION FOR STATE FUNDING IN THE 2015 FUNDING YEAR

Vice Chancellor Smith reminded the Board about the presentation they received regarding the earthquake fault line beneath the Acacia and Roble buildings at EVC that was recently discovered to be active. As required by law, the District informed the State Chancellor’s Office and is submitting a proposal for state funding of 50% of the budget for the demolition and replacement of space.

M/S/C (Lease/Cruz) to approve the 2015 Initial Project Proposal for the Acacia – Roble Replacement (Engineering & Applied Technology) for submission to the State Chancellor’s Office for consideration for State funding in the 2015 funding year.

4. 2014 – 2018 FIVE YEAR CONSTRUCTION PLAN

Vice Chancellor Smith stated the District is required to submit this plan on an annual basis. President Fuentes inquired if the Milpitas Educational Center was included in this plan. Vice Chancellor Smith answered it is not yet in the plan because it needs to be determined if the Center would be included in SJCC or EVC plan. Once that is
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defined, it will be included.

M/S/C (Lease/Okamura) to adopt the 2014 – 2018 Five Year Construction Plan as required by the State Chancellor’s Office as a provision under Community College Construction Act (California Education Code Section 81800.)

5. **FACILITY RENTAL FEES**

Chancellor Cepeda stated the District has a need to periodically review its rental fees to determine whether or not we are in line with other districts in the area. That process has not been done for several years. Also, there was some concern about the consistency of our fees. Therefore, both colleges reviewed their rates and developed the fee schedule the Board is being asked to approve. The District will publish these rates so that information is readily accessible to the public. Vice President Gee stated he had reviewed the rates from other colleges, and our rates were the lowest. Therefore, the rates have been adjusted to the middle range of other colleges.

Trustee Dhillon stated his approval of having the fees published in a way that ensures fairness for everyone. We also need to find ways to encourage the community to use district facilities. Trustee Okamura inquired if security was paid by the public or if we provided security. Vice President Nelson answered that the colleges use their own security. There are 22 home football games scheduled, which will be provided by campus security. President Fuentes stated it is great the district has provided this information, which needs to be posted to our district website.

M/S/C (Lease/Cruz) to approve the facility rental fees effective September 1, 2012.

6. **CHAPTER 5 BOARD POLICIES (STUDENT SERVICES)**

Chancellor Cepeda reported that Chapter 5 Student Services has been reviewed by the district’s constituency representatives. She commended them for their hard work in moving it forward. It’s also important to note that approval of this chapter would ensure the Board achieves its goal of review 20% of its policies every year.

M/S/C (Dhillon/Lind) to approve Chapter 5 Board Policies (Student Services.)

7. **ST. ELIZABETH’S DAY CARE HOME SUB CONTRACT FOR CHILD DEVELOPMENT CENTER – CALIFORNIA DEPARTMENT OF EDUCATION CHILD CARE CONTRACTS**

Chancellor Cepeda stated that approval of this item ensures that St. Elizabeth’s Day Care Home receives the grant money provided by the State Department of Education. However, the district will conduct fiscal agent responsibilities and, therefore, will retain a portion of the funding for indirect costs.

M/S/C (Cruz/Lease) to approve the contract attached I order to sub-contract the State Department of Education Grants to St. Elizabeth’s Day Care Home. Contractor will receive $243,636 funding; campus will retain $10,121 for indirect costs. Trustee
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Fuentes abstained from the vote due to conflict of interest because she is a member of the Board of St. Elizabeth’s Day Care Home.

8. **CONTRACT FOR ST. ELIZABETH’S DAY HOME – 2012-2013 FACILITIES RENOVATION REPAIR (FRR)**

Chancellor Cepeda stated the CA Department of Education has awarded $3,866 to St. Elizabeth’s Day Care Home to assist with maintaining a healthy, safe and accessible environment for children in the CDE program.

M/S/C (Okamura/Lind) to approve the award from the California Department of Education to San Jose-Evergreen Community College District for the fiscal year 2012-2013 Facilities Renovation Repair (FRR) funds. Trustee Fuentes abstained from the vote due to conflict of interest because she is a member of the Board of St. Elizabeth’s Day Care Home.

9. **CHILD DEVELOPMENT CONTRACTS AGREEMENT BETWEEN CALIFORNIA DEPARTMENT OF EDUCATION AND SJECCD**

Chancellor Cepeda recommended the Board approve the contract agreements for General Child Care California State Preschool Programs funds in the amount of $253,757, which will be subcontracted to St. Elizabeth Day Care Home to provide child care assistance to registered SJCC students.

M/S/C (Dhillon/Okamura) to approve the contract agreements between SJECCD and California Department of Education for fiscal year 2012-2013. This is a pass through contract to St. Elizabeth’s Day Care Home. Trustee Fuentes abstained from the vote due to conflict of interest because she is a member of the Board of St. Elizabeth’s Day Care Home.

I. INFORMATION AGENDA

1. **ANNUAL REVENUE FROM SURPLUS REPORT**

Chancellor Cepeda stated that district procedure AP 6550 requires the Board receive an annual report of sales proceeds. Therefore, the Board is receiving this information report.

J. CONTINUATION OF CLOSED SESSION

No.

K. RECONVENE OPEN SESSION

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

None.
L. ADJOURNMENT

President Fuentes requested a moment of silence on behalf of the victims of the Sikh Temple shooting on August 5, 2012.

The meeting adjourned at 8:28 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the Special Governing Board Meeting
August 22, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Special Meeting of the Governing Board of the San José/Evergreen Community College District to order on Wednesday, August 22, 2012, at 6:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA, 95135.

Board Members Present:
Ms. Mayra Cruz
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Mr. Balbir Dhillon

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Lease/Tanaka) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 6:00 p.m. to consider the following items:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957 (b))
E. RECONVENE INTO OPEN SESSION

1. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.

2. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

J. ADJOURNMENT

The meeting adjourned at 8:45 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
September 11, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, September 11, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S (Lease/Okamura) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
(Government Code Section 54957 (b))
Title: College Presidents

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957(b))

COMPLAINTS OR CHARGES AGAINST A DISTRICT EMPLOYEE
E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard K. Tanaka
Mr. Mike Casas
Mr. Shawn Sieu-Nguyen

Board Members Excused:
None

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S (Dhillon/Cruz) to approve the agenda as amended. Changes were made to the Consent Agenda

3. 6:00 P.M. PUBLIC HEARING ON THE FY2012/2013 ADOPTED BUDGET & TRANSFER OF FUNDING BETWEEN CATEGORICAL PROGRAMS

M/S/C (Tanaka/Cruz) to open public hearing.

There were no public comments.

M/S/C (Lind/Lease) to close public hearing.

4. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

President Fuentes read the following resolution as a report of the action taken by the Board in Closed Session:

SAN JOSE/EVERGREEN COMMUNITY COLLEGE DISTRICT
COUNTY OF SANTA CLARA, STATE OF CALIFORNIA

RESOLUTION NO. 09112-3
RESOLUTION REGARDING APPEAL OF ADMINISTRATIVE DETERMINATION

WHEREAS, the District timely investigated a complaint of discrimination made by a district employee against another district employee and determined the complaint to be unfounded; and

WHEREAS, the Complainant was advised of and exercised his right to appeal the District’s Administrative Determination to the Board of Trustees pursuant to Title 5, Section 59339, of the California Code of Regulations, including submission of a written appeal which was reviewed by the full Board; and

WHEREAS, the Board agendized this matter for closed session within forty-five days of the appeal, and in closed session reviewed and deliberated upon the appeal documents; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the San Jose-Evergreen Community College District in San Jose, California, this 11th day of September, 2012.

AYES in favor of this resolution: Trustees Tanaka, Lind, Lease and Dhillon.

NOES against this resolution: Trustees Cruz and Fuentes

ABSENT TRUSTEES: None

President Fuentes read a statement to the members of the San Jose-Evergreen Community College District as follows:

On behalf of the Board of Trustees and Chancellor Cepeda, I am announcing that the Board and Chancellor Cepeda have completed the Chancellor’s 2011-2012 evaluation. While the evaluation is confidential, both the Board and Chancellor Cepeda have supported transparency regarding the evaluation process. Consistent with our mutual interest in transparency, we have prepared this joint statement regarding the completion of the 2011-2012 evaluation.

First, and most importantly, the Board is unanimous in its recognition of Chancellor Cepeda’s many accomplishments this year, as well as her expertise, dedication and leadership during a particularly challenging time. We commend and thank her and look forward to her continued leadership of the District. In keeping with this favorable evaluation, an action item has been placed on the open session agenda to extend Chancellor Cepeda’s contract.

In addition, both the Board and Chancellor Cepeda wish to thank the members of the college community who participated in the 360 degree survey. We all found the responses informative and valuable. It is also our mutual hope that our approach to the Chancellor’s evaluation will reinforce at all levels of the District that the evaluation process is to be embraced as an opportunity for reflection and professional growth.
Finally, the Board would like to extend appreciation to Chancellor Cepeda and the community for their patience. We have put the time to good use by documenting and formalizing the process to ensure continuity and uniformity in subsequent years. We now have a process that should serve us well in years to come.

5. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Ms. Robin Salak, DSP Coordinator at Evergreen Valley College, stated that administration would not honor her equivalency appeal even though the Academic Senate has supported it, and they are supposed to have oversight. She requested the Board review this matter.

President Fuentes answered the Board cannot discuss this matter since it was not on the agenda.

6. APPROVAL OF THE AUGUST 14 AND AUGUST 22, 2012, GOVERNING BOARD MEETING MINUTES

M/S/C (Lease/Tanaka) to approve the above listed meeting minutes.

7. CALIFORNIA STUDENT AID COMMISSION EXECUTIVE DIRECTOR COMMENTS ON THE CALIFORNIA DREAM ACT

Chancellor Cepeda introduced Dr. Diana Fuentes-Michel, Executive Director, California Student Aid Commission, and stated she is one of the brightest minds when it comes to policies and strategies. She stated that the California Community Colleges system has been very late in its preparation for participation in the aid provided by the Dream Act, and our district is committed to ensure our students are able to receive the financial aid they so desperately need. Therefore, this afternoon, Dr. Fuentes-Michel and her team provided training for district administrators and staff on the California Dream Act and the process by which AB540 students can receive financial aid. She stated how impressed she was by the excitement showed by staff members and the questions they asked regarding the Dream Act. This is a first step in preparing administration to assist students in applying for financial aid in compliance with AB 130 and AB131.

Dr. Fuentes-Michel introduced Catalina Mistler, Chief of Program Administration and Services Division and Mr. Tae Kang, Manager of Grant Operations, and Mr. Robert Gama, Polanco Fellow, Interim. They gave a joint presentation on AB130, AB131 and the Dream Act online application process and demonstrated the differences between the FAFSA and CDAA applications. Students who are eligible for AB540 aid and have a social security number can complete the FAFSA application to establish financial need, and students without social security numbers can complete the CDAA (California Dream Act Application.) The Commission is very excited about the model they are trying to establish and how this will ensure that students who don’t have social security numbers will be able to receive financial aid.

Trustee Okamura thanked Dr. Fuentes-Michel for her presentation and inquired how students and parents will be informed of the process. Is the district prepared to
do the necessary outreach? Dr. Fuentes-Michel answered that the federal government has provided funds through the California Cash for College Programs, and the Commission will provide hands on help in how to fill out the FAFSA. Trustee Cruz inquired about the best practices and models for implementation of the Dream Act as it pertains to community colleges that would speed up the process for students. Dr. Fuentes-Michel answered that we are all breaking new ground and have invested $45K in bringing students to workshops to assist them in the application process. However, the CCLC just provided guidelines last week. The high schools don’t have the resources and have about one counselor for 1200 candidates. The Commission has set up a system by which the application can take place through one process. President Fuentes inquired about how the district would be able to do this work and how it would be funded. Dr. Fuentes-Michel answered that the Commission has a road map to ensure that every high school in California is served. Once an eligible student fills out a FAFSA or CDAA application they can receive financial aid. But it’s important to get on television and the radio and talk about the Dream Act. In addition, Cash for College workshops are conducted in English, Spanish and is now being translated into other languages. The Commission will also work with local project directors to ensure that webinars are conducted in high schools.

Chancellor Cepeda stated that the California Community Colleges system did not establish guidelines until September 6, and the CSU and UC systems are way ahead of us. She thanked Dr. Fuentes-Michel for preparing our district to ensure we are ready to move ahead with this important financial aid available for our students.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S (Lease/Cruz) to approve the Consent Agenda as amended.

F-3 – Classified Personnel Actions – 2. Change of Status – a. Retirement – 5% for shift differential was changed to 2.5%.

F-5 – Hourly, Student Work & Volunteer Personnel Actions – 1. Employment a. Short-Term Temporary – TBD – Dean of Counseling – was removed from the Consent Agenda.

Trustee Okamura requested that any changes in the future be identified on the revised BoardDocs copy in redlined format so Board members could easily identify the corrections.

2. MANAGERS AND SUPERVISORS PERSONNEL ACTIONS

The Board approved the Managers & Supervisors Personnel Actions as submitted.

3. FACULTY PERSONNEL ACTIONS - REGULAR

The Board approved the Faculty Personnel Actions-Regular as amended.
4. **CLASSIFIED PERSONNEL ACTIONS**

The Board approved the Classified Personnel Actions as submitted.

5. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**

The Board approved the Short-Term Hourly, Substitute, Professional Expert & Athletic Support Services, Student Assistant and Volunteer personnel actions as amended.

6. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

The Board ratified the contracts and purchase orders for the period of July 10, 2012 through August 9, 2012.

7. **WORKFORCE INSTITUTE – WIA WORK2FUTURE WORKSHOP CONTRACT**

The Board approved the 2012-2013 WIA Workshops contract.

8. **CTE TRANSITIONS GRANT 2012-13**

The Board approved the 2012-2013 Career Technical Education Grant.

G. **ORAL COMMUNICATIONS**

a. **Board of Trustees**

Student Trustee Casas reported on the book grants provided to students and his attendance of the August 28 student trustee workshop in San Francisco.

Student Trustee Sieu-Nguyen reported on his joint meeting with President Yong where EVC students can ask any questions and the Club Rush event where each club can have a table where students can receive information.

Trustee Lease commended the Foundation for the excellent Bridge to the Future event. He also attended the naming ceremony at SJCC for Carmen Castellano. He thanked the students for provided her with flowers in expression of their appreciation for her work and support of SJCC.

Trustee Cruz stated she also attended both events, and commended the staff for the excellent presentation and turnout. She also attended portions of both colleges PDD events and was very impressed with the work being done at the campuse.

Trustee Okamura stated how impressed he was with how engaged student leadership is. He commended them for being very well dressed and how Board members can learn from their examples. He also announced that AT&T will host an event entitled, “Texting Can Wait.”
Trustee Dhillon stated the Foundation's Bridge to the Future was a great event, and there is a lot of excitement from the Sikh community, who is working to establish a $50K/yr. scholarship fund.

b. Chancellor

Chancellor Cepeda commended Vice Chancellor Coen and staff members for their excellent work in organizing the Bridge to the Future event. The event exceeded its fundraising goals, and the event came under budget. It was amazing successful for a premier event. The main goal was to connect our district with the business community and make our case that we are interested in partnering with them. The naming ceremony at SJCC reminded us that buildings have souls.

c. Presidents

EVC President Yong announced that EVC is scheduled to have rewiring done to the campus, and the timeline required is approximately 3 ½ to 4 weeks. EVC is currently reviewing options, and the Board will receive its recommendation at the next board meeting. The goal is to ensure student support services are adequately provided during the campus shutdown that would be required. PDD was well attended. The College Connection Academy has started at EVC, and we welcome the Franklin-McKinley School District participants. Students were introduced to the concept of college very early, and the Academy closes the loop as we will assist them in transitioning to San Jose State University. On September 27-28 the college will participate in Active Shooter Training. We hope we will never have to use our training, but it’s important for the college to prepare for any and all emergencies.

SJCC President Kavalier expressed how encouraged she has been with student participation in the accreditation process. The naming ceremony at the Multidisciplinary and Carmen Castellano Fine Arts Building was very successful and well attended by campus and community members. President Kavalier thanked President Fuentes and Trustees Cruz and Lease for attending the event. She also thanked Vice President Nelson and faculty members Jesus Covarrubias and Merylee Shelton for their work in coordinating the event.

d. Constituency Group Representatives

SJCC Associated Students Region IV Chuck Stevens reported that SJCC will conduct workshops to explain the $1 rep fee and how those funds would be used. AS leaders are currently considering a new constitution and bylaws so that they can transform into a student senate.

MSCC President Lauren McKee reported that MSCC Executive Council and the handbook committee are working very hard to review its policies. She also thanked Chancellor Cepeda for her efforts to create a climate of civility throughout the district.
EVC Academic Senate President Narveson reported on his attendance at the Bridge to the Future Foundation event, and he engaged in a discussion with the producer for NBC News and discussed how community colleges worked. Overall, it was a very impressive event. PDD was valuable and produced a lot of SLO assessment work.

SJCC Academic Senate President Heimler was encouraged by the renewed excitement and positive attitude throughout the campus. He thanked President Kavalier for her ability in getting the faculty, administrators and students to attain a new level of cooperation. He stated there are many issues currently being reviewed by the Senate, including reviewing the district technology plan and reassigned time hiring policies. There are also issues regarding faculty equivalencies.

FA President David Yancey reported that 45 students attended the AFT convention and were on stage—a very exciting event for them. He thanked Trustee Cruz for attending the convention. He also enjoyed attending the naming ceremony in honor of Carmen Castellano, who was a former secretary for the FA. Even after the lottery, she stayed at her position until her replacement was found.

CSEA President Tomisaka reported on the South Bay Regional Council meeting and the phone banking the CSEA is doing regarding the upcoming election.

**H. ACTION AGENDA**

1. **FORMAL ACTION TO APPROVE BOARD POLICY REVIEW PROCESS**

   Chancellor Cepeda announced the Board has achieved its goal of reviewing 20% of its policies this year. However, in order to fully document the process and in compliance with Accreditation Findings, the Board also needs to approve a process by which the policies were reviewed this year and to establish this as the formal procedure for to be used subsequently in an annual basis. She recommended the Board approve the process detailed in the flow chart submitted.

   M/S/C (Tanaka/Dhillon) to approve the board policy process to review board policies on a regular basis.

2. **FISCAL YEAR 2012-2013 ADOPTED BUDGET**

   Vice Chancellor Smith reported the actual ending fund balance for FY2011-2012 was approximately $7.6 million, 10%. He stated the expenditures district wide fell within the 1-2% standard variance, which is a positive achievement. Vice Chancellor Smith reviewed the FY2012-2013 adopted budget and projected an ending fund balance of $6.8M, 8.9%. The budget is balanced using one-time adjustments from a Bookstore transfer, plus enrollment strategies and defunded positions as well as ongoing savings from statutory benefits, health benefits, OPEB refinancing and growth revenue. Some major assumptions include the passage of Proposition 30, no COLA, 1.11% growth, 1% deficit factor, increase of enrollment.
fees from $36-$46, parking permits increase from $40 to $45, daily permits increase from $2 to $3, and a health fee increase from $17 to $18. Vice Chancellor Smith reviewed the scenario that if Proposition 30 does not pass, SJECCD would become the fifth Basic Aid community college district in California, an estimated loss of approximately $400K.

Vice Chancellor Smith thanked the District Budget Committee for their excellent work and Fiscal Service Director Fitzsimmons for his attention to the budget details.

President Fuentes thanked Vice Chancellor Smith and his team for their hard work in developing the budget. Trustee Lease expressed his appreciation for the detailed analysis regarding what would happen if the district became a Basic Aid District. Trustee Lind discussed the pain the Board goes through when it makes decisions to cut important programs and reduce staff in order to avoid falling below the required reserve; however, it seems that every year the district ends up with a higher balance than projected. Trustee Cruz stated that what the district does with its money impacts students and their educational experience. We need to remember it’s not just dollars but lives. What about those students we couldn’t enroll this summer? Will they come back this Fall? She also expressed concern about the Bookstore hours and suggested they be kept open for longer hours during the first two weeks of classes. Trustee Tanaka expressed concern that the district is often too conservative, and a lot of people are affected in this process. Chancellor Cepeda thanked Vice Chancellor Smith and the Board for its work in ensuring the district is fiscally sound. We learned during a conference call with accreditation that the district was weeks away from being placed on fiscal warning, but our ability to maintain a 7% reserve along with showing evidence of the steps we have taken helped us. It’s important to note that a 5% reserve is just one month of operating expenses for the district. Trustee Okamura stated the district will have budget challenges in the future and needs to consider the way it does its business. What will it take to get to an ideal situation; what model can the district use to achieve what it wants to achieve?

President Fuentes inquired about the transfer of funds from the Workforce Institute to the district. She commented that the Workforce Institute was established to make money for the district and not to be an independent entity. She appreciated the work that was done on the part of district leadership to stabilize its budget, but it’s important to note that students have been negatively impacted by the decisions that were made.

M/S/C (Lease/Cruz) to adopt the Fiscal Year 2012-2013 budget as presented.

3. **MEASURE G-2010 BOND PROGRAM UPDATES, HIGHLIGHTS, SUMMARY REPORTS, CONTRACTS, AND PROJECT ASSIGNMENT AMENDMENTS**

Mr. Mark Miller, Gilbane Project Manager, reviewed the monthly report and provided updates.

Vice Chancellor Smith read each resolution included in H-3.

M/S/C (Lind/Tanaka) to approve:

Issuance of a Project Assignment Agreement to Underwood & Rosenblum in the amount of $99,000 for topographic survey services at Evergreen Valley College.
Issuance of a Purchase Agreement to Portable Facilities Leasing in the amount of $186,700 for purchase of portable buildings for Police interim housing and Measure G-2010 construction management offices at Evergreen Valley College.

Issuance of a Lease Agreement to Portable Facilities Leasing in the amount of $72,000 for portable buildings for fitness and weight room use per the terms of the attached agreement at Evergreen Valley College.

Issuance of a Project Assignment Agreement (PAA) to Sandis Engineering in the amount of $59,500 for the SJCC Campus Water System Mapping and Consolidation Project.

Purchase of the vehicles listed for Vehicles Replacement, Group 2 – Trucks and Vans in the amounts listed in the attachment.

4. RESOLUTION NO. 091112-1 - NATIONAL PREPAREDNESS MONTH

Chancellor Cepeda reported the district would be participating in emergency Live Shooter training and other activities in support of National Preparedness Month. She recommended the Board approve the resolution.

M/S/C (Dhillon/Tanaka) to adopt Resolution No. 091112-1 for the San Jose-Evergreen Community College District's participation in the September 2012 National Preparedness Month proclaimed by the Federal Emergency Management Agency.

5. RESOLUTION NO. 091112-2 – OPPOSITION TO PROPOSITION 32

Chancellor Cepeda reported that some of our district constituents as well as labor unions who are impacted have made strong opposition to Proposition 32. As a district, we want to recognize it for what it is—a wolf in sheep’s clothing. She recommended the Board go on record with its opposition.

M/S/C (Cruz/Okamura) to approve Resolution No. 0911-2 in opposition to Proposition 32.

6. CONTRACT MODIFICATION – CHANCELLOR

Trustee Lease made a motion that the Board of Trustees amend the Chancellor’s contract in the following ways, while leaving the rest of the contract terms remaining the same:

First, the contract will be extended for another year, with a new termination date of June 30, 2015.

Second, the Chancellor shall receive the 3.38% step increase consistent with the Board’s previous determination discussed last year in Open Session.

Third, the Chancellor’s vacation accrual cap will be increased from 320 to 400 hours.
M/S/C (Lease/Lind) to approve the amendment to the Chancellor’s contract as outlined.

I. INFORMATION AGENDA

1. TECHNOLOGY UPDATE

Dr. Mike Russell, CampusWorks CISCO, provided a Technology update. He reported on the status of the district technology plan, which is being reviewed and written by a special committee, whose members are part of the college’s technology committee. The draft plan is in the process of being reviewed by constituents and will be ready for review at the September 20 District Council Meeting. We are trying to get feedback from as many people as possible, and have heard concerns that some people feel they have not had enough input into the process. However, this document is just the beginning—it’s a live document that will change. We need to have a plan in place for accreditation purposes, but we will continue to update it.

Trustee Okamura recommended Dr. Russell to look into what is considered a state of the art plan. There are capabilities that are needed which don’t exist in this district. Technology is outdated in three months, and the district needs an ample training budget to keep up with it. Trustee Dhillon to Dr. Russell that the Board expects him to them, based on his expertise, what the district needs to do.

2. LEGISLATIVE UPDATE

Ms. Rosalie Ledesma, Executive Director of Governmental and External Relations, provided an update of legislative activity impacting community colleges. The Governor has not taken action on any of the 59 bills sent to him.

The California Community Colleges Student Success and Support Program Act of 2012 AB 1741 (Fong), was shut down in committee. This bill would establish the California Community Colleges Student Success and Support Program Act of 2012 to provide the necessary faculty counseling and instructional infrastructure at the California Community Colleges to ensure that students have the necessary access to support services and classroom instructors to increase their opportunities for success. The bill would require the board of governors each fiscal year to develop a plan for supporting the goals of the act and another related act that is consistent with the needs of individual districts and statewide policies regarding student success.

California Community Colleges: Board of Governors SB 1062 (Liu) which, under certain conditions, would authorize the board of governors to appoint a person vice chancellor or assistant vice chancellor was also shut down in committee.

3. EVC AND SJCC ACCREDITATION REPORTS – FIRST READING

EVC President Yong and SJCC President Kavalier provided a report on the draft accreditation reports.

President Yong and his staff provided an update of some of the actions that were
taken to address the following EVC Accreditation Recommendations:

Shared Recommendation No. 5 – Board Policy – 20% have been reviewed this year, which includes 2435.1 Evaluation of College Presidents, 5140 Disabled Students Programs and Services, 2715 Board Ethics, 4100.2 Foreign Transcripts, 4021.2 AT-T and AS-T Degrees, 4235 Credit by Examination, and Chapter 5 Student Services Policies.

2004 Recommendation No. 5 and 2010 Recommendation No. 2 - Student Learning Outcomes – New SLO Coordinator hired, 61% Courses, 41% Programs, 92% Student Support Areas have been accessed, PDDs devoted to SLO work.

2004 Recommendation No. 12 Technology – CampusWorks on board to assist with development of district technology plan, which will tie into EVC’s technology plan

2004 Recommendation No. 14 Resource Allocation – new VP of Administrative Services and work of Campus Budget Committee to prioritize resources

2010 Recommendation No. 4 – Course Outline of Record – 671 active courses reviewed 305 revised or activated.

2010 Recommendation No. 5 – Financial Evaluation and Total Cost of Ownership – Hiring of new EVC VP of Administrative Services and Executive Director of Research and Institutional Effectiveness, process established for evaluation of budgeting and other financial management systems.

President Kavalier and her staff provided an update of some of the actions that were taken to address the following SJCC Accreditation Recommendations:

College Recommendation No. 1 – Integrated Planning and Assessment – Created venues to communicate and disseminate information through new website, student success symposium and creation of Integrated Planning and Resource Allocation Handbook.

College Recommendation No. 2 – Program Review – Created Program Review Committee/Schedule/Handbook, process Improvements/data sheets/form, and alignment of program review to resource allocation and planning.

College Recommendation No. 3 – Student Learning Outcomes for courses and programs for Business and Technology, Language Arts, Math and Sciences, Humanities and Social Sciences, Kinesiology/Physical Education and Student Affairs are almost 100% completed. We did it!

College Recommendation No. 5 – Human Resources – All full-time and adjunct faculty, classified staff and administrator evaluation were conducted.

College Recommendation No. 6 – Facilities Resources – Developed TCO (Total Cost of Ownership) process and adopted formula for calculating TCO, Gilbane conducted complete assessment of facilities, date entered in FUSHION database and college procured the ARCHIBUS System to assist with analyzing space allocation and maintenance of physical assets and inventory.

Shared Recommendation No. 1 – Research and Evaluation – Steps were taken to expand research capacity through the hiring of Executive Director of RIE, research analyst and Dean of Research, Planning and Development, created Research and Institutional Effectiveness Handbook and fact book, and purchased TracDat software and tools such as Hyperion and ArcView, launched new websites, incorporated program review into district functions.

Shared Recommendation No. 5 – Board Governance: Policies – Reviewed by President Yong in his presentation.

Shared Recommendation No. 6 – District/College Governance – Conducted district-
wide institutional effectiveness survey, put delineation of functions map on district website, held District Council retreat.

Trustee Lease congratulated both colleges on the excellent work they have done. He noticed, however, that EVC’s draft report was much smaller than SJCC’s because it seems that EVC imbedded a lot of links instead of attachments. He suggested that EVC add hard attachments instead of links as that would make it easier to read the report. President Yong thanked Trustee Lease for his input. Trustee Cruz congratulated both colleges for the extensive work they have done.

Chancellor Cepeda thanked Presidents Kavalier and Yong and their accreditation teams for all the hard work they have done. The reports are very well done and reflect the excellent work that has been done. The Board will receive the final reports for approval at the October 9 board meeting.

4. **MILPITAS UNIFIED SCHOOL DISTRICT/SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT JOINT EDUCATION SERVICES CENTER DRAFT MEMORANDUM OF UNDERSTANDING**

Chancellor Cepeda reported on the great relationship building between SJECCD and Milpitas Unified School District during the process of developing this MOU. At the last meeting, the Board received a joint presentation and was provided a timeline of events to get the program started. The attached draft MOU is being provided for a first reading and will be ready for Board approval at the October 9 meeting. This MOU represents a ground-breaking approach and is a great achievement for both districts. Chancellor Cepeda assured the Board that legal counsel has reviewed the document to ensure the district’s interests are protected.

Trustee Tanaka inquired about a clause being added to ensure the district investment of funds and property are dealt with properly if something should happen that would cause the joint venture to dissolve. Ms. Ann Kennedy answered that both parties have requested this clause, which is being developed by legal counsel. Chancellor Cepeda answered that a separation clause is already included in the agreement. Trustee Lind stated there is great excitement in the City of Milpitas and not just at the school district. He announced he will take a special flight back to ensure he is present at the signing ceremony. Trustee Fuentes stated it’s important for the Board to receive information about what the expectations are for the program over time.

**J. CONTINUATION OF CLOSED SESSION**

No.

**K. RECONVENE OPEN SESSION**

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

None.
L. ADJOURNMENT

The meeting adjourned at 10:50 p.m.

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Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
October 23, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, October 23, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Mr. Ron Lind

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Cruz/Tanaka) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
(Government Code Section 54957 (b))
Title: College Presidents

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.
Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard K. Tanaka
Mr. Mike Casas
Mr. Shawn Sieu-Nguyen

Board Members Excused:
Mr. Ron Lind

1. **PLEDGE OF ALLEGIANCE**

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. **ADOPTION OF AGENDA**

M/S/C (Okamura/Dhillon) to approve the agenda as amended: The Board added the recognition of Workforce Institute partners to the agenda.

Changes were made to the Consent Agenda.

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

There were no reportable actions.

5. **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

None

6. **APPROVAL OF THE OCTOBER 9, 2012, GOVERNING BOARD MEETING MINUTES**

M/S/C (Cruz/Okamura) to approve the above listed meeting minutes.

RESOLUTION TO EXCUSE TRUSTEE RON LIND FROM ATTENDING OCTOBER 23, 2012 BOARD MEETING

M/S/C (Tanaka/Lease) to approve Resolution No. 102312-1 to excuse Trustee Lind from the October 23, 2012, due to a work related conflict.
WORKFORCE INSTITUTE RECOGNITIONS

Chancellor Cepeda, Vice Chancellor Coen and Mr. Bill Dahl, Corporate Account Supervisor, recognized and presented plaques to the following community members:

Ms. Sandy Monsee, Training Specialist, County of Santa Clara, Employee Services Agency, was presented a 12 Year Workforce Development Partnership Award for entrusting Workforce Institute to serve as an extension of their Employee Development Department in providing professional development training to County employees.

Ms. Jennifer Grant, Workforce Development, Santa Clara Valley Water District was presented a 10 Year Workforce Development Award for entrusting Workforce Institute to serve as an extension of their Workforce Development Unit in providing professional development, leadership training, and coaching to District employees.

Mr. Alex Torres, VP of Community Relations, Wells Fargo, was presented a 5 Year Financial Education Partnership Award for investing in the financial education of underrepresented, at-risk, and economically disadvantaged students of San Jose City College and Evergreen Valley College.

President Fuentes congratulated the three recipients and commended them for their commitment to our students and community.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Cruz/Dhillon) to approve the Consent Agenda as amended.


F-2 Management Personnel Actions – 1. Classification Change – b. Re-designation of position to Academic Administrator – This item was pulled from the agenda.

2. MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management Personnel Actions as amended.

3. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified Personnel Actions as submitted.
4. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**

The Board approved the Short-Term Hourly, Substitute, Professional Expert & Athletic Support Services, Student Assistant and Volunteer personnel actions as submitted.

5. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

The Board approved the curriculum recommendation for the new course submitted by Evergreen Valley College.

6. **EMERGENCY WORK ON THE CHILLER SYSTEM AT SAN JOSE CITY COLLEGE**

The Board approved the emergency contract with ACCO Engineered Systems for the emergency repair of Chiller #1 and Chiller #2 at San Jose City College.

7. **MOUs – SILICON VALLEY STEPPING STONES GRANT PARTNERSHIP**

The Board approved continuation of the MOUs and accepted grant funding in the amount of $22,501 and $19,576 from the West Valley-Mission Community College District (WVCCD).

H. **INFORMATION AGENDA**

1. **WORKFORCE INSTITUTE’S 2011-2012 ANNUAL REPORT**

Vice Chancellor Coen introduced members of the Workforce Institute staff, and they gave a presentation on the achievements of the past year. Dr. Ingrid Thompson, Associate Director, provided an overview of funding opportunities the Workforce Institute is pursuing. Ms. Sangeeta Dural, Project Supervisor, reported on the WIA Adult and Older Youth programs. These programs reached all its goals in training, completion of program, and placement. Dr. Ingrid Thompson reported on the WIA Workshops Cisco/Solyndra Project, in which over 13,110 clients were served. Mr. Bill Dahl, Corporate Account Supervisor, provided an overview of new business development strategies and the success of the breakfast brief meetings being conducted with companies in the district. Mr. Jason Cameron, Project Supervisor, gave an update on the website and reported on WI's social media development. Ms. Lori Krouse, Business Services Supervisor, reviewed the historical financial achievements and contributions to the district. From FY2004 through FY2012, the Workforce Institute has approximately $2.1 million cash, funded, and In Kind cumulative contributions to the district.

President Fuentes thanked the Workforce Institute for their fantastic presentation. The Board is very proud of the contributions being made to the business and community members in our district. Trustee Okamura also congratulated the team for a job well done.

Chancellor Cepeda recognized the excellent work and enthusiasm of the Workforce
Institute team. In particular, she commended Vice Chancellor Coen for her strong leadership.

2. **ACCT STUDENT SUCCESS AND LEADERSHIP CONGRESS REPORT**

Trustee Lease gave a presentation on his recent attendance at the Student Success symposium, which was held prior to the ACCT 2012 Annual Leadership Congress in Boston, MA, on October 8-9. There were approximately 80 to 100 educational leaders, including Trustees, college presidents and national experts in education. The purpose was to find ways to work collaboratively to identify the means by which we can all achieve higher college completion. Trustee Lease stated it was important for him to get a national perspective on the issues community colleges are facing today. It’s not about what we do as much as how well we do it, i.e. doing better with what resources we have. The role of Trustees is not just about bonds and projects—student success is really our focus. Trustee Lease discussed the Policy Action Agenda, the Completion Arch, Acting on Metrics and the Voluntary Framework of Accountability. He stated he was looking forward to the report of the work of the Board Committee on Student Success and the district constituents who have participated in this work. It’s not enough for students to have goals; it’s everyone’s responsibility to provide a pathway for student success. The Center for Community College Student Engagement (CCCSE) has reported that the number one thing students have stated they need the most is relationships. If they can name one connection on campus, that may be enough to keep them there. Other recommendations include: mandatory orientation, student success courses, stop late registration; instead, have late starting courses, learning communities by linking students to other mentors. There are many things we can do to affect student success in our district.

Trustee Cruz stated that the Achieving the Dream initiative also did some excellent ground work as well as the Equity Scorecard. It’s important that as well move forward we incorporate the excellent work that has been done. President Fuentes thanked Trustee Lease for his presentation and stated she is looking forward to the dialogue between our faculty, staff and students as we pursue our work on helping students succeed.

3. **TODAY IN AMERICA SHOW – VIEWING OF VIDEO SEGMENT ON THE SAN JOSE-EVERGREEN COLLEGE DISTRICT**

Chancellor Cepeda reported that the approved Today in American video segment of the San José-Evergreen Community College District being shown at today’s board meeting is a recognition and celebration of the collective work done by students, faculty, staff and administrators to produce an abundance of successful student stories. It reminds us of why so many of us have chosen to work in the community college system—to be a part of the important work in higher education that advances the educational and economic success of our local communities.

Today in America is a unique show hosted by Terry Bradshaw that’s geared toward an “educated and affluent” audience. The Show covers the best new practices and stories of various industries and has won numerous industry awards. Late last year, the Today in America Show contacted SJECCD after strong recommendation by the President of AACC to select our district to be showcased for its workforce
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leadership, particularly in programs like nursing, cosmetology, and the Workforce Institute’s workforce development solutions for the greater San Jose area. After our selection, a team of students, faculty, staff and administrators and show producers worked together for over nine months to produce the SJECCD story for viewing markets in the United States.

The SJECCD segment on the Today in America Show will air nationally and regionally over several months and in up to 15 different television markets. Notification of airing stations, times and dates is provided on a month-to-month basis as networks provide details.

J. CONTINUATION OF CLOSED SESSION

No.

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

L. ADJOURNMENT

The meeting adjourned at 7:55 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
November 13, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, November 13, 2012, at 4:30 p.m., in the Milpitas Unified School District Board Room, Building 500, 1331 East Calaveras Blvd., Milpitas, CA 95035.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura

Board Members Excused:
Mr. Richard Tanaka

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Lease/Dhillon) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)
Property: 40 South Market Street, San Jose, CA
District Negotiator(s): Mr. Jim Eller
Names of Negotiating Parties: Mr. Michael Speers
Under Negotiation: ( ) Price ( ) Terms of Payment (X) Both
E. **RECONVENE INTO OPEN SESSION**

The public session was reconvened at 6:00 p.m.

**Board Members Present:**
Ms. Mayra Cruz  
Mr. Balbir Dhillon  
Ms. Maria Fuentes  
Dr. Jeffrey Lease  
Mr. Ron Lind  
Mr. Randy Okamura  
Mr. Michael Casas  
Mr. Shawn Sieu-Nguyen

**Board Members Excused:**  
Mr. Richard Tanaka

1. **PLEDGE OF ALLEGIANCE**

MUSD Board President Daniel Bobay led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. **JOINT SIGNING CEREMONY OF MOU BETWEEN MILPITAS UNIFIED SCHOOL DISTRICT AND SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT**

President Bobay welcomed the audience to the ceremony in which both Board of Trustees would sign the MOU between the two districts. He welcomed public comments.

Mr. Rudy Nasol, SJECCD Trustee Elect for District Area 1, expressed his excitement that this joint venture is finally taking place. As a resident of the community for 42 years, he has watched this area grow from a farming community; and there are many potential students for the SJECCD in Milpitas and Berryessa communities who had to go to other districts to be served.

Mr. José Esteves, Mayor, City of Milpitas, congratulated both districts for their work in making this happen. For a long time, the City of Milpitas, has looked for higher education opportunities for its students. This is a very exciting moment for the community.

Mr. Frank Biehl, President, Board of Trustees, East Side Union High School, thanked the Board’s for inviting him to attend this very special event to learn more about this practice of bringing college courses to high school students. He stated this joint venture is something East Side Union might want to pursue for its own students.

Trustee Fuentes congratulated both districts for their hard work in making this joint agreement happen. She gave special thanks to Trustee Lind for his commitment over the years to bringing this venture to fruition. She also thanked Chancellor Cepeda and Superintendent Matsuoka for providing strong leadership in getting
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this MOU ready for the Boards to approve.

Chancellor Cepeda also thanked Trustee Lind for motivating her to move this process along. Due to some changes in the executive administration at both districts, it took strong leadership for Trustee Lind and Superintendent Matsuoka to put this MOU in place. A partnership begins with relationships—people who respect and trust one another. SJECCD faculty has taught in this district since 1981, and it’s exciting for this joint venture to move forward on a solid foundation. Chancellor Cepeda distributed information on the history of SJECCD curriculum course offerings at MUSD and provided a brief overview of the work that was done since November 2004 to the present day.

Superintendent Matsuoka thanked the SJECCD Board of Trustees for recognizing the importance of the joint educational facility and creating a path to the future. He expressed thanks to Chancellor Cepeda for being a pleasure to work with as they and their staff moved forward with the work that must be done to build the joint educational facilities. He also thanked former board members Barbara Santos and Mike Mendizabal and former Superintendent Karl Black for their work and commitment to this joint educational facility. Superintendent Matsuoka distributed a draft timeline for the site selection, educational planning, selection of consultants and construction bid process work that will commence with today’s joint signing of the MOU and will, hopefully, be completed by the 2Q of 2016.

MUSD Board President Bobay stated that Milpitas residents keep asking when the college campus will be completed. Today is the start of setting that in motion; however, the real work will be done by Superintendent Matsuoka and Chancellor Cepeda and their faculty and staff members.

SJECCD Board Member Lind thanked everyone for their kind words about his commitment to building this joint educational center. Many individuals worked very hard to make this happen. Since his election to the Board in 2000, he committed himself to this venture, which was a part of his campaign message. He thanked Chancellor Cepeda and Superintendent Matsuoka for making this dream happen while he was still a board member.

MUSD Trustee Foulk expressed his excitement about being present for this significant occasion. He discussed the history of the 60 acres of land that was set aside for Milpitas to build a community college, but that property was ultimately used for other purposes. Congratulations to all those who were a part of making this happen.

SJECCD Trustee Dhillon stated this is a great day for our students and will be an even greater day when they start coming to the new educational facility.

SJECCD Trustee Okamura thanked everyone for their diligence in working on this special venture. He stated it’s a lot easier to make a policy decision than to make this happen. The community of Milpitas has supported our district as well over the years. The goal is to ensure that each student throughout our district can attend a community college. In this case, it’s about allowing all Milpitas high school students that opportunity. There are great teachers in both districts; it’s exciting to see this educational facility get its start.
SJECC Trustee Lease stated that one way we can ensure our students succeed is to provide a linkage between K-12 and college courses. He expressed his excitement about being a part of this historical achievement.

MUSD Trustee Lau also expressed his excitement about the new college. It was disappointing all those years ago to see the site allocated for a junior college in Milpitas, only to see it used for other purposes. This is a very special moment for the Milpitas Unified School District.

The Board of Trustees of the Milpitas Unified School District and San José-Evergreen Community Colleges District, along with Superintendent Matsuoka and Chancellor Cepera moved to a separate ceremonial table and signed two copies of the Memorandum of Understanding.

3. **6:40 P.M. CONTINUATION OF BOARD OPEN SESSION – MUSD, BUILDING 200, ROOM 206**

There were no reportable actions from the Closed Session Meeting.

4. **ADOPTION OF AGENDA**

M/S/C (Dhillon/Lease) to approve the agenda as submitted.

5. **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

There were no public comments.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S/C (Lease/Cruz) to approve the Consent Agenda as amended:

F-3 Hourly, Student Work & Volunteer Personnel Actions, 1a Position Establishment, College Work Experience Program, Social Media Input Student Assistant was removed from the agenda, along with the job description.

2. **CLASSIFIED PERSONNEL ACTIONS**

The Board approved the Classified Personnel Actions as submitted.

3. **HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS**

The Board approved the Hourly, Student Work & Volunteer Personnel Actions as amended. Item F-3, 1a was removed from the Consent Agenda.
4. **ACCEPTANCE OF FUNDS – EVERGREEN VALLEY COLLEGE**

   The Board accepted $5,000 from the Franklin-McKinley School District.

5. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**

   The Board approved the new courses proposed by San Jose City College.

6. **SAN JOSE CITY COLLEGE GENERAL EDUCATION BUILDINGS AND TECHNOLOGY CENTER PAINTING PROJECT**

   The Board approved the issuance of the contract to US National Corp DBA Jimenez Painting Company for San Jose City College General Education Buildings and Technology Center Painting Project.

7. **MEASURE G-2004/MEASURE G-2010 CITIZENS’ BOND OVERSIGHT COMMITTEE APPOINTMENT**

   The Board approved the appointment of Mr. Shawn Sieu-Nguyen as Student Representative on the Measure G-2004/Measure G-2010 Citizens’ Bond Oversight Committee member for a term of two years commencing November 13, 2012.

G. **ACTION AGENDA**

   1. There were no action items.

H. **CONTINUATION OF CLOSED SESSION**

   No

I. **RECONVENE OPEN SESSION**

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

   None

J. **ADJOURNMENT**

   The meeting adjourned at 6:50 p.m.

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Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the Governing Board Meeting
November 27, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, November 27, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Ms. Mayra Cruz

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Okamura/Lease) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
(Government Code Section 54957 (b))
Title: College Presidents

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)
Property: 40 South Market Street, San Jose, CA
District’s Negotiator(s): Mr. Jim Eller
Names of Negotiating Parties: Mr. Michael Speers
Minutes of November 27, 2012, Governing Board Meeting

Under Negotiation: ( ) Price ( ) Terms of Payment ( X ) Both

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard K. Tanaka
Mr. Mike Casas
Mr. Shawn Sieu-Nguyen

Board Members Excused:
Ms. Mayra Cruz

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Lind/Tanaka) to approve the agenda as amended.

Corrections were made to the Consent Agenda.
Item E-6 was added to provide a report on action taken during the Closed Session meeting.

3. BOARD RECOGNITION OF TRUSTEES RON LIND, RANDY OKAMURA AND RICHARD TANAKA

Trustees Lind, Okamura and Tanaka were honored for their exemplary service as Board members over many years. As part of the ceremony in their honor, each was presented a resolution or certificate of recognition by the following legislators and/or their representatives:

Assemblmenember Jim Beall presented them with a resolution that was co-signed by Assemblmenember Paul Fong. Mr. Dat Phan, a staff member from Assemblmenember Nora Campos, presented a certificate on her behalf. Mr. Andres Quintero, staff member from the Santa Clara County Supervisors Office, presented a special resolution on behalf of Board President George Shirakawa Jr. and Supervisors Dave Cortese, Liz Kniss, Mike Wasserman and Ken Yeager. Congressman Mike Honda, Congresswoman Zoe Lofgren, Mayor Chuck Reed and Senators Elaine Alquist and Joe Simitian could not attend the meeting, but they sent special resolutions and certificates that were also presented to Trustees Lind,
Okamura and Tanaka at the meeting. Portions of the resolutions were read, and it was duly noted that each Trustee has made special contributions in advancing opportunity, equity and social justice for all students and the district community.

Following the special presentations by public officials, President Fuentes and members of the Board read special resolutions they wrote for each Trustees commending them for their unique contributions to the district. Trustee Tanaka was commended for his special contributions as an architectural expert and how he guided the district for the many buildings built through its bond measures. Trustee Okamura was commended for his expertise in technology issues, and the special wisdom and leadership he brought to the Board. Trustee Lind was commended for his dedication and expertise regarding labor and bargaining issues, and the special leadership he provided during a very difficult time with media relations. President Fuentes presented Trustees Lind, Okamura and Tanaka with special framed posters regarding their special expertise in labor relations, technology and architecture. Chancellor Cepeda presented them with a gift bag of items containing college logos, including a jacket from San José City College. Each Board member expressed their appreciation for the major contributions to the Board, especially the leadership and knowledge they provided. Mr. David Yancey, President, Faculty Association, commended all three board members for being true champions of their vision for opportunity, equity and social justice. Assemblymember Paul Fong thanked Trustees Lind, Okamura and Tanaka for their commitment to success of all students as well as their contributions to the community. He stated that Trustee Tanaka was the first Asian American elected to the Board. He thanked Trustee Lind for getting the labor groups behind his candidacy. He stated that he has watched Trustee Okamura break the glass ceiling. He stated that these three excellent Trustees “get it,” and that he would be proud to come back to working in the district once his legislative duties are completed because it is a wonderful place.

Trustee Tanaka stated he was overwhelmed by the kind words and that he would miss the opportunity to support our students and hoped that he had made a difference in the lives of students during his tenure on the board. Trustee Lind joked that he was appointed media spokesperson because he had missed the board meeting when that appointment was made. He stated he did not run for re-election because his work commitments and travel schedule forced him to miss too many board meetings. He stated he would continue to keep track of the progress of the joint educational center at Milpitas Unified School District. Trustee Okamura joked that he tried to improve as a board member, but that he had to leave the district because he has been promoted at AT&T and will be moving to San Diego. He reported that AT&T is committed to promoting people of color, and he is proud to work for this company.

President Fuentes ended the recognition ceremony by giving special thanks to Chancellor Cepeda, Ms. Rosalie Ledesma, Mr. Sam Ho, and Ms. Joy Pace for working hard to make this a special event.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

President Fuentes read a statement regarding public comments. She stated that although the board welcomes such comments, it would be unable to comment on
any item not placed on the board meeting agenda.

The Board heard public comments from members of the community, who expressed concern about the way district administrators handled the theft incident at San Jose City College on Thanksgiving Day. The following individuals made public comments to the Board: Mr. Dan Hoffer, Board Member, Dr. Martin Luther King Association; Pastor Jethroe Moore II, President, San Jose/Silicon Valley NAACP; Mr. Tory Nunes, Retired Teacher and Coach; Ms. Jean Libby, Retired History Instructor; Mr. Bill Nelson; Mr. Percy Carr, SJCC Head Basketball Coach; Ms. Kacy Carr, community member; Mr. Felton Owens, Retired Administrator; Mr. Bob Walker; Mr. Eddie Garcia; Ms. Fredella Carr Steward; and Ms. Lauren McKee, MSCC President.

President Fuentes explained that the Board could not comment on matters not included in the board agenda. However, she requested that the Chancellor put this item on the December 11 board meeting agenda so the Board can receive more information and respond to concerns raised by members of the district community.

5. APPROVAL OF THE OCTOBER 23, AND NOVEMBER 13, 2012, GOVERNING BOARD MEETING MINUTES

M/S/C (Dhillon/Okamura) to approve the above listed meeting minutes.

6. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

President Fuentes read the following report of the action taken during the Closed Session meeting as follows:

San José-Evergreen Community College District’s compensation philosophy demonstrates our commitment to fairness and equity. Total compensation must communicate the desire to attract and retain professionals at all levels. The goal is to target the median total compensation in relation to the Bay 10 Community College Districts. The median for positions were examined by periodic reviews as necessary to allow for the assessment of the District’s total compensation levels. Total compensation is defined by the combination of salary and benefits.

The board voted to institute the following 4 step salary schedule for the presidents:

Step 1 - $188,221
Step 2 - $197,632.05
Step 3 - $207,513.65
Step 4 - $217,889.36

Each step represents a 5% increase.

Step increase is to be awarded on the anniversary date for each president. Each president at this point shall be placed at Step 2. For each additional step the increase would occur based on the individual’s anniversary date.

The Board also approved to increase the number of vacation days earned each year from 20 to 24 days and the vacation cap to be increased from 30 days to 50
The Board voted 5-1 to extend the contract for both presidents to June 30, 2015. Trustee Fuentes voted no.

7. **APPROVAL OF RESOLUTION NO. 112712-3 TO EXCUSE TRUSTEE CRUZ FROM ATTENDING THE NOVEMBER 27, 2012 BOARD MEETING**

M/S/C (Lease/Lind) to approve Resolution No. 112712-3 to excuse Trustee Mayra Cruz from attending the November 27, 2012, Board Meeting due to illness.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S (Okamura/ Lease) to approve the Consent Agenda as amended.

F-7 Emergency Closure for St. Elizabeth’s Day Home was amended as follows: The closure date is from January 4, 2012, to January 13, 2012.

Consent Agenda items F-7 through F-10 were removed from the Consent Agenda to the Action Agenda to items H-5 to H-10 because Trustee Fuentes will abstain from the vote due to conflict of interest as a board member of the St. Elizabeth’s Day Care Home.

2. **MANAGEMENT PERSONNEL ACTIONS**

The Board approved the Management Personnel Actions as submitted.

3. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**

The Board approved the Short-Term Hourly, Substitute, Professional Expert & Athletic Support Services, Student Assistant and Volunteer personnel actions as submitted.

4. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

The Board ratified the contracts and purchase orders for the period of September 10, 2012 through October 9, 2012.

5. **DISTRICT BUDGET TRANSFERS AND REVISIONS**

The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, and authorizing the appropriation of the receipt of unanticipated revenues in certain programs.
6. **ACCEPTANCE OF $10,000 GRANT FROM YOSEMITE COMMUNITY COLLEGE DISTRICT, CHILD DEVELOPMENT CONSORTIUM**

The Board accepted and appropriated $10,000 Grant from YCCD/CDTC.

7. **EMERGENCY CLOSURE FOR ST. ELIZABETH’S DAY HOME – JANUARY 4, 2012 TO JANUARY 13, 2012**

This item was moved from the Consent Agenda to the Action Agenda, No. 5, for separate discussion and vote.

8. **SUBCONTRACT FOR CHILD CARE – CALIFORNIA DEPT. OF EDUCATION CONTRACTS**

This item was moved from the Consent Agenda to the Action Agenda, No. 6, for separate discussion and vote.

9. **ACCEPTANCE OF GRANT FROM CHILD DEVELOPMENT PROGRAMS FOR FACILITIES RENOVATION AND REPAIRS**

This item was moved from the Consent Agenda to the Action Agenda, No. 7, for separate discussion and vote.

10. **ACCEPTANCE OF GRANT AMENDMENT AND APPROPRIATION OF FUNDS – CALIFORNIA DEPT. OF EDUCATION**

This item was moved from the Consent Agenda to the Action Agenda, No. 8, for separate discussion and vote.

G. **ORAL COMMUNICATIONS**

a. **Board of Trustees**

SJCC Student Trustee Casas reported on student activities at San José City College. He reported on the extension of library hours, the work the ASG is doing regarding VTA echopass, partnership with DeVry University for the Holiday in the Park campus event, and the December 3rd and 7th event to purchase gifts for students who have children.

EVC Student Trustee Shawn Sieu-Nguyen reported on the four new officers, who were selected from a pool of over 40 applicants: Mr. Tony Do, VP Finance; Mr. Kenny Tran, Public Relations Director; Ms. Soriya Penn, Senator; and Ms. Griselda Nolasco, Senator. He also reported that all 11 officers attended the General Assembly meeting.

Trustee Lease reported on his attendance at the CCLC meeting on November 15-17 where he, along with Trustee Cruz and Chancellor Cepeda presented on the Board self-evaluation process. Although their session took
place at the breakfast meeting on Saturday morning, the attendance was amazing; and everyone was blown away by what they had to say.

Trustee Tanaka once again thanked everyone for the public recognition and kind words spoken to him.

b. Chancellor

Chancellor Cepeda reported that she is working with staff to schedule special study sessions for the Board. She also reported on the presentation given at the CCLC meeting and stated that their session received the highest attendance. The Board is doing special things that other districts are taking notice. Chancellor Cepeda reported that the Accreditation Site Visit on October 29-30 went well, and the initial written reports from the site visit team indicate that all six shared recommendations have been met.

c. Presidents

EVC President Yong also reported on the Accreditation site visit on October 20, and everything went well. He expressed his gratitude to EVC faculty and staff who worked hard over the last two years to ensure that the recommendations were met. He also reported on the scheduled shutdown at EVC from December 22 through January 21 due to electrical repairs. Multiple steps have been taken and forums held on the campus to inform everyone of the logistics so they will be adequately prepared. He also thanked Trustees Lind, Okamura and Tanaka for their excellent service on the Board.

SJCC President Kavalier reported on the December 14 EOPS holiday luncheon at SJCC in the Student Center and invited everyone to attend. She gave special thanks to Mr. Fabio Gonzales for organizing the event, in which toys will be distributed to the children of our students. She also reported that on November 9, Coach Percy Carr achieved a record 800 wins for his basketball team. Coach Carr was presented a special jersey and award by Vice President Greg Nelson. President Kavalier also expressed thanks on behalf of San José City College to Trustees Lind, Okamura and Tanaka for their contributions to educating our students.

d. Constituency Group Representatives

SJCC Associated Students Region IV Chuck Stevens reported on the special election that would be held soon and the new guidelines for ASG as a senate.

EVC Associate Students External VP Bekki Zarco reported that the student budget has been reduced and the fundraiser “zombie run” scheduled for December 10.

MSCC President Lauren McKee thanked Trustees Lind, Okamura and Tanaka for their support of district administrators. She also thanked the Chancellor for meeting with the district committee to address the issue of civility.
SJCC Academic Senate President Heimler thanked Professor Farideh Dada for his guidance to students in helping them produce the college newsletter. He also thanked Lenora Pinkston for her excellent work providing administrative support for the academic senate. He also congratulated Coach Carr for reaching the 800 wins milestone and for creating an atmosphere in which SJCC athletes become scholar athletes. He stated that both colleges are working on resolutions which request that restoration be made to those people who work closest to the students.

EVC Academic Senate President Eric Narveson commended Chancellor Cepeda for her willingness to become a Scottswoman for a Day. He also thanked Trustees Lind, Okamura and Tanaka for all the things he has learned from them; it takes a lot to serve as a governing board member.

FA President David Yancey reported that the passage of Proposition 30 was a profound victory as we have achieved something historic. $98 million was spent to oppose it, and we still prevailed. Measure D also passed thanks to the activism of political science students at San José State University.

FA Executive Director Barbara Hanfling stated that she is glad the district has taken into consideration that every employee should be placed at least in the middle of the salary scale proposed by the Bay 10. She requested the same consideration for faculty, especially for those who hold doctoral degrees. It's been over five years since 50-60% of faculty has had a raise. The Chancellor just received a raise and now the presidents. Faculty will be doing research and coming back with recommendations regarding its compensation.

H. ACTION AGENDA

1. MEASURE G-2010 BOND PROGRAM UPDATES, HIGHLIGHTS, SUMMARY REPORTS, CONTRACTS, AND PROJECT ASSIGNMENT AMENDMENTS

Mr. Mark Miller reported on Measure G-2010 EVC projects. He reviewed a video that showed a model of the campus and the locations where the work would be done. He reviewed the solar panel system; South Campus development, including the new fitness center, social science, mathematics, chemistry and physics labs and classrooms which will replace those currently in Acacia and Roble; new Autotech Building; and renovation work at the Gullo Student Center and the 21kv replacement project.

Mr. Mark Miller read each resolution included in H-1, Section B.

M/S/C (Lease/Okamura) to approve:

The award of a contract to BHM Construction Inc. in the amount of $1,108,300 for construction services to relocate District owned portable buildings for Interim Police and Measure G-2010 PM/CM offices at EVC.

The award of a contract to Kitchell CEM Inc. in the amount of $96,820 for Enhanced Commissioning Agenda (CxA) Services for the EVC South Campus Development
The award of a contract to Kitchell CEM Inc. in the amount of $59,227 for Commissioning Agent (CxA) Services at the Central Plant and Police Station Renovation Project.

Issuance of a PAA revision to CSW/Stuber-Stroeh Engineering Group, Inc. (CSW/ST2) in the amount of $5,532 for the EVC and District Offices Utility Mapping Project.

Issuance of a PAA revision to Meyer & Silberberg Landscape Architects in the amount of $2,750 to the EVC Landscape Programming and Assessment Services Project.

2. MEASURE G-2010 DISTRICT OFFICE RELOCATION PROJECT UPDATE

Chancellor Cepeda reported that staff believes that the information presented to the Board so far on District Office options clearly indicates that the purchase and renovation of an existing off-campus facility is the most cost effective and viable option to meet the District’s current and future space needs. She stated the importance for the Board to provide specific direction so that administration can focus on a single option for the Measure G-2010 District Office project.

Trustee Dhillon stated he did not see any urgency to make a decision which would tie our hands. He recommended keeping both options open until the district has actually purchased a property. President Fuentes stated that making a decision at this board meeting would be premature. First, to think we can sell the current land for commercial use is not a given because it would require zoning changes. Second, we don’t know the exact condition of the proposed alternate site. She stated she would not support the recommendation. Trustee Lease stated that we have $14 million to spend, and we don’t have a credit card to build something with. Therefore, we need to look for options within our financial means. He stated that one of the concerns expressed by the Accreditation team is the Board's inability to make timely decisions. He stated he would support the recommendation. Trustee Okamura stated he was ready to make the decision tonight. The state of the economy is on our side to make a good deal. We will find out more once the due diligence comes back, but we need to give clear direction to the Chancellor and her team. Trustee Tanaka stated that most of the Trustees agree the building the Board toured is a viable building, which will be carefully reviewed so he will support the district recommendation. Trustee Lind stated that now is the time to buy property; and if something doesn’t seem right with the property, the district does not have to purchase it; therefore, he would support the district recommendation.

M/S/C (Okamura/Lind) to direct staff to solely dedicate resources and efforts to pursue an off-campus commercially available property to serve as the future District Office. Trustee Dhillon and Fuentes voted no. Motion passes.

3. PROJECT AUTHORIZATION AMENDMENT #02 BETWEEN SJECCD AND LPAS, INC.

M/S/C (Dhillon/Lease) to approve the Project Authorization Amendment #2 between SJECCD and LPAS, Inc.
San José-Evergreen Community College District and LPAS, Inc. to complete the project on San José City College campus for associated facilities for the Physical Education programs.

4. RESOLUTION IN HONOR OF SIKH AMERICAN AWARENESS AND APPRECIATION MONTH

Trustee Dhillon gave a presentation on the Sikh history and contributions to the state of California. Trustee Okamura recommended that in next year’s board resolution, some of his presentation regarding Sikh contributions since 1912 be included in the resolution.

M/S/C (Okamura/Tanaka) to approve Resolution No. 112712-2 to designate November 2012 as Sikh American Awareness and Appreciation Month.

5. EMERGENCY CLOSURE FOR ST. ELIZABETH’ S DAY HOME – JANUARY 4, 2012, TO JANUARY 13, 2012

M/S/C (Tanaka/Dhillon) to accept and approve the emergency closing of St. Elizabeth’s Day Home in January 2012. Trustee Fuentes abstained from the vote.

6. SUBCONTRACT FOR CHILD CARE – CALIFORNIA DEPT. OF EDUCATION CONTRACTS

M/S/C (Tanaka/Dhillon) to accept and approve the contract attached in order to sub-contract the State Department of Education Grants to St. Elizabeth’s Day Home. Trustee Fuentes abstained from the vote.

7. ACCEPTANCE OF GRANT FROM CHILD DEVELOPMENT PROGRAMS FOR FACILITIES RENOVATION AND REPAIRS

M/S/C (Tanaka/Dhillon) to accept and approve the appropriation of $3,866 for Facility renovation. Trustee Fuentes abstained from the vote.

8. ACCEPTANCE OF GRANT AMENDMENT AND APPROPRIATION OF FUNDS – CALIFORNIA DEPT. OF EDUCATION

M/S/C (Tanaka/Dhillon) to accept and approve the appropriation of the augmented contract from the State. Trustee Fuentes abstained from the vote.

I. INFORMATION AGENDA

1. FY 2012/2013 FIRST QUARTER BUDGET REPORT ENDING SEPTEMBER 20, 2012

Mr. Peter Fitzsimmons, Director of Fiscal Services, provided a report of the 1st quarter budget. The projected ending fund balance for FY ending June 30, 2013 is $8,896,542.00, 11.7%, an increase from the 10.5% EFB indicated in the adopted budget. The district received an additional $350K from the lottery and savings from gas, contracts, bad debt allowance, as well as savings from salaries and benefits. A
revision to Fund 10 beginning fund balance due to a change in financial reporting of the vacation liability caused an adjustment upward by approximately $1.2 million, 1.59%. In FY 2013-14 there are approximately $2.4 million one-time reductions that will reoccur as new expenditures, such as increases in health care and medical premiums and OPEB debt service. The projected ending fund balance for FY2013-14 is 9.25%.

FA Executive Director Hanfling requested that 1% of the ending fund balance be given to the faculty for development and another funding for grants. Chancellor Cepeda answered that faculty needs will be addressed when the district presents its recommendations to the Board.

2. **2011-2012 ANNUAL FINANCIAL AND BUDGET REPORT (CCFS-311)**

Mr. Peter Fitzsimmons, Director of Fiscal Services, stated this report is something the district is required to submit to the State Chancellor’s Office and is being submitted to the Board for information. He stated the importance of complying with the 50% law, and he reported the good news that the district is at 54.15% and all dollars go to instruction.

3. **MINORITY-OWNED AND WOMEN-OWNED BUSINESS REPORT**

Mr. Peter Fitzsimmons, Director of Fiscal Services, provided a report on minority-owned and women-owned business from FY2007-2008 through FY2011-2012. He reported that although the district is making some progress, the results have been inconsistent. The goal is to have a more aggressive outreach process to recruit minority businesses to participate in the bidding process. Trustee Okamura recommended the Purchasing Department require that larger vendors include smaller women and minority vendors as part of submission of RFP’s. Most large companies already have diversity programs that could tie into what the district is trying to accomplish.

4. **TECHNOLOGY UPDATE**

Mr. Mike Russell, Campusworks CISCO, reported on the completion of the district technology plan that met the needs of accreditation. He is currently working to move the district to Office 365, including district-wide training, Work is also being done to re-engineer the district’s backup solutions as well as planning a security audit. So far, CampusWorks is about 40 hours behind the work scheduled to be completed in the first 90 days. Policy and procedures are being developed to make ITSS function more smoothly. A needs assessment is being made for a new library system with roll out planned for mid summer. An RFP for web services for the DO, colleges and Workforce Institute is now underway to assist with development of a single web strategy.

5. **LEGISLATIVE UPDATE**

Chancellor Cepeda reported that due to time restraints a detailed legislative update would not be provided at the meeting. However, she commended the passages of Proposition 30 and Measure D at the November 6 election.
J. CONTINUATION OF CLOSED SESSION
   No.

K. RECONVENE OPEN SESSION

   ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION
   None.

L. ADJOURNMENT

   The meeting adjourned at 10:45 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A.  CALL MEETING TO ORDER

President Dhillon called a Special Meeting of the Governing Board of the San José/Evergreen Community College District to order on Friday, December 7, 2012, at 6:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95134.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Ms. Wendy Ho
Dr. Jeffrey B. Lease
Mr. Craig Mann
Mr. Rudy Nasol
Mr. Mike Casas
Mr. Shawn Sieu-Nguyen

Board Members Excused:
None

2.  INFORMATION ON PUBLIC COMMENTS AND DISABILITY ACCESS

Information was provided in the agenda.

3.  PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

4.  ADOPTION OF THE AGENDA

M/S/C (Dhillon/Lease) to adopt the agenda as submitted.

5.  OATH OF OFFICE CEREMONY FOR TRUSTEE AREAS 1, 3, 5, AND 7

Outgoing Trustee Randy Okamura administered the Oath of Office to newly elected Trustee, Wendy L. Ho.

Assemblymember Paul Fong administered the Oath of Office to Trustee Mayra
Minutes of December 7, 2012, Special Governing Board Meeting

Cruz.

Mayor, City of Milpitas, Jose Esteves administered the Oath of Office to newly elected Trustee Rudy Nasol.

Board President Maria Fuentes administered the Oath of Office to newly elected Trustee Craig Mann.

The Board congratulated Trustee Mayra Cruz on her re-election and newly elected Trustees Ho, Mann and Nasol. Trustees Cruz, Ho, Mann and Nasol expressed their excitement about working as a member of the Board to support all students in the district.

A reception was held in their honor after the Oath of Office ceremony.

6. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.

B. ACTION AGENDA

1. ACCEPTANCE OF THE STATEMENT OF VOTES AND CERTIFICATE OF ELECTION RESULTS OF THE NOVEMBER 6, 2012, ELECTION

M/S/C (Cruz/Dhillon) to accept the Statement of Votes and Certificate of Election Results of the November 6, 2012, election.

C. ADJOURNMENT

The meeting adjourned at 7:09 p.m.

Dr. Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
December 11, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, December 11, 2012, at 4:30 p.m., at Evergreen Valley College, 3095 Yerba Buena Road, San Jose, CA 95135 in Gullo II Building.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Cruz/Lease) to approve the Closed Session agenda.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)
Property: 40 South Market Street, San Jose, CA
District’s Negotiator(s): Mr. Jim Eller
Names of Negotiating Parties: Mr. Michael Speers
Under Negotiation: ( ) Price ( ) Terms of Payment (X) Both

CONFERENCE WITH LABOR NEGOTIATORS
E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol
Mr. Mike Casas
Mr. Shawn Sieu-Nguyen

Board Members Excused:
None

1. PLEDGE OF ALLEGIANCE

President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Lease/Mann) to adopt the agenda as amended:

Item I-1 was moved to follow Item E-6.
Item H-2 – Revision No. 002 to Project Assignment Amendment (PAA) to Allana Buick and Bers, Inc. – the Scope of Work was added to the Description Section of the PAA.
Corrections were made to the Consent Agenda.

3. GOVERNING BOARD ORGANIZATION

M/S/C (Dhillon/Lease) to elect Trustee Mayra Cruz as President.

Chancellor Cepeda presented outgoing President Fuentes with a commemorative gavel plaque for her service as Board president. She also read and presented to Trustee Fuentes a scroll which outlined the many accomplishments the Board made during her tenure as president. Trustee Fuentes thanked Chancellor Cepeda for the kind words and stated this reflected the work the whole Board did together, especially the work regarding accreditation. The Board works as a solid team and has a very good relationship with the Chancellor.

M/S (Nasol/Ho) to elect Trustee Jeffrey Lease as Vice President.
M/S (Fuentes/Mann) to elect Trustee Balbir Dhillon as Vice President. Trustee Dhillon withdrew his nomination as it was his desire for the Board to work as a cohesive group.

The Board voted unanimously to elect Trustee Jeffrey Lease as Vice President.

M/S/C (Fuentes/Dhillon) to appoint Chancellor Rita Cepeda as Secretary.

President Cruz appointed Trustee Rudy Nasol as Board representative to vote in election for members of the County Committee on School District Organization.

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

No reportable actions were taken in Closed Session.

5. **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

The Board heard public comments from EVC Academic Senate Vice President Marjorie Clark and SJCC Academic Senate President Charles Heimler regarding a joint resolution of both Academic Senates entitled, Keeping Budget Reduction Impacts Furthest from the Students and Restoration of Funding Closest to the Students. EVC Academic Senate President Eric Narveson stood at the podium while the resolution was read. It was stated this joint resolution would be added as an agenda item at a future board meeting.

Mr. Dat Phan, District Field Representative from the Office of Speaker pro temp Nora Campos, presented resolutions in honor of outgoing Trustees Richard Tanaka, Ron Lind and Randy Okamura.

6. **APPROVAL OF THE NOVEMBER 27, 2012, GOVERNING BOARD MEETING MINUTES**

M/S/C (Lease/Dhillon) to approve the above listed meeting minutes.

I. **EVERGREEN VALLEY COLLEGE PRESENTATION**

EVC President Yong welcomed the Board and members of the public to Evergreen Valley College and stated he was happy to showcase a small portion of the many excellent programs and courses of the college. The focus of the evening’s presentation would be on the arts.

Dr. Betty Ann Ownren, music professor, expressed her concern about the reduction of arts courses and expressed her delight in having the students perform some carols and lullabies. The students performed Nino Precioso, a traditional Nicaraguan lullaby, a Scottish Lullaby from Hebrides of Scotland, Carol from an Irish Cabin by Dale Wood and Deck the Halls, a traditional carol from England. Adjunct Music Professor Margaret West introduced three beginning piano students, Johnny Nguyen, Aaron Mateo and Alejandro Valdez, and each performed a song of their choosing.

Director of the Oral History & Learning Institute, Lessie James, gave a presentation
of the JEWL program and oral history events at the college. Each month EVC shows the history made by African Americans.

Vice President of Student Affairs, Irma Archuleta, presented on the College Connection Academy, which currently has 30 students. The students are doing very well; 28% are earning A’s, 35% B’s, 34% C’s and only 3% are getting D’s.

Dean of Nursing, Allied Health, Business and Workforce, Sandra DeWolfe, discussed the Nursing program and introduced two students who discussed their experience with the program and its impact on their lives and careers.

Trustee Nasol heard from a nurse he met in the hospital that she had to be put on a waiting list before she was able to enter the program. He inquired if there was still a waiting list for entrance into the Nursing Program. Dean DeWolfe answered yes, that is still the case.

Chancellor Cepeda thanked EVC staff for their wonderful and moving presentation. She sang the lullaby from Nicaragua when she was a child and that cultural connection is a wonderful memory.

President Cruz stated that a person doesn’t need to be great to start, but they can start to be great. That was evident in the student performances.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S (Mann/Lease) to approve the Consent Agenda as amended.

Item F-2 – 1a and 1b Classifications Changes were removed from the Consent Agenda.
Item F-2c Change of Status – Change to FTE was removed from the agenda. As a result of these actions, Item F-4, 1a, Classification Change, Position Establishment was also removed from the agenda because the funding for this position was to come from the action taken in F-2 – 1a&amp;b.

2. MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management Personnel Actions as amended.

3. FACULTY PERSONNEL ACTIONS – REGULAR

The Board approved the Faculty Personnel Actions – Regular as submitted.

4. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified Personnel Actions as amended.

5. HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS
The Board approved the Short-Term Hourly, Substitute, Professional Expert & Athletic Support Services, Student Assistant and Volunteer personnel actions as submitted.

6. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

The Board ratified the contracts and purchase orders for the period of October 10, 2012 through November 9, 2012.

7. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

The Board approved the curriculum recommendation for the revised courses submitted by Evergreen Valley College.

8. **ACCEPTANCE OF $4,000 GRANT FROM CALIFORNIA FAMILY HEALTH COUNCIL TO SJCC HEALTH SERVICES**

The Board accepted $4,000 from the California Family Health Council for the Expanded Clinic Access Program (EACP) health awareness campaign, outreach, and educational awareness.

9. **ACCEPTANCE OF $100,000 GRANT TO EXPAND EXISTING SMOKING CESSATION PROGRAM**

The Board accepted $100,000 to SJCC Health Services for project, “Trash the Ash.”

G. **ORAL COMMUNICATIONS**

a. **Board of Trustees**

SJCC Student Trustee Casas reported on the upcoming holiday dinner at SJCC and the Second Harvest Food Bank collection taking place for homeless youth. There are over 100 students on waiting lists for English 1A and 1B for Spring Intercession. He requested those courses be increased to accommodate the many students who need to take them.

Trustee Mann discussed his 15 years of diverse experience as a board member and stated his desire to both contribute and learn as a new board member of the district.

Trustee Lease welcomed the three new Trustees on the board and stated how excited he is to be working with them. He thanked President Yong and his staff for the excellent presentation, especially of the music program because music was a very important part of his life growing up as his father has been teaching music for many years. Trustee Lease also enjoyed attending the Grand Opening of the solar array project, and it’s good to know
that his children will benefit from this one environmental act for many years to come.

Trustee Dhillon stated that he received a lot of questions from members of the public about his presentation regarding Sikh Awareness Month, which was cut short due to lack of time. He thanked Mr. Sam Ho for distributing the presentation to the district members via email and hoped to have more time next year to review this material.

Trustee Ho congratulated Trustees Cruz and Lease for their election as Board President and Vice President. She also attended the Grand Opening of the Solar Array Project, which is amazing and will greatly benefit the community.

Trustee Nasol also congratulated Trustees Cruz and Lease for their elections and stated he is looking forward to their leadership in the coming year. He discussed his tour today of the proposed new facility in downtown San Jose for the District Office, and this will be a crucial, upcoming decision for the Board. He expressed his support of students and looks forward to the work ahead.

President Cruz expressed her honor in being entrusted with the position as Board President. She stated how much she is looking forward to working with everyone so that the Board, along with the Chancellor, can work as a team in supporting our students and those who work on their behalf.

b. Chancellor

Chancellor Cepeda thanked the staff, faculty and students who presented at today’s board meeting. She stated she would be providing a detailed report later on in the meeting regarding the community comments which were made at the November 27 board meeting for an item that was not included in the agenda. Specifically, she will be addressing the incident that occurred on Thanksgiving Day during the “Big Bone” annual football contest involving Lincoln High School and San Jose High School in which items belonging to several of the high school students were stolen from the locker room.

c. Presidents

EVC President Yong thanked Trustees Lease and Ho for attending the Grand Opening of the solar array. Other local dignitaries also attended the event, and it was a very exciting event. The area is looking forward to the utilities savings it will provide.

SJCC President Kavalier congratulated Health Services Director Janet Chang for receiving a $100,000 grant for the “Trash the Ash” project at SJCC. This current grant continues the legacy initiated 10 years ago when SJCC received a grant to develop a smoking cessation program. President Kavalier wished everyone a wonderful holiday season.
d. **Constituency Group Representatives**

SJCC Associated Students Region IV Chuck Stevens discussed the change as the AS transfer to a student senate. Voting for 18 new officers will occur in the Spring.

MSCC President Lauren McKee congratulated Trustees Cruz and Lease on their new positions and also welcomed the three new board members. MSCC includes 51 district members. The group is now focused on the issue of civility, and is working with all other constituency groups to ensure we focus on helping our students achieve success.

CSEA Representative David Lo congratulated the three new Trustees on their election and stated how impressed he was with their expertise, which will be of great value to the Board. He stated that CSEA has four members of the district’s Civility Committee, who are working to come up with the framework and will share this information with the district. The goal is for the Chancellor to share with the district at its upcoming PDD.

FA President David Yancey welcomed the new board members. He stated the music during the presentation was wonderful and reflects the hard work of two dedicated faculty, who are trying to do more with less. He also thanked Ms. Lessie James for her important work on providing oral history to the college.

SJCC Academic Senate President Heimler reviewed the work of the faculty at SJCC and stated the group is working to develop a faculty hiring priority list, which will be submitted to President Yong. The Academic Senate meets the 1st and 3rd Tuesdays of every month in engaged in critical issues affecting the college.

EVC Academic Senate President Eric Narveson welcomed the new Trustees and stated they would soon be working hard in the job they have been elected to do. He expressed his concern that Dr. Betty Ann Owren is the only music teacher in the college, and there is also no Theater Arts professor. All the courses that are being taught are taught by adjuncts, and this is not how it should be.

H. **ACTION AGENDA**

1. **MEASURE G-2004 BOND PROGRAM PROJECT LIST REVISIONS**

Vice Chancellor Smith reviewed the recommended revisions to the Measure G-2004 bond list that was approved by the Board on June 12, 2012.

M/S/C (Mann/Fuentes) to approve the revisions to the Measure G-2004 Bond Project List.
2. **MEASURE G-2010 BOND PROGRAM UPDATES, HIGHLIGHTS, SUMMARY REPORTS, CONTRACTS, AND PROJECT ASSIGNMENT AMENDMENTS**

Trustee Nasol expressed concern about Revision #2 to Allana Buick and Bers, Inc EVC Gullo Student Center Envelope Upgrade Project because the original agreement was for $95,490 and the revised contract value is $273,950, which is more than 200% increase. Mr. Mark Miller answered that the original contract was for assessment and design to replace Gullo. However, during that assessment they found damage to the exterior wall and the extent was unknown. Trustee Nasol stated that when the cost goes up so dramatically, it creates havoc with the RFP that was originally submitted by vendors. It is understood that in renovation unforeseen conditions come up, but this is still a large increase. Trustee Dhillon stated he also expressed similar concerns when he approved the first change order. It’s still not clear how much and how far we can go on change orders. Vice Chancellor Smith stated he is currently reviewing the situation and will come back to the Board with a report regarding what kind of activities would bring this kind of change. Trustee Fuentes inquired if there was a policy in place that would determine at what point the district would need to go for another RFP, especially when the change orders are so high. Vice Chancellor Smith added that the district does have standards in place. Mr. Scott Jewel, Gilbane Project Manager, stated that the original RFP was for assessment only. We don’t want to hire a consultant for design until we know what we are designing.

Vice Chancellor Smith read each resolution included in H-1, Section B.

M/S/C (Lease/Fuentes) to approve:

The award of a contract to URS Corporation for geotechnical services in conjunction with the EVC Automotive Technology project in the amount of $74,416.

Issuance of a PAA EVC-01 to Dougherty & Dougherty Architects LLP, in the amount of $134,410 for the Administration/Student Services Remodel Project.

PAA SJCC-01 to Artik Art & Architecture in the amount of $89,000 for Architect of Record (AOR) services for the Photo Lab Relocation Project.

Revision #2 to Allana Buick and Bers, Inc. PAA EVC-01 in the amount of $77,000 for the EVC Gullo Student Center Envelope Upgrade Project.

Revision #2 to CSW/Stuber Stroeh Engineering Group, Inc. PAA EVC-01 in the amount of $3,200 for the Evergreen And District Offices Utility Mapping Project.

Revision #1 to the ICA with Simpson Gumpertz & Heger, Inc. in the amount of $12,000 for additional design services for the Jaguar Gym Roof Replacement Project.

Measure G-2010 Bond List Revision #3 as detailed in the attached Measure G-2010 Project List.
3. **SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2011/2012 INDEPENDENT ANNUAL FINANCIAL AND AUDIT REPORT**

The 2011/2012 Independent Annual Financial and Audit Report was presented by Mr. Jeff Jensen, Manager, Crowe Horwath, LLP.

M/S/C (Mann/Dhillon) to accept the San Jose Evergreen Community College District Fiscal Year 2011/2012 Independent Annual Financial and Audit Report conducted by Crowe Horwath, LLP.


The Independent Annual Financial and Performance Audit Reports for 2011/2012, 2004 General Obligation Bonds (Measure G – 2004) was presented by Mr. Jeff Jensen, Manager, Crowe Horwath, LLP.

M/S/C (Mann/Lease) to accept the San Jose Evergreen Community College District Fiscal Year 2011/2012 2004 General Obligation Bonds (Measure G – 2004) Independent Annual Financial and Performance Audit Reports conducted by Crowe Horwath, LLP.

5. **SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2011/2012 2010 GENERAL OBLIGATION BONDS (MEASURE G-2010) INDEPENDENT ANNUAL FINANCIAL AND PERFORMANCE AUDIT REPORTS**

The Independent Annual Financial and Performance Audit Reports for 2011/2012, 2010 General Obligation Bonds (Measure G – 2004) was presented by Mr. Jeff Jensen, Manager, Crowe Horwath, LLP.

M/S/C (Ho/Mann) to accept the San Jose Evergreen Community College District Fiscal Year 2011/2012 2010 General Obligation Bonds (Measure G – 2010) Independent Annual Financial and Performance Audit Reports conducted by Crowe Horwath, LLP.

6. **SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2011/2012 RETIREMENT FUTURIS PUBLIC ENTITY INVESTMENT TRUST INDEPENDENT ANNUAL FINANCIAL AND AUDIT REPORT**

The Independent Annual Financial and Performance Audit Reports for 2011/2012, Retirement Futuris Public Entity Investment Trust was presented by Mr. Jeff Jensen, Manager, Crowe Horwath, LLP.

M/S/C (Mann/Lease) to accept the San Jose Evergreen Community College District Fiscal Year 2011/2012 Retirement Futuris Public Entity Investment Trust Independent Annual Financial and Audit Report conducted by Crowe Horwath, LLP.
7. DISTRICT MISSION AND VISION STATEMENTS (BOARD POLICIES 1200 AND 1300)

Chancellor Cepeda stated the Mission/Vision statements reflected in BP 1200 and BP 1300 reflect the work done by the Board at its special study session on June 30, 2012, and has been reviewed by the District Council and the constituents they represent and is now ready for approval by the Board.

Trustee Fuentes requested that the parentheses be removed from the last sentence of the Mission statement. Chancellor Cepeda agreed that the parenthesis was supposed to be removed from the final statement that was submitted for Board approval.

M/S/C (Dhillon/Nasol) to approve the updated District Mission (Board Policy 1200) and District Vision (Board Policy 1300) policies.

I. INFORMATION AGENDA

1. EVERGREEN VALLEY COLLEGE PRESENTATION

This item was moved to follow Agenda Item E-6.

2. RESPONSE AND REPORT TO PUBLIC COMMENTS PRESENTED ON NOVEMBER 27, 2012: BASKETBALL TEAM INCIDENT

Chancellor Cepeda commended the students, faculty and administrators for meeting together to discuss and resolve the issues related to the theft incident at San José City College at the Big Bone annual football contest on Thursday, November 22, 2012. She thanked members of the district and community for taking the time to meet with her, especially Pastor Jethroe Moore, President, San José/Silicon Valley NAACP, Lessee James and Pastors Huey and Dean from the Coalition of Concerned Citizens and Organizations; Andre Chapman and Sandra Dailey, Co-Chairs of the Black Leadership Kitchen Cabinet and Mr. Walter Wilson, African Emergency Community Service Agency. Chancellor Cepeda read a report of the incident, including a timeline of events as they occurred from Thanksgiving Day, November 22 through the date of this meeting. She reviewed the next steps, which include the finalization of the fact finding process through the Campus Police Department. She expressed the desire that the conclusion of this process would lead to an opportunity for growth, understanding and mutual respect.

The Board heard public comments from Ms. Kathleen Flynn, President, Dr. Martin Luther King Jr. Association; Pastor Jethroe Moore II, President, San José/Silicon Valley NAACP; and Coach Percy Carr, who expressed support for how the incident was handled by Coach Carr. Ms. Randi Kinman, Sherman Oaks Neighborhood Association, expressed concern that the surrounding community needs to be kept in the loop about incidents of crime that may impact them. She also expressed support for Vice President Nelson, stating that he is one of the reasons the Sherman Oaks community now has a good relationship with San José City College.

Trustee Fuentes thanked the members of the community who attended the
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November 27 board meeting and tonight’s board meeting to express their concerns to the Board. She stated her own concerns about how the incident was handled by administration. President Cruz stated that there is still a police investigation taking place, and it’s important to allow that process to be completed before the Board and district members come to any conclusions. It is expected that once that happens, Chancellor Cepeda would provide a complete report to the Board.

President Cruz stated that this is a season when we can strengthen our social bonds. It is a time for reflection and resolutions. She wished everyone a very happy holiday season and healthy New Year.

J. CONTINUATION OF CLOSED SESSION

No.

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

L. ADJOURNMENT

The meeting adjourned at 10:24 p.m.

Rita M. Cepeda, Secretary
Board of Trustees