GOVERNING BOARD

2014 Meeting Minutes

Click on specific date to view minutes - Press Home key on your keyboard to return to this page.

January 14       June 10
January 28       July 8
February 11      August 26
February 11-Attachment      September 9
February 25      October 14
February 25-Attachment  October 28
March 11         November 11
April 8          November 25
April 22         December 5-Special Meeting
May 13           December 9
May 27
A. CALL MEETING TO ORDER

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, January 14, 2014, at 4:30 p.m. at the District Office 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
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

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

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

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)
E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:05 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. Alex Ward

Board Members Absent:
Mr. Zohaib Javed

1. PLEDGE OF ALLEGIANCE

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

President Lease announced that, due to changes in the Brown Act effective January 16, 2014, each Board member vote will need to be indicated at meetings and recorded in the minutes of the meetings. Therefore, for each vote at board meetings, the Trustees will raise their hands to indicate a yes vote, no vote or abstention.

The Chancellor’s Office will work with ITSS staff to put into place an effective device to display each vote during meetings. However, to be cost effective, it would be best to wait until the district moves into the new building to ensure the device properly fits the dimensions of the new board room.

2. ADOPTION OF AGENDA

M/S/C (Mann/Cruz) to adopt the agenda as submitted.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Ward voted yes.
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 a public comment from Mr. Larry Harris, who shared a personal letter from an ill friend and stated his hopes for the new year.

5. **APPROVAL OF THE DECEMBER 10, 11 AND 13, 2013, GOVERNING BOARD MEETING MINUTES**

M/S/C (Mann/Ho) to approve the above listed meeting minutes as amended.

Changes were made to the December 11, 2013, meeting minutes, in two areas. On Page 2, Board ends policy statement, Number 2 - statement was changed to read as follows: Students will have the language proficiency skills to succeed in college. On Page 2, Board ends policy statement, Number 3 – statement was changed to read as follows: Students will be able to be successful in transferring to a four-year institution.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Ward voted yes.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S/C (Ho/Mann) to approve the Consent Agenda as amended: Item F-8 was removed from the agenda for discussion and separate vote.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Ward voted yes.

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. **FACULTY PERSONNEL ACTIONS – EVC ADJUNCT FACULTY**

The Board approved the Faculty Personnel Actions-EVC Adjunct Faculty as
5. **SUPERVISORY-CONFIDENTIAL PERSONNEL ACTIONS**
   The Board approved the Supervisory-Confidential Personnel Actions as submitted.

6. **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.

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

8. **MSC AND EXECUTIVE MANAGERS SALARY SCHEDULE INCREASE AND MSC DOCTORAL STIPEND**
   This item was removed from the Consent Agenda for discussion and separate vote.

9. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**
   The Board ratified the contracts and purchase orders for the period of November 10, 2013 through December 9, 2013, as noted in the documents attached to the agenda.

10. **STUDENT HEALTH FEE INCREASE**
    The Board approved the Student Health fee increase of $1 per semester to $19 effective Fall 2014.

11. **NON-RESIDENT TUITION RATE AND STUDENT CAPITAL OUTLAY FEE FOR ACADEMIC YEAR 2014-2015**
    The Board approved the non-resident tuition rate of $199 per semester unit and the capital outlay fee of $4 per semester unit for Academic Year 2014-2015.

12. **AWARD OF CONTRACT FOR BID PROPOSAL #13-1016 – PARKING PERMIT SERVICES FOR SJECCD**
    The Board awarded the contract of Bid Proposal #13-1016 – Parking Permit Services for SJECCD to Turbo Data Systems, Inc. and Credentials Order Processing Services, Inc.

13. **ACCEPTANCE OF GRANT FUNDS – ELECTRONIC TRANSCRIPT IMPLEMENTATION**
    The Board accepted $15,000 awarded to Evergreen Valley College by California Community Colleges Chancellor’s Office for implementation of the Electronic Transcript Standard.
14. **AMERICAN COLLEGE DANCE FESTIVAL ASSOCIATION – WESTERN REGIONAL CONFERENCE (SJCC STUDENTS)**

The Board approved San Jose City College dance program students to travel and attend the American College Dance Festival Association – Western Regional Conference on March 12-15, 2014, at Arizona State University.

15. **OUT OF STATE TRAVEL FOR EVC STUDENT**

The Board approved out of state travel for EVC student/athlete Darlene Rodriguez.

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

The Board approved a new certificate program submitted by Evergreen Valley College.

**F. 8. MSC AND EXECUTIVE MANAGERS SALARY SCHEDULE INCREASE AND MSC DOCTORAL STIPEND**

Trustee Fuentes inquired why the MSC group is the only constituency group submitting salary adjustments at this meeting. Chancellor Cepeda answered that the MSC group was the only group ready to submit its proposal. Vice Chancellor Garcia stated that the FA is currently in final negotiations, and the CSEA Board will be sunshining their proposal at the next board meeting. Trustee Dhillon stated that he didn’t understand how 3.5% plus 2.37% equals the 4.5% approved by the Board. Chancellor Cepeda answered that a pool of money was offered to each constituency group, including the MSC as a meet and confer group, based on the 4.5% increase determined by the Board. MSC President McKee explained that all MSC members would not receive the additional step this year (the 2.37% increase) as all members are not already at the last step of their salary schedules. She had worked with the Payroll Department to determine the cost of moving eligible members to the next step; and what has been presented to the Board, a 3.5% salary increase with the remaining funds used to create an additional step amounting to 2.37%, is in line with the funding allocated by the district. However, even though all MSC members would not immediately benefit from this additional step, it was important to MSC members to add an additional step to the salary schedules so that the group is comparable to other constituency groups. Eventually, every member would benefit; but an even more important reason is to have a competitive salary schedule, which would enable the district to recruit and retain excellent administrators.

M/S/C (Fuentes/Mann) to approve the MSC and Executive Managers actions as submitted.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Ward voted yes.
G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA

Before the approval of the Measure G Bond Programs Consent Agenda, Trustee Ho inquired about the vetting process for selecting this vendor and if Milpitas Unified School District was consulted as part of the vendor selection process. She also inquired if Milpitas Unified would share in some of the costs associated with the needs assessment. Vice Chancellor Coen answered that per the Ground Lease and Joint Use Agreement of June 11, 2013, between SJECCD and MUSD, Article 5.3.2, an Educational Program Committee consisting of three members from each district was established on September 4, 2013. The representation of the committee consists of: Cary Matsuoka, Ken Schlaff and Mathew Duffy from MUSD and Keith Aytch, Duncan Graham and Kishan Vujjeni from SJECCD. The Programming Committee had the opportunity to provide the input in the selection process of a research firm for conducting Milpitas resident and parent survey and provide analysis and report. As a part of the process, the Committee identified and reviewed a proposal from BW Research Partnership, Inc., at their meeting on November 15, 2013. The Committee was impressed with the proposal and asked clarification as to conducting a survey in various languages, etc. The Committee had multiple conference call meetings with BW at their subsequent meetings on December 13, 2013, and January 10, 2014, meetings. Vice Chancellor Coen also reported that Measure G dollars would be used to complete the needs assessment and that MUSD is not contributing any dollars for this purpose.

M/S/C (Mann/Ward) to approve the Measure G Bond Programs Consent Agenda as submitted.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Ward voted yes.

2. MEASURE G-2010 BOND PROGRAM: SJCC – PHOTOGRAPHY LAB RELOCATION #g2010.0046, PROJECT #31121 FINAL CHANGE ORDER NO. 003

The Board approved Final Change Order No. 003 for Premier Builders, Inc. in the amount of $4,809 for the San José City College Photography Lab Relocation Project.

3. MEASURE G-2010 BOND PROGRAM: ATHLETIC FIELDS – NOTICE OF COMPLETION

The Board approved the Notice of Completion for the San José City College Athletic Fields Project.

4. MEASURE G-2010 BOND PROGRAM: SJCC CAMPUSS WATER SYSTEM REPAIRS – NOTICE OF COMPLETION
The Board approved the Notice of Completion for the San José City College Campus Water System Repair Project.

5. MEASURE G-2010 BOND PROGRAM: EVC SOUTH CAMPUS – CHANGE ORDER 001 TO BLACH CONSTRUCTION – TERMINATION OF SELECT DESIGN-ASSIST TRADE CONTRACTOR

The Board approved Change Order 001 to the Blach Construction Preconstruction Agreement for termination of Exterior Envelope Design-Assist Subcontracts for the Evergreen Valley College South Campus Development Project.

6. MEASURE G-2010 BOND PROGRAM: EVC-CENTRAL PLANT AND POLICE STATION RENOVATION – CHANGE ORDER #005

The Board approved Change Order #005 for Swenson & Associates in the amount of $81,961 and a time extension of seventeen (17) calendar days for the Central Plant and Police Station Renovation Project at Evergreen Valley College.

7. MEASURE G-2010 BOND PROGRAM: SJCC – UTILITY EXTENSION PROJECT #G2010.0052, PROJECT #31110, CHANGE ORDER No. 004

The Board approved Change Order No. 004 for JKL Construction Services, Inc., in the amount of $8,767 for the San José City College Utility Extension Project.

8. MEASURE G-2010 BOND PROGRAM: SJCC SITE FENCING, PROJECT #31116 DEDUCTIVE CHANGE ORDER #001

The Board approved a Deductive Change Order #001 for Crusader Fence Company, Inc., in the amount of ($32,383) for the San Jose City College Site Fencing project.


The Board approved the Independent Contractor Agreement for BW Research Partnership, Inc. in the amount of $26,700 for the 21st Century Post-Secondary Education Center.

10. MEASURE G-2010 BOND PROGRAM: SJCC REPURPOSE BOILER PLANT, PROJECT #31109, CHANGE ORDER #001

The Board approved Change Order #001 for Omni Construction, in the amount of $7,375 for the San José City College Repurpose Boiler Plant Project.

11. MEASURE G-2010 BOND PROGRAM: EVC ELECTRICAL UPGRADE PROJECT #32307-04 NOTICE OF COMPLETION

The Board approved the Notice of Completion for the Evergreen Valley College
Electrical Upgrade Project.

12. **MEASURE G-2010 BOND PROGRAM: WATERPROOFING ASSOCIATES, INC. – NOTICE OF COMPLETION FOR JAGUAR GYM ROOF REPLACEMENT PROJECT 31304-02**

The Board approved the Notice of Completion for the Jaguar Gym Roof Replacement Project at San José City College Campus.

13. **MEASURE G-2010 BOND PROGRAM: CHANGE ORDER #002 SWENSON AND ASSOCIATES – EVC GULLO STUDENT CENTER ENVELOPE UPGRADE PROJECT**

The Board approved Change Order #002 in the amount of $41,640 and a time extension of sixty (60) calendar days to Swenson and Associates for the Gullo Student Center Envelope Upgrade Project at Evergreen Valley College.

14. **MEASURE G-2010 BOND PROGRAM: CHANGE ORDER #003 SWENSON AND ASSOCIATES – EVC GULLO STUDENT CENTER ENVELOPE UPGRADE PROJECT**

The Board approved Change Order #003 in the amount of $167,318 to Swenson and Associates for College-requested changes to the Gullo Student Center Envelope Upgrade Project at Evergreen Valley College.

15. **MEASURE G-2010 BOND PROGRAM: MEASURE G-2010 SUMMARY REPORT**

The Board accepted the Measure G-2010 Summary Report for projects from inception through December 31, 2013, with financial data reconciled through December 31, 2013.

H. **ORAL COMMUNICATIONS**

a. **Board of Trustees**

Trustee Cruz wished each and every member of the district a great 2014 and stated her belief that by working together, we will achieve great things this year.

Trustee Dhillon provided a brief update on the Board Land Development Committee. The next step is for the committee to present its findings to the whole Board at a future meeting.

Trustee Ho stated how impressed she is, as a member of the Board Audit Committee, with the findings that were shared with the committee at the December 16 committee meeting. She offered a shout out to Peter Fitzsimmons and his team in Fiscal Services for the work they have done to achieve those results.
b. Chancellor

Chancellor Cepeda reported that the district is having a great start to a great year. April is the month when we must make the determination about the future bond issuance and bond refinancing. We have been building the financial framework to ensure that our credit ratings are as high as possible so that refinancing results in the effective and efficient use of taxpayer dollars. The intent is to bring this request to the Board for approval at the February 11, 2014, meeting. This action will result in maximizing the availability of funds for planned construction and will result in significant savings to our taxpayers, which we will quantify once we have all figures. In addition, it is expected that with this last issuance we will close out the remaining funds from the Measure G-2004 issuance. In short, we will maximize Measure G-2010 bond funds, refinance to save taxpayer dollars and close out Measure G-2004.

Chancellor Cepeda thanked district members for responding so quickly and vigorously to the survey on the look and feel of our web page. She presented the winning layout and stated the intention to go live in March. This web revamp will provide the tool we need and the next steps include the appropriate staff resources at the colleges and the District Office to ensure that content is timely and effective and that we do our best to represent our district. She thanked Mr. Sam Ho for shepherding this process.

The district is now working to produce the 2013 annual report. The theme is transformation for student success. The report is designed to showcase major milestones during the 2013 Year and, in particular, to report to our community on demographic, fiscal and student success indicators that illustrate the progress being made in our district. The annual report is expected to be camera ready at the end of February and will be produced to enable hard copy printing and an interactive pdf.

Chancellor Cepeda reported on the progress of the 21st Century Joint Education Center, and there is an agenda item regarding the issuance of a survey to Milpitas residents as well as community and industry representatives designed to help us inform the design of the facilities and fine tune the educational programming for the center. The next steps in the process include the scheduling of a Joint Board Meeting on March 11, which will also be designed as a Celebration of this 21st Century Collaborative. The joint meeting will provide both boards with a status update of the facility, survey outcomes and critical messaging reflecting the needs of the community.

Chancellor Cepeda reported that PDD is scheduled for Friday, January 24, with the Spring Semester beginning on Monday, January 27. She also provided an update on AB 86 Adult Education Regional Consortia RFA. Vice Chancellor Coen and Dean Vujjeni have been working consistently since the summer to sustain and participate in a collaborative in advance of submitting a response to AB 86 FRA. Chancellor Cepeda will meet with Chancellor Harris on this topic on January 21 to reinforce this district’s deeply rooted interest in the education of adult learners in our service area and our intent to
collaborate with our K-12 colleagues and other nonprofit service agencies so that we can maximize available resources.

Vice Chancellor Smith introduced two new staff members that have joined the District Office since the beginning of this year; Steve Thompson, Director of Facilities and Bond Program Management and Heather Lancaster, Network Technology Manager.

c. Presidents

EVC President Yong reported that his campus-wide electrical shutdown went very smoothly at EVC, and the repairs to the electrical infrastructure were completed. Dr. Lena Tran, the new Dean of Business and Workforce, has started her assignment at EVC. She brings a wealth of knowledge and experience from UC Santa Cruz, where she previously served as the Executive Director of the University’s Extension Program. The campus is getting ready for the Professional Development Day (PDD) on Friday, January 24. Everyone is invited to attend PDD, to kick off the Spring Semester and also for a hot meal.

SJCC Interim President Breland provided a highlight of SJCC accomplishments this past fall. The college has continued to move forward with hiring processes to fill vacant positions, and the team is going to come together nicely this spring as we will have quite a few new people to introduce and welcome on board. SJCC enrollment continues to be down (about 9% this semester, compared to this point last year.) Many schools also have declining enrollment due to the slowly recovering economy. We will need to focus some of our efforts on advertising and recruiting students in order to reach and maintain our typical level of enrollment. Dr. Breland reported that as of August 2013, SJCC only had two of seven (28%) ADTs approved by the state. The number one priority for the Office of Academic Affairs during Fall 2013 was to reach the goal of seven ADTs approved. As of January 2014, six of the seven have been approved (86%) with the seventh ready for college curriculum committee approval, and it will be submitted to the state by mid-February. Many thanks to Vice President Graham for this achievement. Academic Affairs has begun to reorganize and strengthen its presence on campus and on a statewide level, with a renewed focus on their processes and procedures to assist the college in fulfilling its student success goals. Dr. Breland thanked Mr. Fabio Gonzalez and the rest of the senate leadership team for that renewed sense of purpose. Dr. Breland reported that 631 more students saw a counselor to complete a general ed plan, and the average wait time to see a counselor has been cut from 50 minutes to 21 minutes. The tagline or mantra will be “Student Success is our #1 priority.” Special thanks to Vice President Burns for her work in this area. Dr. Breland also thanked Ms. Seher Awan for her work in the website redesign and making the college more efficient in its budgeting processes. Dr. Breland also introduced Mr. Blake Balajadja, the new Director of Student Life and Activities.

d. Constituency Group Representatives

CSEA President Jan Tomisaka reported that CSEA had its first ever holiday
party in December and is hoping to do so again next year. She also reported on the brown bag event where 800 bags were filled with food to distribute to needy community members. The plan is to continue with this work next month. Ms. Tomisaka thanked Vice Chancellor Smith for joining the CSEA group at this event.

FA President David Yancey invited everyone to attend a forum hosted by the union, which will include leaders of the teacher’s union, one of the Trustees from the City of San Francisco Community College, Senators Jim Beall and Paul Fong to discuss accreditation issues with the ACCTG. A judge has made a restraining order to prevent the closure of the college. The judge stated they are likely to prevail at trial. The forum is scheduled for February 11, 11:00 a.m. to 12:15 p.m. in SC204. Mr. Yancey reported that the union is currently in the process of ratifying a contract they completed in December. Mr. Yancey introduced long-time language arts faculty member Debbie De la Rosa.

SJCC Academic Senate President Fabio Gonzalez congratulated EVC Academic Senate President Narveson for his recent appointment to the State Academic Senate Curriculum Committee. It has been a pleasure to work with Mr. Narveson on a number of committees, and he will be of great service in bringing everyone together.

EVC Academic Senate President Eric Narveson congratulated Dr. Lease for his election as Board President. He also reported that he is the only faculty from the Northern California area on the state AS Curriculum Committee. He welcomed Mr. Fabio Gonzalez to the board table as he will do a great job in representing SJCC faculty.

MSC President Lauren McKee thanked the Board for approving the new salary schedules for the MSC group. She also thanked Vice Chancellor Garcia and the MSC executive committee for their hard work with the numbers and also thanked Chancellor Cepeda for her support. The district is in the process of hiring new administrators, and this new salary schedule will make us more competitive with other Bay 10 colleges.

SJCC Student Senate member Chuck Stevens reported that this was his last board meeting in which he would attend as a student senate member. The ASG has gone through some growing pains but has learned a lot in the process. He expressed thanks for the Board in supporting the ASG and all that he has learned from participating in board meetings. President Lease thanked Mr. Stevens for his energy and commitment to issues that impact students.

President Lease stated he is really honored to serve as president of the Board. He has been attending a lot of conferences to learn about governance and will use that knowledge to assist the Board in moving forward with the crucial issues of student success and policy governance.
I | ACTION AGENDA

1. **RESOLUTION NUMBER 11414-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS**

M/S/C (Mann/Nasol) to approve 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.

Board vote was as follows: Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows: Student Trustee Ward voted yes.

2. **SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2012/2013 INDEPENDENT ANNUAL FINANCIAL AND AUDIT REPORT**

Trustee Nasol recommended that the Board approve Action Agenda Item 2, Item 3, Item 4, Item 5, and Item 6 as one action since these items concern the comprehensive audit of the district. The Board agreed to Trustee Nasol’s motion as follows:

M/S/C (Nasol/Mann) to accept the San José Evergreen Community College District’s Independent Annual Financial and Performance Audit Reports for FY2012/2013 as outlined in Action Agenda I, Numbers 2-6 as follows: District, Measure G-2004, Measure G-2010, Retirement Futuris Public Entity Investment Trust, and Chancellor and Board of Trustees Discretionary Expenditures.

Board vote was as follows: Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows: Student Trustee Ward voted yes.

Ms. Tina Treis, Audit Partner, Crowe Horwath, presented the SJECCD FY2012/2013 Independent Annual Financial and Audit Report. She reported that the audit was clean, and there are no audit exceptions.


The Board took action on this item as part of Action Agenda item I-2.

Ms. Tina Treis, Audit Partner, Crowe Horwath, presented the FY2012/2013 Measure G-2004 Independent Annual and Financial Performance Audit Reports. She
reported that the audit was clean, and there are no audit exceptions.

4. **SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2012/2013 2010 GENERAL OBLIGATION BONDS (MEASURE G-2010) INDEPENDENT ANNUAL AND FINANCIAL PERFORMANCE AUDIT REPORTS**

The Board took action on this item as part of Action Agenda item I-2.

Ms. Tina Treis, Audit Partner, Crowe Horwath, presented the SJECCD FY2012/2013 General Obligation Bonds, Measure G-2010, Independent Annual and Financial Performance Audit Reports. She reported that the audit was clean, and there are no audit exceptions.

5. **SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2012/2013 RETIREMENT FUTURIS PUBLIC ENTITY INVESTMENT TRUST INDEPENDENT ANNUAL AND FINANCIAL PERFORMANCE AUDIT REPORT**

The Board took action on this item as part of Action Agenda item I-2.

Ms. Tina Treis, Audit Partner, Crowe Horwath, presented the SJECCD FY2012/2013 Retirement Futuris Public Entity Investment Trust Independent Annual and Financial Performance Audit Report. She reported that the audit was clean, and there are no audit exceptions.

6. **SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2012/2013 CHANCELLOR AND BOARD OF TRUSTEES DISCRETIONARY EXPENDITURES INDEPENDENT AUDIT REPORT**

The Board took action on this item as part of Action Agenda item I-2.

Ms. Tina Treis, Audit Partner, Crowe Horwath, presented the SJECCD FY2012/2013 Chancellor and Board of Trustees Discretionary Expenditures Independent Audit Report. She reported that the audit was clean, and there are no audit exceptions.

Trustee Nasol provided a report as the Chair of the Board Audit Committee. He stated that the committee, along with Vice Chancellor Smith and Fiscal Service Director Fitzsimmons, met with the auditors on December 16. At the meeting, they reviewed documents on the audit and the findings; and, surprisingly, there were no findings. Last year, there were five findings, and all were implemented by district staff, which led to the clean audit this year. Trustee Nasol gave kudos to the staff and stated this audit reflects the direction the district is going. Chancellor Cepeda also gave kudos to the Fiscal Services staff and everyone who has contributed toward these excellent results. The district does have a checks and balances system in place, and it’s good to see how well it is working.

J. INFORMATION AGENDA

1. **ADOPTION OF THE CARVER POLICY GOVERNANCE MODEL – FIRST**
**READING**

President Lease provided an overview of the work on governance policy development the Board had done over the three board meetings in December, one session at the regularly scheduled meeting on December 10 plus two special meetings on December 11 and 13. The facilitator at the meetings was Ms. Miriam Carver, Carver Consulting. President Lease reviewed some of the key components of the Carver Policy Governance Model, which brings clarity to the roles and functions of the Board and the Chancellor. He stated it is crucial for the Board to be specific in its delegation of authority to the Chancellor since she is the only district employee who reports directly to the Board. The Carver Policy Governance Model provides the Board with a framework to “build its house.” Using this model, the Board will create governance policies, separate from the administrative policies and procedures already in place, which are required by the state.

President Lease requested that in the next two weeks, Board members review the draft of the policies document and check their notes from the study sessions to ensure all the edits were captured in the draft. He also requested the Board review the current Chapter Two board policies to see which of these policies are governance and could move to the new policies and which would remain in Chapter Two as administrative/procedural policies. This will prepare the Board for moving the governance policies to the Action Agenda sometime in February. Trustee Cruz made a recommendation to the Board to create an opportunity for the constituency groups and community members to dialogue with the Board about their concerns and to answer any questions that may have about the how this would impact the Board’s relationship with constituents. Trustee Mann stated that he is willing to hear from everyone; however, governance is the Board’s job. The Board needs to move forward with this process. Trustee Ho recommended having some time at the next board meeting where constituents and members of the public could ask questions and receive further clarification. It is also important to move forward with the review of the document. Trustee Dhillon stated that we are a family together, and we don’t want to push away any family member. He also expressed concern that the three board meetings, which were supposed to be training meetings, were actually meetings where Board members were asked to create draft policies. We are not using the Carver Model policies, but we are creating our own. Trustee Fuentes stated that she will probably never vote to approve this model. She did not approve of Ms. Miriam Carver telling the Board how they should run their meetings and how they should behave in meetings. She compared Ms. Carver’s approach to a dictatorship. She also questioned the need to change since the district seems to be doing so well as evidenced by documents, such as the equity plan, which shows the great things we do in this district and how we serve the community. Trustee Fuentes stated her belief that the Carver Policy Governance Model would prevent her from fulfilling her duties as an elected trustee. Trustee Nasol stated that he embraces the opportunity to learn more about how to be an effective trustee. There is great potential for this model, and he hoped all Trustees would give this model a chance.

The Board heard comments from the audience that the district training provided was insufficient to truly educate them about the Carver Policy Governance Model; and Mr. David Yancey, FA President, requested an opportunity to be “brought along” to understand the process. President Lease requested that an opportunity be provided at the next meeting for the public to ask questions and seek clarification. He
requested that members of the audience also review the total document before the next meeting so they could ask specific questions. President Lease charged Chancellor Cepeda with allocating time on the next agenda for the public to ask questions. He also requested a FAQ (Frequently Asked Questions) be created that would assist the district and community members. He suggested 30 minutes to an hour for the public Q&A session. Chancellor Cepeda stated she would ask Dr. Tamela Hawley to send a district-wide email survey to request questions and use this information to create a FAQ document. She also stated that on the next agenda, a one hour session would be set aside for the Board to respond to questions from the public. The Board will also have an additional hour to review edits and changes to the draft policy document.

2. **CCCT BOARD ELECTION - 2014**

President Lease stated that the California Community College Trustees (CCCT) Board is now receiving nominations, January 1 through February 15, for membership. Nominations are to be made by member district Board of Trustees, and each district may nominate only members of its board. President Lease stated that, although he was not selected last year, he was encouraged by league members to run again because many nominees are not selected on the first try. Therefore, he would be submitting to the Board his application materials. However, if any other member of the Board is also interested in running, they should let him know so that their application materials would also be considered and voted on by this Board.

3. **BOARD POLICY AND ADMINISTRATIVE PROCEDURE 6331 PROCUREMENT (CREDIT) CARDS**

Chancellor Cepeda reported that this board agenda item is being submitted as part of the process the Board put in place to have 20% of their policies reviewed every year. Therefore, BP 6331 Procurement (Credit) Cards is being submitted to the Board for a first reading. The administrative procedure AP 6331 is also attached for information purposes only since the Board is not required to approve administrative procedures. We expect to bring this policy to the next meeting for approval. The only change on the policy from the last one is a clear policy on the issuance and responsibility of district procurement cards. Trustee Cruz inquired if the district has utilized the CCLC template for this policy development. Chancellor Cepeda answered that, yes, we have already done so with this policy; and the fact that the district has received such an exemplary audit indicates that what we have in place is working well for us.

4. **MEASURE G-2010 BOND PROGRAM UPDATE**

Ms. Anne Kennedy, Gilbane Financial Manager, provided information on the Series A ($70 million issued in February 2012,) Series B ($20 million issued in February 2012,) and Series C (estimate of $120 million, targeted issuance in March 2014.) She stated that we are very confident in these numbers, and April 15 is the target date at this moment. This information will be submitted to the Board at the February 11 meeting. Ms. Kennedy reviewed the State Scheduled Maintenance Plan, which includes FY13/14 funding of approximately $172,000 to be used to repair the exterior of the 40 South Market Street property. She also reviewed Board Policy...
6340 on Change Management as it relates to changes made to consultant contracts (revisions) and construction contracts (change orders.) Change orders to construction agreements are due to unforeseen conditions, owner added scope for the project and design changes. Trustee Nasol inquired if, in the consulting agreement, the district requires the consultant to carry insurance for errors or omissions to cover some of the ordinance requirements. Mr. Mark Miller, Gilbane Program Manager, answered that we have not used that within the bond at this point.

Mr. Miller provided an update of EVC projects, including the Central Plan Police Renovation, which is now 60% complete; Gullo Exterior Renovation, 80% complete, the schedule status of the South Campus project, and the budget status and changes to design of the Automotive Technology project.

Vice Chancellor Smith requested that Gilbane Building Company discuss the safety improvements they have made at the colleges. Mr. Scott Jewel, Gilbane Program Manager, stated that a safety expert met with the team and reviewed a few components and procedures that were not yet in place. Gilbane and SJCC worked together to tweak our process a little because a lot of the concerns deal with perception and feasibility. We are now requiring a high level encasement where work is being conducted, and we are also receiving a lot of positive feedback from faculty and staff as well. Mr. Mark Miller, Gilbane Program Manager, stated that EVC has taken a lot of what has been implemented at SJCC; such as, every contractor is required to provide a safety plan. Our contractors are now required to have a supporter in both the front and back of the vehicles that transport materials to construction areas. President Yong also stated his belief that the fencing, which has been put in place at EVC for a long time now, has been a big help in keeping the construction areas safe.

K. CONTINUATION OF CLOSED SESSION

No.

L. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

M. ADJOURNMENT

M/S/C (Fuentes/Mann) to adjourn the meeting at 8:35 p.m.

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

President Lease called the Regular Meeting of the Governing Board of the San José- Evergreen Community College District to order on Tuesday, January 28, 2014, at 4:30 p.m. at the District Office 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
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Fuentes/Ho) to approve the Closed Session agenda.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

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 6:05 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. Zohaib Javed
Mr. Alex Ward

Board Members Absent:
None

1. PLEDGE OF ALLEGIANCE

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

2. ADOPTION OF AGENDA

M/S/C (Mann/Nasol) to adopt the agenda as amended.

A change was made to the Consent Agenda.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

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.

5. APPROVAL OF THE JANUARY 14, 2014, GOVERNING BOARD MEETING MINUTES

M/S/C (Nasol/Mann) to approve the above listed meeting minutes as amended. Trustee Fuentes requested a sentence be added to her comments in Item J.1. Paragraph Two as follows: Trustee Fuentes stated her belief that the Carver Policy Governance Model would prevent her from fulfilling her duties as an elected
trustee.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Mann/Ho) to approve the Consent Agenda as amended:

Item F-2 Management Personnel Actions, No. 2, the name was added to the New Hire – Duran, Alexandra, Dean of Student Success.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

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. FACULTY PERSONNEL ACTIONS – SJCC ADJUNCT FACULTY

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

7. OUT OF COUNTRY TRAVEL FOR STUDENTS AND FACULTY

The Board approved out of country travel for Evergreen Valley College and San
Minutes of January 28, 2014, Governing Board Meeting

Jose City College students and faculty.

8. **BOARD POLICY 6331 PROCUREMENT (CREDIT) CARDS**

   The Board approved BP 6331 Procurement (Credit) Cards.

G. **MEASURE G BOND PROGRAMS CONSENT AGENDA**

   1. **ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA**

   M/S/C (Mann/Nasol) to approve the Measure G Bond Programs Consent Agenda as submitted.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustees Javed and Ward voted yes.

   2. **MEASURE G-2010 BOND PROGRAM: WATERPROOFING ASSOCIATES, INC. – NOTICE OF COMPLETION FOR JAGUAR GYM ROOF REPLACEMENT PROJECT 31304-02**

   The Board approved the Notice of Completion for the Jaguar Gym Roof Replacement Project at San Jose City College Campus.

H. **ACTION AGENDA**

   1. **REVISED SJEECD CONFLICT OF INTEREST CODE**

   Chancellor Cepeda stated that due to changes made to position titles in the district, the district needs to amend its Conflict of Interest Code to reflect those changes. The Conflict of Interest Code lists those titles of district members who are required to file a Form 700 Statement of Economic Interests. She recommended that the Board of Trustees approve the revised code.

   M/S/C (Dhillon/Ho) to approve a revision to the district’s Conflict of Interest Code.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustees Javed and Ward voted yes.

I. **INFORMATION AGENDA**

   1. **SJEECD FOUNDATION ANNUAL REPORT**
Vice Chancellor Coen introduced Mr. Peter Bostic, Interim Institutional Advancement Officer, who provided the SJECCD Foundation annual report. Mr. Bostic reported the Foundation has four new board members, Ms. Norma Camancho, Chief Operating Officer, Santa Clara Valley Water District, Mr. Richard Hobbs, Executive Director, Human Agenda, Mr. Joe Vela, Associate Principal, Director of Construction Services, Aedis Architecture & Planning and Ms. Claudine Tuazon-Rydquist, Realtor, Intero Real Estate Services. The Foundation Board now has 12 members. Mr. Bostic reported on the highlights for 2013, including new scholarships from Gilbane Building Company and the Pan American Roundtable and new endowments from the CISE (Consortium of Information System Executives Education Fund) and the Sikh community. Mr. Bostic reported that the Foundation received a clean audit with no findings. He also noted that 85% of the funds received by the Foundation have been spent on programs to assist our students. The Bridge to the Future 2013 event was a great success as 236 attended and $91,530 was collected. This enabled the Foundation to provide $41,500 in new scholarships. The highlights of the event were the engrossing stories told by our students. Mr. Bostic reviewed the short-term workplan for the Foundation and upcoming events, such as the Be Our Valentine fundraising event of February 14. He stated that fundraising efforts have been successful, and one example was the staff commitments made at the District Office holiday party. There was also a raffle for a mini-vacation, which enabled the Foundation to provide one student from each college a financial gift to assist their families over the holidays. Efforts will be made to continue identifying new donors and increasing employee donations. The sky is the limit for the Foundation.

2. SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOUNDATION INDEPENDENT ANNUAL FINANCIAL REPORT FOR FISCAL YEARS 2011-2012 AND 2012-2013

Vice Chancellor Smith stated that at the last meeting, the Board received the annual audits for our district. He reported that the Foundation also received a clean audit with no findings. He stated how proud he was at the work done at the campus level and at the Workforce Institute which made this happen for the Foundation.

3. BLITZ POLICY DEVELOPMENT CONTINUATION

President Lease reviewed the process that would be used to review the policies at this meeting. The plan was to review each policy so each Board member could provide their recommended edits. This work will be continued at the next board meeting. President Lease distributed a timeline of this work that would be achieved at upcoming board meetings. Nothing has been adopted at this point; however, the Board is reviewing these policies as if they would be adopted in the future. The goal of the next meeting would be to compare the draft governing policies document with current Board Policy Chapter Two to determine what parts, if any, could be incorporated in the governance policies document or vice versa. However, the focus of this meeting is to review the current language to the draft governance policies.

One suggestion President Lease made was to include the policy descriptions, which were provided in the original Carver Policy Governance Model template, into an appendix so that future board members would learn the concepts used for the
development of each policy.

The Board reviewed each policy and provided comments on the wording. Ms. Joy Pace recorded the Board’s input onto the draft document. (This updated draft document is included as an attachment to these meeting minutes. Comments and revisions made at this meeting are highlighted in blue ink.) Many of the comments made indicated which policies required the review of legal counsel and which policies used language already included in BP Chapter Two. It was determined that at the next meeting, the Board would do a comparison review of the governance policies and the current Chapter Two policies.

Trustee Fuentes stated that what the Board really needs to do is to get connected to the community. The graphic included on the cover page doesn’t show the community’s participation in this model. She expressed concern that these governance policies do not reflect the principles the Board has established of opportunity, equity and social justice. Trustee Fuentes also expressed concern with the policy entitled, “Treatment of Consumers.” She requested the word consumers be changed to students. Trustee Cruz stated that perhaps the word students could be added in parentheses. Trustee Nasol stated that in his board work in the K-12 system, students are referred to as customers. Trustee Ho recommended adding a Glossary of Terms to the document to clear up any confusion about the meaning of the policy governance terms. President Lease stated that in order to be consistent with the Carver Policy Governance Model, we may need to keep the words “consumer” and “owner” in the policy language. Trustee Mann suggested this may be another area to include in the legal review process. Trustee Fuentes stated that the issue is what would be important for us to maintain in order to meet our needs as board members. Trustee Fuentes also expressed concern with the negative language included in the Global Executive Constraint policy. She inquired if this could be worded in a more positive manner. Perhaps this could be another area for legal review.

After much discussion, the Board determined the following draft governing policies require legal review:

Treatment of Consumers – review of the language. Could we use students instead of consumers?
Compensation and Benefits – review language on numbers 2 and 4
Board Job Description – check on the term ownership, i.e. residents of the district
Board Secretary’s Role – review of the “x” number of hours on number 2
Unity of Control – Review on first broad statement and how this limits the Board’s authority over the CEO.
Board Members’ Code of Conduct – Review of number 4 statement “confidentiality appropriate to issues of a sensitive nature.”

Trustee Fuentes stated that although she loved the Ends Statement, she had concerns about how the Board would really be able to measure this statement. How would the Board work with the Chancellor to achieve it? How would the Board evaluate the Chancellor based on this statement? Chancellor Cepeda answered that many of these components are included in the district’s Strategic Planning document, Student Success Policy and other documents which have been approved by the Board. She is working on perhaps a May deadline to provide a document to
the Board which would include all the evaluation components.

President Lease distributed a document on the Board Committee Assignments. He reviewed the current Board committees and included his suggestions on the proposed status, such as Standing Committee or Ad Hoc Committee. He requested that the chairs of each board committee review their committee based on the principles outlined in the Board Committee Principles policy. The Board will discuss this policy in more detail at a future board meeting and will also make a determination on the status of each committee.

4. **PUBLIC DISCUSSION: QUESTIONS AND ANSWERS SESSION ON THE CARVER POLICY GOVERNANCE MODEL (1 HOUR)**

President Lease stated that at the last meeting, the Board requested that constituency groups and members of the public be provided an opportunity to ask questions about the policy governance model. He stated that question sheets had been distributed to members of the audience, and he requested that anyone with a question submit those sheets to him.

Chancellor Cepeda reported that Dr. Tamela Hawley had sent a district-wide survey to receive questions about the Carver Policy Governance Model. Based on those questions, along with information provided by the Carver Policy Governance website, Dr. Hawley developed a draft Frequently Asked Questions document that would, hopefully, answer many of the questions members of the district have on policy governance. Dr. Hawley reported to the board on the process she used and the main findings of the survey.

President Lease proceeded to ask the audience for their questions and statements.

Mr. Phil Crawford, SJCC Academic Senate member, requested clarification on the Board Members' Code of Conduct Policy, number 4, regarding "confidentiality appropriate to issues of a sensitive nature." This statement should require legal review. On the Unity of Control policy, as a member of the public, he could request any documents or information from the district; therefore, he had a problem with the language in number 2. Mr. Crawford also stated the Board seemed to be struggling with language at this meeting, and that struggle is apparent because the words of these governing policies are words used in the private sector and corporate entities. Chancellor Cepeda answered that the district does need to respond to public information requests; however, the law allows limits in terms of costs and time allocated for this work. Trustee Cruz answered that the Carver Policy Governance Model was developed to address issues of board governance in non-profit organizations. It is not necessarily a model that is used in the business sector.

Mr. Jack Baker, EVC Instructor, stated that although he sees the wisdom of using the Carver model, the current board policies are more affirming. The Unity of Control policy language is negative and emphasizes when the Chancellor can say no. He stated he is troubled by the language of these policies. The Ends Statement indicates that we are talking about students yet the Carver model calls them consumers.

Mr. Larry Harris, SJCC Student, stated that regarding the policy on Board Members
Code of Conduct, while he agrees that the board needs unity to enact policy, the public is entitled to know the opposing views of Board members so that all sides of an issue could be heard. He requested that Trustee Fuentes elaborate on how the Carver model would prevent her from fulfilling her duties as a trustee. Trustee Fuentes answered that when a trustee takes a position on an issue, they take into consideration the desires of their constituents, which include community members, vendors, students, staff and faculty. Therefore, she will bring to the Board the perspective of her constituents; and if there is a situation where she has taken a minority position, it’s important for her to express that opinion; and it may be necessary to do that more than once. Trustee Ho stated that according to BP 2715 an individual board member has the right to express opinions; however, there are no individual board decisions. Trustee Cruz stated that once the Board has made a decision, it speaks with one voice in terms of that decision. Mr. Harris also requested the district find a way to promote the Ends Statement so that students would be excited and encouraged about their future.

Dr. Tamela Hawley distributed the draft Frequently Asked Questions document to the Board and members of the audience. She stated that this document would evolve as she received further input from district and community members.

President Lease thanked Dr. Hawley for putting this document together and also thanked the district’s constituency groups for their input.

K. CONTINUATION OF CLOSED SESSION

No.

L. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

M. ADJOURNMENT

President Lease called for a moment of silence in memory of Ms. Renee Lyons, who passed away on January 16, 2014. Ms. Lyons began her work with the district on September 4, 1984 and served the district for over 28 years. She was an important member of the district family and served as the District Office Database Administrator. She will be sorely missed.

Trustee Nasol made a motion to adjourn the meeting in memory of Ms. Renee Lyons at 9:24 p.m.

______________________
Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
February 11, 2014

A. CALL MEETING TO ORDER

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, February 11, 2014, at 4:30 p.m. at the District Office Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol

Board Members Excused:
Ms. Mayra Cruz

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Ho/Fuentes) to approve the Closed Session agenda.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

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))
Minutes of February 11, 2014, Governing Board Meeting

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
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol
Mr. Alex Ward
Mr. Zohaib Javed

Board Members Absent:
Mr. Alex Ward

Board Members Excused:
Ms. Mayra Cruz

1. PLEDGE OF ALLEGIANCE

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

2. ADOPTION OF AGENDA

M/S/C (Mann/Nasol) to adopt the agenda as amended:

Action Agenda Item I-4 was moved to follow the approval of the Consent Agenda.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Javed voted yes.

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 the following individuals:

Mr. Mike Bulea, Taxpayer, Silicon Valley Taxpayer Association, read a letter to the Board expressing his concerns that the district used bond funds in a manner that was inconsistent with the Measure G-2010 bond language.

Mr. Mark W. Hinkle, President, Silicon Valley Taxpayer Association, also expressed
concern that the bond language included the building of a vocational building, and a bait and switch approach was used to change that project to the building of a new Media Arts Center.

5. **APPROVAL OF THE JANUARY 28, 2014, GOVERNING BOARD MEETING MINUTES**

M/S/C (Mann/Nasol) to approve the above listed meeting minutes as amended. Trustee Nasol requested the language be changed in the Adjournment section to state that he had made a motion to adjourn the meeting, not that he had adjourned the meeting.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Javed voted yes.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S/C (Mann/Ho) to approve the Consent Agenda as submitted.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Javed voted yes.

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. **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. **LAND DEVELOPMENT CONSULTANT AGREEMENT – A. Plescic & Co.**

The Board approved the contract amendment of $18,000 with A. Plescia & Co., an independent contractor providing services for the development of District owned land adjacent to Evergreen Valley College.
6. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

The Board ratified the contracts and purchase orders for the period of December 10, 2013 through January 9, 2014, as noted in the documents attached to the agenda.


Mr. Joseph Becker, Committee Chair, Citizens’ Bond Oversight Committee, presented the annual report to the Board. He reviewed the charge of the committee to provide oversight of expenditures of the Measure G-2004 and Measure G-1010 bonds to ensure that the bond proceeds have been used for the purposes set forth in the bond language for each project. It is the responsibility of the Board, however, to monitor the project lists, determine the priority of projects and approve the budgets and spending levels of individual projects. Mr. Becker reported on behalf of the committee that, to the best of its knowledge, the San José-Evergreen Community College District is in full compliance with the responsibilities outlined in Article XIII A, Section 1 (b)(3) of the California State Constitution, which addresses bonded indebtedness incurred by a community college district. He also reported on the clean audit received this year as there were no findings. Mr. Becker reviewed the Measure G website, the committee meetings and topics covered in FY2012-2013, and an overview of projects and expenditures at the District Office, Evergreen Valley College and San José City College.

Vice Chancellor Smith reported on the CBOC meeting last month in which the committee reviewed its bylaws with legal counsel. The committee has also done well in replacing its membership as there is a lot of interest from the community. Trustee Nasol expressed his appreciation to the CBOC as the committee did more than what was required by Proposition 39. Trustee Mann also thanked Mr. Becker and committee members for the excellent work they have done.

M/S/C (Mann/Nasol) to accept the Measure G-2004/Measure G-2010 Citizens’ Bond Oversight Committee’s 2012-2013 Annual Report.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Javed voted yes.

The Board heard a public comment from Mr. Chris Novak, Taxpayer, who expressed concern that a member of the Silicon Valley Taxpayer Association was not included in the Citizens’ Bond Oversight Committee.

G. **MEASURE G BOND PROGRAMS CONSENT AGENDA**

1. **ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA**

M/S/C (Mann/Ho) to approve the Measure G Bond Programs Consent Agenda as
submitted.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Javed voted yes.


3. **MEASURE G-2004 BOND: AWARD OF LEASE-LEASEBACK CONTRACT FOR PRECONSTRUCTION SERVICES – SAN JOSE CITY COLLEGE PE GYM**

The Board approved an Agreement with Sundt Construction Inc. for preconstruction services in the amount of $87,000 and construction service fee percentages to be applied to the Guaranteed Maximum Price for the Physical Education Gymnasium project at San Jose City College.

4. **MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE PHOTOGRAPHY LAB RELOCATION PROJECT – NOTICE OF COMPLETION**

The Board approved the Notice of Completion for the San José City College Photography Lab Relocation project.

5. **MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE – UTILITY EXTENSION PROJECT #G2010.0052, PROJECT #31110, CHANGE ORDER NO. 005**

The Board approved Change Order 005 for JKL Construction Services, Inc. in the amount of $7,852 for the San Jose City College Utility Extension Project.

6. **MEASURE G-2010 BOND PROGRAM: EVC – AUTOMOTIVE TECHNOLOGY – PROJECT ASSIGNMENT AMENDMENT (PAA) #002**

The Board approved Project Assignment Agreement #002 for Lionakis in the amount of $1,650 for the Automotive Technology Project at Evergreen Valley College.

7. **MEASURE G-2010 BOND PROGRAM: EVC – CENTRAL PLANT AND POLICE STATION RENOVATION – CHANGE ORDER #006**

The Board approved Change Order #006 for Swenson & Associates in the amount of $34,852 for the Central Plant and Police Station Renovation Project at Evergreen Valley College.
Minutes of February 11, 2014, Governing Board Meeting

8. **AWARD OF CONTRACTS FOR BID PROPOSAL G2010.0069 ELLUCIAN COLLEAGUE CONVERSION TO MS SQL & RELATED UPGRADES PROJECT**

The Board awarded contracts for Bid Proposal G2010.0069 Ellucian Colleague Conversion to MS SQL & Related Upgrades Project to the CampusWorks team (a contract to CampusWorks for $2,678,562.50 and a contract to ASR Analytics not to exceed $277,440.00) in the total amount of $2,956,003.00.

9. **MEASURE G-2010 BOND PROGRAM: ENVIRONMENTAL SYSTEMS, INC. CONTRACT – HVAC AND PLUMBING UPGRADES PROJECT AT SAN JOSE CITY COLLEGE**

The Board approved issuance of a construction contract to Environmental Systems, Inc. in the amount of $276,000 for the HVAC and Plumbing Upgrades Project at San Jose City College.

H. **ORAL COMMUNICATIONS**

a. **Board of Trustees**

President Lease requested that, due to the time required for the Board’s work on governing policies that only critical reports should be provided at this meeting.

b. **Chancellor**

Chancellor Cepeda reported that Spring semester got off to a great start, although enrollment is down about 4%. Presidents are meeting with their enrollment management teams to determine any strategies to increase FTES and to do so within the resources available. The big news at this moment is accreditation. The information regarding the accreditation status for both colleges will be covered by Presidents Yong and Breland. The struggle over the fate of San Francisco City College continues, including the involvement of the courts and the legislature. Today the Faculty Union, AFT 6157 of the San José-Evergreen Community College District, along with students, elected officials, and community members, are hosting a forum to address the critical topic on the Accreditation Crisis of California Community Colleges. A meeting is being scheduled between California Community College Chief Executive Officers and ACCJC Board Members and Dr. Sherrill Amador, Chair of the Commission; Commissioners Raul Rodriguez and Frank Gornick; and Commission President Dr. Barbara Beno. The purpose of the meeting is to give us a chance to engage in conversation with the representatives about issues of interest to us beyond the review of the Standards.

Chancellor Cepeda also reported that great progress has been made on reorganization/redesign, including a revision of organization charts following a districtwide survey. We have also identified Phase I, II and III redesign staffing decisions. We are now in the process of prioritizing and costing out positions with each phase. It is the intent to bring the Report on Redesign and
her recommendations to the Board at the April 8 meeting.

Chancellor Cepeda also reported that on Friday, February 17, she participated in a conference call with Supervisor Chavez, Assemblymember Nora Campos and Das Williams on the status of the National Hispanic University. The purpose of the call was to create a group of state and local officials along with a higher education partner who would be willing to explore options to address concerns regarding the future of NHU, which range from possible closure to its possible transformation to an online institution.

Chancellor Cepeda also reported on recent media events as a result of working with Ford and Bonilla scheduling various media opportunities and providing print information that has been picked up by the media.

c. Presidents

EVC President Yong reported that EVC has received its letter from ACCJC accepting the Mid-Term Report, which was submitted in October last year. While the Commission accepted our report, it also pointed out that EVC still has not fulfilled the recommendation regarding having student learning outcomes being included in the faculty evaluation instrument. Standard III.A.1.c states that “Faculty and others directly responsible for student progress toward achieving stated student learning outcomes have, as a component of their evaluation, effectiveness in producing those learning outcomes.” The Commission has given the college until March 31, 2014, to complete a Follow-Up Report that “should demonstrate that Evergreen Valley College is in full compliance with Standard III.A.1.c”

President Yong also extended special New Year greetings to students, faculty and staff, to welcome the Year of the Horse. The celebration for Tet, the Lunar New Year, traditionally lasts 15 days. In conjunction with the celebrations for Tet, EVC hosted tables at the Fair Grounds to connect with the Vietnamese community, and to support the community event. The effort featured staff and students as volunteers, and was an opportunity for us to publicize programs offered at EVC. As part of the Authors’ Guild Series, EVC invited Andrew Lam, a well-known Vietnamese journalist, to address the campus community. He will talk about his published works and read selected portions to the audience. President Yong also reported that EVC is celebrating Black History Month with special weekly presentations in Montgomery Hall from 12:00 noon to 1:30 p.m. Everyone is welcome to attend these events.

SJCC Interim President Breland also reported that San José City College received a similar letter from the ACCJC regarding the student learning outcomes recommendation. SJCC will be working very closely with EVC to ensure we provide the correct response to that recommendation. President Breland reported that enrollment is at 7% (which is actually up from 2% from where it was two weeks ago.) San José City College is at approximately 26 students per class, down from 28 students per class at this same point in time last year. Of concern is the fill rate, which is at 54%. In other words, about 54% of the current capacity of our currently offered classes is filling. To
provide some perspective, we were at 90% in 2009. We will need to market more heavily as well as increase dual enrollment opportunities for high school students. President Breland also introduced new hires at SJCC. Ms. Mary Denham, is a full-time Counselor, DSP&S; Ms. Kathy Buob, new Instructional Support Assistant in the High Tech Lab of DSP&S; Dr. Ingrid Thompson, new Dean of Business and Workforce Development and, after a thorough and exhaustive search, Mr. Duncan Graham is now the permanent Vice President of Academic Affairs.

d. Constituency Group Representatives

No reports were provided.

I ACTION AGENDA

1. RESOLUTION NUMBER 021114-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS

M/S/C (Mann/Ho) to approve 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.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Javed voted yes.

2. CCCT BOARD ELECTION 2014

President Lease stated that he decided to run again this year for the CCCT Board. He was informed that oftentimes it takes running more than once before a Trustee is elected to that Board, and he hopes to be able to represent our district’s interest as a member of the CCCT Board. Trustee Ho expressed her support and hoped that President Lease would be elected this year.

M/S/C (Nasol/Mann) to nominate Trustee Jeffrey Lease to serve on the California Community College Trustees (CCCT) Board.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Javed voted yes.

3. MEASURE G-2004 BOND PROGRAM: BOND LIST REVISION
M/S/C (Mann/Nasol) to approve the revisions to the Measure G-2004 bond list, as presented.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Javed voted yes.

4. MEASURE G-2004/MEASURE G-2010 CITIZENS’ BOND OVERSIGHT COMMITTEE’S 2012-2013 ANNUAL REPORT

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

5. MEASURE G-2010 BOND PROGRAM: BOND LIST REVISION #7

M/S/C (Mann/Nasol) to approve the revisions to the Measure G-2010 bond list, as presented.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Javed voted yes.


Vice Chancellor Garcia reported that the date, which was left blank in the board agenda item, should be February 7, 2014.

FA, AFT 6157, Executive Director Barbara Hanfling, thanked the Board and the district’s negotiating team for the statement that was made through this contract. She also thanked the Board for the salary increase. Many, many hours went into the negotiating process. As important as the overall contract is, it’s important to note the language is linked to student success as faculty is a major contributor to the success of our students. Ms. Hanfling stated her concerns that adjunct faculty don’t have the rights of tenure or medical benefits, things that are accepted by everyone else in the district. She also made note of the sabbatical contract and that this year some faculty sabbatical requests had to be turned down because of the lack of money. Overall, however, her members were pleased that this is a strong contract.

Trustee Nasol Vice Chancellor Garcia, the district’s negotiating team and the Faculty Association for their work in putting this contract together. Collective bargaining is never easy, but this contract meets the faculty’s interests and the district’s interests and, ultimately, it serves our students.

M/S/C (CM/WH) to approve the District and Faculty Association, AFT 6157 tentative agreements.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Javed voted yes.

7. RESOLUTION NO. 021114-2 IN SUPPORT OF FEBRUARY 2014 AS BLACK/AFRICAN AMERICAN HISTORY MONTH

M/S/C (Dhillon/Ho) to approve Resolution No. 021114-2 in support of February 2014 as Black/African American History Month.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Javed voted yes.

J. INFORMATION AGENDA

1. OVERVIEW OF GENERAL OBLIGATION BOND PROGRAM FINANCING FOR MEASURE G-2004: SERIES C BOND SALE, MEASURE G-2010: SERIES C BOND SALE, AND 2014 GENERAL OBLIGATION REFUNDING BONDS

Vice Chancellor Smith introduced Ms. Ivory Li, Senior Vice President, Piper Jaffray & Co.; Mr. Rod Carter, Managing Director, Municipal Finance, RBC Capital Markets, LLC; and Ms. Christina Long, Associate Municipal Finance, RBC Capital Markets, LLC as well as Ms. Brianne Abrams from Mr. David Cashnocha's staff. He also thanked Ms. Ann Kennedy and Mr. Peter Fitzsimmons for their work in putting together the information that would be presented to the Board this evening. Mr. Smith stated that the Board would receive only information at this meeting, and next month the Board would be asked to take action to issue Measure G-2004 funds, and issue a next series of Measure G-2010 bonds in the amount of $120 million. Mr. Smith stated that the district is working to refinance the 1998 and 2004 bonds as we believe that we have an opportunity to save taxpayers substantial dollars. On March 4, the Chancellor, Mr. Peter Fitzsimmons, Ms. Ann Kennedy and he are going to San Francisco to present the district before the credit rating analysts of Moody's and Standard & Poor's with the goal of achieving the highest credit rating possible to save taxpayer dollars in our district bonds. It is anticipated that with the sound fiscal management, strong operating budget reserves and great audit reports we have received, as well as becoming a basic aid district, we can improve our credit rating. The basic aid status is a very important new element.

Ms. Ivory Li, Senior Vice President, Piper Jaffray & Co., reviewed the district's assessed valuation update. The District's 2013-14 assessed valuation is $108.3 billion, an increase of 8.28% from the prior fiscal year. The AV projection for 2014 bonds for 2014-15 is 2% and 2015-16 is 3% and 3.5% thereafter. She also provided a Measure G-2004 tax rate analysis. At the time of the election, the maximum estimated tax rate for the Measure I (1998 Election) and Measure G (2004 Election) General Obligation Bonds was $15.00 per $100,000 AV. Due to declines in AV from the recent recession, the tax rate for fiscal year 2013-14 is $16.00, while the tax rate
for fiscal year 2012-13 was $16.90. The Measure G-2010 tax rate analysis at the
time of election, the general obligation bonds was $9.60 per $100,000 AV. The tax
rate for fiscal year 2013-14 is $8.50, while the tax rate for fiscal year 2012-13 was
$9.10. Mr. Rod Carter, Managing Director, RBC Capital Markets reviewed the
district's outstanding general obligation bond debt. Currently, the 2004 Refunding A
and C Bonds and the 2004 Election Series A Bonds are candidates to be refinanced
at a lower interest rate. The refinancing would also replace a large portion of capital
appreciation bonds with current interest bonds from the 2004 Election Series A
Bonds ($48,674,774.10 in CAB redemption value.) The district proposes to combine
this refinancing with the issuance of new money bonds for issuance efficiencies and
cost of issuance savings. The district's outstanding 2004 Refunding A and C and
2004 Election Series A Bonds currently have interest rates ranging from 5% to
5.34% with one premium CAB maturity at 12%. Through a refinancing, the district
can lower its cost of borrowing to 3.16%. Under current market conditions, the debt
service to taxpayers is currently estimated at more than $13 million or 8.6% net of all
costs with no extension of term. The Election of 2004 Series C uses all current
interest bonds (CIBs) with level debt service and would reach final maturity in 20.3
years (2034.) This structure keeps the tax rates level using a low cost financing
structure and would be the final issuance of this authorization. The Election of 2010,
Series C, uses CIBs and stays under a $9.60 tax rate per $100,000. The final
maturity comes in 29.3 years (2043.) This structure brings the amortization up to the
maximum estimated tax until the next issuance which allows the most capacity for
subsequent issuances. After this issuance, the district would have $58 million in
authorization remaining.

In 2013, the district received a credit rating of AA- from Standard & Poor's and Aa1
with a negative outlook from Moody's. Narrow cash flow, declines in assessed
valuation and projected budget deficits impacted these ratings. It is hoped that our
stronger fiscal position will have a positive impact on our ratings, which would allow
us to refinance at lower interest rates.

Vice Chancellor Smith stated that he would come back to the board on March 11
with an action to issue the remaining $31 million in Measure G-2004 bonds, to issue
a new series of Measure G-2010 bonds and to refinance earlier issues of the

2. MEASURE G-2010 BOND PROGRAM: NEW DISTRICT OFFICE BUILDING
RENOVATION PROJECT #39301 - PRESENTATION

Vice Chancellor Smith introduced Ms. Karen Drozda, Mr. Steve Winslow, and Mr.
David Moseley, DES Architects, and Mr. Scott Jewel, Project Manager, Gilbane
Building Company, who presented on the new District Office building at 40 South
Market Street in San Jose, CA. Mr. Jewel provided an overview of the project
history and reported that most of the design work on the new building has been
completed. The City of San José has upheld their agreements with us, the design
build contract is in place, and the schematic design has also been completed. He
reviewed the floor plans as follows: 1st Floor for the Board and Multi-purpose rooms,
2nd Floor Human Resources/Facility Management, 3rd Floor – Serve Room and
ITSS, 4th and 5th Floors – Outside Tenant Spaces, 6th Floor – Administrative
Services/Fiscal Serves and 7th Floor – Chancellor’s Office, Institutional Effectiveness
and Multi-purpose room. Ms. Drozda did a floor-by-floor 3D interactive presentation
to showcase how each floor would look.

Trustee Fuentes requested that the constituency group representatives have an actual table, similar to what they have now, so that they could effectively participate and have a place for their materials during the board meetings. Mr. David Yancey, FA President, also expressed how important it is for the constituency leaders to have a table, not just a seat, for their laptops and board meeting materials. Mr. Jewel answered that it would be no problem to add the table to the floor plan. Trustee Fuentes stated that she didn’t really understand the vision for the multi-purpose meeting room. We have very powerful values in our district, and we are committed to those values. How do we use this space for our community members, in particular, for the downtown San José area? We must use this opportunity to support our values.

Vice Chancellor Smith stated that this plan is it. The next step is for the district to go out for the permits. Mr. Smith stated that district members had the ability to provide extensive input, which was incorporated into the plan that was presented at this meeting. President Lease asked whether or not this project would be on time and on budget. Mr. Jewel answered yes and yes.

3. **MEASURE G-2010 BOND PROGRAM: MEASURE G-2010 SUMMARY REPORT**

Vice Chancellor Smith reported that this summary report is an on-going standing report for the Board, and there are no cautions or issues of concern to be discussed at this meeting.

4. **MEASURE G-2010 BOND PROGRAM: PROPRIETARY (SOLE SOURCE) ITEMS IN INVITATIONS FOR BIDS OR REQUESTS FOR PROPOSALS**

Vice Chancellor Smith stated the need for the district to standardize many of the parts used in district’s facilities as this would enable cost savings through minimizing inventories and parts needed through our contracts with service companies. He presented a list of the item or service and the recommended specific brand or trade name. Trustee Nasol commended the district for moving in this direction. This will save the district money, especially in limiting the amount of training needed to service different parts. This is also good so that when the district puts out bids for its projects, the bidders already know the standardized equipment the district is requiring. Trustee Ho inquired about how the brand names were selected. Mr. Steve Thompson, Director, Facilities and Bond Program Management, answered that all the items on the list are extensively used on both campuses and the District Office. They have been tested extensively, and our district staff knows how to maintain them. Vice Chancellor Smith stated that the district may come back to the Board with more items or changes if certain brand or trade names are no longer available because of market changes or someone goes out of business. Chancellor Cepeda stated that these standardized product requirements would not hinder local or minority businesses from being able to receive contracts from the district. It would make it clearer, however, what materials we expect to be included bids.

5. **LEGISLATIVE REPORT**

Ms. Rosalie Ledesma, Executive Director of Governmental Relations, reported on
the recent meetings with legislators, two legislative initiatives that we believe will be of great interest to the Board and the basic plan for this year’s legislative agenda on bills introduced. In mid-December and mid-January, there were three separate occasions in which district representatives met with local and state legislators to provide an overview of our district, including demographics, key programs and degrees offered and shared our legislative interests and concerns that would further supports the students we serve. Meetings were scheduled with the intent of establishing new and more formal relationships with local and state legislators.

All bills will be introduced in the legislature on February 21. After this date, we will be recommending to the Board a position (watch, support or oppose) on bills relevant to our district, using guiding principles determined by the Board. New bills already introduced to legislature for the 2014 year include: SCA 5 (introduced by Senator Ed Hernandez) Proposed State Constitutional Amendment that, if successful through the State legislature, will be put forth before the voters in the upcoming November general election. This amendment, if approved by the voters, would delete specific provisions of Proposition 209 as it pertains to the operation of public education. Proposition 209 was passed by the voters in 1996 that prohibits the state from discriminating against, or granting preferential treatment to, any individual or group on the base of race, sex, color, ethnicity, or national origin in public employment, public education, or public contracting. The public education portion of Prop 29 would be overturned. Supporters of this state amendment correctly argue that since the passage of Prop 209, there has been a significant drop in the percentage of enrolled Latino and Black students at both the University of California and California State University. SB 850 (Senator Block) will allow community colleges to provide bachelor’s degrees. This bill would authorize the Chancellor of the California Community Colleges to approve the establishment of one baccalaureate degree pilot program per campus per district. Participating districts would be determined by the State Chancellor. The pilot program would expire eight years after its inception. The Governing Board of the participating district would be authorized to charge four-year degree-seeking students an enrollment fee for pilot program expenses. The offered four-year degree should not negatively impact existing similar programs by other local public postsecondary educational institutions and should enhance unmet workforce needs in the local community. A spot bill currently being negotiated between Senator Lara and Assemblymember Gonzalez that will allow undocumented nursing students to practice (licensures) in the state of California. This bill would probably be somewhat similar to last year’s approved state legislation for undocumented law degree students who successfully pass the bar exam (Sergio Garcia case.)

President Lease reported that during the legislative visits, the district was able to meet with good legislators who would be able to greatly support our students. He thanked Ms. Ledesma and Mr. Manny Diaz for the work they are doing in organizing these visits.

APPROVAL OF RESOLUTION 021114-3 TO EXCUSE TRUSTEE MAYRA CRUZ FROM ATTENDING THE GOVERNING BOARD MEETING

President Lease stated that Trustee Mayra Cruz informed him she would not be able to attend the meeting due to a work-related conflict.
Minutes of February 11, 2014, Governing Board Meeting

M/S/C (Mann/Nasol) to approve Resolution 021114-3 to excuse Trustee Mayra Cruz from attending the February 11, 2014, Governing Board Meeting due to a work related conflict.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Javed voted yes.

6. GOVERNANCE POLICY DEVELOPMENT AND REVIEW OF BOARD COMMITTEES

President Lease reviewed the work done to date on the Board Governance Policies document. At the January 28, 2014, Governing Board Meeting, the Board reviewed the draft document that was put together over three board meetings in December. It was determined that a lot of this language was already contained in the Chapter Two board policies. The next step for the Board is to do a comparison of these two sets of policies to see how they could be merged. President Lease stated that this work may be cumbersome, and he suggested a Board Task Force of himself, Trustee Ho and Trustee Cruz meet to complete the majority of that work. However, at this meeting, the Board would move through each governing board policy to see where it is at this point and which policy needs legal review. President Lease noted that on the document, the policies already completed have been marked with a big blue check mark, legal questions are indicated in red, and relevant Chapter Two policies have been added after each governing policy for the purpose of language comparison and merging. Chancellor Cepeda reported that she had met with legal counsel, Mr. Randy Parent, from Liebert Cassidy Whitmore and reviewed this document, and Mr. Parent already had some suggestions. Mr. Parent has agreed to attend the March 11 board meeting to answer any questions the Board may have about the governing policies.

At this meeting, the Board reviewed each policy. President Lease and Vice President Ho suggested changes to the following policies: Executive Limitations policies: Communication and Support to the Board and Governing Style. Governance Process policies, Board Job Description and Board Members’ Code of Conduct. Board-Management Delegation policies: Unity of Control and Delegation to the CEO. Ends Policy: Ends Statement. The Board also determined that Board Committees policy needs further work and that the Agenda Planning policy would not be completed until/unless the Board voted to approve the governing policies. Ms. Joy Pace, executive administrative assistant to the Chancellor, edited the document at the meeting and indicated in red all the changes made at the meeting. This draft document as edited at the meeting will be attached to these meeting minutes. It was determined that the Board Task Force would meet before the February 25 board meeting and provide suggested revisions to the policies at that meeting.

After the review of the policies, President Lease reviewed a template document provided by Chancellor Cepeda entitled, SJECCD Board Committee Assignments: Worksheet Decision Matrix. This template listed all of the Board’s current committees, the charges of those committees and the recommended status, such as
Standing, Ad Hoc or TBD. President Lease requested that Board Committee Chairs get together, whether in person or by phone, with their committee members, and perhaps Chancellor Cepeda to determine if the committee is still needed to do the Board's job based on the Carver Model, and what the status of the committee should be. This item will be brought back to the next meeting for further discussion.

K. CONTINUATION OF CLOSED SESSION

No.

L. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

M. ADJOURNMENT

M/S/C (Nasol/Mann) to adjourn the meeting at 10:00 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Board Governance Policies

Draft Reference Document
02-11-14
TABLE OF CONTENTS

1) Executive Limitations (pg. 3)
   a) Global Executive Constraint
   b) Treatment of Consumers
   c) Treatment of Staff
   d) Financial Planning/Budgeting
   e) Financial Condition & Activities
   f) Emergency CEO Succession
   g) Asset Protection
   h) Compensation & Benefits
   i) Communication and Support to the Board
   j) Ends Focus of Grants or Contracts

2) Governance Process (pg. 14)
   a) Global Governance Commitment
   b) Governing Style
   c) Board Job Description
   d) Agenda Planning
   e) Chief Governance Officer’s Role
   f) Board Secretary Role
   g) Board Members Code of Conduct
   h) Board Committee Principles
   i) Board Committee Structure
   j) Cost of Governance

3) Board-Management Delegation (pg. 36)
   a) Global Governance – Management Connection
   b) Unity of Control
   c) Accountability of the CEO
   d) Delegation to the CEO
   e) Monitoring CEO Performance

4) Ends (pg. 47)
   a) Ends Statement
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: GLOBAL EXECUTIVE CONSTRAINT

The CEO will not cause or allow any organizational practice, activity, decision, or circumstance which is either unlawful, imprudent or in violation of commonly accepted business and professional ethics and practices and principles of social justice.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: TREATMENT OF STUDENTS

With respect to interactions with consumers (hereafter known as students) or those applying to be students, the CEO will not cause or allow conditions, procedures, or decisions that are unsafe, undignified, uncivil or unclear.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: TREATMENT OF STAFF

With respect to the treatment of paid and volunteer staff, the CEO will not cause or allow conditions that are unfair, undignified, disorganized, unclear or uncivil.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: FINANCIAL PLANNING/BUDGETING

Financial planning for any fiscal year or the remaining part of any fiscal year will not deviate materially from board’s Ends priorities, risk fiscal jeopardy, or fail to be derived from a multi-year plan.

The CEO will not allow budgeting that:

1. Risks incurring those situations or conditions described as unacceptable in the board policy “Financial Condition and Activities.”

2. Omits credible projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosure of planning assumptions.

3. Provides less for board prerogatives during the year than is set forth in the Cost of Governance policy.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: FINANCIAL CONDITION AND ACTIVITIES

With respect to the actual, ongoing financial condition and activities, the CEO will not cause or allow the development of fiscal jeopardy or material deviation of actual expenditures from board priorities established in Ends policies.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: EMERGENCY CEO SUCCESSION

In order to protect the board from sudden loss of CEO services, the CEO will have no fewer than two other executives sufficiently familiar with board and CEO issues and processes to enable either to take over with reasonable proficiency as an interim successor.

BP 2432 The Temporary Replacement of the Chancellor

Reference: Education Code Sections 70902(d); 72400; Title 5 Section 53021(b)

The Board delegates authority to the Chancellor to appoint an acting Chancellor to serve in his or her absence for short periods of time, not to exceed thirty (30) calendar days at a time.

The Board shall appoint an acting Chancellor for periods exceeding thirty (30) calendar days.

Advice from legal counsel on where to reference Ed Code Sections
Trustee Ho BP 2432 is more operational. Board agreed to keep BP 2432 in Chapter Two.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: ASSET PROTECTION

The CEO will not cause or allow district assets to be unprotected, inadequately maintained, or unnecessarily risked.

The CEO will not

1. Allow board members, staff, and the organization itself to be inadequately insured against theft, casualty, and liability losses.

2. Allow unbondable personnel access to material amounts of funds.

3. Subject property, plant, and equipment to improper wear and tear or insufficient maintenance.

4. Unnecessarily expose the organization, its board or staff to claims of liability.

5. Make any purchase: (a) wherein normally prudent protection has not been given against conflict of interest; (b) of over $1,000 without having obtained comparative prices and quality; (c) of over $84,100 as adjusted annually by the State Chancellor’s Office and $15,000 for public works contract. Orders shall not be split to avoid these criteria.

6. Allow intellectual property, information and files to be exposed to loss or significant damage.

7. Receive, process or disburse funds under controls that are insufficient to meet the board-appointed auditor’s standards.

8. Compromise the independence of the board’s audit or other external monitoring or advice. Engaging parties already chosen by the board as consultants or advisers is unacceptable.

9. Invest or hold operating capital in insecure instruments, including uninsured checking accounts and bonds of less than AA rating at any time, or in non interest-bearing accounts except where necessary to facilitate ease in operational transactions.

10. Endanger the organization’s public image, credibility, or its ability to accomplish Ends.

11. Change the organization’s name or substantially alter its identity in the community.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: COMPENSATION AND BENEFITS

With respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers, the CEO will not cause or allow jeopardy to fiscal integrity or to public image or would negatively affect the Ends policies.

The CEO will not

1. Change the CEO’s own compensation and benefits, except as his or her benefits are consistent with a package for all other employees.

2. Promise or imply permanent or guaranteed employment with the exception of tenured and other employees who are guaranteed permanent employment.

3. Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.

4. Create obligations over a longer term than revenues can be safely projected.

Need legal review of numbers 2 and 4.
The CEO will not permit the board to be uninformed or unsupported in its work.

The CEO will not

1. Withhold, impede, or confound information relevant to the board’s informed accomplishment of its job.

   A. Neglect to submit monitoring data required by the board in Board-Management Delegation policy “Monitoring CEO Performance” in a timely, accurate and understandable fashion, directly addressing provisions of board policies being monitored, and including CEO interpretations consistent with Board-Management Delegation policy “Delegation to the CEO,” as well as relevant data.

   B. Allow the board to be unaware of any actual or anticipated noncompliance with any Ends or Executive Limitations policy, regardless of the board’s monitoring schedule.

   C. Allow the board to be without decision information required periodically by the board or let the board be unaware of relevant trends.

   D. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and other.

   E. Let the board be unaware of any incidental information it desires including anticipated media coverage, threatened or pending lawsuits and material internal changes.

   F. Let the board be unaware if, in the CEO’s opinion, the board is not in compliance with its own policies on Governance Process and Board-Management Delegation, particularly in the case of board behavior that is detrimental to the work relationship between the board and the CEO.

   G. The CEO shall not make available any information or give any report requested by individual trustee. Requests for information shall be met if, in the opinion of the Chancellor, they are not unduly burdensome or disruptive to district operations. Information provided to any trustee shall be provided to all trustees.

2. Withhold from the board and its processes logistical and clerical assistance.

   A. Allow the board to be deprived of a workable, user-friendly mechanism for official board, officer, or committee communications.

   B. Allow the board to be deprived of pleasant and efficient settings and arrangements for board and committee meetings.
3. Impede the board’s holism, misrepresent its processes and role, or impede its lawful obligations.

   A. Deal with the board in a way that favors or privileges certain board members over others except when (i) fulfilling individual requests for information or (ii) responding to officers or committees with respect to duties charged to them by the board.

   B. Allow the board to do its work without the necessary items on its Required Approvals agenda. Necessary items are those decisions delegated to the CEO yet required by law, regulation, or contract to be board-approved, along with applicable monitoring information.

   C. Hinder access to the board for any person who alleges unethical or unlawful action or circumstance in the organization or by its representatives.

BP 2430 Delegation of Authority to Chancellor

Reference: Education Code Sections 70902(d), 72400; Accreditation Standard IV.B.1.j; IV.B.2

The Board delegates to the Chancellor the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action.

The Chancellor may delegate any powers and duties entrusted to him or her by the Board including the administration of the colleges, but will be specifically responsible to the Board for the execution of such delegated powers and duties.

The Chancellor is empowered to reasonably interpret Board policy. In situations where there is no Board policy direction, the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board of such action and to recommend written Board policy if one is required.

The Chancellor is expected to perform the duties contained in the Chancellor job description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions. The job description and goals and objectives for performance shall be developed by the Board in consultation with the Chancellor. (This may go under policy title of Monitoring CEO performance.)

The Chancellor shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in timely fashion.

The Chancellor shall make available any information or give any report requested by the Board as a whole. Individual trustee requests for information shall be met if, in the opinion of the Chancellor, they are not unduly burdensome or disruptive to District operations. Information provided to any trustee shall be provided to all trustees. – Trustee Ho – reword to add to governing policy. Create new item “G” – See above.

Individual trustee requests…. (This may be referred to somewhere else and could possibly be removed from this board policy.)

The Chancellor shall act as the professional advisor to the Board in policy formation.
The CEO will not enter into any contract arrangements that fail to emphasize the production of ends and the avoidance of unacceptable means.

BP 6340 Contracts


The Board delegates to the Chancellor or designee the authority to enter into contracts on behalf of the District and to establish administrative procedures for contract awards and management, subject to the following:

Contracts are not enforceable obligations until they are ratified by the Board.

Contracts for work to be done, services to be performed or for goods, equipment or supplies to be furnished or sold to the District that exceed the amounts specified in Public Contracts Code Section 20651 shall require prior approval by the Board.

When bids are required according to Public Contracts Code Section 20651, the Board shall award each such contract to the lowest responsible bidder who meets the specifications published by the District and who shall give such security as the Board requires, or reject all bids.

If the Chancellor or designee concludes that the best interests of the District will be served by prequalification of bidders in accordance with Public Contracts Code Section 20651.5, pre-qualification may be conducted in accordance with procedures that provide for a uniform system of rating on the basis of a questionnaire and financial statements.

If the best interests of the District will be served by a contract, lease, requisition or purchase order through any other public corporation or agency in accordance with Public Contracts Code Section 20652, the Chancellor or designee is authorized to proceed with a contract.
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: GLOBAL GOVERNANCE COMMITMENT

The purpose of the board, on behalf of the owners (henceforth residents of the district,) is to see to it that the San José-Evergreen Community College District (a) achieves appropriate results for appropriate persons at an appropriate cost (as specified in board Ends policies), and (b) avoids unacceptable actions and situations (as prohibited in board Executive Limitations policies).
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: GOVERNING STYLE

The board will govern lawfully and in a manner that does not threaten its accreditation with an emphasis on (a) outward vision rather than an internal preoccupation, (b) encouragement of diversity in viewpoints, (c) strategic leadership more than administrative detail, (d) clear distinction of board and chief executive roles, (e) collective rather than individual decisions, (f) future rather than past or present, and (g) proactivity rather than reactivity.

Accordingly:

1. The board will cultivate a sense of group responsibility. The board, not the staff, will be responsible for excellence in governing. The board will be the initiator of policy, not merely a reactor to staff initiatives. The board will not use the expertise of individual members to substitute for the judgment of the board, although the expertise of individual members may be used to enhance the understanding of the board as a body.

2. The board will direct, control and inspire the organization through the careful establishment of broad written policies reflecting the board's values and perspectives. The board's major policy focus will be on the intended long-term impacts outside the staff organization, not on the administrative or programmatic means of attaining those effects.

3. The board will enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policymaking principles, respect of roles, and ensuring the continuance of governance capability. Although the board can change its governance process policies at any time, it will observe those currently in force scrupulously.

4. Continual board development will include orientation of new board members in the board's governance process and periodic board discussion of process improvement.

5. The board will allow no officer, individual, or committee of the board to hinder or be an excuse for not fulfilling group obligations.

6. The board will monitor and discuss the board's process and performance at each meeting. Self-monitoring will include comparison of board activity and discipline to policies in the Governance Process and Board-Management Delegation categories.

7. Trustees enhance their potential as Board members through participation in educational conferences, workshops and training sessions offered by local, state and national organizations. They participate in state and national community college trustee associations.

8. Trustees devote the time to activities which will enhance their ability to function effectively as an educational governing board member.
Board Code of Ethics
BP 2715 Code of Ethics/Standards of Practice
Reference:
Accreditation Standard IV.B.1.a, e, & h

The San Jose/Evergreen Community College District is committed to the principle that access to higher education should be available to every person. All Board members are committed to maintaining the highest standards of conduct and ethical behavior. The Board believes that such standards promote trust, confidence, and integrity in the working relationship between Trustees and staff. Therefore, the Board and its individual members are committed to the following:

Trustees are elected to represent the interests and serve the needs of the entire District and to promote the mission of the San Jose/Evergreen Community College District, which includes, as a primary concern, the welfare and success of students so that they may reach their educational goals.

Trustees are a part of the team of trustees, administrators, faculty, classified staff and students working in the best interest of the District and its students. Trustees encourage open, mutually supportive, and accountable participation of students, faculty, administrators and classified staff.

Trustees have as their function the establishment of the policies by which the District is to be administered. The Board's duties also include the selection of the Chancellor, the establishment of policies for the District's current and long-range planning, review of the colleges’ educational programs, including the establishment of broad outcome goals and monitoring progress, the preservation of assets, the expenditure of funds, and the determination of a governance structure. The Board holds the Chancellor accountable for the administration of the educational program and the conduct of District business.

Trustees uphold the letter and spirit of the Ralph M. Brown Act and make all official decisions and actions of the Board of Trustees in open and public meetings.

Trustees recognize that authority rests with the Board majority in legal sessions and not with individual members. Trustees respect the confidentiality of all privileged information.

The Board is made up of individuals with differing values and beliefs; debate is expected and natural. Although there are individual expressions, there are no individual decisions. Trustees work with fellow Board members in a spirit of harmony and cooperation in spite of differences.

Trustees communicate and promote the needs of the community to the District and the needs of the District to the community. Trustees assure the orderly operation of the District by encouraging employees to use established channels before bringing their concerns to the Board.

Trustees avoid all conflicts of interest and the appearance of conflicts of interest.

Trustees enhance their potential as Board members through participation in educational conferences, workshops and training sessions offered by local, state and national organizations. They participate in state and national community college trustee associations.
Trustees devote the time to activities which will enhance their ability to function effectively as an educational governing board member

1.0 Behavior Contrary to the Code of Ethics

All Trustees are expected to maintain the highest standards of conduct and ethical behavior. Trustees who violate the Board’s Code of Ethics harm the Board and the District. In order to maintain public confidence in the Board and in governance, the Board will be prepared to investigate the factual basis behind any charge or complaint of Trustee misconduct.

If an alleged breach of ethics occurs, the following process shall be followed:

2.1 Behavior contrary to the code of Ethics will be brought to the attention of the President of the Board of Trustees.

2.2 If the Board President’s behavior is alleged to be contrary to or violates the Code of Ethics, the Board Vice President will address the matter.

2.3 The President or Vice President of the Board of Trustees may appoint two Trustees to a Code of Ethics committee to investigate the behavior contrary to the Code of Ethics.

2.4 The President will rule on whether there is a breach of ethics during a Board meeting, a point of order may be made, at which time the meeting may go into recess so that the Board can discuss the breach.

2.5 Board President will discuss the matter with the Trustee in question and may include the Code of Ethics Committee in the review.

2.6 The Board President and/or the committee shall, within a reasonable period of time, make a report of its findings to the Board of Trustees for action.

2.7 Sanctions include, but are not limited to, the following:

- 2.7.1 A formal letter to the Trustee(s) to officially put him/her/them on notice that his/her/their behavior will not be tolerated, or
- 2.7.2 A formal resolution to censure a Trustee in open session, or
- 2.7.3 Any further action deemed necessary, such as formal communication, by the Board President/Board Vice President, to the State of California Fair Political Practices Commission or a District Attorney, etc.

Trustees enhance their potential as Board members through participation in educational conferences, workshops and training sessions offered by local, state and national organizations. They participate in state and national community college trustee associations

Trustees devote the time to activities which will enhance their ability to function effectively as an educational governing board member  (Per Trustee Ho; these statements can be incorporated into GP #4. See above edit to GP.)

BP 2745 Board Self-Evaluation

Reference: Accreditation Standard IV.B.1.e & g
The Board is committed to assessing its own performance as a Board in order to identify its strengths and areas in which it may improve its functioning. (Add to end of #6 GP)

To that end, the Board has established the following processes:

The Board shall at least once a year conduct a self evaluation. A process and/or instrument may be used. Any evaluation instrument shall incorporate criteria contained in these Board policies regarding Board operations, as well as criteria defining Board effectiveness promulgated by recognized practitioners in the field.

The process for evaluation shall be recommended to and approved by the Board.

If an instrument is used, all Board members will be asked to complete the evaluation instrument and submit them to the secretary of the Board.

A summary of the evaluations will be presented and discussed at a Board session scheduled for that purpose. The results will be used to identify challenges and accomplishments for the previous year and to improve the performance of the Board.
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: BOARD JOB DESCRIPTION

Specific job outputs of the board) as an informed agent of the residents of the district, are those that ensure appropriate organizational performance.

Accordingly, the board has direct responsibility to create:

1. The link between the residents of the district and the operational organization.

2. Written governing policies that address the broadest levels of all organizational decisions and situations.
   A. Ends: Organizational products, impacts, benefits, outcomes, recipients, and their relative worth (what good for which recipients at what cost/priority).
   B. Executive Limitations: Constraints on executive authority that establish the prudence and ethics boundaries within which all executive activity and decisions must take place.
   C. Governance Process: Specification of how the board conceives, carries out and monitors its own task.
   D. Board-Management Delegation: How power is delegated and its proper use monitored including, if applicable, the CEO role, authority, and accountability.

3. Assured successful organizational performance on Ends and Executive Limitations. In current BP 2715 the Board holds the Chancellor accountable for the administration of the educational programs and the conduct of district business.

BP 2010 Board Membership

Reference: Education Code Sections 72023, 72103; 72104

The Board shall consist of 7 members elected by the qualified voters of the District. Members shall be elected by trustee area as defined in Board Policy 2100. (This is not in the Ed Code, this should be in board policy. Trustee Fuentes requested legal review as to whether or not this should be included in the governing policy.)

Any person who meets the criteria contained in law is eligible to be elected or appointed a member of the Board.

An employee of the district may not be sworn into office as an elected or appointed member of the governing Board unless he or she resigns as an employee.

No member of the governing Board shall, during the term for which he or she is elected, hold an incompatible office.
**BP 2015 Student Member(s)**

*Reference: Education Code Section 72023.5*

The Board shall include 2 non-voting student members, one from each college campus. The term of office shall be one year commencing May 15 of each year.

The student member shall be a resident of California at the time of nomination, and during the term of service, and shall be enrolled in and maintain a minimum of five (5) semester units in the District at the time of nomination and throughout the term of service. The student shall maintain the same standards of scholarship required by the district for all students in the district.

The student member shall be seated with the Board and shall be recognized as a full member of the Board at meetings. The student member is entitled to participate in discussion of issues and receive all materials presented to members of the Board (except for closed session). The student member shall be entitled to any mileage allowance necessary to attend Board meetings to the same extent as publicly elected trustees.

On or before May 15 of each year, the Board shall consider whether to afford the student member any of the following privileges:

- The privilege to make and second motions;
- The privilege to attend closed sessions, other than closed sessions on personnel or collective bargaining matters;
- The privilege to receive compensation for meeting attendance at a level of $200 or 50% of the regular Board Member compensation for any given month See BP 2725;
- The privilege to serve a term commencing on May 15;
- The privilege to cast an advisory vote although the vote shall not be included in determining the vote required to approve any measure before the Board.

**Board Code of Ethics**

*BP 2715 Code of Ethics/Standards of Practice*

*Reference: Accreditation Standard IV.B.1.a, e, & h*

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Trustees are elected to represent the interests and serve the needs of the entire District and to promote the mission of the San Jose/Evergreen Community College District, which includes, as a primary concern, the welfare and success of students so that they may reach their educational goals.

Trustees are a part of the team of trustees, administrators, faculty, classified staff and students working in the best interest of the District and its students. Trustees encourage open, mutually supportive, and accountable participation of students, faculty, administrators and classified staff
Trustees have as their function the establishment of the policies by which the District is to be administered. The Board's duties also include the selection of the Chancellor, the establishment of policies for the District's current and long-range planning, review of the colleges’ educational programs, including the establishment of broad outcome goals and monitoring progress, the preservation of assets, the expenditure of funds, and the determination of a governance structure. The Board holds the Chancellor accountable for the administration of the educational program and the conduct of District business.

Trustees uphold the letter and spirit of the Ralph M. Brown Act and make all official decisions and actions of the Board of Trustees in open and public meetings.

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Trustees respect the confidentiality of all privileged information.

The Board is made up of individuals with differing values and beliefs: debate is expected and natural. Although there are individual expressions, there are no individual decisions. Trustees work with fellow Board members in a spirit of harmony and cooperation in spite of differences.

Trustees communicate and promote the needs of the community to the District and the needs of the District to the community.

Trustees assure the orderly operation of the District by encouraging employees to use established channels before bringing their concerns to the Board.

Trustees avoid all conflicts of interest and the appearance of conflicts of interest.

Trustees enhance their potential as Board members through participation in educational conferences, workshops and training sessions offered by local, state and national organizations. They participate in state and national community college trustee associations.

Trustees devote the time to activities which will enhance their ability to function effectively as an educational governing board member.

1.0 Behavior Contrary to the Code of Ethics

All Trustees are expected to maintain the highest standards of conduct and ethical behavior. Trustees who violate the Board’s Code of Ethics harm the Board and the District. In order to maintain public confidence in the Board and in governance, the Board will be prepared to investigate the factual basis behind any charge or complaint of Trustee misconduct.

If an alleged breach of ethics occurs, the following process shall be followed:

2.1 Behavior contrary to the code of Ethics will be brought to the attention of the President of the Board of Trustees.
2.2 If the Board President’s behavior is alleged to be contrary to or violates the Code of Ethics, the Board Vice President will address the matter.
2.3 The President or Vice President of the Board of Trustees may appoint two Trustees to a Code of Ethics committee to investigate the behavior contrary to the Code of Ethics.

2.4 The President will rule on whether there is a breach of ethics during a Board meeting, a point of order may be made, at which time the meeting may go into recess so that the Board can discuss the breach.

2.5 Board President will discuss the matter with the Trustee in question and may include the Code of Ethics Committee in the review.

2.6 The Board President and/or the committee shall, within a reasonable period of time, make a report of its findings to the Board of Trustees for action.

2.7 Sanctions include, but are not limited to, the following:
   2.7.1 A formal letter to the Trustee(s) to officially put him/her/them on notice that his/her/their behavior will not be tolerated, or
   2.7.2 A formal resolution to censure a Trustee in open session, or

2.7.3 Any further action deemed necessary, such as formal communication, by the Board President/Board Vice President, to the State of California Fair Political Practices Commission or a District Attorney, etc.
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: AGENDA PLANNING

To accomplish its job products with a governance style consistent with board policies, the board will follow an annual agenda which (a) completes a re-exploration of Ends policies annually and (b) continually improves board performance through board education and enriched input and deliberation.

1. The cycle will conclude each year on __________so that administrative planning and budgeting can be based on accomplishing a one year segment of the board’s most recent statement of long term Ends.

2. The cycle will start with the board’s development of its agenda for the next year.
   
   A. Consultations with selected groups in the ownership, or other methods of gaining ownership input will be determined and arranged in the first quarter, to be held during the balance of the year.
   
   B. Governance education, and education related to Ends determination, (e.g. presentations by futurists, demographers, advocacy groups, staff, etc.) will be arranged in the first quarter, to be held during the balance of the year.

3. Throughout the year, the board will attend to consent agenda items as expeditiously as possible.

4. At any meeting prior to which monitoring reports have been received, the board will ascertain by vote whether a majority of members judge the individual reports to have demonstrated fulfillment of a reasonable interpretation of the applicable policy.

5. CEO remuneration will be decided after a review of monitoring reports received in the last year during the month of ………..
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: CHIEF GOVERNANCE OFFICER’S ROLE

The Chief Governance Officer (CGO) (hereafter known as Board President) assures the integrity of the board's process.

Accordingly:

1. The assigned result of the Board President’s job is that the board behaves consistently with its own rules and those legitimately imposed upon it from outside the organization.
   
   A. Meeting discussion content will be on those issues which, according to board policy, clearly belong to the board to decide or to monitor.
   
   B. Information that is for neither monitoring performance nor board decisions will be avoided or minimized and always noted as such.
   
   C. Deliberation will be fair, open, and thorough, but also timely, orderly, and kept to the point.

2. The authority of the Board President consists in making decisions that fall within topics covered by board policies on Governance Process and Board-Management Delegation, with the exception of (a) employment or termination of a CEO and (b) where the board specifically delegates portions of this authority to others. The Board President is authorized to use any reasonable interpretation of the provisions in these policies.

   A. The Board President is empowered to chair board meetings with all the commonly accepted power of that position, such as ruling and recognizing.
   
   B. The Board President has no authority to make decisions about policies created by the board within Ends and Executive Limitations policy areas. Therefore, the Board President has no authority to supervise or direct the CEO.
   
   C. The Board President may represent the board to outside parties in announcing board-stated positions and in stating chair decisions and interpretations within the area delegated to her or him.
   
   D. The Board President may delegate this authority, but remains accountable for its use.

BP 2210 Officers

Reference: Education Code Section 72000

At the annual organizational meeting, the Board shall elect from among its members a President and Vice President of the Board.

The terms of officers shall be for one year.
The duties of the President of the Board are:

1. Preside over all meetings of the Board
2. Call emergency and special meetings of the Board as required by law
3. Develop the Board meeting agenda with the Chancellor
4. Communicate with individual Board members about their responsibilities
5. Participate in the orientation process for new Board members
6. Assure Board compliance with policies on Board education, self-evaluation and Chancellor evaluation
7. Represent the Board at official events or ensure Board representation

The duty of the Vice President of the Board will be to serve in the place of the Board President in the absence of the President of the Board.

The Chancellor shall serve as Secretary to the Board.

The duties of the Secretary are:

1. Notify members of the Board of regular, special, emergency and adjourned meetings
2. Prepare and post Board meeting agendas
3. Have prepared for adoption minutes of Board meetings
4. Attend all Board meetings and closed sessions, unless excused, and in such cases to assign a designee
5. Conduct the official correspondence of the Board
6. Certify as legally required all Board actions
7. Sign, when authorized by law or by Board action, any documents that would otherwise require the signature of the Secretary or the Clerk of the Board

The Board will not have an official system of rotation of officers; it elects the officers each year from among all its members.

**BP 2355 Decorum Civility at Board Meetings**

*Reference: Education Code Section 72121.5; Government Code Section 54954.3 (b)*

The SJECCD Board of Trustees seeks to conduct public meetings in an atmosphere of honest communication, accountability, and respect. Every attempt will be made to conduct business with utmost civility, caring, and honesty to build trust, positive relationships, and shared solutions.

To that end, the following behavior is not acceptable and will be ruled out of order by the presiding officer:

1. Remarks or discussion in public meetings on charges or complaints which the Board has scheduled to consider in closed session
2. Profanity, obscenity and other hateful or other offensive language
3. Physical violence and/or threats of physical violence directed towards any person or property

In the event that any meeting is willfully interrupted by the actions of one or more persons so as to render the orderly conduct of the meeting unfeasible, the person(s) may be removed from the meeting room.

Speakers who engage in such conduct may be removed from the podium and denied the opportunity to speak to the Board for the duration of the meeting.
Before removal, a warning and a request that the person(s) curtail the disruptive activity will be made by the President of the Board. If the behavior continues, the person(s) may be removed by a vote of the Board, based on a finding that the person is violating this policy, and that such activity is intentional and has substantially impaired the conduct of the meeting.

If order cannot be restored by the removal in accordance with these rules, of individuals who are willfully interrupting the meeting, the Board may order the meeting room cleared and may continue in session. The Board shall only consider matters appearing on the agenda. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this rule.

**Board Task Force to review**
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: BOARD SECRETARY’S ROLE

The Board Secretary is the Chancellor whose purpose is to ensure the integrity of the board’s documents.

1. The assigned result of the Secretary’s job is to see to it that all board documents and filings are accurate and timely.

   A. Policies will be current in their reflection of board decisions. Decisions upon which no subsequent decisions are to be based, such as consent agenda decisions, motions to adjourn, and staff or board member recognitions need not be placed in policy.
   B. Policies will rigorously follow Policy Governance principles.
   C. By law elements necessary for legal compliance and for consistency with the principles of Policy Governance will be known to the board.
   D. Requirements for format, brevity, and accuracy of board minutes will be known to the CEO.

2. The authority of the Secretary is access to and control over board documents.

From BP 2210

The Chancellor shall serve as Secretary to the Board.

The duties of the Secretary are:
1. Notify members of the Board of regular, special, emergency and adjourned meetings
2. Prepare and post Board meeting agendas
3. Have prepared for adoption minutes of Board meetings
4. Attend all Board meetings and closed sessions, unless excused, and in such cases to assign a designee
5. Conduct the official correspondence of the Board
6. Certify as legally required all Board actions
7. Sign, when authorized by law or by Board action, any documents that would otherwise require the signature of the Secretary or the Clerk of the Board

BP 2360 Minutes

Reference: Education Code Section 72121(a); Government Code Section
The Chancellor shall cause minutes to be taken of all meetings of the Board. The minutes shall record all actions taken by the Board. The minutes shall be public records and shall be available to the public. If requested, the minutes shall be made available in appropriate alternative formats so as to be accessible to persons with a disability.
The minutes shall also record the names of Board members and District leadership representatives present, all motions, names of those making and seconding motions, votes and major discussion points.

Need legal review on the “x” number of hours on number 2 (Number of hours was removed at board meeting.)
The board commits itself and its members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum when acting as board members. The SJECCD Board of Trustees seeks to conduct public meetings in an atmosphere of honest communication, accountability, and respect. Every attempt will be made to conduct business with utmost civility, caring, and honesty to build trust, positive relationships, and shared solutions.

1. Board members must have loyalty to the residents of the district, unconflicted by loyalties to staff, other organizations, and any personal interest as a consumer.

2. Board members must avoid conflict of interest with respect to their fiduciary responsibility.

3. Board members may not attempt to exercise individual authority over the organization.
   
   A. Board members' interaction with the CEO or with staff must recognize the lack of authority vested in individuals except when explicitly board authorized.
   
   B. Board members' interaction with public, press or other entities must recognize the same limitation and the inability of any board member to speak for the board except to repeat explicitly stated board decisions.
   
   C. Except for participation in board deliberation about whether the CEO has achieved any reasonable interpretation of board policy, members will not express individual judgments of performance of employees of the CEO.

4. Board members will respect the confidentiality appropriate to issues of a sensitive nature.

5. Board members will be properly prepared for board deliberation.

6. Board members will support the legitimacy and authority of board decisions, irrespective of the member’s personal position on the issue.

**Board Code of Ethics**

**BP 2715 Code of Ethics/Standards of Practice**

**Reference:**

Accreditation Standard IV.B.1.a, e, & h

The San Jose/Evergreen Community College District is committed to the principle that access to higher education should be available to every person. All Board members are committed to maintaining the highest standards of conduct and ethical behavior. The Board believes that such standards promote trust, confidence, and integrity in the working relationship between Trustees and staff. Therefore, the Board and its individual members are committed to the following:
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Trustees are a part of the team of trustees, administrators, faculty, classified staff and students working in the best interest of the District and its students. Trustees encourage open, mutually supportive, and accountable participation of students, faculty, administrators and classified staff.

Trustees have as their function the establishment of the policies by which the District is to be administered. The Board’s duties also include the selection of the Chancellor, the establishment of policies for the District’s current and long-range planning, review of the colleges’ educational programs, including the establishment of broad outcome goals and monitoring progress, the preservation of assets, the expenditure of funds, and the determination of a governance structure. The Board holds the Chancellor accountable for the administration of the educational program and the conduct of District business.

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Trustees enhance their potential as Board members through participation in educational conferences, workshops and training sessions offered by local, state and national organizations. They participate in state and national community college trustee associations.

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2.3 The President or Vice President of the Board of Trustees may appoint two Trustees to a Code of Ethics committee to investigate the behavior contrary to the Code of Ethics.
2.4 The President will rule on whether there is a breach of ethics during a Board meeting, a point of order may be made, at which time the meeting may go into recess so that the Board can discuss the breach.
2.5 Board President will discuss the matter with the Trustee in question and may include the Code of Ethics Committee in the review.
2.6 The Board President and/or the committee shall, within a reasonable period of time, make a report of its findings to the Board of Trustees for action.
2.7 Sanctions include, but are not limited to, the following:
   2.7.1 A formal letter to the Trustee(s) to officially put him/her/them on notice that his/her/their behavior will not be tolerated, or
   2.7.2 A formal resolution to censure a Trustee in open session, or
2.7.3 Any further action deemed necessary, such as formal communication, by the Board President/Board Vice President, to the State of California Fair Political Practices Commission or a District Attorney, etc.

Trustees respect the confidentiality of all privileged information (Move to #4 of governing policy.)

The Board is made up of individuals with differing values and beliefs: debate is expected and natural. Although there are individual expressions, there are no individual decisions. Trustees work with fellow Board members in a spirit of harmony and cooperation in spite of differences (Move to #6 of governing policy.)

BP 2330 Quorum and Voting

Reference: Education Code Sections 72000(d)(3, 81310 et seq., 81365, 81511, 81432; Government Code Section 53094; Code of Civil Procedure Section 1245.240
A quorum of the Board shall consist of four of the seven Board members.
The Board shall act by majority vote of all of the membership of the Board, except as noted below.
No action shall be taken by secret ballot.
The following actions require a two-thirds majority of all members of the Board:
1. Resolution of intention to sell or lease real property (except where a unanimous vote is required)
2. Resolution of intention to dedicate or convey an easement
3. Resolution authorizing and directing the execution and delivery of a deed
4. Action to declare the District exempt from the approval requirements of a planning commission or other local land use body
5. Appropriation of funds from an undistributed reserve
6. Resolution to condemn real property

The following actions require a unanimous vote of all members of the Board:
1. Resolution authorizing a sale or lease of District real property to the state, any county, city, or to any other school or community college district
2. Resolution authorizing lease of District property under a lease for the production of gas

**BP 2355 Decorum Civility at Board Meetings**

*Reference: Education Code Section 72121.5; Government Code Section 54954.3 (b)*

The SJECCD Board of Trustees seeks to conduct public meetings in an atmosphere of honest communication, accountability, and respect. Every attempt will be made to conduct business with utmost civility, caring, and honesty to build trust, positive relationships, and shared solutions. (Move to first sentence. See above edit to GP.)

To that end, the following behavior is not acceptable and will be ruled out of order by the presiding officer:

1. Remarks or discussion in public meetings on charges or complaints which the Board has scheduled to consider in closed session
2. Profanity, obscenity and other hateful or other offensive language
3. Physical violence and/or threats of physical violence directed towards any person or property

In the event that any meeting is willfully interrupted by the actions of one or more persons so as to render the orderly conduct of the meeting unfeasible, the person(s) may be removed from the meeting room.

Speakers who engage in such conduct may be removed from the podium and denied the opportunity to speak to the Board for the duration of the meeting.

Before removal, a warning and a request that the person(s) curtail the disruptive activity will be made by the President of the Board. If the behavior continues, the person(s) may be removed by a vote of the Board, based on a finding that the person is violating this policy, and that such activity is intentional and has substantially impaired the conduct of the meeting.

If order cannot be restored by the removal in accordance with these rules, of individuals who are willfully interrupting the meeting, the Board may order the meeting room cleared and may continue in session. The Board shall only consider matters appearing on the agenda. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this rule.

*Need legal review of number 4 statement “confidentiality appropriate to issues of a sensitive nature.”*
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: BOARD COMMITTEE PRINCIPLES

Board committees, when used, will be assigned so as to reinforce the wholeness of the board’s job and so as never to interfere with delegation from board to CEO.

Accordingly:

1. Board committees are to help the board do its job, not to help or advise the staff. Committees ordinarily will assist the board by preparing policy alternatives and implications for board deliberation. In keeping with the board’s broader focus, board committees will normally not have direct dealings with current staff operations.

2. Board committees may not speak or act for the board except when formally given such authority for specific and time-limited purposes. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the CEO.

3. Board committees cannot exercise authority over staff. Because the CEO works for the full board, he or she will not be required to obtain approval of a board committee before an executive action.

4. Board committees are to avoid over-identification with organizational parts rather than the whole. Therefore, a board committee that has helped the board create policy on some topic will not be used to monitor organizational performance on that same subject.

5. Committees will be used sparingly and ordinarily in an ad hoc capacity.

6. This policy applies to any group which is formed by board action, whether or not it is called a committee and regardless whether the group includes board members. It does not apply to committees formed under the authority of the CEO.

**BP 2220 Committees of the Board**

*Reference: Government Code Section 54952*

The Board may by action establish committees that it determines are necessary to assist the Board in its responsibilities. Any committee established by Board action shall comply with the requirements of the Brown Act and with these policies regarding open meetings.

Board committees that are composed solely of less than a quorum of members of the Board and do not have authority that may lawfully be exercised by the Board itself, are not required to comply with the Brown Act, or with these policies regarding open meetings.

Board committees have no authority or power to act on behalf of the Board. Findings or recommendations shall be reported to the Board for consideration.
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: BOARD COMMITTEE STRUCTURE

A committee is a board committee only if its existence and charge come from the board, regardless whether board members sit on the committee. The only board committees are those which are set forth in this policy. Unless otherwise stated, a committee ceases to exist as soon as its task is complete.

Examples

1. Legislative Change Advisory Committee

   A. Product: Options and implications for board consideration regarding long term legislative or regulatory effects to be achieved by the board—by no later than _______________.

   B. Authority: To incur costs of no more than $3,000 direct charges and no more than 70 hours of staff time. (Need to remove $ amount but include language similar to No. 2.)

2. Audit Committee

   A. Product: Specification of scope of audit prior to outside auditors coming in—by no later than May 30 each year.

   B. Authority: The audit contract will remain competitive with industry norms, and periodically the district will go out to bid for audit services.

BP 2220 Committees of the Board

Reference: Government Code Section 54952

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Board committees that are composed solely of less than a quorum of members of the Board and do not have authority that may lawfully be exercised by the Board itself, are not required to comply with the Brown Act, or with these policies regarding open meetings.

Board committees have no authority or power to act on behalf of the Board. Findings or recommendations shall be reported to the Board for consideration.
Because poor governance costs more than learning to govern well, the board will invest in its governance capacity.

Accordingly:

1. Board skills, methods, and supports will be sufficient to assure governing with excellence.
   
   A. Training and retraining will be used liberally to orient new members and candidates for membership, as well as to maintain and increase existing member skills and understandings.
   
   B. Outside monitoring assistance will be arranged so that the board can exercise confident control over organizational performance. This includes, but is not limited to, fiscal audit.
   
   C. Outreach mechanisms will be used as needed to ensure the board’s ability to listen to owner viewpoints and values.

2. Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior capability.
POLICY TYPE: BOARD-MANAGEMENT DELEGATION

POLICY TITLE: GLOBAL GOVERNANCE-MANAGEMENT CONNECTION

The board’s sole official Means authoritative connection to the operational organization, its Ends and Means will be achieved through a Chief Executive Officer, titled Chancellor.
POLICY TYPE: BOARD-MANAGEMENT DELEGATION

POLICY TITLE: *UNITY OF CONTROL*

Only officially passed motions of the board that make or amend Executive Limitations or Ends policies are binding on the CEO.

Accordingly:

1. Decisions or instructions of individual board members, officers, or committees are not binding on the CEO except in rare instances when the board has specifically authorized such exercise of authority. *Trustees recognize that authority rests with the Board majority in legal sessions and not with individual members.* (from BP 2715)

2. In the case of board members or committees requesting information or assistance without board authorization, the CEO can refuse such requests that require, in the CEO’s opinion, a material amount of staff time or funds or is disruptive. *The Chancellor shall make available any information or give any report requested by the Board as a whole. Individual trustee requests for information shall be met if, in the opinion of the Chancellor, they are not unduly burdensome or disruptive to District operations. Information provided to any trustee shall be provided to all trustees.* (from BP 2430)

**BP 2430 Delegation of Authority to Chancellor**

*Reference: Education Code Sections 70902(d), 72400; Accreditation Standard IV.B.1.j; IV.B.2*

The Board delegates to the Chancellor the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action.

The Chancellor may delegate any powers and duties entrusted to him or her by the Board including the administration of the colleges, but will be specifically responsible to the Board for the execution of such delegated powers and duties.

The Chancellor is empowered to reasonably interpret Board policy. In situations where there is no Board policy direction, the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board of such action and to recommend written Board policy if one is required.

The Chancellor is expected to perform the duties contained in the Chancellor job description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions. The job description and goals and objectives for performance shall be developed by the Board in consultation with the Chancellor.

The Chancellor shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in timely fashion.

The Chancellor shall make available any information or give any report requested by the Board as a whole. Individual trustee requests for information shall be met if, in the opinion of the Chancellor, they
are not unduly burdensome or disruptive to District operations. Information provided to any trustee shall be provided to all trustees.

The Chancellor shall act as the professional advisor to the Board in policy formation.

**Board Code of Ethics**
BP 2715 Code of Ethics/Standards of Practice
Reference:
Accreditation Standard IV.B.1.a, e, & h

The San Jose/Evergreen Community College District is committed to the principle that access to higher education should be available to every person. All Board members are committed to maintaining the highest standards of conduct and ethical behavior. The Board believes that such standards promote trust, confidence, and integrity in the working relationship between Trustees and staff. Therefore, the Board and its individual members are committed to the following:

Trustees are elected to represent the interests and serve the needs of the entire District and to promote the mission of the San Jose/Evergreen Community College District, which includes, as a primary concern, the welfare and success of students so that they may reach their educational goals.

Trustees are a part of the team of trustees, administrators, faculty, classified staff and students working in the best interest of the District and its students. Trustees encourage open, mutually supportive, and accountable participation of students, faculty, administrators and classified staff.

Trustees have as their function the establishment of the policies by which the District is to be administered. The Board's duties also include the selection of the Chancellor, the establishment of policies for the District’s current and long-range planning, review of the colleges’ educational programs, including the establishment of broad outcome goals and monitoring progress, the preservation of assets, the expenditure of funds, and the determination of a governance structure. The Board holds the Chancellor accountable for the administration of the educational program and the conduct of District business.

Trustees uphold the letter and spirit of the Ralph M. Brown Act and make all official decisions and actions of the Board of Trustees in open and public meetings.

Trustees recognize that authority rests with the Board majority in legal sessions and not with individual members.
Trustees respect the confidentiality of all privileged information.

The Board is made up of individuals with differing values and beliefs; debate is expected and natural. Although there are individual expressions, there are no individual decisions. Trustees work with fellow Board members in a spirit of harmony and cooperation in spite of differences.

Trustees communicate and promote the needs of the community to the District and the needs of the District to the community.
Trustees assure the orderly operation of the District by encouraging employees to use established channels before bringing their concerns to the Board.
Trustees avoid all conflicts of interest and the appearance of conflicts of interest

Trustees enhance their potential as Board members through participation in educational conferences, workshops and training sessions offered by local, state and national organizations. They participate in state and national community college trustee associations

Trustees devote the time to activities which will enhance their ability to function effectively as an educational governing board member

1.0 Behavior Contrary to the Code of Ethics

All Trustees are expected to maintain the highest standards of conduct and ethical behavior. Trustees who violate the Board’s Code of Ethics harm the Board and the District. In order to maintain public confidence in the Board and in governance, the Board will be prepared to investigate the factual basis behind any charge or complaint of Trustee misconduct.

If an alleged breach of ethics occurs, the following process shall be followed:

2.1 Behavior contrary to the code of Ethics will be brought to the attention of the President of the Board of Trustees.
2.2 If the Board President’s behavior is alleged to be contrary to or violates the Code of Ethics, the Board Vice President will address the matter.
2.3 The President or Vice President of the Board of Trustees may appoint two Trustees to a Code of Ethics committee to investigate the behavior contrary to the Code of Ethics.
2.4 The President will rule on whether there is a breach of ethics during a Board meeting, a point of order may be made, at which time the meeting may go into recess so that the Board can discuss the breach.
2.5 Board President will discuss the matter with the Trustee in question and may include the Code of Ethics Committee in the review.
2.6 The Board President and/or the committee shall, within a reasonable period of time, make a report of its findings to the Board of Trustees for action.
2.7 Sanctions include, but are not limited to, the following:
   2.7.1 A formal letter to the Trustee(s) to officially put him/her/them on notice that his/her/their behavior will not be tolerated, or
   2.7.2 A formal resolution to censure a Trustee in open session, or
2.7.3 Any further action deemed necessary, such as formal communication, by the Board President/Board Vice President, to the State of California Fair Political Practices Commission or a District Attorney, etc.

Need legal review on first broad statement and how this limits the Board’s authority over the Chancellor.
POLICY TYPE: BOARD-MANAGEMENT DELEGATION

POLICY TITLE: ACCOUNTABILITY OF THE CEO

The CEO is the board’s only link to operational achievement and conduct, so that all authority and accountability of staff, as far as the board is concerned, is considered the authority and accountability of the CEO.

Accordingly:

1. The board will never give instructions to persons who report directly or indirectly to the CEO.

2. The board will not evaluate, either formally or informally, any staff other than the CEO.

3. The board will view CEO performance as identical to organizational performance, so that organizational accomplishment of board stated Ends and avoidance of board proscribed means will be viewed as successful CEO performance.

BP 2430 Delegation of Authority to Chancellor

Reference: Education Code Sections 70902(d), 72400; Accreditation Standard IV.B.1.j; IV.B.2

The Board delegates to the Chancellor the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action.

The Chancellor may delegate any powers and duties entrusted to him or her by the Board including the administration of the colleges, but will be specifically responsible to the Board for the execution of such delegated powers and duties.

The Chancellor is empowered to reasonably interpret Board policy. In situations where there is no Board policy direction, the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board of such action and to recommend written Board policy if one is required.

The Chancellor is expected to perform the duties contained in the Chancellor job description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions. The job description and goals and objectives for performance shall be developed by the Board in consultation with the Chancellor.

The Chancellor shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in timely fashion.

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   2.7.1 A formal letter to the Trustee(s) to officially put him/her/them on notice that his/her/their behavior will not be tolerated, or
   2.7.2 A formal resolution to censure a Trustee in open session, or
2.7.3 Any further action deemed necessary, such as formal communication, by the Board President/Board Vice President, to the State of California Fair Political Practices Commission or a District Attorney, etc.
The board will instruct the CEO through written policies which prescribe the organizational Ends to be achieved, and describe organizational situations and actions to be avoided, allowing the CEO to use any reasonable interpretation of these policies. The Chancellor is empowered to reasonably interpret Board policy. In situations where there is no Board policy direction, the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board of such action and to recommend written Board policy if one is required.(from BP 2430)

Accordingly:

1. The board will develop policies instructing the CEO to achieve specified results, for specified recipients at a specified relationship between cost and results. These policies will be developed systematically from the broadest, most general level to more defined levels, and will be called Ends policies. All issues that are not Ends issues as defined above are Means issues.

2. The board will develop policies that limit the latitude the CEO may exercise in choosing the organizational means. These limiting policies will describe those practices, activities, decisions and circumstances that would be unacceptable to the board, even if they were to be effective. These policies will be developed systematically from the broadest, most general level to more defined levels; they will be called Executive Limitations policies. The board will never prescribe organizational means of the CEO.
   a. Below the global level, a single limitation at any given level does not limit the scope of any foregoing level.
   b. Below the global level, the aggregate of limitations on a given level may embrace the scope of the foregoing level, but only if justified by the CEO to the board’s satisfaction.

3. As long as the CEO uses any reasonable interpretation of the board’s Ends and Executive Limitations policies, the CEO is authorized to establish all further policies, make all decisions, take all actions, establish all practices and develop all activities. Such decisions of the CEO shall have full force and authority as if decided by the board.

4. The board may change its Ends and Executive Limitations policies, thereby shifting the boundary between board and CEO domains. By doing so, the board changes the latitude of choice given to the CEO. But as long as any particular delegation is in place, the board will respect and support the CEO’s choices.

BP 2430 Delegation of Authority to Chancellor

Reference: Education Code Sections 70902(d), 72400; Accreditation Standard IV.B.1.j; IV.B.2

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The Chancellor shall act as the professional advisor to the Board in policy formation.
POLICY TYPE: BOARD-MANAGEMENT DELEGATION

POLICY TITLE: MONITORING CEO PERFORMANCE

Systematic and rigorous monitoring of CEO performance will be solely against the board’s required CEO job outputs: organizational accomplishment of any reasonable interpretation of board policies on Ends and organizational operation within the boundaries established in board policies on Executive Limitations, reasonably interpreted.

Accordingly:

1. Monitoring is simply to determine whether or not expectations expressed in board policies have been met. Information that does not disclose this will not be considered to be monitoring information.

2. The board will obtain disclosure about the CEO’s interpretations of the board policy being monitored from the CEO himself or herself.

3. The board will obtain data disclosing whether or not the CEO’s interpretations have been accomplished using one or more of three methods: (a) by internal report, in which the CEO discloses the data to the board; (b) by external report, in which an external, disinterested third party selected by the board collects the data; and (c) by direct inspection, in which data are collected by the board, a designated board member or by designated board members.

4. In every case, the board will determine: (a) the reasonableness of the CEO’s interpretations, using a “reasonable person test” rather than with interpretations favored by board members or the board as a whole. The board is the final arbiter of reasonableness. The board will also assess: (b) whether data demonstrate the accomplishment of the interpretation.

5. All policies that instruct the CEO will be monitored at a frequency and by a method chosen by the board. The board can monitor any policy at any time by any method, but will normally use a routine schedule.

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<thead>
<tr>
<th>Policy</th>
<th>Method</th>
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The Chancellor is empowered to reasonably interpret Board policy. In situations where there is no Board policy direction, the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board of such action and to recommend written Board policy if one is required.

The Chancellor is expected to perform the duties contained in the Chancellor job description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions. The job description and goals and objectives for performance shall be developed by the Board in consultation with the Chancellor.

The Chancellor shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in timely fashion.

The Chancellor shall make available any information or give any report requested by the Board as a whole. Individual trustee requests for information shall be met if, in the opinion of the Chancellor, they are not unduly burdensome or disruptive to District operations. Information provided to any trustee shall be provided to all trustees.

The Chancellor shall act as the professional advisor to the Board in policy formation.

BP 2435 Evaluation of the Chancellor

The Board shall conduct an evaluation of the Chancellor at least annually. Such evaluation shall comply with any requirements set forth in the contract of employment with the Chancellor as well as this policy.

The Board shall evaluate the Chancellor using an evaluation process developed by the Board with input from the Chancellor.

The process shall provide opportunities for input from all constituency groups listed in Board Policy 2510.5.

The criteria for evaluation shall be based on Board policy, the Chancellor’s job description, and performance goals and objectives developed in accordance with Board Policy 2430.
POLICY TYPE: ENDS

POLICY TITLE: ENDS STATEMENT

Pending further board determinations, Ends of the organization will remain as previously stated explicitly by the board or as found implicitly in previously adopted board documents.

All students, especially those with educational and/or socioeconomic challenges, will have the skills and capabilities to be successful in the next stage of their life, sufficient to justify the use of available resources.

1. Priority goes to job skills sufficient to get, keep and progress in jobs with local employers, particularly in high wage/high growth areas, for all students, especially
   a. Under-prepared students
   b. Older displaced students
   c. Young people at the start of their careers
2. Students will have the language skills to succeed in college.
3. Students will be able to be successful in transferring to a four-year institution.

(from student success policy) Students who have the ability to analyze, synthesize, and evaluate information; effectively communicate with others; collaboratively work in culturally diverse settings; be leaders who see projects through completion; be responsible decision makers who are self-motivated; be active civic participants; and be ethical individuals who are committed to their families, communities, and others.

(from strategic goals) Change “and progress in jobs with local employers” to “and to progress in jobs to meet the diverse workforce needs in Silicon Valley.”
Minutes of the
Governing Board Meeting
February 25, 2014

A. CALL MEETING TO ORDER

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, February 25, 2014, at 6:10 p.m. at the District Office 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
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol
Mr. Alex Ward
Mr. Zuby Javed

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

There was no Closed Session Meeting

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

There was no Closed Session Meeting.

E. RECONVENE INTO OPEN SESSION

1. PLEDGE OF ALLEGIANCE

President Lease led the Board and members of the audience in the Pledge of
Ministers of February 25, 2014, Governing Board Meeting

Allegiance to the Flag.

2. **ADOPTION OF AGENDA**

M/S/C (Mann/Dhillon) to adopt the agenda as amended:

Corrections were made to the Consent Agenda.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

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

There were no reportable actions as there was no Closed Session meeting.

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 (Mann/Ho) to approve the Consent Agenda as amended:

Item F-2 Management Personnel Actions, No. 1 - Management Contract Renewal, Ho, Sam – a correction was made to the salary, the corrected amount is $110,090 instead of $129,991. A correction was also made to No. 3 New Hire; the title was corrected for Alonz, Jaime. His title should be Dean of Math & Science instead of Dean of Math, Science and Engineering.

Board vote was as follows:
Trustees Cruz Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

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. SUPERVISORY-CONFIDENTIAL PERSONNEL ACTIONS

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

7. CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE

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

G. ACTION AGENDA

1. RESOLUTION NUMBER 022514-1 IN SUPPORT OF SB 850 (PILOT PROGRAM- BACCALAUREATE DEGREES AT THE COMMUNITY COLLEGES)

   M/S/C (Mann/Ward) to adopt Resolution No. 022514-1 in support of SB 850 introduced by Senator Marty Block (Baccalaureate degrees at community colleges.

   Board vote was as follows:
   Trustees Cruz Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustees Javed and Ward voted yes.

H. INFORMATION AGENDA

1. CALPERS PRESENTATION

   Mr. Ron Lind, Member, CalPERS Board of Administration, stated how good it was to be back at a district board meeting even though he is now on the other side of the table. Board members for CalPERS are encouraged to go out to employers and inform them of what is going on with pension funds. He stated the importance of being an advocate for defined benefit pension plans. Mr. Lind described some of the funding issues with CalPERS. The good news is that as of today, the fund is worth $284 billion—the highest level ever. The rate of return for 2013 was 16.2%; and the assumed rate of return is 7.5%, which is a standard rate of return. The strength of the investments is that they are long term. As the economy gets stronger, the pension fund will as well. Mr. Lind discussed issues about unfunded liability. In 2007, CalPERS was 101% funded. Two years later, the funding level dropped to 61%. Most pension plans take those kinds of hits. CalPERS is doing a lot to ensure
it climbs out of that hole. Eighty percent is a comfortable funding level, but the goal is to get closer to 100%. CalPERS is highly diversified in its investments, and with those investments, 1.5 million jobs have been created. Steps have been taken to ensure the long-term health of the plan, such as, a change in asset allocation by reducing slightly the allocation to equity and increasing the allocation to bonds and real estate. That change has made the plan less volatile and risky. The bigger change, however, was to the demographic assumptions and mortality rate assumptions. We are all living longer. The impact to the district is that it will cost more, approximately 5% in payroll deductions. In adopting new assumptions, the funding level goes down. A lot of school districts are struggling to get out of the liability. We did our best to accommodate for that. Most pension plans are underfunded and creating stress for organizations. We need to bring the stakeholders together. We all have to work together to maintain the integrity of the defined benefit pension. There is a way to reform the plan and still maintain the guaranteed benefits associated with it.

President Lease stated that he definitely feels more informed after this presentation and thanked Mr. Lind for taking the time to update the Board about CalPERS and its benefits.

2. SEISMIC STUDY OF ROBLE AND ACACIA CLUSTERS AT EVERGREEN

Vice Chancellor Smith reviewed the history of the seismic study of the Roble and Acacia buildings at Evergreen Valley College. In November 2011 the Board received information that the Evergreen fault is considered to be an active fault, and that Roble and Acacia sit within a state-prescribed, no-build zone. The Board was informed of actions necessary to comply with the requirements of the Board of Education Code and the Field Act as a result of the fault identification. At its November 12, 2013, meeting the Board received information that updated the status of those required actions. These included: preparing cost estimates to address replacement or relocation of affected buildings (performed in June 11 and October 2013); notifying the state and applying for funding (notified in July 2012 and July 2013); notifying the Board of Trustees (notified in November 2011 and November 2013), and conducting an engineering study of building safety (completed by Thornton Tomasetti in October 2013.) The Thornton Tomasetti findings stated that from the standpoint of engineering and risk casualties, some parts of the Acacia and Roble Clusters were unsafe; and the recommendations were to cease using the buildings and demolish as soon as possible. However, Roble and Acacia were designed for the current code at the time of their design; and as long as the use has not changed and the buildings are not altered, in a strict legal sense the buildings comply with the code. They considered those portions of Roble and Acacia to be unsafe in the event of the probabilistic seismic event. So despite the fact that the Roble and Acacia clusters do not meet current code, continued use of these buildings is allowed by code.

Vice Chancellor Smith stated that, at the November 2013 meeting, three options were presented to the Board. He requested that Mr. Mark Miller, Gilbane Project Manager, provide an overview of those three options, plus an additional two options. Mr. Miller reviewed Option 1 (cost of $3.2 million based on a two-year lease); Option 2 (cost of $2.8 million for a retrofit for both Acacia and Roble); Option 3 (cost of $2.8 million to strengthen Acacia and use portable for Roble); Option 4 (cost of $1.5
Mr. Henry Gee, Vice President of Administrative Services, Evergreen Valley College, provided an overview of the information that was provided to the college community via college forums, and meetings of the College Council and Safety and Facilities Committee. He reported that the Safety and Facilities Committee reviewed the risk of seismic occurrence, probability of injuries and fatalities, disruption to classes, cost benefit and financial feasibility; and the Committee voted unanimously for Option 5, which is to take no action.

Trustee Nasol thanked staff for the comprehensive report. He stated that all the four options that required action were only temporary measures. He expressed confidence that the buildings are solid, already survived the Loma Prieta earthquake and meet the code to sustain some form of seismic activities, unless the district plans to change the usage of the classrooms. Therefore, he supports Option 5. Trustee Cruz inquired about how this would impact the details about the reprioritization of projects and the district’s communication with the surrounding external community. Mr. Miller answered that he was unaware of specific communication with the community apart from the discussion around the Facility Master Plan in November 2011. An EIR report was conducted and that information was communicated. Trustee Fuentes inquired about the possibility of going with Option 2, which would strengthen both Acacia and Roble. What process would we use to come up with the funding and could we get state funds to cover this cost? Mr. Miller answered that the funding would need to be taken from another project that was designated to receive funds. The state would not advance funds to for us to do this work, as they did years ago, but the district would have to provide upfront funds. Trustee Fuentes requested that when the Board receives this item for action, more details would be provided for Option 2. Vice Chancellor answered that he would provide that information, although the recommendation to the Board would be to approve Option 5.

3. **BUDGET STUDY SESSION**

Vice Chancellor Smith presented a budget update and synopsis of the budget development process for 2014-2015. He provided an overview of the projected ending fund balances: FY2013-14 – 16.35%, FY2014-15 – 15.86%, FY2015-16 – 16.92% and FY2016-17 – 18.58%. These projections do not include the impact of the FA contract settlement, CSEA contract changes, additional funding of Board initiatives, such as redesign efforts, student success initiatives and high impact programs. Mr. Smith reviewed the Board’s budget principles. He also confirmed the assumptions, such as maintaining a 7% reserve, STRS rate change, Affordable Care Act, Basic Aid (drops/declines), the Milpitas Joint Educational Center, general fund stabilization and FTES stimulation reserves. Mr. Smith provided an overview of the difference between County assessed valuation and district property taxes. He also discussed the allocations for the organizational redesign and student success Board Initiatives and the organizational priorities to take care of staff, provide stability strategies, and to provide new resources for Board initiatives. He stated that
our district is in good fiscal shape. We are balanced, our reserves are good, our systems are in place which resulted in perfect audits, our relationships are strong, our processes are transparent, our District Budget Committee is briefed and our future is bright!

Chancellor Cepeda reviewed the Board Initiatives/Strategic Priorities as well as the Board Strategic Initiatives for Student Success. She provided a comparison of both initiatives and discussed the Board’s request to link our budget resources to these initiatives. Along with devoting resources, the district will also measure how we can change as an institution and an environment to be successful in these areas.

Trustee Cruz thanked Chancellor Cepeda and Vice Chancellor Smith for the excellent presentation. It’s great to see where the district is at; however, it all goes back to our vision, mission and values. She stated that she wasn’t sure if we are being very intentional of our student success values. We are not being intentional enough where we can actually include equity and how we carry it out as a value. We need to do a better job with this. Some of what was presented tonight will help get us there, but we still need to be more intentional with the word equity. Chancellor Cepeda answered that we can certainly include that word on the heading of documents; but if we look at the Measures, such as pluralistic orientation, campus climate for diversity, ESL, multi-cultural environment, we should be able to provide specific metrics about how we are doing in terms of equity. Trustee Dhillon stated how good it is to see how well the district is doing fiscally, especially since three and four years ago the district had to lay off staff. However, we need to be mindful that if the money is sitting here instead of working to achieve the initiatives, some people would not be comfortable with that scenario. He stated the Board needs to ensure the district goes in the direction that was presented this evening. Trustee Fuentes thanked everyone in the district who had a part in getting us to this point. She expressed concern about the district not achieving the enrollment cap, which is not required of a basic aid district. Presidents Breland and Yong discussed how being a basic aid districts impacts the FTES at the colleges and the steps they are doing to increase enrollment at their colleges.

President Lease thanked Vice Chancellor Smith for an excellent presentation and for bringing the Board along on this journey.

4. REPORT FROM BOARD TASK FORCE ON GOVERNANCE POLICIES DRAFT DOCUMENT

President Lease reviewed the work done at the February 19 Task Force meeting in which they did a comparison of the draft Board Governance Policies document with the current Chapter Two Board Policies. He reviewed each policy and the edits that were made at the meeting. The Board added other edits and comments, and a copy of that document, with the changes indicated in red ink, has been attached to these meeting minutes.

President Lease announced that the next Task Force meeting is scheduled for March 4 in which they will meet with Mr. Randy Parent from Liebert Cassidy Whitmore to get his input on the draft document and to ask the legal questions requested by Trustees during the review process of the document. Chancellor Cepeda announced that Mr. Parent will be in attendance at the March 11 board
meeting to answer any questions the Board may have and also to provide his assessment of the draft document.

Trustee Mann stated the need to have a global view of these governing policies. Chapter Two already deals with the specifics required by law, and he does not want the governing policies to be mired down by those details. Trustee Fuentes expressed the need to get this document into the community and campuses. She also expressed concern that the wording was not powerful enough. The Board needs to know in this framework how to do its work as leaders for this institution. Trustee Nasol stated that it is important the Board does the work to strengthen itself as a governing body, and these governing policies assist with that work.

5. BOARD COMMITTEE CHAIRS’ REPORT

President Lease reminded the committee chairs that they still need to meet with their committee members, review the committee principles, and come back to the Board with a recommendation for their committee as Standing or Ad Hoc. This item will be added to the March 11 meeting agenda for further discussion.

K. CONTINUATION OF CLOSED SESSION

No.

L. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

M. ADJOURNMENT

M/S/C (Mann/Cruz) to adjourn the meeting at 10:12 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Board Governance Policies

Draft Reference Document
02-25-14
1) Ends (page 3)
   a) Ends Statement

2) Executive Limitations (pages 4-14)
   a) Global Executive Constraint
   b) Treatment of Consumers
   c) Treatment of Staff
   d) Financial Planning/Budgeting
   e) Financial Condition & Activities
   f) Emergency CEO Succession
   g) Asset Protection
   h) Compensation & Benefits
   i) Communication and Support to the Board
   j) Ends Focus of Grants or Contracts

3) Governance Process (pages 15-29)
   a) Global Governance Commitment
   b) Governing Style
   c) Board Job Description
   d) Agenda Planning
   e) Chief Governance Officer’s Role
   f) Board Secretary Role
   g) Board Members Code of Conduct
   h) Board Committee Principles
   i) Board Committee Structure
   j) Cost of Governance

4) Board-Management Delegation (pages 30-36)
   a) Global Governance – Management Connection
   b) Unity of Control
   c) Accountability of the CEO
   d) Delegation to the CEO
   e) Monitoring CEO Performance
POLICY TYPE: ENDS

POLICY TITLE: ENDS STATEMENT

Pending further board determinations, Ends of the organization will remain as previously stated explicitly by the board or as found implicitly in previously adopted board documents.

All students, especially those with educational and/or socioeconomic challenges, will have the skills and capabilities to be successful in the next stage of their life, sufficient to justify the use of available resources.

1. Priority goes to job skills sufficient to get, keep and progress in jobs with local employers, particularly in high wage/high growth areas, for all students, especially
   a. Under-prepared students
   b. Older displaced students
   c. Young people at the start of their careers
2. Students will have the language skills to succeed in college.
3. Students will be able to be successful in transferring to a four-year institution.

(from student success policy) Students who have the ability to analyze, synthesize, and evaluate information; effectively communicate with others; collaboratively work in culturally diverse settings; be leaders who see projects through completion; be responsible decision makers who are self-motivated; be active civic participants; and be ethical individuals who are committed to their families, communities, and others.

(from strategic goals) Change “and progress in jobs with local employers to “and to progress in jobs to meet the diverse workforce needs in Silicon Valley.”
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: GLOBAL EXECUTIVE CONSTRAINT

The CEO will not cause or allow any organizational practice, activity, decision, or circumstance which is either unlawful, imprudent or in violation of commonly accepted business and professional ethics and practices and principles of social justice.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: TREATMENT OF STUDENTS

With respect to interactions with consumers (hereafter known as students) or those applying to be students, the CEO will not cause or allow conditions, procedures, or decisions that are unsafe, undignified, uncivil or unclear.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: TREATMENT OF STAFF

With respect to the treatment of paid and volunteer staff, the CEO will not cause or allow conditions that are unfair, undignified, disorganized, unclear or uncivil.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: FINANCIAL PLANNING/BUDGETING

Financial planning for any fiscal year or the remaining part of any fiscal year will not deviate materially from board’s Ends priorities, risk fiscal jeopardy, or fail to be derived from a multi-year plan.

The CEO will not allow budgeting that:

1. Risks incurring those situations or conditions described as unacceptable in the board policy “Financial Condition and Activities.”

2. Omits credible projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosure of planning assumptions.

3. Provides less for board prerogatives during the year than is set forth in the Cost of Governance policy.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: FINANCIAL CONDITION AND ACTIVITIES

With respect to the actual, ongoing financial condition and activities, the CEO will not cause or allow the development of fiscal jeopardy or material deviation of actual expenditures from board priorities established in Ends policies.
POLICY TITLE: EMERGENCY CEO SUCCESSION

In order to protect the board from sudden loss of CEO services, the CEO will have no fewer than two other executives sufficiently familiar with board and CEO issues and processes to enable either to take over with reasonable proficiency as an interim successor.

Advice from legal counsel on where to reference Ed Code Sections
The CEO will not cause or allow district assets to be unprotected, inadequately maintained, or unnecessarily risked.

The CEO will not

1. Allow board members, staff, and the organization itself to be inadequately insured against theft, casualty, and liability losses.

2. Allow unbondable personnel access to material amounts of funds.

3. Subject property, plant, and equipment to improper wear and tear or insufficient maintenance.

4. Unnecessarily expose the organization, its board or staff to claims of liability.

5. Make any purchase: (a) wherein normally prudent protection has not been given against conflict of interest; (b) of over $1,000 without having obtained comparative prices and quality; (c) of over $84,100 as adjusted annually by the State Chancellor’s Office and $15,000 for public works contract. Orders shall not be split to avoid these criteria.

6. Allow intellectual property, information and files to be exposed to loss or significant damage.

7. Receive, process or disburse funds under controls that are insufficient to meet the board-appointed auditor's standards.

8. Compromise the independence of the board’s audit or other external monitoring or advice. Engaging parties already chosen by the board as consultants or advisers is unacceptable.

9. Invest or hold operating capital in insecure instruments, including uninsured checking accounts and bonds of less than AA rating at any time, or in non interest-bearing accounts except where necessary to facilitate ease in operational transactions.

10. Endanger the organization's public image, credibility, or its ability to accomplish Ends.

11. Change the organization’s name or substantially alter its identity in the community.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: COMPENSATION AND BENEFITS

With respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers, the CEO will not cause or allow jeopardy to fiscal integrity or to public image or would negatively affect the Ends policies.

The CEO will not

1. Change the CEO’s own compensation and benefits, except as his or her benefits are consistent with a package for all other employees.

2. Promise or imply permanent or guaranteed employment with the exception of tenured and other employees who are guaranteed permanent employment.

3. Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.

4. Create obligations over a longer term than revenues can be safely projected.

Need legal review of numbers 2 and 4.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: COMMUNICATION AND SUPPORT TO THE BOARD

The CEO will not permit the board to be uninformed or unsupported in its work.

The CEO will not

1. Withhold, impede, or confound information relevant to the board’s informed accomplishment of its job.

   A. Neglect to submit monitoring data required by the board in Board-Management Delegation policy “Monitoring CEO Performance” in a timely, accurate and understandable fashion, directly addressing provisions of board policies being monitored, and including CEO interpretations consistent with Board-Management Delegation policy “Delegation to the CEO,” as well as relevant data.

   B. Allow the board to be unaware of any actual or anticipated noncompliance with any Ends or Executive Limitations policy, regardless of the board’s monitoring schedule.

   C. Allow the board to be without decision information required periodically by the board or let the board be unaware of relevant trends.

   D. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and other.

   E. Let the board be unaware of any incidental information it desires including anticipated media coverage, threatened or pending lawsuits and material internal changes.

   F. Let the board be unaware if, in the CEO’s opinion, the board is not in compliance with its own policies on Governance Process and Board-Management Delegation, particularly in the case of board behavior that is detrimental to the work relationship between the board and the CEO.

   G. Make available any information or give any report requested by individual trustee. Requests for information shall be met if, in the opinion of the Chancellor, they are not unduly burdensome or disruptive to district operations. Information provided to any trustee shall be provided to all trustees.

2. Withhold from the board and its processes logistical and clerical assistance.

   A. Allow the board to be deprived of a workable, user-friendly mechanism for official board, officer, or committee communications.

   B. Allow the board to be deprived of pleasant and efficient settings and arrangements for board and committee meetings.
3. Impede the board’s holism, misrepresent its processes and role, or impede its lawful obligations.

   A. Deal with the board in a way that favors or privileges certain board members over others except when (i) fulfilling individual requests for information or (ii) responding to officers or committees with respect to duties charged to them by the board.

   B. Allow the board to do its work without the necessary items on its Required Approvals agenda. Necessary items are those decisions delegated to the CEO yet required by law, regulation, or contract to be board-approved, along with applicable monitoring information.

   C. Hinder access to the board for any person who alleges unethical or unlawful action or circumstance in the organization or by its representatives.
POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: ENDS FOCUS OF CONTRACTS

The CEO will not enter into any contract arrangements that fail to emphasize the production of ends and the avoidance of unacceptable means.
The purpose of the board, on behalf of the owners (henceforth residents of the district,) is to see to it that the San José-Evergreen Community College District (a) achieves appropriate results for appropriate persons at an appropriate cost (as specified in board Ends policies), and (b) avoids unacceptable actions and situations (as prohibited in board Executive Limitations policies).
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: GOVERNING STYLE

The board will govern lawfully and in a manner that does not threaten its accreditation with an emphasis on (a) outward vision rather than an internal preoccupation, (b) encouragement of diversity in viewpoints, (c) strategic leadership more than administrative detail, (d) clear distinction of board and chief executive roles, (e) collective rather than individual decisions, (f) future rather than past or present, and (g) proactivity rather than reactivity.

Accordingly:

1. The board will cultivate a sense of group responsibility. The board, not the staff, will be responsible for excellence in governing. The board will be the initiator of policy, not merely a reactor to staff initiatives. The board will not use the expertise of individual members to substitute for the judgment of the board, although the expertise of individual members may be used to enhance the understanding of the board as a body.

2. The board will direct, control and inspire the organization through the careful establishment of broad written policies reflecting the board's values and perspectives. The board's major policy focus will be on the intended long-term impacts outside the staff organization, not on the administrative or programmatic means of attaining those effects.

3. The board will enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policymaking principles, respect of roles, and ensuring the continuance of governance capability. Although the board can change its governance process policies at any time, it will observe those currently in force scrupulously.

4. Continual board development will include orientation of new board members in the board's governance process and periodic board discussion of process improvement.

5. The board will allow no officer, individual, or committee of the board to hinder or be an excuse for not fulfilling group obligations.

6. The board will monitor and discuss the board's process and performance at each meeting. Self-monitoring will include comparison of board activity and discipline to policies in the Governance Process and Board-Management Delegation categories.

7. Trustees enhance their potential as Board members through participation in educational conferences, workshops and training sessions offered by local, state and national organizations. They participate in state and national community college trustee associations.

8. Trustees devote the time to activities which will enhance their ability to function effectively as an educational governing board member.
BP 2745 Board Self-Evaluation

Reference: Accreditation Standard IV.B.1.e & g

The Board is committed to assessing its own performance as a Board in order to identify its strengths and areas in which it may improve its functioning. (Add to end of #6 GP)

To that end, the Board has established the following processes:

The Board shall at least once a year conduct a self evaluation. A process and/or instrument may be used. Any evaluation instrument shall incorporate criteria contained in these Board policies regarding Board operations, as well as criteria defining Board effectiveness promulgated by recognized practitioners in the field.

The process for evaluation shall be recommended to and approved by the Board.

If an instrument is used, all Board members will be asked to complete the evaluation instrument and submit them to the secretary of the Board.

A summary of the evaluations will be presented and discussed at a Board session scheduled for that purpose. The results will be used to identify challenges and accomplishments for the previous year and to improve the performance of the Board.
Specific job outputs of the board) as an informed agent of the residents of the district, are those that ensure appropriate organizational performance.

Accordingly, the board has direct responsibility to:

1. Create the link between the residents of the district and the operational organization.
2. Develop written governing policies that address the broadest levels of all organizational decisions and situations.
   A. Ends: Organizational products, impacts, benefits, outcomes, recipients, and their relative worth (what good for which recipients at what cost/priority).
   B. Executive Limitations: Constraints on executive authority that establish the prudence and ethics boundaries within which all executive activity and decisions must take place.
   C. Governance Process: Specification of how the board conceives, carries out and monitors its own task.
   D. Board-Management Delegation: How power is delegated and its proper use monitored including, if applicable, the CEO role, authority, and accountability.
3. Assure successful organizational performance on Ends and Executive Limitations
4. Select the CEO to administer policies adopted by the Board and execute all decisions of the Board requiring administrative action.
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: AGENDA PLANNING

To accomplish its job products with a governance style consistent with board policies, the board will follow an annual agenda which (a) completes a re-exploration of Ends policies annually and (b) continually improves board performance through board education and enriched input and deliberation.

1. The cycle will conclude each year on __________ so that administrative planning and budgeting can be based on accomplishing a one year segment of the board’s most recent statement of long term Ends.

2. The cycle will start with the board’s development of its agenda for the next year.
   
   A. Consultations with selected groups in the ownership, or other methods of gaining ownership input will be determined and arranged in the first quarter, to be held during the balance of the year.

   B. Governance education, and education related to Ends determination, (e.g. presentations by futurists, demographers, advocacy groups, staff, etc.) will be arranged in the first quarter, to be held during the balance of the year.

3. Throughout the year, the board will attend to consent agenda items as expeditiously as possible.

4. At any meeting prior to which monitoring reports have been received, the board will ascertain by vote whether a majority of members judge the individual reports to have demonstrated fulfillment of a reasonable interpretation of the applicable policy.

5. CEO remuneration will be decided after a review of monitoring reports received in the last year during the month of ..........

BP 2210 Officers
Reference: Education Code Section 72000

At the annual organizational meeting, the Board shall elect from among its members a President and Vice President of the Board.

The terms of officers shall be for one year. The same Board President, if so elected by its membership, may serve more than one term.

While all board members are eligible to be considered for President, those candidates with two or more years of San Jose-Evergreen Community College District Board experience should be especially considered in an effort to provide SJECCD-specific experienced leadership.

The Board will not have an official system of rotation of officers; it elects the officers each year from among all its members.
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: CHIEF GOVERNANCE OFFICER'S ROLE

The Chief Governance Officer (CGO) (hereafter known as Board President) assures the integrity of the board's process.

Accordingly:

1. The assigned result of the Board President’s job is that the board behaves consistently with its own rules and those legitimately imposed upon it from outside the organization.
   
   A. Meeting discussion content will be on those issues which, according to board policy, clearly belong to the board to decide or to monitor.
   
   B. Information that is for neither monitoring performance nor board decisions will be avoided or minimized and always noted as such.
   
   C. Deliberation will be fair, open, and thorough, but also timely, orderly, and kept to the point.

2. The authority of the Board President consists in making decisions that fall within topics covered by board policies on Governance Process and Board-Management Delegation, with the exception of (a) employment or termination of a CEO and (b) where the board specifically delegates portions of this authority to others. The Board President is authorized to use any reasonable interpretation of the provisions in these policies.
   
   A. The Board President is empowered to chair board meetings with all the commonly accepted power of that position, such as ruling and recognizing.
   
   B. The Board President has no authority to make decisions about policies created by the board within Ends and Executive Limitations policy areas. Therefore, the Board President has no authority to supervise or direct the CEO.
   
   C. The Board President may represent the board to outside parties in announcing board-stated positions and in stating chair decisions and interpretations within the area delegated to her or him.
   
   D. The Board President may delegate this authority, but remains accountable for its use.

BP 2210 Officers

Reference: Education Code Section 72000

The duties of the President of the Board are:
1. Preside over all meetings of the Board
2. Call emergency and special meetings of the Board as required by law
3. Develop the Board meeting agenda with the Chancellor
4. Communicate with individual Board members about their responsibilities
5. Participate in the orientation process for new Board members
6. Assure Board compliance with policies on Board education, self-evaluation and Chancellor evaluation
7. Represent the Board at official events or ensure Board representation

The duty of the Vice President of the Board will be to serve in the place of the Board President in the absence of the President of the Board.

Need legal review on merging the above policies.
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: BOARD SECRETARY’S ROLE

The Board Secretary is the Chancellor whose purpose is to ensure the integrity of the board’s documents.

1. The assigned result of the Secretary’s job is to see to it that all board documents and filings are accurate and timely.
   
   A. Policies will be current in their reflection of board decisions. Decisions upon which no subsequent decisions are to be based, such as consent agenda decisions, motions to adjourn, and staff or board member recognitions need not be placed in policy.
   
   B. Policies will rigorously follow Policy Governance principles.
   
   C. By law elements necessary for legal compliance and for consistency with the principles of Policy Governance will be known to the board.
   
   D. Requirements for format, brevity, and accuracy of board minutes will be known to the CEO.

1. The authority of the Secretary is access to and control over board documents.

From BP 2210

The Chancellor shall serve as Secretary to the Board.

The duties of the Secretary are:
1. Notify members of the Board of regular, special, emergency and adjourned meetings
2. Prepare and post Board meeting agendas
3. Have prepared for adoption minutes of Board meetings
4. Attend all Board meetings and closed sessions, unless excused, and in such cases to assign a designee
5. Conduct the official correspondence of the Board
6. Certify as legally required all Board actions
7. Sign, when authorized by law or by Board action, any documents that would otherwise require the signature of the Secretary or the Clerk of the Board

BP 2360 Minutes

Reference: Education Code Section 72121(a); Government Code Section
The Chancellor shall cause minutes to be taken of all meetings of the Board. The minutes shall record all actions taken by the Board. The minutes shall be public records and shall be available to the public. If requested, the minutes shall be made available in appropriate alternative formats so as to be accessible to persons with a disability.
The minutes shall also record the names of Board members and District leadership representatives present, all motions, names of those making and seconding motions, votes and major discussion points.

Task force to merge Chapter Two policies with governing policy.
The board commits itself and its members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum when acting as board members.

1. Trustees must have loyalty to the residents of the district, unconflicted by loyalties to staff, other organizations, and any personal interest as a consumer.

2. Trustees must avoid all conflicts of interest and the appearance of conflicts of interest.

3. Trustees may not attempt to exercise individual authority over the organization.
   
   A. Trustees’ interaction with the CEO or with staff must recognize the lack of authority vested in individuals except when explicitly board authorized.
   
   B. Trustees’ assure the orderly operation of the District by encouraging employees to use established channels before bringing their concerns to the Board.
   
   C. Trustees' interaction with public, press or other entities must recognize the same limitation and the inability of any board member to speak for the board except to repeat explicitly stated board decisions.
   
   D. Except for participation in board deliberation about whether the CEO has achieved any reasonable interpretation of board policy, members will not express individual judgments of performance of employees of the CEO.

4. Trustees respect the confidentiality of all privileged information.

5. Trustees will be properly prepared for board deliberation.

6. Trustees will support the legitimacy and authority of board decisions, irrespective of the member’s personal position on the issue. The Board is made up of individuals with differing values and beliefs: debate is expected and natural. Although there are individual expressions, there are no individual decisions. Trustees work with fellow members in a spirit of harmony and cooperation in spite of differences.

7. Trustees will conduct business with civility, caring, and honesty to build trust, positive relationships, and shared solutions.

1.0 Behavior Contrary to the Code of Ethics
All Trustees are expected to maintain the highest standards of conduct and ethical behavior. Trustees who violate the Board’s Code of Ethics harm the Board and the District. The Board believes that such standards promote trust, confidence, and integrity in the working relationship between Trustees and staff. In order to maintain public confidence in the Board and in governance, the Board will be prepared to investigate the factual basis behind any charge or complaint of Trustee misconduct.

If an alleged breach of ethics occurs, the following process shall be followed:

2.1 Behavior contrary to the code of Ethics will be brought to the attention of the President of the Board of Trustees.
2.2 If the Board President’s behavior is alleged to be contrary to or violates the Code of Ethics, the Board Vice President will address the matter.
2.3 The President or Vice President of the Board of Trustees may appoint two Trustees to a Code of Ethics committee to investigate the behavior contrary to the Code of Ethics.
2.4 The President will rule on whether there is a breach of ethics during a Board meeting, a point of order may be made, at which time the meeting may go into recess so that the Board can discuss the breach.
2.5 Board President will discuss the matter with the Trustee in question and may include the Code of Ethics Committee in the review.
2.6 The Board President and/or the committee shall, within a reasonable period of time, make a report of its findings to the Board of Trustees for action.
2.7 Sanctions include, but are not limited to, the following:
   2.7.1 A formal letter to the Trustee(s) to officially put him/her/them on notice that his/her/their behavior will not be tolerated, or
   2.7.2 A formal resolution to censure a Trustee in open session, or
   2.7.3 Any further action deemed necessary, such as formal communication, by the Board President/Board Vice President, to the State of California Fair Political Practices Commission or a District Attorney, etc.

Task Force to merge the Chapter Two Ethics Section 1.0 with the Trustees Code of Conduct governing policy.
POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: BOARD COMMITTEE PRINCIPLES

Board committees, when used, will be assigned so as to reinforce the wholeness of the board’s job and so as never to interfere with delegation from board to CEO.

Accordingly:

1. Board committees are to help the board do its job, not to help or advise the staff. Committees ordinarily will assist the board by preparing policy alternatives and implications for board deliberation. In keeping with the board’s broader focus, board committees will normally not have direct dealings with current staff operations.

2. Board committees may not speak or act for the board except when formally given such authority for specific and time-limited purposes. Findings or recommendations shall be reported to the Board for consideration.

3. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the CEO.

4. Board committees cannot exercise authority over staff. Because the CEO works for the full board, he or she will not be required to obtain approval of a board committee before an executive action.

5. Board committees are to avoid over-identification with organizational parts rather than the whole. Therefore, a board committee that has helped the board create policy on some topic will not be used to monitor organizational performance on that same subject.

6. Committees will be used sparingly and ordinarily in an ad hoc capacity.

7. This policy applies to any group which is formed by board action, whether or not it is called a committee and regardless whether the group includes board members. It does not apply to committees formed under the authority of the CEO.
Reference: Government Code Section 54952

The Board may by action establish committees that it determines are necessary to assist the Board in its responsibilities. Any committee established by Board action shall comply with the requirements of the Brown Act and with these policies regarding open meetings.

Board committees that are composed solely of less than a quorum of members of the Board and do not have authority that may lawfully be exercised by the Board itself, are not required to comply with the Brown Act, or with these policies regarding open meetings.

Board committees have no authority or power to act on behalf of the Board. Findings or recommendations shall be reported to the Board for consideration. (Moved to Board Committees Principles #2)

Check with legal counsel for merge in Board Committee Principles.
A committee is a board committee only if its existence and charge come from the board, regardless whether board members sit on the committee. The only board committees are those which are set forth in this policy. Unless otherwise stated, a committee ceases to exist as soon as its task is complete.

Examples

1. Legislative Change Advisory Committee
   A. Product: Options and implications for board consideration regarding long term legislative or regulatory effects to be achieved by the board—by no later than _______________.
   B. Authority: To incur costs of no more than $3,000 direct charges and no more than 70 hours of staff time. (Need to remove $ amount but include language similar to No.2.)

2. Audit Committee
   A. Product: Specification of scope of audit prior to outside auditors coming in—by no later than May 30 each year.
   B. Authority: The audit contract will remain competitive with industry norms, and periodically the district will go out to bid for audit services.

BP 2220 Committees of the Board

Reference: Government Code Section 54952

The Board may by action establish committees that it determines are necessary to assist the Board in its responsibilities. Any committee established by Board action shall comply with the requirements of the Brown Act and with these policies regarding open meetings.

Board committees that are composed solely of less than a quorum of members of the Board and do not have authority that may lawfully be exercised by the Board itself, are not required to comply with the Brown Act, or with these policies regarding open meetings.

Board committees have no authority or power to act on behalf of the Board. Findings or recommendations shall be reported to the Board for consideration.
 Because poor governance costs more than learning to govern well, the board will invest in its governance capacity and devote the time to activities which will enhance their ability to function effectively as an governing board member.

Accordingly:

1. Board skills, methods, and supports will be sufficient to assure governing with excellence.
   
   A. Training and retraining through participation in educational conferences, workshops and training sessions offered by local, state and national organizations will be used liberally to orient new members and candidates for membership, as well as to maintain and increase existing member skills and understandings.

   B. Outside monitoring assistance will be arranged so that the board can exercise confident control over organizational performance. This includes, but is not limited to, fiscal audit.

   C. Outreach mechanisms will be used as needed to ensure the board’s ability to listen to owner viewpoints and values.

   D. Participate in local, state and national community college trustee associations.

2. Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior capability.

Note: BP 2740 – Legal review for removal. Check Accreditation Standard 4B1F.
POLICY TYPE: BOARD-MANAGEMENT DELEGATION

POLICY TITLE: GLOBAL GOVERNANCE-MANAGEMENT CONNECTION

The board’s sole official Means authoritative connection to the operational organization, its Ends and Means will be achieved through a Chief Executive Officer, titled Chancellor.
POLICY TYPE: BOARD-MANAGEMENT DELEGATION

POLICY TITLE: UNITY OF CONTROL

Only officially passed motions of the board that make or amend Executive Limitations or Ends policies are binding on the CEO.

Accordingly:

1. Decisions or instructions of individual board members, officers, or committees are not binding on the CEO except in rare instances when the board has specifically authorized such exercise of authority. Trustees recognize that authority rests with the Board majority in legal sessions and not with individual members.

2. In the case of board members or committees requesting information or assistance without board authorization, the CEO can refuse such requests that require, in the CEO’s opinion, a material amount of staff time or funds, not unduly burdensome or is disruptive to District operations.

Need legal review on first broad statement and how this limits the Board’s authority over the Chancellor.
POLICY TYPE: BOARD-MANAGEMENT DELEGATION

POLICY TITLE: ACCOUNTABILITY OF THE CEO

The CEO is the board’s only link to operational achievement and conduct, so that all authority and accountability of staff, as far as the board is concerned, is considered the authority and accountability of the CEO.

Accordingly:

1. The board will never give instructions to persons who report directly or indirectly to the CEO.

2. The board will not evaluate, either formally or informally, any staff other than the CEO.

3. The board will view CEO performance as identical to organizational performance, so that organizational accomplishment of board stated Ends and avoidance of board proscribed means will be viewed as successful CEO performance.

Crosswalk with legal counsel.

BP 2430 Delegation of Authority to Chancellor

Reference: Education Code Sections 70902(d), 72400; Accreditation Standard IV.B.1.j; IV.B.2

The Board delegates to the Chancellor the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action.

The Chancellor may delegate any powers and duties entrusted to him or her by the Board including the administration of the colleges, but will be specifically responsible to the Board for the execution of such delegated powers and duties.

The Chancellor is empowered to reasonably interpret Board policy. In situations where there is no Board policy direction, the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board of such action and to recommend written Board policy if one is required.

The Chancellor is expected to perform the duties contained in the Chancellor job description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions. The job description and goals and objectives for performance shall be developed by the Board in consultation with the Chancellor.

The Chancellor shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in timely fashion.

The Chancellor shall make available any information or give any report requested by the Board as a whole. Individual trustee requests for information shall be met if, in the opinion of the Chancellor, they are not unduly burdensome or disruptive to District operations. Information provided to any trustee shall be provided to all trustees.

The Chancellor shall act as the professional advisor to the Board in policy formation.
POLICY TYPE: BOARD-MANAGEMENT DELEGATION

POLICY TITLE: DELEGATION TO THE CEO

The board will instruct the CEO through written policies which prescribe the organizational Ends to be achieved, and describe organizational situations and actions to be avoided, allowing the CEO to use any reasonable interpretation of these policies.

Accordingly:

1. The board will develop policies instructing the CEO to achieve specified results, for specified recipients at a specified relationship between cost and results. These policies will be developed systematically from the broadest, most general level to more defined levels, and will be called Ends policies. All issues that are not Ends issues as defined above are Means issues.

2. The board will develop policies that limit the latitude the CEO may exercise in choosing the organizational means. These limiting policies will describe those practices, activities, decisions and circumstances that would be unacceptable to the board, even if they were to be effective. These policies will be developed systematically from the broadest, most general level to more defined levels; they will be called Executive Limitations policies. The board will never prescribe organizational means of the CEO.
   a. Below the global level, a single limitation at any given level does not limit the scope of any foregoing level.
   b. Below the global level, the aggregate of limitations on a given level may embrace the scope of the foregoing level, but only if justified by the CEO to the board’s satisfaction.

3. As long as the CEO uses any reasonable interpretation of the board’s Ends and Executive Limitations policies, the CEO is authorized to establish all further policies, make all decisions, take all actions, establish all practices and develop all activities. Such decisions of the CEO shall have full force and authority as if decided by the board.

4. The board may change its Ends and Executive Limitations policies, thereby shifting the boundary between board and CEO domains. By doing so, the board changes the latitude of choice given to the CEO. But as long as any particular delegation is in place, the board will respect and support the CEO’s choices.

BP 2430 Delegation of Authority to Chancellor

Reference: Education Code Sections 70902(d), 72400; Accreditation Standard IV.B.1.j; IV.B.2

The Board delegates to the Chancellor the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action.

The Chancellor may delegate any powers and duties entrusted to him or her by the Board including the administration of the colleges, but will be specifically responsible to the Board for the execution of such delegated powers and duties.
The Chancellor is empowered to reasonably interpret Board policy. (Already contained in #3 Delegation to the CEO.) In situations where there is no Board policy direction, the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board of such action and to recommend written Board policy if one is required.

The Chancellor is expected to perform the duties contained in the Chancellor job description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions. The job description and goals and objectives for performance shall be developed by the Board in consultation with the Chancellor.

The Chancellor shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in timely fashion.

The Chancellor shall make available any information or give any report requested by the Board as a whole. Individual trustee requests for information shall be met if, in the opinion of the Chancellor, they are not unduly burdensome or disruptive to District operations. Information provided to any trustee shall be provided to all trustees. (Moved to Unity of Control)

The Chancellor shall act as the professional advisor to the Board in policy formation.

Requires legal review for merging of the two policies.
POLICY TYPE: BOARD-MANAGEMENT DELEGATION

POLICY TITLE: MONITORING CEO PERFORMANCE

Systematic and rigorous monitoring of CEO performance will be solely against the board’s required CEO job outputs: organizational accomplishment of any reasonable interpretation of board policies on Ends and organizational operation within the boundaries established in board policies on Executive Limitations, reasonably interpreted.

Accordingly:

1. Monitoring is simply to determine whether or not expectations expressed in board policies have been met. Information that does not disclose this will not be considered to be monitoring information.

2. The board will obtain disclosure about the CEO’s interpretations of the board policy being monitored from the CEO himself or herself.

3. The board will obtain data disclosing whether or not the CEO’s interpretations have been accomplished using one or more of three methods: (a) by internal report, in which the CEO discloses the data to the board; (b) by external report, in which an external, disinterested third party selected by the board collects the data; and (c) by direct inspection, in which data are collected by the board, a designated board member or by designated board members.

4. In every case, the board will determine: (a) the reasonableness of the CEO’s interpretations, using a “reasonable person test” rather than with interpretations favored by board members or the board as a whole. The board is the final arbiter of reasonableness. The board will also assess: (b) whether data demonstrate the accomplishment of the interpretation.

5. All policies that instruct the CEO will be monitored at a frequency and by a method chosen by the board. The board can monitor any policy at any time by any method, but will normally use a routine schedule.

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BP 2430 Delegation of Authority to Chancellor

Reference: Education Code Sections 70902(d), 72400; Accreditation Standard IV.B.1.j; IV.B.2

The Board delegates to the Chancellor the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action.

The Chancellor may delegate any powers and duties entrusted to him or her by the Board including the administration of the colleges, but will be specifically responsible to the Board for the execution of such delegated powers and duties.

The Chancellor is empowered to reasonably interpret Board policy. In situations where there is no Board policy direction, the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board of such action and to recommend written Board policy if one is required.

The Chancellor is expected to perform the duties contained in the Chancellor job description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions. The job description and goals and objectives for performance shall be developed by the Board in consultation with the Chancellor. (This may be part of the Monitoring CEO Performance.)

The Chancellor shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in timely fashion.

The Chancellor shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in timely fashion.

The Chancellor shall make available any information or give any report requested by the Board as a whole. Individual trustee requests for information shall be met if, in the opinion of the Chancellor, they are not unduly burdensome or disruptive to District operations. Information provided to any trustee shall be provided to all trustees.

The Chancellor shall act as the professional advisor to the Board in policy formation.

BP 2435 Evaluation of the Chancellor

Reference: Accreditation Standard IV.B.1

The Board shall conduct an evaluation of the Chancellor at least annually. Such evaluation shall comply with any requirements set forth in the contract of employment with the Chancellor as well as this policy.

The Board shall evaluate the Chancellor using an evaluation process developed by the Board with input from the Chancellor.

The process shall provide opportunities for input from all constituency groups listed in Board Policy 2510.5.

The criteria for evaluation shall be based on Board policy, the Chancellor’s job description, and performance goals and objectives developed in accordance with Board Policy 2430.
Minutes of the
Governing Board Meeting
March 11, 2014

A. CALL MEETING TO ORDER

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, March 11, 2014, at 6:00 p.m. at the Milpitas Unified School District, 1331 East Calaveras Blvd., Milpitas, CA 95035, in Building 200, Room 206.

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. Zuby Javed – Was in attendance for joint SJECCD/MUSD meeting only

Board Members Absent:
Mr. Alex Ward

B. APPROVAL OF CLOSED SESSION AGENDA

There was no Closed Session Meeting because the only item, Complaints or Charges Against a District Employee, was removed from the agenda at the request of the employee.

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 following item was removed from the posted agenda:

COMPLAINTS OR CHARGES AGAINST A DISTRICT EMPLOYEE
(Government Code Section 54957)
E. RECONVENE INTO OPEN SESSION

1. ADOPTION OF AGENDA

M/S/C (Mann/Cruz) to adopt the agenda as amended.

A change was made to the Consent Agenda.

Board vote was as follows: Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

2. OPEN SESSION MEETING MOVED TO MUSD BOARD ROO, BUILDING 500, FOR JOINT MEETING BETWEEN MILPITAS UNIFIED SCHOOL DISTRICT AND SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT BOARDS

Ms. Marsha Grilli, Board President, Milpitas Unified School District called the joint meeting with San José-Evergreen Community College District to order. Dr. Jeffrey Lease, President, Board of Trustees, San José-Evergreen Community College District led the members of the Board in introducing themselves to the audience.

3. PLEDGE OF ALLEGIANCE

MUSD Board President Grilli led both Boards and members of the audience in the Pledge of Allegiance to the Flag.

4. MILPITAS/SAN JOSÉ EVERGREEN 21ST CENTURY JOINT EDUCATION SERVICES CENTER; UPDATE ON EDUCATIONAL PROGRAMMING AND FACILITIES DESIGN

Mr. Cary Matsuoka, Superintendent, Milpitas Unified School District, introduced SJECCD Chancellor, Dr. Rita Cepeda, to the audience, expressing his appreciation for her hard work in this joint collaboration. Chancellor Cepeda thanked Superintendent Matsuoka and stated how pleased she is by the progress made by both teams to get this project moving along. Chancellor Cepeda provided a brief history of the Joint-Use 21st Century Education Center, beginning with the Measure G-2004 bond program the voters approved on November 2, 2004, through the signing of the Memorandum of Understanding (MOU) to develop the Joint-Use 21st Century Education Center on November 13, 2012. Superintendent Matsuoka reviewed the educational master planning process engaged by both districts. Since 2009, EVC has offered university studies programs to Milpitas High School students. Since 2009, both MUSD and SJECCD staff have been meeting to identify a location in Milpitas and plan an educational program for the joint center. On April 12, 2011, an MOU was signed that refined/expanded the definition of existing educational program delivery from “university studies” for high school students to educational services for the residents of the Milpitas Community. This MOU included both San José City College and the Workforce Institute in educational delivery. In March 2014 the survey results regarding educational programming were tallied. Superintendent Matsuoka reviewed the site appraisal of the property - $8.9 million for four acres. Chancellor Cepeda reviewed the three committees that have been established: Educational Program Committee, Design Committee, and
the Joint Use Committee.

SJECCD Vice Chancellor Carol Coen reported on the work of the Education Programming Committee. She introduced the other members of the committee, including Superintendent Cary Matsuoka, Matthew Duffy, Assistant Superintendent, and Ken Schlaff, Principal, Milpitas Unified High School, representing MUSD and Workforce Institute Dean Kishan Vujjeni, EVC Vice President Keith Aytch, and SJCC Vice President Duncan Graham from SJECCD. Vice Chancellor Coen reviewed the results of the updated community educational needs assessment survey. There were 302 responses to the Adult Resident Survey; 331 for the MUSD Parent Survey and 52 for the Milpitas Businesses Survey. Over 90% of adult residents and parents agreed with the goal of relevant job training and preparation of careers. Over 85% of adult residents and parents agreed that high school students should have more opportunities to take courses at local colleges. Residents’ interest in potential programs include: transferable college courses (73%), college courses for high school students (71%), online courses (79%), courses leading to a certificate or license (74%), life-long learning/personal enrichments (93%) and job training courses (69%). Parents’ interest in programs for high school students include college courses in computer science (97%), engineering (95%), laboratory sciences (96%), biotechnology (94%), mathematics (95%), English and social studies (90%), and humanities and arts (82%). The survey results indicate there is very strong parent interest in college courses for high school students across all disciplines and strong community interest in college courses and courses that enhance employability. The student survey is still in progress. As of this date, we have received 185 responses; and there is a variance with what the students want in comparison to what the parents want. The highest interest for students is the humanities and the arts. There is also a high interest in on-line courses. We will, obviously, have some messaging to do. This survey information will really be helpful in our architectural discussions on courses. The Education Programming Committee recently held its first “rainbows” and “unicorns” meeting, i.e. let’s aim high for what we want to do before we need to settle on what we can do.

SJECCD Director of Facilities and Bond Program Management reviewed the accomplishments to date including MOU (November 2012), Ground Lease/Joint Use Agreement (June 2013), Begin Environmental (CEQA) Review (September 2013), Programming Architect (LPA) hired (December 2013), Community Survey completed (March 2014) and beginning of programming phase with LPA (March 2014). Mr. Thompson provided a status update for each of these accomplishments. He also reviewed the timeline for the project as follows: completion of SEQA review (September 2014), completion of programming and initial design plan (September 2014), selection of design/build contractor (October 2014), completion of design phase and groundbreaking (June 2015), construction over 12 months – substantial completion (June 2016), closeout activity, furniture set up, and testing of systems (August 2016), and the final phase, occupancy, scheduled for September 2016.

SJECCD Trustee Fuentes expressed interest in the student survey results and how it would be helpful for us to consider their requests to have courses in the humanities and arts as well as courses in line with our Silicon Valley high technology environment. We have a unique opportunity to create the hybrid between the two. Trustee Ho inquired if the surveys were conducted in multiple
languages. Vice Chancellor Coen answered that all telephone surveys had options for both English and Spanish. Trustee Nasol congratulated staff who worked so hard on this project. This educational center is extremely important for serving students in the North San Jose area and has great potential for future growth. Trustee Cruz thanked the staff for the tremendous work they have done so far. She expressed concern about the traffic flow in the location and inquired if the early feedback of the environmental review has indicated any concerns about that situation. Mr. Steve Thompson answered that so far there have been no concerns expressed, but results of the study are not in yet. The traffic study still needs to be completed.

MUSD Board Member Bill Foulk congratulated both teams for what they have accomplished so far as it now seems as though we have an actual project with a specific date in mind. He also expressed interest in including some performing arts courses. Chancellor Cepeda answered that both Evergreen Valley College and San José City College have excellent programs in the arts, and it would be a good opportunity for Milpitas students to take advantage of those opportunities. Board Member Danny Lau requested that a communication plan with the community be developed as we need to ensure community members have ample opportunities to express concerns and provide feedback about the educational program and the facilities. Superintendent Matsuoka answered that he has a scheduled meeting at Russell Middle School in six weeks, and the traffic situation around the high school is something that will be discussed. MUSD Board Member Marsha Grilli expressed her excitement about finally getting to the point where we have an actual date for groundbreaking and the opening of the center. She thanked Mr. Ron Lind, who was present at the meeting, for laying the groundwork and being a strong advocate for this educational center in the Milpitas community.

Mr. Ron Lind made some public comments in support of the new Joint Use 21st Century Education Center. His family moved to Milpitas in 1979, and there was supposed to be a college facility at that time. Instead, there is a housing development in that space. Finally, the Milpitas community is getting their college facility. Mr. Lind thanked everyone for their hard work in making this happen. He joins with board members in stating that it’s very exciting to see an actual date for when this will happen. The Milpitas community will embrace this facility and the concept behind it. This is a model program that should become a national model. He offered congratulations to Trustee Nasol for continuing his advocacy on behalf of this work. He looks forward to the day when he can put his shovel in the ground at the new educational site.

Ms. Carmen Montano, Councilmember, City of Milpitas, stated how pleased she was by the building of this college educational center in her neighborhood. The conversation to have such a center has been going on for quite a while, and it’s great to see it finally coming to fruition. The concerns regarding traffic and lack of open space have already been answered. However, it is extremely important to communicate with residents; and it’s good to know that conversation is already happening. She looks forward to seeing this project move forward.

Mr. Tim Orozco, Senior Assistant to Assemblymember Bob Wieckowski, reported that Assemblymember Wieckowski is in full support of the project and plans to learn more about it as it progresses. This is a great achievement for the community
and should highly contribute toward student success in the community.

5. **7:21 P.M. – CONTINUATION OF SJECCD BOARD OPEN SESSION MEETING IN BUILDING 200, ROOM 206**

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

   There were no reportable actions as the Closed Session meeting item was removed from the agenda.

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

   There were no public comments.

8. **APPROVAL OF THE FEBRUARY 11 AND FEBRUARY 25, 2014, GOVERNING BOARD MEETING MINUTES**

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

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

   Trustee Nasol thanked the board for honoring Mr. Frank Cancilla for receiving the Berryessa Citizens Advisory Council Citizen of the Year for 2013 award. The award ceremony was special, and it was good of our Board to participate in this event.

   Trustee Ho congratulated EVC for submitted four more degree transfer programs on this agenda. It’s good to know that San José City College is right on target.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

   M/S/C (Mann/Cruz) to approve the Consent Agenda as amended:

   Item F-3 was pulled from the Consent Agenda.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

   Trustee Nasol thanked the board for honoring Mr. Frank Cancilla for receiving the Berryessa Citizens Advisory Council Citizen of the Year for 2013 award. The award ceremony was special, and it was good of our Board to participate in this event.

   Trustee Ho congratulated EVC for submitted four more degree transfer programs on this agenda. It’s good to know that San José City College is right on target.

2. **MANAGEMENT PERSONNEL ACTIONS**

   The Board approved the Management Personnel Actions as submitted.

3. **FACULTY PERSONNEL ACTIONS - REGULAR**

   This item was removed from the Consent Agenda.
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. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

The Board ratified the contracts and purchase orders for the period of January 10, 2014, through February 9, 2014, as noted in the documents attached to the agenda.

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

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

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

The Board approved the new course proposed by San José City College.

9. **PIGGYBACK KONICA MINOLTA BUSINESS SOLUTIONS FOR COST PER COPY PRINT SERVICES FOR THE EVERGREEN VALLEY COLLEGE LIBRARY**

The Board authorized the District to “piggyback” on the Foundation for California Community Colleges (FCCC) contract with Konica Minolta Business Solutions for the Evergreen Valley College Library.

10. **USE OF GRANT FUNDS – AURORA GRANT (SJCC)**

The Board approved the San José City College to spend the funds remaining from last year, $1,250.

11. **BOARD RECOGNITION OF BERRYESSA CITIZENS ADVISORY COUNCIL CITIZEN OF THE YEAR AWARD**

The Board recognized Mr. Frank Cancilla for receiving the Berryessa Citizens Advisory Council Citizen of the Year for 2013 award.

G. **MEASURE G BOND PROGRAMS CONSENT AGENDA**

1. **ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA**

M/S/C (Mann/Ho) to approve the Measure G Bond Programs Consent Agenda as submitted.
Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

2. **MEASURE G-2010 BOND PROGRAM: AGREEMENT WITH KITCHELL CEM, INC. FOR CONSTRUCTION SERVICES FOR RENOVATION OF BUILDINGS 100 AND 200 (PREPARING FOR THE MEDIA ARTS CENTER AND CAREER TECHNICAL EDUCATION PROJECT) AT SAN JOSE CITY COLLEGE**

The Board approved the agreement with Kitchell CEM, Inc., for the guaranteed maximum price of $4,914,192.00 for the renovations to Buildings 100 and 200.

3. **MEASURE G-2010 BOND PROGRAM: EVC CAMPUS WATER SERVICE REPLACEMENT PROJECT**

The Board approved issuance of a construction contract to S&H Construction, Inc. in the amount of $488,000 for the Evergreen Valley College Campus Water Service Replacement Project.

4. **MEASURE G-2010 BOND PROGRAM: EVC MECHANICAL UPGRADE PROJECT #32307-04 NOTICE OF COMPLETION**

The Board approved the Notice of Completion for the Evergreen Valley College Mechanical Upgrade Project.

5. **MEASURE G-2004 BOND PROGRAM: EVC DISTRICT WAREHOUSE CARPORT PROJECT**

The Board approved Change Order 002 for Integra Construction, Inc. in the amount of $1,723 for the EVC District Warehouse Carport Project.

6. **MEASURE G-2010 BOND PROGRAM: EVC-CENTRAL PLANT AND POLICE STATION RENOVATION – CHANGE ORDER #007**

The Board approved Change Order #007 for Swenson & Associates in the amount of $30,388 for the Central Plant and Police Station Renovation Project at Evergreen Valley College.

7. **MEASURE G-2010 BOND PROGRAM: SAN JOSÉ CITY COLLEGE – UTILITY EXTENSION PROJECT #G2010.0052, PROJECT #31110, CHANGE ORDER NO. 006**

The Board approved Change Order No. 006 for JKL Construction Services, Inc. in the amount of $12,038 for the San José City College Utility Extension Project.

**H. ACTION AGENDA**

1. **RESOLUTION NO. 031114-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS**

M/S/C (Mann/Ho) to approve Resolution No. 031114-1 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.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

2. **RESOLUTION NO. 031114-2 – ACCEPTANCE OF REVISION #1 TO CALIFORNIA DEPARTMENT OF EDUCATION CONTRACT CCTR-3287**

M/S/C (Mann/Cruz) to accept Revision #1 of the California Department of Education Contract CCTR-3287 increasing the contract amount by $3769, changing the contract from $151,765 to $155,534. The Board adopted Resolution No. 031114-2 confirming revision #1 to the state contract.

Board vote was as follows:
Trustees Cruz, Dhillon, Ho, Lease, Mann and Nasol voted yes. Trustee Fuentes abstained from the vote because she is a board member of the Saint Elizabeth’s Day Home.

3. **RESOLUTION NO. 031114-3 A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT, SANTA CLARA COUNTY, CALIFORNIA, AUTHORIZING THE ISSUANCE OF SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT (SANTA CLARA COUNTY, CALIFORNIA ELECTION OF 2004 GENERAL OBLIGATION BONDS, SERIES C, AND ACTIONS RELATED THERETO**

Vice Chancellor Smith stated that the Board received information about items H-3, H-4, and H-5 at the last board meeting, and these items regarding the issuance of bonds is being presented at this meeting for approval. These actions would include: final issuance of Measure G-2004 bonds; Measure G-2010 bonds issuance for about $120 million, which is the third issuance and next to last issuance, and the refinancing of some old, outstanding bonds that should result to savings for our district. Vice Chancellor Smith introduced Ms. Ann Kennedy, Gilbane Financial Manager, Mr. David Casnocha, Attorney, Stradling Yocca Carlson & Rauth, Ms. Ivory Li, Vice President, Investment Banking, PiperJaffray and Mr. Rod Carter, Managing Director, Municipal Finance, RBC Capital Markets from RBC. Mr. Casnocha provided a historical update of the bond sales for Measure G-2004 and Measure G-2010. Mr. Carter reported that the district would not be using CABS (capital appreciation bonds) because the district is in fiscal position where they do not need to push the costs out into the future, thus saving taxpayers money.

Vice Chancellor Smith recommended the Board approve H-3, H-4 and H-5 in one vote; and the Board did so as follows. However, for the purposes of these meeting minutes, the vote was recorded on each separate agenda item as indicated below.

M/S/C (Mann/Nasol) to approve Resolution No. 031114-3, A resolution by the Board of Trustees of the San José-Evergreen Community College District, Santa Clara County, California, authorizing the issuance of San José-Evergreen Community College District (Santa Clara County, California Election of 2004 General Obligation
Bonds, Series C, and actions related thereto.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

4. **RESOLUTION NO. 031114-4 A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT, SANTA CLARA COUNTY, CALIFORNIA, AUTHORIZING THE ISSUANCE OF SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT (SANTA CLARA COUNTY, CALIFORNIA) ELECTION OF 2010 GENERAL OBLIGATION BONDS, SERIES C, AND ACTIONS RELATED THERETO**

M/S/C (Mann/Nasol) to approve Resolution No. 031114-4, A resolution of the Board of Trustees of the San José-Evergreen Community College District, Santa Clara County, California, authorizing the issuance of San José-Evergreen Community College District (Santa Clara County, California) Election of 2010 General Obligation Bonds, Series C, and actions related thereto.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

5. **RESOLUTION NO. 031114-5 A RESOLUTION AUTHORIZING THE ISSUANCE OF SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT 2014 GENERAL OBLIGATION REFUNDING BONDS**

Trustee Nasol stated that the savings the district should receive as a result of refinancing would depend on the credit ratings received by Standard & Poors and Moody’s. He inquired when the district would be notified about its credit rating. Vice Chancellor Smith answered that we expect to receive the ratings on March 24, and the bonds would be sold right after that. The ratings will bear heavily on the financial strength of the district and the local economy. Chancellor Cepeda stated that the decisions the Board has made to strengthen the fiscal stability of the district has made a difference and should save the taxpayers a lot of money as we refinance these bonds. Trustee Fuentes stated that this has been a long road and a lot of hard work has gone into strengthening the district’s fiscal achievements. The Board is very fortunate to have the team we have.

M/S/C (Mann/Nasol) to approve Resolution No. 031114-5, A Resolution authorizing the issuance of San José-Evergreen Community College District (Santa Clara County, California) 2014 General Obligation Refunding Bonds.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

6. **RESOLUTION NO. 031114-6 IN SUPPORT OF WOMEN’S HISTORY MONTH**

M/S/C (Ho/Mann) to approve Resolution No. 031114-6 in support of Women’s History Month.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.
7. **RESOLUTION NO. 031114-7 IN SUPPORT OF CITY COLLEGE OF SAN FRANCISCO**

M/S/C (Dhillon/Fuentes) to approve Resolution No. 031114-7 City College of San Francisco regarding their “show cause” sanction by ACCJC.

Trustee Fuentes stated that this is a great resolution and was a result of many district members working together to show their support for City College of San Francisco City College. The City College of San Francisco is an old institution and, hopefully, this resolution will have an impact on how the Commission moves forward with this community college.

Board vote was as follows: Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

8. **FINDING TO INCLUDE PROPRIETY (SOLE SOURCE) ITEMS IN INVITATIONS FOR BIDS OR REQUESTS FOR PROPOSALS**

M/S/C (Mann/Nasol) to adopt the propriety (sole source) items as identified.

Board vote was as follows: Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

9. **DIRECTION TO ADDRESS SEISMIC STUDY OF ROBLE AND ACACIA CLUSTERS AT EVERGREEN VALLEY COLLEGE**

Vice Chancellor Smith provided additional information in response to questions made by the Board at the February 25 meeting. In particular, he stated that if the Board chose Option 2, an option which would strengthen both buildings, funding would be taken from Measure G-2010 bond, which are currently designated for building demolition and from various other projects critical to the college. He stated that, based on the study conducted by Thornton Tomasetti and the recommendation provided, continued normal usage of these buildings is allowed by the code. Vice Chancellor Smith also provided information about ADA access to the buildings and stated that the accessibility around the buildings has been evaluated through the site assessment and master planning recently accomplished. Evergreen Valley College is currently undertaking efforts to address those findings. Trustee Nasol thanked Vice Chancellor Smith and the Gilbane Building Company for providing answers to the questions the Board had asked at the last meeting. He stated that he was satisfied with Option 5 to not modify the buildings now but to wait until the district receives funding from the state.

M/S/C (Mann/Ho) to approve the recommendation by Evergreen Valley College, based on review of the structural study and evaluations by EVC participatory governance groups, that Roble and Acacia remain in service without modifications during development of South Campus, Automotive Technology and Engineering/Applied Technology.

Board vote was as follows: Trustees Cruz, Dhillon, Ho, Lease, Mann and Nasol voted yes. Trustee Fuentes voted no.
I. INFORMATION AGENDA

1. MEASURE G-2010 BOND PROGRAM: MEASURE G-2010 SUMMARY REPORT

Vice Chancellor Smith stated that this report is being provided for information only. There are no items listed as caution that needs to be brought to the attention of the Board.

2. FY2013-2014 SECOND QUARTER BUDGET REPORT ENDING DECEMBER 31, 2013

Vice Chancellor Smith stated that since the Board received a detailed budget report at the February 25 meeting, the FY2013-2014 2nd Quarter Budget Report is being presented for information only. He gave special recognition to the District Budget Committee for their work in reviewing the budget line by line. He thanked Mr. Peter Fitzsimmons, Director of Fiscal Services, for his excellent leadership of the Fiscal Services operations. Developing this budget is a true team effort. The good news is that our fiscal performance is very, very strong.

Trustee Cruz reported that recently faculty, students and other voluntary leaders went to Sacramento and met with legislators to discuss the budget allocated for education. This particular advocacy has focused on the cost of living versus the enrollment funding. This part of the advocacy has focused on the cost of living versus the enrollment funding. Our district will continue to be a very important voice across the state. We need to think about what kind of message we want to convey, especially since many of our colleagues across the state are not experiencing the fiscal strength we are now experiencing. Vice Chancellor Smith answered that he and his team meet regularly with other fiscal services colleagues throughout the state, particularly those in Northern California. The message we are getting is that many of them are struggling with growth. Enrollment targets are not being met. We are not impacted by enrollment-based funding because we are now dependent on property taxes. However, we are fully expecting a shift in state funding with COLA up and growth down.

3. PRESENTATION OF THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 CONTRACT REOPENER PROPOSAL WITH SAN JOSÉ EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2013-2014

Vice Chancellor Garcia reported that the CSEA contract reopener is being presented as an information item at this meeting. At the April 8 board meeting, this item will be submitted to the Board for action; and there will also be a public hearing.

4. REPORT FROM TASK FORCE ON BOARD GOVERNANCE POLICIES

President Lease distributed notes of the Board Governance Task Force meeting of March 4, 2014, in which the task force comprised of Trustees Lease, Ho and Cruz met with Chancellor Cepeda, Executive Administrative Assistant Joy Pace and Mr. Randy Parent, legal council representative from Liebert Cassidy and Whitmore, to review and revise the draft Board Governance Policies document. Consensus was reached in several areas including goals clarification, legal liabilities and
compliance, differentiation between principles and policies, recommended format and next steps. The goal clarification was determined to develop and implement a governance policy model that ensures the effective and efficient participation of Trustees, including a clear understanding of roles and responsibilities among Trustees; differentiation of role and function between Trustees and the Chancellor and the commitment to ongoing evaluation of board performance and Chancellor accountability. Mr. Randy Parent recommended an alternative framework. He stated that Board Policy represents the legal accountability framework used by constituents who choose to litigate against a particular Board action. Hence, current language in the draft document that cannot be clearly defined or quantified in an objective manner, such as “dignified” is not recommended to be under a public policy. This kind of terminology is objective in nature, cannot be quantified and is subject to numerous interpretations. Instead, Mr. Parent proposed that the Board establish a set of Principles (developed by the Board), followed by the Policies Manual (developed for Board approval by the Chancellor through participatory governance) and followed by an Administrative Procedures Manual (developed by staff). Therefore, it is suggested that the current language derived from the Carver Policy Governance Model should be reclassified as Principles, i.e. a higher order of value that applies to the Board members in the performance of their work. In addition, Board Policies should remain as they are in Chapters I through VII (BP 1100 to BP 7700). The Board Governance Task Force also recommended the development of a document that includes the Board Mission, Vision and Values Statements, Board Ends Policies, Strategic Priorities for 2013-2017, Board Governance Principles and Administrative Procedures. The next steps will include a revision of the governance model adoption calendar, creation of the framework for the new agenda format and the establishment of an implementation date.

President Lease introduced Mr. Parent at the meeting. Mr. Parent commended the Board for undertaking the important task of developing the principles by which they will govern themselves. He reported on his discussion with the Board Governance Task Force to move toward governing principles, instead of governing policies. Trustee Nasol supported the move from policies to principles because the district already has a comprehensive policy manual, which contains all the legal and statutory requirements the Board needs to follow. The purpose of this new document is more about how the Board wants to conduct its business. Trustee Cruz stated that, although this document will be more of a principles document with the exception of the ends policies, the work the Board did to get to this place was not wasted. The Board was better able to define the kind of organization the district would be and also address areas related to Board behavior and its relationship to the Chancellor. The important work still to be done is related to the ends policies. The Board needs to further define them, especially in terms of incorporating more language regarding its value of equity. Equity is about much more than what was previously detailed in our equity scorecard. Trustee Dhillon thanked Mr. Parent for his important feedback on the document, and he wished the Board had consulted with Mr. Parent before working on the policies document. Trustee Fuentes thanked the task force and Mr. Parent for the work they had done and expressed her support for moving forward with the principles in lieu of policies. The focus should be on what the Board needs to do to be effective and not about how to silence the voices of individual Board members. Trustee Ho thanked Mr. Parent for his input. She expressed support for all the work the Board put into the draft documents as this led to important conversations about the role and function of the Board. She
recommended moving forward with the suggestions made by Mr. Parent.

President Lease charged the Chancellor to work with Mr. Parent in revising the document based on the suggestions discussed at the meeting. The revised document will be reviewed at the next Board Governance Task Force meeting to be put in a final draft format to be submitted for a first reading at the April 8, 2014, Governing Board Meeting.

5. BOARD COMMITTEES

President Lease distributed and reviewed a document entitled, SJECCD Board Committee Assignments: Worksheet Decision Matrix. He stated that the Board Committees had been provided ample time to review their committee charge to determine whether or not it was a standing or ad hoc committee. Based on feedback he received, he proposed that the Audit, Self-Evaluation and Legislative committees be delegated as standing committees and all other committees will be in ad hoc status, i.e. in place until the charge of the committee has been fulfilled. Trustee Fuentes disagreed that the Student Success Committee be designated as ad hoc because even though the Board has approved its student success policy, there is still a lot of work the Board should do regarding student success. Trustee Dhillon also expressed concern about the status of the Land Development Committee since the committee has not yet provided its report to the Board. President Lease recommended moving forward with the committee status outlined in the document, and the Board can determine later whether or not they need to create or reinstate the ad-hoc committees.

K. CONTINUATION OF CLOSED SESSION

No.

L. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

M. ADJOURNMENT

M/S/C (Mann/Nasol) to adjourn the meeting at 9:30 p.m.

Board vote was as follows: Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
April 8, 2014

A. CALL MEETING TO ORDER

President Lease called the Regular Meeting of the Governing Board of the San José- Evergreen Community College District to order on Tuesday, April 8, 2014, at 4:30 p.m. at the District Office 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
Ms. Wendy Ho
Mr. Rudy Nasol

Board Members Excused:
Mr. Craig Mann

B. APPROVAL OF CLOSED SESSION AGENDA

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

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

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
Ms. Wendy Ho
Mr. Rudy Nasol
Mr. Alex Ward
Mr. Zohaib Javed

Board Members Excused:
Mr. Craig Mann

1. PLEDGE OF ALLEGIANCE

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

2. ADOPTION OF AGENDA

M/S/C (Nasol/Cruz) to adopt the agenda as amended:

Removal of Action Agenda Item I-1 – ACCJC Follow Up Reports: San José City College and Evergreen Valley College – Standard II.A.1.C

Move Item J-1 – Board Governance Principles Document – First Reading to follow the approval of the Measure G Bond Programs Consent Agenda

Correction to Action Agenda Item I-2 CCCT Board Election 2014 – Agenda item page was changed to reflect that there are seven three-year vacancies and one one-year vacancy. The Board will vote for eight candidates.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

4. 6:10 P.M. PUBLIC HEARING ON THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 CONTRACT REOPENER PROPOSAL WITH SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2013-2014
M/S/C (Dhillon/Ho) to open the public hearing.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

There were no public comments.

M/S/C (Nasol/Dhillon) to close the public hearing.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

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

President Lease stated that he had received 15 public speaker cards, and that most of them indicated they would speak regarding the Service Learning program at Evergreen Valley College. He stated that per Board policy, 30 minutes would be devoted to this topic. Trustee Cruz requested that the time be extended to 45 minutes to allow time for all the speakers. The Board agreed to do so.

The Board heard public comments regarding the Service Learning Center from the following individuals: Marjorie Clark, Counselor, EVC Service Learning, Cam Martian, Staff Assistant, Fastrack, Lori Lujan, Instructor, SHAPE, at EVC, Mr. Gary Cooper, CSEA, EVC, Kyle Link, Student, Racheal Thompson, Student, Ruhani Amath, Student, Janani (no last name provided), Student, Francisco Servin, Student, Dennis Wyatt, Retired EVC Student, Constance Enals, EVC tutor, Jammaar Hall, Chaya Mulnami, Kordai Herring, Jesse Castaneda, Manager of Patient Access at Santa Clara Valley Medical Center, Alex Ward, Field Representative, State Senator Jim Beall’s office. Ms. Marjorie Clark read a resolution from Assemblymember Paul Fong. Mr. Alex Ward read portions of Senator Beall’s letter of support for EVC’s Service Learning Program and distributed a copy of the letter to the Board of Trustees. The other speakers expressed their support for the Service Learning program at EVC, provided examples of the benefits they have received from the program, and requested the Board of Trustees put this item on the meeting agenda for further discussion. President Lease stated that the Board would be unable to put this item on this meeting agenda. However, he requested the Chancellor put this item on the agenda at the April 22 board meeting.

The Board heard a public comment from Mr. Dennis Wyatt, member of the community, in which he expressed concern about the inability to audit courses. District policy allows registered students to audit other courses without requiring credits. He would like to see courses that community members can take for their own educational enrichment experience.

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

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

**APPROVAL OF RESOLUTION 040814-5 TO EXCUSE TRUSTEE CRAIG MANN FROM ATTENDING THE GOVERNING BOARD MEETING**

President Lease stated that Trustee Craig Mann informed him he would not be able to attend the meeting due to illness.

M/S/C (Nasol/Fuentes) to approve Resolution 040814-5 to excuse Trustee Craig Mann from attending the April 8, 2014, Governing Board Meeting due to illness.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S/C (Nasol/Ho) to approve the Consent Agenda as submitted.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

Trustee Cruz congratulated Vice Chancellor Coen, Dean Vujjeni and their staff members who were able to form a consortium and receive grant funds in support of adult education.

2. **MANAGEMENT PERSONNEL ACTIONS**

The Board approved the Management Personnel Actions as submitted.

3. **SUPERVISORY/CONFIDENTIAL PERSONNEL ACTIONS**

The Board approved the Supervisory-Confidential Personnel Actions as submitted.
4. **FACULTY PERSONNEL ACTIONS - REGULAR**

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

7. **REVISIONS TO ACADEMIC ADMINISTRATOR JOB DESCRIPTIONS AND PERFORMANCE APPRAISAL FORM TO ADDRESS RESPONSIBILITY FOR THE SYSTEMATIC ASSESSMENT OF STUDENT PROGRESS AND LEARNING OUTCOMES**

   The Board approved the revisions as submitted.

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

   The Board accepted grant funds in the amount of $1,000 from the Foundation from the California Community Colleges.

9. **ACCEPTANCE OF AB 86 CONSORTIUM GRANT FUNDS**

   The Board accepted grant funds in the amount of $657,493 awarded to the South Bay Consortium for Adult Education, for which SJECCD is fiscal agent.

10. **APPROVING DESIGNEE TO THE SOUTH BAY REGIONAL PUBLIC SAFETY TRAINING CONSORTIUM JOINT POWERS AUTHORITY**

    The Board designated the Director of Fiscal Services as the District’s representative to the South Bay Regional Public Safety Training Consortium Joint Powers Authority.

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

    The Board ratified the contracts and purchase orders for the period of February 10, 2014 through March 9, 2014, as noted in the documents attached to the agenda.

12. **THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 CONTRACT REOPENER PROPOSAL WITH SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2013-2014**

    The Board adopted the reopener proposals.
13. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

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

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

The Board approved the new course proposed by San José City College.

15. **AGREEMENT WITH KIEFER CONSULTING FOR WEBSITE REDESIGN AND IMPLEMENTATION**

The Board approved Change Order #1 for Kiefer Consulting in the amount of $23,650 for additional training and on-going support for website maintenance for total contract not to exceed $301,450.

G. **MEASURE G BOND PROGRAMS CONSENT AGENDA**

1. **ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA**

M/S/C (Nasol/Cruz) to approve the Measure G Bond Programs Consent Agenda as submitted.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

2. **MEASURE G-2004 BOND PROGRAM: STANDARD FORM OF AGREEMENT BETWEEN SJECCD AND LPAS, INC. FOR DESIGN SERVICES FOR SJCC PHYSICAL EDUCATION BUILDING**

The Board approved an Agreement for Professional Services with LPAS, Inc. which includes Design Development, Construction Documents, DSA Approval, Bid Documents, Contractor Pre-Qualification, Contractor Selection and Bidding, Construction Administration, and Close Out/Post-Construction/Occupancy in the amount of $1,474,788 for the San José City College Physical Education Building, and renovation of the existing Racquetball Building.

3. **MEASURE G-2004 BOND PROGRAM: EVERGREEN VALLEY COLLEGE CENTRAL GREEN PROJECT – BELLINGER FOSTER STEINMETZ LANDSCAPE ARCHITECTS PROJECT ASSIGNMENT AMENDMENT (PAA) #02 REVISION #001**

The Board approved Project Assignment Amendment (PAA) #02 Revision 001 in the amount of $50,000 to Bellinger Foster Steinmetz Landscape Architects for the Central Green Project at Evergreen Valley College.
4. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE DISTRICT WAREHOUSE CARPORT PROJECT – INTEGRA CONSTRUCTION CHANGE ORDER #003**

The Board approved Change Order #003 in the amount of $12,769 and a time extension of forty two (42) calendar days to Integra Construction for the District Warehouse Carport Project at Evergreen Valley College.

5. **MEASURE G-2004 BOND PROGRAM: EVERGREEN VALLEY COLLEGE (EVC) SOCCER FIELD PHASE 1 BLEACHER PROJECT – GUERRA CONSTRUCTION GROUP CHANGE ORDER #001 ACCEPTANCE OF CONTRACT ALTERNATES**

The Board approved Change Order #001 to Guerra Construction Group in the amount of $51,300 for inclusion of bid Alternates 1 and 2 at the Evergreen Valley College (EVC) Soccer Field Phase 1 Bleacher Project.

6. **MEASURE G-2010 BOND PROGRAM: SJCC REPURPOSE BOILER PLANT, PROJECT #31109 – CHANGE ORDER #002**

The Board approved Change Order #002 for Omni Construction, in the amount of $9,310.00 for the San José City College Repurpose Boiler Plant Project.

7. **MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE SITE FENCING, PROJECT #31116-01 DEDUCTIVE CHANGE ORDER #002**

The Board approved the Deductive Change Order #002 for Crusader Fence Co., Inc., in the amount of ($10,000) for the San José City College Site Fencing project.

8. **MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE (SJCC) PHYSICAL SECURITY PROJECT**

The Board approved issuance of a contract to Electronic Innovations Inc. in the amount of $70,476 for the San José City College (SJCC) Physical Security Project.

9. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE CENTRAL PLANT AND POLICE STATION RENOVATION – SWENSON & ASSOCIATES CHANGE ORDER #008**

The Board approved Change Order #008 for Swenson & Associates in the amount of $13,776 for the Central Plant and Police Station Renovation Project at Evergreen Valley College.

10. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE GULLO STUDENT CENTER ENVELOPE UPGRADE PROJECT – SWENSON & ASSOCIATES CHANGE ORDER #004**

The Board approved Change Order #004 in the amount of $55,960 to Swenson and Associates for the Gullo Student Center Envelope Upgrade Project at Evergreen Valley College.
11. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AUTO TECHNOLOGY BUILDING UTILITIES EXTENSION & UPGRADE PROJECT – RODAN BUILDERS, INC. CHANGE ORDER #001

The Board approved no-cost Change Order #001 to provide a time extension of forty-six (46) calendar days to Rodan Builders, Inc. for the Auto Technology Building Utilities Extension & Upgrade Project at Evergreen Valley College.

12. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE MECHANICAL UPGRADE PROJECT – AMERICAN AIR CONDITIONING PLUMBING & HEATING, INC. DEDUCTIVE CHANGE ORDER #001

The Board approved Change Order #001 in the amount of ($15,013.58) to American Air Conditioning Plumbing & Heating, Inc. for the Mechanical Upgrade Project at Evergreen Valley College.

13. MEASURE G-2010 BOND PROGRAM: BID #0327-14 PROP. 39 – EVERGREEN VALLEY COLLEGE & SAN JOSE CITY COLLEGE LED PARKING LOT LIGHTING FIXTURE REPLACEMENT PROJECT – CONTRACT AWARD

The Board approved issuance of a construction contract to Intermountain Electric Company for an amount not-to-exceed $698,900 for the Evergreen Valley College (EVC) & San José City College (SJCC) LED Parking Lot Lighting Fixture Replacement Project.

J. 1. BOARD GOVERNANCE PRINCIPLES DOCUMENT – FIRST READING

President Lease reported that the Board Governance Task Force met with Mr. Randy Parent on March 31 to review changes Mr. Parent made to the last draft of the policies document. President Lease reported on the following changes:

1. A revised order for the Table of Contents.
2. A two-page Forward was added to the document addressing the reason why and manner in which the Board will utilize the principles document.
3. Executive Limitations was changed to Executive Requirements so that the principles would be positive instead of negative.
4. The End Policies was put at the beginning of the document and includes the Mission/Vision/Values statement, Strategic Priorities (2013-2017) and Objectives (which includes the end policies statement developed by the Board at the December 13, 2014, Governing Board Meeting).
5. Certain principles were omitted from this document because they were more procedural in nature and already covered under the current board policies, such as:
   a. Asset Protection (already covered under Financial Planning/Budgeting)
   b. Community Climate (incorporates both Treatment of Consumers and Treatment of Staff principles)
   c. Financial Condition & Activities (covered under Financial Planning/Budgeting)
   d. Emergency CEO Succession (current board policy sufficient, however, a procedure needs to be developed ASAP)
e. Compensation & Benefits (covered under CBA and current board policies/procedures)
f. Ends Focus of Grants or Contracts (covered under Financial Planning/Budgeting)
g. Board Secretary Role (administrative in nature and already covered under current Board Policy Chapter 2)

Mr. Parent provided a brief explanation of the revisions he had made. His goal was to take the work the Board had already done and incorporate it into this document as a tool to support the Board’s work to provide excellence in governance for this district. He took out of the document those elements already covered under the Board’s current policies and which fall under the Chancellor’s domain and focused the document on ends policies and governance principles that would assist the Board in its own governance.

President Lease stated that further work needs to be done on the Monitoring and Agenda Planning principles. He also reported that during the discussion of the current Chapter Two Board Policies it became evident that, although the Board has excellent policies in place, the procedures in support of those policies are lacking. This is an area in need of focus by district administration. The next step for the Task Force is to review the ends policies so that they could be brought back to the Board for review at the April 22 meeting. The plan is to bring the edited version of the Ends Policies and Governance Principles document to the Board for approval at the May 13, 2014, Governing Board Meeting.

Trustee Fuentes inquired about the meaning of the Delegation to the Chancellor principle and what the intent was from a legal perspective. Mr. Parent answered that the purpose of this particular principle is to provide the Chancellor with enough authority over district matters to get the job done. This document, in essence, is an agreement between the Board of Trustees and the Chancellor. It delegates those areas not concerned with the Board’s role of governing to the Chancellor, who manages the business affairs of the district. It provides Chancellor Cepeda the authority to use her judgment, expertise and discretion to provide the leadership to accomplish what the Board has asked her to accomplish. Trustee Fuentes stated that as the situation with the Service Learning program at EVC has demonstrated at this meeting, the Board is hearing about issues with programs all the time. How does this new model of principles empower the Board to express their concerns about specific programs? Mr. Parent answered that the Board achieves their monitoring ability through the ends policies it develops. It would be impossible for any institution to do everything for everyone all the time. Decisions have to be made and priorities need to be determined. However, the Board does have the ultimate authority because it makes the decision about what is funded. The Board can amend the budget if the district is not addressing something it considers a priority. But the Board is best served by delegating to the Chancellor in order to get things done, and this is what the Accrediting Commission expects from the Governing Board. President Lease stated that, ultimately, the Board as a whole is accountable, and delegates authority to the Chancellor to achieve the goals it has set. President Lease thanked Mr. Parent for the time and help he had provided to the Board.
H. ORAL COMMUNICATIONS

a. Board of Trustees

Trustee Nasol reported that the Board Audit Committee will meet on May 16 and will receive information from the auditors about the audit they will be conducting for FY2013-14. Hopefully, the district will receive another clean audit with no findings.

Student Trustee Ward reported on the ASG meeting with the VTA to bring ecopass to both campuses. The meeting went well, and he hopes to bring this item to a future board meeting for discussion.

Trustee Cruz reported that she, along with Chancellor Cepeda, President Breland, Executive Director Hawley and Trustees Ho and Fuentes, attended the ACCT Governance Institute for Student Success last weekend. As a result of that Institute, we were able to revisit student success and look at the work that we have done and where the Board could go in the future to provide direction to the district. At the April 22 Governing Board Meeting, the Trustees who attended the Institute will provide a more detailed report.

Trustee Fuentes stated that she learned a lot through her attendance at the Governance Institute for Student Success, especially about specifics of what we can do to eliminate the achievement gap for our students of color. There is a lot of knowledge available to us. Setting the right policies and continuous monitoring will ensure that everyone does their part.

Trustee Ho stated that the Board Legislative Committee, working with Executive Director Rosalie Ledesma and consultant Manny Diaz, will provide an update on planned bills and a proposed legislative agenda for the Board at a board meeting next month.

b. Chancellor

Chancellor Cepeda announced that her report would be devoted to a presentation on the newly revised district website. Director Sam Ho reviewed the work done by Keifer Consultants, along with the district members and special teams that worked hard on the revamping project. Mr. Ho displayed the new website and afterwards hosted a brief celebration.

c. Presidents

EVC President Yong introduced two new Deans at EVC: Dr. Lena Tran, Dean of Business and Workforce, who comes to us from UC Santa Cruz, and Alexandra Duran, Dean of Student Success, who comes to us from Foothill College.

SJCC President Breland provided no report.
Constituency Group Representatives

Mr. David Yancey, FA President, reported that Rev. William Barber was one of the main speakers at the CFT Annual Convention in Los Angeles. He is the leader of the Moral Mondays Campaign in North Carolina and was inspirational in his presentation at the Convention.

Mr. Eric Narveson, President, EVC Academic Senate, reported that he was re-elected as president of the Academic Senate, and Jack Baker was re-elected as the Vice President. Mr. Narveson is also remaining on the statewide curriculum task force. Mr. Narveson expressed his support for the Service Learning Program at EVC and thanked the 15 guest speakers who spoke to the board about the program. In fact, this program is a part of the 10+1 consultation; and faculty owns and controls it. He suggested a special committee be formed to explore financial support for this program. Perhaps this would enable the college to keep this program open in the Fall quarter. Ms. Marjorie Clark had reported on the challenges of the Service Learning Program at the last Academic Senate meeting. The Academic Senate hopes to provide some kind of proposal to President Yong.

Mr. Fabio Gonzalez, Interim President, SJCC Academic Senate, reported that elections for the Academic Senate will not take place until May because the senate is now in the process of revising its constitution and bylaws. He thanked SJCC Interim President Breland for his openness to discuss the many challenging issues facing the college.

Ms. Lauren McKee, President, MSCC, reported that the MSCC Executive Committee will be conducting its elections soon. She also commented that the Service Learning Program is only one of the many special programs existing at EVC, such as Affirm and Aspire, which assist students in counseling. It’s important to review the needs of all these programs and not just focus on one particular program. As a district, we do not want the Service Learning Program at EVC to get special treatment because their advocates come before the Board. Our desire is that all programs be evaluated equitably.

Mr. Jammaar Hall, EVC Associated Student Leader, reported on the Cinco de Mayo event scheduled for May 6 at the college.

ACTION AGENDA

1. **ACCJC FOLLOW UP REPORTS: SAN JOSE CITY COLLEGE AND EVERGREEN VALLEY COLLEGE STANDARD II.A.1.c**

   This item was removed from the agenda.

2. **CCCT BOARD ELECTION 2014**

   M/S/C (Cruz/Ho) to choose seven candidates to serve on the California Community College Trustees (CCCT) Board. Trustee Cruz stated for the record that she did not
support the candidacy of Mr. Stephan Castellanos.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes. However, Trustee Cruz did not support the selection of Steve Castellano and only voted yes for the other candidates the Board had chosen.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.


M/S/C (Dhillon/Cruz) to approve the District and Faculty Association, AFT 6157 tentative agreement.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

4. **RESOLUTION NO. 040814-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS**

M/S/C (Nasol/Fuentes) to approve 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.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

5. **RESOLUTION NUMBER 040814-2 APPROVING DESIGNEES TO THE NORTHERN CALIFORNIA COMMUNITY COLLEGE POOL JPA & BAY AREA COMMUNITY COLLEGE DISTRICT JPA**

M/S/C (Dhillon/Cruz) to approve the resolution designating the Director of Fiscal Services as the District’s representative and the Vice Chancellor of Administrative Services as the alternate representative to the boards of the Northern California Community College Pool JPA and the Bay Area Community College Districts JPA.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.
6. RESOLUTION NUMBER 040814-3 APPROVING THE ISSUANCE OF A TAX AND REVENUE ANTIPATION NOTE (TRAN)

M/S/C (Ho/Cruz) to adopt a resolution authorizing the borrowing of funds for Fiscal Year 2014-2015 in an amount not to exceed $3,000,000 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. Trustee Nasol stated that as the district has moved to basic aid, we are no longer at the mercy of state funding, which came to us late. Hopefully, we won’t need these notes in the future. Vice Chancellor Smith answered that the amount is going down, and the district is moving in the right direction in which it will require zero borrowing.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

7. RESOLUTION NUMBER 040814-4 REGARDING ROBLE AND ACACIA CLUSTERS AT EVERGREEN VALLEY COLLEGE

M/S/C (Nasol/Dhillon) to approve the resolution, supported by Evergreen Valley College (EVC), based on review of the structural study and evaluations by EVC participatory governance groups, that Roble and Acacia remain in service without modification during development of South Campus, Automotive Technology and Engineering/Applied Technology.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

8. RESOLUTION NUMBER 040814-6 IN SUPPORT OF MIDDLE EASTERN AMERICAN HERITAGE MONTH

M/S/C (Dhillon/Ho) to adopt Resolution No. 040814-6 in support of Middle Eastern American Heritage Month.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

9. RESOLUTION NUMBER 040814-7 IN SUPPORT OF EUROPEAN AMERICAN HERITAGE MONTH

M/S/C (Dhillon/Ho) to adopt Resolution No. 040814-7 in support of European American Heritage Month.
Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

10 **ST. ELIZABETH’S DAY HOME – AMENDED INDEPENDENT CONTRACTOR AGREEMENT**

M/S/C (Nasol/Cruz) to accept revision #1 of the Independent Contractor Agreement previously approved by the board stating the amount of $274,952.64 in the revised amount of $290,178.

Board vote was as follows:
Trustees Dhillon, Lease, Ho, and Nasol voted yes. Trustee Fuentes abstained because she is a St. Elizabeth’s Day Home board member.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

11 **MEASURE G-2004 BOND PROGRAM: BOND LIST REVISION**

M/S/C (Nasol/Dhillon) to approve revisions to the Measure G-2004 bond list as presented.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Javed and Ward voted yes.

J. INFORMATION AGENDA

1. **BOARD GOVERNANCE PRINCIPLES DOCUMENT – FIRST READING**

This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

2. **2013 SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT ANNUAL REPORT**

Chancellor Cepeda reviewed the 2013 District Annual Report page by page, starting with the Board’s mission and vision statements. The report includes many photos of students in our classrooms and highlights our facilities and programs. It also includes demographic information for each of our colleges that is submitted annually to the State Chancellor’s Office. This report was distributed as a hard copy at the board meeting and will also be uploaded to the district website.

Trustee Cruz stated that this is an outstanding report and filled with a lot of
information that could be used as talking points for the Board of Trustees as they
meet with legislators and community members. Trustee Nasol also stated this was a
great report; however, he expressed concern about the difference in the ethnicity of
our students versus the ethnicity of our employees. He would like to see this gap get
closer.

3. **ENHANCING CAREER AND TECHNICAL EDUCATION: RECENT NATIONAL,
STATE AND LOCAL DRIVERS**

SJCC Interim President Breland discussed the importance of career and technical
education programs at the district, and he reviewed the role of regional economic
development, external drivers for career and technical education, goals of the district
and how it aligns with our commitment to student success. Mr. Chris Brown,
Business Development Manager, Office of Economic Development, City of San
José, reviewed the San José City Council’s Economic Strategies 2010-2105 and
Goal No. 3, to “Preserve and Strengthen Manufacturing-Related Activity and Jobs.”
The City of San José continues to highlight the critical role manufacturing plays in
San José by launching the Silicon Valley Manufacturing Roundtable. Mr. Brown
recognized the role that SJECCD has as a significant player by supporting Silicon
Valley manufacturers through workforce programs. As a result of this, the Workforce
Institute has been invited as an Advisory Board Member of the Silicon Valley
Manufacturing Initiative (SVMI). Mr. Neil Struthers, Business Development Officer,
National Electrical Contractors Association, International Brotherhood of Electrical
Workers. Ms. Carol Coen, Vice Chancellor, Workforce Institute and Resource
Development provided an overview of the California Community Colleges State
Chancellor’s Office initiative, Doing What MATTERS. The goal is to close
California’s skills gap by focusing community college CTE courses on sectors that
demonstrate the need for an immediate or future supply of skilled workers. The ten
priority sectors include: advanced manufacturing, advanced transportation and
renewables, agriculture, water and environmental technologies, energy and utilities,
global trade and logistics, health, information and communication technologies
including digital media, life sciences and biotechnology, retail hospitality and tourism
and small business. Doing What MATTERS is a four-pronged framework to respond
to the call of our nation, state, and regions to close the skills gap. The four prongs
are: Give Priority for jobs and the economy, Make Room for jobs and the economy,
Promote student success, and Innovate for jobs and the economy. Vice Chancellor
Coen also reviewed AB86 Collaborating to Better Serve the Educational Needs of
Adults. The intent of AB 86 is to expand and improve the provision of adult
education with incremental investments starting with the 2015-16 fiscal year. The
California state budget appropriated $25 million to allocate funding for two-year
planning and implementation grants to better serve the educational needs of adults,
and this funding will be provided to eligible consortia for developing regional plans
for adult education. At this meeting, the Board approved the acceptance of $657,493
grant funds for the South Bay Consortium for Adult Education, comprised of seven
school districts and which SJECCD is the fiscal agent. The plan must improve the
delivery of adult education in five program areas: elementary and secondary basic
skills education, classes and courses for immigrants, programs for adults with
disabilities, short-term career technical education programs with high employment
potential, and programs for apprentices. What we develop in 2013-14 will be
implemented in 2015 and onward. Vice Chancellor Coen reviewed the CA Career
Pathways Grants, a $250 million grant program to connect academic learning to
career pathways. Dr. Ingrid Thompson, SJECCD Dean, Business and Workforce Development, reviewed the CTE and apprenticeship programs at San José City College. A partial list of local employers who benefit from SJCC CTE programs include: Loral, Tesla, Lockheed, Stryker, Google, Apple, Belectric and Prototypes Plus. But we also have a gap between what we currently have and what we need to do, such as, having an industry validated curricula that supports business needs and academic excellence, modern equipment to provide the optimum hands-on experience for our students and well-designed dedicated space for smart CTE classrooms and state-of-the art labs. President Breland ended the presentation by stating how important it was for the district to have CTE programs and that we are already on our way in moving this forward.

Trustee Ho thanked the presenters for such a comprehensive report. Our district is leading in this work. Trustee Fuentes stated this is a wonderful presentation that showed us where we are and the potential moving forward, and she wants to ensure the district is investing to move forward with these programs. She also requested the Chancellor provide an update on the status of updating the classrooms and equipment that would ensure we can proceed with these opportunities, not just as SJCC but also at EVC. Chancellor Cepeda answered that our partners do realize the jewel we have in our district, and the Board will be making very quick decisions about curriculum, facilities and equipment. Trustee Cruz stated the importance of developing public/private partnerships and perhaps building an additional off-site center, such as the Milpitas Educational Center. The capacity for what we can do is very exciting.

4. PRESENTATION OF THE SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT CONTRACT REOPENER PROPOSAL WITH THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 FOR 2013-2014

Vice Chancellor Garcia stated this information is being presented for information only but these proposals will be used to begin the 2013-14 negotiations.

5. CREDIT RATING UPDATE

Mr. Peter Fitzsimmons, Director of Fiscal Services, provided an updated on the district’s revised credit rating. On March 19, 2014, Moody’s Investors Service reaffirmed the district credit rating of Aa1 and also removed the negative outlook that was given to the district in 2012. On March 25, 2014, the district received its credit rating of AA from Standard and Poor’s Rating Services, which is up from the previous rating of AA- given to the district in 2012. SJECCD ranks fifth in the top ratings compared with all other community college districts in California.

President Lease congratulated the district on this wonderful achievement.

6. MEASURE G-2010 BOND PROGRAM: MEASURE G-2010 SUMMARY REPORT

Vice Chancellor Smith stated this report is being provided for information. There are no alerts the Board needs to consider in this report.
K. CONTINUATION OF CLOSED SESSION

No.

L. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

M. ADJOURNMENT

M/S/C (Nasol/Ho) to adjourn the meeting at 9:50 p.m.

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

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, April 22, 2014, at 4:30 p.m. at the SJCC Technology Center, Room T-415, 600 S. Bascom Avenue, San José, CA 95128.

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/Nasol) to approve the Closed Session agenda.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

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: SJCC College President

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)
Property: 27 acres of surplus land adjoining San Felipe Road and Yerba Buena District’s Negotiator(s): SJECCD Vice Chancellor Doug Smith; Mr. Jim Eller, Eller & Associates and Mr. Aaron Gruen, Gruen, Gruen & Associates
Names of Negotiating Parties: Imwalle, Stagner and others
Under Negotiation: ( ) Price ( ) Terms of Payment (X) Both

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:15 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

Board Members Absent:
Mr. Alex Ward
Mr. Zohaib Javed

1. PLEDGE OF ALLEGIANCE

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

2. ADOPTION OF AGENDA

M/S/C (Mann/Dhillon) to adopt the agenda as amended:

Information Agenda Item H-1 Presentation of San José City College Programs was moved to follow the approval of the Consent Agenda.

Information Agenda Item H-4 Service Learning Program was moved to follow the approval of the Action Agenda.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.
4. **6:10 P.M. – PUBLIC HEARING ON THE SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE CONTRACT REOPENER PROPOSAL WITH THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363, FOR FY2013-2014**

M/S/C (Mann/Ho) to open the public hearing.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

There were no public comments.

M/S/C (Mann/Nasol) to close the public hearing.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

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

The Board heard public comments from:

Chancellor Rita Cepeda provided an overview of the district’s Redesign Report for 2013-2017. She distributed a copy of the report to the Board and members of the audience. She reviewed the report components: Part I, which defines the redesign initiative for SJECCD, workforce changes from 2003-2013, planning process and schedule and the redesign proposal for 2013-2017. Part II of the report addresses faculty hiring, and the Appendices section includes information about the redesign survey analysis and the faculty hiring process. Chancellor Cepeda reviewed the planning process conducted through the executive team leadership, leadership retreat held in Asilomar on July 13-14, 2012, review at District Council meetings, and the Board’s approval of the guiding principles that had been developed as part of the planning process. Chancellor Cepeda reviewed the emerging priority areas that were identified through the process and also provided a review of how the budget reductions had impacted the district’s workforce. She reviewed a summary of new, repurposed and vacant positions and provided a demographic report on the headcount for each employee group from October 2003 through October 2013. She reviewed Phase I of the process for SJCC, EVC, DO and WI. She also provided information on faculty hires, full-time faculty obligation and the 50 percent law compliance from 2003 through 2013. Chancellor Cepeda stated that the report would be uploaded to the district website and that there would also be a team presentation on the district’s redesign report at the May 27 board meeting.

Ms. Kesha Rankins, SJCC student, spoke about her concerns regarding the Financial Aid Office and the need to properly train staff in that office to provide adequate support to students.

Ms. Janet Chang, SJCC Health Services Director, along with students Sonia Ramos Torres and Oscar discussed activities they had participated in to commemorate Earth Day. They expressed the need to enforce the college’s no smoking policy and discussed the “butt pick up” in which they picked up trash cigarette butts throughout the campus.
Ms. Anna Viveros commented on the excellent partnership between SJCC and Planned Parenthood, especially in providing information to students on the Affordable Care Act.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA
M/S/C (Mann/Cruz) to approve the Consent Agenda as submitted.

Board vote was as follows:
Trustees Cruz Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

2. SUPERVISORY-CONFIDENTIAL PERSONNEL ACTIONS
The Board approved the Supervisory-Confidential personnel actions as submitted.

3. EVC ADJUNCT INSTRUCTOR ASSIGNMENTS
The Board approved the EVC Adjunct Instructor assignments as submitted.

4. SOUTH BAY REGIONAL PUBLIC SAFETY INSTRUCTOR ASSIGNMENTS
The Board approved the South Bay Regional Public Safety Instructor assignments 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 Short-Term Hourly, Substitute, Professional Expert & Athletic Support Services, Student Assistant and Volunteer personnel actions as submitted.

7. ACCEPTANCE OF GRANT FUNDS – ARTHUR N. RUPE FOUNDATION
The Board accepted grant funds awarded to Evergreen Valley College’s Nursing Program in the amount of $34,785 from the Dorothy D. Rupe Nursing Program at the Arthur N. Rupe Foundation.

8. THE SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT CONTRACT REOPENER PROPOSAL WITH THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 FOR FY 2013-2014
The Board adopted the reopener proposals.
9. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**

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

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

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

H. 1. **PRESENTATION OF SAN JOSÉ CITY COLLEGE PROGRAMS**

Interim President Byron Breland welcomed members of the Board and audience to San José City College. He stated that the presentation would show how far SJCC has come by reviewing its achievements in the past and present and stating the goals for the future. The presentation provided was a highlight of programs and departments in Academic and Student Affairs, such as Athletics, Cosmetology, International Students, Veterans program, Theatre and Dance, Counseling and Admissions and Records.

Mr. Duncan Graham, Vice President of Academic Affairs, introduced Mr. Lamel Harris, Director, Kinesiology and Athletics, who provided a report on student athletes. Mr. Harris introduced three student athletes, Chris Welly, Keanu Foki and Keryln Horn. He stated that the Athletics program has had a 5% increase in course success rate, and that in 2012, 95.5% student athletes were full time students. He stated how proud he was of the success of student athletes, both academically and personally.

President Breland presented on the lifetime achievements of past SJCC students, such as Millard Hampton, Bruce Jenner, Laurence Widdel, Thomas Bartasi, Dan Nakaso, Sylvia Cuena, Richard Calderon, Walt Adkins, Amy Tan and others who have achieved great success in their numerous professions.

Mr. Graham discussed the partnership between the Academic Affairs and Student Affairs departments and his work with Dr. Elaine Burns, VP of Student Services, and Dean Roland Montemayor in the critical areas of Financial Aid, CalWork,s Career/Transfer Center, Assessment Center, Mental Health Services, Counseling Construction Technology, English as a Second Language, Mathematics, Supplemental Instruction, and Associate Degrees for Transfer. Mr. Graham provided real examples of what happens when a college fails to properly instruct its students. Vice President Burns provided an overview of the college’s Student Success Committee and how it informs the way students are supported through the enrollment process, student aid and other student support services, CalWorks, Assessment Center, Career/Transfer Center, etc. The college also has formed a Mental Health Services Advisory Committee to aid the college in providing support to emotionally distressed students. Dr. Burns also highlighted some recent achievements of student success through the expansion of EOP&S, ESL and Counseling partnerships with students, upgrades in technology in the orientation and job development center, ESL Bridge program, OSHA 10 safety standards certifications, supplemental instruction in pre-collegiate mathematics, and the recent six ADT’s approved by the state. Dean Ingrid Thompson provided an overview of the Cosmetology Department. A few student athletes present at the
meeting received makeovers by Cosmetology students, and an unveiling occurred during the presentation. Dean Sean Able reviewed the Theater Arts program, and the Board was provided with a brief performance by students. Mr. Blake Balajadia, Director, Student Activities and Development, reported on the new Veterans Center at the college. Space has been provided for veterans to meet with one another, stay connected, receive counseling services and receive certification for financial aid. The Board heard a status report on international students at the college. Although enrollment is growing, there is a great need for increased marketing, increased staffing and an increase in the travel budget. Instructor Maria Basile ended the presentation by leading some students in a salsa dance.

At the conclusion of the SJCC presentation, President Breland read the following statement:

The Goal is ‘nothing less than’ Student Success at San Jose City College.

Now let’s imagine a future where our students are truly successful in all that they attempt to accomplish…we are the premiere provider of career technical education in the Silicon Valley...we are aligned in every way with K-12 and the common core...all students are thoroughly oriented to college...all students are properly accessed for an optimal start to their educational journey at SJCC...we have creative pathways for students such as our new pathways to law school initiative with preferential admission for SJCC students who complete a set curriculum at City... in fact, all of our pathways are clear....we have a robust dual enrollment program for H.S. students...with accelerated math programs, a STEAM room for Science-Technology-Engineering-and Math combined with ART; hence, the reference to STEAM; to bring out and support true innovation from our students.

It is also a future where we have highly successful adult education programs. We have strong partnerships with business and industry; all our constituency groups (which are our biggest resource toward this effort – our staff) are working together – for the greater good – and that is to promote and support student success. We will spend the majority of our time talking about student success and celebrating that success – rather than engaging in procedural bureaucratic matters that often derail our focus.

Now please stand with us....close your eyes ....and understand this... as I share the ultimate vision for our college (If you don’t dream big and have fun while you’re at it – you will certainly play small).... Imagine a future where we now have over a 95 % retention rate, a 97% persistence rate, a 98% transfer rate ....a 99% completion rate and get this ... a 100% rate of student success. – And yes – we are also winning the state championship in every sport – every single year! We at SJCC contend that this is all possible – but it can only happen if we utilize our knowledge, skills, and abilities working together toward a common goal – walking together every step of the way … in rhythm.

President Lease thanked SJCC for a wonderful presentation, and he also requested a copy of the statement read by President Breland. Trustee Cruz also stated how much she loved the closing statement: What a vision! She thanked the college for the great work it is doing in support of student success.
G. ACTION AGENDA

1. **ACCJC FOLLOW-UP REPORTS: SAN JOSÉ CITY COLLEGE AND EVERGREEN VALLEY COLLEGE STANDARD III.A.1.c**

M/S/C (Mann/Cruz) to approve the Accreditation Follow-Up Reports from both San José City College and Evergreen Valley College in compliance with ACCJC’s Request (Standard III.A.1.c)

Board vote was as follows:
Trustees Cruz Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

H. 4. **SERVICE LEARNING PROGRAM**

President Lease stated that, as a result of the public comments made at the April 8 board meeting, this item was put on the agenda to allow for discussion and to answer any questions and concerns about the status of the Service Learning Program. He requested that administration be allowed to provide information and afterwards the Board would hear public comments.

EVC President Yong recognized the merit and expressed support for the Service Learning Program. It's a great program, which allows our students to volunteer in the community. However, it has been said that the program, at its current level of faculty support, is being operated in an unsafe manner. With only 30% release time, the faculty coordinator said she does not have the time to visit student worksites; and because of this, she cannot ensure that students in the program are working in safe environments. The administration was told by the coordinator that if the level of faculty support for Service Learning was not going to be increased or restored, then we should “shut it down.” The idea to “shut it down” did not come from the administration. On October 17, 2013, the faculty coordinator sent a written report, “EVC ServLearn Program, a Safety & Liability Risk to Students and District,” to the Chancellor expressing her concerns about the safety of the program. As a result, Chancellor Cepeda and President Yong both agreed with the coordinator’s assessment that an unsafe program creates liability for the district and cannot continue to be offered without changes. Service Learning was originally offered at 40% Released Time and was later increased to 50%, and then to 60% Released Time. During the budget cuts in 2009, the level of support for Service Learning was reduced to 30%. The reduction was done across the board, and other programs that provided student support services were also reduced, including ENLACE, AFFIRM, ASPIRE, Honors, Instructional Technology, Distance Education and others. The budget reduction also included employee lay-offs district-wide. Recognizing that Service Learning is an instructional methodology that comes under the 10 + 1 scope of the Academic Senate, and thus the methodology belongs to faculty. President Yong stated he has been working with the Academic Senate regarding service learning. He asked the Senate to provide recommendations that would address the safety issue. In his summation, President Yong stated that the administration is not opposed to the concept of restoration, but restoration should be carried out in an equitable manner, with transparency and fairness, so that all programs that were reduced could now benefit from the restoration.
EVC Dean Mark Gonzales stated that as the Dean of a very large division which includes 18 departments including PE and Athletics and three special programs, safety is his number one priority. In the past, he has had to temporarily suspend some activities, classes or programs to reassess them and remedy safety concerns. The Administration of Justice Department’s field trip to the morgue resulted in a student fainting after seeing a corpse. That student fell head first and cut his forehead. Dean Gonzales stated that his remedy was to make that trip optional for the next semester. In the past, the PE Department and school has suspended archery classes at EVC due to safety and liability issues, and we have also suspended soccer matches due to lighting and rain. After hearing about the safety concerns from the Service Learning Coordinator, his recommendation was to stop admitting students into the programs until the safety concerns are addressed.

EVC Vice President of Academic Affairs Aytch stated that after President Yong met with Chancellor Cepeda, he was instructed to look into the matter. It was determined that the safety issue was related to a personnel matter, and there is a process for dealing with personnel matters. Administrators continue to meet about the program, but plans to meet with the program coordinator were delayed until February. The Coordinator informed the Vice President that she wanted to have an FA representative at the next meeting, but she later stated that she did not want to meet because she was informed that her current assignment for Spring 2014 was not going to be reduced.

Ms. Marjorie Clark, EVC Service Learning Coordinator, stated that students came before the Board at the last meeting to express their support for the service learning program. They spoke from their hearts as this is an issue that’s key to student success. The Board of Trustees had requested a report on service learning, and she had outlined what the challenges were for that program. It is not a safety issue. It is about a lack of staffing and funding. The program went from 17 faculty members to 5 and from 60 community partners to 26, with a budget of only $300 for supplies. And the issue is not that the service learning program is more important than other programs. The students and program coordinator have come before the Board to ask that the program not be suspended and that it would receive the support it needs. The Center cannot survive closure, and it would be desirable for students to have this program.

The Board heard public comments from Yiping Wang, Gary Cooper, Connie Maes, Ruhani Amath, Racheal Thompson, and Francisco Servin, who spoke in support of EVC’s Service Learning Program and requested that the program not be suspended but given the financial support it needs.

Trustee Nasol stated that based on the report from administration and the public comments, the quality of the program is not in question. The problem was created because of the budget reductions. Moving forward, it is important to review the program very carefully and, hopefully, provide the resources to save the program. When there isn’t adequate staff to oversee the program, the result could become a safety issue. Trustee Dhillon stated that everyone agrees this is a great program and has been for 18 years. The program operated for 17 years without a safety issue and now, suddenly, there is a safety issue. This doesn’t make any sense. Trustee Dhillon stated that he recalled another incident where a community group wanted to lease facilities at the college, and safety was brought up to be an issue;
but he knew there was no safety issue. Trustee Dhillon stated his desire to see this program continue without being suspended. Trustee Cruz stated that in January 2013 the Board adopted a definition of student success as well as a policy. The policy speaks to “adequate funding for staff and support of service learning programs on both campuses...to engage in social change work...” She stated that something about this situation doesn’t feel right to her. The Board just adopted this policy a little over a year ago, and now we are looking at the potential suspension of the program. Trustee Cruz stated that based on her personal experience, she is very familiar with how Service Learning is operated. While students are placed at some sites in the community, most students are placed on campus. She asked, “Are they not safe?” Are we making a judgment call here about our community partners not providing a safe environment for our students? If the program is not adequately funded, it will make it difficult to operate. As an instrumental academic program, this is a faculty-driven process and not one to be determined by the administration. What was the participation of the faculty coordinator and other voices in the decision-making process? In our community colleges system, there is a process for liability issues. What was the process for the decision that was made to suspend the program? Where is the data, especially the enrollment trend data? What sections and courses are impacted by this program? Which students have been involved for the past three years? What is the success of the program for those three years? Who participated in the assessment and the program review process? What does the program review process look like? Trustee Cruz stated that she sees this kind of information about other colleges’ programs, but not for this program even though it has been around for 18 years. The Service Learning Program has been a jewel, and it doesn’t sit well with her as a Trustee that this program would be suspended. These kinds of programs connect students with what they do in the classroom to what they do in the community. She requested that administrators, faculty and students involved in the program conduct an appropriate program assessment. Trustee Fuentes thanked Trustee Cruz for her statements and the questions she had asked. The Board’s job is to understand what is going on, review the information and make decisions to determine if the administration is adhering to the Board’s policies. Why is the Board even seeing this problem, especially with the opportunity that service learning provides for our students? Trustee Fuentes thanked Ms. Marjorie Clark and the speakers who provided public comments in support of the program. Trustee Ho expressed gratitude for the presentation and the opinions that were shared this evening. She also expressed support for President Yong’s desire to review all programs for restoration with equity and transparency and cautioned against not just looking at a single program in isolation. Trustee Ho stated that we need to examine the data and figure out what stories all the programs are really telling us. This important review of our programs can help us make decisions that will assist us in achieving our vision of becoming a premier institution in this valley.

President Lease thanked everyone for the time they invested for discussing this important program. He supports this kind of program 100%. Over the past year, the Board has heard from the DSPS program, summer school and some other programs. Both colleges have amazing programs. President Lease stated that he did read the memo that brought attention to the safety issue. This concern was put in writing. He expressed support to the Chancellor for her decision to suspend the program until the safety concern has been addressed. The district does not have unlimited resources, and much of the recent available resources had been used to
restore staff as directed by the Board. Now that we have done that, as resources become available, those resources can be provided to programs in need. President Lease asked if the college is still serving those students still in the pipeline. President Yong answered that the college would not offer the program until the safety issue is addressed and would not admit new participants into the program when it is not offered. The Academic Senate will soon make recommendations about how to address the safety issue, and there is also great value in assessing the data.

Chancellor Cepeda stated that many great things were stated this evening, especially by the students. She stated that once she received the written report from the coordinator, which stated there was a safety issue, she had been “put on notice” and thus had to respond because she as Chancellor and the Board itself are now possibly liable. She stated that we must address the safety issue first, before other issues. Chancellor Cepeda stated that she will need to receive in writing that there is no longer a safety concern before the college can move forward with enrolling new students into the program. Trustee Fuentes stated that she felt the issue was one of lack of funding and not of safety. President Yong mentioned that at 30% release time, the faculty coordinator had said she could not make visits to the community to certify the sites; therefore, this assertion raised the safety issue. President Lease stated that it looks as if the college is in the process of clearing up the safety issue, and the Board looks forward to an update at a future meeting.

H. INFORMATION AGENDA

1. PRESENTATION OF SAN JOSÉ CITY COLLEGE PROGRAMS

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

2. BOARD ENDS POLICIES AND GOVERNANCE PRINCIPLES DRAFT DOCUMENT – FIRST READING

President Lease stated that the draft Board Ends Policies and Governance Principles document is being presented for a first reading. The draft was reviewed at the April 8 board meeting, and at that time it was recommended that the Board Governance Task Force would meet and add more ends policies to the document. Therefore, the task force met on April 15 and added ends policies, which have been incorporated into the first section of the document. President Lease also noted that the Agenda Planning and Monitoring principles would not be completed until after the Board approves the document so that the whole Board could work together to complete those principles. President Lease requested that if Board members have suggested edits to provide those to him. He reported that this document would be submitted to the Board for approval at the May 13, 2014, Governing Board Meeting.

3. REPORT ON GOVERNANCE INSTITUTE ON STUDENT SUCCESS (GISS)

As part of their policy agenda, the Association of Community College Trustees has collaborated with over 150 community college leaders to create the Governance Institute for Student Success. The purpose of the institute is to advance the policy action agenda by encouraging boards to develop student success policies, reaffirm
a commitment to access and equity and call upon governing boards to take action. Trustees Mayra Cruz, Wendy Ho and Maria Fuentes attended the Institute, which was held at Chabot College on March 14-16, 2014; and provided a report to the Board.

Trustee Ho provided a definition of student success reviewed at the Institute, which measures include: semester course completion with C grade or higher, completion of developmental (remedial) sequence, completion of gateway course (and/or 12 hours), persistence term-to-term and year-to-year, earning a certificate or degree, and successful student transfer (after minimum of 15-30 credit hours.) The discussion centered on the need for community colleges to progress in institutional transformation. Trustee Ho reviewed the top 10 reasons for progress in institutional transformation: 1) Leaders, including board members, must engage in and pay continuous attention to progress on the student success agenda; 2) a culture of evidence and inquiry needs to be pervasive in the institution, 3) there needs to be broad and continuous faculty/staff/student/community engagement and collaboration in support of a student success agenda; 4) planning and budgeting are aligned with the vision, priorities and strategies of a student success agenda; 5) a sense of urgency drives a shared vision and communications around a student success agenda with internal and external stakeholders; 6) a sustained focus on student success is practiced by the institution and demonstrably influences the development of policies, procedures and practices; 7) professional development efforts are aligned with the priorities and strategies of a student success agenda; 8) a systemic student success agenda is integrated with other significant initiatives such as accreditation, strategic planning and Title V; 9) Student success interventions are informed by and adapted from demonstrably effective practices; and 10) an equity agenda is integrated in the efforts to improve learning and college completion outcomes. Trustee Ho also reviewed how effective Boards can participate in realizing the student success agenda, including ways to monitor key performance indicators, asking the tough questions about progress on student success, creating a culture in which the CEO can engage in needed courageous conversations, and the consideration of evidence-based changes in policy affecting student success.

Trustee Cruz reviewed and distributed the ACCT Student Success Policy Action Agenda document. This agenda is a guide for governing boards to support student success and completion. We keep thinking about the meaning of equity and how to framework that in what we need to do as we fulfill our own vision. There is a lot of great information provided by the ACCT that is utilized nationwide on the policy of equity, which informs the work we are doing as a district. The Policy Action Agenda outlines strategic goals, partnerships, measurements and metrics, and board priorities.

Trustee Fuentes reported on what she had gained from her attendance at the Institute. The reality of student success is that it eliminates achievement gaps that currently exist. Each district was given the charge of looking at our particular colleges and reviewing the data to see where we are really at in terms of equity and closing the achievement gap. It's often as easy as just going to the data. We have to look at whether or not our students are equally successful. There is a community college district in Denver that actually eliminated the achievement gap within a period of 14 years so it is achievable for us to do the same. It's great to think about what that would mean in the lives of all our students. There are tools we can use
and ways to achieve this goal.

4. **SERVICE LEARNING PROGRAM**

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

5. **ACCJC REVISED STANDARD IV: LEADERSHIP AND GOVERNANCE**

Mr. Keith Aytch, EVC Vice President of Academic Affairs, presented on the 2014 ACCJC Revised Standards. He reviewed the standards revision process, including the initiation of comprehensive study of the standards in 2011 through the final review in June 2014. The new standards will go into effect in Spring 2016. The goals of the revised standards include: reordering to yield a more logical sequence, elimination of overly prescriptive sections, reduction of redundancy and clarification of intent. The revisions to Standard I include new title and sectioning: Mission, Assuring Academic Quality and Institutional Effectiveness, and Institutional Integrity. In Standard I the mission section has been expanded, new academic quality subsection has been added, Institutional Integrity is now a separate sections and a new I.C.6 “The institution accurately informs current and prospective students regarding the total cost of education, including tuition, fees, and other required expenses, including textbooks, and other instructional materials.” The revision to Standard II includes the addition of the word “Support” to the Standard II title: Student Learning Programs and Support Services. In Section II, the three sections are now reorganized into two: Instructional Programs and Student Support and Library and Learning Support Services (which includes two subsections.) Revisions also include new II.A.7, II.B.4 and II.B.6. Revisions to Standard III include an expanded III.A.6. Revisions to Standard IV include two sections now being reorganized into four: Decision Making Roles and Processes, Chief Executive Officer, Governing Board, and Multi-College Districts or Systems. The revised Standard IV also includes new IV.A.6, IV.B.4, IV.C.6, and IV.D.5. Vice President Aytch also provided information about the six regional accrediting commissions and the commission membership.

Trustee Cruz inquired that if we provided any feedback to the Commission regarding these changes. Chancellor Cepeda answered that we did not do so as we have been engaged in finishing up the follow-up reports. President Lease thanked Vice President Aytch for keeping the Board informed of the new accreditation standards.

K. **CONTINUATION OF CLOSED SESSION**

Yes

L. **RECONVENE OPEN SESSION**

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

None.
M. ADJOURNMENT

M/S/C (Cruz/Ho) to adjourn the meeting at 10:20 p.m.

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

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, May 13, 2014, at 6:00 p.m. at the District Office 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
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol
Mr. Alex Ward

Board Members Absent:
Mr. Zuby Javed

B. APPROVAL OF CLOSED SESSION AGENDA

There was no Closed Session meeting.

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

There was no Closed Session meeting.

E. RECONVENE INTO OPEN SESSION

1. PLEDGE OF ALLEGIANCE

President Lease led the Board and members of the audience in the Pledge of Allegiance to the Flag.
Minutes of May 13, 2014, Governing Board Meeting

2. **ADOPTION OF AGENDA**

   M/S/C (Mann/Cruz) to adopt the agenda as amended:

   Information Item J-2 was removed from the agenda.
   Information Items J-1 Retirement Board of Authority Annual Report and J-3 Board Training Session on AB 1234 Ethics was moved to follow the approval of the Consent Agenda.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustee Ward voted yes.

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

   There were no reportable actions as there was no Closed Session meeting.

4. **GOVERNING BOARD ORGANIZATION – STUDENT TRUSTEE PRIVILEGES**

   M/S/C (Mann/Ho) to determine what privileges would be extended to Student Trustees. The Board approved all privileges included in BP 2105, with the exception of the privilege to attend closed session meetings.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustee Ward voted yes.

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

   There were no public comments.

6. **APPROVAL OF THE APRIL 8 AND APRIL 22, 2014, GOVERNING BOARD MEETING MINUTES**

   M/S/C (Mann/Cruz) to approve the above listed meeting minutes as amended:

   On the April 8 meeting minutes, Mr. Paul Fong’s title was corrected to read Assemblymember.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustee Ward voted yes.
F.  CONSENT AGENDA

1.  ADOPTION OF THE CONSENT AGENDA

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

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Ward voted yes.

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.  RATIFICATION OF CONTRACTS AND PURCHASE ORDERS

The Board ratified the contracts and purchase orders for the period of March 10, 2014 through April 9, 2014, as noted in the documents attached to the agenda.

7.  FY2014-2015 SCHEDULE OF GOVERNING BOARD MEETING DATES AND CORRESPONDING DEADLINES

The Board approved the FY2014-2015 Schedule of Governing Board Meeting Dates and Corresponding Deadlines.

8.  WORKFORCE INSTITUTE – 2014 WIA OVERALL COHORT TRAINING POOL CONTRACT

The Board approved the 2014 WIA Cohort Training Pool Contract.

9.  CURRICULUM RECOMMENDATIONS FOR SAN JOSÉ CITY COLLEGE

The Board approved the curriculum recommendations for new courses proposed
10. CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE

The Board approved the new course proposed by Evergreen Valley College.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA

M/S/C (Mann/Ho) to approve the Measure G Bond Programs Consent Agenda as submitted.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Ward voted yes.

2. MEASURE G-2010 BOND PROGRAM: SAN JOSÉ CITY COLLEGE UTILITIES EXTENSION PROJECT – JKL CONSTRUCTION SERVICES, INC. NOTICE OF COMPLETION

The Board approved the Notice of Completion of JKL Construction Services, Inc. for the San José City College Utilities Extension project.

3. MEASURE G-2010 BOND PROGRAM: SAN JOSÉ CITY COLLEGE (SJCC) – UTILITY EXTENSION PROJECT #G2010.0052, PROJECT #31110 CHANGE ORDER NO. 007 (FINAL CHANGE ORDER)

The Board approved Change Order No. 007, the final change order for JKL Construction Services, Inc., in the amount of $45,259 for the SJCC Utility Extension Project.

4. MEASURE G-2010 BOND PROGRAM: SAN JOSÉ CITY COLLEGE REPURPOSE BOILER PLANT PROJECT – OMNI CONSTRUCTION, INC. NOTICE OF COMPLETION

The Board approved the Notice of Completion of Omni Construction, Inc., for the San José City College Repurpose Boiler Plant project.

5. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE PARKING LOTS AND STREET MAINTENANCE PROJECT – Galeb Paving, Inc., CHANGE ORDER #001

The Board approved no-cost Change Order #001 to provide a time extension of twenty-three (23) calendar days to Galeb Paving, Inc. for the Parking Lots and Street Maintenance Project at Evergreen Valley College.
6. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE CENTRAL PLANT AND POLICE STATION RENOVATION PROJECT – SWENSON & ASSOCIATES, CHANGE ORDER #009**

The Board approved Change Order #009 for Swenson & Associates in the amount of $12,211 for the Central Plant and Police Station Renovation Project at Evergreen Valley College.

7. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE GULLO STUDENT CENTER ENVELOPE UPGRADE PROJECT, PROJECT #32307 ALLANA BUICK AND BERS, INC. PROJECT ASSESSMENT AMENDMENT (PAA) REVISION NO. 004**

The Board approved Revision No. 004 in the amount of $15,000 to the Project Assignment Amendment for Allana Buick and Bers for additional design and construction administrative services for the Gullo Student Center Envelope Upgrade Project at Evergreen Valley College.

8. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AUTOMOTIVE TECHNOLOGY PROJECT – LIONAKIS PROJECT ASSIGNMENT AMENDMENT REVISION NO. 003**

The Board approved Revision No. 003 in the amount of $2,530 for the Lionakis Project Assignment Amendment for the Automotive Technology Project at Evergreen Valley College.

9. **MEASURE G-2010 BOND PROGRAM: CONTRACT AWARD – EAGLE ENTERPRISES**

The Board approved issuance of an Independent Contractor Agreement to Eagle Enterprises in the amount of $450,000 for the Inspector of Record services of the South Campus Development Project at Evergreen Valley College.

J. **1. RETIREMENT BOARD OF AUTHORITY**

Ms. Gail Beal, Sr. Vice President, Keenan Financial Services, stated that there is a legal requirement for the Board to receive a report every year regarding the performance of the OPEB Trust. She stated that the Retirement Board of Authority, which oversees and implements the trust, is very engaged in the process. She reported the findings of the Nyhart-Epler actuarial study dated June 30, 2013; the long-term liability associated with the benefit commitments was $40.1 million with net assets of $47.5 million, a $7.3 million surplus. Bonds have performed fairly well, and through the end of March, across three years, was a little over 13%, and the rate of return is 14.1% compared to the target. It is doing very well.
H. ORAL COMMUNICATIONS

a. Board of Trustees

Student Trustee Ward reported that student elections have just been completed and Mr. Larry Harris will be the new student Trustee at San José City College. He thanked the board for the experience of serving as Student Trustee for the past year.

Trustee Nasol congratulated Trustee Ho for receiving the Asian Pacific Islander Heritage Leadership Award from Assemblymember Bob Wieckowski (25th Assembly District) on May 9. He also reported that the Board Audit Committee will now be treated as a Brown Act meeting, and the agenda will be posted in compliance with the 72-hour requirement. The meeting will be held this Friday, May 16, at 4:00 p.m. in the District Office Conference Room. Everyone is invited to attend.

Trustee Ho reported on her attendance at the Bay 10 CEO/Trustee dinner. The keynote speaker was Chancellor Brice Harris, who discussed key issues concerning the California Community Colleges system. Trustee Ho thanked Trustee Nasol, Presidents Breland and Yong, EVC Dean Lean Tran, Eugenio Canoy and Rosalie Ledesma for being present at the ceremony where she received the Asian Pacific Islander Heritage Leadership award. She also reported on her attendance at the CCLC Trustee Conference in San Diego. At this conference President Lease was honored for completing the Excellence in Trusteeship Program, an online course program designed to train trustees in the areas of governance leadership. Ninety-nine trustees have already enrolled in the program, but President Lease is one of only fourteen participants to have completed the program so far. Trustee Ho stated that she was also enrolled in the program and hopes to complete it soon. Trustee Ho presented President Lease with the CCLC certificate of completion.

President Lease encouraged all our trustees to go through this excellent training program. He also reported that the CCLC conference was outstanding. The discussions surrounding the board self-evaluation process was of interest, especially since our board had already incorporated the 360° evaluation. The student success presentation also provided a lot of useful material. President Lease congratulated Mr. Danny Hawkins for being reappointed to the Board of Governors and thanked him for his leadership.

b. Chancellor

Vice Chancellor Smith reported that Chancellor Cepeda was currently in Spain as one of three panelists invited to present at the STEM Symposium in Madrid from May 6 through 9. She was invited to present as a member of the HACU STEM Task Force and due to her work with AACC on the 21st Century for Community Colleges. After the symposium, Chancellor Cepeda decided to take a week of vacation in Spain.
Vice Chancellor Smith congratulated President Breland on his appointment as SJCC President. He has already contributed in major ways to our college and district, and we are so excited to have such a distinguished individual as a leader for San José City College.

c. Presidents

EVC President Yong reported on the Bridge to College Success Initiative – an intensive tutoring and counseling in Summer, which will begin on Tuesday after Commencement. This is an opportunity for new and incoming students to build a strong foundation, study skills, and confidence prior to starting Fall. For existing students it’s an opportunity for them to re-take courses, and this time, to be successful due to the tutoring and support they will receive. This project will be funded internally with the Student Success allocation for 2013-2014, which will cover the costs of tutors and a counselor. President Yong reported on the East Side Alliance, a consortium of all school districts in the East Side, from Kindergarten through high school, college and university. The seven elementary school districts and East Side Union collectively serve over 85,000 students. The goals of this consortium are to promote collaboration on best practices on the Common Core, and to facilitate a smooth transfer through the levels, culminating at either EVC or San Jose State. The East Side Alliance is supported by funding from the Silicon Valley Education Foundation. The K16 Bridge Program, a consortium that aims to facilitate increased enrollment by high school graduates at area community colleges and state universities. In the Bay area, all other community college districts have already signed on, and EVC will be joining them. The MOU will be coming forward to the Board at the next meeting. The deans in Academic Affairs at EVC have been working with their departments and faculty to build a Two Year Schedule. When completed, the Two Year Schedule will assist students with their educational plans, and allow counselors to help students plan and chart their educational road maps.

SJCC President Breland thanked everyone for the warm welcome he received as the newly appointed president at San José City College. Serving as president of this college has been a wonderful experience, and he looks forward to all the SJCC team will accomplish in the future for its students. President Breland congratulated Vice President Graham on his leadership in moving forward with the two new ADT, which were approved by the board at today’s meeting. They will give SJCC students an excellent opportunity to transfer to a four-year institution. President Breland stated that on May 20 the college will host an appreciation barbeque for its Classified employees. Administrators will be doing all the cooking and cleaning up. The Summer Bridge program will be starting soon, and we expect 120 students from the local high schools. Participating in the program will help these students transfer to SJCC.

d. Constituency Group Representatives

Mr. David Michetic welcomed Dr. Breland as he will be a great addition to the SJCC campus. He has already developed a great rapport with CSEA
members, and the group looks forward to working with him in the future.

Mr. David Yancey, FA President, reported on the name change from Faculty Association to San José- Evergreen Federation of Teachers, AFT 6157. Mr. Yancey welcomed Dr. Breland on board as the permanent president; and, as a member of the selection committee, he was very impressed by Dr. Breland’s knowledge and leadership skills. He is a collaborative leader, and the faculty appreciated being invited to participate in the training that was provided to the deans. One of the big issues the faculty has is concerning how the contract is interpreted. He stated that the union is especially interested in the legislative report that would be provided later in the board meeting.

Ms. Barbara Hanfling reported that the AFT 6157 elections recently took place. David Yancey will remain as president for another two years, Frank Espinoza, Vice President, and she will continue as Executive Director. Ms. Debbie de la Rosa, who is retiring, meant so much to the district, especially during the negotiations process.

Mr. Eric Narveson, President, EVC Academic Senate, reported that the last meeting of the AS executive committee was held last week so there won’t be much reporting during the summer months. The faculty is working to review the student safety and discipline procedures.

Mr. Phil Crawford, SJCC Academic Senate member, reported that Mr. Fabio Gonzalez is not seeking re-election to the senate presidency. However, the election will take place a week from now and so far it looks as if Jesus Covarrubias is the only nominee.

Ms. Lauren McKee, President, MSCC, stated that the MSC group is excited by the appointment of President Breland. She also expressed concern that some MSC members felt attacked at the previous board meeting and also abandoned by the board as the conversation that took place portrayed MSC members in a negative light. She reminded the Board of the many contributions the MSC group makes in support of other district members and requested a move respectful discourse around MSC members.

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<th>ACTION AGENDA</th>
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<tr>
<td>1. RESOLUTION NO. 051314-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS</td>
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M/S/C (Mann/Nasol) to approve 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.

Board vote was as follows: Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann, and Nasol voted yes.
Advisory vote was as follows:
Student Trustee Ward voted yes.

2. **RESOLUTION NUMBER 051314-2 IN SUPPORT OF ASIAN AMERICAN AND PACIFIC ISLANDER HERITAGE MONTH**

M/S/C (Nasol/Ho) to adopt Resolution No. 051314-2 in support of Asian American and Pacific Islander Heritage Month.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Ward voted yes.

3. **RESOLUTION NUMBER 051314-3 IN SUPPORT OF CLASSIFIED SCHOOL EMPLOYEE APPRECIATION MONTH**

M/S/C (Mann/Ho) to adopt Resolution No. 051314-3 in support of Classified School Employee Appreciation Month.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Ward voted yes.

4. **APPROVAL OF THE SJECCD BOARD ETHICS POLICIES AND GOVERNANCE PRINCIPLES DOCUMENT**

Trustee Nasol stated how important the process was to the development of this document. The Board had gone through training on the Carver Model and then worked to develop a document that was more in line with the policies and regulations required by the state of California. This is an excellent document for moving the board forward in the work it needs to do. Trustee Fuentes commended the board and the administrative staff that worked so hard on this document. However, she had previously stated the concerns she has with the principles and is uncomfortable with approving the document. President Lease also commended the board for the work they had done with the various revisions made to the document. There is still work to be done on the agenda planning and monitoring principles and this work will be scheduled at a future board meeting.

M/S/C (Ho/Nasol) to approve the Board Ends Policies and Governance Principles document as submitted.

Board vote was as follows:
Trustees Cruz, Dhillon, Ho, Lease, Mann, and Nasol voted yes.
Trustee Fuentes voted no.

Advisory vote was as follows:
Student Trustee Ward voted yes.
J. 3. **7:00—9:00 P.M. – BOARD TRAINING SESSION – AB 1234 ETHICS**

Mr. Danny Y. Chou, Assistant County Counsel, and Mr. Steve Mitra, Assistant County Counsel, Office of the County Counsel, Santa Clara County, provided the Board training on local government ethics and public service, laws and principles. They reviewed the laws against personal financial gain for public officials and provided a definition of the abuse of office. They reviewed compensation issues and conflicts of interest under the Political Reform Act, including the amendments to the conflict of interest rules that will be effective on May 31, 2014, and the consequences under the PRA. They discussed the steps for disqualification for item on open session agenda and the conflicts of interest incurred when leaving office, including contractual conflicts. The reviewed what the term “financially interested” includes and provided examples of indirect benefit or expectation of benefit. They also provided a detailed report of what constituted gifts, what must be reported, and what dollar limitations are in place, what gift exceptions are allowed, and how to report travel reimbursement and honoraria. They also reviewed the mass mailing prohibitions and what are the exceptions. During this discussion a question was asked about a mass mailing of the report. Mr. Mitra answered that if the annual report includes detailed information about individual board members, it would be held subject to the mass mailing limitation. He received a copy of the district’s new annual report and stated that he would get back to us with a more definitive answer to that question. There was a brief overview of Brown Act requirements for conducting board meeting, including how to handle teleconferencing, what constitutes a serial meeting and how to conduct closed session meetings. The training ended with a review of the Public Records Act and how the district should comply with those requests.

6. **BOARD LEGISLATIVE COMMITTEE PRESENTATION AND APPROVAL OF 2014 LEGISLATIVE BILLS**

Trustee Wendy Ho, Chair, Board Legislative Committee, reported on the work of the committee, comprised of herself and Trustees Lease and Cruz and staff by administrator Rosalie Ledesma. She reported that on March 4 the committee held its first of three meetings to develop a set of principles which would guide its work and also to develop a comprehensive legislative plan. The goal was to align advocacy with the board governance policies, the SJECCD 2013-2017 Strategic Plan, STEM, Workforce/Career, staff development, accreditation and student success policy. Trustee Ho reviewed the current approved Board resolutions regarding legislation. She also reviewed the district’s legislative advocacy efforts in January through March 2014.

Ms. Rosalie Ledesma, Executive Director of Governmental and External Relations, reviewed two tiers of legislative bills as developed by the Board Legislative Committee. Tier One priority bills are those bills with great and more immediate impact to student success because they will reduce costs or remove financial barriers for SJECCD students to pursue their education in a more timely manner. Tier One bills will become the focus for staff to provide testimony, hold meetings with legislators and staffers, write and submit bill amendments, craft Board resolutions, if warranted, and write and submit letters to legislators and others with influence on each bill. The committee identified Tier One bills to include: AB 1538 (Eggman): Student financial aid: Cal Grant Program; AB 1930 (Skinner): Cal Fresh:
Student Eligibility; AB 1976 (Quirk-Silva): Student financial aid: Competitive Cal Grant A and B awards; AB 2000 (Gomez): Public postsecondary education: exemption from nonresident tuition; AB 2103 (Gomez): Community colleges: Student Fees; SB 174 (DeLeon): Student Financial Aid: Cal Grant Program; SB 798 (DeLeon): Income taxes: credits: contributions to education funds. Ms. Ledesma reviewed those bills categorized by the committee as Tier Two priority bills. For these bills, staff will take a less active role but will still monitor and write letters of support. However, these bills are important as they will also support student success. Ms. Ledesma also reviewed bills of interest to California community colleges in the 2014 legislative year.

Trustee Fuentes stated that, although she understood the process being used by the committee, the list of bills should be submitted to the whole board in advance of the board meeting so that the Board is ready to discuss it. Trustee Ho answered that the documents were sent to the Board ahead of the board meeting with the request that no discussion be held until the meeting.

Ms. Barbara Hanfling, AFT, stated that the union is very aware and in touch with many of these bills. She had requested that Trustee Ho inform her of the date and times of the committee meetings so that she could attend and provide input. It takes a lot of effort to sift through all these bills; however, student success encompasses more than just financial aid and student money issues. For example, staff development is critical to student success. Therefore, the district needs to increase the scope of Tier One bills. She requested that AB 2558 (Williams): Community Colleges: Faculty and Staff Development and AB 2087 (Ammiano): Community Colleges: Board of Governors of the CCCs be added to the Tier One priority bills list.

President Lease stated that this process for selecting priority bills is the best one we’ve had so far in this district. It was a huge task for the committee to create the process and principles, and he believes this is a good starting point. The process will get better and better; however, the Board, as a group, needs to start someplace. We also do not have the staff available to add to the Tier One priority list at this time. He recommended the Board move forward with approving the staff recommendation. Trustee Cruz stated that, although she would support the motion, it is important to include other voices in the process by having a more inclusive process. Trustees Fuentes and Dhillon recommended adding the two bills Ms. Hanfling requested to the Tier One priority list. Trustee Ho answered that adding even two additional bills would add to the district’s costs, and it is not in a position to do that at this time. She recommended moving forward with the motion as stated.

M/S/C (Mann/Dhillon) to approve Tier One bills and provide secondary consideration to Tier Two bills in the 2014 Legislative Session.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Ward voted yes.
J. INFORMATION AGENDA

1. RETIREMENT BOARD OF AUTHORITY

This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

2. SJCC & EVC LATINA LEADERSHIP NETWORK STUDENT CHAPTERS

This item was removed from the agenda.

3. 7:00—9:00 P.M. – BOARD TRAINING SESSION – AB 1234 ETHICS

This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

4. STATE OF THE DISTRICT: FACILITIES PERSPECTIVE

Vice Chancellor Smith and Mr. Steve Thompson, Director, Facilities and Bond Management, provided an update of the facilities organizational structure, major responsibilities, and program status. Mr. Smith reviewed the Facilities organizational chart, and the bond management program and construction services provided through the district’s eight-year contract with Gilbane Building Company, which began in 2011. Mr. Smith also reviewed the status of Measure G-2004 and Measure G-2010 Series A and Series B bonds. Mr. Thompson reviewed the building project steps for both bond measures. Mr. Smith followed with a review of the bond financing and standards and an overview of the work of the Citizens Bond Oversight Committee (CBOC). He also discussed the Outreach Consulting Efforts RFP to assist the district in achieving its goal of at least 15% contracts with participation from small businesses, including women-owned and/or minority owned businesses. The deliverables for this outreach include: identifying diverse small businesses, developing and implementing metrics, outreach to potential vendors, working with potential contractors/vendors and reporting on the project progress and results. We are the only district doing something like this. Mr. Thompson reported on safety efforts at the DO and campuses and our sustainability efforts for being green. The Board had approved a minimum Silver LEED Certification level, and we are achieving that with all our new buildings.

Trustee Fuentes expressed appreciation for the fantastic presentation and stated the importance of sharing this information with our students and campus community.

5. MEASURE G-2004 & G-2010 PM/CM CONTRACT RENEWAL FOR FISCAL YEAR 2014/2015

Mr. Casey Michaelis, Gilbane Project Executive, presented on the Measure G-2004 and G-2010 bond program and project management report. He reviewed the program management activities, such as bond list revisions, master schedule updates, cash flow analysis reports, design and construction standards development, CBOC meetings, program purchasing and accounting, outreach program, energy efficiency partnership program, labor management updates,
strategic plan updates, etc. He reviewed the project/construction management at Evergreen Valley College, including the Central Plant and Police Renovation, South Campus Development, Automotive Technology, Campus Site Improvements, Gullo Student Center Exterior Renovation, and other smaller projects. He also reviewed San José City College projects, such as Media Arts Center and Career Technical Education, PE Gymnasium, Campus Site Improvements, Student Center and Technology Center Interior Finish Upgrades and other smaller projects. He also provided information on the District Office Building project and the Joint-Use 21st Century Education Center at Milpitas. Mr. Michaelis stated that the Gilbane contract agreement for both Measure G-2010 and G-2004 will be submitted to the Board for approval at the June 10 meeting. He reviewed the G-2010 PM/CM agreement FY2013/14 budget and compared it to the projected FY2014/15 budget.


Vice Chancellor Smith stated that due to the late time, he would not review the budget at length. He requested the Board pay special attention to the projected increase in property taxes as there was growth in the amount of $366K. This is very good news for our district.


Vice Chancellor Smith stated this report is being provided for information. There are no alerts the Board needs to consider in this report.

K. **CONTINUATION OF CLOSED SESSION**

No.

L. **RECONVENE OPEN SESSION**

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

None.

M. **ADJOURNMENT**

M/S/C (Nasol/Fuentes) to adjourn the meeting at 10:35 p.m.

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

President Lease called the Regular Meeting of the Governing Board of the San José- Evergreen Community College District to order on Tuesday, May 27, 2014, at 4:30 p.m. at the District Office 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
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol

Board Members Absent:
None

B. APPROVAL OF CLOSED SESSION AGENDA

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

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

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 REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)
Property: 27 acres of surplus land adjoining San Felipe Road and Yerba Buena
District's Negotiator(s): SJECCD Vice Chancellor Doug Smith; Mr. Jim Eller, Eller & Associates and Mr. Aaron Gruen, Gruen, Gruen & Associates
Names of Negotiating Parties: Imwalle, Stagner and others
Under Negotiation: ( ) Price ( ) Terms of Payment (X) Both

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

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:10 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

Board Members Absent:
Mr. Alex Ward
Mr. Zohaib Javed

1. PLEDGE OF ALLEGIANCE

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

After the Pledge of Allegiance, President Lease stated that the meeting would be dedicated in memory of John Vasconcellos, who passed away over the weekend. We have all lost a truly good man and committed public servant. Mr. Vasconcellos was a former State Senator and Assemblymember serving for 38 years in the California Legislature and representing the Silicon Valley. He was chair of the powerful Ways and Means Committee and also championed such causes as self-esteem and mental health. He authored AB 1725, the 1988 community college reform bill, and the bill was passed with only one no vote in the two houses. He was deeply concerned about the lack of investment in education and support services for students.

The Board and Chancellor Cepeda shared personal memories about Mr. Vasconcellos and a moment of silence was held in his memory.

2. ADOPTION OF AGENDA

M/S/C (Mann/Cruz) to adopt the agenda as amended:
Changes were made to the Consent Agenda.

Information Agenda items H-2 Redesign Report 2013-2017 and H-4 - SJCC & EVC Latina Leadership Network Student Chapters were moved to precede the approval of the Consent Agenda.

An addition was made to Information Agenda Item H-5 – Association of Community College Trustees (ACCT) 2014 Association Awards. At the request of Board President Lease, the Chief Executive Officer award has been included for this discussion.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

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

President Lease read the following statement from the Board of Trustees:

On behalf of the Board of Trustees and Chancellor Cepeda, I am announcing that the Board and Chancellor Cepeda have completed the Chancellor's 2013-2014 evaluation. While the evaluation is confidential, consistent with our mutual interest in transparency, we make this joint statement regarding the completion of the 2013-2014 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 to, and leadership of the San José-Evergreen Community College District. This has been a year of significant transformation. The Board and Chancellor Cepeda worked very hard this year to develop the Board of Trustees Ends Policies and Governance Principles which will define the Ends by which the Chancellor shall be evaluated in the subsequent year. The Board with the Chancellor believe this new approach shall strengthen and fortify the commitment we all have in becoming the premier institution for advancing opportunity, equity and social justice for everyone through educational excellence. On June 10 the Board will place the Chancellor’s contract renewal on the agenda for approval.

4. **RECOGNITION OF OUTGOING STUDENT TRUSTEES**

President Lease read the certificates of appreciation for outgoing student trustees Alex Ward and Zuby Javed, who were not present at the meeting.

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

There were no public comments.

J. **SJCC AND EVC LATINA LEADERSHIP NETWORK STUDENT CHAPTERS**

Ms. Odila Peper, Latina Leadership Network SJCC Student Chapter Adviser, led a presentation on the importance of the LLN to the district community. She stated that the goal is to create, nurture and maintain an environment of growth that would
promote positive change for those around us. She reported that Chancellor Cepeda gave a very inspiring speech as the keynote speaker at the 27th Annual LLN Conference, which was held at Ohlone College on March 27-29, 2014. The conference was well attended by both EVC and SJCC students. Ms. Chantel Phillips, EVC LLN Student Chapter President, and Ms. Elizabeth Piceno, SJCC LLN Student Chapter President, reported on scholarships. SJECCD Latina Leadership Network Chapter awards two $400 scholarships and the Maria De la Cruz Romo awards one $500 scholarship every year to Latina students attending SJCC and EVC.

J. 2. REDesign REPORT

Chancellor Cepeda stated that at the April 22, 2014, Governing Board Meeting she had distributed a draft copy of the Redesign Report 2013-2017 and made some public comments on the process used to develop the plan and the phases for implementation. In response to concerns about the document that were expressed at that meeting, the final version has been revised and now includes an additional table on Page 68 entitled, Faculty Hiring: A Ten-Year Profile. Although this document will mostly likely be revised during the implementation stages, it is a comprehensive plan that accurately assesses where the district is currently and how it must evolve in order to achieve the Board’s ends and student success policies.

Chancellor Cepeda and members of her cabinet presented on the Redesign Report 2013-2017 as follows:

Chancellor Cepeda reviewed the process used to define the redesign initiative through venues such as the Chancellor’s performance objectives, executive leadership planning sessions, Asilomar retreat, District Council meetings and the Board’s adoption of the guiding principles. She also provided an overview of the workforce changes from 2003-2013. Vice Chancellor Garcia reviewed the planning process and schedule, including the charge to administrative staff and the process steps used in the development of the plan. Presidents Breland and Yong, Chancellor Cepeda, Executive Director Hawley, Vice Chancellors Garcia, Smith and Coen reviewed their departmental organization charts, which highlighted the current, repurposed and proposed new positions. Chancellor Cepeda reviewed a chart which summarized the numbers of new, repurposed and new positions. Vice Chancellor Smith reviewed the cost analysis for the implementation of phases I, II and III; and Vice Chancellor Garcia ended the presentation with a review of the faculty hiring process.

President Lease thanked Chancellor Cepeda and her team for the comprehensive report, which included a very collaborative effort on the part of district members. Trustee Cruz praised members of the staff and faculty for the thoughtful document. She did express concern; however, about faculty hires being put on a separate table; and for the sake of equity, she stated that she would like to see all district hires on one table. She also requested that on pg. 79 the actual faculty positions the district has had in the past and how many are added year to year be included. Chancellor Cepeda answered that in the beginning of the redesign process; she was cautioned about the fact that reorganization/redesign processes did not include a change to the faculty hiring process. This is a separate process that is
controlled at the Academic Senate and the College President. However, the document can certainly be revised to make sure that the process and focus on faculty hiring is clearer. Chancellor Cepeda stated that this document was non-existent when she first started with the district, and we now have a starting point for how to best design the institution. Trustee Nasol appreciated the guiding principles which led to the design. He requested that the proposed positions in the Maintenance Department be added to Phase I due to the extensive facilities bond work being done. It is important our buildings are maintained well.

The Board heard public comments regarding the redesign report. AFT Executive Director Hanfling stated how appalled she was that a redesign effort leading to student success would not involve faculty. Faculty includes more than one-half of the district. Faculty has asked the Chancellor to include them in the new design and have also asked her for new positions. The district has not filled 40 vacancies in the past ten years. The Academic Senate has never said they did not want to be a part of this process. Chancellor Cepeda answered that Professor Heimler did so in an Open Session meeting. He expressly indicated that the hiring process for faculty belongs to faculty. Chancellor Cepeda also stated that faculty were included in the Asilomar retreat and provided input at the District Council, during Campus Forums on the topic and as part of the individual colleges’ internal review. SJCC Academic Senate member Phil Crawford stated that the redesign document has never been brought before the Academic Senate for review and comments. There has been a steady decline in full-time faculty. EVC Academic Senate Narveson stated there were some omissions in the organization charts for EVC and he would submit those to the Chancellor.

President Lease stated that this redesign plan is a good assessment of where we are now and where we need to be. Is it perfect? No. And not everyone will be satisfied. It is, however, a very good picture of the institution as a whole.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Mann/Nasol) to approve the Consent Agenda as amended.

A correction has been made to Consent Agenda Item F-8 Curriculum Recommendations for San Jose City College – on pg. 81 – An error was corrected to read as follows “To be awarded the Associate in Arts in Elementary Teacher Education”. The original attachment had Economics instead of Elementary Teacher Education.

Consent Agenda Item F-2 was removed from the Consent Agenda for further discussion and separate vote.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.
2. **MANAGEMENT PERSONNEL ACTIONS**

   This item was removed from the Consent Agenda for discussion and separate vote.

3. **SUPERVISORY-CONFIDENTIAL PERSONNEL ACTIONS**

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

6. **REVISION TO BOARD ITEM 03/11/2014 F-9 PIGGYBACK KONICA MINOLTA BUSINESS SOLUTIONS FOR COST PER COPY PRINT SERVICES FOR THE EVERGREEN VALLEY COLLEGE LIBRARY**

   The Board authorized the District to “piggyback” on the Foundation for California Community Colleges (FCCC) contract with Konica Minolta Business Solutions for the Evergreen Valley College Library.

7. **WORKFORCE INSTITUTE – COMMUNITY HEALTH PARTNERSHIP MEMORANDUM OF AGREEMENT**

   The Board approved the Memorandum of Agreement between Community Health Partnership and Workforce Institute in the amount of $80,000.

8. **CURRICULUM RECOMMENDATIONS FOR SAN JOSÉ CITY COLLEGE**

   The Board approved the new course and Associate in Arts Degrees for Transfer proposed by San José City College.

F. 2. **MANAGEMENT PERSONNEL ACTIONS**

   Trustee Dhillon expressed concern that the change of position from Executive Director of Research and Institutional Effectiveness to Vice Chancellor of Institutional Effectiveness & Student Success included a 150% salary increase, almost $70K/yr. Chancellor Cepeda answered that this action is a result of changing the redesign plan which resulted in combining two proposed Vice Chancellor positions into one and redirecting an existing position with salary and benefits that, in effect, yielded one Vice Chancellor for a $7,000 delta. In addition, Chancellor Cepeda noted that the revisions to her original request were made in response to the survey results she received where district members indicated that we did not need two vice chancellors. However, the duties and priority focus on student success required of this new position justify the reclassification. Vice Chancellor Garcia reviewed the recommendations of the outside consultant the
district used to determine the correct title and appropriate compensation for this position. Trustee Fuentes stated how awkward she felt discussing this topic when the actual employee is present in the room. However, she expressed concern about this action being a reclassification instead of conducting a search to fill a new position. The change in salary is so high that it justifies recruiting on a competitive basis. Vice Chancellor Garcia answered that the district has followed the reclassification process in place and also the recommendation of the outside consultant.

The Board heard public comments from SJCC faculty members Leslie Rice and Novella Simonson. Ms. Rice expressed concern about the establishment of a new position for $196K/yr. when the college just hired a full-time president for almost that amount. The district needs a competitive, nationwide recruitment process. We also need money for people in the research departments to do research. Ms. Novella Simonson expressed her agreement with Ms. Rice and also requested that more funding be used to address the safety issues on the campuses since safety is an important component of student success.

Trustee Fuentes made a request to table the approval of the new position and reclassification until the Chancellor has an opportunity to address the concerns raised by faculty. Chancellor Cepeda agreed to meet with faculty before she brings this item back to the next board meeting.

M/S/C (Fuentes/Dhillon) to approve the Management Personnel Actions included in Consent Agenda Item F-2, with the exception of Section 2a and b, and Section 3a.

Trustees Cruz, Dhillon, Fuentes, Ho, and Nasol voted yes.
Trustees Lease and Mann voted no.

G. ACTION AGENDA

1. SPECIFICATIONS OF THE ELECTION ORDER AND RESOLUTION NO. 052714-1

M/S/C (Mann/Ho) to approve the trustee areas up for election, the length of the candidates’ statements and the payment of filing fees and Resolution No. 052714-1.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann, and Nasol voted yes.

2. RESOLUTION NUMBER 052714-2 DELEGATION OF AUTHORITY FOR RESIGNATIONS AND HIRES

M/S/C (Mann/Nasol) to adopt Resolution No. 052714-2 for the Delegation of Authority to the Chancellor or her designee for fiscal year 2014-2015 for resignation and hires.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann, and Nasol voted yes.
3. **RESOLUTION NUMBER 052714-3 REQUEST FOR WAIVER OF CALIFORNIA EDUCATION CODE 81370 HIGHEST BID REQUIREMENT**

   M/S/C (Mann/Cruz) to adopt Resolution No. 052714-3 for the Request for Waiver of California Education Code 81370 Highest Bid Requirement.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann, and Nasol voted yes.

4. **RATIFICATION OF THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 COLLECTIVE BARGAINING AGREEMENT 2013-2014**

   M/S/C (Mann/Ho) to approve the District and California School Employees Association Chapter 363 tentative agreements.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Ho, Lease, Mann, and Nasol voted yes. Trustee Fuentes voted no.

J. **INFORMATION AGENDA**

1. **STATE OF THE DISTRICT 2013-2014 ACADEMIC YEAR**

   Chancellor Cepeda provided a presentation of the implementation of the District's Strategic Priorities established by the Board for the 2013-2014 academic year. She reviewed the work that was done to achieve the six strategic goals: student success, total work environment, workforce and economic development, organizational effectiveness and sustainability, technology and communications. She showed a video of the commencement ceremonies held at SJCC and EVC last week as this is what student success looks like.

2. **REDESIGN REPORT**

   This item preceded the approval of the Consent Agenda.

3. **PRESENTATION OF MANAGER SUPERVISOR AND CONFIDENTIAL (MSC) HANDBOOK**

   Vice Chancellor Garcia provided an overview of the Managers, Supervisors & Confidential Handbook. The last revision of this handbook was adopted in January 1984. Since that time, there has been a significant change in regulations. Therefore, a committee of MSC members has been established to review, revise and update this manual. Some of the sections have yet to be revised as this will be a work in progress. However, the plan is to submit this document for Board approval at the next meeting.

4. **SJCC AND EVC LATINA LEADERSHIP NETWORK STUDENT CHAPTERS**

   This item preceded the approval of the Consent Agenda.
5. ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES (ACCT) 2014 ASSOCIATION AWARDS

President Lease reviewed the ACCT 2014 Association Awards that are now receiving nominations: Trustee Leadership, Equity and Diversity, Chief Executive Officer, Faculty Member and Professional Board Staff Member. He stated his desire to nominate Chancellor Cepeda for the Chief Executive Officer award. He requested to faculty that next year, they review the criteria and submit a name for the Board to nominate.

The Trustees discussed the Trustee Leadership award and wanted to explore the possibility of submitting the entire board for the award building on ACCT's emphasis that board members “speak with one voice.” President Lease requested that Chancellor Cepeda check with the ACCT to see if the Board could be nominated in lieu of just submitting the name of an individual trustee. If that would be allowed, the Board would like to nominate itself for the Trustee Leadership award. Trustee Cruz stated that she did not think the Board was ready at this time for the Equity and Diversity award because, although the Board has made great steps, it still has further work to do.

Trustee Lease requested the Board nominate Chancellor Rita Cepeda for the Chief Executive Officer award and Ms. Joy Pace, Executive Administrative Assistant to the Chancellor for the Professional Board Staff Member award, and the SJECCD Board of Trustees for the Trustee Leadership award. The Board approved those nominations.

M/S/C (Cruz/Ho) to nominate Chancellor Rita Cepeda, Ms. Joy Pace and the SJECCD Board of Trustees for the ACCT 2014 Association Awards.

K. CONTINUATION OF CLOSED SESSION

No.

L. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

M. ADJOURNMENT

M/S/C (Nasol/Ho) to adjourn the meeting at 10:10 p.m. in memory of Mr. John Vasconcellos.
Minutes of the
Governing Board Meeting
June 10, 2014

A. CALL MEETING TO ORDER

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, June 10, 2014, at 4:30 p.m. at the District Office Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Dr. Jeffrey Lease
Ms. Wendy Ho
Mr. Rudy Nasol

Board Members Excused:
Ms. Maria Fuentes
Mr. Craig Mann

B. APPROVAL OF CLOSED SESSION AGENDA

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

Board vote was as follows:
Trustees Dhillon, Ho, Lease, and Nasol voted yes.

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: Chancellor

CONFERENCE WITH LABOR NEGOTIATORS
Minutes of June 10, 2014, Governing Board Meeting

(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’s Negotiator(s): Kim Garcia
Employee Organization: MSC

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:08 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Dr. Jeffrey Lease
Ms. Wendy Ho
Mr. Craig Mann – (Arrived to meeting at 7:35 p.m.)
Mr. Rudy Nasol
Mr. Larry Harris

Board Members Excused:
Ms. Maria Fuentes

1. PLEDGE OF ALLEGIANCE

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

2. OATH OF OFFICE FOR STUDENT TRUSTEE

President Lease administered the Oath of Office to newly elected SJCC Student Trustee Larry Harris.

3. ADOPTION OF AGENDA

M/S/C (Nasol/Cruz) to adopt the agenda as amended:

A correction was made to the Consent Agenda as follows:
F-3-1 Classified Personnel Actions – Job Description Revision – The range/step for the Financial Aid Coordinator and Program Coordinator were changed. The revised Range/Step for the Financial Aid Coordinator is 96-$4,338-$5,295/month and the Range/Step for the Program Coordinator is 96-$4,338-$5,295/month.
Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

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

President Lease announced that since the Chancellor’s evaluation was already completed, the Board had made the following changes to the Chancellor’s contract:

- Contract has been extended by one year to June 20, 2017.
- A 5% salary increase to constitute an annual salary of $300,881, effective July 1, 2014.
- A District-paid contribution of $10,000 to a 403(b)/457 or the like by July 1 of each year.

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

There were no public comments.

6. **APPROVAL OF THE MAY 13 AND MAY 27, 2014, GOVERNING BOARD MEETING MINUTES**

M/S/C (Cruz/Dhillon) to approve the above listed meeting minutes as amended. Trustee Cruz requested that the May 27 meeting minutes reflect the Board’s decision to nominate the whole Board for the ACCT Trustee Leadership award.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

**APPROVAL OF RESOLUTION 061014-4 TO EXCUSE TRUSTEE MARIA FUENTES FROM ATTENDING THE GOVERNING BOARD MEETING**

President Lease stated that Trustee Maria Fuentes informed him she would not be able to attend the meeting due to illness.

M/S/C (Ho/Cruz) to approve Resolution 061014-4 to excuse Trustee Maria Fuentes from attending the June 10, 2014, Governing Board Meeting due to illness.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.
F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

President Lease distributed and reviewed a Consent Agenda process taken from Robert’s Rules. He stated the need for the Board to utilize an effective process for approval of those items listed in the Consent Agendas. He reviewed the statement listed in Robert’s Rules, 11th Edition, Page No. 361: When the board reaches that portion of the agenda, the Chair asks if any member wishes to remove (or pull) any item from the consent agenda. They may do so by stating “I pull item #________.” Pulling an item does not require a second. After all the “pulls” are made, the Chair states, “Without objection, the remaining items (or all the items if none have been pulled) are adopted by general consent. Also, silence is consent. If any director wants to vote against an item, he/she must pull it from the consent agenda. This is a case where silence not only implies consent, silence is consent. If any items are pulled, the board can either take them up immediately for discussion and vote or put them in their appropriate place in the agenda.

The Board discussed this new process and agreed to implement it. Trustee Nasol requested the ability to make comments on Consent Agenda items without having to pull the item from the Consent Agenda. President Lease answered that this would be allowable as long as the comments don’t reflect whether or not a board member approves the action. However, general comments would be allowed. Chancellor Cepeda also noted that she would review the established criteria for Consent Agenda items to ensure that items requiring actual board votes would not be included in the Consent Agenda.

Therefore, hearing no comments to pull any item, President Lease stated that the Consent agenda was adopted by general consent of the Board.

2. SUPERVISORY/CONFIDENTIAL PERSONNEL ACTIONS

The Board approved the Supervisory-Confidential Personnel Actions as submitted.

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. RATIFICATION OF CONTRACTS AND PURCHASE ORDERS

The Board ratified the contracts and purchase orders for the period of April 10, 2014 through May 9, 2014, as noted in the documents attached to the agenda.

6. CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE
The Board approved the curriculum recommendations for new courses submitted by Evergreen Valley College.

7. **SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT FOUNDATION MASTER AGREEMENT EXTENSION**

The Board approved an extension through June 30, 2015, to the Master Agreement with the San José-Evergreen Community College District Foundation.

8. **ACCEPTANCE OF GRANT FUNDS FROM YOSEMITE COMMUNITY COLLEGE DISTRICT, CHILD DEVELOPMENT CONSORTIUM – SAN JOSÉ CITY COLLEGE**

The Board accepted and appropriated grant funds up to $10,000 from YCCD/CDTC for San José City College’s Early Childhood Education students.

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

The Board accepted grant funds in the amount of $175,000 from the California Community Colleges Chancellor’s Office.

10. **AWARD OF CONTRACT FOR REQUEST FOR QUALIFICATIONS & PROPOSAL G2010.0089 – CONTRACTOR OUTREACH CONSULTING SERVICES FOR SJECCD**

The Board authorized the Chancellor to award a contract for the Request for Qualifications & Proposal G2010.0089 – Contractor Outreach Consulting Services. A subsequent ratification shall be forthcoming to further specify the dollar amount of and the parties to the contract.

11. **MOU BETWEEN ASIAN AMERICANS FOR COMMUNITY INVOLVEMENT AND EVERGREEN VALLEY COLLEGE**

The Board approved the MOU between Asian Americans for Community Involvement (AACI) and the San José-Evergreen Community College District – Evergreen Valley College – to partner and provide the Patient Navigator Training Program.

12. **FIVE YEAR CAPITAL CONSTRUCTION PLAN**

The Board approved the Five Year Capital Construction Plan as required by the State Chancellor’s Office as a provision under Community College Construction Act (California Education Code Section 81800).

13. **APPROVAL OF THE MANAGER, SUPERVISOR, AND CONFIDENTIAL (MSC) HANDBOOK**

The Board approved the MSC Handbook.

   The Board approved Evergreen Valley College’s Associated Student Budget for 2014-2015.

G. **MEASURE G BOND PROGRAMS CONSENT AGENDA**

1. **ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA**

   Hearing no comments to pull any item, President Lease stated that the Consent agenda was adopted by general consent of the Board.

   Trustee Nasol commented that Item G-5, a change order for the new district office, reflects an increase exceeding the 10% threshold; and that increase was due to a change requested by us and not the contractor. Trustee Nasol stated that he had toured the new District Office, and the renovation should be completed sometime in September with a possible move-in date in November. He expressed excitement about all the progress that has been made.

2. **MEASURE G-2004 BOND PROGRAM: EVERGREEN VALLEY COLLEGE DISTRICT WAREHOUSE CARPORT PROJECT #210 – INTEGRA CONSTRUCTION NOTICE OF COMPLETION**

   The Board approved the Notice of Completion for the Evergreen Valley College District Warehouse Carport Project.

3. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AUTOMOTIVE TECHNOLOGY UTILITIES EXTENSION & UPGRADE PROJECT #32308 – RODAN BUILDERS, INC. NOTICE OF COMPLETION**

   The Board approved the Notice of Completion for the Evergreen Valley College Automotive Technology Utilities Extension & Upgrade Project.

4. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE GULLO STUDENT CENTER ENVELOPE UPGRADE PROJECT #32307-03 – SWENSON & ASSOCIATES NOTICE OF COMPLETION**

   The Board approved the Notice of Completion for the Evergreen Valley College Gullo Student Center Envelope Upgrade Project.

5. **MEASURE G-2010 BOND PROGRAM: SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT – NEW DISTRICT OFFICE RENOVATION #G2010.0060, PROJECT #39301 XL CONSTRUCTION CHANGE ORDER NO. 001**

   The Board approved Chance Order No. 001 in the amount of $648,184 for the SJECCD new District Office.

6. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE CENTRAL PLANT AND POLICE STATION RENOVATION PROJECT –**
SWENSON & ASSOCIATES – CHANGE ORDER NO. 010

The Board approved Change Order #010 for Swenson & Associates in the amount of $13,562 of the Central Plant and Police Station Renovation Project at Evergreen Valley College.

7. MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE MECHANICAL, ELECTRICAL, PLUMBING UPGRADES PROJECT – S&H CONSTRUCTION – NOTICE OF COMPLETION

The Board approved the Notice of Completion for the Mechanical, Electrical, Plumbing Upgrades Project at San José City College.

8. MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE MECHANICAL, ELECTRICAL, PLUMBING UPGRADES PROJECT – S&H CONSTRUCTION FINAL DEDUCTIVE CHANGE ORDER NO. 001

The Board approved Final Change Order No. 001 in the deductive amount of ($31,352) to S&H Construction for the Mechanical, Electrical, Plumbing Pdg. #1 Project at San José City College.

9. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE BID #G2010.0048 MECHANICAL ELECTRICAL AND PLUMBING UPGRADE PACKAGE 2 PROJECT #32307-06 – JKL CONSTRUCTION SERVICES, INC., CONTRACT AGREEMENT

The Board approved issuance of a construction contract to JKL Construction Services, Inc. for an amount not-to-exceed amount of $306,224 for the Evergreen Valley College (EVC) Mechanical Electrical and Plumbing Upgrade Package 2, Project #32307-06.

10. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AUTOMOTIVE TECHNOLOGY PROJECT – HAYER CONSULTANTS, INC., INDEPENDENT CONTRACTOR AGREEMENT

The Board approved issuance of an Independent Contractor Agreement to Hayer Consultants, Inc. in the amount of $171,200 for the Inspector of Record services of the Automotive Technology Project at Evergreen Valley College.

11. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE (EVC) ADMIN STUDENT SERVICES REMODEL PROJECT – DOUGHERTY PROJECT ASSIGNMENT AMENDMENT EVC-01 REVISION NO. 001

The Board approved Revision No. 001 to Project Assignment Amendment No. EVC-01, Dougherty & Dougherty Architects, LLP as a no-cost adjustment with modifications to their scope and time of design services through October 31, 2014, for the Administration Student Services Remodel Project at Evergreen Valley College.

12. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE SOUTH CAMPUS DEVELOPMENT PROJECT – SIGNET TESTING
LABORATORIES, INC., INDEPENDENT CONTRACTOR AGREEMENT

The Board approved issuance of an Independent Contractor Agreement to Signet Testing Laboratories, Inc., in the amount of $140,000 for the Testing and Inspection Services for the South Campus Development Project at Evergreen Valley College.

13. MEASURE G-2010 BOND PROGRAM: SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT – NEW DISTRICT OFFICE RENOVATION #G2010.0060, PROJECT #39301 XL CONSTRUCTION CITY PERMIT FEES FOR THE NEW DISTRICT OFFICE BUILDING, INDEPENDENT CONTRACTOR AGREEMENT

The Board approved an Independent Contractor Agreement with XL Construction in the amount of $303,874 as reimbursement for City of San José permit fees for the new District Office building.

14. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AUTOMOTIVE TECHNOLOGY PROJECT – CONSOLIDATED ENGINEERING LABORATORIES INDEPENDENT CONTRACTOR AGREEMENT (ICA)

The Board approved issuance of an Independent Contractor Agreement to Consolidated Engineering Laboratories in the amount of $82,948.00 for Testing and Inspection services for Automotive Technology Project at Evergreen Valley College.

15. MEASURE G-2004 BOND PROGRAM: PROJECT MANAGEMENT SERVICES

The Board approved Amendment #06 to Gilbane’s PM/CM agreement to provide Project Management services for fiscal year 2014/2015 on the remaining Measure G-2004 bond projects for a not-to-exceed amount of $980,785.


The Board approved the fourth year renewal of Gilbane’s PM/CM contract for fiscal year 2014/2015 for the not-to-exceed amount of $5,724,420.

H. ORAL COMMUNICATIONS

a. Board of Trustees

Student Trustee Harris stated how excited he was to be serving as the SJCC student trustee. He commended the work done by adjunct faculty as he has never had a problem meeting with them after class. He also commended the excellent support staff SJCC has in place.

Trustee Cruz reported on her participation at the commencement ceremonies. Our students are always so grateful for the support we provide them. She quoted from the late Maya Angelou, “People will forget what you said but will never forget how you made them feel.”
Trustee Dhillon reported that his daughter graduated from San José City College, and that was very special for him and his family. He also announced that the Punjabi Mela will be held this year on July 1 in Milpitas.

Trustee Ho reported on her attendance at the Asian Pacific American Association Scholarship Fundraising Dinner on May 29, at the Dynasty Restaurant in San José. The APAA contributes scholarships to our students, which is critical to their success. It was especially fun to see Keith Aytch and Barbara Hanfling dancing at the event.

President Lease stated the need for the Board to begin its self-evaluation process. Trustees Cruz and Fuentes had recently participated in the Governance Institute of Student Success. As preparation for that meeting, the Board of Trustees was sent a link to participate in a student success survey. Four Trustees responded to that survey, and those results were presented at the symposium. It was recommended that this survey could be used for the self-evaluation tool this year. Previously, a Board Self-Evaluation committee, composed of Trustee Cruz, Ho and Lease worked to develop the self-evaluation process. President Lease stated he would be happy to serve, once again, on this committee. He inquired how the Board would like to move forward with this process. Trustee Nasol requested that this item be put on the agenda for the next meeting so that the Board could take action on the next steps. President Lease requested Chancellor Cepeda include this item on the July 8 board agenda.

b. Chancellor

Chancellor Cepeda thanked the Board for its support of her attendance at the Spanish Institute of Education and HACU, which was sponsored by the U.S. Embassy in Spain. They are extremely interested in increasing dialogue with community colleges, especially in career and technical education. We already have good relationships with England, Germany and France, but not Spain. This institute was a critical step in improving those relations.

Chancellor Cepeda reported on her consultation with faculty representatives regarding the district’s reorganization and restructuring plan and how the document could be revised in a manner that would address faculty concerns.

Chancellor Cepeda distributed and reviewed a document entitled, “Means Statements Policies and Measures,” which outlines the performance indicators for the ends policies and governance principles the Board had recently approved. This document is in draft form as further work will be done by the Chancellor’s executive team to come up with a plan for achieving the Board’s ends policies and student success initiatives.

c. Presidents

EVC President Yong reported that every year, Stanford University organizes the SHREI competition. The Acronym stands for Stanford Human Rights Education Initiative (SHREI). The competition allows students to submit
project proposals regarding eliminating, alleviating, or improving human rights and human dignity. It is a prestigious competition, and draws entries from many colleges and higher ed institutions. The 2012 Student Project Winner was awarded to CCSF. The 2013 Student Project Winner was awarded to West Valley College. The 2014 Student Project Winner is awarded to Evergreen Valley College. The five students who participated in this project competition are: Sofia Pando (ACCEL, Engineering), Jose Arreola (ENLACE, EVC Soccer, Mathematics), Kenny Jackson (AFFIRM, Anthropology), Jammaar Hall (AFFIRM, Student Senator, Psychology), and Khan Tran (ACCEL, Biology). Khan Tran is transferring to UC Irvine to study biochemistry, and Sofia Pando will transfer to UC Santa Cruz to study engineering. The students’ project is entitled: End Modern Slavery. The students worked under the guidance of Professor Eric Moberg, and they were invited to attend the SHREI Symposium on June 7, in Palo Alto, to receive their prestigious award. Congratulations.

The recent passing of Maya Angelou was widely mourned, both nationally and internationally. World leaders and celebrities all expressed great sorrow at the loss of an American treasure. One of our DSP students, Derrick Newton wrote a poem on the passing of Maya Angelou and it was published along with many other poems, thoughts and comments from notable figures and celebrities. Who were some of these famous figures and celebrities? Barack Obama, Oprah Winfrey, Ellen DeGeneres, Beyonce, Rihanna, Bill Clinton, Chelsea Clinton, Al Gore, Condoleezza Rice, Cory Booker, J.K. Rowling, Katie Couric, Nancy Pelosi, and many others. For Derrick to be published side by side, with these famous people is proof that he is equal to anyone of them. Prior to Derrick starting classes at EVC a few years ago, he called the DSP office to find out about the program. He was very unsure about attending college in his 40’s and had a fear of failure, especially with English writing classes. He was told by Debra Collins, the Program Assistant at DSP, her own story of how she started back to college late in life, and how long it took her to obtain her AA. It was a long road, but she finished. Debra urged Derrick to give school a chance, and that he may surprise himself. Derrick decided to do just that. He began taking English classes in Fall 2012, and even though he was placed in the lower English classes, he has grown tremendously over the years, and now writes beautifully. Today, EVC student Derrick Newton is equal to the big names that I mentioned earlier. For her part, Debra Collins states “It is nice to know that we are not here to just collect a paycheck, but really do make a difference in our student’s lives.” We are proud of Derrick Newton and Debra Collins.

SJCC President Breland reported that the college is currently gearing up for fall. Two weeks ago the college council held a strategic planning retreat, which lasted for six hours. It was a productive time which focused on remodeling our efforts towards student success. The college is also very active in the hiring process, which, hopefully, will allow us to fill key positions in time for fall. The summer bridge program is also beginning at the college.

d. Constituency Group Representatives

Ms. Barbara Hanfling, Executive Director, AFT 6157, reported that they are
now in the process of finishing the opening proposal, which will include full contract negotiations. She also enjoyed participating in the APAA fundraising event.

Mr. Eric Narveson, President, EVC Academic Senate, reported that Summer School begins next Monday. It is also invigorating to see the construction that’s taking place on the campus, and the new Police Department is nearly finished.

Mr. Fabio Gonzalez, Interim President, SJCC Academic Senate, introduced Mr. Jesus Covarrubias, the newly elected Academic Senate President. Mr. Covarrubias will be starting his duties in July. The executive committee is basically a new group, and the Academic Senate is working on new bylaws.

Ms. Lauren McKee, President, MSCC, thanked the Board for approving the new MSC Handbook, which had not been changed since the 1980s. She thanked Chancellor Cepeda and Vice Chancellor Garcia for their support. She stated the MSC Executive Committee is in the process of electing its officers.

I ACTION AGENDA

1. **RESOLUTION NO. 061014-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS**

M/S/C (Nasol/Cruz) to approve 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.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

2. **RESOLUTION NO. 061014-02 ESTABLISHING THE FISCAL YEAR 2014-2015 APPROPRIATION LIMIT (GANN)**

M/S/C (Ho/Cruz) to approve the resolution establishing the Fiscal Year 2014-2015 Appropriation Limit (GANN).

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

3. **RESOLUTION NO. 061014-3 APPROVING THE INDEPENDENT CITIZEN’S BOND OVERSIGHT COMMITTEE AMENDED AND RESTATED BYLAWS**
Minutes of June 10, 2014, Governing Board Meeting

M/S/C (Nasol/Cruz) to approve Resolution 061014-3 amending and restating the Bylaws of the Independent Citizens’ Bond Oversight Committee.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

4. FY2014-2015 TENTATIVE BUDGET

Vice Chancellor Smith provided an overview of the tentative budget for FY 2014-2015. He reported that the projected ending fund balance for the end of FY2013-2014 is 13%, and the projected ending fund balance in the tentative budget for FY2014-2015 is 10%. Major assumptions include salary settlements (except for the CSEA which posts at final) full medical/health benefits, statutory increases including PERS, 3% property tax increase, additional board initiatives, such as high impact programs, redesign and student success. In spite of the fact that there are still many unfunded priorities, the district is fiscally strong. Vice Chancellor Smith stated that his projections are conservative in nature, especially with regards to the property tax outlook. His recommendation is that we earn before we allocate and manage a modest fund balance. He provided an analysis of the ending fund balances from FY2006-2007 through FY2012-2013, with projections through FY2016-2017. He also did a review of the Board principles, Board initiatives/strategic priorities and organizational priorities. He thanked his fiscal team, especially Fiscal Services Director Peter Fitzsimmons, for the excellent work they do and ended the presentation on a positive note stating that our budget is strong, our relationships are strong, our processes are transparent, our District Budget Committee is briefed and involved and our future is bright.

Trustee Nasol expressed appreciation that the district is recovering from the losses it has experienced in the past, and that a lot of the restoration was focused on student success initiatives. However, the Board still needs to be vigilant because budgets often go through cycles; and the district doesn’t want to go through what it went through a few years ago. He stated it is good to have a conservative estimate.

Trustee Cruz inquired if now would be a good time for the Board to develop principles about a reserve designation beyond the 7% principle since the district is now in basic aid status. Chancellor Cepeda answered that in February the Board will have a budget study session and that would be the best time to take that into consideration.

The Board heard a public comment from AFT 6157 Executive Director Barbara Hanfling, who expressed concern about the conservative budget projections. She stated the importance of restoring positions. The state requires a 5% minimum reserve, and our district has a higher minimum than almost any other district in the state. Therefore, the AFT does not support raising the reserve over the 7% currently in place.

M/S/C (Cruz/Ho) to approve the Tentative Budget for fiscal year 2014-2015.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

5. **REAFFIRMATION OF CAMPUSWORKS ITSS LEADERSHIP CONTRACT**

Chancellor Cepeda commended CampusWorks on the excellent IT leadership it has provided the district since June 2012 when the Board awarded them the contract for providing strategic technology infrastructure services. She introduced Dr. Mike Russell, CISCO Consultant, Mr. Peter Bosco, and Ms. Carolan Moran, Vice President, Client Experience, CampusWorks, who presented on the accomplishments to date.

Ms. Moran reported that CampusWorks is completing the second year of the five-year plan. Of the 40 initiatives scheduled from FY13 through FY 15, 20 prioritized initiatives have been completed, 32 initiatives completed and in process and 17 initiatives planned for FY15 are also in process. In reviewing the Measure G-2010 budget for the ERP conversion and infrastructure upgrade, total expenses to date are $5.5 million out of a $10.0 million approved budget. The result is that the CampusWorks scope of work is currently ahead of schedule and under budget. Ms. Moran reviewed the benefits of the ERP conversion for advancing the student experience through better student planning processes. Dr. Russell reviewed the critical upcoming dates, such as the Colleague Student Planning for new students on August 1, ODS/CROA reporting rollout beginning July 31 and the RFP for the new district network, to be awarded on July 1. Chancellor Cepeda highlighted the deliverables identified in the presentation, i.e. Network Initiatives, Hardware Initiatives and Data/Document Initiatives. We finally have the infrastructure to achieve what the Board and faculty have wanted regarding the pay-off from this contract.

Trustee Nasol reported that during his visit to the new District Office building, he reviewed the IT room that is now in the process of being built. This is a massive undertaking, and he expressed hope that this transition would go smoothly. Trustee Cruz inquired about the planning solutions, especially for new students and those with special program needs. Ms. Moran answered that the upgrades will provide better online access of students’ educational plans so that they can see in real time their progress as it relates to their educational plan. They would easily see their courses completed as well as what they are currently registered in through the degree audit system. Trustee Cruz asked if students would have the ability to complete their educational plans without needing to see a counselor. Ms. Moran answered yes, although the relationships that students develop with counselors would also benefit students. The ERP conversion is not about replacing the advising process; it is designed to facilitate that process. Trustee Ho commended CampusWorks for its leadership in bringing the district’s ITSS process into the 21st Century. Trustee Dhillon thanked CampusWorks for the great work it is doing. However, he requested that the district makes a point of talking with students about what their IT needs really are.

M/S/C (Cruz/Nasol) to reaffirm the ITSS Leadership Contract with CampusWorks in an amount not to exceed $535,563 for FY2014-2015.
Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

6. **MEASURE G-2004 BOND PROGRAM – BOND LIST REVISION**

M/S/C (Nasol/Mann) to approve the revisions to the Measure G-2004 bond list.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

7. **MEASURE G-2010 BOND PROGRAM – BOND LIST REVISION #8**

Vice Chancellor Smith noted some of the major changes to the Measure G-2010 bond project list. In particular, a change was made regarding the Media Arts Center and CTE building.

President Breland thanked the team for giving the project list a careful review. He provided a brief presentation on the PE Building budget change. Originally, the project was budgeted for $17,201,797. However, because the project is now 10 years old, the cost has increased. The current project budget is $22,880,265 with current construction estimates at $22,050,733. The program has been reduced from 60,000 sq. ft. to 39,000 sq. ft., which includes reductions to the new facility and use of renovated CTE 100 and 200 lab spaces at no cost to the project and repurposing of the existing racquetball building, which will also reduce cost. Mr. Scott Jewel, Gilbane Project Manager, also noted that the PE building was originally a Measure G-2004 project.

President Breland made note of the project name change from the Media Arts Center and Career Technical Education to Career Technical Education and Media Arts Center. This name change puts greater emphasis on career technical education.

Trustee Nasol inquired how the PE Building has been linked between two different bond programs and if that poses a problem with reporting on the funds. Vice Chancellor Smith answered that they are reported separately and the work to be done is put into separate projects. Trustee Cruz commended the decision to change the building name to focus on career technical education, especially since we have heard from the community about the importance of career technical education.

M/S/C (Nasol/Mann) to approve the revisions to the Measure G-2010 bond list.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, Mann, and Nasol voted yes.
Minutes of June 10, 2014, Governing Board Meeting

Advisory vote was as follows:
Student Trustee Harris voted yes.

8. **CONTRACT MODIFICATION - CHANCELLOR**

President Lease requested the Board vote on the modifications to the Chancellor’s contract that was reported out in Agenda Item E-4.

M/S/C (Mann/Cruz) to modify the Chancellor’s contract.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

J. **INFORMATION AGENDA**

1. **MEASURE G-2010 BOND PROGRAM: MEASURE G-2010 SUMMARY REPORT FOR MAY 27, 2014**

Vice Chancellor Smith reported that there were no changes from the last report provided to the Board and also no cautions to report.

K. **CONTINUATION OF CLOSED SESSION**

No.

L. **RECONVENE OPEN SESSION**

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

None.

M. **ADJOURNMENT**

M/S/C (Nasol/Dhillon) to adjourn the meeting at 8:45 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
June 10, 2014

A. CALL MEETING TO ORDER

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, June 10, 2014, at 4:30 p.m. at the District Office Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Dr. Jeffrey Lease
Ms. Wendy Ho
Mr. Rudy Nasol

Board Members Excused:
Ms. Maria Fuentes
Mr. Craig Mann

B. APPROVAL OF CLOSED SESSION AGENDA

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

Board vote was as follows:
Trustees Dhillon, Ho, Lease, and Nasol voted yes.

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: Chancellor

CONFERENCE WITH LABOR NEGOTIATORS
E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:08 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Dr. Jeffrey Lease
Ms. Wendy Ho
Mr. Craig Mann – (Arrived to meeting at 7:35 p.m.)
Mr. Rudy Nasol
Mr. Larry Harris

Board Members Excused:
Ms. Maria Fuentes

1. PLEDGE OF ALLEGIANCE

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

2. OATH OF OFFICE FOR STUDENT TRUSTEE

President Lease administered the Oath of Office to newly elected SJCC Student Trustee Larry Harris.

3. ADOPTION OF AGENDA

M/S/C (Nasol/Cruz) to adopt the agenda as amended:

A correction was made to the Consent Agenda as follows:
F-3-1 Classified Personnel Actions – Job Description Revision – The range/step for the Financial Aid Coordinator and Program Coordinator were changed. The revised Range/Step for the Financial Aid Coordinator is 96-$4,338-$5,295/month and the Range/Step for the Program Coordinator is 96-$4,338-$5,295/month.
Minutes of June 10, 2014, Governing Board Meeting

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

4. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

President Lease announced that since the Chancellor’s evaluation was already completed, the Board had made the following changes to the Chancellor’s contract:

Contract has been extended by one year to June 20, 2017.
A 5% salary increase to constitute an annual salary of $300,881, effective July 1, 2014.
A District-paid contribution of $10,000 to a 403(b)/457 or the like by July 1 of each year.

5. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.

6. APPROVAL OF THE MAY 13 AND MAY 27, 2014, GOVERNING BOARD MEETING MINUTES

M/S/C (Cruz/Dhillon) to approve the above listed meeting minutes as amended. Trustee Cruz requested that the May 27 meeting minutes reflect the Board’s decision to nominate the whole Board for the ACCT Trustee Leadership award.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

APPROVAL OF RESOLUTION 061014-4 TO EXCUSE TRUSTEE MARIA FUENTES FROM ATTENDING THE GOVERNING BOARD MEETING

President Lease stated that Trustee Maria Fuentes informed him she would not be able to attend the meeting due to illness.

M/S/C (Ho/Cruz) to approve Resolution 061014-4 to excuse Trustee Maria Fuentes from attending the June 10, 2014, Governing Board Meeting due to illness.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.
F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

President Lease distributed and reviewed a Consent Agenda process taken from Robert’s Rules. He stated the need for the Board to utilize an effective process for approval of those items listed in the Consent Agendas. He reviewed the statement listed in Robert’s Rules, 11th Edition, Page No. 361: When the board reaches that portion of the agenda, the Chair asks if any member wishes to remove (or pull) any item from the consent agenda. They may do so by stating “I pull item #________.” Pulling an item does not require a second. After all the “pulls” are made, the Chair states, “Without objection, the remaining items (or all the items if none have been pulled) are adopted by general consent. Also, silence is consent. If any director wants to vote against any item, he/she must pull it from the consent agenda. This is a case where silence not only implies consent, silence is consent. If any items are pulled, the board can either take them up immediately for discussion and vote or put them in their appropriate place in the agenda.

The Board discussed this new process and agreed to implement it. Trustee Nasol requested the ability to make comments on Consent Agenda items without having to pull the item from the Consent Agenda. President Lease answered that this would be allowable as long as the comments don’t reflect whether or not a board member approves the action. However, general comments would be allowed. Chancellor Cepeda also noted that she would review the established criteria for Consent Agenda items to ensure that items requiring actual board votes would not be included in the Consent Agenda.

Therefore, hearing no comments to pull any item, President Lease stated that the Consent agenda was adopted by general consent of the Board.

2. SUPERVISORY/CONFIDENTIAL PERSONNEL ACTIONS

The Board approved the Supervisory-Confidential Personnel Actions as submitted.

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. RATIFICATION OF CONTRACTS AND PURCHASE ORDERS

The Board ratified the contracts and purchase orders for the period of April 10, 2014 through May 9, 2014, as noted in the documents attached to the agenda.

6. CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE
The Board approved the curriculum recommendations for new courses submitted by Evergreen Valley College.

7. **SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT FOUNDATION MASTER AGREEMENT EXTENSION**

The Board approved an extension through June 30, 2015, to the Master Agreement with the San José-Evergreen Community College District Foundation.

8. **ACCEPTANCE OF GRANT FUNDS FROM YOSEMITE COMMUNITY COLLEGE DISTRICT, CHILD DEVELOPMENT CONSORTIUM – SAN JOSÉ CITY COLLEGE**

The Board accepted and appropriated grant funds up to $10,000 from YCCD/CDTC for San José City College’s Early Childhood Education students.

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

The Board accepted grant funds in the amount of $175,000 from the California Community Colleges Chancellor’s Office.

10. **AWARD OF CONTRACT FOR REQUEST FOR QUALIFICATIONS & PROPOSAL G2010.0089 – CONTRACTOR OUTREACH CONSULTING SERVICES FOR SJECCD**

The Board authorized the Chancellor to award a contract for the Request for Qualifications & Proposal G2010.0089 – Contractor Outreach Consulting Services. A subsequent ratification shall be forthcoming to further specify the dollar amount of and the parties to the contract.

11. **MOU BETWEEN ASIAN AMERICANS FOR COMMUNITY INVOLVEMENT AND EVERGREEN VALLEY COLLEGE**

The Board approved the MOU between Asian Americans for Community Involvement (AACI) and the San José-Evergreen Community College District – Evergreen Valley College – to partner and provide the Patient Navigator Training Program.

12. **FIVE YEAR CAPITAL CONSTRUCTION PLAN**

The Board approved the Five Year Capital Construction Plan as required by the State Chancellor’s Office as a provision under Community College Construction Act (California Education Code Section 81800).

13. **APPROVAL OF THE MANAGER, SUPERVISOR, AND CONFIDENTIAL (MSC) HANDBOOK**

The Board approved the MSC Handbook.

The Board approved Evergreen Valley College’s Associated Student Budget for 2014-2015.

G. **MEASURE G BOND PROGRAMS CONSENT AGENDA**

1. **ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA**

Hearing no comments to pull any item, President Lease stated that the Consent agenda was adopted by general consent of the Board.

Trustee Nasol commented that Item G-5, a change order for the new district office, reflects an increase exceeding the 10% threshold; and that increase was due to a change requested by us and not the contractor. Trustee Nasol stated that he had toured the new District Office, and the renovation should be completed sometime in September with a possible move-in date in November. He expressed excitement about all the progress that has been made.

2. **MEASURE G-2004 BOND PROGRAM: EVERGREEN VALLEY COLLEGE DISTRICT WAREHOUSE CARPORT PROJECT #210 – INTEGRA CONSTRUCTION NOTICE OF COMPLETION**

The Board approved the Notice of Completion for the Evergreen Valley College District Warehouse Carport Project.

3. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AUTOMOTIVE TECHNOLOGY UTILITIES EXTENSION & UPGRADE PROJECT #32308 – RODAN BUILDERS, INC. NOTICE OF COMPLETION**

The Board approved the Notice of Completion for the Evergreen Valley College Automotive Technology Utilities Extension & Upgrade Project.

4. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE GULLO STUDENT CENTER ENVELOPE UPGRADE PROJECT #32307-03 – SWENSON & ASSOCIATES NOTICE OF COMPLETION**

The Board approved the Notice of Completion for the Evergreen Valley College Gullo Student Center Envelope Upgrade Project.

5. **MEASURE G-2010 BOND PROGRAM: SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT – NEW DISTRICT OFFICE RENOVATION #G2010.0060, PROJECT #39301 XL CONSTRUCTION CHANGE ORDER NO. 001**

The Board approved Chance Order No. 001 in the amount of $648,184 for the SJECCD new District Office.

6. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE CENTRAL PLANT AND POLICE STATION RENOVATION PROJECT –**
SWENSON & ASSOCIATES – CHANGE ORDER NO. 010

The Board approved Change Order #010 for Swenson & Associates in the amount of $13,562 of the Central Plant and Police Station Renovation Project at Evergreen Valley College.

7. MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE MECHANICAL, ELECTRICAL, PLUMBING UPGRADES PROJECT – S&H CONSTRUCTION – NOTICE OF COMPLETION

The Board approved the Notice of Completion for the Mechanical, Electrical, Plumbing Upgrades Project at San José City College.

8. MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE MECHANICAL, ELECTRICAL, PLUMBING UPGRADES PROJECT – S&H CONSTRUCTION FINAL DEDUCTIVE CHANGE ORDER NO. 001

The Board approved Final Change Order No. 001 in the deductive amount of ($31,352) to S&H Construction for the Mechanical, Electrical, Plumbing Pdg. #1 Project at San José City College.

9. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE BID #G2010.0048 MECHANICAL ELECTRICAL AND PLUMBING UPGRADE PACKAGE 2 PROJECT #32307-06 – JKL CONSTRUCTION SERVICES, INC., CONTRACT AGREEMENT

The Board approved issuance of a construction contract to JKL Construction Services, Inc. for an amount not-to-exceed amount of $306,224 for the Evergreen Valley College (EVC) Mechanical Electrical and Plumbing Upgrade Package 2, Project #32307-06.

10. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AUTOMOTIVE TECHNOLOGY PROJECT – HAYER CONSULTANTS, INC., INDEPENDENT CONTRACTOR AGREEMENT

The Board approved issuance of an Independent Contractor Agreement to Hayer Consultants, Inc. in the amount of $171,200 for the Inspector of Record services of the Automotive Technology Project at Evergreen Valley College.

11. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE (EVC) ADMIN STUDENT SERVICES REMODEL PROJECT – DOUGHERTY PROJECT ASSIGNMENT AMENDMENT EVC-01 REVISION NO. 001

The Board approved Revision No. 001 to Project Assignment Amendment No. EVC-01, Dougherty & Dougherty Architects, LLP as a no-cost adjustment with modifications to their scope and time of design services through October 31, 2014, for the Administration Student Services Remodel Project at Evergreen Valley College.

12. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE SOUTH CAMPUS DEVELOPMENT PROJECT – SIGNET TESTING
LABORATORIES, INC., INDEPENDENT CONTRACTOR AGREEMENT

The Board approved issuance of an Independent Contractor Agreement to Signet Testing Laboratories, Inc., in the amount of $140,000 for the Testing and Inspection Services for the South Campus Development Project at Evergreen Valley College.

13. MEASURE G-2010 BOND PROGRAM: SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT – NEW DISTRICT OFFICE RENOVATION #G2010.0060, PROJECT #39301 XL CONSTRUCTION CITY PERMIT FEES FOR THE NEW DISTRICT OFFICE BUILDING, INDEPENDENT CONTRACTOR AGREEMENT

The Board approved an Independent Contractor Agreement with XL Construction in the amount of $303,874 as reimbursement for City of San José permit fees for the new District Office building.

14. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AUTOMOTIVE TECHNOLOGY PROJECT – CONSOLIDATED ENGINEERING LABORATORIES INDEPENDENT CONTRACTOR AGREEMENT (ICA)

The Board approved issuance of an Independent Contractor Agreement to Consolidated Engineering Laboratories in the amount of $82,948.00 for Testing and Inspection services for Automotive Technology Project at Evergreen Valley College.

15. MEASURE G-2004 BOND PROGRAM: PROJECT MANAGEMENT SERVICES

The Board approved Amendment #06 to Gilbane’s PM/CM agreement to provide Project Management services for fiscal year 2014/2015 on the remaining Measure G-2004 bond projects for a not-to-exceed amount of $980,785.


The Board approved the fourth year renewal of Gilbane’s PM/CM contract for fiscal year 2014/2015 for the not-to-exceed amount of $5,724,420.

H. ORAL COMMUNICATIONS

a. Board of Trustees

Student Trustee Harris stated how excited he was to be serving as the SJCC student trustee. He commended the work done by adjunct faculty as he has never had a problem meeting with them after class. He also commended the excellent support staff SJCC has in place.

Trustee Cruz reported on her participation at the commencement ceremonies. Our students are always so grateful for the support we provide them. She quoted from the late Maya Angelou, “People will forget what you said but will never forget how you made them feel.”
Trustee Dhillon reported that his daughter graduated from San José City College, and that was very special for him and his family. He also announced that the Punjabi Mela will be held this year on July 1 in Milpitas.

Trustee Ho reported on her attendance at the Asian Pacific American Association Scholarship Fundraising Dinner on May 29, at the Dynasty Restaurant in San José. The APAA contributes scholarships to our students, which is critical to their success. It was especially fun to see Keith Aytch and Barbara Hanfling dancing at the event.

President Lease stated the need for the Board to begin its self-evaluation process. Trustees Cruz and Fuentes had recently participated in the Governance Institute of Student Success. As preparation for that meeting, the Board of Trustees was sent a link to participate in a student success survey. Four Trustees responded to that survey, and those results were presented at the symposium. It was recommended that this survey could be used for the self-evaluation tool this year. Previously, a Board Self-Evaluation committee, composed of Trustee Cruz, Ho and Lease worked to develop the self-evaluation process. President Lease stated he would be happy to serve, once again, on this committee. He inquired how the Board would like to move forward with this process. Trustee Nasol requested that this item be put on the agenda for the next meeting so that the Board could take action on the next steps. President Lease requested Chancellor Cepeda include this item on the July 8 board agenda.

b. Chancellor

Chancellor Cepeda thanked the Board for its support of her attendance at the Spanish Institute of Education and HACU, which was sponsored by the U.S. Embassy in Spain. They are extremely interested in increasing dialogue with community colleges, especially in career and technical education. We already have good relationships with England, Germany and France, but not Spain. This institute was a critical step in improving those relations.

Chancellor Cepeda reported on her consultation with faculty representatives regarding the district’s reorganization and restructuring plan and how the document could be revised in a manner that would address faculty concerns.

Chancellor Cepeda distributed and reviewed a document entitled, “Means Statements Policies and Measures,” which outlines the performance indicators for the ends policies and governance principles the Board had recently approved. This document is in draft form as further work will be done by the Chancellor’s executive team to come up with a plan for achieving the Board’s ends policies and student success initiatives.

c. Presidents

EVC President Yong reported that every year, Stanford University organizes the SHREI competition. The Acronym stands for Stanford Human Rights Education Initiative (SHREI). The competition allows students to submit
project proposals regarding eliminating, alleviating, or improving human rights and human dignity. It is a prestigious competition, and draws entries from many colleges and higher ed institutions. The 2012 Student Project Winner was awarded to CCSF. The 2013 Student Project Winner was awarded to West Valley College. The 2014 Student Project Winner is awarded to Evergreen Valley College. The five students who participated in this project competition are: Sofia Pando (ACCEL, Engineering), Jose Arreola (ENLACE, EVC Soccer, Mathematics), Kenny Jackson (AFFIRM, Anthropology), Jammaar Hall (AFFIRM, Student Senator, Psychology), and Khan Tran (ACCEL, Biology). Khan Tran is transferring to UC Irvine to study biochemistry, and Sofia Pando will transfer to UC Santa Cruz to study engineering. The students’ project is entitled: End Modern Slavery. The students worked under the guidance of Professor Eric Moberg, and they were invited to attend the SHREI Symposium on June 7, in Palo Alto, to receive their prestigious award. Congratulations.

The recent passing of Maya Angelou was widely mourned, both nationally and internationally. World leaders and celebrities all expressed great sorrow at the loss of an American treasure. One of our DSP students, Derrick Newton wrote a poem on the passing of Maya Angelou and it was published along with many other poems, thoughts and comments from notable figures and celebrities. Who were some of these famous figures and celebrities? Barack Obama, Oprah Winfrey, Ellen DeGeneres, Beyonce, Rihanna, Bill Clinton, Chelsea Clinton, Al Gore, Condoleezza Rice, Cory Booker, J.K. Rowling, Katie Couric, Nancy Pelosi, and many others. For Derrick to be published side by side, with these famous people is proof that he is equal to anyone of them. Prior to Derrick starting classes at EVC a few years ago, he called the DSP office to find out about the program. He was very unsure about attending college in his 40’s and had a fear of failure, especially with English writing classes. He was told by Debra Collins, the Program Assistant at DSP, her own story of how she started back to college late in life, and how long it took her to obtain her AA. It was a long road, but she finished. Debra urged Derrick to give school a chance, and that he may surprise himself. Derrick decided to do just that. He began taking English classes in Fall 2012, and even though he was placed in the lower English classes, he has grown tremendously over the years, and now writes beautifully. Today, EVC student Derrick Newton is equal to the big names that I mentioned earlier. For her part, Debra Collins states “It is nice to know that we are not here to just collect a paycheck, but really do make a difference in our student’s lives.” We are proud of Derrick Newton and Debra Collins.

SJCC President Breland reported that the college is currently gearing up for fall. Two weeks ago the college council held a strategic planning retreat, which lasted for six hours. It was a productive time which focused on remodeling our efforts towards student success. The college is also very active in the hiring process, which, hopefully, will allow us to fill key positions in time for fall. The summer bridge program is also beginning at the college.

d. Constituency Group Representatives

Ms. Barbara Hanfling, Executive Director, AFT 6157, reported that they are
now in the process of finishing the opening proposal, which will include full contract negotiations. She also enjoyed participating in the APAA fundraising event.

Mr. Eric Narveson, President, EVC Academic Senate, reported that Summer School begins next Monday. It is also invigorating to see the construction that’s taking place on the campus, and the new Police Department is nearly finished.

Mr. Fabio Gonzalez, Interim President, SJCC Academic Senate, introduced Mr. Jesus Covarrubias, the newly elected Academic Senate President. Mr. Covarrubias will be starting his duties in July. The executive committee is basically a new group, and the Academic Senate is working on new bylaws.

Ms. Lauren McKee, President, MSCC, thanked the Board for approving the new MSC Handbook, which had not been changed since the 1980s. She thanked Chancellor Cepeda and Vice Chancellor Garcia for their support. She stated the MSC Executive Committee is in the process of electing its officers.

I ACTION AGENDA

1. RESOLUTION NO. 061014-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS

M/S/C (Nasol/Cruz) to approve 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.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

2. RESOLUTION NO. 061014-02 ESTABLISHING THE FISCAL YEAR 2014-2015 APPROPRIATION LIMIT (GANN)

M/S/C (Ho/Cruz) to approve the resolution establishing the Fiscal Year 2014-2015 Appropriation Limit (GANN).

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

3. RESOLUTION NO. 061014-3 APPROVING THE INDEPENDENT CITIZENS’ BOND OVERSIGHT COMMITTEE AMENDED AND RESTATE BYLAWS
M/S/C (Nasol/Cruz) to approve Resolution 061014-3 amending and restating the Bylaws of the Independent Citizens' Bond Oversight Committee.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

4. **FY2014-2015 TENTATIVE BUDGET**

Vice Chancellor Smith provided an overview of the tentative budget for FY 2014-2015. He reported that the projected ending fund balance for the end of FY2013-2014 is 13%, and the projected ending fund balance in the tentative budget for FY2014-2015 is 10%. Major assumptions include salary settlements (except for the CSEA which posts at final) full medical/health benefits, statutory increases including PERS, 3% property tax increase, additional board initiatives, such as high impact programs, redesign and student success. In spite of the fact that there are still many unfunded priorities, the district is fiscally strong. Vice Chancellor Smith stated that his projections are conservative in nature, especially with regards to the property tax outlook. His recommendation is that we earn before we allocate and manage a modest fund balance. He provided an analysis of the ending fund balances from FY2006-2007 through FY2012-2013, with projections through FY2016-2017. He also did a review of the Board principles, Board initiatives stratégic priorities and organizational priorities. He thanked his fiscal team, especially Fiscal Services Director Peter Fitzsimmons, for the excellent work they do and ended the presentation on a positive note stating that our budget is strong, our relationships are strong, our processes are transparent, our District Budget Committee is briefed and involved and our future is bright.

Trustee Nasol expressed appreciation that the district is recovering from the losses it has experienced in the past, and that a lot of the restoration was focused on student success initiatives. However, the Board still needs to be vigilant because budgets often go through cycles; and the district doesn’t want to go through what it went through a few years ago. He stated it is good to have a conservative estimate. Trustee Cruz inquired if now would be a good time for the Board to develop principles about a reserve designation beyond the 7% principle since the district is now in basic aid status. Chancellor Cepeda answered that in February the Board will have a budget study session and that would be the best time to take that into consideration.

The Board heard a public comment from AFT 6157 Executive Director Barbara Hanfling, who expressed concern about the conservative budget projections. She stated the importance of restoring positions. The state requires a 5% minimum reserve, and our district has a higher minimum than almost any other district in the state. Therefore, the AFT does not support raising the reserve over the 7% currently in place.

M/S/C (Cruz/Ho) to approve the Tentative Budget for fiscal year 2014-2015.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

5. **REAFFIRMATION OF CAMPUSWORKS ITSS LEADERSHIP CONTRACT**

Chancellor Cepeda commended CampusWorks on the excellent IT leadership it has provided the district since June 2012 when the Board awarded them the contract for providing strategic technology infrastructure services. She introduced Dr. Mike Russell, CISCO Consultant, Mr. Peter Bosco, and Ms. Carolan Moran, Vice President, Client Experience, CampusWorks, who presented on the accomplishments to date.

Ms. Moran reported that CampusWorks is completing the second year of the five-year plan. Of the 40 initiatives scheduled from FY13 through FY 15, 20 prioritized initiatives have been completed, 32 initiatives completed and in process and 17 initiatives planned for FY15 are also in process. In reviewing the Measure G-2010 budget for the ERP conversion and infrastructure upgrade, total expenses to date are $5.5 million out of a $10.0 million approved budget. The result is that the CampusWorks scope of work is currently ahead of schedule and under budget. Ms. Moran reviewed the benefits of the ERP conversion for advancing the student experience through better student planning processes. Dr. Russell reviewed the critical upcoming dates, such as the Colleague Student Planning for new students on August 1, ODS/CROA reporting rollout beginning July 31 and the RFP for the new district network, to be awarded on July 1. Chancellor Cepeda highlighted the deliverables identified in the presentation, i.e. Network Initiatives, Hardware Initiatives and Data/Document Initiatives. We finally have the infrastructure to achieve what the Board and faculty have wanted regarding the pay-off from this contract.

Trustee Nasol reported that during his visit to the new District Office building, he reviewed the IT room that is now in the process of being built. This is a massive undertaking, and he expressed hope that this transition would go smoothly. Trustee Cruz inquired about the planning solutions, especially for new students and those with special program needs. Ms. Moran answered that the upgrades will provide better online access of students’ educational plans so that they can see in real time their progress as it relates to their educational plan. They would easily see their courses completed as well as what they are currently registered in through the degree audit system. Trustee Cruz asked if students would have the ability to complete their educational plans without needing to see a counselor. Ms. Moran answered yes, although the relationships that students develop with counselors would also benefit students. The ERP conversion is not about replacing the advising process; it is designed to facilitate that process. Trustee Ho commended CampusWorks for its leadership in bringing the district’s ITSS process into the 21st Century. Trustee Dhillon thanked CampusWorks for the great work it is doing. However, he requested that the district makes a point of talking with students about what their IT needs really are.

M/S/C (Cruz/Nasol) to reaffirm the ITSS Leadership Contract with CampusWorks in an amount not to exceed $535,563 for FY2014-2015.
Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

6. **MEASURE G-2004 BOND PROGRAM – BOND LIST REVISION**

M/S/C (Nasol/Mann) to approve the revisions to the Measure G-2004 bond list.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

7. **MEASURE G-2010 BOND PROGRAM – BOND LIST REVISION #8**

Vice Chancellor Smith noted some of the major changes to the Measure G-2010 bond project list. In particular, a change was made regarding the Media Arts Center and CTE building.

President Breland thanked the team for giving the project list a careful review. He provided a brief presentation on the PE Building budget change. Originally, the project was budgeted for $17,201,797. However, because the project is now 10 years old, the cost has increased. The current project budget is $22,880,265 with current construction estimates at $22,050,733. The program has been reduced from 60,000 sq. ft. to 39,000 sq. ft., which includes reductions to the new facility and use of renovated CTE 100 and 200 lab spaces at no cost to the project and repurposing of the existing racquetball building, which will also reduce cost. Mr. Scott Jewel, Gilbane Project Manager, also noted that the PE building was originally a Measure G-2004 project.

President Breland made note of the project name change from the Media Arts Center and Career Technical Education to Career Technical Education and Media Arts Center. This name change puts greater emphasis on career technical education.

Trustee Nasol inquired how the PE Building has been linked between two different bond programs and if that poses a problem with reporting on the funds. Vice Chancellor Smith answered that they are reported separately and the work to be done is put into separate projects. Trustee Cruz commended the decision to change the building name to focus on career technical education, especially since we have heard from the community about the importance of career technical education.

M/S/C (Nasol/Mann) to approve the revisions to the Measure G-2010 bond list.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, Mann, and Nasol voted yes.
Minutes of June 10, 2014, Governing Board Meeting

Advisory vote was as follows:
Student Trustee Harris voted yes.

8. **CONTRACT MODIFICATION - CHANCELLOR**

President Lease requested the Board vote on the modifications to the Chancellor’s contract that was reported out in Agenda Item E-4.

M/S/C (Mann/Cruz) to modify the Chancellor’s contract.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Ho, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

J. **INFORMATION AGENDA**

1. **MEASURE G-2010 BOND PROGRAM: MEASURE G-2010 SUMMARY REPORT FOR MAY 27, 2014**

Vice Chancellor Smith reported that there were no changes from the last report provided to the Board and also no cautions to report.

K. **CONTINUATION OF CLOSED SESSION**

No.

L. **RECONVENE OPEN SESSION**

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

None.

M. **ADJOURNMENT**

M/S/C (Nasol/Dhillon) to adjourn the meeting at 8:45 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
July 8, 2014

A. CALL MEETING TO ORDER

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, July 8, 2014, at 4:30 p.m. at the District Office Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol

Board Members Excused:
Ms. Mayra Cruz

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Fuentes/Mann) to approve the Closed Session agenda.

Board vote was as follows:
Trustees Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

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: 27 acres of surplus land adjoining San Felipe Road and Yerba Buena District Negotiator(s): SJECCD Vice Chancellor Doug Smith; Mr. Jim Eller, Eller & Associates, and Mr. Aaron Gruen, Gruen, Gruen & Associates
Names of Negotiating Parties: Imwalle, Stagner and others
Minutes of July 8, 2014, Governing Board Meeting

Under Negotiation: ( ) Price ( ) Terms of Payment ( X ) Both

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's Negotiator(s): Kim Garcia
Employee Organization: MSC

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:10 p.m.

Board Members Present:
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol
Mr. Larry Harris

Board Members Excused:
Ms. Mayra Cruz

1. PLEDGE OF ALLEGIANCE

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

2. ADOPTION OF AGENDA

M/S/C (Dhillon/Mann) to adopt the agenda as amended:

Move the following items to follow approval of the Measure G Bond Programs Consent Agenda:
I-1 Lease for Real Property Between Agencies – South Bay Regional Public Safety Training Consortium JPA
I-2 Agreement for Outreach Services – L. Lester & Associates
J-1 Summer Internships with XL Construction
J-2 Land Development Progress and Update
Change to Consent Agenda F-2 Faculty Personnel Actions - The name of new hire for Counselor at SJCC is not yet ready so this item will be removed from the agenda.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions taken in the Closed Session meeting.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

The Board heard a public comment from Mr. Jaimie George, Account Manager from Presidio Networked Solutions Inc. Mr. George came before the Board as a prospective vendor of the district and expressed his concerns about an RFP that was tendered in June, which is listed in item 16 under the Measure G Consent Agenda of the meeting. As a prospective vendor, he was confounded with the specific requirements of only a basic vendor certification for Cisco and WMWare while requiring higher certifications for HP and Juniper. He didn’t understand how the district could decide upon an integrator without first selecting a hardware manufacturer; and he also thought that the requirement for a vendor to be within 50 miles from 40 S. Market Street excludes many high-qualified integrators from participating in the bidding process. He also claimed that the selection committee was not due diligent in following the RFP process of interviewing the top respondents as it was abnormal for only two of the 20 plus recipients to submit a proposal. He requested that the Board of Trustees vote no on the RFP so that he could have the opportunity to invoke the Freedom of Information Act and explore the criteria under which this award was decided.

President Lease informed Mr. George that the Board would not respond to his comments at this time as this item is a part of the Measure G-2010 Bond Programs Consent Agenda.

5. APPROVAL OF THE JUNE 10, 2014, GOVERNING BOARD MEETING MINUTES

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

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

APPROVAL OF RESOLUTION 070814-5 TO EXCUSE TRUSTEE MAYRA CRUZ FROM ATTENDING THE GOVERNING BOARD MEETING

President Lease informed the Board and audience that Trustee Cruz was
scheduled to participate in the meeting via teleconference. However, Trustee Cruz informed him she would not be able to participate in the meeting due to illness.

M/S/C (Fuentes/Dhillon) to approve Resolution 070814-5 to excuse Trustee Mayra Cruz from participating in the July 8, 2014, Governing Board Meeting due to illness.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

F.  CONSENT AGENDA

1.  ADOPTION OF THE CONSENT AGENDA

Hearing no comments to pull any item, President Lease stated that the Consent Agenda was adopted as amended in Agenda Item E-2 by general consent of the Board.

2.  MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management Personnel Actions as amended.

3.  SUPERVISORY/CONFIDENTIAL PERSONNEL ACTIONS

The Board approved the Supervisory-Confidential Personnel Actions as submitted.

4.  FACULTY PERSONNEL ACTIONS – REGULAR

The Board approved the Faculty personnel actions as submitted.

5.  FACULTY PERSONNEL-ADJUNCT/EVC

The Board approved the faculty personnel actions as submitted.

6.  FACULTY PERSONNEL-SOUTH BAY REGIONAL PUBLIC SAFETY TRAINING CONSORTIUM/EVC

The Board approved the SBRPSTC/EVC personnel actions as submitted.

7.  FACULTY PERSONNEL-ADJUNCT/SJCC

The Board approved the faculty personnel actions as submitted.

8.  CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified Personnel Actions as submitted.
9. **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.

10. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**
    
The Board ratified the contracts and purchase orders for the period of May 10, 2014 through June 9, 2014, as noted in the documents attached to the agenda.

11. **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.

12. **AMENDED SUBGRANT AGREEMENT WITH FOUNDATION FOR CALIFORNIA COMMUNITY COLLEGES**
    
The Board approved the extension of the Subgrant Agreement with the Foundation for California Community Colleges for the Transition Aged Foster Youth (TAFY) grant, Agreement No. MH-052-13, Amendment #1.

13. **ACCEPTANCE OF GRANT FUNDS – TRIO PROGRAM – STUDENT SUPPORT SERVICES**
    
The Board accepted grant funds in the amount of $273,202 from the U.S. Department of Education, Title IV, Higher Education Opportunity Act.

14. **APPROVAL OF WEST ED INDEPENDENT CONTRACT FOR AB86 PLANNING GRANT**
    
The Board approved an independent contract for $75,350 for WestED. The contractor will provide services for South Bay Consortium for Adult Education (SBCAE), for which SJECCD is fiscal agent.

15. **APPROVAL OF THE WILFRED JARVIS INSTITUTE INDEPENDENT CONTRACT FOR AB86 PLANNING GRANT**
    
The Board approved an independent contract for $246,650 for The Wilfred Jarvis Institute. The contractor will provide services for South Bay Consortium for Adult Education (SBCAE), for which SJECCD is fiscal agent.

16. **AMENDMENT #3 TO THE LAND DEVELOPMENT CONSULTING AGREEMENT WITH A. PLESCIA & CO.**
    
The Board approved Amendment #3 to the agreement with A. Plescia & Co., an independent contractor providing consulting services related to land development, increasing the amount by $17,000 for a total of $130,000.
17. **2014-2015 SJCC ASSOCIATED STUDENTS BUDGET**

The Board approved the 2014-2015 budget for San José City College’s Associated Students.

18. **SJCC ASSOCIATED STUDENTS BANKING**

The Board approved the Associated Students of San José City College’s switch of banking provider from Bank of the West to Chase Bank.

G. **MEASURE G BOND PROGRAMS CONSENT AGENDA**

1. **ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA**

Trustee Fuentes pulled Item # G-16 for discussion and separate vote.

Hearing no comments to pull any other items, President Lease stated that the Consent agenda, with the exception of Item #G-16, was adopted by general consent of the Board.

2. **MEASURE G-2010 BOND PROGRAM: SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT – NEW DISTRICT OFFICE RENOVATION #G2010.0060, PROJECT #39301 XL CONSTRUCTION CHANGE ORDER NO. 002**

The Board approved Change Order No. 002 in the amount of $123,395 for the SJECCD New District Office.

3. **MEASURE G-2010 BOND PROGRAM: SAN JOSÉ CITY COLLEGE SITE FENCING, PROJECT NO. 31116 – CRUSADER FENCE COMPANY, INC., CHANGE ORDER NO. 003**

The Board approved Change Order No. 003 for Crusader Fence, in the amount of $21,398 for the San José City College Site Fencing project.

4. **MEASURE G-2010 BOND PROGRAM: SAN JOSÉ CITY COLLEGE – CAMPUS IMPROVEMENT PHASE 1, BAY AREA TREE SPECIALISTS CONTRACT AWARD NO. 31116**

The Board approved issuance of a construction contract to Bay Area Tree Specialist for the Campus Site Improvement – Phase 1.

5. **MEASURE G-2010 BOND PROGRAM: PROJECT NO. 31107-2: SJCC – CAREER TECHNICAL EDUCATION, BUILDINGS 100 & 200, KITCHELL CEM INC. CHANGE ORDER NO. 001**

The Board approved Chance Order No. 001 for Kitchell CEM Inc. Construction Services Inc. in the amount of $55,543.00 for the San José City College Career Technical Education Buildings 100 & 200 Project.
6. **MEASURE G-2010 BOND PROGRAM: HMC ARCHITECTS PAA NO. 1 EVC SOUTH CAMPUS PRE-CONSTRUCTION AGREEMENT REVISION NO. 001**

The Board approved issuance of a Preconstruction Agreement Revision No. 001 to HMC Architects in the amount of $12,200.00 for additional design services of the mechanical systems at the Staff Offices located within the South Campus Development Project at Evergreen Valley College.

7. **MEASURE G-2010 BOND PROGRAM: HMC ARCHITECTS SJECCD STANDARDS LED STUDY ICA REVISION 002**

The Board approved no-cost Revision No. 002 to HMC Architects to add the task to perform a South Campus LED Life Cycle Cost Analysis (LCCA) within the scope of their Design Standards agreement and extend the contract duration through August 29, 2014.

8. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE PARKING LOTS & STREET MAINTENANCE PROJECT – GALEB PAVING, INC. FINAL CHANGE ORDER NO. 002**

The Board approved Final Change Order No. 002 for Galeb Paving, Inc. in the amount of $11,967.00 for the Parking Lots & Street Maintenance Project at Evergreen Valley College.

9. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE CENTRAL PLANT AND POLICE STATION RENOVATION PROJECT – SWENSON & ASSOCIATES CHANGE ORDER NO. 011**

The Board approved Change Order No. 011 for Swenson & Associates in the amount of $22,491 of the Central Plant and Police Station Renovation Project at Evergreen Valley College.

10. **MEASURE G-2010 BOND PROGRAM: EVC SOUTH CAMPUS PRE-CONSTRUCTION CHANGE ORDER NO. 002; BLACH CONSTRUCTION INC.**

The Board approved pre-construction Change Order No. 002 to Blach Construction, Inc. in the amount of $208,459 for the release of structural steel detailing and to extend pre-construction phase services to November 3, 2014 for the South Campus Development Project at Evergreen Valley College.

11. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE & SAN JOSE CITY COLLEGE LED PARKING LOT LIGHTING FIXTURE REPLACEMENT PROJECT CONTRACT, INTERMOUNTAIN ELECTRIC CO. CHANGE ORDER NO. 001**

The Board approved Change Order No. 001 in the amount of $3,597.00 to Intermountain Electric Company and extended the substantial completion date to July 15, 2014 for the Evergreen Valley College and San José City College LED Parking Lot Lighting Fixture Replacement Project.

The Board approved issuance of a construction contract to H.Y. Floor and Gameline Painting, Inc. in the lump sum of $35,356.00 for the Gym Floor Refinishing Project at Evergreen Valley College.

13. **MEASURE G-2010 BOND PROGRAM: CONTRACT AMENDMENT NO. 01 TO MARCY WONG DONN LOGAN ARCHITECTS INC. FOR ADDITIONAL DESIGN SERVICES, SAN JOSE CITY COLLEGE RENOVATIONS BUILDINGS 100 AND 200, PROJECT NO. 31107-2**

The Board approved Contract Amendment No. 01 with Marcy Wong Donn Logan Architects Inc., increasing the cost of design and construction phase services on the SJCC Career Technical Education Buildings 100 & 200 Project in the amount of $21,228.00.

14. **MEASURE G-2010 BOND PROGRAM: BID # G2010.0100 SAN JOSE CITY COLLEGE PURCHASE OF MACHINE SHOP EQUIPMENT**

The Board approved the purchase of instructional machine shop equipment from CNC Solutions ($456,440.00) and from Precision Tool ($70,715.00) for a total of $527,155.00 to be installed in the San José City College Career Technical Education Building 100.

15. **MEASURE G-2010 BOND PROGRAM: BID # G2010.0101 SAN JOSE CITY COLLEGE PURCHASE OF HVAC LAB EQUIPMENT**

The Board approved the purchase of instructional HVAC Lab equipment from Environmental Systems Inc. ($159,929.00), Cold Craft Inc. ($35,335.00) and Klien Educational Systems ($55,938.00) for a total of $251,202.00 to be installed in the San José City College Career Technical Education HVAC Lab.

16. **SJECCD IT BROKER INTEGRATOR INFRASTRUCTURE SERVICES PARTNER**

The item was moved to the Action Agenda and Item I-14.

I 1. **LEASE OF REAL PROPERTY BETWEEN AGENCIES – SOUTH BAY REGIONAL PUBLIC SAFETY TRAINING CONSORTIUM JPA**

Vice Chancellor Smith reported on the lease term for three years beginning July 1, 2013, and terminating on June 30, 2016. The growth of the JPA allowed the district to enter into a lease agreement which now fully funds all district overhead costs. This adjustment was under discussion for some time and allows the district to better align this agreement with accepted industry standards. After a 20-year relationship, they have an interest in moving into a new facility being planned in the Gilroy district, and we have an interest in clearing the land for future development. The plan is for the JPA to vacate the current location and relocate at the end of the lease agreement.

M/S/C (Dhillon/Fuentes) to approve the lease of real property between San José-
Minutes of July 8, 2014, Governing Board Meeting

Evergreen Community College District and South Bay Regional Public Safety Training Consortium JPA.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

I 2. AGREEMENT FOR OUTREACH SERVICES – L. LUSTER & ASSOCIATES

Chancellor Cepeda announced that she was happy to have a presentation brought to the Board concerning an issue that was very important to them. The Board had requested that the district do a better job in its outreach efforts to small businesses and women and minority owned businesses. She thanked Director Sam Ho for taking the lead on this project and stated she was pleased with the recommendation submitted by the selection committee. Mr. Ho provided background information about the selection process used in choosing L. Luster & Associates for provided outreach services for the district. He reported that the evaluation committee voting members included community leaders who were representative of our district community. The committee included Reverend Jason Reynolds, Emmanuel Baptist Church in San José; Mr. Bob Martinez, Manager, IBM Outreach Program and Board President of the Center for Employment Training; Ms. Rose Amador, President and CEO of Center for Training and Careers; Mr. Raj Jayadev, Director, Silicon Valley De-Bug; Ms. Sandra Dailey, Owner of Sandy’s Cup and Black Leadership Kitchen Cabinet Co-Chair as well as Ms. Cindy Giesing SJECCD Purchasing Agent and Mr. Steve Thompson, Director of Facilities and Bond Management. The committee also included himself, Vice Chancellor Smith, and Sunnie Singh, Outreach Coordinator/Senior Engineer, Gilbane Building Company who served as non-voting members. Mr. Ho also thanked the other members of the work group that met with him to compile the RFP: District members Doug Smith, Peter Fitzsimmons, Anthony Oum, Cynthia Giesing, Peggy Graham and Carlos Marques and Casey Michaelis, Mark Miller and Scott Jewell from the Gilbane Building Company. Mr. Ho thanked Chancellor Cepeda for her leadership and vision. The goal of entering into this consultant agreement is to increase the participation of small, women, and minority owned businesses by 15%.

Mr. Ho introduced Dr. Laura Luster, Principal, L. Luster & Associates; and she introduced the members of her team that would work with the district in trying to diversify the district's vendors. She stated her team is representative of the rich diversity of the San José and Santa Clara County community and is passionate about small and diverse business engagement and development. The team will use a client focus with collaboration of the district members, project and construction management team, contractors, subcontractors organized labor and other stakeholders. The team will reach out to small, African American, Asian American, Native American, women, disabled veteran owned business communities and also assist businesses in preparing for District opportunities. The team already has a plan in place to achieve all the goals set forth in the presentation.

Trustee Dhillon expressed his appreciation for the Chancellor taking this stand. Trustee Fuentes welcomed Dr. Luster to the district team. Trustee Nasol stated the
importance reaching out to diverse contractors as the district continues its extensive work on the bond programs.

M/S/C (Mann/Nasol) to approve the agreement with L. Luster & Associates for outreach services in the amount not to exceed $311,845.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

J. 1. SUMMER INTERNSHIPS WITH XL CONSTRUCTION

On her recent tour to the 40 South Market Building, Chancellor Cepeda stated how happy she was to see two SJCC students actually building the new home in which the District Office will live. Mr. Percy Landa and Ms. Rose Regalado are two of our students from the SJCC Construction Technology Program. Mr. David Moseley, Project Manager, XL Construction, stated that part of the consultant agreement required the hiring of a certain number of students from the SJCC Construction Technology Program. Several students were interviewed through the hiring process utilized by XL Construction, and Rose and Percy were chosen. He stated it has been a pleasure working with them, and they have been engaged in every step of the process through the summer internship program. Mr. Landa stated the work he has been doing in reviewing the programs has been very rewarding and are being used on the project. Ms. Regalado stated that she actually feels like a project engineer. They both attended project engineering meetings and participated in quality control, drawing management, pricing review, procurement, RFI’s. They also had exposure to software programs, such as Bluebeam drawing editor, Revit and NavisWorks for BIM and 3D coordination, Procore document management system and Microsoft Project scheduling. It’s been an amazing experience.

Trustee Ho stated the importance of real world experience as an component of the school experience. Trustee Nasol expressed his appreciation for the experience being provided to our construction students. This was the basis for our project labor agreement. The work being done on the campuses provides an excellent learning environment for our students.

J. 2. LAND DEVELOPMENT PROGRESS AND UPDATE

Vice Chancellor Smith provided an update on the land development status of the 27 acres adjacent to the EVC campus. This land has been under consideration for development for the last 15 years. Two years ago, the district commissioned a study as to the marketability for development. Mr. Andy Plescia reviewed the tasks completed to date, which include: market research and financial analysis, consensus reached on guiding principles, meetings held with total Board and Board Land Development Committee, and pre-proposal meetings were held with potential respondents. As a result of this process, four proposals were received and evaluated by the District team. A Closed Session meeting with the full Board of Trustees was held to present the results of the evaluation and to obtain policy direction. Further discussions were held with preferred respondents to improve
upon the essential terms and elements of the development program of a non-binding letter of intent. Mr. Jim Eller reviewed the next steps in the process, which include: a non-binding letter of intent to complete negotiations of acceptable business terms for ground lease and development of the property, submittal of bids per California Government and Education Code provisions related to disposition of surplus property, and negotiation of ground lease with successful bidders(s) after District acceptance of bids. Vice Chancellor Smith also reviewed the Board's guiding principles for the development of the property.

Trustee Dhillon expressed concern that the study was conducted over two years ago, and the property and its value has changed drastically over that time. In particular, the housing market has increased. Mr. Eller answered that the bidding process does require the respondents to provide a fair market value for the property. Trustee Fuentes made a follow-up request that she receives very thorough information about the respondents to our proposal and the letter of intent. She also requested that this information be provided at the August 26 board meeting. Student Trustee Harris inquired how the district has established best use of this property. Mr. Eller answered that there were studies done about what would likely generate the most revenue, what the market was requiring, and what would be best to place at the location.

H. ORAL COMMUNICATIONS

a. Board of Trustees

Student Trustee Harris thanked the board for approving the ASG budget for FY2014-15. He reported that this past year, the ASG budget supported students' travel to conferences, such as SACNAS going to a regional conference, funded the transfer center's annual tour of students as they visited four-year colleges in the area and also approved financial resources for a homeless student food and hygiene voucher program. The funding is providing much-needed support for student initiatives. President Lease thanked Student Trustee Harris for the update as this has been the first time the Board has heard a report of where that money is allocated.

Trustee Ho encouraged the audience to attend the third annual Bridge to the Future SJECCD Foundation event, which will be held on Thursday, August 21. The event is very important in fundraising for scholarships and support services for our students.

President Lease stated what an honor it was to have his father, Dr. Gus Lease, in the audience. Dr. Gus Lease is now entering his 65th year as a music instructor at San José State University and his 70th year in higher education. President Lease also encouraged members of the audience to attend the Foundation's Bridge to the Future fundraising event on August 21. He also congratulated Mr. Danny Hawkins for being reappointed to the Board of Governors as a CSEA representative.
b. Chancellor

Chancellor Cepeda stated that this meeting really marks the start of the next academic year for several reasons, including year-round instruction, such as summer sessions and preparation for the next year regarding budget, staffing, facilities and integrated planning. While most people think of summer as a quiet period, we as staff think of summer as a preparatory launching pad for the next year. It is, in fact, one of the most productive and creative periods of work. Chancellor Cepeda announced that since the next board meeting will be held in late August, she may need to exercise the delegation of authority established for her as Chancellor under BP 2430 and the Ends Policies and Governance Principles adopted by the Board on May 13, 2014. Chancellor Cepeda discussed the large amount of hiring work done by faculty and staff that is reflected in the agenda. She also introduced the district's long awaited hire for Chief Information Service Officer; Dr. Ben Seaberry. Ben holds a doctorate in education issued jointly by UC Davis and Sonoma State. He holds an M.A. degree in Education with Instructional Technology Option from California State University, Los Angeles and a B.S. degree in Mathematics from the University of Oregon. Dr. Seaberry has taught computer and education courses at John F. Kennedy University of California State University, Los Angeles. He has also served as the lead Information Technology Administrator at two California community colleges over the past 14 years. For the past three years he has served as the Director of Institutional Technology and Chief Information Officer for Southwestern Community College District in Chula Vista. We are very fortunate to have the mix of talent and expertise represented by Ben Seaberry.

Chancellor Cepeda also announced that we recently received disappointing news from the ACCJC, placing us on “probation” for lack of compliance with Standard III.A.1c. She has been conferring with the presidents since we have received the news to clear a path for our response, timelines and next steps. The presidents will provide additional comments as part of their reports.

c. Presidents

EVC President Yong announced that the colleges received a letter on July 3, 2014, from the ACCJC and that Evergreen Valley College and San José City College were put on probation status. In 2010, Recommendation 2 stated that: The team recognizes that progress has occurred with identification of course level student learning outcomes; however, the team recommends that efforts be accelerated to complete SLO identification and expand recurrent cycles of authentic assessment and improvement for all instructional and student service programs, with campus-wide dialogue on results, in order to reach proficiency level by 2012. Furthermore, faculty and others directly responsible for student progress towards achieving student learning outcomes should have, as a component of their evaluation, effectiveness in producing those learning outcomes. (Standards I.B.1, I.B.3, I.B.4, I.B.7, II.A.1.c, II.A.2.a, II.A.2.b, II.A.2.f, II.B, LL.B.4, and III.A.1.c.) The EVC Accreditation Team Report 2010 indicated that the faculty evaluation process does not have a component referring to effectiveness in producing student learning outcomes. For faculty evaluations, student learning outcomes are
“indirectly” considered via conformance to the course outline of record. The team found that the college does not meet this standard (Standard III.A.1.c). This recommendation calls for an SLO component in the evaluation of faculty and academic administrators who have direct responsibility for students. The Commission felt that both colleges have not fully met section III.A.1c and decided to put both EVC and SJCC on probation.

SJCC President Breland stated that while we have the accreditation matter to resolve, it is important to note that it is only a single section in which we are non-compliant as a district since it applies to both colleges. We have outlined a communication strategy to ensure our district community that while we are on probation, both colleges are still fully accredited. It’s also important to note that we have also received commendations for several of our standards. We also have outstanding instructors and programs. Vice Presidents Graham and Aytch, our accreditation liaison officers, will put together the team and processes in place for us to meet the accreditation requirement.

After the accreditation update, President Yong also reported on the Summer Bridge program and other events at EVC. President Breland reported on the hiring taking place at SJCC; five new faculty positions and four new counseling positions and also introduced new employees who were present at the meeting.

d. Constituency Group Representatives

Ms. Jan Tomisaka, CSEA President, thanked Chancellor Cepeda for her district-wide message on our colleges’ accreditation status. The CSEA is looking forward to further updates on what is happening with accreditation.

Mr. Frank Espinoza, AFT 6157 Member, congratulated Dr. Gus Lease for celebrating 65 years as a music instructor at San José State University. He has done some amazing work on behalf of students, and it’s great to see the well-deserved recognition he is receiving.

Mr. Jesus Covarubbias, SJCC Academic Senate President, thanked everyone for the warm welcome he has received as the new SJCC Academic Senate President. The SJCC academic senate has many strong leaders who will be working hard for SJCC, especially in addressing the accreditation concerns. We have faculty members experienced in best practices, and we also have great teachers on the campus.

Ms. Lauren McKee, President, MSCC, stated she was honored that Dr. Gus Lease was one of her instructors at SJSU and also sang at her graduation ceremony. Ms. McKee applauded the work done by President Breland in the hiring of new management positions. She reported that the MSCC executive committee will have new leadership in place in August.

| ACTION AGENDA |
| 1. LEASE OF REAL PROPERTY BETWEEN AGENCIES – SOUTH BAY REGIONAL |

xiii
PUBLIC SAFETY TRAINING CONSORTIUM JPA

This item was moved to follow the approval of the Measure G-2010 Consent Agenda.

2. AGREEMENT FOR OUTREACH SERVICES – L. LUSTER & ASSOCIATES

This item was moved to follow the approval of the Measure G-2010 Consent Agenda.

3. ESTABLISHMENT OF THE AD-HOC COMMITTEE ON BOARD SELF EVALUATION

Chancellor Cepeda provided an overview of the establishment and work accomplished by the Board Self Evaluation Committee, currently comprised of Trustees Lease, Cruz and Ho. All Trustees have now taken the GISS student success survey, which the Board had agreed to use as a tool for this year’s self-evaluation. However, there is still work to do in integrating the Boards End Policies and Governance Principles with the self-evaluation process. She recommended the Board re-establish this ad-hoc committee. All Trustees currently on the committee have agreed to continue this work if that is the pleasure of the whole Board.

M/S/C (Nasol/Dhillon) to establish an Ad-Hoc Committee on Board Self Evaluation, comprised of Trustees Cruz, Ho and Lease.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

4. RESOLUTION NO. 070814-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS

M/S/C (Mann/Fuentes) to approve 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.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

5. RESOLUTION NO. 070814-2 RESTORATION OF EXTENDED OPPORTUNITY PROGRAMS AND SERVICES (EOPS) BUDGETS FOR EVC AND SJCC

M/S/C (Ho/Fuentes) to approve Resolution No. 070814-2 to restore the Extended Opportunity Programs and Services (EOPS) budgets for Evergreen Valley College and San José City College.

Board vote was as follows:
Minutes of July 8, 2014, Governing Board Meeting

Trustees Cruz, Dhillon, Lease, Ho, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

6. **2014-2015 CHILD DEVELOPMENT STATE CONTRACTS – GENERAL CHILD CARE & DEVELOPMENT AND RESOLUTION NUMBERS 070814-3 AND 070814-4**

M/S/C (Mann/Ho) to approve the contract agreements (CCTR-4248 & CSPP-4540 between San José City College and the California Department of Education for fiscal year 2014-2015.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

7. **APPROVAL OF THE INDEPENDENT CONTRACTOR AGREEMENT FOR ST. ELIZABETH’S DAY HOME AND ST. ELIZABETH’S AGREEMENT WITH SJCC**

M/S/C (Mann/Dhillon) to approve the Independent Contractor Agreement with St. Elizabeth’s Day Home and the Agreement for Child Care Services between St. Elizabeth’s Day Home and San José City College for fiscal year 2014-2015 in the amount of $280,872.00.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann, and Nasol voted yes.
Trustee Fuentes abstained as she is a board member of St. Elizabeth's Day Home.

Advisory vote was as follows:
Student Trustee Harris voted yes.

8. **AMENDMENT TO THE 2013-2014 CHILD DEVELOPMENT CONTRACT CSPP-3549**

M/S/C (Fuentes/Ho) to approve the amended contract (CSPP-3549) with the California Department of Education Child Development Services for fiscal year 2013-2014.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

9. **AMENDMENT TO THE 2013-2014 INDEPENDENT CONTRACTOR AGREEMENT WITH ST. ELIZABETH DAY HOME AND AMENDED ST. ELIZABETH AGREEMENT**
M/S/C (Mann/Dhillon) to approve the Amendment to the Independent Contractor Agreement and the St. Elizabeth Day Home Agreement for the 2013-2014 fiscal year. The amended contracts will increase the contract amounts from $278,570.88 to $280,872, a net increase of $2,301.12.

Board vote was as follows:
Trustees Dhillon, Lease, Ho, Mann and Nasol voted yes.
Trustee Fuentes abstained as she is a board member of St. Elizabeth Day Home.

Advisory vote was as follows:
Student Trustee Harris voted yes.

10 MEASURE G. 2004 BOND PROGRAM: BOND LIST REVISION

M/S/C (Mann/Ho) to approve the revisions to the Measure G-2004 bond list.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

11 MEASURE G-2010 BOND PROGRAM: BOND LIST REVISION #9

M/S/C (Mann/Dhillon) to approve the revisions to the Measure G-2010 bond list.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

12 MEASURE G-2010 BOND PROGRAM: BOND LIST REVISION #10

M/S/C (Dhillon/Mann) to approve the revisions to the Measure G-2010 bond list, as presented.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

13 CDW-G TECHNOLOGY SOLUTIONS CONTRACT #111309-CDW

M/S/C (Mann/Ho) to award a contract in the amount of $122,569 to CDW for a one-year maintenance contract on our end-of-life production ERP platform consisting of 11 HP Servers and an EMC storage solution.
14 **SJECCD IT BROKER INTEGRATOR INFRASTRUCTURE SERVICES PARTNER**

Trustee Fuentes stated she pulled this item from the Measure G Bond Programs Consent Agenda because she felt it was important for the Board to ask questions about some of the public comments made about this agenda item. As a member of the Board, when she receives this kind of information, she would like the staff to do a follow up on the questions before she would feel ready to approve this item. Vice Chancellor Smith agreed that it would be in the best interest of the district to delay the approval of this full contract so that the concerns could be addressed. However, there is a great need to keep some projects moving or it will be extremely costly to the district. He recommended the Board approve the amended agreement for the New District Office Project at 40 South Market Street, the Police Building at EVC and the 100 and 200 buildings at SJCC. We can easily amend the agreement to allow those four buildings to move forward.

Trustee Ho inquired if this agreement went through the proper RFQ process. Vice Chancellor Smith answered that it did go out for bid through the very strict protocol utilized by the district. Trustee Nasol stated that he trusted the RFQ process as the district has in place a very strict one.

M/S/C (Mann/Fuentes) to grant permission for staff to negotiate contract agreements with Dasher Technologies to provide a means to procure IT Broker Integrator Infrastructure Services for the following projects: the District for the New District Office Building at 40 South Market Street, Police Department at EVC and Buildings 100 and 200 at SJCC.

Board vote was as follows:
Trustees Dhillon, Fuentes, Lease, Ho, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.

J. INFORMATION AGENDA

1. **SUMMER INTERNSHIP WITH XL CONSTRUCTION**

This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

2. **LAND DEVELOPMENT PROGRESS AND UPDATE**

This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

3. **CAMPUS STORES**

SJECCD Fiscal Services Director Peter Fitzsimmons reported on the status of the campus bookstores. He stated that the campus stores have struggled to meet market demands and to provide exceptional service delivery to our students and faculty. As a result, in the last fiscal year, the bookstores had a loss of over $300K.
The district hired the Campus Bookstore Consulting Corporation to conduct an assessment of bookstore operations. The executive summary they provided indicated the campus stores did not have the capacity to fully implement the six initiatives they recommended, such as, improving the availability of course materials and ensuring adequate stock of general merchandise. Therefore, the district went to bid for a vendor that could meet the market demands and ensure excellent service delivery. The district received two proposals; one from Barnes & Noble College and one from Follett Higher Education Group. After a district evaluation committee reviewed the proposals, they recommended entering into an agreement with Follett Higher Education Group to operate the two campus stores.

Chancellor Cepeda reported that throughout this process, the needs of the campus stores’ staff was of utmost importance. CSEA advocated very strongly for their members to continue as members of the district. She was happy to report that staff impacted by this agreement has already been moved to other open positions in the district. She stated this this agreement will be presented to the Board for approval at the August 26 board meeting.

4. **MEASURE G-2010 PROGRAM: MEASURE G-2010 SUMMARY REPORT FOR JUNE 27, 2014**

Vice Chancellor Smith stated this report is being provided for information, and there are no cautions or other findings to report.

5. **PRESENTATION OF THE SAN JOSÉ-EVERGREEN FEDERATION OF TEACHERS AFT 6157 CONTRACT PROPOSAL WITH SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2014-2015**

Vice Chancellor Garcia reported that this agenda item outlines the FTA 6157 proposals for the district, which is the entire contract. This will be presented to the board for approval at the next meeting.


Vice Chancellor Garcia reported that this agenda item outlines the District's proposals for negotiations with AFT 6157. This will also be brought to the district for approval at the next meeting.

K. **CONTINUATION OF CLOSED SESSION**

No.

L. **RECONVENE OPEN SESSION**

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

None.
M.  ADJOURNMENT

M/S/C (Fuentes/Ho) to adjourn the meeting at 8:21 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
August 26, 2014

A. CALL MEETING TO ORDER

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, August 26, 2014, at 4:30 p.m. at the District Office 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. Craig Mann
Mr. Rudy Nasol

Board Members Excused:
Ms. Wendy Ho

B. APPROVAL OF CLOSED SESSION AGENDA

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

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Mann and Nasol voted yes.

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: 27 acres of surplus land adjoining San Felipe Road and Yerba Buena
District Negotiator(s): SJECCD Vice Chancellor Doug Smith; Mr. Jim Eller, Eller & Associates; Mr. Aaron Gruen, Gruen, Gruen & Associates; Andy Plescia, Plescia & Co.
Names of Negotiating Parties: Republic Urban Properties LLC
Under Negotiation: Instruction to negotiators concerning price and terms of payment in non-binding letter of intent regarding a ground lease of surplus property

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: AFT 6157

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

E. RECONVENE INTO OPEN SESSION

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

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Craig Mann
Mr. Rudy Nasol
Mr. Larry Harris

Board Members Excused:
Ms. Wendy Ho

1. PLEDGE OF ALLEGIANCE

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

President Lease reported that we recently lost two important members of the district community; Drs. John Marlow and Friedel Volz. Dr. John Emerick Marlow was a former Trustee of SJECCD for 13 years and a strong believer in the value of education. He was also a close friend to the Lease family. Dr. Friedel Volz, an immigrant from Bern Switzerland, taught for many years at San José City College. She was a physical therapist and very active in sports as both a ski and swim instructor. Both individuals made significant contributions to the well-being of many students, and they will be greatly missed. President Lease requested that this board meeting be held in their honor.
2. **OATH OF OFFICE**

President Lease administered the Oath of Office to newly elected EVC Student Trustee Kenny Tram and welcomed him to the Board.

3. **ADOPTION OF AGENDA**

M/S/C (Mann/Cruz) to adopt the agenda as amended:

Consent Agenda Item F-2 – Management Personnel Actions Change of Status – Out of Class Assignment – Months Per Year was corrected as 10 months, instead of 9 months.

Consent Agenda Item F-6 Supervisory-Confidential Personnel Actions – Change of Status – Promotion – This item was removed from the agenda.

Measure G Bond Programs Consent Agenda – Item G-9 – Changes were made to the item as follows:

   The following sentence was removed from the first paragraph: These upgrades included the construction of new ADA compliant restroom facilities, new power, telecommunications, heating and cooling, repairs to the roof system and modernization of the classrooms.

   The following sentence was added to the second paragraph: This Change Order No. 002 adds a new electrical panel and other miscellaneous electrical work, insulation and fire barrier in classroom ceiling spaces and other necessary repairs to these buildings.

Board vote was as follows:

Trustees Cruz, Dhillon, Fuentes, Lease, Mann, and Nasol voted yes.

Advisory vote was as follows:

Student Trustees Harris and Tram voted yes.

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

There were no reportable actions taken in the Closed Session meeting.

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

The Board heard a public comment Mr. William Fatilua as follows:

My wife and I are members of the Evergreen community. My son William Isaiah Fatilua attended Evergreen Valley College. William enjoyed everything that EVC had to offer him especially the tutoring. William was a happy person, he never looked stressed. He was always willing to help others before himself. If you met William for the first time I can guarantee you that you will remember him if you saw him again.

When my wife and I heard about the passing of Robin Williams the actor/comedian
it brought us to tears. On Sept 17, 2013, we lost our beloved son William to suicide at the young age of 20. Robin Williams, like our son always had a smile on his face. William lived a very happy life at home and enjoyed being with family and friends. Our son showed no signs of depression or being unhappy.

My wife and I had to seek help for ourselves. We learned that our son was going through depression but hid it well so we would not detect it. We would like to raise awareness about suicide and the pain it causes the loved ones left behind. Maybe by offering mental health services to students and staff members could help save lives. Statistics show that 80% of people who seek treatment for depression are treated successfully. There are also twice as many deaths due to suicide than by HIV/Aids. Suicide is also the second leading cause of death amongst college students. These statistics show that more resources are needed to help those who are having a rough time dealing with life's challenges.

My family and I would like to thank President Yong for his kindness and compassion he has shown us and in sharing our pain and grief. President Yong had offered to plant a tree in memory of our son William. On June 27, 2014 William's 21st birthday day, President Yong planned a simple ceremony and in attendance, were family and William's friends. This day was a very sad day for my wife and me, but after the memorial that President Yong had planned, our spirits were lifted. We were in good spirits and felt our son's presence that day. This is why it is very important for us to thank all of the EVC staff who attended the memorial President Yong along with his Vice President, Deans, Directors and the employees of EVC. Evergreen showed us how much they cared for our son, it meant so much to us and this we will never forget.

It is our hope that the greater awareness of mental health needs will prevent other suicides, and that there could be more resources directed to the aspects of student health services. Again I would like to convey our family sincere thanks to president Yong and Evergreen Valley College.

6. **APPROVAL OF THE JULY 8, 2014, GOVERNING BOARD MEETING MINUTES**

M/S/C (Mann/Nasol) to approve the above listed meeting minutes as amended. Student Trustee Harris requested his oral communications where it states that the ASG “provided financial support to a homeless student” be corrected to read that the ASG “also approved financial resources for a homeless student food and hygiene voucher program.”

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

**APPROVAL OF RESOLUTION 082614-4 TO EXCUSE TRUSTEE WENDY HO FROM ATTENDING THE GOVERNING BOARD MEETING**

President Lease stated that Trustee Ho informed the Chancellor that she would not be able to participate in the meeting due to illness.
M/S/C (Mann/Nasol) to approve Resolution 082614-4 to excuse Trustee Wendy Ho from participating in the August 26, 2014, Governing Board Meeting due to illness.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

Hearing no comments to pull any item, President Lease stated that the Consent Agenda was adopted as amended in Agenda Item E-2 by general consent of the Board.

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/EVC- SOUTH BAY REGIONAL PUBLIC SAFETY TRAINING CONSORTIUM

The Board approved the faculty personnel actions as submitted.

5. FACULTY PERSONNEL-ADJUNCT/EVC

The Board approved the faculty personnel actions as submitted.

6. SUPERVISORY-CONFIDENTIAL PERSONNEL ACTIONS

The Board approved the Supervisory-Confidential personnel actions as amended.

7. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified Personnel Actions as submitted.

8. 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.
9. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

   The Board ratified the contracts and purchase orders for the period of June 10, 2014 through July 9, 2014, as noted in the documents attached to the agenda.

10. **AMENDMENT 01 TO THE GRANT AGREEMENT – YOUTH EMPOWERMENT STRATEGIES FOR SUCCESS 2013-14**

   The Board accepted Amendment 01 to the Grant Agreement – Youth Empowerment Strategies for Success 2013-14, which was originally submitted to the Board on August 13, 2013.

11. **EXTENSION OF PIGGYBACK DELL MARKETING, LLP CONTRACT**

   The Board authorized the District to extend a ‘piggyback’ on a contract with Dell Marketing, LLC.

12. **APPROVAL OF AGREEMENT WITH THE STATE CHANCELLOR’S OFFICE FOR THE 2015 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 2015 Chancellor’s Office Tax Offset Program (COTOP).

13. **STATE SCHEDULE MAINTENANCE FUNDING: SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT – NEW DISTRICT OFFICE RENOVATION #G2010.0060, PROJECT #39301 XL CONSTRUCTION EXTERIOR DEFERRED MAINTENANCE WORK FOR THE NEW DISTRICT OFFICE BUILDING, INDEPENDENT CONTRACTOR AGREEMENT**

   The Board approved an Independent Contractor Agreement with XL Construction in the amount of $375,107 to furnish and install complete Exterior Deferred Maintenance Work for the new District Office building.

14. **FIRST AMENDMENT TO 2014 WIA OVERALL COHORT TRAINING POOL CONTRACT**

   The Board approved the First Amendment to 2014 WIA Overall Cohort Training Pool Contract.

15. **SOLE SOURCE PROCUREMENT OF IBM SPSS MODELER SOFTWARE**

   The Board approved IBM as a sole source provider for IBM SPSS Modeler software and related products and support services for use in data mining and analysis.

G. **MEASURE G BOND PROGRAMS CONSENT AGENDA**

   1. **ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA**
Trustee Fuentes requested agenda item G-3 be removed from the agenda for discussion and vote. President Lease stated that this item would be reviewed after the presentation on agenda item J-4. Hearing no comments to pull any other items, President Lease stated that the Consent agenda was adopted by general consent of the Board.


   The Board approved the agreement with McCarthy Building Companies, Inc./Steinberg Architects to be the Design/Build team of the new Joint-Use 21st Century Post-Secondary Education Center.

3. **MEASURE G-2010 BOND PROGRAM: SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT – NEW DISTRICT OFFICE RENOVATION #G2010.0060, PROJECT #39301 XL CONSTRUCTION CHANGE ORDER NO. 003**

   This item was removed from the agenda for discussion and separate vote.

4. **MEASURE G-2010 BOND PROGRAM: CHANGE ORDER NO. 004 FOR CRUSADER FENCE, IN THE AMOUNT OF $2,968.00 FOR THE SAN JOSE CITY COLLEGE SITE FENCING PROJECT**

   The Board approved Change Order No. 004 for Crusader Fence in the amount of $2,968.00 for the San Jose City College Site Fencing project.

5. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE CENTRAL PLANT AND POLICE STATION RENOVATION PROJECT – SWENSON & ASSOCIATES CHANGE ORDER NO. 012**

   The Board approved Change Order No. 012 for Swenson & Associates in the amount of $18,099 of the Central Plant and Police Station Renovation Project at Evergreen Valley College.

6. **MEASURE G-2010 BOND PROGRAM: CHANGE ORDER NO. 001 ELECTRONIC INNOVATIONS – SJCC PHYSICAL SECURITY PROJECT #31311**

   The Board approved Change Order No. 001 for Electronic Innovation, in the amount of negative $5,000.00 for the San Jose City College Physical Security project.

7. **MEASURE G-2010 BOND PROGRAM: BID # G2010.0101 SAN JOSE CITY COLLEGE PURCHASE OF HVAC LAB EQUIPMENT CHANGE ORDER NO. 001**

   The Board approved Change Order No. 001 for Cold Craft, Inc., in the amount of $5,665.00 for installation of equipment for the San Jose City College Career Technical Education Buildings 100 and 200 project.

8. **MEASURE G-2010 BOND PROGRAM: SJCC – UTILITY EXTENSION FOR NEW AND EXISTING BUILDINGS PHASE 2 #sjcc-04, PROJECT ASSIGNMENT**
AMENDMENT

The Board approved PAA SJCC-04 to Salas O’Brien Engineers in the amount of $169,500 for Designer/Engineer of Record Services for Project #31110 Utility Extension for New and Existing Buildings Phase 2.

9. MEASURE G-2010 BOND PROGRAM: SJCC – CAREER TECHNICAL EDUCATION PROJECT BUILDINGS 100 AND 200 #G2010.0023, PROJECT #311-7-2 KITCHELL CHANGE ORDER NO. 002

The Board approved Change Order No. 002 for Kitchell CEM Inc. in the amount of $117,332.61 for the San José City College Career Technical Education Buildings 100 and 200 project as amended in Agenda Item E-3.

10. MEASURE G-2010 BOND PROGRAM: EVC SOUTH CAMPUS DEVELOPMENT SITE LEASE AND FACILITIES LEASE AGREEMENTS TO LEASE-LEASEBACK

The Board executed the Site Lease and Facilities Lease Agreements for the construction of the South Campus Development Project, at Evergreen Valley College to Blach Construction, Inc. with a Guaranteed Maximum Price in the amount of $41,639,729.

11. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE PARKING LOTS & STREET MAINTENANCE PROJECT – GALEB PAVING, INC. CHANGE ORDER NO. 003

The Board approved Change Order No. 003 Galeb Paving, Inc. in the amount of $59,851.00 for the Parking Lots & Street Maintenance Project at Evergreen Valley College.

12. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE MDF RELOCATION PROJECT – DOUGHERTY & DOUGHERTY PROJECT ASSIGNMENT AMENDMENT NO. EVC-02

The Board approved the issuance of a Project Assignment Amendment (PAA) No. EVC-02 to Dougherty & Dougherty Architects, LLP in the not-to-exceed amount of $145,500, to provide architectural services for the Main Distribution Frame (MDF) relocation at Evergreen Valley College.

13. MEASURE G-2010 BOND PROGRAM: RFP # G2010.0099 SJECCD IT BROKER INTEGRATOR INFRASTRUCTURE SERVICES PARTNER MASTER AGREEMENT

The Board approved a Master Agreement with Dasher Technologies for Information Technology Systems and Infrastructure Design Services based on RFP #G2010.0099, SJECCD IT Broker Integrator Infrastructure Services.

14. MEASURE G-2010 BOND PROGRAM: PAA #DIST001 FOR NEW DISTRICT OFFICE NETWORK MIGRATION DISCOVERY AND DESIGN SERVICES

The Board approved Project Amendment Authorization # DIST001 with Dasher
Technology for providing Network Migration Discovery and Design Services for the new District Office at 40 S. Market St. based on the Master Agreement.

H. ORAL COMMUNICATIONS

a. Board of Trustees

Student Trustee Harris expressed concern about the logistical problem he has serving his constituents because the hard copy of the board agenda is not ready for pickup until Friday afternoon. Since the ASG meetings are held on Fridays from 2:00 to 4:00 p.m., he would like to have the board agenda on Thursdays instead of on Fridays so that he could adequately prepare and review the agenda at the ASG meetings. He requested that perhaps the hard copy could be ready on Wednesday or Thursday. Chancellor Cepeda responded that we have a process in place that was developed by testing various deadlines. This board meets twice a month, and the current schedule in place is the most effective for ensuring the items are correct and ready for posting to the agenda.

Trustee Nasol stated how honored he was to attend the Foundation event last Thursday. Listening to Rose Regalado’s story, it is clear the Foundation has really moved forward in its mission to provide opportunities for our students. He commended Vice Chancellor Coen and Foundation Chair Donald Young for their excellent leadership.

Trustee Dhillon congratulated the Foundation on an excellent event, which seems to be improving every year. It’s very uplifting to hear stories of the positive impact the Foundation is having on our students.

Trustee Fuentes stated that since there is really no place on the agenda where she could present this topic, she would like to request that at the next board meeting an agenda item be added where she could make a request of the Board of Trustees to seek legal advice from the Santa Clara County Counsel on legal issues related to the development of the 27 acres of surplus land. She requested this item be put on the open session agenda as a recommendation from her to the Board to consider seeking this particular legal advice. And she would have something specific related to the questions that she would like to ask of legal counsel.

President Lease welcomed everyone back for the summer. He reported that the Foundation event was fantastic. This is the third year in which it’s been held, and it keeps growing. It was a wonderful keynote speech, and it was special to see everyone getting together for a great cause.

b. Chancellor

Chancellor Cepeda reported that at the July 8 meeting, she predicted a very busy summer lending credence to the notion that the traditional semester calendar is a thing of the past replaced by “year round instruction” and along
with it “year round management of institutions of higher education.” Nevertheless, the summer period is still the time to prepare to look forward, it is a time of anticipation and a time dedicated to frame our work for the year to come. Planning becomes crucial as we set goals, benchmarks and measurements to make the best use not so much of our time, but that of our student's to help them reach their educational goals. Around this table is a fabulous team of professionals, all of whom have worked nonstop this summer to prepare not just for the year to come but for the next several years. We have completed six full days of training in beginning with our work as staff to ensure the systematic and measurable implementation of the Board's global ends policies, followed by several sessions dedicated to staff development needs to ensure performance, a review of Management Retention Strategies to stem the turnover rate, Educational Master Planning and Accreditation. Chancellor Cepeda expected to be able to bring a blueprint of this work we are prepared to undertake as staff at the September 9 Board Meeting.

Tomorrow, Chancellor Harris is scheduled to hold a media briefing at East Los Angeles College to discuss the systems intention to increase the number of students earning certificated, degrees or transferring to four-year institutions by nearly a quarter million over the next 10 incoming freshman classes. In other words, we will need to produce 227,000 more certificates, degree earners and transfer students. By the time the class of 2023-24 completes its studies, we need to increase from 48% to 62% the number of degree and transfer seekers and from 54% to 70% the completion rate for students in career and technical programs. Given this district’s solid and consistent “student success” focus, we stand ready to accept the challenge; and she expressed confidence that we will meet and exceed the systems goal by 2023. In fact, we have already increased the number of degrees awarded between 2010 and 2013 by 43%. Because of the Board’s directive on benchmarking, ongoing reporting and quantifiable outcomes, we will be able to stay focused on the prize.

Chancellor Cepeda invited members of the Board to attend the PDD activities at both colleges on August 28 and 29, and also reminded them of the SJCC President’s Investiture Ceremony on Thursday, August 28. She thanked Mr. Sam Ho and members of his committee who worked so hard to organize this event. Chancellor Cepeda thanked members of the board who were able to attend the Bridge to the Future Event on Thursday August 21. The Foundation met and exceeded their fundraising goal and came in under budget in terms of the event expenditures. After a debriefing session, staff is already planning next year’s event to determine what went well and the areas where we need to strengthen our efforts. What is great about this year is the ongoing follow up with attendees and alumni to continue to maximize on the fundraising momentum of the event. Congratulations to Lamar Thorpe and Vice Chancellor Coen and our deep gratitude to the SJECCD Foundation Board.

Chancellor Cepeda distributed a document entitled, Workforce Analysis and Hiring Decision Alignments with Restructure and Redesign: A Report to the Board of Trustees. She stated that over the last year and a half, the Board
had several presentations on the agenda regarding the status of our Redesign/Restructure efforts. Last April she had provided a comprehensive report and began to introduce proposed implementation phases. It is important to note that each time this item is presented before the Board and the college constituent groups, we learn something new; and this knowledge directly impacts the process through revisions and adjustments where needed (i.e. number of staff, classifications, time line etc.) After the April presentation, the Board requested a summary report of the hiring decisions made since the redesign process started, including a breakdown of hires by location and employee classification. Chancellor Cepeda reviewed the two tables attached to the document that illustrated the impact of workforce reductions per employee group for a 10 year period (2003 to 2013). The ten-year time frame was selected after consultation with constituent groups, and we also established 2012 as the benchmark year. By the year 2012, our employee headcount had been reduced from a peak of seven hundred and twenty-one (721) in 2006 to five hundred and forty-eight (548) which represented a 24% workforce reduction. Employee groups, however, were differentially impacted. As of October 2012, the District had reduced the Manager/supervisor/confidential staff by 31.2%, Classified staff by 32.2% and Full-time faculty by 9.5% from the 2006 staffing levels (Table A). This background is important because it coincides very closely with the hiring decisions the Board has undertaken as illustrated in Table B of the attachments. We have documented the hiring decisions between January 2013 and August 2014; and it is evident that of the total hires; 21.5% are in the Management Ranks, 10.2% Supervisory, 2.3% Confidential, and 44.6% Classified and 21.5% Faculty. The table also differentiates between hires to fill vacancies and those that can be directly related to redesign efforts. Chancellor Cepeda thanked Vice Chancellor Garcia and her staff for the analysis undertaken to prepare these documents as there is nothing better than data to continue to ensure informed decision making.

c. Presidents

EVC President Yong invited Trustees and members of the audience to join EVC for PDD activities on Thursday and Friday. He also provided an overview of the ACCJC, Standard III.1.a.c that both colleges need to meet in order to be removed from probation status. The issue is we need to revise our faculty evaluation instrument and also the evaluation form for instructional staff who directly work with students. So far, the language has been developed, which will be inserted to all evaluation forms in the four faculty categories: tenured faculty, tenure-track faculty, adjunct faculty and faculty funded by categorical funding. SLOs development, implementation, and assessment need to be specifically mentioned as part of the evaluation process. The language we have developed is as follows: At a minimum, the self-evaluation for faculty should include participation in the creation, assessment, evaluation, and improvement of student learning outcomes as appropriate to the faculty member’s position. Revised evaluation forms need to be implemented to be in time for the fall cycle of evaluations (3rd week of September). The list of faculty to be evaluated from HR shows there are 99 faculty to be evaluated at EVC and 96 at SJCC. Evaluation of full-time and part-time faculty will be carried out by Division Deans. The process will begin
this fall, and Deans will meet with faculty in their divisions at PDD division meetings. The Academic Senate has been informed of the emergency nature and will assist in informing faculty and facilitating the peer formation required for the evaluations. Evaluation forms for academic administrators have already been revised and completed, and will be implemented in the fall. The submission of the report to ACCJC is planned for early fall.

SJCC Vice President Elaine Burns reported on the first pilot SJCC Summer Bridge Program. The program began with 76 students and ended with 53. She reviewed the courses they took, the supplemental instruction and follow-up support that were provided to students. We also provided bus tickets to students who needed help to get to and from the college. It is interesting to note that when we looked course completion, those enrolled in basic skills were at 88%; but those enrolled in the Summer Bridge Program were at 94%. We consider this a successful outcome and hope to increase this program next year. This past weekend, SJCC hosted the SACNAS Leadership Meeting, and the keynote speaker was Mr. José Hernandez, engineer and NASA astronaut. She also reported on the SJCC advertisement page in the 49ers 2014 yearbook. Chancellor Cepeda stated that SACNAS is an acronym for Society for Advancement of Chicanos and Native Americans in Science. It is a powerful model that began in the Bay Area and is now nationwide.

d. Constituency Group Representatives

Mr. David Yancey, AFT 6157 President, stated that SACNAS was led by one of our own faculty, José Cabrera. He has been given national acclaim for his work with SACNAS and is a terrific individual, who is doing great work with our students.

Mr. Jesus Covarubbias, SJCC Academic Senate President, reported that the Academic Senate is working hard with administration in meeting the requirements of accreditation. This work will allow us to help our faculty develop as professionals. Helping our college become more strategic with enrollment management.

Narveson I’m now in my fourth year as president, also appointment to the Statewide Academic Senate. I’m the only teaching faculty represented on the committee, most are articulation officers and counselors. It’s about transferring more students with degrees to four-year colleges. My summer classes were full, student were great and very little dropout. The Senate will provide full support to work on the accreditation issue. We hope to get the process moving in early September, beginning with the first meeting on September 2.

Ms. Lauren McKee, President, MSCC, expressed her appreciation for the faculty and staff that have been hired in the district. This has been the largest numbers of hires in a long time and provides the district with much-need consistency. She thanked the district on the important work it has done on civility. She also reported that the MSCC Executive Committee is working with the presidents and vice chancellors on issues related to the alignment of positions and salaries.
ACTION AGENDA

1. RESOLUTION NO. 082614-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS

M/S/C (Mann/Cruz) to approve 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.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.


M/S/C (Mann/Cruz) to the Board of Trustees to adopt resolution 082614-2 for Amendment 2 California Department of Education contract CCTR-3287 and resolution 082614-3 for Amendment 2 California Department of Education contract CSPP-3549, for San Jose City College’s Child Development Program.

Board vote was as follows:
Trustees Cruz, Dhillon, Lease, Mann, and Nasol voted yes. Trustee Fuentes abstained as she is a member of the St. Elizabeth’s Home board.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. CAMPUS STORES MANAGEMENT CONTRACT

Trustee Fuentes inquired how district staff is being compensated under this contract. She stated she would support this proposal because she knows how much work has gone into it. However, she requested information that clarifies what the employees of the bookstore would be earning. The issue is that in this Valley there is a gap in equity between high-end employees and low-end employees, and this gap continues to grow. At one time, CSEA employees were working in these positions and received good salaries and benefits. She wanted assurances that we are being careful so that we do not become part of the problem. Vice Chancellor Smith answered that existing bookstore staff are being placed in existing positions we have open through the organization redesign process. These placements have been a result of collaborative discussions with CSEA and MSC leadership. Ms. Mary Follett, Follett Higher Education Group, stated that her company is in partnership with over 40 community colleges in the state of California. We are still a family company based in Chicago. However, the company maintains a practice of fair living wages and, although there is such great disparity in the Silicon Valley, the company compares itself to the Nordstrom’s and Niemann Marcus’s in the area and will take
care to be very sensitive regarding salary and compensation issues. Trustee Nasol stated that he was very glad this contract is finally coming to fruition and that displaced district employees have been taken care of. The bookstores have been deteriorating for a long time. He requested that a routine report be made to the Board that would indicate whether or not this contract is succeeding.

M/S/C (Mann/Dhillon) to award a five-year contract to Follett Higher Education Group for operation of the campus stores.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

4. REPURPOSE BOILER PLANT PHASE II: BOILER ROOM OFFICE ADDITION

M/S/C (Mann/Dhillon) to approve issuance of a construction contract to R.C. Benson & Sons, Inc. in the amount of $112,326 for the San Jose City College Repurpose Boiler Plant Phase II: Boiler Room Office Addition Project.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

J. INFORMATION AGENDA

1. PRESENTATION OF THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 CONTRACT REOPENER PROPOSAL WITH SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2014-2015

Vice Chancellor Garcia reported that items J-1 and J-2 are both related in that it concerns the CSEA contract reopeners for the district and the district’s reopeners with CSEA. This item is being presented for information at this time, and at the next meeting public hearings would be conducted and the items would be submitted to the Board for approval.

2. PRESENTATION OF THE SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT CONTRACT REOPENER PROPOSAL WITH THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 FOR 2014-2015

Vice Chancellor Garcia presented this item along with item J-1.

3. ANNUAL SURPLUS REVENUE REPORT

Vice Chancellor Smith commended Mr. Steve Hulse, Warehouse Coordinator, for the hard work he does every year in selling items that bring revenue for the district. For FY2013-2014 the district received $28,562.94.
4. **NEW DISTRICT OFFICE PROJECT UPDATE**

Vice Chancellor Smith stated this report is being provided for information, and there are no cautions or other findings to report.

G. 3. **MEASURE G-2010 BOND PROGRAM: SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT – NEW DISTRICT OFFICE RENOVATION #G2010.0060, PROJECT #39301 XL CONSTRUCTION CHANGE ORDER NO. 003**

Mr. Steve Thompson, Director, Facilities and Bond Program Management, provided an update on the New District Office Renovation project. He reported that the project is approximately 75% completed. Major recent accomplishments include the completion of the new roof and installation of new rooftop HVAC equipment. The first floor tenant, Univision, has been moved to its new location on the fifth floor, which will allow the construction of the new board room to be completed in October. However, due to the installation of the electronics and sound system of the new board room, it is anticipated the first board meeting in the new building will occur in January. The district plans to use almost 50% of the existing furniture, and this will allow savings of approximately $250,000. Two big issues concerning the moving of the District Office was related to safety and parking issues. The district is moving forward with the hiring of a safety officer who would be on site in the building’s reception area. In order to provide free parking for district office employees, Board of Trustees, campus leaders and constituency group leaders, we have made arrangements to provide monthly parking passes for the 60 S. Market Street garage. Visitors and other guests of the district would receive parking vouchers that would cover the time they are parked in that lot for district business. The current schedule for moving the District Office is during the year-end holiday break. Mr. Thompson showed a slide presentation of each floor and how it would look fully furnished. He also reviewed the budget and stated that so far it looks as though the project will come under budget. The Board has already approved three change orders at a 6.2% rate, which is very good for a construction renovation project.

Trustee Fuentes inquired about the use of the contingency funds, which were received from the State Chancellor’s Office. Mr. Thompson stated that the funds we received last year were used on the exterior envelope of the building to ensure it is water tight. Trustee Dhillon requested that the new District Office building have more recycle bins available.

M/S/C (Mann/Nasol) to approve Change Order No. 003 to XL Construction in the amount of $73,562 for the SJECCD New District Office.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Mann, and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.
K. CONTINUATION OF CLOSED SESSION

No.

L. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

M. ADJOURNMENT

Trustee Nasol requested that the meeting be adjourned in memory of Drs. John Marlow and Friedel Votz.

M/S/C (Nasol/Mann) to adjourn the meeting at 7:58 p.m.

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

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, September 9, 2014, at 4:30 p.m. at the District Office Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Ms. Wendy Ho
Dr. Jeffrey Lease
Mr. Craig Mann

Board Members Excused:
Mr. Rudy Nasol

B. APPROVAL OF CLOSED SESSION AGENDA

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

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, and Mann voted yes.

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: 27 acres of surplus land adjoining San Felipe Road and Yerba Buena District Negotiator(s): SJECCD Vice Chancellor Doug Smith; Mr. Jim Eller, Eller & Associates; Mr. Aaron Gruen, Gruen, Gruen & Associates; Andy Plescia, Plescia &
Names of Negotiating Parties: Republic Urban Properties LLC
Under Negotiation: Instruction to negotiators concerning price and terms of payment in non-binding letter of intent regarding a ground lease of surplus property

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: AFT 6157

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

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:05 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Ms. Wendy Ho
Dr. Jeffrey Lease
Mr. Craig Mann
Mr. Larry Harris
Mr. Kenny Tram

Board Members Excused:
Mr. Rudy Nasol

1. PLEDGE OF ALLEGIANCE

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

2. ADOPTION OF AGENDA

M/S/C (Mann/Ho) to adopt the agenda as amended:

Item J-1 – Presentation by Affirm and Umoja Trip to Belize and Item J-2 Land Development Status Update were moved to follow the approval of the Measure G Bond Programs Consent Agenda.
Minutes of September 9, 2014, Governing Board Meeting

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, and Mann voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions taken in the Closed Session meeting.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

The Board heard a public comments as follows:

Mr. Dennis Wyatt, a senior member of the community, expressed concerns about the inability for community members to audit courses at the colleges. He requested that the Board take action to reverse this practice.

CSEA member Gary Cooper complained that the district should not be contracting out the work of cutting down trees, since he has been performing the work of an arborist of the district for over 38 years. He stated that CSEA contract work should not be turned over to outside contractors.

Mr. Ash Kalra, San José City Councilmember, presented a recognition award to SJCC President Breland. Although he was unable to attend the Presidential Investiture Ceremony, he desired to add his best wishes and success to President Breland as he believes Dr. Breland will represent the community well.

5. APPROVAL OF THE AUGUST 26, 2014, GOVERNING BOARD MEETING MINUTES

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

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, and Mann voted yes. Trustee Ho abstained since she was not present at the meeting.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

6. 6:10 P.M. PUBLIC HEARING ON THE SAN JOSE/EVERGREEN FEDERATION OF TEACHER, AFT 6157 CONTRACT REOPENER PROPOSAL WITH SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT 2014-2015

M/S/C (Mann/Ho) to open public hearing.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, and Mann voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.
Hearing no request for public comments, President Lease closed the hearing.

7. **6:15 P.M. PUBLIC HEARING ON THE SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT CONTRACT REOPENER PROPOSAL WITH SAN JOSÉ-EVERGREEN FEDERATION OF TEACHERS, AFT 6157**

M/S/C (Mann/Ho) to open public hearing.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, and Mann voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

Hearing no request for public comments, President Lease closed the hearing.

8. **6:20 P.M. PUBLIC HEARING ON THE SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT CONTRACT REOPENER PROPOSAL WITH THE CLASSIFIED SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 2014-2015**

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

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, and Mann voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

Hearing no request for public comments, President Lease closed the hearing.


M/S/C (Ho/Mann) to open public hearing.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, and Mann voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

Hearing no request for public comments, President Lease closed the hearing.

**APPROVAL OF RESOLUTION 090914-3 TO EXCUSE TRUSTEE RUDY NASOL FROM ATTENDING THE GOVERNING BOARD MEETING**

President Lease stated that Trustee Rudy Nasol informed the Chancellor that he could not attend the meeting as he would be in the Philippines delivering hurricane
Minutes of September 9, 2014, Governing Board Meeting

relief supplies.

M/S/C (Mann/Cruz) to approve Resolution 090914-3 to excuse Trustee Rudy Nasol from attending the September 9, 2014, Governing Board Meeting due to the above listed activity.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, and Mann voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

Hearing no comments to pull any item, President Lease stated that the Consent Agenda was adopted by general consent of the Board.

2. MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management Personnel Actions as submitted.

3. SUPERVISORY-CONFIDENTIAL PERSONNEL ACTIONS

The Board approved the Supervisory-Confidential personnel actions as submitted.

4. FACULTY PERSONNEL ACTIONS -REGULAR

The Board approved the faculty personnel 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 Short-Term Hourly, Substitute, Professional Expert & Athletic Support Services, Student Assistant 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 July 10, 2014 through August 9, 2014, as noted in the documents attached to the agenda.

8. ACCEPTANCE OF GRANT FUNDS – FACULTY ENTREPRENEURSHIP MINI-GRANT PROJECT

The Board approved the Faculty Entrepreneurship Mini-Grant Project agreement
by and between Cabrillo Community College District (referred to as District) and Evergreen Valley College (referred to as Contractor).


The Board adopted the reopener proposals.

10. **THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 CONTRACT REOPENER PROPOSAL WITH THE SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT 2014-2015**

The Board adopted the reopener proposals.


The Board adopted the reopener proposals.

12. **THE SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT CONTRACT REOPENER PROPOSAL WITH THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 DISTRICT 2014-2015**

The Board adopted the reopener proposals.

G. **MEASURE G BOND PROGRAMS CONSENT AGENDA**

1. **ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA**

   Trustee Dhillon requested that Item G-3 be pulled from the agenda for separate discussion and vote. Hearing no comments to pull any other items, President Lease stated that, with the exception of Item G-3, the Measure G Bond Programs Consent agenda was adopted by general consent of the Board.

2. **MEASURE G-2010 BOND PROGRAM: PUEBLO CONSTRUCTION – TECHNOLOGY CENTER/STUDENT CENTER INTERIOR FINISH UPGRADE PROJECTS**

   The Board awarded a construction contract to Pueblo Construction, in the amount of $668,340 for the Technology Center/Student Center Interior Finish Upgrades Project at San José City College.

3. **MEASURE G-2010 BOND PROGRAM: CHANGE ORDER NO. 001 BAY AREA TREE SPECIALISTS – PROJECT #31116-02 CAMPUS SITE IMPROVEMENTS PHASE I**

   This item was removed from the Measure G Bond Programs Consent Agenda for
discussion and separate vote.

4. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AUTOMOTIVE TECHNOLOGY PROJECT #32111 – C. OVERAA & CO., CHANGE ORDER NO. 001

The Board approved Change Order No. 001 to the Pre-Construction Services Agreement with C. Overaa & Co., in the amount of $106,375 for the release of structural steel detailing in an effort to mitigate the amount of time required for the order and delivery of structural steel to construct the Automotive Technology Building Project at Evergreen Valley College.

5. MEASURE G-2010 BOND PROGRAM: SJECCD PROJECT #39301 NEW DISTRICT OFFICE BUILDING FURNITURE

The Board approved the award of contract not-to-exceed the amount indicated, to the following furniture vendors: Jones-Campbell ($136,280), In2Change ($38,797), Contract Office Group ($31,034), Palace ($19,886), Mity-Lite ($17,604), Staples ($18,439). The total amount of all contracts awarded will be $262,040.00.

6. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE ITSS MDF PROJECT #39310 – TMAD TAYLOR AND GAINES (TTG) TECHNOLOGY DESIGN CONSULTANT

The Board approved Revision No. 001 in the amount of (-$41,500) (deductive) to the TMAD Taylor and Gaines Project Assignment Amendment EVC-01 for Technology Consulting Services.

7. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE PARKING LOTS & STREET MAINTENANCE PROJECT – GALEB PAVING, INC., CHANGE ORDER NO. 004

The Board approved Change Order No. 004 for Galeb Paving, Inc., in the amount of $2,600.00 for the Parking Lots & Street Maintenance Project at Evergreen Valley College.

8. MEASURE G-2010 BOND PROGRAM: SJECCD NEW DISTRICT OFFICE FURNITURE MOVERS AND INSTALLERS PROJECT #39301

The Board approved issuance of a contract to Moving Solutions in the amount of $27,144.00 for the SJECCD New District Office Project #39301.

9. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE BID #g2010.0048 MECHANICAL ELECTRICAL AND PLUMBING UPGRADE PACKAGE 2 PROJECT #32307-06 – JKL CONSTRUCTION SERVICES, INC. CHANGE ORDER NO. 001

The Board approved Change Order No. 001 in the amount of $16,316 to JKL Construction Services, Inc., for the Evergreen Valley College (EVC) Mechanical Electrical and Plumbing Upgrade Package-2, Project #32307-06.
10. **MEASURE G-2010 BOND PROGRAM: DISTRICT OFFICE NETWORK INFRASTRUCTURE INSTALLATION AND MIGRATION SERVICES INDEPENDENT CONTRACTOR AGREEMENT (ICA) WITH DASHER TECHNOLOGIES AND THE PURCHASE OF DISTRICT OFFICE NETWORK EQUIPMENT ACCORDING TO RFP #G2010.0099**

The Board approved District Office Network Infrastructure Installation and Migration Services Independent Contractor Agreement (ICA) and the purchase of District Office network equipment based on RFP # G2010.0099 and pursuant to the Master Agreement with Dasher Technologies approved by the board on 8/26/14.

11. **MEASURE G-2004 BOND PROGRAM: AWARD OF INDEPENDENT CONTRACT AGREEMENT (ICA) FOR COMMISSIONING SERVICES – SJCC PHYSICAL EDUCATION BUILDING PROJECT #122**

The Board approved an agreement with Alfa Tech Consulting Engineers, Inc. for Commissioning Services in the amount of $44,500 for the Physical Education Building at San José City College Project #122.

G. 3. **MEASURE G-2010 BOND PROGRAM: CHANGE ORDER NO. 001 BAY AREA TREE SPECIALISTS – PROJECT #31116-02 CAMPUS SITE IMPROVEMENTS PHASE I**

Trustee Dhillon inquired why the work contained in this change order could not be accomplished by district staff. Trustee Fuentes also requested clarification on why the work being done through this contract could not be done by district staff. Vice Chancellor Garcia answered that the overall amount of this contract totals $57,920, and any contract work over the $15,000 threshold requires the district go out for bid. This is not meant to take away any work that is required to maintain facilities, but it is directly related to the work covered by this project.

M/S/C (Dhillon/Mann) to approve Change Order No. 001 for Bay Area Tree Specialists, in the amount of $3,320.00 for Campus Site Improvements Phase I.

Board vote was as follows:
Trustees Cruz, Dhillon, Ho, Lease, and Mann voted yes.
Trustee Fuentes voted no.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

J. 1. **PRESENTATION BY AFFIRM AND UMOJA TRIP TO BELIZE**

Mr. Khalid White, SJCC History Instructor, Ms. Flora Payne, EVC Adjunct Faculty, and Mr. Keenan Norris, EVC English Professor, along with SJECCD students Christine Tellez and Derrick Newton presented on their recent trip to Belize from July 27 through August 6, 2014.

Professor Norris stated the intent of our Study Abroad trip to Belize was multi-faceted. As educators at Evergreen Valley College and San José City College, our principle goal and achievement was to broaden our students’ understanding of how
U.S. history, current-day culture and current socioeconomic realities are interrelated with the lives of the indigenous Maya, Latin American, Creole and Garifuna peoples that comprise Belizean society specifically and Latin American and Caribbean societies more broadly. Through wide-ranging and in-depth study of the cultural, political and economic life of Belize, we provided our students, in microcosm, a view onto the interrelation between Latin American, Caribbean and North American society. We intended for our students to come away from their study abroad seeing themselves as participants in a diverse and multicultural global society. With the success of this trip behind us, we now want every student that is able to have this empowering opportunity so that they too can have an expansive, meaningful and relevant college education.

Fulbright fellow Dr. Siri Brown, of Merritt College and the University of California, Berkeley, organized our itinerary and facilitated lectures and hands-on events that placed our students in direct contact with renowned figures in Belizean society. From lectures at the University of the West Indies (the academic flagship of Caribbean higher education) on Mayan land rights activism, Belizean sovereignty disputes, and the historical impact of slavery and British colonization on the nation, to an hour-long conversation with the founder of Belize’s most widely read newspaper, a tutorial on cassava production, and an introduction to traditional Belizean music and dance, our students definitely learned a great deal in the traditional academic sense. Their hands-on experience of Garifuna dance, turtle-shell drumming, cassava farming, living for almost a week in the famous Garifuna community of Hopkins in the predominantly maroon district of Dangriga. Roughing it in the Maya Mountains for two days and nights, climbing the Mayan and Olmec temples of Lamanai, and several long hikes taken into the tropical jungle, made this more than an intellectual exercise. It made our students aware in a tangible sense of the incalculable impact of the African diaspora throughout the Americas, as well as of the history, arts, monuments and incredible endurance of Mayan culture.

Professor White stated that the cost, including airfare, ground transportation and lodging was $2,400 for each student. Professor Payne discussed the fundraising efforts made by students because each of them had to pay $1,200 of the $2,400 cost to go on the trip. The AFFIRM and UMOJA programs would like to schedule another opportunity, perhaps to Panama, next year. President Lease stated that as the district’s Foundation grows, it would be able to support these kinds of opportunities for our students.

J. 2. LAND DEVELOPMENT STATUS UPDATE

Mr. Jim Eller, Eller & Associates, provided a status update on the development of the 27 acres of property adjacent to Evergreen Valley College. He reviewed the acreage available in Parcels 1, 2 and 3; the guiding principles for land development, which were approved by the Board; and the tasks completed to date, including market research, meetings with the Board and its subcommittee and pre-proposal meetings with potential respondents. Four proposals were ultimately received. They were evaluated by the district team, and a meeting of the full Board was held to present the results of the evaluation and to receive policy direction. Mr. Eller reviewed the steps included in the developer selection and ground lease process. He stated that the next steps include a non-binding letter of intent, bid process and negotiation of ground lease with successful bidder(s) after the
District’s acceptance of bids.

Trustee Cruz stated that as an institution of learning and education, what we do is clearly linked with our community partners and organizations. We have a PLA in place, and it’s important to ensure our successful bidders help us increase training and provide career opportunities for local residents by developing a pipeline that ensures skilled, qualified local workers will work on the projects created through the development of this land. Mr. Eller answered that in the future we will present to the Board how the staff and consultants are incorporating that concept into the RFP process to ensure that these criteria are met. Trustee Fuentes also stated the need for a “community benefit agreement” which would be reflected not only in the bids, but also in the letter of intent. This is related to the type of employment and jobs that will become available for the community. Therefore, we will need to work with the developers to ensure they are in alignment with our commitment to social justice. Trustee Dhillon stated that property values have dramatically increased since the district has begun its land development process. Therefore, he would like to receive an update on property values in the area. The Board needs to be very careful to not approve any bid that is lower than the true property value. Trustee Fuentes requested that EVC begin the process of engaging with the college and surrounding community. Vice Chancellor Smith answered that the college is currently engaged in the educational master planning process and receiving community feedback is a part of that process. Trustee Fuentes stated that she did not want the Board to enter into any agreement where the college may lose the ability to determine how that land is utilized. The Board should retain some of its power and authority over that land. EVC Academic Senate President Narveson provided specific examples regarding the impact the development of this property would have on Evergreen Valley College.

The Board heard a public comment from Mr. Josué Garcia, Chief Executive Officer, Santa Clara & San Benito Counties Building & Construction Trades Council, about their willingness to work with the district to ensure that development of the 27 acres includes opportunities for building projects that use students interns and also local community workers so that they could have jobs at acceptable wages for the Silicon Valley area. Mr. Garcia also urged the Board not to delay the process given its impact in the creation of future jobs.

H. ORAL COMMUNICATIONS

a. Board of Trustees

Trustee Ho provided a brief legislative committee update and reviewed some of the activities accomplished in the prior year, including the development of legislative principles and the process by which the committee would support proposed legislation. The Board had supported 13 bills and the committee and district staff and students met with legislators and legislative staff in Sacramento. The committee will now give priority to legislation that is in line with the district’s student success policy and strategic priorities. As such, the committee is beginning to meet with student leaders at SJCC and EVC to receive input about their concerns and priorities. The next meeting of the
legislative committee is scheduled for Tuesday, September 16, at SJCC in Technology Center, Room 101, from 2:30—4:00 p.m.

SJCC Student Trustee Larry Harris reported on the welcome week activities at the college. The ASG had the opportunity to hand out supplies to students.

EVC Student Trustee Tram reported that as part of welcome week activities, the ASG handed out cookies to students.

Trustee Cruz congratulated President Breland for his investiture. It was a wonderful, exciting event. She thanked the committee that worked hard to put the event together. We’ve received positive feedback from community members. She also had the opportunity to attend EVC’s early morning PDD session and was impressed by the involvement of faculty and staff.

Trustee Dhillon also reported on his attendance at President Breland’s investiture ceremony. It was very well done and appreciated by the community.

President Lease stated that attending the President’s investiture ceremony was a highlight of his life as a Trustee. He congratulated President Breland and wished him a long, successful tenure at San José City College.

b. Chancellor

Chancellor Cepeda distributed and reviewed a report entitled, “SJECCD Board’s Ends Governance Policies and the Executive Staff Means Implementation Strategies.” She read out this report, which included the historical background of the development of the Board’s ends policies, a truly transformational process. She also reviewed the implementation status and the work done by each member of her executive team to create an executive work plan that ties into each ends policy. The actions contained in those plans would be measurable and would create an environment of accountability. Chancellor Cepeda stated that each executive work plan would be incorporated into her individual work plan, and this document could be used as an instrument for the Board to conduct the Chancellor’s annual performance evaluation.

As part of her report, Chancellor Cepeda requested that the college presidents and vice chancellors introduce new staff hired in their departments over the past year. A “New Hires Introduction” booklet, which contained photos and brief biographies of the new hires, was distributed at the meeting.

c. Presidents

EVC President Yong provided a brief accreditation status. He reported that the ACCJC has accepted our request to move back to the original March 15, 2015, submission date. EVC is now in the process of writing the report.

SJCC President Breland reported on the welcome activities held at the college. Each campus administrator was on site manning tables and greeting
students on the first day. Administrators wore “Ask Me” buttons so that students would feel comfortable asking questions. The plan is to continue being assessable to students. He thanked his entire team for having a smooth opening week.

d. Constituency Group Representatives

Ms. Barbara Hanfling, AFT 6157 Executive Director, reported on activities she and Mr. Yancey have participated in for the orientation of new faculty. It seems that every day they are having orientation because of the recent hires, including 50 new adjunct faculty members.

Mr. Jesus Covarubbias, SJCC Academic Senate President, reported that SJCC has been thoroughly engaged in doing the good work of student success. We welcome our new permanent president, and we have good collaboration with him. The Academic Senate has been meeting with its AFT leadership regarding the work of accreditation.

Mr. Eric Narveson, EVC Academic Senate President, stated that he is looking forward to reviewing the campus proposal on the vacant land adjacent to EVC. This is an area of interest for EVC faculty. He also reported that his classes are full; and the training received at PDD, especially the introduction to CurricUNET, was valuable.

Ms. Lauren McKee, President, MSCC, expressed how excited the MSC group is now that SJCC has its full administrative leadership in place. She also congratulated President Breland on his investiture.

| ACTION AGENDA |

1. RESOLUTION NO. 090914-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS

M/S/C (Mann/Cruz) to approve 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.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, and Mann voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

2. RESOLUTION NO. 090914-2 IN SUPPORT OF NATIONAL HISPANIC HERITAGE MONTH

M/S/C (Dhillon/Mann) to approve Resolution No. 090914-2 in support of National Hispanic Heritage Month.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, and Mann voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. **FISCAL YEAR 2014/2015 ADOPTED BUDGET**

Vice Chancellor Smith provided an overview of the Adopted Budget for FY2014-2015. The projected ending fund balance for FY2014-15 general fund is 13.60%, and the estimated ending fund balance for FY2015-16 is 15.59% and for FY2016-17 is 17.10%. Included in the adopted budget is the 4.5% overall compensation increase in FY2013/14; $2.3 million to support Board initiatives, including approximately 25 Redesign and Student Success positions in FY2014/15; $1.1 million direct college support services, e.g. EMP, FMP, contracts, licenses, legal and contract work; $500K indirect college support services, such as Board Elections and outreach; health and welfare, PERS, STERS, step and column changes and $750K Milpitas operations for FY2016/17. Not included in the adopted budget is compensation allowance, set aside has not been allocated for FY2014/15; Board initiatives – only $275K remains unallocated, earmarked for FY2015/16 and resources to directly address the Board “ends policies” advancement, no dollars have been allocated in FY2014/15 and beyond. Vice Chancellor Smith reviewed the Board’s budget principles and the details of the fund balances for FY2013/14, FY2014/15 and FY2015/16. He reviewed where the dollars go in terms of personnel and operations expenditures. He also reviewed new state categorical funds for student success and support programs, physical plant and instructional support and student equity. He stated that in FY2012/13 we became a basic aid district. In FY2013/14, the district had $10.5M in excess due to basic aid. For FY2014/15 tax collector estimates 6.77% or $13.2 million excess projected, and FY2015/16 and beyond, we are using a 3% conservative estimate. Vice Chancellor Smith reviewed the district’s property tax history. He also reviewed the district’s total enrollment figures from FY2007-08 into FY2014-15, and the excess above FTES cap and excess as a result of FTES below cap. He ended the presentation with a review of future funding needs resulting from the Board initiatives and strategic priorities and the Board’s global ends statement. Overall, the district has a strong budget and the property tax revenue is the big driver.

Trustee Dhillon expressed concern about the reduction in enrollment and how that would impact the budget. Vice Chancellor Smith answered that we are not impacted now because we are basic aid; however, it is a concern we need to address. Trustee Dhillon inquired if the district should have a budget category that’s targeted to increase enrollment. Chancellor Cepeda answered that the presidents have been working on this issue and there is an enrollment management process in place at the colleges. We are trying to strengthen those activities in the Fall and Spring. Trustee Cruz stated her interest in the EVC relocation and the South campus. It is important that the facilities master plans for both colleges reflect the courses students are interested in taking and that space is available for those courses. The facilities master planning process is a great opportunity to review the hard data so that we can adequately outreach to our community by providing the best space to serve the needs of students. Trustee Fuentes inquired about what is going on at the colleges that would cause such low enrollment. This question is directly connected to the Board’s ends policies statements. This is a very serious problem, and it’s
important to figure out what is going on and what is being done about it. Where are we losing the ability to reach the students? We all are aware that in our community there is a high need for our programs and services. We have people in our community who are not coming to our colleges to get an education, and we need to resolve this issue. How can we study the enrollment decline and come up with a budget plan to solve this problem? Chancellor Cepeda answered that Vice Chancellor Hawley has provided a weekly update on enrollment management to the executive team and the colleges. We have been aware and taking steps to improve enrollment. She stated that at a Board meeting in October, she would provide an enrollment management update along with strategies that are being used to address declining enrollment. Trustee Cruz stated that the ACCT Student Success Institute addressed the need for community colleges to work with K-12 institutions to ensure a smooth transition of high school students to the colleges. This is an area we need to explore. President Breland stated that improvement in the job market has impacted our enrollment somewhat, and our thinking about funding is to put that to where we can attract students to our programs. We need to get the right data and make informed decisions about what happens to our students who drop courses. It is a huge process for the college and district as a whole. EVC President Yong stated that headcount is the same at EVC; however, the FTES is down by 4%. It could still drop another 1% because of students who enrolled in courses where they did not meet the prerequisites and must be dropped from the courses. It seems that the students are still coming to the college but are taking fewer courses. We need to review the sections we are offering and see if that is appropriate for addressing the needs of our students.

The Board heard public comments from SJCC Academic Senate President Jesus Covarrubias and AFT Executive Director Barbara Hanfling. Mr. Covarrubias stated that smaller class size means student success. Faculty also knows what works. EOP&S does work, and he reminded the Board they had approved a resolution to use student equity funds to bring the funding of EOP&S up to the FY2007-2008 levels. Ms. Hanfling stated that the budget is in great shape. The 6.77% is what the tax assessment states at the moment, but this is a conservative number. Vice Chancellor Smith is always talking about set asides, but we have this fabulous reserve. We are also one of two or three districts that do not have a liability for retiree medical benefits. We are unique, and we need to budget appropriately. President Lease commented that enrollment management seems like a complex picture with many moving parts. He looks forward to receiving the information Chancellor Cepeda will provide to the Board at an upcoming meeting.

M/S/C (Mann/Cruz) to adopt the Fiscal Year 2014/2015 budget as presented.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, and Mann voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

4. TRUSTEE FUENTES’ RECOMMENDATION TO THE BOARD OF TRUSTEES

Trustee Fuentes requested that the Board seek additional legal advice from the Santa Clara County Counsel regarding the development process of the surplus 27
acres of land. This would be in response to questions she had asked in the Closed Session meeting. The Board already has a legal contract in place with the Santa Clara County Counsel, which has the particular expertise in these areas, especially concerning the Brown Act. This property has a lot of value and this project is massive, and it’s important for the Board to get things right. So far, the only legal advice provided to the Board on land development has been Mr. Jim Eller, a real estate attorney. Trustee Fuentes expressed concern that Mr. Eller’s expertise does not include the Brown Act, CA Education Code and other government codes. Trustee Dhillon agreed that it may be beneficial to receive additional expert legal advice so that the Board would be ensured they are dealing with this property development appropriately. Now is the time for the Board to receive additional legal advice. Trustee Ho stated that she is fully confident in the work of staff and the quality of the legal advice received. The Board Land Development Committee has also been actively engaged in this process, and they would have stated concerns and stopped the process if they felt anything was out of order. Trustee Mann expressed his support for Trustee Ho’s opinion on this matter. President Lease stated that once the Board enters into the non-binding letter of agreement, the discussion will move to the Open Session meeting. We are very close to the time when everyone can see the plan. Trustee Cruz stated that this process began in 2011 and it is now 2014. The Board and district staff has taken the time to deal with what needs to be done, and she has not seen any issues that suggest the Board has in any way been non-compliant with the Brown Act. The Board has been provided with ample information about Trustee Fuentes’ concerns and seems to be satisfied that these have been answered.

M/S (Fuentes/Dhillon) to approve that the Board of Trustees seek advice from Santa Clara County Counsel on legal issues related to the development of the 27 acres of surplus land.

Board vote was as follows:
Trustees Dhillon and Fuentes voted yes.
Trustees Cruz, Ho, Lease and Mann voted no.
Motion fails.

Advisory vote was as follows:
Student Trustees Harris voted no.
Student Trustee Tram voted yes.

J. INFORMATION AGENDA

1. PRESENTATION BY AFFIRM AND UMOJA TRIP TO BELIZE

This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

2. LAND DEVELOPMENT STATUS UPDATE

This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.
3. MEASURE G-2010 BOND PROGRAM: MEASURE G-2010 SUMMARY REPORT FOR AUGUST 29, 2014

Vice Chancellor Smith stated that this report was being provided for information purposes, and there are no cautions that need to be addressed.

K. CONTINUATION OF CLOSED SESSION

Yes

L. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

M. ADJOURNMENT

M/S/C (Ho/Cruz) to adjourn the meeting at 10:45 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
October 14, 2014

A. CALL MEETING TO ORDER

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, October 14, 2014, at 4:30 p.m. at the District Office Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Ms. Wendy Ho
Dr. Jeffrey Lease
Mr. Craig Mann
Mr. Rudy Nasol

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

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

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

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: 27 acres of surplus land adjoining San Felipe Road and Yerba Buena
District Negotiator(s): SJECCD Vice Chancellor Doug Smith; Mr. Jim Eller, Eller &
Minutes of October 14, 2014, Governing Board Meeting

Associates; Mr. Aaron Gruen, Gruen, Gruen & Associates; Andy Plescia, Plescia & Co.
Names of Negotiating Parties: Republic Urban Properties LLC
Under Negotiation: Instruction to negotiators concerning price and terms of payment in non-binding letter of intent regarding a ground lease of surplus property

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: AFT 6157

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

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:16 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Ms. Wendy Ho
Dr. Jeffrey Lease
Mr. Craig Mann
Mr. Rudy Nasol
Mr. Larry Harris
Mr. Kenny Tram

Board Members Excused:
None

1. PLEDGE OF ALLEGIANCE

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

2. ADOPTION OF AGENDA

M/S/C (Mann/Cruz) to adopt the agenda as amended:

A change was made to the Consent Agenda.
Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions taken in the Closed Session meeting.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.

5. APPROVAL OF THE AUGUST 26, 2014, GOVERNING BOARD MEETING MINUTES

M/S/C (Mann/Ho) to approve the above listed meeting minutes as amended: Trustee Fuentes requested that a sentence be added to Agenda Item J-2 Land Development Status Update indicating that EVC Academic Senate President Narveson gave specific points about the impact on the college regarding the development of the 27 acres adjacent to Evergreen Valley College.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, and Mann voted yes. Trustee Nasol abstained since he was not present at the meeting.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

A correction was made to Item F-3 as follows: The title: EVC-Adjunct Faculty Non-Instructional Spring 2014 was changed to EVC-Adjunct Faculty Non-Instructional Fall 2014.

Trustee Ho requested that items F-6B and F-16 be pulled from the agenda and added as Action Agenda Item I-3 for discussion and separate vote.

Hearing no additional comments to pull any other items, President Lease stated that the Consent Agenda was adopted by general consent of the Board.

2. FACULTY PERSONNEL ACTIONS -REGULAR

The Board approved the faculty personnel actions as submitted.
3. **FACULTY PERSONNEL-ADJUNCT/EVC**
   The Board approved the Faculty Personnel-Adjunct/EVC actions as submitted.

4. **FACULTY PERSONNEL-SBRPSTC ADJUNCT/EVC**
   The Board approved the Faculty Personnel-SBRPSTC Adjunct/EVC actions as submitted.

5. **FACULTY PERSONNEL-ADJUNCT/SJCC**
   The Board approved the Faculty Personnel-Adjunct/SJCC actions as submitted.

6. **SUPERVISORY-CONFIDENTIAL PERSONNEL ACTIONS**
   The Board approved the Supervisory-Confidential Personnel Actions as amended. F-6b was removed from the agenda for discussion and separate vote.

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

8. **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.

9. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**
   The Board ratified the contracts and purchase orders for the period of August 10, 2014 through September 9, 2014, as noted in the documents attached to the agenda.

10. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**
    The Board approved the new program, courses, and certificate proposed by San José City College.

11. **ACCEPTANCE OF GRANT FUNDS – SAN JOSE CITY COLLEGE**
    The Board accepted Year 1 grant funds awarded to San José City College for the grant period effective October 1, 2014, through September 30, 2015, in the amount of $505,847 from the U.S. Department of Education, Title V Hispanic-Serving Institutions Program.

    The Board approved the 2014-2015 WIA Youth Contract in the amount of $425,000.00.
13. **WORKFORCE INSTITUTE – THIRD AMENDMENT TO WIA OVERALL OCCUPATIONAL SKILLS TRAINING POOL CONTRACT**

The Board approved the Third Amendment to the WIA Overall Occupational Skills Training Pool Contract.

14. **NO-COST MEMORANDUM OF UNDERSTANDING (MOU) WITH CALIFORNIA COMMUNITY COLLEGES TECHNOLOGY CENTER (CCCTC) FOR OPENCCCAPPLY INSTITUTION PARTICIPATION THROUGH JUNE 30, 2015**

The Board approved the no-cost MOU with CCCTC through June 30, 2015, for SJCC and EVC to migrate to the new CCCApply Admission Application.

15. **AWARD OF CONTRACT FOR REQUEST FOR PROPOSAL 14-0825 EDUCATIONAL MASTER PLAN**

The Board approved the Contract for Request for Proposal 14-0825, Educational Master Plan (EMP) to Cambridge West LLC.

16. **TRIO PROGRAMS TRANSFER FROM NATIONAL HISPANIC UNIVERSITY TO EVERGREEN VALLEY COLLEGE**

This item was removed from the Consent Agenda and moved to the Action Agenda as item I-4 for discussion and separate vote.

G. **MEASURE G BOND PROGRAMS CONSENT AGENDA**

1. **ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA**

Hearing no comments to pull any items, President Lease stated that the Measure G Bond Programs Consent agenda was adopted by general consent of the Board.

2. **MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE – CAMPUS SITE IMPROVEMENT – PHASE 1, #31116-02 BAY AREA TREE SPECIALISTS – NOTICE OF COMPLETION (NOC)**

The Board approved the Notice of Completion (NOC) of the contract by Bay Area Tree Specialists, for the Campus Site Improvement – Phase 1 project, #31116-02 at San José City College.

3. **MEASURE G-2010 BOND PROGRAM: SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT (SJECCD) – NEW DISTRICT OFFICE BUILDING, PROJECT #39301 – XL CONSTRUCTION – CHANGE ORDER NO. 004**

The Board approved Change Order No. 004 in the amount of $100,815 to XL Construction for the New District Office Building Project #39301 at SJECCD.

4. **MEASURE G-2010 BOND PROGRAM: SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT (SJECCD): NEW DISTRICT OFFICE BUILDING PROJECT #39301 – AUDIO VISUAL SYSTEM-INTEGRATED COMMUNICATIONS**
SYSMTEMS AGREEMENT

The Board approved the Award of Contract in the amount of $388,620.00 to Integrated Communication Systems for the New District Office Building Project #39301 – Audio Visual System at SJECCD.

5. **MEASURE G-2010 BOND PROGRAM: NEW DISTRICT OFFICE BUILDING**

   **PROJECT #39301-SECURITY SYSTEM-WALSH ELECTRONIC SYSTEMS TECHNOLOGY CONTRACT**

The Board approved the award of an Agreement in the amount of $125,613.00 to Walsh Electronics Systems Technology for the District Office Security System #39301 at San José-Evergreen Community College District.

6. **MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE PHYSICAL SECURITY PROJECT #31311 – ELECTRONIC INNOVATIONS CHANGE ORDER NO. 002**

The Board approved Change Order No. 002 in the amount of $2,700.00 to Electronic Innovations for the Physical Security Project #31311 at San José City College.

7. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE PARKING LOT AND STREET MAINTENANCE PROJECT #32313 – GALEB PAVING, INC. NOTICE OF COMPLETION (NOC)**

The Board approved the Notice of Completion (NOC) of Galeb Paving, Inc. for the Parking Lot and Street Maintenance Project #32313 at Evergreen Valley College.

8. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE (EVC) GYM FLOOR REFINISHING PROJECT #32307-01 – H.Y. FLOOR & GAMELINE PAINTING DEDUCTIVE CHANGE ORDER NO. 001**

The Board approved Deductive Change Order No. 001 in the amount of ($4,700) to H.Y. Floor & Gameline Painting for the Gym Floor Refinishing Project #32307-01 at Evergreen Valley College.

9. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE MECHANICAL PLUMBING AND ELECTRICAL UPGRADE PACKAGE 2 PROJECT #32307-06 – JKL CONSTRUCTION SERVICES, INC. CHANGE ORDER NO. 002**

The Board approved Change Order No. 002 in the amount of $3,983 to JKL Construction Services, Inc. for the Mechanical Plumbing and Electrical Upgrade Package 2 Project #32307-06 at Evergreen Valley College.

10. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE SOUTH CAMPUS DEVELOPMENT PROJECT #32107 – BLACH CONSTRUCTION COMPANY DEDUCTIVE CHANGE ORDER NO. 001**
The Board approved Deductive Change Order No. 001 in the amount of ($400,834) to Blach Construction Company for the South Campus Development Project #32107 at Evergreen Valley College.

11. MEASURE G-2004 BOND PROGRAM: SJECCD DISTRICT STANDARDS PROJECT #39999 – HMC ARCHITECTS INDEPENDENT CONTRACTOR AGREEMENT REVISION NO. 003 (NO COST)

The Board approved Revision No. 003 to HMC Architects to extend the contract time (no-cost) of the SJECCD District Standards & Campus Design Guidelines Agreement from August 29, 2014, to December 31, 2014, to accommodate the necessary approval processes.

12. MEASURE G-2010 BOND PROGRAM: PAA #EVC001 DATA CENTER DISCOVERY FOR THE MDF AT EVC

The Board approved PAA #EVC001 with Dasher Technologies in the amount of $11,520 to provide discovery services for the relocation of the Main Distribution Frame (MDF) from Roble Building to the Student Services Center.

13. MEASURE G-2010 BOND PROGRAM: NETWORK CABLING INSTALLATION FOR WIRELESS, AV, FURNITURE, FIBER BACKBONE AT 40 SOUTH MARKET STREET

The Board approved the Independent Contractor Agreement (ICA) with Dasher Technologies for Network Cabling Installation at 40 South Market Street for $74,308.32.

14. MEASURE G-2010 BOND PROGRAM: NETWORK FIREWALL SYSTEM PURCHASE AND INSTALLATION AT EVERGREEN VALLEY COLLEGE

The Board approved the Independent Contractor Agreement for $22,324 plus the purchase of the Firewall System for $201,214.80 (plus tax) with Dasher Technologies for Evergreen Valley College based on RFP #G2010.0099 and pursuant to the Master Agreement with Dasher Technologies approved by the Board on August 26, 2014. Total cost with tax is $238,045.

15. MEASURE G-2010 BOND PROGRAM: NETWORK FIREWALL SYSTEM PURCHASE AND INSTALLATION AT SAN JOSE CITY COLLEGE

The Board approved the Independent Contractor Agreement for $22,324 plus the purchase of the Firewall System for $201,214.80 (plus tax) with Dasher Technologies for San José City College based on RFP #G2010.0099 and pursuant to the Master Agreement with Dasher Technologies approved by the Board on August 26, 2014. Total cost with tax is $238,045.

16. MEASURE G-2010 BOND PROGRAM: PAA #EVC002 NETWORK DISCOVERY AND DESIGN FOR EVC CAMPUS NETWORK

The Board approved Project Amendment Authorization #EVC002 with Dasher
Technologies for Network Discovery and Design Services at Evergreen Valley College pursuant to the Master Agreement with Dasher Technologies approved by the Board on August 26, 2014. The total cost is not to exceed $45,971.25.

17. MEASURE G-2010 BOND PROGRAM: PAA #SJCC001 NETWORK DISCOVERY AND DESIGN FOR SJCC CAMPUS NETWORK

The Board approved Project Amendment Authorization #SJCC001 with Dasher Technologies for Network Discovery and Design Services at San José City College pursuant to the Master Agreement with Dasher Technologies approved by the Board on August 26, 2014. The total cost is not to exceed $44,115.

H. ORAL COMMUNICATIONS

a. Board of Trustees

SJCC Student Trustee Larry Harris discussed the importance of suicide and crisis management prevention. He reviewed the comments made to the Board by Mr. William Fatilua about the suicide of his son, William Isaiah Fatilua. Mr. Harris recommended that the district work towards a greater awareness of mental health needs to prevent other suicides and that more resources would be directed to the aspects of student health services. He thanked President Yong and Evergreen Valley College for their support of the Fatilua family. Mr. Harris requested the Chancellor inquire of our health centers as to whether or not we meet the best practices of suicide prevention for a district of our size, what the cost would be to design the health centers to comply with best practices and how we could best get the word out to distressed students. Mr. Harris also showed a video of the KJCC radio broadcast of the Jaguars football game.

Trustee Nasol reported on his trip to the Philippines to bring aid to many families who are still living in tents due to the hurricane. Charitable donations to the victims are still being received and distributed to those in need. Trustee Nasol also reported that the auditors are currently performing the district’s annual audit, and the Board Audit Committee will be receiving the preliminary results at a meeting scheduled on Thursday, December 4. We hope to receive a clean audit report this year as we did last year.

Trustee Cruz reported on her tour of the New District Office building provided at the last Citizens Bond Oversight Committee. It was a great experience to meet with members of the CBOC and to tour the new facility. She thanked the AFT for the invitation to their annual picnic and, since she was able to arrive early, she had the chance to talk to a lot of folks. Trustee Cruz also reported on her attendance at the Chancellor Community Advisory Breakfast and how enjoyable it was to sit with community members who are interested in what we do and to have the opportunity to discuss what is important to them. The Chancellor also had the opportunity to review the Board’s ends policies with the community and also the areas of focus. Attending these meetings continually reminds us of the importance of connecting with our external
community members.

Trustee Fuentes reported that she also had the opportunity to attend the AFT picnic and the Chancellor’s community breakfast. It was fun to interact with our district’s faculty. The Chancellor’s community breakfast was excellent as this Board Room was filled with diverse people from our community. At this breakfast she was able to connect with the Superintendent of Franklin-McKinley School District and he discussed the partnerships of the K-8 schools within the Eastside Union School District. She stated she would like for us to interact with the colleagues at K-8 school boards so that we could find ways to motivate those students to become interested in attending our colleges.

Trustee Ho provided an update on the Board Legislative Committee meeting, which held its first meeting of this legislative year on September 16 at SJCC. The purpose was to meet with student leaders and get their feedback on what they needed to be successful. It was an insightful experience, and the committee looks forward to continuing this dialogue. Many of the Trustees have received their written report from Executive Director Ledesma, which outlined the district’s legislative activities. Two of the bills we supported were signed by the Governor. The next committee meeting is scheduled for November 5, 1:45 p.m. at EVC. We hope that interested district members can join this meeting to engage in the dialogue with EVC student leaders.

President Lease reported that he enjoyed the faculty barbeque. He also had the opportunity to attend several neighborhood meetings, which were enjoyable and insightful regarding the needs of our community members.

b. Chancellor

Chancellor Cepeda thanked Trustees Fuentes, Cruz and Dhillon for participating in the community advisory breakfast. She reported that some community advisors who regularly attend the quarterly sessions will be joining staff for a presentation at the CCLC conference in November. Chancellor Cepeda deferred the rest of her presentation to the item on the adoption of “Global Ends Policies” later on the agenda.

c. Presidents

EVC President Yong reported that the 50th Anniversary of the Civil Rights Movement was celebrated at EVC on September 30, 2014. This movement is an important watershed in human relations in California, and the nation. In 1964, the Civil Rights and Voting Rights Act, was signed, but that did not end blatant discrimination in our society. African Americans bore the brunt of the effort to advocate for justice and equality of all citizens. In many cities, African Americans were joined by whites and other enlightened citizens. EVC is proud to have hosted an event to celebrate the 50th Anniversary of the Civil Rights Movement. The event was attended by individuals who had personally participated in marches, demonstrations, sit-ins, and other forms of protest. Again, this was a great event for the college and community.
Also on September 30, 2014, EVC hosted a summit entitled, “When, If Not Now? Summit on Sexual Assault on College Campuses.” The summit was very well attended, and was Emceed by Marjorie Clark, a Counselor at EVC. It featured a panel that included Senator Jim Beall, Sheriff Laurie Smith, Officer Veronica Villanueva, and representatives from San Jose Police Dept., Sanford University, and the YWCA Rape Crisis Department, and the Santa Clara Women’s Policy Office. SB 967 was discussed, including the need for greater awareness and protection for women on college campuses.

President Yong reported that he just returned from chairing an accreditation team visit to a college in Orange County. After the visit, the real work begins in completing the report for ACCJC. It was a very positive experience for the entire team. The Chancellor of the Mission-West Valley Community College District was member of the team. As for our own accreditation, our effort to meet Standard III.A.1.c is continuing. As of today, almost all faculty evaluation committees have been approved, and he thanked the Senate for assisting with this effort.

SJCC President Breland provided a report on Career Exploration Day: 175 4-6th graders from Sherman Oaks Elementary and 282 4-8th graders from Luther Burbank Elementary participated in this event. Students toured the campus which included mini lectures from HVAC and ceramics faculty and participated in approximately 12 stations that included cosmetology, medical assisting, the radio station and at least 6-8 math and science stations. Some of the names of the Science stations for Career Exploration Day included: Finding Alien Worlds, Electro-Lights (Coil Magnet + Electromagnet Ring Launcher), Fire and Ice (Dry Ice), Amazing Animals (Biology), Chemical Canon + Elephant Toothpaste, Soda Explosion, Going Nuclear, and Finding Alien Worlds. We also had Cosmetology table in the gym which they all loved, especially the boys, which was quite a surprise. They all wanted their hair done. Last week in celebration of the Silicon Valley Manufacturing Week, SJCC hosted a Manufacturing Careers Panel discussion in conjunction with partners Evergreen Valley College, Workforce Institute, and the City of San Jose. The panel consisted of industry experts manufacturing careers across the industry spectrum in Silicon Valley. Follow up will be to have a job fair in the spring where students can have an actual opportunity to participate.

President Breland introduced new hire, Dr. Edina Rutland. Dr. Rutland was born in Hungary. She became deaf at the age of 15 as a result of a car accident. She came to the United States to pursue her graduate studies at California State University, Northridge. Later she earned her doctorate degree in Social Psychology at the University of Nevada, Reno. Since 2006, she worked for community based organizations to help advance the quality of life of individuals with disabilities. Her passion has always been education so she is truly excited for the opportunity to work at SJECCD and we are delighted to welcome her as the Supervisor of Disability Support Services as her passion has been to support students with disabilities to realize their dreams. President Breland reported that Ms. Seher Awan, VP of Administrative Services at SJCC, is leaving the district to pursue another opportunity. She will be greatly missed. President Breland also commended the Academic
Senate on their production of the Hiring Priorities List in a very timely manner. President Breland also announced the San José City College Men’s Tip-Off Basketball Tournament. This year’s tournament will be held on November 6, 7 & 8 and is a reflection of the emphasis of scholarship, competition and sportsmanship.

d. Constituency Group Representatives

Mr. David Micetich, CSEA Vice President, reported that CSEA members are few at tonight’s board meeting due to phone banking activities in support of some trustees and measures in the upcoming election.

Mr. David Yancey, AFT President, thanked the Trustees who attended the 14th annual picnic. A good time was had by all, and all the food had been eaten. Mr. Yancey reported that he regularly attends the Chancellor’s community advisory breakfast as it’s important to regularly connect with community members. Mr. Yancey reported that AFT members are now partnering with Somos Mayfair in delivering books to schools. It’s gratifying to see the looks in the eyes of students who don’t have books see the books that we give them. Mr. Yancey also reported on the dedication of McDonnell Hall at Our Lady of Guadalupe Church in San José. When you can walk into a room where history has been made, it’s a great feeling. Arturo Villarreal did some of the historical research for that historical landmark, where Cesar Chavez met to recruit and organize community members.

Ms. Barbara Hanfling, AFT Executive Director, expressed concern about the openness and transparency of the Board in relation to the Chancellor’s employment contract. She stated her concerns were about the contract and not about the Chancellor directly. Her concerns are more about the process. She stated that she had requested a copy of the Chancellor’s contract as well as the data that was provided to the Board which was used in the determination of the Chancellor’s compensation. In particular, she was reviewing the percentage of the increase the Board had given the Chancellor based on its review of the compensation given by other Bay 10 colleges. Unfortunately, medical and health and welfare benefits were not included in the information received by the Board, and our district is much more generous regarding benefits than other Bay 10 colleges. HR has acknowledged its mistake in not including that information to the Board, and we do not believe there was any intent in that oversight. Ms. Hanfling stated that the Chancellor’s contract should have reflected the two salary increases in 2013; i.e. the 4% increase approved by the Board and the 4.5% increase received by other district members. For the sake of transparency, the Chancellor’s contract should be revised each time that she receives a step increase.

Mr. Jesus Covarrubias, SJCC Academic Senate President, stated that he was glad to hear about EVC’s celebration of civil rights. He noted, however, that 2014 doesn’t mark the 50th year of the movement, but the civil rights legislation. The movement began much earlier than 1964. The senate received a presentation for 13 faculty positions for which there is a need, and these are very active discussions for faculty. Mr. Covarrubias also expressed
the senate’s concern about how AB86 was rolled out, and he began expressing these concerns to the Chancellor very early in the inception of the program. The senate wants to express its concerns from a faculty perspective. The SJCC senate does look forward to an important initiative to be put in place, but it must be done in the right way.

Mr. Eric Narveson, EVC Academic Senate President, stated that Mr. Arturo Villarreal is the consultant for the parish that wanted McDonnell Hall to become a state historic landmark. The parish is trying to get national registry. The state only wanted one historic landmark honoring Cesar Chavez and our professor’s involvement was key to this process. Mr. Narveson attended the Chancellor’s community advisory breakfast and connected with someone who is looking for interns in the political science area for the County Board. Mr. Narveson also reported that he is working with President Yong on campus forums regarding the adjacent land to dispel rumors and also to get the opinions and concerns of community members.

Ms. Lauren McKee, President, MSCC, stated how happy she was for getting a new VP, but it’s important to note that the MSC group lost another member—a female of color. We lost her to another institution and did not provide her the opportunity to be successful in our district.

I ACTION AGENDA

1. **RESOLUTION NO. 101414-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS**

   M/S/C (Mann/Nasol) to approve 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.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustees Harris and Tram voted yes.

2. **RESOLUTION NO. 101414-2 IN SUPPORT OF FILIPINO AMERICAN HISTORY MONTH**

   Trustee Nasol made note that Filipino’s landed in this country in Morrow Bay the year before Christopher Columbus. This is history revision No. 1.

   M/S/C (Nasol/Mann) to approve Resolution No. 101414-2 in support of Filipino American History Month.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

   Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. **SUPERVOSORY-CONFIDENTIAL PERSONNEL ACTIONS INCLUDED IN CONSENT AGENDA ITEM F-6B**

Trustee Ho stated that her purpose for pulling this item from the Consent Agenda was due to her concern that the Board was being asked to approve two positions before the funding for them was available. Staff has addressed those concerns, but she wanted the Board to be aware of the urgency of the deadline. Chancellor Cepeda stated that our district was the only one to step up and support the National Hispanic University when they had to close its doors. At the November Board Meeting at EVC, Nora Campos and Cindy Chavez will be attending to recognize this action by the college. Trustee Nasol stated he would support both actions but requested that in the future a justification would be provided in the agenda item to bring clarity to these actions. President Yong agreed but stated that the Department of Education gave the college just 90 days from September 1, which didn’t give us a lot of time to adequately prepare.

M/S/C (Nasol/Mann) to approve the Supervisory-Confidential Personnel Actions contained in Consent Agenda Item F-6B.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

4. **TRIO PROGRAMS TRANSFER FROM NATIONAL HISPANIC UNIVERSITY TO EVERGREEN VALLEY COLLEGE**

M/S/C (Mann/Nasol) to approve transfer of two TRIO Programs from National Hispanic University to Evergreen Valley College.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

J. **INFORMATION AGENDA**

1. **BOARD “GLOBAL ENDS” POLICIES AND EXECUTIVE STAFF “MEANS” STRATEGIES: AN IMPLEMENTATION WORKPLAN**

Chancellor Cepeda provided an overview of the development of the Board’s ends policies and the charge she received to provide the means strategies to achieve them. She stated this report is an oversimplification of the work the Board engaged in over two years to move to a governance leadership model. She described the process used for the development of her workplan through board policy alignment, strategic planning alignment, interdependence through the development of side-by-
side workplans of the Chancellor’s executive team, removing gaps and duplications, resource allocation and the collateral benefit resulting from “changing the script” through the consistent use of terminology. The goal was not just to come up with a list of things that must be done but to link activities with the Board’s ends policies. Chancellor Cepeda reviewed the SJECCD Global Ends Statement Chancellor Workplan. She reviewed each global ends policy along with the aligned strategic priority and which executive staff member would take the lead on those particular means strategies needed to fulfill the policy and strategic priority. She also discussed the impact on the institutional targets and the need for measuring the progress we are making to hit those targets. Her workplan includes the work of her executive team and the work they must perform in order for these targets to be met. The goal is to present to the Board on a quarterly basis a status report on how each ends statement is met. We are now working to develop the best dashboard method for reporting this information and are on our way towards establishing and implementing the Board’s direction.

Trustee Cruz inquired when the Board would receive the first quarterly report. Chancellor Cepeda answered that on March 10, 2015, the Board would receive its first dashboard report. Trustee Fuentes inquired about the development of the priority list developed by the staff and how that fits in to the real needs that are identified by staff for full-time faculty positions. Our revenue is now more tied into the economy as a basic aid district. How does it fit in with all of this? Chancellor Cepeda answered that the faculty hiring priority lists are between the academic senate and college presidents. And that the workplan would help to inform the final process. In turn, it would be the presidents who would present that information to the Board. She stated that throughout the workplan there are opportunities to determine where the need for additional faculty is needed, once such area is career development. That would be an interesting priority and perspective for the presidents to consider.

Trustee Cruz inquired about the reports that continually come to the Board, how it does not include the faculty pieces but should since they are the ones who work the closest with students. We need to continually think about the redesign plan and how that impacts students and think about things in a holistic way. Faculty needs to be kept in mind if we are going to be student centered. SJCC Academic Senate Covarrubias stated how faculty is always told about the budget allocations and that seems to put a limitation on the hiring of full-time faculty. President Lease stated that the presentation was a good start in determining how the Board would receive information regarding the fulfillment of its ends policies.

2. AB86 – SOUTH BAY CONSORTIUM FOR ADULT EDUCATION (SBCAE) PROGRESS REPORT

Vice Chancellor Coen provided an overview of the need for adult education in the Silicon Valley. Our community is a very diverse population with many immigrants and adult learners that need targeted education to get the skills they need for jobs in the community. She introduced Mr. Bob Harper, Director, Campbell Adult and Community Education, and Dean Kishan Vujjeni, who are co-chairs of the SBCAE and would provide the report. Dean Kishan Vujjeni reviewed the historical background of AB86 legislation and the charge by Governor Brown for community colleges and adult schools to collaborate to better serve the educational needs of adult learners. AB86 allocated $25 million for developing regional plans in 18 months (January 2014 through June 2015). The AB86 vision is to create an
Minutes of October 14, 2014, Governing Board Meeting

integrated adult learner system that increases transition to college and enhances employability based on individual student goals. Program areas addressed by AB86 include elementary and secondary basic skills, classes and courses for immigrants eligible for education services in citizenship and ESL and workforce preparation classes in basic skills, education programs for adults with disabilities, short-term career technical education programs with high employment potential and programs for apprentices. Dean Kishan Vujjeni provided a historical perspective of the South Bay Consortium for Adult Education and the explained how the SBCAE Steering Committee was formed (with membership and structure following the state model.) He presented SBCAE’s progress on meeting the AB86 objectives and reporting requirements, and SBCAE’s extensive efforts to include broad stakeholder input into the development of the regional plan.

Mr. Bob Harper discussed the process used to create a plan that would ensure adult learners in the region could be served better. The funding is to just to create a regional plan – not the implementation of that plan. We need people to provide input and inform the development of the plan, so we connected faculty from all seven districts and with more than 20 community based organizations that provide services in one way or another to the adult learner. It’s not just about the two community college districts, and that is why the collaborative relationships reflected in this consortium are so important. Outreach efforts connecting to the community, a review of best practices and faculty workgroups aligned to the five program areas have been a key part of this process. Seventy-two faculty members from the seven member districts have actively participated, and it’s a unique situation to have seven different educational entities work in such a collaborative way. We mirrored what was done at the state-wide level. The planning design has been such that there were three all-day retreats at which faculty provided input. The state has concrete and specific things that need to be done, such as the seven objectives. The program-specific workgroups are chaired by two faculty (one from the community college and one from the adult schools) who lead the discussions and work with consultants to record, vet, and disseminate the ideas brought forth in the discussions. Dean Vujjeni ended the presentation by providing a timeline of the faculty retreats, the workgroup meetings, as well as the many district internal informational meetings to disseminate the work of the SBCAE and gather input.

Chancellor Cepeda discussed the desperate need in our community for basic skills and distributed information regarding what the gaps are and what is needed.

Trustee Cruz expressed her appreciation of the presentation but expressed concerns about the changes of leadership for the Academic Senate and inquired about the method and process used to share information about AB86. Vice Chancellor Coen stated that Academic Senate leadership has consistently been provided information regarding the Steering Committee’s progress on meeting the AB86 Objectives and on the reporting to the state. To ensure continuity of information flow, SBCAE Steering Committee members have identified alternates for themselves so that when committee members could not attend, they would send their alternate. The Academic Senate may choose to follow that example and choose an alternate for themselves so that if they are not able to attend an informational meeting, an alternate can express their views and bring information back. Minutes and handouts are always provided so that information could be distributed more broadly if desired. Trustee Dhillon asked how this will help our
college enrollments and how would be able to help students in that process if we don’t yet know what to expect. Vice Chancellor Coen answered that if we do this right, this effort will increase the enrollments for both colleges since we will create a process for adult schools to refer their students directly to our colleges. We still need to do work regarding common assessments and whether we use the same tools or whether we just agree upon what skill level is included in an assessment score. We probably can’t get to using a common tool yet. We are trying to streamline the process. We have been informed by adult learners that when they come to community colleges they don’t feel welcome; we are considering offering a special class in college readiness for adult learners. We will be looking at ways to make it easier for them. Trustee Fuentes commented on the composition of the Steering Committee and how that would be impacted if one faculty member from each institution was included in that steering committee. Vice Chancellor Coen answered that one of the first things the SBCAE had to submit to the state was the listing of who would be included in the decision-making process, and how the SBCAE arrived at its model. After much deliberation, the SBCAE members came to agreement that all decisions would be made only after reaching consensus of the seven districts. SBCAE also indicated in its second report how we would ensure there were shared leadership strategies that included all seven districts. We had to ensure equal leadership.

The Board heard public comments from:

SJCC Academic Senate President Covarrubias stated the request to put this on the agenda was made by the senate. He mentioned that there were four documents distributed to the Board, and one was a letter to the Board of Trustees from himself, Margaret Muench, Academic Senate Vice President and Phillip Crawford, Academic Senate Treasurer with a request that the Board of Trustees direct the Chancellor to advise Vice Chancellor Coen the project director, to include faculty appointees on the steering committee. He stated that the faculty is supportive of the AB86 legislation, and faculty is already involved in the workgroups.

Mr. Phil Crawford stated the Academic Senate’s concern that faculty are not involved in the decisions that would be made by the steering committee. He discussed concerns with the process of selecting the co-chairs of the committee and the way items are placed on the agenda for the meetings, which he feels is not a collaborative and transparent process. He stated that the state model has been changed to include faculty, and it’s important for faculty to be included as they are the experts on curriculum and other decisions that would need to be made.

Ms. Leslie Rice, ESL faculty from SJCC, discussed her work at the reading and writing center to assist students who need assistance to move forward. She stated that she loves her job working with students in the ESL classes. AB86 will have an impact on all of us, and we will all work better together. We need faculty expertise on the steering committee because they know what is needed to meet the needs of these students. Teachers and classified staff are in the trenches with the students. She requested that the Board help in getting faculty to serve on the steering committee.

Mr. Covarrubias ended the public comments by reading the last paragraph of the letter from the Academic Senate which stated that: The SJCC Academic Senate
respectfully request that the SJECCD BOT direct the Chancellor to advise Vice Chancellor Carol Coen, the project director, to include faculty appointees from both CC and AE on the steering committee. These representatives will then be tasked with bringing all proposed plans and actions to the respective Academic Senates for review and approval prior to submittal to the State Chancellor’s Office.

Trustee Dhillon stated that due to hearing all of this, he wants to correct this situation and make a decision based on what’s best for our district; and this is that we do this work collaboratively with one another. Trustee Fuentes discussed the importance of our community members to have a pipeline to education, and it’s vital for faculty to be involved in every area of the decision-making process. It’s important for people who make decisions about academic programs to be at the table. It’s great to have workgroups that create ideas, but it’s still important for faculty to be a part of the decision-making process. She requested the Board put on the next agenda an action item for the Board to have a discussion and then approve a decision to make a recommendation to the steering committee to include faculty. Trustee Nasol recommended that perhaps the Chancellor can write a letter on behalf of the Board to the Steering Committee their opinion to have faculty appointed to the steering committee. Trustee Ho stated that even though we are not the only community college district on the steering committee, if the Board decides to do so, we can perhaps write a letter in support of the faculty.

President Lease requested that, due to the Board’s interest in further discussion and perhaps making a recommendation to the steering committee, Chancellor Cepeda write a board item regarding the faculty request for the October 28 meeting.

3. MEASURE G-2010 BOND PROGRAM: MEASURE G-2010 SUMMARY REPORT FOR SEPTEMBER 24, 2014

Vice Chancellor Smith reported that there were two cautions on this monthly report. He requested that Mr. Scott Jewel, Gilbane Project Manager, provide a brief description of the cautions. Mr. Jewel reported that the first one was very minor and concerned Phase One of the Career Technical Education project. The contractor was late, and staff was forced to occupy the building before the work was done. The second caution for the Repurposed Boiler Plate project is a cost caution and was due to the transfer of some maintenance costs. This will not be a caution on the report the Board will receive next month.

K. CONTINUATION OF CLOSED SESSION

No

L. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None
M. ADJOURNMENT

M/S/C (Mann/Cruz) to adjourn the meeting at 9:03 p.m.

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

President Lease called the Regular Meeting of the Governing Board of the San José-‐Evergreen Community College District to order on Tuesday, October 28, 2014, at 4:30 p.m. at the District Office 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
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol

Board Members Absent:
None

B. APPROVAL OF CLOSED SESSION AGENDA

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

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Lease, Ho, and Nasol voted yes.

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 6:10 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. Larry Harris
Mr. Kenny Tram

1. PLEDGE OF ALLEGIANCE

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

2. ADOPTION OF AGENDA

M/S/C (Mann/Dhillon) to adopt the agenda as amended:

Action Agenda H-1 San José City College Landscape Plan was removed from the agenda.

Information Agenda Item H-4 SJECCD Board Request: Inclusion of Faculty in South Bay Consortia for Adult Education (SBCAE) Steering Committee was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

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 a public comment from Mr. Donald Young, Foundation Board Chair. Mr. Young read a letter sent to the Board of Trustees from himself and Mr. Alex Torres, Foundation Board Vice Chair, regarding the negative impact of the NBC Investigative News Report for the Foundation. He expressed concern that the report basically appeared to be a rift between Trustee Fuentes and Chancellor Cepeda. The report did not uncover any wrongdoing on the part of the Chancellor, and to have something so immaterial be put in such a public format works against
the considerable efforts and mission of the Foundation to support students in the
district. He requested that on behalf of the Foundation and its business leaders, the
Board takes clear and decisive steps when violations such as the NBC
investigative report occur.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

Hearing no comments to pull any items, President Lease stated that the Consent
Agenda was adopted by general consent of the Board.

2. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified 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. CURRICULUM RECOMMENDATIONS FOR SAN JOSÉ CITY COLLEGE

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

5. DESTRUCTION OF RECORDS

The Board approved the destruction of records as listed per Section 7080.3002 of
the Retention and Destruction of Records under Board Policies.

6. MEMORANDUM OF UNDERSTANDING BETWEEN EVERGREEN VALLEY
   COLLEGE AND SB1070 SOUTHWEST PATHWAYS CONSORTIUM

The Board approved the Memorandum of Understanding between Evergreen
Valley College and SB1070 Southwest Pathways Consortium.

7. MEMORANDUM OF UNDERSTANDING BETWEEN SAN JOSE CITY COLLEGE
   AND SB1070 SOUTHWEST PATHWAYS CONSORTIUM

The Board approved the Memorandum of Understanding between San José City
College and SB1070 Southwest Pathways Consortium.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

Hearing no comments to pull any items, President Lease stated that the Measure G
Bond Programs Consent Agenda was adopted by general consent of the Board.
2. **MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE, CAREER TECHNICAL EDUCATION AND MEDIA ARTS CENTER (BUILDINGS 100 & 200), PROJECT #31107 CNC SOLUTIONS, INC. REVISION NO. 001**

The Board approved Revision No. 001 in the amount of $3,100.00 to CNC Solutions, Inc., for the #31107 Career Technical Education and Media Arts Center (Buildings 100 & 200) Project at San José City College.

3. **MEASURE G-2010 BOND PROGRAM: SJCC – CAREER TECHNICAL AND MEDIA ARTS CENTER (BUILDINGS 100 & 200) PROJECT NO. 31107 CHANGE ORDER NO. 003**

The Board approved Change Order No. 003 in the amount of $24,389.01 to Kitchell CEM Inc., for the Career Technical Education and Media Arts Center (Buildings 100 & 200) Project at San José City College.

4. **MEASURE G-2004 BOND PROGRAM: SAN JOSE CITY COLLEGE (SJCC) PHYSICAL EDUCATION BUILDING #122 – LPAS, INC., AMENDMENT NO. 001 TO THE DESIGN AGREEMENT**

The Board approved the Amendment No. 001 to Design Agreement in the amount of $74,875.00 to LPAS, Inc., for the Physical Education Building #122 at San José City College.

5. **MEASURE G-2010 BOND PROGRAM: PROJECT MANAGEMENT, PATCHING AND SOFTWARE INSTALL AT 40 S. MARKET STREET**

The Board approved the Independent Contractor Agreement for $59,590 with Dasher Technologies for Project Management, Patching and Software Installation at 40 S. Market Street based on RFP #G2010.0099.

H. **ACTION AGENDA**

4. **SJECCD BOARD REQUEST: INCLUSION OF FACULTY IN SOUTH BAY CONSORTIA FOR ADULT EDUCATION (SBCAE) STEERING COMMITTEE**

Vice Chancellor Coen provided an overview of the work accomplished to date by the seven districts included in the SBCAE Steering Committee. She stated that the composition of the steering committee is similar to the state model, and the committee has worked together in a collaborative way. She introduced Ms. Suzi Glass, Principal, and Silicon Valley Adult School, who is a member of the steering committee. Principal Glass distributed and read to the Board as a public comment a letter that was signed by members of the steering committee. The letter detailed the AB86 legislation planning objectives for community colleges and the work they must do in a collaborative manner in order to fund, plan and structure what public education will look like in the future. The letter was written to the Board to provide an understanding of the nature of the work entailed by the steering committee and also detailed how the consortium has responded in good faith to the state’s requirements to report to them the organization of its planning and decision-making process. She stated that the members of the consortium are requesting that the Board honor its
process, support its growing relationships and trust its structure. Mr. Rich Uribe, Principal, East Side Adult School, and spoke about the negative impact it would have on the consortium if the SJECCD Board directed that anyone be put on the steering committee as that would be a violation of AB86. Mr. Usha Narayanan, Principal, Milpitas Adult School, stated that the consortium has worked together in good faith from the beginning; and the process has been very inclusive. Ms. Christine Berdiansky, Program Supervisor, Santa Clara Adult Education, and Mr. Bob Harper, Director, Campbell Adult and Community Education, detailed the inclusion process, equity and transparency and also reviewed how the inclusion of faculty and administrative staff in the various workgroups has contributed greatly to the program.

Trustee Fuentes inquired how the decision was made to have the steering committee set up as it was. Vice Chancellor Coen answered that the consortium immediately made the decision to follow the state model for its steering committee. Trustee Dhillion stated that it’s obvious that everyone is working well together so far. However, the issue is how the representation should be for our district. This has nothing to do with other institutions, but just our district. Trustee Ho requested that the Academic Senate presidents report on the position taken by their senates. EVC Academic Senate President stated that the EVC Senate reviewed the letter SJCC presented to the Board and determined they would solidly support the recommendation for the Board to take a stand that faculty should be included on the steering committee. Trustee Ho also inquired about the timeline for submitting the required reports. Dean Kishan Vujjeni reviewed the timeline for the submission of reports—October 31 for the progress report on Objectives 1-5, and the final report on December 31, which will include Objectives 6 and 7. Dean Vujjeni stated that the steering committee will not be planning curriculum; this will be done through the faculty work groups. Trustee Cruz stated that AB86 is transformational work, which will require a lot of academic planning and commitment. The Academic Senate leaders have a captive audience at the colleges, and it would be in the best interest of the program for them to be included in the planning process. Trustee Fuentes expressed concern about moving forward with the request since the letter presented to the Board by the steering committee made it clear that they would not be responsive to any request made by the Board to add faculty to the group. Trustee Nasol stated the importance of including faculty in the decision-making process. However, it seems the faculty work groups are part of the curriculum development process and thus are a part of the decision-making process. If the steering committee is following the state model, then it is way ahead of the planning process. Trustee Mann stated that the planning process is already in mid-stream, and this request by faculty should’ve been addressed long ago. We need to move forward.

M/S/C (Fuentes/Dhillion) to request that Chancellor request the SBCAE reconsider inclusion of K-12 and Community College Faculty in the Steering Committee.

Board vote was as follows:
Trustees Cruz, Dhillion, and Fuentes voted yes. Trustee Ho, Lease, Mann and Nasol voted no. Motion failed.

Advisory vote was as follows:
Student Trustees Harris and Tram voted no.
1. **SAN JOSE CITY COLLEGE LANDSCAPE PLAN**

   This item was removed from the Action Agenda.

2. **MEASURE G-2004 BOND PROGRAM: BOND LIST REVISION**

   M/S/C (Mann/Ho) to approve the revisions to the Measure G-2004 bond list as presented.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustees Harris and Tram voted yes.

3. **MEASURE G-2010 BOND PROGRAM: BOND LIST REVISION NO. 11**

   M/S/C (Mann/Dhillon) to approve the revisions to the Measure G-2010 bond list as presented.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustees Harris and Tram voted yes.

4. **SJECCD BOARD REQUEST: INCLUSION OF FACULTY IN SOUTH BAY CONSORTIA FOR ADULT EDUCATION (SBCAE) STEERING COMMITTEE**

   This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

5. **DISABILITY AWARENESS MONTH RESOLUTION NO. 102814-1**

   Trustee Dhillon expressed concern that, in light of this resolution, it’s unfortunate that EVC does not have an assessment for DSPS students. He went to the office himself on behalf of his son to have an assessment done and was told there was no money and no staff available to do assessments. EVC Dean Octavio Cruz answered that the college does have a DSP department on campus to assess on site the special needs of students; however, we will provide a more definitive answer later to Trustee Dhillon. Chancellor Cepeda answered that she would look into the matter as she has not heard about this concern before.

   M/S/C (Mann/Cruz) to adopt Resolution No. 102814-1 in support of Disability Awareness Month.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustees Harris and Tram voted yes.
I. INFORMATION AGENDA

1. **FY 2013-2014 ANNUAL FINANCIAL AND BUDGET REPORT (CCFS-311)**

Vice Chancellor Smith reported that the district is required to prepare an Annual Financial and Budget Report (CCFS-311) to the State Chancellor's Office. This information is compiled system-wide by the State Chancellor’s Office and is being presented to the Board for information.

2. **ENROLLMENT MANAGEMENT UPDATE**

Chancellor Cepeda stated that at the September 9 board meeting, the Board expressed interest in discussing student enrollment and its impact on the district’s budget. She reported that in the past five years (2009-2014) student enrollment at SJECCD has declined by 18.28%; a decline at EVC of 11% and at SJCC of 23%. Part of this was planned as a result of severe budget cuts and an ongoing history of unfunded FTES. During much of that five-year period our district met the established State cap and our district enrollment decline was comparable to the other nine community colleges in the Bay Area. However, it became evident that our district needed to address the issue of enrollment management. Chancellor Cepeda provided a historical overview of the Enrollment Management Task Force and the participation of herself, the presidents and Vice Presidents of Academic Affairs, the Academic Senate presidents and the Faculty Association to develop a definition of enrollment management and enrollment management principles. EVC Vice President Keith Aytch and SJCC Vice President Duncan Graham provided a status update on the Enrollment Management Task Force. The next meeting is in the process of being scheduled but will focus on defining priorities and establishing the next steps. EVC Academic Senate President Narveson reported that he has been a part of the task force from its inception. He provided an overview of the definition and philosophy. He stated the philosophy is to ensure a balance of course offerings and discussed the impact of the drastic reduction of the Summer Session in 2012 due to budget cuts. Interim Vice Chancellor Hawley provided an analysis of enrollment trends. Since Fall 2008, enrollment has declined at EVC by 16.7% declined at SJCC by 19.2%. FTES has declined at EVC by 14.7% and SJCC by 18.7%. Fall to Spring retention is increasing, which means continuing students are stable. But first-time student enrollment is declining. First-time student enrollment speaks to marketing and outreach, and first-time students have different needs than continuing students and other student groups. EVC President Yong stated that current enrollment management efforts include flexible scheduling, creative marketing and community partnerships. SJCC President Breland stated that SJCC strategies include student-centered strategies, data informed decisions, collaboration among Academic Affairs, Student Affairs and Administrative Services. Chancellor Cepeda ended the presentation by reviewing the next steps in enrollment management, which include campus-based enrollment management strategies, district-wide enrollment management template with standards/targets, annual reporting from campuses to DO and DO support of campuses through data, technology and resources.

Trustee Ho gave kudos to the staff work and stated it was good to see that the district is moving toward a data-driven, student centered process. Trustee Nasol
inquired if the district had the data to indicate where enrollment has dropped in the various disciplines and also if there was a relationship with our course offerings at both campuses. There seems to be huge waiting lists for the EVC nursing program. Do we also have course offerings that students are no longer interest in. Vice Chancellor Hawley answered that all these date are available, but is, unfortunately, not compiled in one place. We are still in the process of pulling that all together. Trustee Fuentes inquired about students who cannot enroll in the courses they need; how is this issue dealt with through the enrollment management process. Chancellor Cepeda answered that it is a concern to both colleges that there are students who cannot get the courses they need. If we had a system available so that when a student couldn’t get into a class they needed, they would see a pop-up that would take them to a course to fulfill that requirement. We would also get those alerts so that another session could open up to accommodate those students. These are some of the specifics that we are working on.

The Board heard a public comment from SJCC Academic Senate member Leslie Rice who expressed her disappointment that the Board did not approve the recommendation to request that a faculty member be included as part of the SBCAE Steering Committee.

J. CONTINUATION OF CLOSED SESSION

No.

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

L. ADJOURNMENT

M/S/C (Nasol/Ho) to adjourn the meeting at 8:27 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
November 11, 2014

A. CALL MEETING TO ORDER

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, November 11, 2014, at 4:30 p.m. at the District Office Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Ms. Wendy Ho
Dr. Jeffrey Lease
Mr. Craig Mann
Mr. Rudy Nasol

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

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

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

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: 27 acres of surplus land adjoining San Felipe Road and Yerba Buena
District Negotiator(s): SJECCD Vice Chancellor Doug Smith; Mr. Jim Eller, Eller &
Minutes of November 11, 2014, Governing Board Meeting

Associates; Mr. Aaron Gruen, Gruen, Gruen & Associates
Names of Negotiating Parties: Republic Urban Properties LLC
Under Negotiation: Instruction to negotiators concerning price and terms of payment in non-binding letter of intent regarding a ground lease of surplus property

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
Ms. Wendy Ho
Dr. Jeffrey Lease
Mr. Craig Mann
Mr. Rudy Nasol
Mr. Larry Harris
Mr. Kenny Tram

Board Members Excused:
None

1. PLEDGE OF ALLEGIANCE

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

President Lease dedicated the meeting to honor our veterans, and we thank them for the sacrifices they and their families have made to serve our country.

2. ADOPTION OF AGENDA

M/S/C (Mann/Cruz) to adopt the agenda as amended:

Information Agenda Item J-1 was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. RECOGNITION OF ASSEMBLYMEMBER PAUL FONG AND APPROVAL OF RESOLUTION NO. 111114-4 IN HIS HONOR

The SJECCD Board of Trustees honored Assemblymember Paul Fong for his legislative work in support of students. President Lease read Resolution No. 111114-4, which highlighted some of his achievements as a legislator.
M/S/C (Nasol/Mann) to approve Resolution No. 111114-4 in honor of Assemblymember Paul Fong.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

Assemblymember Fong thanked the Board of Trustees and members of the district for honoring him. He stated how impressed he was with the diverse Board, faculty and staff at the district. He stated he is ready to report to the students and AFT 6157 and get back to the work of teaching. With his experience as a legislator, he has many experiences to share with students and hopes to encourage them to pursue a life of public service.

AFT 6157 President Yancey reported that it was Mr. Fong who pushed through the legislation on the millionaire’s tax, which turned into Proposition 30 that helped build the district. It was his vote that maintained that legislation. Paul had the courage to stand up for what he believes in.

President Lease welcomed Paul back to the district.

4. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions taken in the Closed Session meeting.

5. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

The Board heard a public comment from CSEA member Mr. Gary Cooper, who thanked Trustee Fuentes for her support of him over the years. It has been a pleasure getting to know her, and she will be missed as a board member.

6. APPROVAL OF THE OCTOBER 14 AND OCTOBER 28, 2014, GOVERNING BOARD MEETING MINUTES

M/S/C (Mann/Ho) to approve the above listed meeting minutes as amended. Student Trustees Harris stated that on the October 28 meeting minutes, he had voted no on Action Agenda Item H-4.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, and Mann voted yes. Trustee Nasol abstained since he was not present at the meeting.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.
F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Mann/Nasol) to adopt the Consent Agenda as submitted.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

2. FACULTY PERSONNEL ACTIONS -REGULAR

The Board approved the faculty personnel actions as submitted.

3. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified Personnel Actions as submitted.

4. SUPERVISORY-CONFIDENTIAL PERSONNEL ACTIONS

The Board approved the Supervisory-Confidential 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. RATIFICATION OF CONTRACTS AND PURCHASE ORDERS

The Board ratified the contracts and purchase orders for the period of September 10, 2014 through November 9, 2014, as noted in the documents attached to the agenda.

7. CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE

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

8. ACCEPTANCE OF GRANT FUNDS FROM YOSEMITE COMMUNITY COLLEGE DISTRICT, CHILD DEVELOPMENT CONSORTIUM – SAN JOSE CITY COLLEGE ACCESS PUBLIC

The Board accepted and appropriated grant funds up to $10,000 from YCCD/CDTC for San José City College’s Early Childhood Education students.
9. **ACCEPTANCE OF BAYCLEAN PROPOSITION 39 CLEAN ENERGY WORKFORCE PROGRAM GRANT**

The Board accepted San José City College as one of the 12 community college’s to participate in the BayCLEAN Proposition 39 Clean Energy Workforce Program and accepts the grant awarded for $79,000.

10. **OUT OF COUNTRY TRAVEL – EVC FACULTY MEMBER**

The Board approved out of country travel for Professor Arturo Villarreal and funds in the amount of $500.

G. **MEASURE G BOND PROGRAMS CONSENT AGENDA**

1. **ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA**

M/S/C (Mann/Ho) to adopt the Measure G Bond Programs Consent Agenda as submitted.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

2. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE WATER SERVICE REPLACEMENT PROJECT #32311 – S AND H CONSTRUCTION CHANGE ORDER NO. 001**

The Board approved Change Order 001 in the amount of $47,679.00 to S and H Construction, for the Water Service Replacement Project #32311 at Evergreen Valley College.


The Board approved the Notice of Completion (NOC) of the contract by HY Floor and Gameline Painting, Inc. for the Gym Floor Refinishing Project #32307-01 at Evergreen Valley College.

4. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE MECHANICAL, ELECTRICAL AND PLUMBING UPGRADE PACKAGE #2 PROJECT #32307-06 AT EVERGREEN VALLEY COLLEGE – JKL CONSTRUCTION SERVICES, INC. NOTICE OF COMPLETION (NOC)**

The Board approved the Notice of Completion (NOC) of the contract by JKL Construction Services, Inc. for the Mechanical, Electrical and Plumbing Upgrade Package #2 Project #32307-06 at Evergreen Valley College.
5. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE SOUTH CAMPUS DEVELOPMENT PROJECT #32107 – BLACH CONSTRUCTION COMPANY DEDUCTIVE CHANGE ORDER NO. 002**

The Board approved the Deductive Change Order No. 002 in the amount of ($28,438) to Blach Construction Company for the South Campus Development Project #32107 at Evergreen Valley College.

6. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AUTOMOTIVE TECHNOLOGY BUILDING PROJECT #32111 – C. OVERAA & COMPANY SITE LEASE AND FACILITIES LEASE-LEASEBACK**

The Board executed the Site Lease and Facilities Lease Agreements for the construction of the Automotive Technology Building (Project #32111), at Evergreen Valley College to C. Overaa & Company with a Guaranteed Maximum Price in the amount of $11,347,704.

7. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AND SAN JOSE CITY COLLEGE LED PARKING LOT LIGHTING FIXTURE REPLACEMENT PROJECT – INTERMOUNTAIN ELECTRIC COMPANY, INC., CHANGE ORDER NO. 002**

The Board approved Change Order No. 002 in the amount of $11,655 to Intermountain Electric Company, Inc., for the Evergreen Valley College (EVC) and San José City College (SJCC) LED Parking Lot Lighting Fixture Replacement Project at both EVC and SJCC.

8. **MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE (SJCC) – CAREER TECHNICAL EDUCATION PROJECT BUILDINGS 100 & 200, PROJECT #31107-2, KITCHELL CEM CHANGE ORDER NO. 004**

The Board approved Change Order No. 004 in the amount of $69,696.13 to Kitchell CEM Inc., for the Career Technical Education Project #31107-02, Buildings 100 and 200 at SJCC.


The Board approved the NOC to Electronic Innovations for the Physical Security Project, #31311 at SJCC.

10. **MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE (SJCC) – CAMPUS SITE IMPROVEMENTS – SITE FENCING, PROJECT #31116-01 – CRUSADER FENCE, CHANGE ORDER NO. 005**

The Board approved Change Order No. 005 in the amount of $1,760.00 to Crusader Fence for the Campus Site Improvements – Site Fencing, Project #31116-01 at SJCC.
11. MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE (SJCC) – HVAC AND PLUMBING UPGRADES PROJECT #31304-18 – ENVIRONMENTAL SYSTEMS INC. (ESI), CHANGE ORDER NO. 001

The Board approved Change Order No. 001 in the amount of -$8,760 to ESI for the HVAC and Plumbing Upgrades Project #31304-18 at SJCC.

12. MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE (SJCC) – PROJECT 31107-02 CTE RENOVATIONS, COLD CRAFT, INC., CHANGE ORDER NO. 002

The Board approved Change Order No. 002 in the amount of $5,340 to Cold Craft, Inc. for the #31107-02 CTE Renovations Project at SJCC.

13. MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE (SJCC) – CAMPUS SITE IMPROVEMENTS LANDSCAPE DESIGN PROJECT #31116 – JONI L. JANECKI AND ASSOCIATES, REVISION NO. 001 TO PROJECT ASSIGNMENT AMENDMENT (PAA) SJCC-01

The Board approved the Revision No. 001 to PAA SJCC-01 in the amount of $8,000.00 to Joni L. Janecki and Associates for the Campus Site Improvements Landscape Design #31116 at SJCC.

14. MEASURE G-2010 BOND PROGRAM: SAN JOSE CITY COLLEGE (SJCC) – SCHEDULED MAINTENANCE PROJECT #31304-19 GENERAL EDUCATION BUILDING HVAC UPGRADES PHASE I – SALAS O’BRIEN ENGINEERING, INC., PROJECT ASSIGNMENT AMENDMENT (PAA) SJCC-05

The Board approved Project Assignment Amendment (PAA) SJCC – 05 in the amount of $99,500 to Salas O’Brien Engineering, Inc., for the General Education Building HVAC Upgrades Phase I Project at SJCC.

15. MEASURE G-2010 BOND PROGRAM: SJCC 100/200 NETWORK INFRASTRUCTURE EQUIPMENT AND INSTALLATION SERVICES

The Board approved the purchase of network infrastructure equipment for $61,236.91 wire management for $1,161.89 and an Independent Contractor Agreement (ICA) with Dasher Technologies for $10,530.00 for the configuration and installation of network equipment and wire management for SJCC 100/200, for a total cost of $72,928.80.

16. MEASURE G-2010 BOND PROGRAM: NEW DISTRICT OFFICE BUILDING SECURITY SYSTEM #39301 – CATALYST CONSULTING GROUP INC., REVISION NO. 001 TO A PROJECT ASSIGNMENT AMENDMENT (PAA) DO-01

The Board approved Revision No. 001 to PAA DO-01 in the amount of $4,720 to Catalyst Consulting Group, Inc., for the New District Office Building Security System #39301 at 40 South Market St., San Jose, CA.
17. **MEASURE G-2010 BOND PROGRAM: NEW DISTRICT OFFICE BUILDING FURNITURE #39301 – KRJ DESIGN GROUP, REVISION NO. 001 TO PROJECT ASSIGNMENT AMENDMENT (PAA) DO-01**

The Board approved Revision No. 001 to PAA DO-01 in the amount of $6,600.00 to KRJ Design Group, for the New District Office Building Furniture #39301 at 40 South Market St., San Jose, CA.

18. **MEASURE G-2010 BOND PROGRAM: NEW DISTRICT OFFICE BUILDING FURNITURE #39301 – SIGNAGE – ANDERSON BRULE ARCHITECTS, INC., PROJECT ASSIGNMENT AMENDMENT (PAA) DO-01**

The Board approved Project Assignment Amendment (PAA) DO-01 in the amount of $37,000 to Anderson Brule Architects, Inc., for the New District Office Building Signage #39301 at 40 South Market St., San Jose, CA.

19. **MEASURE G-2010 BOND PROGRAM: NEW DISTRICT OFFICE BUILDING FURNITURE #39301 – XL CONSTRUCTION CORPORATION, REVISION NO. 001 TO AN INDEPENDENT CONTRACTOR AGREEMENT (ICA)**

The Board approved Revision No. 001 to Independent Contractor Agreement (ICA) in the amount of $16,844.41 to XL Construction Corporation, for the New District Office Building Signage #39301 at 40 South Market St., San Jose, CA.

**J. 1. DIVERSE BUSINESS OUTREACH UPDATE**

Chancellor Cepeda reported that in an effort to comply with the Board's request for the district to establish a goal for outreach to small, women, minority, and veteran owned businesses, the Board approved a contract with L. Luster & Associates. Vice Chancellor Smith provided an overview of the materials that was provided to the Board and the update that would be provided at the meeting. He stated that in the past the Board had received an annual report on the status and activities designed to increase the district’s use of small, women and minority owned local businesses. In an effort for the district to move forward in this area, the Board approved a contract with L. Luster & Associates, who will provide its first update on what has been accomplished. The goal is to have L. Luster & Associates provide a quarterly update for the remainder of their contract with the district. Vice Chancellor Smith introduced Ms. Joan Fisher, Project Manager, to provide this report. Ms. Fisher reported that Ms. Laura Luster was unable to attend the meeting due to a family emergency. She introduced other members of the project team, who would co-present with her at the meeting; Estela Tarano, Ray Ruiz, Dennis King and Ranjani Mohana. Ms. Fisher reviewed the scope of services and objectives of the diverse business plan to reach out to small, African American, Asian American, Latino/Hispanic American, Native American, women and disabled Veteran owned businesses, to inform them of the district’s commitment and opportunities, to assist businesses to prepare for district opportunities, to engage businesses in district procurement and contracting processes and to assist SJECCD to achieve its business participation goals. Mr. Ruiz provided a status update and reviewed the approach L. Luster & Associates is using to identify diverse small businesses in the Santa Clara County area, the district’s five-year procurement history, identification of district’s opportunities, and outreach efforts to potential contractors and
businesses. He stated there has already been progress with some contracts for the new District Office furniture and signage contracts and at SJCC with the WBE cabling contractor. Mr. King reviewed the training and coaching efforts used by L. Luster & Associates to prepare businesses for successfully bidding for projects. Ms. Mohana reviewed the next steps and reported that the district is on the right track, continues its collaborative effort and process, and is looking ahead at the template, contractor evaluation process, matching opportunities with vendors/contractors and more in-depth evaluation on vendor/contractors readiness.

Trustee Ho thanked the team on the first of many updates on the progress of the district in this area. She inquired if there were any initial findings about the readiness of the vendors the district was pursuing. Ms. Fisher answered that L. Luster and Associates is still in discovery mode. However, one issue that has come to the surface is that many of these small businesses are eligible for certification but have not yet obtained certification. Trustee Ho asked how long the certification process takes. Ms. Fisher answered that the district has a self-certification process in place; however, contracts for bond projects require third party certification. She reported she is currently directing vendors towards a no-cost option for them to become certified. Trustee Cruz thanked the team for providing the framework of the contract but inquired about the milestones that would be used to determine the success of this contract. Ms. Fisher answered that they have used a 15% target increase as a milestone; however, she would discuss with the team on how to report to the Board on the deliverables in the future. Trustee Fuentes thanked the team on the great work they are doing and encouraged them to continue reaching out to the ethnically diverse community which the district serves. Mr. King described his work with the local Chambers of Commerce and how those connections enable him to reach out to the ethnic communities represented by the district. Trustee Nasol stated that a lot of minority contractors have challenges meeting the requirements of the PLA agreements due to limited funding capabilities. What can L. Luster & Associates do to reach out to these small businesses, train them and show them how to get meet some of these requirements so they could participate in the process? Ms. Fisher answered that the outreach team does provide assistance regarding business preparedness as some of the tasks regarding compliance issues can be daunting to small businesses. President Lease thanked the team for the informative and positive presentation.

H. ORAL COMMUNICATIONS

a. Board of Trustees

SJCC Student Trustee Larry Harris reported on the annual Thanksgiving and Christmas dinners for students and stated that everyone who is willing to pay the $5 student fee is invited to attend.

EVC Student Trustee Tran reported on his attendance at the Board Legislative Committee meeting held at EVC where the committee listened to the concerns of students.
Trustee Nasol reported on his tour of the new District Office Building. The transformation of the building has been amazing since the building was purchased by the district. Moving day for the District Office is over the holiday break in December. It will be a very busy time for staff but well worth the effort. It is anticipated that the January 27 board meeting will be the first one held in the new building.

Trustee Mann requested that at the December board meeting, an agenda item should be added to increase the Board’s compensation by 5% as allowed per the Education Code.

Trustee Cruz reported on her attendance at the ACCT conference in Chicago on October 23-25 and the workshops she attended on financial aid information, effective board leadership, dashboard for measuring the achievement of the board’s governing ends policy, community colleges engagement with the community and what is happening regarding curriculum. She also reported on the work of the Board Self Evaluation Committee, which held a meeting on November 6. She thanked Vice Chancellor Hawley for working with the committee to determine an effective process for the Board’s next self-evaluation process.

Trustee Dhillon thanked his fellow Trustees, faculty, CSEA members and administrators for their support of him as a Trustee. His last meeting as a board member will be at the November 25 meeting.

Trustee Fuentes also thanked everyone for their support over her many years as a Trustee. She congratulated newly elected board member Huong Nguyen for her successful campaign and wished her well in her new duties as a Trustee.

Trustee Ho reported on the Board Legislative Committee meeting, which was held at EVC to meet with student leadership and receive information on legislative priorities that would be helpful to them as students. Approximately 20 students attended the meeting, along with constituency group leaders, such as AFT Executive Director Hanfling. She also reported that the Board Self Evaluation Committee prepared a roadmap for the process that would be used in the board’s upcoming self-evaluation.

Trustee Lease thanked everyone for their support and reported on the Board’s Legislative Committee meeting with students. It is important that we continue to listen to students about their needs and concerns so that we can work toward legislative priorities that would best benefit them. He also reported on the Board’s Self-Evaluation Committee and its review of the GISS survey as a tool for this year’s evaluation. The committee is also reviewing the process to be used in next year’s evaluation, including a 360° evaluation survey.

b. Chancellor

Chancellor Cepeda reported on the expanded media exposure efforts made by the district, which were facilitated by Ford and Bonilla, LLC. Our radio
exposure included stations KG, KXZM, KCNY, Univision, KLIV, KFOZ, and KBAY. We have had TV exposure through Univision, Telemundo, CreaTV, KSTS, and we have been featured in printed media, including Latino Magazine, which featured new leadership at SJCC President Breland and Vice President Escobar; Silicon Valley Latino featuring Silicon Valley Leadership, including Chancellor Cepeda; California Economy, which did an article on our work with workforce development and closing the skills gaps; and California Forward, which featured a similar article. We have been making progress in ensuring our district message is getting out to the community. Chancellor Cepeda reported on the joint presentation made with Liz Murphy, CampusWorks CEO, at the recent ACCT Conference in Chicago. The presentation was entitled, "Improving Services and Lowering Costs by Optimizing Business Processes" (ERP – Technology Framework.) It was a well-attended presentation.

Chancellor Cepeda concluded her report by providing a presentation in honor of the Board of Trustees dedication of the meeting to veterans. She reviewed the history of Veterans Day, which began in November 1919 when President Wilson proclaimed November 11 as the first commemoration of Armistice Day. The original concept for the celebration was for a day observed with parades and public meetings and a brief suspension of business beginning at 11:00 a.m. On May 13, 1928, the 11th of November was designated a legal holiday as a day to be dedicated to the cause of world peace and to be thereafter celebrated and known as Armistice Day. Armistice Day was primarily a day set aside to honor veterans of World War I, but in 1954, after World War II and the Korean war, November 11 became a day to honor American veterans of all wars. On October 8, 1954, President Dwight D. Eisenhower issued the first "Veterans Day Proclamation."

c. Presidents

EVC President Yong reported that in partnership with Second Harvest, the CalWORKS program at EVC organizes a food distribution program for students and community residents in need. The effort is staffed entirely by volunteers from the community, EVC students, and a few students who graduated still return to participate in the monthly food distribution. EVC serves 90 families with 110 to 125 lbs. of food each month. The food categories range from frozen meat, rice, beans, cereals, fresh fruits, canned vegetables, canned fruits, and fresh produce. President Yong reported that EVC hosted a town hall on the development of the adjacent 27 acres, and a second town hall on December 4, at 2:30 p.m. has been scheduled. Everyone is invited to this informational event. EVC successfully applied to assume the Upward Bound and Talent Search Title III grants from the National Hispanic University. The Upward Bound grant is about $343,000 annually, and the Talent Search grant is $330,000. Both grants will serve high school students in the community. Since official approval from the US Department of Education, EVC staff has been busy preparing to continue the services to the community. EVC will submit a proposal to the State Chancellor’s Office to offer the bachelor’s degree in Automotive Technology. We will be competing with other districts in this statewide pilot program, and our request may or may not be approved.
SJCC President Breland reported on the amazing work the college has done on the Associate Transfer degrees. The college has come a long way, and seven transfer degree programs have now been completed with three in the pipeline. President Breland thanked Vice President Duncan Graham and the work of the curriculum committee in their hard work to ensure these transfer degrees are moving forward. President Breland also congratulated Mr. Percey Carr for being part of the NBC News report scheduled to show tonight. We are proud of his legacy at SJCC. SJCC is also proud of its women’s softball team for being number 1 in the state of California.

d. Constituency Group Representatives

CSEA President Jan Tomisaka read the following statement to the Board:

I would like to congratulate Trustee Lease on his reelection. Trustee Dhillon thank you for your support, for caring enough to listen to classified concerns and we wish you well in the future to help others. Trustee Fuentes, thank you for your continued support through all the tough times…we will miss you. CSEA is grateful to you for everything you have done for us, standing beside us in our struggles.

With all due respect our district has expressed Civility and “it all starts with us.” If it doesn’t start at the top, where does it start? Trustee Mann, at our Board meeting before it even ended you got up out of your seat and went to the back of the Board Room to give a thumbs-up to one of your colleagues’ opponents in the election and expressing where you stood. This should have been done outside, possibly after the adjournment. This showed us how little respect you had for us as well as your colleague. I hope if you are going to seek reelection in two years that you will be shown more respect than you gave. Respect is a two-way street. People may have differences in opinion, but we all have the right to them and should respect one another. Does civility really begin with us as we say it does or does it only apply to others?

Mr. David Yancey, AFT 6157 President, expressed his appreciation for Trustee Fuentes and her hard work on behalf of the students and faculty at the district. She has always thought of ways to make things better for our students and we are sorry to see her go. The AFT is proud of its relationship with Trustee Fuentes and appreciates the hard work she has done as a Trustee.

Ms. Barbara Hanfling, AFT 6157 Executive Director, congratulated Trustee Lease on his re-election and expressed appreciation for the work done by Trustee Dhillon and Trustee Fuentes. In particular, she expressed appreciation for the support Trustee Fuentes provided to adjunct faculty.

Mr. Eric Narveson, EVC Academic Senate President, congratulated Trustee Lease on his re-election. He also expressed support of Trustees Fuentes and Dhillon and welcomed them to visit the Academic Senate at
EVC. He also expressed his support of veterans.

Mr. Jesus Covarrubias, SJCC Academic Senate President, congratulated Trustee Lease on his re-election and thanked Trustees Fuentes and Dhillon for their support of the colleges over the years. He invited them to continue attending campus events and also staying engaged as a community member.

Ms. Lauren McKee, President, MSCC, thanked Chancellor Cepeda for her presentation on Veterans Day. EVC will soon be opening a Veterans Center similar to what SJCC has done. She also congratulated Trustee Lease on his re-election and expressed appreciation for the contributions made by Trustees Fuentes and Dhillon to the campus and district community.

### ACTION AGENDA

1. **RESOLUTION NO. 111114-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS**

   M/S/C (Mann/Ho) to approve 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.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustees Harris and Tram voted yes.

2. **RESOLUTION NO. 111114-2 IN HONOR OF NATIVE AMERICAN HERITAGE MONTH**

   M/S/C (Mann/Ho) to approve Resolution No. 111114-2 in honor of Native American Heritage Month.

   Board vote was as follows:
   Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustees Harris and Tram voted yes.

3. **RESOLUTION NO. 111114-3 IN HONOR OF SIKH AMERICAN AWARENESS AND APPRECIATION MONTH**

   M/S/C (Dhillon/Mann) to approve Resolution No. 111114-3 in honor of Sikh American Awareness and Appreciation Month.

   Trustee Dhillon noted that since his tenure as a Trustee, the district has celebrated the Sikh American Awareness and Appreciation Month. He reviewed the historical
move of Sikh community members to the state of California, many of whom came here to study at UC Berkeley. He thanked the board and district for its support of this resolution and the interest shown in learning more about the Sikh community.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

J. INFORMATION AGENDA

1. DIVERSE BUSINESS OUTREACH UPDATE

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

2. FY2014-2015 FIRST QUARTER BUDGET REPORT ENDING SEPTEMBER 30, 2014

Vice Chancellor Smith reviewed the 1st quarter budget report for FY2014-2015. He compared the FY2014-2015 adopted budget with the 1st quarter report and provided the FY2015-2016 estimated assumptions. He reviewed the percentage change in property tax from 2001-2002 through 2014-2015 (estimated). He provided an analysis for the ending fund balance for general fund 10 from FY2004-2005 through 2013-2014 and the projections for FY2014-2015 through FY2017-2018. The ending fund balance for FY2013-2014 was 16.14% and the projection for FY2014-2015 is 14.82%. He stated that for FY2015-2016 the property tax growth is estimated to be 3%. The district must monitor the property tax trends, begin to assume in its planning for appropriate funding of contract negotiations and the Board’s initiatives and ends policies. We need to find the right balance between those three funding buckets. The district should also consider establishing a basic aid funding balance above and beyond the ending fund balance to protect itself from the trends of property tax proceeds. While the budget picture is wonderful right now, we still have many priorities moving forward that we as an organization need to find the right balance among the various student success efforts we are committed to engage in.

Trustee Cruz expressed support for reviewing our progress in regards to the 50% law and how the organizational redesign activities relates to those efforts. Where is the district going with regards to student success equity? Vice Chancellor Smith answered that he would provide a historical overview of how we are doing with regards to the 50% law. Trustee Fuentes expressed concern about where the district is going historically with Fall enrollment figures. As a basic aid district, our revenue comes in regardless of our enrollment; but what would happen if we were no longer a basic aid district? Chancellor Cepeda answered that the Board had received a report about the faculty hiring process and our faculty obligation numbers, which is tied to enrollment. Our district has exceeded the number that is required. The important factor is what we need to do if the state were funding us. We have to maximize the resources we have to serve as many students as we can. Hopefully, our enrollment management strategies will improve our enrollment. However, declining enrollment numbers is a reality for many community college
districts in the South Bay area. The issue of faculty hiring has always been a complex issue, and it’s not just about what we want to do. Trustee Dhillon expressed concern about a 20% reserve when our institution is about teaching students. It would be more ideal to keep a 10% reserve and use the rest to support our students. Vice Chancellor Smith agreed; however, as a basic aid district we have a greater risk factor. We could see a $5 million property tax revenue drop in one year. That is why he would recommend maintaining a basic aid reserve. Trustee Nasol agreed that although the economy is looking strong right now, we also need to be prepared for when the economy drops down. We want to ensure we can sustain our budget. Trustee Lease stated that a basic aid reserve of 10% is not unreasonable and a 7% reserve many not be enough. He expressed support for a zero balance budget as long as we are talking about the same kind of dollars.

3. MEASURE G-2004 BOND PROGRAM: SAN JOSE CITY COLLEGE (SJCC) – PHYSICAL EDUCATION BUILDING PROJECT, #122, LPAS PRESENTATION OF THE 100% DESIGN DEVELOPMENT DRAWINGS

Mr. Andrew Spiller, Managing Director, LPAS Properties, and design team members Mel Harris and Troy Pennington provided a visual presentation of the SJCC Physical Education Building. Trustee Lease stated he appreciated the open-air feel of the building even when a person is inside the building.

Mr. Lamel Harris expressed his appreciation for the facilities committee and the LPAS group bringing this project to a focus. Long-time faculty members have been through this process before and have been disappointed; but it’s exciting to see the progress being made. It’s important for faculty to always be included in this process.

Student Trustee Harris inquired if the plan included a swimming pool. Mr. Scott Jewel, Gilbane Project Manager, answered that the old pool is scheduled for demolition. The facilities master plan does show a swimming pool, but that project is not included in the current bond program.

4. MEASURE G-2010 BOND PROGRAM: MEASURE G-2010 SUMMARY REPORT FOR OCTOBER 29, 2014

Vice Chancellor Smith reported there were no warnings or cautions included in this current monthly report.

K. CONTINUATION OF CLOSED SESSION

No

L. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None
M.  ADJOURNMENT

M/S/C (Nasol/Cruz) to adjourn the meeting at 9:13 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
November 25, 2014

A. CALL MEETING TO ORDER

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order at 6:00 p.m. on Tuesday, November 25, 2014, at Evergreen Valley College, 3095 Yerba Buena Road, San Jose, CA 95135 in the 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
Mr. Larry Harris
Mr. Kenny Tram

Board Members Excused:
None

B. NO CLOSED SESSION MEETING

There was no Closed Session meeting.

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

There was no Closed Session meeting.

E. RECONVENE INTO OPEN SESSION

1. PLEDGE OF ALLEGIANCE
President Lease led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. **ADOPTION OF AGENDA**

M/S/C (Mann/Nasol) to adopt the agenda as amended:

Information Item I-1 was moved to precede the approval of the Consent Agenda.

A correction was made to the Consent Agenda.

3. **HONORING OUTGOING TRUSTEES BALBIR DHILLON AND MARIA FUENTES: APPROVAL OF RESOLUTIONS 112514-1 AND 112514-2**

President Lease read Resolution No. 112514-1 in honor of Trustee Maria Fuentes and presented her with a framed copy of the resolution as well as a trophy gift in honor of her service as Trustee since December 1990.

M/S/C (Cruz/Dhillon) to approve Resolution No. 112514-1 in honor of Trustee Maria Fuentes.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

EVC President Yong and SJCC President Breland presented commemorative gift bags from their colleges.

AFT 6157 EVC member Mr. Randy Pratt expressed regrets on behalf of AFT President David Yancey and AFT Executive Director Barbara Hanfling who were unable to attend the meeting and participate in the honoring of Trustee Fuentes. Mr. Pratt thanked Trustee Fuentes for her strong independence and careful consideration of the actions taken by the Board. Faculty, Classified staff and students really appreciate her support and advocacy over the years. Her voice will truly be missed. He stated that the AFT does have a plaque to present to Trustee Fuentes at a later date.

AFT 6157 EVC member Nasreen Rahim thanked Trustee Fuentes for her deep commitment to students, adjunct faculty and Classified staff. She thanked her for bringing expertise in the areas of land development and property matters. She also expressed appreciation for her commitment to opportunity, equity and social justice, especially in her advocacy for student access. She wished her the best in the future and looked forward to her further engagement in the community.

Mr. Minh Pham, representative from Speaker Pro Tempore Nora Campos’s office; Ms. Janice Rombeck, representative from Supervisor Dave Cortese’s office, and Ms. Jennifer Gonzales, representative from City Councilmember Rose Herrera’s office presented Trustee Fuentes with commendations and resolutions.
Trustee Fuentes thanked everyone for the beautiful recognition. It was a very emotional experience for her. She thanked her family for standing by her and supporting the sacrifices that were made in order for her to be active as a board member. She thanked everyone for all they have done on behalf of students as it really made a difference in their lives. As she lives in the community, she thinks about the next generation and knows there is still much to be done. Trustee Fuentes wished everyone the best.

President Lease read Resolution No. 112514-2 in honor of Trustee Balbir Dhillon and presented him with a framed copy of the resolution as well as a trophy gift in honor of his eight years of service to the district.

M/S/C (Mann/Ho) to approve Resolution No. 112514-2 in honor of Trustee Balbir Dhillon

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

EVC President Yong and SJCC President Breland presented commemorative gift bags from their colleges.

AFT 6157 EVC member Mr. Randy Pratt thanked Trustee Dhillon for his hard work on behalf of students and the district community. AFT 6157 EVC member Nasreen Rahim thanked Trustee Dhillon for his interest in the activities and programs of EVC and his support of the community members represented by the college. His commitment to equity and diversity is greatly appreciated.

Mr. Minh Pham, representative from Speaker Pro Tempore Nora Campos’s office; Ms. Janice Rombeck, representative from Supervisor Dave Cortese’s office, and Ms. Jennifer Gonzales, representative from City Councilmember Rose Herrera’s office presented Trustee Dhillon with commendations and resolutions.

Trustee Dhillon thanked everyone for the special recognition. He stated that he learned a lot in his eight years as a Trustee. When he began in this position, he knew little about how to be an effective Trustee. Whatever he learned about this position, he learned while at the district. He learned to just be himself and think about what’s in the best interest of students. He probably made some people angry with some of his decisions over the years, but he always felt he needed to take a stand and put students first. He will continue fighting for social justice. Trustee Dhillon thanked his wife for her understanding over the years by never questioning where he was or how late he came home from his board meeting activities. He thanked his children for their sacrifices as well. He thanked the Board and district community members for their support and guidance over the years.

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

There were no public comments.
I. 1. EVERGREEN VALLEY COLLEGE PRESENTATION TO THE BOARD OF TRUSTEES

EVC President Yong welcomed the Board of Trustees, students, faculty, Classified and administrative district members to the meeting. The college welcomes this opportunity to showcase its many programs. President Yong stated that the presentation would be led by the Student Affairs and Academic Affairs departments.

Ms. Irma Archuleta, Vice President, Student Affairs, reviewed the Student Success & Support Program implementation report for 2014-2015 and indicated what has been done, is still in progress and not yet required. Ms. Alex Duran, Dean of Student Success, discussed the progress that has been made with online services, such as educational planning, student success workshops and orientation, using Adapt Courseware. Mr. Octavio Cruz, Dean of Enrollment Services, discussed the impact of assigning priority registration to students, such as EOPS, DSPS, veterans, CalWorks and foster youth. He also reported on the TRIO program’s Talent Search, the main goal of which is to assist students to graduate from high school and enroll in post-secondary education. There were 73 eligible under-represented students from high schools in San Jose, and under this program, these students would receive tutoring, mentoring and individualized instruction. Dean Cruz introduced Mr. Michael Osorio, Interim Director for Upward Bound (TRIO Grant) and Mr. Luis Macias, Interim Director of Talent Search (TRIO Grant).

Trustee Ho commended the success the college has had with these outreach programs for under-represented students. She inquired if, given the large Vietnamese community represented in our area, EVC is doing any planning to bring these programs to Vietnamese students. Dean Duran answered that EVC already provides orientation and educational planning in Vietnamese but doesn't have workshops regarding financial aid at the current time. Trustee Nasol expressed concerns about the outreach efforts for students in his Trustee area of Milpitas. We teach two courses there, but do students know who to contact when they are online and have questions. Dean Duran answered that all students have access online to make changes to their plan but they also have a 1:1 live meeting with a counselor. Their counselor does receive online notifications for any changes students make to their educational plan. Trustee Cruz inquired if the TRIO Upward Bound program has any connections with San Jose State University so that, if fact, there is a relationship from us to the state university. Dean Cruz answered that there are not separate grants; and although SJSU applied for the grant, they were not approved. Trustee Cruz stated the importance for the Board to review the student success and equity plans that are being submitted. Chancellor Cepeda reminded the Board that they were the first ones to insist we link with the National Hispanic University, and it has happened.

Mr. Keith Aytch, Vice President, Academic Affairs, introduced a short skit provided by EVC students and staff: Carmen Caballero, Reina Cruz, Jemerson Diaz, Dr. Antoinette Herrera, Dr. Michael Highers, Gloria Itzel, Joe Nevares, Dr. Abdie Tabrizi, and Cintia Van Sambeek. He apologized in advance if this was not an Academy Award performance. Other presentations provided by Academic Affairs include the Certified Nursing Assistant Program by Dean Antoinette Herrera; the Engineering and Surveying program by Dean Michael Highers; the Medical
Assistant-Front Office Certificate Program Patient Community Navigator Certificate Program by Dean Lena Tran; the Soccer Program by Dean Mark Gonzalez, and the Translation and Interpreting Certificate by Dean Merryl Kravitz. Adjunct Faculty Claudia Schalesky also spoke about the translator program.

Trustee Nasol discussed the need for translators in our district community, and not just for our students. One area is for free health services provided to the community. Ms. Schalesky answered that those in the program need to develop the skills, which are normally acquired in the 2nd and 3rd semester. It’s not just about being bilingual; it’s also the ability to interpret cross-cultural expressions. Trustee Cruz stated that she would appreciate hearing more in the future about potential partnerships with our local K-12 systems because there is such a great need for interpreters, especially if we expect our student to succeed academically. Vice President Aytch stated that EVC is here to build these programs which enable our students to succeed. We give our students hope, especially during tough times. He thanked the Board for the opportunity to present on EVC’s many programs.

President Lease commended EVC for its wonderful presentation about its mission to achieve student success.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Mann/Cruz) to approve the Consent Agenda as amended:

Item F-4 Faculty Personnel Adjunct/EVC – EVC Adjunct Instructor Assignment – The department was listed instead of the positions and this was corrected as follows:
Dubey, Shireena – Mental Health Counselor
Yee, Sandra – Nurse Practitioner

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

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/EVC

The Board approved the Faculty Personal Actions-Adjunct/EVC personnel actions as amended.
5. **FACULTY PERSONNEL-ADJUNCT/EVC/SBRPTC**

   The Board approved the Faculty Personal Actions-Adjunct/EVC/SBRPTC personnel actions as submitted.

6. **FACULTY PERSONNEL-ADJUNCT/SJCC**

   The Board approved the Faculty Personal Actions-Adjunct/SJCC personnel actions as submitted.

7. **CLASSIFIED PERSONNEL ACTIONS**

   The Board approved the Classified personnel actions as submitted.

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

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

9. **CTE ENHANCEMENT FUND OVERVIEW**

   The Board approved and accepted the Bay Area Community College Consortium CTE Enhancement Fund.

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

    The Board approved the new program and courses proposed by San José City College.

11. **INCREASE IN BOARD COMPENSATION**

    The Board increased its monthly compensation from $420 to $441 and Student Trustee monthly compensation from $210 to $221 effective December 1, 2014.

12. **EVERGREEN VALLEY COLLEGE – FACILITIES MASTER PLAN – CONSULTANT AGREEMENT**

    The Board approved the award of an Agreement in the amount of (not to exceed) $255,000.00 to Cambridge West Partnership for a new Facilities Master Plan for Evergreen Valley College.

G. **MEASURE G BOND PROGRAMS CONSENT AGENDA**

1. **ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA**

    M/S/C (Mann/Ho) to adopt the Measure G Bond Programs Consent Agenda as submitted.
Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

2. **MEASURE G-2010 BOND PROGRAM: FIBER CABLES AND HORIZONTAL CABLE MANAGEMENT FOR NETWORK AT 40 SOUTH MARKET STREET**

The Board approved the purchase of Fiber Cables and Horizontal Cable Management from Dasher Technologies for the Network Telecommunications Rooms and the Data Center at 40 South Market Street for $3,291.65.

3. **SAN JOSE CITY COLLEGE – FACILITIES MASTER PLAN – CONSULTANT AGREEMENT**

The Board approved the award of an agreement in the amount of (not to exceed) $255,000.00 to Cambridge West Partnership for a new Facilities Master Plan for San José City College.

**H. ACTION AGENDA**

1. **CHANGE JANUARY 2, 2015, TO A DISTRICT HOLIDAY**

M/S/C (Mann/Ho) to approve January 2, 2015, as a District Holiday.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

2. **BIENNIAL REVIEW OF SJECCD CONFLICT OF INTEREST CODE**

M/S/C (Mann/Cruz) to approve the district’s revised Conflict of Interest Code.

Board vote was as follows:
Trustees Cruz, Dhillon, Fuentes, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

**I. INFORMATION AGENDA**

1. **EVERGREEN VALLEY COLLEGE PRESENTATION TO BOARD OF TRUSTEES**

This item was moved to precede the approval of the Consent Agenda.
2. **BOARD OF TRUSTEES 2015 AGENDA DEVELOPMENT: INTEGRATION OF BOARD’S ENDS POLICIES MONITORING AND ACCOUNTABILITY PROCESS**

Chancellor Cepeda provided a historical overview of the work the Board had done in establishing its global ends policies. As a result of this work and the monitoring process that will be used to determine the district’s achievement of the ends policies, a board calendar has been developed. In order to best prepare for this work, the Board’s approval of meeting dates will also be moved from a fiscal year schedule to a calendar year schedule. A draft document of the new board meeting schedule and board calendar has been attached to the agenda. Chancellor Cepeda also reviewed the measures that would be used for the ends policies and the monitoring reports that will be included in each board meeting agenda. She also reviewed the timeline for the quarterly reports for each ends policy that will be presented at the meeting indicated on the board calendar. Chancellor Cepeda thanked Interim Vice Chancellor Hawley and her assistant Joy Pace for their assistance in the development of these reports.

President Lease thanked the Chancellor and her team for their contributions in developing these reports. It’s a difficult process to take complex materials and create reports that are easy to review. Trustee Ho inquired about what was used to determine the measures for the ends policies. Interim Vice Chancellor Hawley answered that she used the student success metrics, and we also have our own strategic plan from which we also identified metrics. Chancellor Cepeda stated that Director Sam Ho also identified student success metrics that no one thought could be measured. The district had already developed many monitoring tools that will be of use in measuring our progress towards achieving the ends policies.

3. **HISPANIC SERVING INSTITUTIONS (HSIs) ROLE TO IMPROVE LATINO(A) COLLEGE ACCESS AND COMPLETION**

Mr. David Trujillo, President of the Alliance of Hispanic Service Institutions Educators (AHSIE), discussed his role in assisting San José City College with its Title V grant. He stated how effective the Caminos Program has been as it has put in place student-centered support services for SJCC students and Hispanic students in particular. The Caminos grant will allow the district to prepare its students in taking advantage of the economic opportunities in the Silicon Valley. Trustee Cruz inquired if the college gained any knowledge about best practices that could be implemented. Mr. Trujillo answered that the college had received an earlier Title V grant and the knowledge that was gained through the attempt to implement it has taken the college to the next step. Learning from experience is often the best practice. President Breland stated the importance of sustaining a grant and paying for staff, such as a student success counselor, which would institutionalize what the college is trying to achieve. He thanked Mr. Trujillo for being at the meeting and explaining the importance of our participation in these grants. How well we manage these grants will impact our participation in future grants. President Lease thanked Mr. Trujillo for reporting on the significance of the Title V grant received by SJCC.

J. **ADJOURNMENT**

M/S/C (Mann/Nasol) to adjourn the meeting at 8:48 p.m.
A. CALL MEETING TO ORDER

President Lease called a Special Meeting of the Governing Board of the San José/Evergreen Community College District to order on Friday, December 5, 2014, at 6:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95134.

Board Members Present:
Ms. Mayra Cruz
Ms. Wendy Ho
Dr. Jeffrey B. Lease
Mr. Craig Mann
Mr. Rudy Nasol
Mr. Larry Harris

Board Members Absent:
Mr. Kenny Tram

2. INFORMATION ON PUBLIC COMMENTS AND DISABILITY ACCESS

Information was provided in the agenda.

3. PLEDGE OF ALLEGIANCE

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

4. ADOPTION OF THE AGENDA

M/S/C (Ho/Mann) to adopt the agenda as amended:

Action Agenda Item B-1 was moved to precede the Oath of Office ceremony.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann and Nasol voted yes.

Advisory vote was as follows:
Student Trustee Harris voted yes.
5. **OATH OF OFFICE CEREMONY FOR TRUSTEE AREAS 2, 4, AND 6**

   This item was moved to follow the Action Agenda.

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 4, 2014, ELECTION**

   M/S/C (Mann/Nasol) to accept the Statement of Votes and Certificate of Election Results of the November 4, 2014, election.

   Board vote was as follows:
   Trustees Cruz, Ho, Lease, Mann and Nasol voted yes.

   Advisory vote was as follows:
   Student Trustee Harris voted yes.

A. **5. OATH OF OFFICE CEREMONY FOR SJECCD TRUSTEE AREAS 2, 4 AND 6**

   Board President Jeffrey Lease administered the Oath of Office to newly elected Trustee Scott Hung Pham for SJECCD Trustee Area 2. Mr. Hung took his seat at the Board table.

   Trustee Cruz administered the Oath of Office to Huong H. Nguyen for SJECCD Trustee Area 4. Ms. Nguyen took her seat at the Board table.

   San José City Councilmember Don Rocha administered the Oath of Office to re-elected Trustee Jeffrey Lease, SJECCD Trustee Area 6.

   Trustees Lease and Nguyen introduced family members and friends from the audience.

   The Oath of Office Ceremony concluded with a celebratory reception.

C. **ADJOURNMENT**

   The meeting adjourned at 7:10 p.m.

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

President Lease called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, December 9, 2014, at 4:30 p.m. at the District Office Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Ms. Wendy Ho
Dr. Jeffrey Lease
Mr. Craig Mann
Mr. Rudy Nasol
Ms. Huong Nguyen
Mr. Scott Pham

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

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

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

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: 27 acres of surplus land adjoining San Felipe Road and Yerba Buena
District Negotiator(s): SJECCD Vice Chancellor Doug Smith; Mr. Jim Eller, Eller &
Minutes of December 9, 2014, Governing Board Meeting

Associates
Names of Negotiating Parties: Republic Urban Properties LLC
Under Negotiation: Instruction to negotiators concerning price and terms of payment in non-binding letter of intent regarding a ground lease of surplus property

E. RECONVENE INTO OPEN SESSION

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

Board Members Present:
Ms. Mayra Cruz
Ms. Wendy Ho
Dr. Jeffrey Lease
Mr. Craig Mann
Mr. Rudy Nasol
Ms. Huong Nguyen
Mr. Scott Pham
Mr. Larry Harris
Mr. Kenny Tram

Board Members Excused:
None

1. PLEDGE OF ALLEGIANCE

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

2. ADOPTION OF AGENDA

M/S/C (Mann/Nasol) to adopt the agenda as amended:

Information Agenda Item I-4 was moved to follow the approval of the Consent Agenda.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. GOVERNING BOARD ORGANIZATION

M/S/C (Mann/Nasol) to nominate Trustee Wendy Ho as Board President. Since there were no further nominations, Trustee Ho was unanimously elected as Board President.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.
Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

After the vote, outgoing Board President Lease turned the gavel over to newly elected Board President Ho. President Ho thanked Trustee Lease for his impressive leadership over the past year. She presented him with a gavel plaque trophy in commemoration of his service at Board President.

M/S/C (Lease/Mann) to nominate Trustee Rudy Nasol as Board Vice President. Since there were no further nominations, Trustee Nasol was unanimously elected as Board Vice President.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

Per Board Policy, Chancellor Rita Cepeda was nominated to serve as Board Secretary.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

President Ho recommended that Trustee Craig Mann be appointed to serve as the Board’s representative to vote in election for members of the County Committee on School District Organization. Trustee Mann accepted that appointment.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

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

There were no reportable actions taken in the Closed Session meeting.

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

The Board heard a public comment from Mr. Dennis Wyatt, who expressed concerns about the district’s policy of not allowing students to audit courses. He had brought this concern before the Board before, and as an adult learner, he would like this policy to change. Mr. Wyatt also expressed concerns about student safety and the enrollment decline at both colleges.

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

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

Hearing no comments to pull any items, President Ho stated that the Consent Agenda was adopted by general consent of the Board.

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

6. **SUPERVISORY-CONFIDENTIAL PERSONNEL ACTIONS**

The Board approved the Supervisory-Confidential Personnel Actions as submitted.

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

The Board ratified the contracts and purchase orders for the period of October 10, 2014 through November 9, 2014, as noted in the documents attached to the agenda.

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

The Board approved the new courses proposed by San José City College.
9. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

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

10. **EVERGREEN VALLEY COLLEGE, SAN JOSE CITY COLLEGE AND PROP. 39 YEAR 2 PROJECT #25103 – ALPHA TECH PROJECT ASSIGNMENT AMENDMENT (PAA) EVC – 01 PROP. 39 YEAR 2**

   The Board approved Project Assignment Amendment (PAA) Evergreen Valley College Prop 39 Year 2 in the amount of $92,479 to Alfa Tech, for the Prop 39 Year 2 Project – Project #25103 at Evergreen Valley College (EVC) and San José City College (SJCC).

11. **DISTRICT STANDARDS AND CAMPUS DESIGN GUIDELINES**

   The Board approved the SJECCD District Design Standards and Campus Design Guidelines, dated June 2014, as prepared by HMC Architects in collaboration with Gilbane and District staff.

I. 4. **NON-BINDING LETTER OF INTENT – 27 ACRES**

   Chancellor Cepeda stated that one of the first assignments given to her by the Board in 2010 was to work on the development of the 27 acres adjacent to Evergreen Valley College. This item has been in progress since 2004. She thanked the Board for its diligence in asking questions and requesting documentation, all of which are represented in the letter of intent being brought to the Board at this meeting.

   Vice Chancellor Smith reviewed the background of the land development activities, the Board’s guiding principles for development of the land, the Open Session meetings where information and updates were provided to the Board, Board land development sub-committee meeting dates and actions taken, and the schedule of Closed Session meetings where this item was reviewed. Four proposals were ultimately received, and they were evaluated by the district team, which conducted discussions with the respondents and briefed the subcommittee on the evaluation of the proposals. The next steps include a Board action at this meeting to approve a non-binding letter of intent from Republic Urban Properties LLC. This letter of intent will not commit the District to the development of surplus land; but, after acceptance, at a subsequent meeting, the Board would then approve a resolution that would begin the formal bid process required by the Education Code for the development of surplus land.

   Mr. Michael Van Every, President, Republic Urban Properties, presented on the Republic Family of Companies, including the $4 billion in real estate investments, 23 million square feet of development, specialization in public private partnerships. He reviewed the local West Coast relationships, with its headquarters in downtown San Jose and the company’s $191 million of real estate investment in the city of San Jose. Mr. Every also reviewed plans for the 27 acres, including student housing and active senior residential units, medical offices and an aquatics/fitness center.
Mr. Jim Eller, Eller & Associates, reviewed the letter of intent and the next steps in the process, including actions to finish the selection process, finalize designs, and commence with the city approval process.

Student Trustee Harris expressed support for the plan to include student housing in the plan. Trustee Nasol stated discussions for development of the property began in 2000, and it's now at the point where we can see the fruition of those efforts. The revenue the district receives can be used to better serve our students. EVC Academic Senate President Narveson expressed concern about available classroom space at the college, especially due to the future demolition of the Roble and Acacia buildings. The soccer field and athletic practice field will require around four acres. EVC is currently beginning its new educational and facilities master plans, and he had concerns about making commitments for usage of the 27 acres before the college has the chance to fully assess its needs. On the horizon is also the Milpitas Center and its impact on EVC. Trustee Lease thanked everyone for their efforts and stated how pleased he is, as a member of the Board's land development sub-committee, for the due diligence that was done throughout this process. It’s really important that we get this extra pot of money for our students and not just as a contribution to the district’s general funds. Our goal is to find revenue that we could use towards achieving our mission for student success.

M/S/C (Mann/Lease) to approve a non-binding letter of intent from Republic Urban Properties, LLC pertaining to the ground lease of the 27.1 acres of surplus land adjoining the Evergreen Valley College campus as amended: The word “minimum” was deleted in subsection (vii) of paragraph 25.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, and Nguyen voted yes. Trustee Pham abstained.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. ADOPTION OF THE MEASURE G BOND PROGRAMS CONSENT AGENDA

Hearing no comments to pull any items, President Ho stated that the Measure G Bond Programs Consent Agenda was adopted by general consent of the Board.

2. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE PARKING LOT AND STREET MAINTENANCE PROJECT #32313 – GALEB PAVING, INC. DEDUCTIVE CHANGE ORDER NO. 005

The Board approved Change Order 005 in the amount of ($2,500) to Galeb Paving Inc., for the Parking Lot and Street Maintenance Project #32313 at Evergreen Valley College.
3. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE CENTRAL PLANT AND POLICE STATION RENOVATION PROJECT #32306 – SWENSON AND ASSOCIATES DEDUCTIVE CHANGE ORDER NO. 013**

   The Board approved a Deductive Change Order No. 013 in the amount of ($42,966) to Swenson and Associates, for the Central Plant and Police Station Renovation Project #32306 at Evergreen Valley College.

4. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE SOUTH CAMPUS DEVELOPMENT PROJECT #32107 – BLACH CONSTRUCTION COMPANY CHANGE ORDER NO. 003**

   The Board approved Change Order No. 003 in the amount of $83,456 to Blach Construction Company for the South Campus Development Project #32107 at Evergreen Valley College.

5. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE WATER SERVICE REPLACEMENT PROJECT #32311 – S&H CONSTRUCTION NOTICE OF COMPLETION (NOC)**

   The Board approved the Notice of Completion (NOC) of the contract by S&H Construction for the Water Service Replacement Project #32311 at Evergreen Valley College.

6. **MEASURE G-2010 BOND PROGRAM: SJCC CAREER TECHNICAL EDUCATION PROJECT #31107-2 – BUILDINGS 100 & 200 CHANGE ORDER NO. 005**

   The Board approved Change Order No. 005 in the amount of $30,178.18 to Kitchell CEM Inc., for the Career Technical Education Project, buildings 100 and 200 at San José City College.

7. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AND SAN JOSE CITY COLLEGE LED PARKING LOT LIGHTING FIXTURE REPLACEMENT PROJECT #0327-14 – INTERMOUNTAIN ELECTRIC COMPANY, INC., NOTICE OF COMPLETION**

   The Board approved the Notice of Completion (NOC) of the contract by Intermountain Electric Company, for the Evergreen Valley College (EVC) and San José City College (SJCC) Light Emitting Diode (LED) Parking Lot Lighting Fixture Replacement Project #0327-14.


   The Board approved the Notice of Completion (NOC) for the contract with Crusader Fence Co. Inc. for the Campus Site Improvements Project #31116-01 – Site Fencing at San José City College.
9. MEASURE G-2010 BOND PROGRAM: NEW DISTRICT OFFICE BUILDING PROJECT #39301 – SECURITY SYSTEM, WALSH ELECTRONICS SYSTEMS TECHNOLOGY – CHANGE ORDER NO. 001

The Board approved Change Order No. 001 in the amount of $8,579.00 to Walsh Electronics Systems Technology for the New District Office Building Project #39301 Security System.

10. MEASURE G-2010 BOND PROGRAM: NEW DISTRICT OFFICE BUILDING PROJECT #39301 – XL CONSTRUCTION – CHANGE ORDER NO. 005

The Board approved Change Order No. 005 in the amount of $41,953 to XL Construction for the New District Office Building Project #39301.

11. MEASURE G-2010 BOND PROGRAM: SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT (SJECCD) DISTRICT-WIDE FURNITURE – KRJ DESIGN GROUP, INC. FIXTURES & EQUIPMENT (FF&E) CONSULTANT SERVICE MASTER AGREEMENT

The Board approved a Standard Form of Master Agreement to KRJ Design Group, Inc. for the SJECCD District-Wide FF&E Consultant Services at both Evergreen Valley College and San Jose City College.

12. MEASURE G-2010 BOND PROGRAM: SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT (SJECCD) DISTRICT-WIDE – LPAS ARCHITECTURE & DESIGN FURNITURE FIXTURES & EQUIPMENT (FF&E) CONSULTANT SERVICES MASTER AGREEMENT

The Board approved a Standard Form of Master Agreement for LPAS Architecture & Design for the SJECCD District Wide FF&E Consultant Services at both Evergreen Valley College and San José City College.

13. MEASURE G-2010 BOND PROGRAM: DATA CENTER MIGRATION SERVICE TO 40 S. MARKET STREET

The Board approved an ICA for Dasher Technologies to relocate IT servers from the current Data Center to the new Data Center at 40 S. Market Street for a total cost of $18,750.

14. MEASURE G-2010 BOND PROGRAM: FIBER OPTICS CABLE TESTING AT SAN JOSE CITY COLLEGE

The Board approved an ICA for Dasher Technologies to provide fiber backbone testing and documentation at San José City College for a total cost of $6,000.

15. MEASURE G-2010 BOND PROGRAM: FIBER OPTICS CABLE TESTING AT EVERGREEN VALLEY COLLEGE

The Board approved an ICA for Dasher Technologies to provide fiber backbone testing and documentation at Evergreen Valley College for a total cost of $7,075.
H. ORAL COMMUNICATIONS

a. Board of Trustees

SJCC Student Trustee Larry Harris reported on campus events and invited everyone to attend the annual holiday dinner.

Trustee Cruz expressed concerns about what is happening nationwide between communities of color, police practices and decisions that have been made regarding those cases. She expressed hope that as a community we would engage ourselves and our students in trying to take some meaning regarding what is happening and find the best ways to deal with our emotions. She requested the Chancellor consider how the district trains its police department to ensure they understand the different ways people in a diverse community act and respond. We want to ensure the way we all conduct ourselves is in line with our district values and commitment to working with a diverse population.

Trustee Lease reported on the excellent presentation on community engagement provided by the district administration, Trustees, students and community members at the CCLC Annual Convention. The presentation was well received, and the room was overflowing with attendees. It was the best presentation at the conference. He thanked Chancellor Cepeda and Director Ho for organizing the excellent presentation. Trustee Lease welcomed Trustees Nguyen and Pham to the Board and stated that he is looking forward to the year ahead and all that will be accomplished on behalf of students.

Trustee Nasol provided a report of the Board’s Audit Committee Meeting, which was held on December 4. At this meeting, the Board received findings from the district audit that had been performed. Overall, the report was very good, with only three minor findings. The Board will approve the audit reports at the first meeting in January.

Trustee Pham thanked EVC Academic Senate President Narveson for his courage in expressing the college’s concerns about the usage of the land surrounding EVC. The Board should consider these concerns regarding the EVC community.

President Ho reported that she enjoyed the presentation by the Chancellor, Trustee Lease and the presidents in the CCLC Annual Convention on community engagement. The presentation received a lot of interest and enthusiasm from attendees and is an indication that we are doing special things in our district that other districts are interested in as well. President Ho stated that she is very excited to serve as Board President and is looking forward to all the Board will accomplish towards student success in the coming year.
b. Chancellor

Chancellor Cepeda welcomed Trustees Nguyen and Pham to the Board. She also provided a report on campus safety issues and reviewed a historical perspective on campus violence. In 2010, on the third anniversary of the Virginia Tech massacre the FBI released a report on the rise of campus violence that offered the first comprehensive analysis of violent attacks carried out on U.S. college campuses in the past century and found that more than half have occurred between 1190 and 2010 (over the past 20 years). And while students represented 45 percent of perpetrators; many attackers were former students, current or former employees, or people indirectly affiliated with the college, if at all. In 2014 a report by the Department of Education showed that in 2011, 3,300 sex offenses were reported on college campuses. While every other kind of campus crime decreased during the same time period, the report showed a 51 percent increase in campus assaults from 2001. While some of this marked increase could be aided in part by a rise in awareness and subsequent reporting, this report nonetheless shows a concerning number of reported sexual assaults on campus. Likewise, Inside Higher Education produced a report based on a white paper published by the American Student Health Services Association indicating that each year, nearly 6 percent of female college students report a rape or attempted rape. Chancellor Cepeda reported that at the start of her career focus, training, resources and polices associated with campus safety and campus violence were not a significant part of staff development and training nor did this topic occupy any part of the experience and expertise expected of senior level administrators faculty and staff. In the last twenty years things have changed significantly. It is for these reasons that she dedicated her recent message to the colleges and district to the issue of Campus Safety and a status of efforts underway to address this matter. Chancellor Cepeda summarized some key points. On November 19, she prepared her usual “Friday Letter” to the Board of Trustees alerting them to the growing concerns at all levels of government, federal, state and local, on the apparent rise of sexual assault and violence on campus. In particular, she made the Board aware of recent federal and state legislation that require specific trustee action.

Chancellor Cepeda provided an update on the status to fill vacant campus safety officer positions, including the Chief of Police. The Chief of Police position has been opened since March 2014. Since that time we have been fortunate to have received the services of Interim Chief Tony Delgado. During that same time period, Vice Chancellor Smith has worked diligently in preparing to fill the position with the right candidate. He has also worked with VC Garcia to seek input on the kind of “campus policing” philosophy that is most consonant with the culture of our district. In fact, given what we have learned, you will be seeing a more visible presence of police and safety officers, to put it simply, more walking about and less riding in cars. In addition to the Police Chief vacancy and as part of our organizational redesign efforts, we have realized that it is important to think not only about the number and type of safety officers needed, but also about their particular location, assignments and schedules. In addition, we have identified needed resources in order to increase our Traffic and Campus Safety Officers from
part-time to full-time. Another very innovative strategy has been to work more closely with our Police Academy graduates who have been precluded from applying to our District because of a post graduate training requirement that in fact we can provide ourselves. Finally, we will be instituting a Cadet Program comprised of students who will be visible and helpful with the primary purpose of establishing a presence that will act as a deterrent. These cadets will be trained and equipped to provide immediate communication to the police department through the dispatch office. We would like to thank Dean Sean Abel at SJCC for his leadership on the implementation of this program. Now for the good news, while we have had difficulty recruiting for the Chief of Police, she reported that we now have three great finalists. Both college presidents and VC Smith will be joining me in interviewing the finalists. Other key positions including a Sergeant and Lieutenant position are also in the queue.

In September Governor Brown signed into law two key pieces of legislation addressing the issue of campus safety and in particular sexual assault. One particular piece of legislation; namely SB967 has received national attention because it is the first, if not one of the first legislative mandates to introduce the concept of “affirmative consent”… “Yes, means yes!” This concept goes beyond the older notion of consent characterized by the phrase, “No means no.” The new understanding of consent is one in which an individual must assert affirmative consent and then, and only then, is consent established. The other law, AB 1433, Gatto, adds Section 67383 to the Education Code and requires that the governing board of each community college district, the Trustees of the California State University, the Board of Directors of the Hastings College of the Law, the Regents of the University of California, and the governing boards of postsecondary educational institutions receiving public funds for student financial assistance to require the appropriate officials at each campus to compile records of specified crimes and noncriminal acts reported to campus police, campus security personnel, campus safety authorities, or designated campus authorities. Rosalie Ledesma, Executive Director of Government and External Affairs, is the individual who is charged with guiding the process to develop and update all district policies and procedures. In this capacity, Chancellor Cepeda has assigned Ms. Ledesma to work on the mandated policies and procedures for both SB 967 and AB 1433. There is an established Participatory Governance process for the review and development of District policies. In this instance, however, we want to expand on that process in order to ensure more extensive participation by all concerned. As such, we will begin our journey with the establishment of college forums that will help jump-start our work. Once the draft policies are completed, these will be scheduled for Board approval. Ms. Ledesma has designed a format for the forums that will include review of the legislation, explanation of the District’s policy review process, and an opportunity for interaction from participants; including an option for individuals to self-identify if they wish to continue their participation in the development of the policies themselves. While we had hoped to schedule these forums early in December, the feedback received from EVC and SJCC suggests that mid-February would be a better date. This time frame would allow about two weeks after 1/26/15 when the semester begins. Faculty and staff noted this schedule would permit students, faculty and staff to get through what is
considered a very busy period. Specific dates and locations for the forums at each of the colleges will be posted the second week of January.

c. Presidents

EVC President Yong reported EVC hosted a town hall on the development of the adjacent 27 acres on December 4, at 2:30 p.m. A second town hall has been scheduled for tomorrow afternoon at 1:30 p.m. in Gullo II, and Vice Chancellor Smith and Attorney Jim Eller will share additional information with the campus. Everyone is invited to this informational event. EVC hosted a High School Partner Day on December 5, where counselors, principals and administrators from area high schools were invited. It was very well attended, and we received very positive feedback from the participants. The topics of discussion included update on college facilities transformation projects, the Student Success mandate, concurrent enrollment, and career pathways, Nursing, and the K-16 Bridge collaboration project. EVC wants to support the area high schools, and facilitate high school student enrolling at EVC, and has offered to help cover start-up costs for the high schools. EVC’s enrollment has been on the decline for the past several years, and as the economy continues to improves, our enrollment trend continues to decline. We have been tracking enrollment for the Spring Semester from the 10th week prior to Opening Day, which is January 26, 2015. The data that we have for the 8th week from Opening Day is –11% for EVC, as compared to the same period last year. Since some students typically enroll late, we do expect that the enrollment figure to improve slightly before Opening Day, January 26, 2015. We do offer a Winter Intersession, but the enrollment figures are counted as part of the Spring Semester. President Yong reported that he had previously shared with the Trustees and audience that EVC intends to submit a proposal to the State Chancellor’s Office to be approved to offer the baccalaureate degree in Automotive Technology. We have been busy working on this application, gathering the evidence of regional need, and demonstrating our ability to offer such a program. We expect to complete the narrative and be ready to submit on December 19. The State Chancellor’s Office will select only 15 districts for this statewide pilot project, and so the vetting process and the competition will be rigorous. Vanessa Adalco, an EVC graduate, and the Valedictorian at the Commencement this past May, was honored by the Santa Clara County Board of Supervisors yesterday. She received the Annual CalWORKS Client Achievement Award from the Board of Supervisors, in recognition of her outstanding scholastic achievements at EVC. Under the leadership of VP Aytch, the Accreditation Liaison Officer, the Accreditation Steering Committee and the Institutional Effectiveness Council at EVC are busy working on the special accreditation report. Faculty, staff and management have been working collaboratively for several months now, and are now organizing the response to ACCJC. The evaluation of faculty, with the SLO language, has been off to a good start, and going well. Some have already completed the process. President Yong invited the Board and members of the audience to the President’s Holiday Reception on Thursday, December 11, from noon to 2:00 p.m. at the Welcome Center. We will be serving chicken egg rolls, vegetarian spring rolls, Indian samosas, holiday cookies, hot chocolate, coffee and water. Everyone is welcome, and please attend this event for fellowship and an
President Yong announced the passing of Dr. Antonio Rigual, the founding father of the Hispanic Association of Colleges and Universities, better known as HACU. He also was the first president of HACU, and under his leadership and advocacy, the federal Dept. of Ed established the Hispanic Serving Institution, better known as HSI designation. Dr. Rigual had a vision of establishing an association to represent the interests of Hispanic Serving Institutions nationwide. Eventually, it developed from national organization to an international organization. On this sad note, both EVC and SJCC are HSIs, and are members of HACU.

SJCC Vice President Jorge Escobar reported the college is going through finals week. Faculty and students are working hard to complete this important milestone in the semester. SJCC faculty and staff are organizing and participating in different Holiday community celebrations: EOP Toy drive, AOAA holiday party, and the Staff Holiday Social. SJCC also recognizes and congratulates Roi Ann and Heidi Hoffman on their retirement from the College. At SJCC, safety is our #1 concern, along with student success. We have implemented a series of measures, such as emergency phones, cameras pilot, security guards, lighting improvements, training on NIMS/SIMS, and active shooter on campus. In January SJCC will be implementing the Cadet program. Mr. Escobar recognized Dean Sean Abel and Phil Crawford for their ideas and contributions. The college is lucky to be part of Pathways to Law School. A $5K grant will be received. Mr. Escobar thanked VP Duncan Graham for the active work on this.

SJCC is hosting with Latino Magazine the Ahora Student Day. Over 100 high school students from Willow Glen HS and Latino College Preparatory Academy will be part of a panel discussion on STEM. Keynote remarks will be made by Guillermo Diaz, Cisco Systems. The panel is composed of Rodolfo Alatorre, AT&T, Kathleen Martinez, BP America, and Dennis Jaramillo, Cisco systems. Mr. Escobar reported that LATINO Magazine will be presenting an AHORA Student Day on Thursday, December 11, 2014, in San José. This is part of a national program that has been presented in Albuquerque, San Diego, Dallas and many other cities. All are welcome to attend, and there is no cost of any kind for participating schools or students. This event will be hosted by San José City College. Free refreshments and snacks will be served, and complimentary copies of LATINO Magazine will be distributed to all who attend.

Constituency Group Representatives

Jan Tomisaka, President, CSEA Chapter 363, announced that this was the last board meeting she would be attending as she is retiring at the end of the year. She announced that Mr. Joe Lugo, Jr. will take her place as the new CSEA President. Mr. Arthur Azevedo, is the new 1st Vice President and Mr. Faustino Villa is the new 2nd Vice President. She stated how much she enjoyed working with the Board and wished everyone a happy holiday season.

Mr. David Yancey, AFT 6157 President, welcomed Trustees Nguyen and Pham to the Board and that they will be contacted soon by the AFT leadership. It is important for the Board to be aware of issues concerning
Minutes of December 9, 2014, Governing Board Meeting

faculty and to keep in touch. He also thanked CSEA President Tomisaka for her service, and it will be tough to not have her present at board meetings. President Yancey also reported on the December 21 SBLC annual Christmas party where many people dress up as Santa Clause and provided gifts for many families. Seventy students from his classes have helped to coordinate the event. He wished everyone happy holidays.

Mr. Eric Narveson, EVC Academic Senate President, welcomed new Trustees Nguyen and Pham to the Board. He also thanked the Chancellor, Vice Chancellor Smith, and Trustees Lease and Pham for meeting with him and addressing concerns at EVC for land use. He also reported on the joint meeting of both Academic Senates, which has not been done in the last two decades. This is a very productive and exciting time for both senates.

Mr. Jesus Covarrubias, SJCC Academic Senate President, congratulated Trustee Ho on her election as Board President and Trustees Nguyen and Pham on their recent election to the Board. He invited the new Trustees to visit SJCC anytime. He reported that the Senate would hold its last meeting of the year next week, and faculty is now gearing up in preparation of the Spring semester.

Ms. Lauren McKee, President, MSCC, expressed her excitement about having two new Trustees on board and stated that she will enjoy working with them. She introduced the MSC group as a meet/confer group consisting of the managers, supervisors and confidential employees of the district. She also expressed appreciation for the concept of building an aquatic center on the 27 acres surrounding EVC as this is a great need for the community.

Trustee Cruz thanked Ms. Jan Tomisaka for her many years of service as a leader of the Classified union. She also wished everyone a happy holiday season and that they use the time off for personal refreshment so we can all come back prepared for the work ahead of us.

I ACTION AGENDA

1. RESOLUTION NO. 120914-1 APPROVING DISTRICT BUDGET TRANSFERS AND REVISIONS

M/S/C (Mann/Lease) to approve 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.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.
2. **MEASURE G-2004/MEASURE G-2010 CITIZENS’ BOND OVERSIGHT COMMITTEE APPOINTMENT**

M/S/C (Lease/Cruz) to appoint the citizens listed on the agenda item to the Citizens’ Bond Oversight Committee applicants to fill the current vacancies on the committee.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. **SCHEDULE OF GOVERNING BOARD MEETING DATES AND CORRESPONDING DEADLINES CY2015, CY2015 BOARD CALENDAR AND MONITORING REPORTS**

Chancellor Cepeda commended the Board on the transformational work they had accomplished this past year in developing the ends policies and governing principles. This work has gained national attention and is a model that would allow the Board to be productive and evaluate its own work effectively. As part of that work, the Board developed an annual calendar for receiving and measuring its ends policies and also taking action on district business. Therefore, the item being brought to the Board today is a request to change its schedule of meetings from a Fiscal Year schedule to a Calendar Year schedule. Also included is a board calendar of each meeting scheduled in CY2015 and a listing of the ends policies reports, cyclical items and study sessions that would be addressed at each meeting. She also reported on the CY2015 meetings venue change. The first meeting on January 13, 2015, will be held at SJCC; and the second meeting on January 27, 2015, will be held in the new District Office Board Room at 40 S. Market Street in downtown San Jose. Chancellor Cepeda thanked Acting Vice Chancellor Hawley and Executive Administrative Assistant Pace for their work in putting the calendar and ends policies metrics documents together. This is an exciting format, and we look forward to its implementation.

Trustee Cruz thanked the Chancellor for this work on behalf of the Board. She also stated she would like everyone to think about the feedback we are receiving from the Community Advisory Group and how we will continue to dialogue with them on issues of concern. We need to stay on top of emerging needs and how the Board aligns its work based on those needs that are identified. President Cruz thanked the Chancellor for the schedule and monitoring metrics that would be used to assess the achievement of its ends policies. She reminded the Board that its job was to monitor what was achieved and to leave the means to the Chancellor.

M/S/C (Nasol/Lease) to approve the CY2015 Schedule of Governing Board Meeting Dates and Corresponding Deadlines and the CY2015 Board Calendar.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.
4. **NON-BINDING LETTER OF INTENT 27.1 ACRES**

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

J. **INFORMATION AGENDA**

1. **MEASURE G-2010 BOND PROGRAM: MEASURE G-2010 SUMMARY REPORT FOR NOVEMBER 21, 2014**

   Vice Chancellor Smith reported there were no warnings or cautions included in this current monthly report.

2. **SJECCD SECURITY MASTER PLAN – SUMMARY PRESENTATION**

   Mr. Steve Thompson, Director, Facilities and Bond Program Management, reviewed the work done on the district’s security master plan through the consultant agreement with Catalyst Consulting Group Inc. The goal was to evaluate needs and facilitate a planning process with the college campuses to develop a Security Master Plan for the entire district. The process included meetings with District Police, the Police Chief and faculty and staff at both colleges. As a result of those findings, Catalyst presented a draft of the plan to the District Council in June 2012, which was subsequently presented and reviewed through the shared governance process at both colleges. Mr. Thompson reviewed the recommendations on increased police presence and staffing, site recommendations regarding lighting and landscaping, and upgrading of electronic security systems. The new building construction and renovations currently underway provide an ideal opportunity to deploy security solutions following a new standard.

   Vice Chancellor Smith stated that this plan is being reviewed as an information item but would come to the Board for approval at a future meeting.

   Trustee Lease thanked everyone for their hard work on this plan. At one time, EVC had only one police officer, who was not on campus 24/7. It would be a great situation to have 24/7 coverage at both campuses in the future.

K. **CONTINUATION OF CLOSED SESSION**

   No

L. **RECONVENE OPEN SESSION**

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

   None

M. **ADJOURNMENT**

   M/S/C (Mann/Lease) to adjourn the meeting at 8:21 p.m.
Minutes of December 9, 2014, Governing Board Meeting

Rita M. Cepeda, Secretary
Board of Trustees