

**Governing Board Meeting Minutes (Tuesday, January 24, 2017)**

**A. CALL MEETING TO ORDER**

**Information: 1. 4:30 p.m. - The Meeting will be called to order at the District Board Room, 40 South Market Street, San Jose, CA 95113**

The meeting was called to order at 4:30 p.m.

Board members present:

Ms. Wendy Ho  
Dr. Jeffrey Lease  
Mr. Craig Mann  
Mr. Rudy Nasol  
Mr. Scott Pham  
Ms. Huong Nguyen

Board Member Absent from Closed Session:

Ms. Mayra Cruz (Trustee Cruz joined meeting during Open Session)

**Information: 2. Information on Public Comments and Disability Access**

Information was provided in the board agenda packet on public comments and disability access.

**B. APPROVAL OF CLOSED SESSION**

**Action: 1. Approval of Closed Session Agenda**

M/S/C (Nguyen/Pham) to approve the Closed Session agenda as submitted.

**C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA**

**Information: 1. Public Comments on the Closed Session Agenda**

There were no public comments.

**D. CLOSED SESSION ITEMS FOR DISCUSSION**

**Information: 1. The Board will recess to Closed Session at 4:30 p.m. to consider the following items:**

The Board recessed at 4:30 p.m. to discuss the following items:

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

**LIABILITY CLAIMS**  
(Government Code Section 54956.95)  
Agency Claimed Against: SJECCD

**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

Names of Negotiating Parties: Republic Urban Properties LLC

Under Negotiation: Instructions regarding price and terms of ground lease for surplus land

## **E. RECONVENE INTO OPEN SESSION**

### **Procedural: 1. 6:00 P.M. - Pledge of Allegiance**

EVC Student Trustee Bethel Kim joined the meeting.

Mr. Paul Fong led the Board and members of the audience into the Pledge of Allegiance to the Flag.

### **Action: 2. Adoption of the Agenda**

M/S/C (Lease/Nguyen) to adopt the agenda as submitted

Board vote was as follows:

Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Trustee Cruz was not present for the vote.

Advisory vote was as follows:

Student Trustee Kim voted yes.

Student Trustee Lopez was not present for the vote.

### **Information: 3. Announcement of Reportable Action Taken in Closed Session**

President Mann announced the Board of Trustees took action in closed session voting in favor of a Motion to Approve the Settlement Agreement of a Claim brought by Beverly Borbon against San Jose Evergreen Valley Community College District. Under the terms of the Settlement Agreement, the District has agreed to pay, and Beverly Borbon has agreed to accept, a settlement payment in the amount of \$4,500.

The members who were present in Closed Session voted unanimously, without abstentions, to approve the settlement.

Board vote was as follows:

Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Trustee Cruz was not present for the vote.

### **Information: 4. Public Comments on Matters not on the Agenda**

There were no public comments.

### **Information: 5. Board Committee Assignments**

Trustee Mann read a listing of the Board Committee appointments for CY2017.

Ad-Hoc Chancellor Evaluation Committee:

Wendy Ho

Craig Mann, chair  
Rudy Nasol

**\*Asset Management/Land Development Committee**

Jeffrey Lease, chair  
Craig Mann

**Board Self-Evaluation Committee**

Mayra Cruz, chair  
Wendy Ho  
Jeffrey Lease

**Board Audit Committee**

Rudy Nasol, chair  
Scott Pham

**Board Legislative Committee**

Mayra Cruz  
Wendy Ho, chair  
Huong Nguyen

**\*\*Foundation Board**

Huong Nguyen

\*committee charge is to be continuously and sufficiently engaged as relates to the land development at Yerba Buena/San Felipe Roads

\*\*open to two trustees

**Action, Minutes: 6. January 10, 2017, Governing Board Meeting Minutes**

M/S/C (Lease/Ho) to approve the above listed minutes.

Board vote was as follows:

Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.  
Trustee Cruz was not present for the vote.

Advisory vote was as follows:

Student Trustee Kim voted yes.

**F. CONSENT AGENDA**

**Action (Consent): 1. Adoption of the Consent Agenda**

President Mann, per the request of Mr. Phil Crawford, removed Consent Agenda Item F-14 Memorandum of Understanding (MOU) between San Jose City College and the International Association of Bridge, Structural, Ornamental, and Reinforcing Ironworkers Local 377 Joint Apprenticeship and Training Committee (JATC), which will become Action Agenda Item H-1. Hearing no requests to pull any other items, President Mann stated the remainder of the Consent Agenda was adopted by general consent.

**Action (Consent): 2. Management Personnel Actions**

The Board approved the Management personnel actions as submitted.

**Action (Consent): 3. Faculty Personnel Actions - Regular**

The Board approved the Faculty personnel actions as submitted.

**Action (Consent): 4. Classified Personnel Actions**

The Board approved the Classified Personnel actions as submitted.

**Action (Consent): 5. 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.

**Action (Consent): 6. Chancellor, Executive Managers, Managers, Supervisors, Confidentials and Classified Salary Schedules**

The Board approved the salary schedule actions as submitted.

**Action (Consent): 7. Curriculum Recommendations for San Jose City College**

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

**Action (Consent): 8. Non-Resident Tuition Rate and Student Capital Outlay Fee for Academic Year 2017-2018**

The Board approved the non-resident tuition rate of \$228 per semester unit and the capital outlay fee of \$4 per semester for Academic Year 2017-2018.

**Action (Consent): 9. International Student Recruitment Travel**

The Board approved the International Student Recruitment Travel for Spring 2017.

**Action (Consent): 10. Acceptance of Grant Funds from the California Workforce Development Board**

The Board accepted and appropriated grant funds of \$150,000 from the California Workforce Development Board for the technest|SJCC Coding Academy.

**Action (Consent): 11. Workforce Institute – Memorandum of Understanding between San Jose Evergreen Community College District (Workforce Institute) and United Way Bay Area**

The Board approved the Memorandum of Understanding between San Jose Evergreen Community College District (Workforce Institute) and United Way Bay Area.

**Action (Consent): 12. Strong Workforce Program between the California Community College Chancellor's Office and San Jose/Evergreen Community College District (Evergreen Valley College)**

The Board approved the Strong Workforce Program between the California Community College Chancellor's Office and San Jose/Evergreen Community College District (Evergreen Valley College).

**Action (Consent): 13. San Jose City College's Strong Workforce Program plan and SJECCD's regional plan between State's Community College Chancellors Office**

The Board approved San Jose City College's and SJECCD's regional program plan.

**Action (Consent): 14. Memorandum of Understanding (MOU) between San Jose City College and the International Association of Bridge, Structural, Ornamental, and Reinforcing Ironworkers Local 377 Joint Apprenticeship and Training Committee (JATC)**

This item was removed from the Consent Agenda and moved to the Action Agenda as Item H-1.

**Action (Consent): 15. EVC Nursing Department Clinical Experience Agreement (renewal)- Regional Medical Center of San Jose**

The Board approved the agreement between San Jose Evergreen Community College District and Regional Medical Center of San Jose to provide clinical experience for Evergreen Valley College nursing students.

**Action (Consent): 16. EVC Nursing Department Clinical Experience Agreement (renewal)- Good Samaritan Hospital**

The Board approved the agreement between San Jose Evergreen Community College District and Good Samaritan Hospital to provide clinical experience for Evergreen Valley College nursing students.

**G. GENERAL OBLIGATION BOND PROGRAMS CONSENT AGENDA**

**Action (Consent): 1. Adoption of the General Obligation Bond Programs Consent Agenda**

Hearing no requests to pull any items, President Mann stated the General Obligation Bond Programs Consent Agenda was adopted by general consent.

**Action (Consent): 2. Measure G – 2010 Bond Program: Evergreen Valley College Maintenance Building Sanitary Sewer Tie-In Project #32307-01 – Sanact, Inc. Notice of Completion (NOC)**

The Board approved the Notice of Completion (NOC) of the contract by Sanact, Inc. for the Maintenance Building Sanitary Sewer Tie-In Project #32307-01 at Evergreen Valley College.

**Action (Consent): 3. Measure G – 2004 and 2010 Bond Program: San Jose City College (SJCC) - Physical Education Building #122 and #31125 – Alten Construction Inc., Change Order No. 005**

The Board approved Change Order No. 005 in the amount of \$(33,535) to Alten Construction Inc., for the Physical Education Building #122 and #31125 at SJCC.

**Action (Consent): 4. Measure G 2010 Bond Program: Award Contract for new Communications System Deployment and Integration**

The Board approved and awarded the contract for a new district-wide Communications System Deployment and Integration with Packet Fusion in the amount of \$712,590.19.

**H. ACTION AGENDA**

**Action: 1. Memorandum of Understanding (MOU) between San Jose City College and the International Association of Bridge, Structural, Ornamental, and Reinforcing Ironworkers Local 377 Joint Apprenticeship and Training Committee (JATC)**

Trustee Mayra Cruz joined the meeting.

M/S/C (Pham/Nasol) to approve the Memorandum of Understanding between San Jose City College and the

Ironworkers Local 377 JATC.

Board vote was as follows:

Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:

Student Trustee Kim voted yes.

Professor Phil Crawford stated he had been working on this agreement with the late Kieron Connolly. The Ironworkers were interested in leasing a facility, but we had a program and opportunity to work with them. Professor Connolly and I became students of the labor law to find a pathway to bring this back to the college. We had all the apprenticeship programs at SJCC, but at some time they left because they weren't working well with administrators. The international internship programs are trying to get more women, foster youth, veterans, and a number of other disadvantaged persons. We worked very hard on this, and they are anxious to get started as well. There are 1,000 students in this program.

President Mann stated that the Board knows how long and hard both Phil and Kieron have advocated for this agreement. Trustee Nasol stated that he had been a long advocate with the apprenticeship program. We need this kind of program at SJCC as we have a lot of career technical education. Project labor needs to be implemented to the letter of the law. We hope to expand this program.

SJCC President Breland thanked Professor Crawford for championing this program from the first day. He stated the college has big plans for this program.

## **I. INFORMATION AGENDA - PRESENTATIONS, DISCUSSION ITEMS AND DOCUMENTS PROVIDED**

SJCC Student Trustee Lopez joined the meeting.

### **Presentation: 1. District Technology Plan Annual Report 2016**

Vice Chancellor Seaberry presented on the District Technology Plan: Annual Report 2016. The current plan was developed in 2012, and we are now in the fifth year of the plan. Each year there is a project list of items we are working on, and Dr. Seaberry reviewed October through December 2016 projects plus January to June 2017 upcoming projects. Twenty-five projects were completed between October 1, 2015, and December 31, 2016, including upgrade of wired network switches at SJCC, upgrade of wireless network at SJCC, Office 365 rollout for all employees, initial rollout of CROA reports, New CCCApply Admission Application for Students, ERP Ellucian Database Migration Project, implementation of new firewalls at SJCC, implementation of new Form 1098-T Processing Service, District Technology Plan Update for 2015-2016, new MDF for EVC network, MyWeb budget reports, new MyWeb servers and payment gateway, District Technology Plan update for 2016-2017, Pilot Canvas - New Learning Management Systems, Facilitate 24/7 support to students and faculty using Canvas, new fiber optic backbone at EVC, upgrade wired network switches at EVC, complete MyWeb integration with Follet Bookstore, implement RAVE emergency communication system, SharePoint package tracking at colleges, implement Synoptix for Colleague Financial Reports, student priority registration process improvement, automate students SARS Data Import to Colleague, automate Help Desk solutions, and Re-launch Office 365 accounts for students. Dr. Seaberry reported that 24 projects are scheduled for completion in 2017. He also reviewed the challenges and opportunities for implementing the District Technology Plan .

Trustee Nasol inquired about the Milpitas network and if there was a plan to install wireless, and Vice Chancellor Seaberry answered yes. Student Trustee Kim discussed issues with the automated priority

registration as EOP&S and other students get priority registration so this would be a great tool for our students to have. Trustee Ho stated her excitement about what is planned for the next five years. She was impressed by how the model used showed how the projects tie into accreditation, Board ends policies, and strategic priorities. She would love to see those linkages across all district long-term plans.

Chancellor Budd thanked Vice Chancellor Seaberry for the work he has done with the students and the colleges and how the work he and his team is doing ties into the strategic plan, which we will be updating this year. Ms. Barbara Hanfling stated that the computers in the SJCC adjunct centers are many years old. Both EVC and SJCC adjunct centers should be looked at, as these sites don't always come to the forefront of IT priorities, and it should be put it somewhere on the list.

President Mann inquired if in terms of being highly competitive, are we doing anything to train our students to bring them up through the IT ranks? He sees those students as an untapped pool. Vice Chancellor Seaberry answered that we can be so much more strategic about that progress, not only in terms of our students, but also in terms of our staff.

### **Information: 2. Workforce Institution - Presentation on San Jose SparkPoint Center**

Chancellor Budd introduced Dr. William Watson, Interim Executive Director, Workforce Institute. She also announced that the SparkPoint Center will be opening at our ditrict and the ribbon-cutting ceremony is scheduled for that Friday 1:00--2:30 p.m.

Dr. William Watson provided an overview of the SparkPoint model, which provides educational opportunity for low-income students. He thanked Chancellor Budd for being involved in this program since 2010. He thanked the Workforce Institute staff for attending the board meeting and for their commitment to this program. He reported that for high income students 99% were likely to obtained a Bachelor's Degree whereas only 24. 21% of low-income students achieve that result.

Mr. Roland Montemayor, Vice President of Student Services at SJCC and Ms. Adela Esquivel-Swinson, Vice President of Student Services at EVC discussed the two-prong approach in implementing the SparkPoint program, the importance of front line Student Services staff in making it successful, and they are looking forward to joining with Dr. Watson in launching SparkPoint. He thanked the Board for their policy work for allowing this to happen.

Trustee Cruz stated she was thrilled as she reviewed the materials provided at the last meeting. The whole idea of SparkPoint of San Jose is amazing. She really liked the idea of service integration and sustainability. We start out with great ideas, and this particular initiative has been in the works for some time now. When she thinks about career technology and early childhood programs at SJCC, which is very connected to the community. We have a lot of family resource centers, and they are evaluating what they can do to support families. We can partner with a larger sect of our community. Trustee Ho thanked Dr. Watson; and as a former United Way employee, she is familiar with SparkPoint. It's fantastic that we have \$1 million from Texas Instruments. We need to ensure continuous funding. Dr. Watson stated we have an ethical and moral obligation to pursue this program. We must do for ourselves as an organization what we are doing for students to achieve their educational goals. He is grateful to the District's executive leadership for their support of the program. Trustee Ho inquired about who would need to be at the table to ensure this program is sustainable. Dr. Watson answered that he knows how this program is developed, and he has discussed many of the details with leadership.

Professor Crawford stated that Dr. Watson has done some amazing work since his arrival to the District.

President Mann thanked Dr. Watson for the presentation.

### **Information: 3. Diverse Business Outreach Update**

Vice Chancellor Smith introduced Ann Kennedy, bond consultant for bond compliance, CBOC and Owen Letcher, Director of Facilities and Bond Management. Mr. Smith distributed packets to the Board for their assistance in recruiting new CBOC members. Including Measure X, our bond program is now a \$1 billion program.

Ms. Kennedy reported that progress has been made in the outreach to small, local, and diverse business enterprises since the last Board update on February 9, 2016. In February, we acknowledged that there were action items to revisit the 2011 Outreach Program for Small, Local and Diverse Business Enterprises. The previous plan established a District goal at 15% subject to increases over time, reassigned a Gilbane staff member to be an Outreach Coordinator and established a Measure G database. We needed to utilize a standardized reporting form, and revise District bid and contract documents. We are now doing our annual report to the Board. We are still working on incorporating the Luster & Associates recommendations. We reached out to other districts regarding their outreach plans and discussed what was and wasn't working for them. We defined our goals based on direction from the Board of Trustees.

Mr. Letcher discussed the work of Outreach Coordinator Sue Weisshaar. She is doing data collection and updating of database and verification. He reviewed the legal counsel questions. Ms. Kennedy reported on how people answer the "Who owns the company" question? We are tracking at the time of expenditure. Our goal areas are outreach qualifying, small, disabled veterans and diverse businesses. Overall, our goal has been achieved. We tracked the Tier 2 data. Mr. Letcher reported on the non-bond funds through the Datatel system. There are increases in small, women and local businesses and slight improvement in minority owned businesses. He reported on the next steps of the outreach program.

Trustee Nasol liked the report because it validates what the Board has discussed in the past, and because of the data collection, it actually enhances what we are trying to do. He expressed concern, however, that active participation of the minority group does not properly align with our District's demographics. He'd like to increase the goal of 15%. Even if you granted the contract document to someone, you still expect them to hire contractors in the minority community. He recommended taking out Appendix X. The program has been successful and we compare favorably with any other community college in the state. Trustee Nasol stated that our district is very different from other districts. The demographics of the Board indicates this diversity. There is no reason not to look at a higher goal. Trustee Cruz stated she lives by the values of equity, opportunity and social justice. For this district, we are different from other districts. We are at a place where we can increase participation from 15% to 25%. There is a very small percentage of increases in women owned businesses. It is important to also create an internal structural mechanism that allows us to look at accountability. It's also not just about bond management, but what about goods and services that the district is involved in. Trustee Ho stated that she appreciates that the District has made great strides in the data collection. She is very much rooted in those values of opportunity, equity and social justice. We have always tried to do everything the San Jose-Evergreen Community College District way. We have the quarterly dashboard reports, and we adjust those because we don't want to settle for low targets. We need to continue to push ourselves. Fifteen percent was the initial target, but we should push forward to that 25% mark. She is curious that the business certification enterprise from the self-certification enterprise dropped out because they didn't want to go through the certification process. We have the aggregate date, but can we dis-aggregate that data based on ethnic group to inform some of our target groups. She would like to take a deeper look at that item.

Chancellor Budd thanked Vice Chancellor Smith, Ann Kennedy and Sue Weisshaar, for their progress as she remembered the responses from her first Board meeting. She stated we have made some progress since the last report. We are reaching out to the community. A lot of work has gone into this outreach plan; and we can



improve, but we should also acknowledge the work that has gone on so far.

President Mann stated our attitude is right, but our altitude needs to go higher. President Mann informed the speakers that there is a lot of passion here, which is not meant to show a lack of appreciation for what has been achieved. However, we keep pushing toward a higher goal.

#### **Information: 4. Proposed Board Policy on debt issuance and management**

Chancellor Budd reported that at the last board meeting there was a resolution, and now this is being provided to the board for a first reading of a policy based on the resolution that was passed.

#### **Information: 5. Measure G-2010 Bond Program: Measure G-2010 Summary Report for December 31, 2016**

Vice Chancellor Smith stated that this report includes two cautions, both for time issues. Mr. Letcher stated at his request he added the two cautions because of the long lead times for these projects: Wayfinding, Signage and Site Fencing at SJCC and Physical Security PH II.

### **J. BOARD MEETING EVALUATION**

#### **Discussion: 1. Board of Trustees to Discuss Board Meeting Performance**

Trustee Ho thanked Dr. Watson for the SparkPoint presentation, which shows how we can maximiz our resources for our students. Trustee Cruz stated that part of what we heard today, which is critical to our ends policies, is the technology presentation. SparkPoint is about leveraging our resources for student success. Growing our own internal talent is important, because it is not until someone recognizes something that you see the magic. Thank you for a very enlightening evening. Trustee Nasol appreciated the update on the technology plan and conversation on our outreach to women and minority enterprises. President Mann appreciated the way the meeting was efficient and effective.

### **K. CONTINUATION OF CLOSED SESSION (If needed)**

The Board did not reconvene to Closed Session.

### **L. RECONVENE TO OPEN SESSION**

Information: 1. Announcement of Action Taken in Closed Session

### **M. ADJOURNMENT**

**Information: 1. The meeting will be adjourned.**

The meeting adjourned at 8:29 p.m.

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Dr. Deborah Budd, Board Secretary

