

# Minutes of the Governing Board Meeting May 12, 2009



San José/Evergreen  
Community College District

## A. CALL MEETING TO ORDER

Trustee Okamura called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on May 12, 2009, at 5:00 p.m., in the President's Office conference room, San José City College.

### Board Members Present:

Ms. Mayra Cruz  
Mr. Balbir Dhillon  
Ms. Maria Fuentes  
Mr. Richard Hobbs  
Mr. Ron Lind  
Mr. Randy Okamura  
Mr. Richard Tanaka

### Board Members Excused:

None

## B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Cruz/Okamura) to approve the Closed Session Agenda as submitted.

## C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

None

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

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

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT  
(Government Code Section 54957 (b))  
Title: Vice Chancellor of Administrative Services

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE  
(Government Code Section 54957 (b))

**Minutes of May 12, 2009, Governing Board Meeting**

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

CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code Section 54957.6)  
District's Negotiator(s): Sandra Dillon  
Employee Organization: FA  
Or  
Unrepresented Employee Title:

CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code Section 54957.6)  
District's Negotiator(s): Sandra Dillon  
Employee Organization: CSEA  
Or  
Unrepresented Employee Title:

**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  
Mr. Richard Hobbs  
Mr. Ron Lind  
Mr. Randy Okamura  
Mr. Richard Tanaka  
Mr. David Coatney  
Mr. Mike Rendler

Board Members Excused:

None

**1. RECEPTION HONORING RETIREES**

A reception was held in the GE Quad Area at San José City College in honor of the District's retirees for 2008-09.

**2. PLEDGE OF ALLEGIANCE**

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

**3. ADOPTION OF AGENDA**

M/S/C (Hobbs/Lind) to approve the agenda as amended: H-3 was moved to after

**Minutes of May 12, 2009, Governing Board Meeting**

Item E-5 on the agenda.

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

None

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

None

**H. 3. MEMORANDUM OF UNDERSTANDING WITH NATIONAL HISPANIC UNIVERSITY**

Chancellor Pérez discussed the very impressive work Dr. David Lopez, President, National Hispanic University, has been doing in improving the education of Latinostudents. She stated that both our district and the National Hispanic University have been seeking ways to increase the transfer rates of our students to four-year colleges and universities. Therefore, an alliance between both institutions would provide a broad and innovative way to accomplish this goal. Trustee Fuentes said she was delighted to see this MOU on the agenda because, as a trustee, she has been focused on finding ways for Latinos students in our city to succeed in their attempts to seek higher education. Trustee Dhillon thanked Dr. Lopez for the fine work he is doing and said he is honored to cooperate and support this MOU. Trustee Hobbs said he attended some forums at NHU put on by Dr. Ramon Martinez, and he commended the district and NHU for moving forward on this agreement. Dr. Lopez thanked the district and the Board of Trustees for their support of the MOU.

M/S/C (Fuentes/Hobbs) to approve and support the MOU between SJECCD and National Hispanic University.

**6. BOARD RECOGNITION OF SPECIAL ACHIEVEMENTS**

None

**7. APPROVAL OF APRIL 14 AND APRIL 21, 2009 MINUTES**

M/S/C (Okamura/Lind) to approve the above listed minutes as amended. The roll call vote was added to Item H-1 on the April 14, 2009, meeting minutes.

**F. CONSENT AGENDA**

M/S/C (Fuentes/Dhillon) to approve the Consent Agenda as amended. Trustee Dhillon asked that items F-13 and F-14 be pulled from the agenda for discussion.

F-1-B Management Personnel – Assigned to District Office – effective date was

## Minutes of May 12, 2009, Governing Board Meeting

amended.

F-1-B Management Personnel – Assigned to San José City College – employment information added.

F-2-B Faculty Personnel – Assigned to Evergreen Valley College – Change of Status – correction made to annual salary.

F-3-A Classified Personnel – Assigned to District Office – Retirement – retiree was added.

F-3-A Classified Personnel – Assigned to Evergreen Valley College – Change to District Classification Plan – removed from agenda; not going to eliminate position.

F-3-A Classified Personnel – Assigned to San José City College – Change to District Classification Plan – revision made to Instructional Lab Technician IV/Science job description.

### 1. **MANAGEMENT PERSONNEL**

The Board approved the management team personnel actions as submitted.

### 2. **FACULTY PERSONNEL**

The Board approved the faculty personnel actions as submitted.

### 3. **CLASSIFIED PERSONNEL**

The Board approved the classified personnel actions as submitted.

### 4. **SHORT-TERM HOURLY, SUBSTITUTE AND PROFESSIONAL EXPERT EMPLOYMENT**

The Board approved the short-term hourly, substitute and professional expert employment personnel actions as submitted.

### 5. **STUDENT ASSISTANT EMPLOYMENT**

The Board approved the student assistant employment personnel actions as submitted.

### 6. **VOLUNTEER PERSONNEL**

The Board approved the volunteer personnel actions as submitted.

### 7. **DISTRICT BUDGET TRANSFERS BETWEEN EXPENDITURE ACCOUNTS**

The Board approved maintaining existing policy authorizing the D.O. to process

**Minutes of May 12, 2009, Governing Board Meeting**

end-of-year expenditure transfers without Board approval.

**8. DISTRICT BUDGET INCREASES, DECREASES, TRANSFERS TO/FROM CONTINGENCIES**

The Board authorized the D.O. to process year-end budget increases, decreases, and transfers to and from contingencies and fund balances as permitted by Board policy.

**9. RATIFICATION OF CONTRACTS**

The Board approved District vendor contracts for the period of March 10, 2009 through April 9, 2009.

**10. CHANGE ORDER #1 – THEATRE FIRE ALARM UPGRADE - SJCC**

The Board approved Change Order #1 in the amount of \$9,137.00 with Radiant Electric Company for the Theatre Fire Alarm Upgrade project at San Jose City College.

**11. CHANGE ORDER #1 – HAZARDOUS MATERIALS ABATEMENT – V, W, X Y & Z BUILDINGS - SJCC**

The Board approved Change Order #1 in the amount of \$6,840.00 with TradeStaff Contracting Services, Inc. for the Hazardous Materials Abatement in the V, W, X, Y & Z Buildings project at San José City College.

**12. CHANGE ORDER #1 – VARIOUS SITE IMPROVEMENTS - SJCC**

The Board approved Change Order #1 in the amount of \$29,906.00 with Jos J. Albanese for the Various Site Improvements project at San José City College.

**13. CHANGE ORDER #1 – RESTROOM RENOVATIONS – DISTRICT OFFICES**

Item removed for discussion and separate Board vote.

**14. AWARD OF CONTRACT – SITE IDENTIFICATION SIGNAGE – SJCC**

Item removed for discussion and separate Board vote.

**15. AGREEMENT FOR FURNITURE PLANNING & DESIGN SERVICES – CENTER FOR THE ARTS – EVC**

The Board approved an agreement with KRJ Design Group in the amount of \$14,500.00 to provide furniture planning and design services for the Center for the Arts project at Evergreen Valley College.

**16. CLASSIFY THE PROPOSED MAINTENANCE & OPERATIONS BUILDING AT SAN JOSE CITY COLLEGE AS A NON-INSTRUCTIONAL FACILITY**

## Minutes of May 12, 2009, Governing Board Meeting

The Board approved the recommendation to classify the proposed Maintenance and Operations building at San José City College as a non-instructional facility.

### 17. **BOOKSTORE BUDGET 2009/2010**

The Board approved the District Bookstore budget for FY 2009/2010.

### 18. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**

The Board approved the curriculum recommendations for new courses submitted by San Jose City College.

### 19. **REGIONAL TECH PREP PROJECT APPROVAL**

The Board approved participation in this California Community College Chancellors Office project for the 2008-2009 Academic Year.

### 20. **AGREEMENT FOR SERVICES**

The Board approved the Agreement for Services that allows Evergreen Valley College to receive grant funds in the amount of \$5,000 from the Foothill-De Anza Community College District.

### 21. **CURRICULUM RECOMMENDATION FOR EVERGREEN VALLEY COLLEGE**

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

Trustee Dhillon asked for an explanation for the F-13 change order. Mr. Robert Dias explained that this change order was a result of changes that came up during work on the project. All district projects need to comply with ADA requirements, and certain modifications had to be made for this project to be compliant. Trustee Dhillon asked if the ADA requirements were known before work was started on the project. Mr. Dias answered yes; but the field conditions changed during the actual construction, thus making the change order necessary.

M/S/C (Lind/Cruz) to approve Change Order #1 in the amount of \$16,999.04 with Eternal Construction for the Restroom Renovations project at the District Offices.

Trustee Dhillon asked why there was only one contractor listed on item F-14. Mr. Robert Dias answered that there was only one bidder; and since the bidder met the minimum qualifications required to do the work, the decision was made to award the contract. He explained that sometimes there are projects in which contractors have little interest in, and that may have been the case with this particular project.

M/S/C (Okamura/Fuentes) to award the construction contract to Fluoresco Lighting & Signs in the amount of \$197,760.00 being the lowest responsive bidder for the Site Identification Signage project at San José City College. Trustee Dhillon voted no.

**G. ORAL COMMUNICATIONS**

a. Board of Trustees

Student Trustee Coatney said it has been an honor to serve on the Board during the current year. He said there were a lot of difficult things, especially concerning the state budget; and he learned a lot while being a student trustee. He stated he will be transferring to San Jose State University.

Trustee Lind thanked President Coon for being such a gracious host during his recent visit to EVC in which he took a student whom he is mentoring. The campus tour via golf cart was very enjoyable.

Trustee Dhillon discussed his recent Board training conferences in Biloxi, Mississippi and Northern California. He said our district is very fortunate to have such a good Board.

Trustee Hobbs said the recent CCLC Annual Trustees meeting he attended with the Chancellor and Trustees Dhillon and Cruz were very informative and focused a lot on state budget and accreditation issues.

Trustee Cruz said she found the CCLC Annual Trustees meeting very informative, and she learned a lot about the role of a trustee.

President Okamura said he and the Chancellor met with members of the Sherman Oaks Neighborhood Association and talked about issues related to the baseball field at SJCC. President Okamura said he would like to have a special Board Study Session to further discuss this issue.

b. Chancellor

Chancellor Pérez said she and Trustee Lind continue to meet with members of the community in the City of Milpitas. The voters of Milpitas have supported the bonds our district has proposed. However, their plan for a bond has been shelved, and the second high school Milpitas had planned to build will not be built. It's unfortunate because even though their district is as large as Palo Alto's, they receive \$7 million less. We plan to work with Milpitas High School to build a community college center. We have a duty to do that; and we have the bond money set aside for that community.

Chancellor Pérez said one of the things she learned at the recent ACCT trustee conference is that any time you get a new Trustee on the Board, you have a new Board. Therefore, the Board will be planning a Board retreat sometime this summer.

Chancellor Pérez thanked the members of the district's labor organizations for their willingness to meet with administration and discuss cost containment.

## Minutes of May 12, 2009, Governing Board Meeting

She was energized and moved by those discussions.

### c. Presidents

President David Wain Coon, EVC, said the 4<sup>th</sup> annual KinderCaminata on April 24 was a big hit with nearly 1000 kindergarteners from Alum Rock School District attending. On May 2, EVC's first annual "Day at the Green" was an overwhelming success. An estimated 500 students and their families spent the day learning more about the college, being inspired by our academic and career tech programs, developing their educational plans, enrolling for summer and fall classes, and meeting new friends. There was also a special parent session that was very well received. On that same day, the first annual Pow Wow hosted by the American Indian Council for Higher Education (AICHE) of SJECCD was a great success. Over 600 people attended and over 90 dancers in full regalia participated in the event. The Pow Wow's head staff included head man Robert Jimenez-Lone Bear and head woman Lucha Diaz, both EVC students. On May 21 commencement, there will be over 440 students graduating, 104 of those students are EOPS students. This is a 20% increase over the previous year. And 48 of those 104 students have a 3.0 GPA or higher. There is a significant increase in the number of Latinos in the EOPS program graduating. There is also a modest increase in the number of African American students in the program graduating.

President Michael Burke, SJCC, said the 4<sup>th</sup> annual KinderCaminata on April 24 at SJCC was also a great success. SJCC hosted its first "Super Saturday" last weekend—a new orientation, assessment and registration effort, scheduled on the weekend to accommodate 120 graduating high school seniors. It also included a special orientation for parents, and had sessions in both English and Spanish. The official Grand Opening ceremony for the new Cosmetology and Esthetician Program will be held on Friday, May 15. President Burke thanked Mr. Robert Dias for getting the new sound system installed in time for the Fashion Show. President Burke proudly announced that several of Journalism Instructor Farideh Dada's students represented SJCC at the March 2009 conference of the Journalism Association of Community Colleges. The conference was attended by more than 600 students from across California. SJCC students—Audrey Diaz, Greg Frazier, Amanda Martinez, Andrew Reclusado, Marques Hicks, Lucinda Sanchez, and Araceli Gutierrez—brought home two first-place awards for "news judgment" and "layout" and a second-place prize in "copy editing."

### d. Constituency Group Representatives

Mr. Jesse Velasquez, expressed his appreciation for how well the CSEA is working with the district during this very difficult budget situation. He especially thanked Dan Hawkins, Ruth Villasenor, Evelyn Rojas, Joe Lugo, Jan Tomisaka, and Gene Heck for their hard work on behalf of both the district and CSEA employees.

Mr. Chris Frazier, President, Academic Senate, SJCC, said the district owes a

## Minutes of May 12, 2009, Governing Board Meeting

lot to CSEA employees; and the Academic Senate feels solidarity toward the CSEA employees. Mr. Frazier thanked Mr. Velasquez and his team for their hard work.

### H. ACTION AGENDA

The Board heard public comments on Items H-5 and I-1.

#### 1. CLASS INITIATIVE

Chancellor Pérez gave an overview of the CLASS Initiative. The Initiative is focused on building a cadre of leaders and colleges that will be focused on student success. She said that six districts in the state of California will participate. All costs of our district's participation will be covered by the foundations. In approving the resolution, the district is committing to the participation of the Chancellor, one member of the Board of Trustees and one faculty member.

M/S/C (Okamura/Lind) to approve a resolution in support of the California Leadership Alliance for Student Success (CLASS) Initiative.

M/S/C (Fuentes/Hobbs) to appoint Trustee Mayra Cruz as the Board representative for the CLASS Initiative.

#### 2. SCHEDULE OF GOVERNING BOARD MEETING DATES

The Board recommended a change of date for the July 2009 Board Meeting. President Okamura asked the Board secretary to poll each member and find a date in which most trustees will be available to attend. Therefore, the approval of the schedule of Governing Board Meeting Dates and corresponding deadlines for 2009-2010, will be submitted at the June 9 Board Meeting.

M/S/C (Tanaka/Fuentes) to delay approval of the schedule of Governing Board Meeting Dates and corresponding deadlines for 2009-2010 until the June 9 Board Meeting.

#### 3. MEMORANDUM OF UNDERSTANDING WITH NATIONAL HISPANIC UNIVERSITY

This item was moved to appear after agenda item number E-5.

#### 4. NATIONAL ASIAN AND PACIFIC ISLANDER HERITAGE MONTH RESOLUTION

M/S/C (Okamura/Fuentes) to approve a resolution honoring our nation's Asian and Pacific Islander heritage. This action acknowledges and supports a Congressional resolution.

**5. DAILY PARKING FEE INCREASE**

Trustee Fuentes said the reason she voted against an increase in parking fees previously, and the reason she will do so again, is because any increase in fees is going to have a profound negative effect on students. Our district serves many students who work hard and make a lot of sacrifices to attend our colleges. Trustee Cruz expressed concern about how this fee increase, even though it seems like a minor one, would impact our students during these tough economic times. Trustee Hobbs said he will also vote no because he's concerned about our students' ability to pay. The district would need to do a neighborhood study in order to realize the full impact of these fees. He said he would like to consider any increase in fees as a package deal. Trustee Dhillon said that a 50% increase is a very high increase, and this may pose a problem for students to pay.

M/S/C (Fuentes/Hobbs) to not approve an increase in the daily parking fee rate from \$2 to \$3, effective June 1, 2009.

**6. BOARD POLICY 1910 NONDISCRIMINATION – SECOND READING**

M/S/C (Hobbs/Dillon) to approve Policy 1910 Nondiscrimination, renumbered Policy 3410.

**7. MEDICAL BRIDGE PLAN FOR MANAGERS, SUPERVISORS AND CONFIDENTIAL EMPLOYEES**

M/S/C (Dhillon/Cruz) to approve the Medical Bridge Plan for managers, supervisors and confidential employees.

**8. CATASTROPHIC LEAVE PROGRAM FOR ADMINISTRATORS, SUPERVISORS AND CONFIDENTIAL EMPLOYEES**

M/S/C (Hobbs/Fuentes) to approve a Catastrophic Leave Program for administrators, supervisors and confidential employees.

**9. APPROVAL OF RESOLUTION NO. 051209-1: CLASSIFIED SCHOOL EMPLOYEE APPRECIATION MONTH**

M/S/C (Lind/Cruz) to approve Resolution No. 051209-1: Classified School Employee Appreciation Month.

**I. INFORMATION AGENDA**

**1. REPORT ON CHILD DEVELOPMENT CENTERS**

Chancellor Pérez said the administration is not ready to bring any recommendation to the Board at this meeting. However, she asked her Executive Assistant, Rosalie Ledesma, to give an overview of her research on the Child Development Centers.

Trustee Fuentes thanked the Chancellor, Executive Assistant and the team of

## Minutes of May 12, 2009, Governing Board Meeting

people who have been meeting. She said she appreciated the process. She said she understood there was underutilization of the CDC's, but we need to understand what our students need. Trustee Hobbs said his main concern was that the district identifies student and community needs and develops a stable funding plan for the CDC. -. Trustee Lind stated that the CDC situation is just another example of the difficult decisions that will need to be made by the Board of Trustees. He said he was very pleased by the process being used by the administration. Trustee Dhillon stated that everyone can see the need for the CDC, and let's see if we can keep it, only if there is funding to do so. President Okamura thanked everyone who has been involved in the dialogue. He said the Board will consider the information provided them, and will try to make the best judgment. Trustee Tanaka said the Board will focus on meeting their top priorities during this very difficult budget times. Chancellor Pérez reminded everyone that the goal is to keep the centers open by operating them in a cost-effective manner.

### 2. **BUDGET UPDATE**

Vice Chancellor Root gave a brief update on the state budget. He said the situation is very serious even if the proposed measures on the May 19 ballot pass. The district is now working on the best action plan that represents our best thinking and allows the district to fulfill the goals of the Board.

### 3. **CALENDAR OF EVENTS**

Information was provided on events held at Evergreen Valley College and San Jose City College.

### 4. **BOARD POLICY: COMPUTER AND NETWORK USE, FIRST READING**

Information was provided on Computer and Network Use Policy and Procedures.

### 5. **PRESENTATION OF THE SAN JOSE/EVERGREEN COMMUNITY COLLEGE DISTRICT'S CONTRACT OPENER PROPOSAL WITH THE FACULTY ASSOCIATION, AFT 6157 FOR 2009-2010**

The District's contract opener proposal for 2009-2010 was presented and announcement of a public hearing to be conducted at the June 9, 2009 Board meeting.

### 6. **PRESENTATION OF THE FACULTY ASSOCIATION, AFT 6157, CONTRACT OPENER FOR 2009-2010**

Information on the presentation of the Faculty Association, AFT 6157, contract opener proposal for 2009-2010, and announcement of a public hearing to be conducted at the June 9, 2009 Board meeting.

### 7. **FUTURE AGENDA ITEMS**

Board Study Session for facilities planning process at SJCC, athletic programs, in particular.

Budget process – looking at how the Board receives budget information from the

## Minutes of May 12, 2009, Governing Board Meeting

district administration

How does the Board develop policy? How does the Board move forward on a policy it's interested in?

### **J. CONTINUATION OF CLOSED SESSION**

None

### **K. RECONVENE OPEN SESSION**

None

### **L. ADJOURNMENT**

The meeting adjourned at 10:23 p.m.

---

Rosa G. Pérez, Secretary  
Board of Trustees