Governing Board

2015 Meeting Minutes

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January 13                                      June 9
January 27                                      July 14
February 10                                     August 25
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March 10                                        October 13
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April 21-Special Meeting                        November 10
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Minutes of the
Governing Board Meeting
January 13, 2015

A. CALL MEETING TO ORDER

President Ho called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, January 13, at 4:30 p.m. at the San Jose City College Technology Center, Room T-415, 600 S. Bascom Avenue, San Jose, CA 95128

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 (Nasol/Cruz) 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 &
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Associates
Names of Negotiating Parties: Republic Urban Properties LLC and yet to be identified developers
Under Negotiation: Instruction regarding price and terms of ground lease for surplus land

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

2. ADOPTION OF AGENDA

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

Information Agenda Item J-1, Draft Resolution for 27.1 Acres Surplus Land, 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. 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

Mr. Andy Nguyen, ASG representative, showed a video presentation of the 2nd Annual Creative Arts awards ceremony. He thanked the Board, Chancellor and
other district members for their sponsorship of this event and requested financial assistance for the 3rd annual event to be held this year.

5. **APPROVAL OF THE DECEMBER 5 AND DECEMBER 9, 2014, GOVERNING BOARD MEETING MINUTES**

   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 item, 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 Action 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 personnel action Adjunct/EVC as submitted.

5. **FACULTY PERSONNEL ADJUNCT/EVC/SBRPSTC**

   The Board approved the faculty personnel actions Adjunct/EVC/SBRPSTC as submitted.

6. **FACULTY PERSONNEL ADJUNCT/SJCC**

   The Board approved the faculty personnel action Adjunct/SJCC as submitted.

7. **SUPERVISORY-CONFIDENTIAL PERSONNEL ACTIONS**

   The Board approved the Supervisory-Confidential 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, PURCHASE ORDERS AND CONTRACT REVISIONS**

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

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

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

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

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

13. **EXTENSION OF PIGGYBACK DELL MARKETING, LLP CONTRACT**

The Board authorized the District to extend a ‘piggyback’ on a contract with Dell Marketing LLC.

14. **ACCEPTANCE OF GRANT FROM THE BECHTEL FOUNDATION IN SUPPORT OF THE SAN JOSE CITY COLLEGE 2 + 2 + 3 PATHWAY TO LAW PROGRAM**

The Board accepted a grant from the Bechtel Foundation in the amount of $5,000.00 to support the San Jose City College Pathway to Law School program.

15. **NON-RESIDENT TUITION RATE AND STUDENT CAPITAL OUTLAY FEE FOR ACADEMIC YEAR 2015-2016**

The Board approved the non-resident tuition rate of $200 per semester unit and the capital outlay fee of $4 per semester unit for Academic Year 2015-2016.

16. **AMENDMENT TO THE 2014-2015 CSPP-4540 CALIFORNIA DEPT. OF EDUCATION CONTRACT, INDEPENDENT CONTRACTOR’S AGREEMENT AND ST. ELIZABETH’S DAY HOME AGREEMENT**

The Board approved the Amendment to the California Department of Education contract (CSPP-4540), Independent Contractor’s Agreement and St. Elizabeth’s Day Home Agreement, for the 2014-2015 fiscal year. The amended contracts will increase from $137,041 to $242,481, a net increase of $105,440.

J. 1. **DRAFT RESOLUTION FOR 27.1 ACRES SURPLUS LAND**
Vice Chancellor Smith reported that approval of this resolution was the next step in moving forward with the development of the 27.1 acres adjacent to Evergreen Valley College. This draft resolution is being brought to the Board today as an information item. At the January 27 board meeting, this resolution will be submitted for approval.

Chancellor Cepeda stated that all subsequent activities regarding this land will be open before the public. Everyone will have the ability to review the process, which began over two years ago. She thanked Vice Chancellor Smith and Mr. Jim Eller for their keen attention to detail for every step that has been taken to get us to the place where we are today.

Mr. Jim Eller reviewed the draft resolution and highlighted the key components, including further action required by the Board. In particular, he reviewed the timeline for the bid proposal process. Notice will be provided to the public to submit sealed, written proposals for the lease of the surplus district property to Vice Chancellor Doug Smith at the District Office location before 5:00 p.m. on Tuesday, April 14, 2015. No sealed bids will be accepted after 5:00 p.m. These sealed bid proposals will be opened by the Board of Trustees during the Board Open Session meeting at 7:00 p.m. The Board will also call for oral bids at that time.

Trustee Lease stated that he had read through the draft resolution, and it is very well written. Trustee Mann suggested the Board members should review their calendars to find a date for a special meeting in case the Board needs more time to consider the bids received at the meeting. President Ho requested that Board members pencil in April 21 for a potential date for the special meeting. However, since there is a 24 hr. Brown Act requirement for the posting of special meetings, the Board will know by the end of the April 14 meeting whether or not a special meeting is required to complete the bids process.

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 Ho stated that the Consent Agenda was adopted by general consent of the Board.

2. **MEASURE G-2010 BOND PROGRAM: NEW DISTRICT OFFICE BUILDING PROJECT #39301 – XL CONSTRUCTION – CHANGE ORDER NO. 006**

The Board approved Change Order No. 006 in the amount of $4,546.00 to XL Construction for the New District Office Building Project #39301.

3. **MEASURE G-2010 BOND PROGRAM: NEW DISTRICT OFFICE BUILDING PROJECT #39301 – SECURITY SYSTEM – WALSH ELECTRONICS SYSTEMS TECHNOLOGY – CHANGE ORDER NO. 002**

The Board approved Change Order No. 002 in the amount of -$9,453.00 to Walsh Electronics Systems Technology for the New District Office Building Project
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#39301.

4. MEASURE G-2010 BOND PROGRAM: NEW DISTRICT OFFICE BUILDING PROJECT #39301 – AUDIO VISUAL SYSTEM – INTEGRATED COMMUNICATIONS SYSTEMS, INC. – CHANGE

The Board approved Change Order No. 001 in the amount of $3,891.00 to Integrated Communications Systems, Inc. for the New District Office Building Project #39301.

5. MEASURE G-2010 BOND PROGRAM: SJCC HVAC & PLUMBING UPGRADES PROJECT #31304-18 – ENVIRONMENTAL SYSTEMS, INC. NOTICE OF COMPLETION (NOC)

The Board approved the NOC of the contract by Environmental Systems Inc. for the SJCC HVAC & Plumbing Upgrades Project #31304-18.

6. MEASURE G-2010 BOND PROGRAM: SJCC PHYSICAL EDUCATION BUILDING PROJECT #122 – CATALYST CONSULTING GROUP INC. PROJECT ASSIGNMENT AMENDMENT (PAA) SJCC-02

The Board approved Project Assignment Amendment (PAA) SJCC-02 in the amount of $2,500 to Catalyst Consulting Group, Inc., for the Physical Education Building Project #122 – Security Consulting Services.

7. MEASURE G-2010 BOND PROGRAM: SJCC PHYSICAL EDUCATION BUILDING PROJECT #122 – SIERRA ENVIRONMENTAL, INC. – HAZARDOUS MATERIALS CONSULTANT SERVICES INDEPENDENT CONTRACTOR AGREEMENT (ICA)

The Board approved an Independent Contractor Agreement (ICA) in the amount of $14,916 to Sierra Environmental, Inc., for the Physical Education Building Project #122 for Hazardous Materials Consultant Services.

8. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE SITE IMPROVEMENTS SOUTH CAMPUS CONNECTION PROJECT #32113 – BELLINGER FOSTER STEINMETZ (BFS) LANDSCAPE ARCHITECTS, PROJECT ASSIGNMENT AMENDMENT (PAA) #EVC-03

The Board approved Project Assignment Amendment (PAA) #EVC-03 in the amount of $65,000 to Bellinger Foster Steinmetz (BFS) Landscape Architects for the Site Improvements South Campus Connection Design Services Project #32113 at Evergreen Valley College.

9. MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE SITE IMPROVEMENTS LIBRARY/LOT-4 ENTRANCE PROJECT #32113 – BELLINGER FOSTER STEINMETZ (BFS) LANDSCAPE ARCHITECTS, PROJECT ASSIGNMENT AMENDMENT (PAA) #EVC-04

The Board approved Project Assignment Amendment (PAA) #EVC-04 in the
amount of $100,000 to BFS Landscape Architects for the Campus Site Improvements Library, Lot-4 Entrance Project #32113 at Evergreen Valley College.

10. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE BLEACHERS PROJECT #32113-01 – BELLINGER FOSTER STEINMETZ LANDSCAPE ARCHITECTS, REVISION #001 TO A PROJECT ASSIGNMENT AMENDMENT (PAA) #EVC-01**

The Board approved the Revision #001 to a Project Assignment Amendment (PAA) #EVC-01 in the amount of $5,000 to Bellinger Foster Steinmetz Landscape Architects for Bleachers Project #32113-01 at Evergreen Valley College.

11. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AUTOMOTIVE TECHNOLOGY BUILDING PROJECT #32111 PROGRAM SPECIFIC EQUIPMENT CONSULTING SERVICES – LIONAKIS PROJECT ASSIGNMENT AMENDMENT (PAA) #EVC-02**

The Board approved Project Assignment Amendment (PAA) #EVC-02 in the amount of $45,000 to Lionakis for the Automotive Technology Building Project #32111 Program Specific Equipment Consulting Services at Evergreen Valley College.

12. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE AUTOMOTIVE TECHNOLOGY BUILDING PROJECT #32111 – KRJ DESIGN GROUP, INC. PROJECT ASSIGNMENT AMENDMENT (PAA) #EVC-02-FFE**

The Board approved Project Assignment Amendment (PAA) #EVC-02-FFE in the amount of $90,000 to KRJ Design Group, Inc. for the Automotive Technology Building Project #32111 Furniture, Fixtures & Equipment (FF&E) Consulting Services at Evergreen Valley College.

13. **MEASURE G-2004 BOND PROGRAM: EVERGREEN VALLEY COLLEGE (EVC) SOCCER FIELD PHASE 1 BLEACHER PROJECT #210-01 – GUERRA CONSTRUCTION GROUP CHANGE ORDER NO. 002**

The Board approved Change Order No. 002 in the amount of $9,383 to Guerra Construction Group for the Evergreen Valley College (EVC) Soccer Field Phase 1 Bleacher Project #210-01 at Evergreen Valley College.

14. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE (EVC) SOUTH CAMPUS DEVELOPMENT PROJECT #32107 – HMC ARCHITECTS, REVISION NO. 002 TO A PROJECT ASSIGNMENT AMENDMENT (PAA) NO. EVC-02**

The Board approved the Revision No. 002 to Project Assignment Amendment (PAA) EVC-02 in the amount of $7,700 to HMC Architects for South Campus Development Project #32107 at Evergreen Valley College.

15. **MEASURE G-2010 BOND PROGRAM: EVERGREEN VALLEY COLLEGE SOUTH CAMPUS DEVELOPMENT PROJECT #32107 – KRJ DESIGN GROUP.**
INC. PROJECT ASSIGNMENT AMENDMENT (PAA) #EVC-01-FFE

The Board approved a Project Assignment Amendment (PAA) #EVC-01-FFE in the amount of $165,000 to KRJ Design Group, Inc. for the South Campus Development Project #32107 Furniture, Fixtures & Equipment (FF&E) Consulting Services at Evergreen Valley College.

16. MEASURE G-2010 BOND PROGRAM: SCHEDULED MAINTENANCE PROJECT – MEP PKG. #1 31304-14 – SALAS O’BRIEN, REVISION NO. 001 TO A PROJECT ASSIGNMENT AMENDMENT (PAA) SJCC-02

The Board approved Revision No. 001 to Project Assignment Amendment (PAA) SJCC-02 in the amount of $17,500 to Salas O’Brien Engineers for Scheduled Maintenance Project – MEP Pkg. #1 31304-14.

17. MEASURE G-2010 BOND PROGRAM: CAREER TECHNICAL EDUCATION (CTE) PROJECT #31107-03, IRON WORKERS TRAINING CENTER – ARTIK ARTS AND ARCHITECTURE – PROJECT ASSIGNMENT AMENDMENT (PAA) SJCC-03

The Board approved Project Assignment Amendment (PAA) SJCC-03 in the amount of $51,000 to Artik Arts and Architecture for CTE Iron Workers Training Center.

18. MEASURE G-2010 BOND PROGRAM: UTILITY EXTENSIONS PROJECT #31110-02, PHASE 2 FOR NEW AND EXISTING BUILDINGS – SALAS O’BRIEN PROJECT – ASSIGNMENT AMENDMENT (PAA) SJCC-04

The Board approved Project Assignment Amendment (PAA) SJCC-04 in the amount of $169,500 to Salas O’Brien for the Utility Extension Project Phase 2 for New and Existing Buildings.

H. ORAL COMMUNICATIONS

a. Board of Trustees

SJCC Student Trustee Larry Harris reported that he will be attending the CCLC Effective Trustee Leadership conference in Sacramento in two weeks. He stated that he hopes to receive a lot of information about how to assume his responsibilities as a student Trustee.

Trustee Cruz reported that she would be serving as a Trustee member for the ACCJC evaluation team for Berkeley City College on March 9-12. She looks forward to receiving training regarding how to conduct that visit.

President Ho reported that the Board Committee on Legislation is preparing to attend the CCLC Legislative Conference in Sacramento on January 25-26. The SJECC team includes students, Chancellor Cepeda, Presidents Breland and Yong, Vice Presidents of Student Affairs, Executive Director Ledesma, Trustee Cruz and herself. The team will be meeting with a number of
legislators of the Assembly and State Committees on Education. Confirmed meetings include Jose Medina, Assemblymember and Higher Education Chair, Vice Chair Catherine Baker, Assemblymember Evan Low, Rocky Chavez and Assemblymember Luis Alejo. We are also in the process of scheduling additional meetings. The focus of these meetings is to highlight our student success agenda and will be led by students in as many areas as feasible.

All Board members wished everyone in the audience a very Happy New Year!

b. Chancellor

Chancellor Cepeda reported that the first meeting of the 2015 calendar year has several traits that mark the transition and evolution of our District including: the premiere or debut of the Board’s Governance Policies Model Agenda Format; A robust on track and on time bond construction list of projects visibly transforming the campuses, Workforce Institute, the Milpitas 21st Century Education Center and the District Office; a Resolution to begin the bid process to Develop District Assets through Public/Private Partnerships; the implication of the Governor’s Budget Proposal; President Obama’s Educational Policy Announcement on “Tuition Free Community Colleges”; preparations for the legislative priorities for the District; and the measure of Student Success and Student Equity. This document is a clear reflection of this board’s policy direction, resource allocations and use of information based decision making, monitoring and evaluation. In other words every item on this agenda and those that will follow in subsequent months is reflective of staff’s work to implement your policy direction.

She reported that on November 17, 2014, the district received a letter from OCR informing us that a complaint had been filed with their office. The letter made it clear that “opening the allegation for investigation in no way implies that OCR has made a determination with regards to their merits” and requested that we provide information and data on series questions. The deadline for submittal of this information is January 31. Staff met on December 9, 2014 and assignments were parceled out with a due date of January 9, 2015. The data gathered by staff will be provided to Randy Parent, Esq. Liebert, Cassidy and Whitmore who will draft the official response to OCR for my submittal. Chancellor Cepeda will keep this board informed on the subsequent response from OCR.

Chancellor Cepeda provided an update on Campus Safety and Clery Act Training. At the December 9 meeting as part of her Chancellor’s Report, she provided the board with a summary and status of activities related to campus safety and, in particular, the process underway to address new legislative mandates at the state and national level. She also provided the Board with a summary of safety measures associated with facilities planning and an update on the hiring process for safety officers including our new permanent Chief of Police. (In fact, there are several personnel actions the Board will take today that approve some of those positions.) She reported that a team of individuals, including staff from campus police and both colleges are
scheduled to attend a three day training session that begins today (January 13) and runs through January 16th. The training session focuses on “Trauma-Informed Sexual Assault Investigation and Adjudication Pilot Program”. In attendance will be Interim Chief Tony Delgado, Cynthia Tejero, Police Communications and Records Coordinator, Octavio Cruz, EVCs Dean of Enrollment Services and Blake Balajadia, SJCC’s Director of Student Activities. We expect to benefit greatly from the information they obtain.

Chancellor Cepeda relegated the rest of her report to Vice Chancellor Smith to provide a brief summary regarding the implications of the Governor’s Budget released on January 9, 2015 and its particular impact on our District.

Vice Chancellor Smith reported on the proposed 2015-16 budget augmentations for community colleges that were just released by Governor Brown this morning. These augmentations include: $200 million for student success, $125 million to increase base allocation funding, $106.9 million for increased access, $92.4 million for COLA, $49 million to fund CDCP rate equalization, $8 million for Career Technical Education, $29.1 million for apprenticeship, and $39.6 million. There will also be a one-time payment of $353.3 million to pay down outstanding claims, which for years has gone unfunded, amounting to $308 per FTE.

c. Presidents

EVC President Yong reported that EVC and SJCC are part of the Bay Area Community College Consortium that successfully applied for CTE funding from the Chancellor’s Office. EVC’s initial portion is $153,000 and the funds will be used to strengthen CTE programs. We have an opportunity to apply for additional funds with a proposal to be submitted, regarding regional collaboration and occupations that are in demand in the Bay Area. President Yong reported that EVC will bring forward an item in the next Board Agenda to accept a grant from the Silicon Valley Community Foundation. We just received news of the award, and it was too late for this Board meeting. EVC has been approved to receive $40,352 to support improved ESL offerings and services to English-learners in the community. EVC’s enrollment has improved slightly since his report at the last Board meeting. Two weeks prior to opening day, EVC’s headcount is down 5%, and Spring 2015 projected FTES is down 9%. The number of full-time students has decreased substantially, and the data seem to indicate that the majority of our students are now part-time. This trend reflects an improved economy, where people defer their education when opportunities for employment are readily available. Accordingly, we have refined our schedule of course offerings to accommodate their needs. On December 19, EVC submitted an application to the State Chancellor’s Office for approval to offer the baccalaureate degree in Automotive Technology. Statewide, 34 of the original 36 districts submitted applications. In the discipline of Automotive Technology, only one other college, Rio Hondo, submitted an application. Regionally, almost every district in the Greater Bay Area submitted applications. The decision is expected by the end of this week, and the State Chancellor’s Office will select only 15 districts for this statewide pilot project. PDD will be held on Friday, January 23. The draft agenda has been sent out to all campus constituencies, and
everyone is invited to join us for the kick-off to the Spring Semester. President Yong reported that the deans and Vice Presidents have been working with faculty to complete their evaluations. It is important that this task be completed, so that we can demonstrate the full compliance that ACCJC is requiring. The Accreditation team, under the leadership of VP Aytch, the Accreditation Liaison Officer, the Accreditation Steering Committee and the Institutional Effectiveness Council at EVC are working on the special report.

SJCC President Breland wished everyone a Happy New Year and thanked Mr. Andy Nguyen for his commitment to the SJCC Annual Arts Awards. Mr. Nguyen represents the very best of our students. Dr. Breland also reported on the first ever Classified Staff retreat held at the college. Topics included accreditation and the vision statement. Feedback received indicated it was a very productive retreat. He also thanked Vice President Burns and other members of the student success team for the hard work they have done on the student equity plan, which the Board will approve later on in the meeting. The other good news to report is that SJCC is well above the required ADT’s. President Breland also invited everyone to attend the PDD activities on Friday, January 23.

d. Constituency Group Representatives

Mr. Art Azevedo, CSEA 363 President, wished everyone a Happy New Year and welcomed Trustees Nguyen and Pham to the Board.

Mr. David Yancey, AFT 6157 President, wished everyone a Happy New Year and encouraged Vice Chancellor Smith, based on the strong budget news, to consider the offering of more courses at the colleges. This action is an important component of achieving the district’s mission of student success.

Mr. Eric Narveson, EVC Academic Senate President, reported that the Senates meet on the 1st and 3rd Tuesdays of the month. EVC’s senate meets in the Mishra Room. He invited all to attend at least one of these sessions to get an indication of what the faculty is reviewing at the colleges.

Mr. Jesus Covarrubias, SJCC Academic Senate President, reported that the statewide Academic Senate would be having a meeting at SJCC on February 6. This will be the first time we are hosting the statewide leadership.

I ACTION AGENDA

1. RESOLUTION NO. 011315-1 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, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

2. **RESOLUTION NO. 011315-2 TO IMPROVE STUDENT SUCCESS AND RETENTION BY SECURING ADDITIONAL FUNDING FOR PAY EQUITY AND PAID OFFICE HOURS FOR ADJUNCT FACULTY**

M/S/C (Mann/Lease) to approve Resolution No. 011315-2 To Improve Student Success and Retention by Securing Additional Funding for Pay Equity and Paid Office Hours for Adjunct Faculty.

Trustee Cruz stated that reading this resolution reminded her of her own work as a part-time faculty member. Part-time faculty members spend a lot of time teaching, reviewing course materials, working with students and participating in other ways as well. Supporting this resolution is an important way for her to support the important work they are doing. President Ho thanked the Faculty Association for bringing this resolution forward. She inquired if other districts have also submitted this resolution for approval by their Boards. Mr. Yancey answered that so far four other districts have approved similar resolutions and others plan to soon. He thanked the Board for its leadership in these kinds of actions and expressed appreciation for their support.

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. **SAN JOSE EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2013/2014 INDEPENDENT ANNUAL FINANCIAL AND AUDIT REPORT**

Trustee Nasol, Chair, Board Audit Committee, stated that the committee had met with the auditors in December to review the audit findings. Overall, it was a very clean audit with only 3-4 minor findings. It's good to know the district is solvent and adhering to its fiscal policies.

Ms. Tina Tries, Partner, Crowe Horwath LLP, provided an overview of the process used to conduct the audits, which have been submitted for the Board’s acceptance at this meeting. She thanked Fiscal Services Director Fitzsimmons and his staff for the hard work of providing the documentation required for conducting this audit.

M/S/C (Mann/Cruz) to vote on action items 3-7 for the district’s annual financial and audit reports via one action.

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.

M/S/C (Nasol/Mann) to accept the SJEDCD annual financial and audit reports as contained in Action Agenda Items 3-7.

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.


This item was reviewed and acceptance of this report was included in Action Agenda Item No. 3.

5. **SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2013/2014 2010 GENERAL OBLIGATION BONDS (MEASURE G-2010) INDEPENDENT ANNUAL FINANCIAL AND PERFORMANCE AUDIT REPORT**

This item was reviewed and acceptance of this report was included in Action Agenda Item No. 3.

6. **SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2013/2014 RETIREMENT FUTURIS PUBLIC ENTITY INVESTMENT TRUST INDEPENDENT ANNUAL FINANCIAL AND AUDIT REPORT**

This item was reviewed and acceptance of this report was included in Action Agenda Item No. 3.

7. **SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FISCAL YEAR 2013/2014 CHANCELLOR AND BOARD OF TRUSTEES DISCRETIONARY EXPENDITURES INDEPENDENT AUDIT REPORT**

This item was reviewed and acceptance of this report was included in Action Agenda Item No. 3.

8. **EVERGREEN VALLEY COLLEGE STUDENT EQUITY PLAN**

President Yong reported that faculty and students have contributed extensively in the plan that is being submitted to the Board for approval at this meeting. This plan focuses on increasing access and course completion, ESL and basic skills completion, degrees, certificates and transfer for all disadvantaged populations disproportionately impacted as measured by success indicators. It is also a plan that would ensure the college is fulfilling Title V regulations. Ms. Alexandra Duran, EVC Dean of Student Success, reviewed the executive summary of the plan, including the goal and process used to develop the plan. The goal is about equity, which is not about treating students equally but about providing each student with the opportunities he/she needs to be successful. Dean Duran thanked Vice Chancellor
Hawley and her team for providing the data that was included in the plan. She provided demographic and cohort tracking information regarding the Foster Youth Program, Disabilities Support Program and course completion rates, ESL and basic skills rates, degree and certificate completion rates, and transfer rates. Dean Duran also provided an overview of activities undertaken by the college to support student success.

M/S/C (Mann/Lease) to approve Evergreen Valley College’s 2014-2017 Student Equity Plan.

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.

9. **SAN JOSE CITY COLLEGE STUDENT EQUITY PLAN**

Dr. Elaine Burns, SJCC Vice President of Student Affairs, reviewed the executive summary of the SJCC Student Equity Plan. She stated that the work of the SJCC Student Success and Equity committee was formed in 2013-2014 to review and support the college’s goals and activities designed to improve access and course completion for all students. The committee has compiled the Equity Plan through meetings and input from staff, faculty and administrators using the data to discover those areas in need of mitigation to ensure that areas of disproportionate impact are addressed. The SJCC Student Equity Plan is a living document, which will be updated as required. SJCC has an older student population than EVC and many are juggling jobs, family responsibilities and course work. The Equity Plan identifies the needs of students through a survey of students, which assists the college in action upon those areas reflected in the data. She stated the need for the college to address the needs of struggling groups, such as African American males and Veterans. Vice President Burns reviewed the campus based data regarding access, basic skills in Math and English, completion rates, transfer rates, etc. for the 2003-2004 and 2007-2008 cohorts by ethnicity groups.

Trustee Cruz thanked Vice President Burns and Dean Duran for reviewing the college plans. She stated that the district has gone way beyond what the state has mandated. She also would like to see more information regarding the at-risk groups, such as African American males and veterans. She inquired about when the Board would get to look at more current data instead of the 2007-2008 cohort being the most recent data. Vice Chancellor Hawley answered that the cohort included in this plan is the most current data since a cohort is being followed for six years. Therefore, this cohort includes the 2014 data. As mentioned by Vice President Burns, the Student Equity plans are alive. Next year, we will continue to move these reports forward and talk about what we want to attain at the colleges.

President Ho commended both colleges on the comprehensive reports that will be submitted to the state. As we move forward, the district will, hopefully, continue to improve the data. It will be exciting to see how the interventions we make will impact our ability to achieve student success.
M/S/C (Mann/Lease) to approve San Jose City College’s 2014-2017 Student Equity Plan.

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.

10 MEASURE G  2004/MEASURE G-2010 CITIZENS’ BOND OVERSIGHT COMMITTEE APPOINTMENT

M/S/C (Nasol/Cruz) to appoint Messrs. Matthew Mahood and Elias Portales to the Citizens’ Bond Oversight Committee 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.

J. INFORMATION AGENDA

1. DRAFT RESOLUTION FOR 27.1 ACRES SURPLUS LAND

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

2. BOARD ENDS POLICIES DASHBOARD OVERVIEW

Vice Chancellor Hawley reviewed the Board Ends Policy Dashboard, which includes the Global Ends Statement, Career Development, Transferability, College Readiness, Institutional Excellence, Student Success and College Experience. This dashboard will be presented once a month and would provide the Board with an at-a-glance look at the status of the Ends Policies. It will indicate whether or not the district is meeting targets related to the Ends Policy metrics in legend format, i.e. red (not meeting targets), yellow (nearing targets), and green (meeting targets). For this first update, the dashboard indicates that the Global Ends Policy, Career Development, and College Experience are red; Transferability, College Readiness and Student Success are yellow; and Institutional Effectiveness is green. Dr. Hawley stated that on a quarterly basis, the Board would receive an in-depth monitoring report on at least one of the ends policies. The Board will always have the ability to provide feedback on these reports.

Trustee Cruz inquired as to how the targets were established. Dr. Hawley answered that it was based on a comparison with our peers, especially those districts that we would like to be like and also based on the Bay 10 averages. Trustee Lease stated that it might be helpful to include bullets after each ends policies that show what is measured for each ends policy. Dr. Hawley answered that she would look into how to do that without making the dashboard too cumbersome. She also requested that Board members inform her if they have any other recommendations on how to
interim Vice Chancellor Hawley provided a presentation on the California Community Colleges Student Success Scorecard, which is a requirement by the state of California to engage the Board of Trustees in these student success measures. The outcomes tracked by the Student Success Scorecard include: Student progress and achievement rate; persistence rate, 30 unit achievement rate, basic skills and ESL progression rate, career and technical education completion rates. Dr. Hawley thanked Mr. Keith Aytch, Vice President of Academic Affairs, EVC; Mr. Duncan Graham; Ms. Irma Archuleta, Vice President of Student Services, EVC; Mr. Duncan Graham, Vice President of Academic Affairs, SJCC; and Dr. Elaine Burns, Vice President of Student Services, SJCC, for their major contributions to this report. Dr. Hawley defined the cohort membership as: first-time students with intent to complete; first-time status defined as taking a credit course anywhere in the California Community Colleges for the first time; student who has a valid social security number; student who took at least six units anywhere in the system during the first three years; and a student who attempted Math or English in the first three years. Dr. Hawley defined basic skills progress as a student who attempted a below college level English, ESL or Math course and successfully completed with a C or higher grade a college level course in the same subject area. Thirty unit completion is defined as a student who earned at least 30 units anywhere in the CCC system. Persistence is defined as a student who has earned six units, attempted Math or English; and enrolled in credit courses three consecutive primary terms anywhere in the CCC system. Student Progress and Achievement (SPAR) is defined as a student who has earned an AA, AS, Certificate or transferred to a four-year institution or is transfer prepared, i.e. 60 transferable units with a 2.0 GPA. Career and Technical Completion is defined as a student who has completed more than eight units in a three-year period in the same CTE discipline and earned an AA/AS or Certificate, transferred to a four-year institution or became transfer prepared. Dr. Hawley provided the student success outcomes by college via tracking of the 2003-2004 and 2007-2008 cohorts. Results for Evergreen Valley College indicate that students are persistent and staying with us; however, we are below the Bay 10 averages. The results, however, indicate progress from last year. The results are similar at San Jose City College; indicators are higher, completion rates are higher than it was the last time we tracked results; but we still are not as high as the Bay 10 average. We also have a way to go with the persistence rates of under-prepared students. These students are staying in college but not completing. White and Asian students are not persisting but they are completing; however, they are completing somewhere else. Students who persist are most likely to complete. Basic skills students are taking a lot of courses but not finishing. Dr. Hawley completed her presentation by reviewing best practices and interventions that would assist the students in attaining success. EVC Vice President Aytch discussed the addition of weekend and evening tutors and how that impacts the learning process for students. SJCC Vice President Duncan Graham discussed integrated supplemental instruction and the need to expand into other areas.

Trustee Mann inquired how a student is provided assistance when they don’t know what they need to take. Vice President Graham answered that this is the purpose of
an educational plan; it lays out for the students what courses they need to take. President Ho stated that it is encouraging to see some improvements in the cohorts; and, hopefully, we will continue to see more improvement as the proposed interventions and student equity plans are implemented.

4. **BOARD MEETING EVALUATION**

President Ho reported that each board meeting would end with an evaluation of how the Board performed at the meeting. In particular, the Board would be asked to respond in two areas:

1) What was the effectiveness of the meeting in attaining the advancement of the Board’s Global Ends Policy?
2) To what degree did Trustees adhere to the Board-adopted Governance Principle: Trustees Code of Conduct

Trustee Mann stated that this meeting has been one of his favorite as the members were supportive of one another, and this is a sign that we are moving in the right direction. Trustee Cruz expressed support for President Ho’s leadership and agreed that the Board needs to hold itself accountable for adhering to its Code of Conduct. The meeting was deliberate and had clarity.

President Ho reported that this board meeting evaluation agenda item would be used in the Board’s self-evaluation process moving forward.

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 8:55 p.m.

______________________
Rita M. Cepeda, Secretary
Board of Trustees
Governing Board Meeting Agenda (Tuesday, January 27, 2015)

A. CALL MEETING TO ORDER

1. 4:30 p.m. - Call Meeting to Order at the District Board Room, 40 South Market Street, San Jose, CA 95113

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

2. Information on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

M/S/C (Nasol/Cruz) 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

D. CLOSED SESSION ITEMS FOR DISCUSSION

1. The Board will recess to consider or take action upon any of the following items indicated by [x]

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
(Government Code Section 54957 (d))
Title: Chancellor

E. RECONVENE INTO OPEN SESSION

1. 6:00 P.M. - Pledge of Allegiance
Student Trustees Larry Harris and Kenny Tram joined the meeting.

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

2. Adoption of the Agenda

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

A change was made to the Consent Agenda, Item F-3 Personnel Actions - the name of the new hire has been added (Nguyen, William).

A change was made to the order of the Information Agenda as follows: Item I-4 State of the District Annual Report was moved to precede Item I-3 Board Training Session on Ethics.

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. Announcement of Reportable Action Taken in Closed Session

There were no reportable actions.

4. Public Comments on Matters not on the Agenda

There were no public comments.

F. CONSENT AGENDA

1. Adoption of the Consent Agenda

Hearing no requests to pull any item, Trustee Ho announced that the Consent Agenda was adopted by general consent of the Board, including the change to Agenda Item F-3 Faculty Personnel Actions indicated in Agenda Item E-2.

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. 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. Acceptance of Grant Funds for Evergreen Valley College from Silicon Valley Community Foundation

The Board accepted grant funds in the amount of $40,352 from the Immigrant Integration Fund of Silicon Valley Community Foundation.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. Adoption of the Measure G Bond Programs Consent Agenda

Hearing no requests to pull any item, Trustee Ho announced that the Measure G Bond Programs Consent Agenda was adopted by general consent of the Board.

2. Measure G-2010 Bond Program: Network Firewall 10GigE Transceivers

The Board approved the purchase of Network Firewall Transceivers from Dasher Technologies required for the completion of the Firewall Installation at the District Office, Evergreen Valley College and San Jose City College for a total cost of $9,542.82.

3. Measure G-2010 Bond Program - Network Cabling Change Order for District Office

The Board approved a change order to Dasher Technologies for additional network cabling and data connections at the new District Office for $7,537.48.

H. ACTION AGENDA

1. Resolution of Intention to Lease School Property

Mr. Jim Eller, Eller & Associates, read out changes to the resolution that was submitted to the Board for approval. The changes are as follows:

1. Page 5, Section 18.1, Line 4 – Add “years”
2. Page 5, Section 18.2, Line 3 – Add “or more”
3. Page 5, Section 18.2, Lines 5-6 – Add “or more”
4. Page 6, Section 18.3(b), Line 21 – Change “for” to “or”
5. Page 6, Section 18.3(c), Line 8 – Change “18.6” to “18.5”
6. Page 10, Section 18.9, Line 12 – Change “Lessee” to “Lessor”
7. Page 16, Add “Abstentions”

Mr. Eller reviewed the next steps of the process to inform the campus and community members. He also discussed the public notifications that would be made to local publications and other public postings normally made by the district. The goal is to make district members and community at large members aware of the process. The district will also contact a large number of developers who may be interested in this process.
Student Trustee Harris inquired if student housing would be included in the land development plan. Mr. Eller answered that the letter of intent addressed the intent of the Board, and the housing more likely to be built on the site for the fair market value would begin with faculty and staff. However, a developer could come in and draw up a suitable plan that addresses student housing. Trustee Lease thanked Mr. Eller for his work in moving the process forward.

M/S/C (Mann/Nasol) to approve Resolution No. 012715-1 of the District's intention to lease property as amended:

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.

I. INFORMATION AGENDA

1. AB86 - South Bay Consortium for Adult Education (SBCAE) Regional Comprehensive Plan

Vice Chancellor Coen provided an overview of the AB 86 legislation which addresses educational services for adult learners. In response to this legislation, the California Community College Chancellor's Office allocated $657,493 for the greater south bay region to develop a regional plan that will better serve the educational needs of adults. The South Bay Consortium for Adult Education (SBCAE) was formed in collaboration with two community college districts (SJECCD and West Valley Mission) and five adult schools (Campbell, East Side, Milpitas, Santa Clara and Silicon Valley). The SBCAE developed a comprehensive adult education plan and submitted it to the State in December 2014. The program areas include: elementary and secondary basic skills, classes and courses for immigrants eligible for educational services in citizenship, ESL and workforce preparation, educational programs for adults with disabilities, short-term career technical programs with high employment potential, and programs for apprentices. The final report that was submitted in December included the "No Wrong Door" program model that will help all residents meet their educational goals no matter what their personal circumstances indicate.

Dean Kishan Vujjeni, SBCAE co-chair representing community colleges, presented demographic information of the region, in particular, focusing on the wage gaps and underemployment in the Santa Clara County. New jobs in the area require Bachelor's and equivalent degrees. High wage earners do very well in this region. Immigration is another issue that impacts employment. Over thirty six percent of residents are foreign born. Santa Clara County has 1.6 million adults who don't speak adequate English. Dean Vujjeni also provided information regarding Santa Clara County population, the third largest population in California.

This regional plan will increase access--no wrong door.

Dr. Bob Harper, SBCAE co-chair representing K-12 and adult education, presented on the development of the report. Ten months of work went into compiling the report. He congratulated our district staff on taking the leadership role in doing the work that was important to the values expressed by the Board. He reported on the course cuts due to budget decline, which has negatively impacted adult education. Adult education, which was a principle service for 125+ years, was reduced or even eliminated entirely. A million fewer students in the State of California are now enrolled in adult education. Lower wage earner families need programs that are designed to lift them up as residents of our community. The principles of AB 86 legislation were not just understood by our consortium but have informed our work. Systems need to be designed to respond. Are our systems as they have been delivered adequate to what the students are capable of? We need to address resources for the student, such as counseling support. The ten-month planning process, which included consultants, was exhaustive. A range of community partners were part of this process. Adult learners had an important role in vetting the issues as they have participated in surveys. Any student in any place in this
region has the right to access these resources. We now have the opportunity to develop ideas about what we can do moving forward. No wrong door means no wrong door. A large population of students don’t graduate from high school. Obviously, support for veterans is an area where we need to focus. We did a lot of work regarding how much it would cost for additional support services, etc. A lot of our work in the plan is very specific about where capacity needs to be built. How can we scale up capacity of services and what would that cost? We got to some very big numbers very quickly. The second year will be very different from the first year. In the 2nd or 3rd year we anticipate getting a lot more money. A targeted demand and getting to 70% of that demand is $100 million. The demand is huge. What we do do, which is not enough, is in high demand. We may not get $100 million so we had to develop tiers of priority based on available funding. This is not a finished report. Once we figure out what works, we need to scale that up. In summary, we will continue this collaboration. Adult Education is a critical service to our community. This planning process has been professional, and we will continue to engage our stakeholders and community members. Our alignment of the program to what the community needs is critical.

Trustee Cruz commended those people in the room, such as President Yong and Vice President Aytch and faculty members from EVC and SJCC that played a critical role in the development in this program. As you think about the next phase of the work that will happen with this plan, think about engaging our students and adult learners in becoming agents of change. If they could see themselves this way, we can engage adult students for taking this back to their communities. It’s not just about the services and education they receive, but being an active participant in change. She inquired if the 357,924 residents speaking English less than well were adult learners. Dr. Harper answered yes. She inquired if there was any dialogue about incarcerated individuals, such as case management. Dr. Harper answered that jail education has been addressed by educators at Milpitas, so that these individuals are released from the criminal justice system with a plan. What do you need? What can we do to address that need? CalWorks has the same sort of program. Prisoner release plans are probably not adequate. Our homeless adult population is also another area of concern.

Mr. Josue Garcia, Chief Executive Officer, Santa Clara & San Benito Building and Construction Trades Council, thanked the Board for approving the PLA. Once we bring people from bad to good you can bring them from good to great. If there is anything we can do to help your efforts. Given the right circumstances, anybody can build a project; but not everyone can build a life.

Chancellor Cepeda thanked Carol Coen and her staff. She spoke to the Board about its advocacy. You have the document and information about the income inequality in this area. This is a tool for us to do our advocacy. President Ho thanked the Consortium for the comprehensive work they have done. The state money is only a piece of the project, what plans do we have to bring this work to fruition. My colleagues at West Valley Mission have not even heard of this work. We cannot do this work alone. Dr. Harper answered that each of the seven districts have submitted their plans to their Boards. We are going to a conference in San Francisco in March to present on our plan. Vice Chancellor Coen stated that a meeting of the CEOs of all seven districts will discuss how to move forward for disseminating this information to the public.

2. SJECCCD Foundation Annual Report

Mr. Lamar Thorpe, Institutional Advancement Officer, provided an overview of the district Foundation. The Foundation’s advancement team includes, Carlos Watkins, Development Officer, Abdul Adris, Operating Officer, and Shana Carter, Stewardship Program Assistant. The increase of staff has helped the Foundation move forward and do more things. Mr. Thorpe provided an overview of the Foundation’s Board of Director. Mr. Donald Young, Salas O’Brien Engineer’s continues as Chair and Mr. Joe Villa, Aedis Architecture & Planning, is now Vice Chair. Mr. Thorpe introduced board member Jennie Meehan for being at the meeting and thanked her for all the hard work she has done on behalf of the Foundation. Mr. Thorpe reported that The Bridge to the Future 2014 was successful. Over 200 guests were in attendance, and there was a 22% increase in total sponsorship contributions. We had 12 new name scholarships. The advancement team continues to focus on relationships, and every one of the corporate sponsorships, such as CampusWorks, Gilbane Building Company, PG&E, Republic and Salas O'Brien, came as a result of relationships with the district. The Bridge to the Future 2015 event is planned for mid August. Mr. Thorpe is trying to get the Board to think about an evening event instead of a luncheon. The Foundation is working hard to engage our alumni.

Keeping the Foundation’s house in legal and financial order is a high priority for the team. At the last Foundation Board Meeting, Mr. Thorpe brought forth that need. The Scholarship Compliance Review Process indicated we had to correct some criteria, such as scholarships not being race or gender specific. We fixed a
lot of those issues. This work also increased our availability for scholarships. When we go through our next audit, scholarship should not be a problem. The Foundation has also developed new forms and have streamlined the process for payroll contributions. Moving forward, we will also be able to state what the donor’s contribution was used for. Our goal as an advancement team is to grow the Foundation’s trusts. One method is to have an annual fund campaign to engage our alumni. Mr. Thorpe thanked Vice Chancellor Hawley for her assistance in the development of a temporary alumni database.

President Ho thanked Mr. Thorpe for his report. Trustee Cruz thanked him for the report and for the incredible work done by the Foundation in a very short time.


Chancellor Cepeda thanked the Board of Trustees for all the accomplishments they have made in the past year in how they work with each other and the Chancellor through the development of ends policies. This work was truly transformational and has provided the direction she has needed in achieving the amazing body of work produced over the past year. Chancellor Cepeda thanked Mr. Sam Ho for his leadership in the development of the 2014 Annual Report. Copies of the report were distributed to the Board and members of the public. The theme is "The Road From Good to Great." The content of this report belong to the colleges and the presidents and their staff members for providing the information regarding the progress made over the past year. The Board had told the Chancellor what they wanted the district to focus on, and she and her team worked hard to accomplish those goals.

Chancellor Cepeda presented on the State of the District Colleges and the achievements made towards student success. She reviewed the six strategic goals for 2013-16: Student Success, Total Work Environment, Workforce and Economic Development, Organizational Effectiveness and Sustainability, Technology and Communications. Chancellor Cepeda reviewed some of the highlights of the past year in achieving the strategic goals and priorities. There has been a 48% increase in the number of degrees awarded from 2010 to 2014. The district has served 27,038 students, 54% female and 46% male; 38% Hispanic/Latino and 33% Asian Pacific American. We have a very diverse student population. San Jose City College had 129% required ADT's approved; EVC 100%. Chancellor Cepeda provided an overview of the TRIO program, and the 13.5% increase of the Pell Grant award. She also reviewed the district's total work environment and provided an ethnicity profile of the district. Chancellor Cepeda reviewed the work accomplished through the Workforce Institute, Foundation and the consortium that worked so well together in developing a plan to meet the needs of adult learners in our community. She stated the importance of the Board’s development of ends policies and governance principles, which will now be used to measure the district’s achievements toward student success. She stated that the district’s fiscal management is sound, and the colleges and district office have been transformed through the excellent bond construction management, which has totally transformed our district. Chancellor Cepeda stated that she really enjoys working on this State of the District presentation as it causes us to remember all that we have accomplished over the past year.

Trustee Lease thanked the Chancellor for the excellent presentation as it is a reminder of all that has been accomplished over this past year. Trustee Cruz thanked all the leaders sitting around the table. She inquired if in the future the institutional profile in terms of ethnic diversity for faculty and Classified staff could show comparisons over time. We need to think about the populations we serve. It's all about relationships and working with students one on one. Chancellor Cepeda answered that the annual report does have very broad data. In general, the district does reflect the ethnicity of the student population with the exceptions of Asians and Latinos. Trustee Cruz inquired about the reorganization and redesign and if the district has bumps about meeting the 50% law. Chancellor Cepeda answered that we do take a look every two months about the 50% law. We will be talking to the Board about the resources and what Phase II looks like. It will take perhaps five or six years to fully implement the reorganization/redesign plan. So far, the district has dealt with the highest priorities. Trustee Cruz offered congratulations and thanked everyone for a good year.

4. Board Training Session on Ethics and Personnel Appeal Process

Ms. Laura Schulkind, Liebert Cassidy Whitmore, reviewed the regulatory requirement for public officials to receive training in ethics. She reviewed the basic values and duties of public officials and employees. Process matters to the way you govern. As the Board makes decisions, it's doing it in a way that is ethical. The question to ask is how to engender public confidence in the decisions you make as Trustees. She reviewed
the common law, Political Reform Act, Gov. Code 1090 and Specific Statutory Requirements & Prohibitions. She emphasized that "saying you have a conflict does not mean you are saying you are doing something wrong." It indicates that you have a relationship, and it's that relationship which creates a conflict. Ms. Schulkind stated that she would not take any hypothetical questions since she would have legal consequences for her answers. The duty of public officials and employees is to be personally disinterested in contracts, financial matters or hearing processes in which they are officially responsible. It's important to avoid even the appearance or possibility of a conflict. Ms. Schulkind provided examples of some scenarios that may be considered conflicts of interest.

Ms. Schulkind reviewed conflicts of interest and campaign contributions. She reviewed the acceptance and reporting requirements for gifts. Public officials may not accept any gift from one source over $440 in a single calendar year and are disqualified from participating in decisions involving the source of gift(s) of $440 or more in a previous 12-month period. She also reviewed recent changes in the return of donation gifts, clarification of family members, home hospitality, reciprocal exchanges, ceremonial role, bona fide competition, wedding attendance, bereavement offerings, acts of neighborliness, bona fide dating relationships, acts of human compassion, best friends forever, unrelated gifts, tickets and passes, group gifts and valuation of wedding gifts. Ms. Schulkind provided a definition of honoraria and what needs to be reported. She also provided information on due process requirements and common law bias prohibitions in the due process in administrative hearings.

5. Board Meeting Evaluation

President Ho requested that board members provide feedback based on the two criteria reviewed at the last meeting. Trustee Mann stated that the Board has been highly effective and reviewed a lot of substantive reports at this meeting. Trustee Lease stated that the Board has received a lot of great information at this meeting. Our governing principles of speaking with one voice and asking pertinent questions in line with our principles went very well. President Ho stated the AB 86 report is right up there with our global ends policies regarding the use of district resources. The ethics training also reinforced what is contained in the Board's ethics policy.

J. CONTINUATION OF CLOSED SESSION (If needed)

K. RECONVENE TO OPEN SESSION

1. Announcement of Action Taken in Closed Session

L. ADJOURNMENT

1. The meeting will be adjourned.

M/S/C (Mann/Lease) to adjourn the meeting at 10:33 p.m.

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.

Rita M. Cepeda, Secretary
Board of Trustees
Governing Board Meeting Minutes (Tuesday, February 10, 2015)
Generated by Joy A Pace on Thursday, February 19, 2015

A. CALL MEETING TO ORDER

1. 4:30 p.m. - Call Meeting to Order at the District Board Room, 40 South Market Street, San Jose, CA 95113

Board Members Present:
Ms. Mayra Cruz (Missed the Closed Session Meeting; arrived in time for Action Agenda Item I-1.)
Ms. Wendy Ho
Dr. Jeffrey Lease
Mr. Craig Mann
Mr. Rudy Nasol
Ms. Huong Nguyen
Mr. Scott Pham

Board Members Excused:
None

2. Information on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

M/C/S (Nasol/Mann) to approve the Closed Session Meeting agenda as submitted.

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

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

D. CLOSED SESSION ITEMS FOR DISCUSSION

1. 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

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

E. RECONVENE INTO OPEN SESSION

1. 6:00 P.M. - Pledge of Allegiance
Student Trustees Larry Harris and Kenny Tram joined the meeting.

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

2. Adoption of the Agenda

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

Item E-5 Commendation from Assemblymember Nora Campos was moved to follow Item E-2 Adoption of the Agenda.

Consent Agenda Item F-4 Superviscry-Confidential Personnel Actions was removed from the agenda.

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

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. Commendation for SJECCD in general, EVC in particular from Assemblymember Nora Campos

Assemblymember Nora Campos announced that she was presenting, on behalf of the State of California, a resolution to the Board, Chancellor and College Presidents, for their commitment to students in need in the Santa Clara County. In particular, she commended the district for rising to the occasion when the National Hispanic University was closing its doors. The district moved very quickly to accommodate the TRIO grants and also enable NHU students to transfer their credits. It’s important for those grants to stay within our community. She thanked the district for what they have accomplished.

Chief of Staff Scott Strickland on behalf of Cindy Chavez also thanked the district for its quick action in addressing the needs of students due to the closing of the National Hispanic University.

4. Announcement of Reportable Action Taken in Closed Session

President Ho announced two actions taken in Closed Session.

The first item addressed in Closed Session was that the Board of Trustees received a retirement request from Chancellor Cepeda effective July 31, 2015. With regret, the Board accepted the request unanimously and recognized Dr. Cepeda’s valuable contributions to this District wishing her the best in her future endeavors.

The Board will now engage in a search process. We are committed to seeking input from District students, faculty and staff as well as community members as we work to identify the best candidate for Chancellor.

The second item discussed in Closed Session was regarding an appeal of administrative determination. President Ho read the resolution regarding the appeal (a copy of which is attached to these meeting minutes.) The Board denied the appeal by the following vote: Trustees Lease, Nasol, Mann, Nguyen and Ho voted yes in favor of the resolution; Trustee Pham voted no against the resolution and Trustee Cruz was absent from the meeting and did not vote.

5. Public Comments on Matters not on the Agenda

The Board heard a public comment from Ms. Brenda Serpa regarding land development of the 27 acres adjacent to Evergreen Valley College. She requested that this item be put on the March 10 board meeting agenda. She complained that although a public hearing May 28, EVC’s neighbors received no notification. She also heard that employees of the Evergreen Marketplace didn’t know anything about the public hearing as well. She stated her opinion that this property should be used to expand the EVC campus to house new
classes that would be offered. The Board is shrinking the land utilized for classes, and this space should be used for education. Mr. Wesley Lee, Evergreen resident, Falls Creek neighborhood, spoke regarding the land development plans. As a product of the community college system, he has concerns about how this land would be utilized. The land development, as he understands it, will limit the expansion of the college. It should not be used for business interests. EVC does not seem like a college large enough for the 10th largest city in California. The traffic will pile up if this space is used for housing units and other businesses.

The Board also heard public comments from Joan Chen, Minyi Chen, Jennifer Liu, Gu Peng, Li-Fu Jeng, Jing Jing Liang, Victor Ge, Jason Gui, Ta-Chang Fu, and Wincy Chong, parents with children currently attending Leland High School. They addressed the Board and submitted a petition stating the urgent need to offer Chinese level 3&4 classes in Leland High School. Leland High School should have completed a curriculum plan when it offered Chinese level 1&2; but when Leland offered Chinese 1&2 last year, they failed to inform the parents and students on the potential problem of offering Chinese level 3&4. Since SJECCD is one of the only local community college districts not offering Chinese for its district community, they requested that the district provide Chinese level 3&4 courses at Leland High School.

6. Approval of the January 13 and January 27, 2015, Governing Board Meeting Minutes

M/S/C (Mann/Lease) to approve the above meeting minutes as amended: A correction was made to the attendance of the Closed Session meeting on January 13.

Board vote was as follows:
Trustees 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

Item F-4 Supervisory-Confidential Personnel Actions was removed from the agenda per the Board’s action in Agenda Item E-2. Hearing no comments to pull any other item, 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 Action as submitted.

3. Faculty Personnel Actions - Regular

The Board approved the Faculty Personnel Actions-Regular as submitted.

4. Supervisory-Confidential Personnel Actions

This item was removed from the Consent Agenda.

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. Ratification of Contracts, Purchase Orders and Contract Revisions
The Board ratified the contracts, purchase orders and contract revisions for the period of December 10, 2014, through January 9, 2015, as noted in the documents attached to the agenda item.

8. Renumbering BP 1561 Consensual Relationships to BP. 3430.1 Consensual Relationships
The Board approved the numbering changes recommended for Board policy on Consensual Relationships.

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 Ho stated that the Measure G Bond Programs Consent Agenda was adopted by general consent of the Board.

2. San Jose City College (SJCC), Physical Education Building #122 - Sundt Construction Inc. Revision to Preconstruction Services Agreement No. 001
The Board approved Revision No. 001 in the amount of $15,000 to Sundt Construction, Inc., for the Physical Education Building #122 at San Jose City College.

3. San Jose City College (SJCC) Career Technical Education Project #31107-2 – Buildings 100 and 200 Change Order No. 006
The Board approved Change Order No. 006 in the amount of $18,552.88 to Kitchell CEM Inc., for the Career Technical Education Project #31107-02, Buildings 100 and 200 at San Jose City College.

4. San Jose City College (SJCC) Photo Lab Relocation Project #31121 – Premier Builders, Inc. Change Order No. 004
The Board approved Change Order No. 004 in the amount of $(1,600.00) from Premier Builders, Inc., for the Photo Lab Relocation Project #31121.

5. Measure G-2010 Bond Program: Evergreen Valley College South Campus Development Project #32107 – Blach Construction Company Change Order No. 004
The Board approved Change Order No. 004 in the amount of $2,659.14 to Blach Construction Company for the South Campus Development Project #32107 at Evergreen Valley College.

6. Measure G-2010 Bond Program: Change Order for District Office Network Migration Design Services
The Board approved a Change Order to Dasher Technologies for additional design services required for the New District Office Discovery and Design as per attached quote for $22,175.00.

H. ORAL COMMUNICATIONS
1. Board of Trustees/Committee Chairs' Reports

Student Trustee Harris learned a lot at the CCLC effective trustee workshop.

Student Trustee Tram also reported on his attendance at the CCLC meeting. He also stated the ASG students expressed concern about the land development plan as they feel that property should be used for class space.

Trustee Mann reported on his attendance at the CCLC Effective Trustee Leadership conference. Trustee Nasol also reported on the Effective Trustee Leadership conference.

Trustee Mann reported on the problems connecting onto wireless in the new board room. He also requested a timer for public comments.

Trustee Lease reported on the CCLC Legislative Conference and especially the exceptional job done by our students. He also thanked Ms. Rosalie Ledesma for organizing the legislative visits.

President Ho reported on the effective legislative visits and the many visits that were conducted.

Trustee Nguyen stated she learned a lot at the CCLC Effective Trusteeship conference, especially learning about the Brown Act.

2. Chancellor's Report

At the last meeting, Chancellor Cepeda reported that we were in the process of complying with a request for information and data from the U.S. Department of Education, Office of Civil Rights and stated that we have fully complied with the request for information. She commended both colleges and key staff in the district office for working to provide the documentation, data and policies and procedures needed. The report filed by Randy Parent from Liebert Cassidy and Whitmore consisted of 1004 pages and was submitted on time on January 31, 2015. In addition to complying with the request, we have gone one step further. Because we now have this single repository of information, Chancellor Cepeda will be scheduling a study session with key leadership staff in the next few weeks designed to summarize what we have learned and to strengthen our practices wherever needed.

We are nearing the deadline for submittal of our Accreditation report, and Chancellor Cepeda commended both presidents for their ongoing leadership and engagement of AACJC to ensure compliance. Both presidents will be providing additional information as part of their reports.

Vice Chancellor Smith has informed me that the County Tax Collector has revised their projection of the current year property tax collections for our District from 7.75% to 8.82%. This represents $763,825 in additional base revenue that will be recognized in the current budget. You will receive full details at your meeting of February 24 during your scheduled Budget Study Session that, as always, will include a great deal of detail on the Governor’s Budget and direct implications for our District.

There is also good fiscal news at the Federal Level. With the administration’s February 2nd transmission to Congress of the FY 2016 budget, the president has staked out an aggressive focus on what he dubs “Middle Class Economics for the 21st Century.” The president’s budget, much like his State of the Union address in which he introduced a number of these proposals, is considered a defiant statement in light of increased Republican control of Congress. Chancellor Cepeda distributed a handout summarizing components of the President’s Education Budget. Some key highlights worth noting includes an increase in overall discretionary funding from 5.4% to $70.7 billion. Outside of higher education, the budget includes notable increases for Elementary and Secondary Education Act Title I schools and the Individuals with Disabilities in Education Act. These funding priorities are entirely aligned with the priorities of this board and will serve us well given the collaboratives and MOUs we have developed in our region. As Chancellor I would note that it demonstrates how our District has moved from a reactive to a proactive mode anticipating policy changes at the state and federal level. Good planning.

Chancellor Cepeda thanked the Board, the Students, Faculty, Staff and our members of our community with whom she had the privilege to work with during these last five years. She is looking forward to the remaining 5 ½ months with everyone and our continued efforts to keep our District moving forward. She is most looking forward to our 2015 Commencement Ceremonies, which in this instance will hold special significance for her
35-year career in the California Community College System.

3. Presidents' Reports

EVC President Yong thanked members of his staff, including Vice President Irma Archuleta for all she did to accept students from National Hispanic University and the work done to obtain the TRIO grants. President Yong also provided an update on the accreditation reports. He stated that most of the evaluations have been completed, and the accreditation team is in the process of writing the draft report. President Breland also reported on the sad news regarding the death of an EVC student, Ms. Kiran S. Pabla, due to a traffic accident on Yerba Buena Road. The accident was a result of two cars racing down the street; and when one of the drivers lost control of the car, she was hit and killed. Due to the number of units she has completed and her achievements as a student, Ms. Pabla will be awarded an Associate in Arts degree from the college.

SJCC President Breland reported that Campbell Union School District is donating a portion of the field on Leigh/Fruitdale to develop a community playground and park. Trustees are appalled that our local kids have no place to play when school is not in session. So, we are doing a community barn raising style playground build. We have a build date of May 15 (a Friday) tentatively set. We have a corporate sponsor (San Jose Sharks!) lined up who will be providing most of the financial backing for this and they will be participating in the build from design day to ribbon cutting. This is also a great way for the campus to connect with families who aren't on a traditional higher education track. Sherman Oaks school is a bilingual Spanish/English immersion program and this could be a way to build the thought of college into parents and kids at an early stage.

Last Friday, SJCC hosted the Statewide Academic Senate meeting. All senators for the statewide senate in CA met in the student center at San Jose City College. We were very proud to host them and hope to do this again in the future.

President Breland announced that Professor Shiva ‘Sid’ Singh, who teaches mathematics at San Jose City College in Northern California, received an Excellence in Education award Dec. 6 from the California Math Council for Community Colleges. Professor Singh, who took up teaching 13 years ago after a long career with IBM, received the award during CMC3’s fall conference in Monterey, Calif. The Indian American academic was chosen from a pool of more than 900 professors across the state. President Breland announced that Vice President Elaine Burns won a "Women of Influence" award in the Silicon Valley from the Business Journal. The Women of Influence awards event will be held in May, and she will be contacted soon by our events staff with further information.

President Breland also provided an accreditation status update. So far we have covered the required language, included the SLO language in the performance evaluation forms and finished the evaluations that are due or past due. We have implemented year one of the plan and have the results of the first year. It is reasonable that we will complete in two years. Therefore, we have fully completed the plan and we are in a position to meeting the standard on an on-going basis. The expectations are set for the future.

4. Constituency Reports

AFT 6157 President David Yancey congratulated Chancellor Cepeda on her upcoming retirement. When she began her work at the district, the district immediately moved toward the bond measure. Chancellor Cepeda took on that task, which contributed greatly to the transformation of the colleges. The AFT 6157 appreciates her working with us even during times when we disagreed; but we still worked well together. Chancellor Cepeda will be missed.

Academic Senate President Eric Narveson stated his support that former EVC student Kiran Pabla, who was killed in a traffic accident, would be receiving a posthumous degree from EVC. That is the least we could do in honor of all she has achieved as a student and community member. He also reported that the new accreditation team has had its first meeting toward the writing of the 2016 report. Mr. Narveson also reported that Paul Fong will be speaking about what he did in Sacramento, which is of great interest to our students and campus. Mr. Narveson also attended the statewide academic senate at SJCC on Friday. It was a great experience to reconnect with statewide leadership.

Academic Senate President Jesus Covvarubias thanked Chancellor Cepeda for the good relationship she has
had with the SJCC Senate and wished her well in her retirement. He also reported that the statewide Academic Senate meeting on Friday went very well. We have appointed faculty to serve on committees.

MSCC President Lauren McKee congratulated Chancellor Cepeda for her retirement and thanked her for her support of the MSC group. She wished her well in enjoying her granddaughter. Regarding the Action Item for the AFT 6157 in getting their agreement approved, Ms. McKee acknowledged Elvira Valderrama and other payroll personnel who do an excellent job documenting the salary changes. It’s important to note that when the groups vote on these agreements, there is a lot of hard work by administrative staff behind the scenes. Ms. McKee also reported that she attends one of the African American churches here in San Jose, and IMOJA is coming to her church to ask members to support them. There is a deep connection with our college and its surrounding community.

I. ACTION AGENDA


Mr. Jimmy Nguyen, Chair of the Citizens’ Bond Oversight Committee, distributed a card announcing the Measure G-2004 and Measure G-2010 Citizens’ Bond Oversight Committee 2013-2014 Annual Report. The card indicates the location of the web-based report, which could be found at www.cbcoc.sjeccd.edu.

Chancellor Cepeda made note that the report can be viewed in many different languages, which represents our diverse campus community.


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. Resolution Number 021015-1 Approving District Budget Transfers and Revisions

M/S/C (Lease/Mann) 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.

M/S/C (Lease/Mann) to approve Resolution No. 021015-1 approving district budget transfer and revisions.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen voted yes. Trustee Pham abstained.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. Resolution No. 021015-2 in Support of February 2015 as Black/African American History Month

Chancellor Cepeda stated that attached to this agenda item was a listing from both colleges regarding the activities in support of this resolution.

M/S/C (Lease/Mann) to approve Resolution No. 021015-2 in support of February 2015 as Black/African American History Month.
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.


Vice Chancellor Garcia reported on how critical the need was for the district and AFT 6157 to come to an agreement, especially with the critical item that impacted our district’s ability to maintain its accreditation status. She thanked the AFT leadership for their willingness to come to the table and get done what needed to get done. The work behind the scenes required to get this contract done was amazing.

AFT 6157 Director Hanfling stated that the union came to the table at a tough time since it was an outside organization requesting that we change our contract. We know that the CBA is in the purview of the colleges. It was important that the Academic Senate come to an agreement on the issues regarding the SLO assessment, and we thank them for their support. The union bargained 24 articles. On Friday, the members ratified this contact with a 98% yes vote. We are really pleased since we went through really tough times.

Trustee Nasol thanked the AFT for its tolerance and patience with the Board. The union has its interests and the Board has its own interests, and its important to understand one another and find those areas where we can come together. Trustee Cruz congratulated the district and union for coming together on this agreement. The process used this time around is a great example of what could be accomplished as we all consider institutional effectiveness, equity and parity. Student Trustee Harris thanked the faculty for its tutelage over the years. Trustee Mann complimented Ms. Hanfling on the smile she has in reporting this great news. President Ho congratulated the AFT on this new contract. AFT 6157 President Yancey stated that the requirement for negotiations is trust. He hoped that this process has extended that trust, especially when the AFT comes back to the table in March.

M/S/C (Nasol/Pham) to approve the District and Federation of Teachers, AFT 6157, tentative agreements.

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.

J. INFORMATION AGENDA

1. Board Ends Policy Dashboard Monthly Update

Interim Vice Chancellor Hawley thanked Board members for the input they provided at the last meeting on how to showcase the board ends policy dashboard. She showed the updated dashboard and the breakdown of Level 1 policies. Trustee Cruz inquired as to the meaning of a Level 1 policy. Dr. Hawley answered that Level 1 policies are the global ends policies. Under those policies, the measurements for each policy are included. Trustee Cruz inquired about the meaning of the stated metrics and whether or not the baseline for each metric listed has been established. Dr. Hawley answered that we don’t have a trend yet; however, we do have a baseline for a majority of these policies. Some come from the strategic planning process and student success metrics and also the Bay 10 and state targets. Dr. Hawley stated that every quarter the Board will receive an in-depth report for one or more of the policies, and this information will provide a great understanding of how the policies are being measured. Chancellor Cepeada that the baselines and goals are also in line with the workplans the presidents and vice chancellors have produced for each of the ends policies. We look forward to explaining the details as we move forward with the tasks and activities for each goal.
2. Diverse Business Outreach - Quarterly Update

Vice Chancellor Smith introduced Dr. Laura Luster, who provided a report on what has been achieved in the seven-month time period of the contract. She introduced members of the project team. She reviewed the objectives and provided a dashboard of where they are in completing the objectives. For Scope Item 1 they completed the baseline spreadsheet of more than 1,200 Santa Clara County small and diverse businesses. Scope Item 2 - review of demographics for businesses in the Santa Clara County. The majority of businesses in Santa Clara County are small businesses. Majority are owned by men, and 31% are owned by women. The majority of business owners are white, next is Asian and third is Latino/Hispanic. There are about 400 African-American owned businesses in the County. About 70% of the firms the district is using do provide information regarding ethnicity. The vast majority of businesses the district uses are owned by males. However, the district does do business with local firms. The greatest opportunity for engagement will be with Latino and African American businesses. L. Luster and Associates is also reviewing the type of purchases made and also reviewing policy considerations.

Trustee Nasol asked if we had the ability to track the sub-contractors who work with our main contractors. We need to track the second and third tier contractors. Dr. Luster answered that IT can purchase software that can extract that information. Also, language can be added to contracts asking for that information.

Mr. Ray Ruiz, Community Development Resources, reviewed relationship building with trade unions and Gilbane. Since they last presented, they have been developing relationships with the Trades Council. Ms. Joan Fisher and he have been going out and visiting with the top 5 local trade unions. They have added a significant amount of businesses that are in these particular fields. The vision match is to provide the access to compete on a level playing field. The trades have come back willing to provide a list of diverse businesses, which is rather unusual. Mr. Dennis King, Enterprise Foundation, thanked Chancellor Cepeda for her courage and leadership to benefit our community.

Dr. Luster reviewed the next steps, which include to continue connecting with SBE, MBE, WBE and DVBE firms in Santa Clara County, host outreach events, provide technical assistance workshops, continue business advising, and complete policy review.

Trustee Cruz inquired about certification for vendors Dr. Luster answered that the union firms would need less; they will probably be more ready to do business even though we may need to get them certified.

President Ho thanked the team for providing the update and stated she looked forward to hearing more about our progress in the future.


Vice Chancellor Smith reported the good news that this project should be completed in about 18 months. Chancellor Cepeda announced that Superintendent Matsukato stated he would invite her to the groundbreaking ceremony. It’s exciting to see the progress that has been made on this project.

Vice Chancellor Smith introduced Mr. Andrew Spiller, who presented an update on the Joint Use 21st Century Post-Education Center project. He reviewed the site map and percentage of usage by each district. The joint use site is three acres adjacent to Thomas Russell Middle School. Mr. Spiller reviewed the project leadership, implementation leadership team and project management team, steering committee, educational program committee, operations committee, and design committee membership. The design committee will be meeting soon. The accomplishments to date include site appraisal, updated education and community needs assessment, CEQA draft environmental impact report, facility program document and the design-build team selection.

Trustee Nasol inquired if public notice was already sent out for the CEQA. He requested that he be given a copy of the notice.

Mr. Spiller reviewed the timeline of the project.
Chancellor Cepeda announced that we are currently working to have a joint board meeting with MUSD sometime in April.

Trustee Cruz stated that she did not see in any of the committees faculty or Classified employees representation. Regarding the three programs that we are hoping to offer; how did we get to determine these particular programs without faculty participation? Chancellor Cepeda answered that we did an extensive survey and needs assessment of the surrounding community. We expanded the cohort to include the parents. These were the areas that emerged from the community. We have been providing educational services to Milpitas for 15 years. We have not really behaved in a way that states how many Classified, how many faculty have been included at this level of development. Trustee Cruz answered that it is important for both sides to be represented. That list of committees should show participation from all the groups in designing and programming. At the state level, we have been pushed in a way to keep understanding the relationships and how important it is that we have the different constituency groups represented. Mr. Jesus Covarrubias stated that this is a full fledged program. He stated that Mr. Narveson talked to Dean Vujjeni about this issue and stated that faculty needs to be included in the committees, especially in committees regarding courses and programs. Mr. Narveson answered that we have one faculty member appointed to the committee, who could not make it and we are looking for a replacement. Chancellor Cepeda stated that we deliver what the community states is what they need. This is curriculum we already have in place. Vice Chancellor Coen discussed the work around contract issues, looking at the needs of dual enrollment of students and what they and their parents would support. They cannot move into the next phase without strong representation from faculty. We have gathered the information and built a very general framework, but how it gets implemented will be a result of strong faculty engagement in this process.


Vice Chancellor Smith indicated there was no oral report required at this meeting.

5. Board Meeting Evaluation

Trustee Nasol reported that everything went well. He appreciated the comments of the AFT. Trustee Cruz appreciated the information regarding our policies and what we want to achieve for our students. She is really looking forward to the quarterly reports and getting into the detail. This is definitely aligned with the principles we have adopted. Student Trustee Harris asked how do we respond to the parents of Leland High School; should we put that item on the next board agenda? Chancellor Cepeda answered that we have a record of who has spoken, and she will respond to those comments in writing. We need to review our responsibility to K-12 students. There are many things we can do and can’t do and we will review that.

President Ho reported that the Milpitas Joint Use Facility and Diverse Business Outreach reports reflect the work we are doing to maximize resources. Trustee Mann stated that there is still some work required to get the technology right in the Board Room, such as wireless access and the timer for public comments. Overall, he is happy with the meeting and ended his comments by playing the "happy" song.

K. CONTINUATION OF CLOSED SESSION (If needed)

L. RECONVENE TO OPEN SESSION

1. Announcement of Action Taken in Closed Session

M. ADJOURNMENT

1. The meeting will be adjourned.

M/S/C (Mann/Lease) to adjourn the meeting at 9:05 p.m.
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.

Rita M. Cepeda, Board Secretary
Governing Board Meeting Minutes (Tuesday, February 24, 2015)
Generated by Joy A Pace on Thursday, March 5, 2015

A. CALL MEETING TO ORDER

1. 6:00 p.m. - The Meeting was called to Order at the District Board Room, 40 South Market Street, San Jose, CA 95113

   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

2. Information was provided on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. There was no Closed Session meeting.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

D. CLOSED SESSION ITEMS FOR DISCUSSION

1. None

E. OPEN SESSION

1. 6:00 P.M. - Pledge of Allegiance

   Student Trustees Larry Harris and Kenny Tram joined the meeting.

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

2. Adoption of the Agenda

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

   The following recommended action was added to the Action Agenda, Item H-2 Budget Study Session: A
recommendation that the Board of Trustees approve the budget principles as presented at the meeting.

Also, an addition was made to the Information Agenda, Item I-1 ACCJC Follow-Up Reports: San Jose City College and Evergreen Valley College Standard III.A.1.c and Eligibility Requirement 21. The draft follow up reports were added to the agenda as a first reading.

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. Announcement of Reportable Action Taken in Closed Session

There was no Closed Session meeting.

4. Public Comments on Matters not on the Agenda

There were no public comments on matters not on the agenda.

5. Approval of the February 10, 2015, Governing Board Meeting Minutes

M/S/C (Lease/Mann) to approve the above meeting minutes as amended: An addition was made to the Oral Communications board report indicating that Trustee Pham had attended the CCLC Effective Trustee Leadership conference.

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 item from the agenda, 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 Action as submitted.

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 Action 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 Jose City College.

8. Out of Country Travel - SJCC Faculty Member

The Board approved out-of-country travel for Professor Leslie Rice and funds in the amount of $1,800.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. Measure G – 2010 Bond Program: Evergreen Valley College, Design Services for Equipment Replacement Project #32307-08

M/S/C (Mann/Nasol) to approve PAA EVC - 01 in the amount of $43,070.00 to TMAD Taylor & Gaines for Design Services for an electrical transformer and fan coil unit replacement project (#32307-08).

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.

H. ACTION AGENDA

1. Management Personnel Action

M/S (Lease/Nasol) to approve the Reclassification of the Vice President Position.

Trustee Cruz requested clarification of the beginning and ending dates indicated in the document, and Vice Chancellor Garcia provided that information. Trustee Cruz also requested the rationale for the reclassification. Chancellor Cepeda answered that the Board directly requested her to address the issue of frequent administrative turnover, particularly at the vice president level, throughout the district. The Board requested us to review all salary schedules because you wanted to ensure we have a competitive ranking in the job market. The board wanted us to be equitable and wanted us to look at the Bay 10 districts to ensure we were competitive. As a result, we have brought the Board evidence that had re-calculated salaries, particularly for the custodians. We continued a market study in the Summer/Fall 2014, and in that we saw that the salaries for vice presidents were 11.1% below Bay Area 9(10) in salary and total compensation was also 5.8% below the other Bay 10 districts. We also did a management classification study in August 2014 and found that the difference between the vice presidents and deans compensation level was very narrow. Chancellor Cepeda stated that her recommendation is to move the vice presidents from level M34 to M38. This move addresses several goals: complies with Board directive, places our vice president salaries in a competitive range 2.2% above the median and ensures that the current compaction in salaries (i.e. the difference between dean and vice president salaries is adequate as current compaction provides no incentives or career adders from the dean level to the vice president level nor does it recognize the significant increase in scope of work for the vice presidents in comparison with positions at the dean's level. Vice Chancellor Garcia stated that the motive for us looking closely at this classification is due to the accreditation site visit we had in 2010. She had only been with the district for four months but was blasted about the high vacancy in vice president positions.
And, once again, the district will be recruiting for another vice president at EVC; and we need to make a concerted effort to stabilize this position within the colleges. AFT 6157 Executive Director Hanfling stated that the district is committed to paying employees at the middle of the compensation level. Our faculty and staff should be paid appropriately in our district; however, each time the AFT tries to have our adjunct faculty compensated appropriately, we meet with resistance. Right now adjuncts are paid between 65% and 75% of what full-time faculty are receiving, and they do the same work, with the exception of professional development. The money for compensation comes from the district’s general fund, and we now need to review the compensation for adjunct faculty. Ms. Hanfling stated that this issue would be addressed when the AFT starts the negotiation process this year. MSCC President McKee stated that in her discussions with the Chancellor and Vice Chancellor Garcia, it was apparent that the compensation of vice presidents was not appropriate due to the compensation of deans. She expressed concern that other groups would feel the need to make critical comments about the compensation of the MSC group when the MSC group has always been supportive of other constituency groups when they had received salary increases. However, it is now time to applaud the work done by the district’s vice presidents and compensate them according to the level of work they are doing.

President Ho stated that the district has come a long way where we are now competitive with our salaries. However, we still have some work yet to do.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, and Nguyen voted yes.
Trustee Pham voted no.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

2. Budget Study Session

Vice Chancellor Smith reviewed the topics he would discuss at the meeting: budget trends, property taxes, Governor’s budget, as well as discuss a proposal that the district, just like the state, have a rainy day fund above and beyond the reserve. He stated that this presentation was reviewed with the District Budget Committee, the Chancellor’s executive team meeting and the Board Agenda Docket Review meeting; therefore, it has been reviewed at length by our district’s constituency representatives.

Vice Chancellor Smith presented information from an Association of California Community College Administrators (ACCCA) sponsored Governor’s Budget Workshop in January from keynote speaker, Mark Schniepp, Ph.D., Director, California Economic Forecast. Dr. Schniepp stated that we are no longer in a recovery, but are nearing the top as jobs, spending, business investment on equipment, software, exports, and even the government sector has stabilized. We are firing on nearly all cylinders. All indicators are good. The only setback is the housing market, which continues to lag. Statistically, a fiscal downturn could occur in 2018. Vice Chancellor Smith reviewed the Real Gross Domestic Product Growth/US from 1975-2019. He reviewed the life-cycle of the boom/bust years. When economic slide occurs at the state level, news typically keeps getting worse. And when the state budget gets good, it keeps staying good until the next downturn.

Vice Chancellor Smith reviewed the District Assessed Valuation history from 1989-2014. The bar chart showed an increase every year until 2010 and 2011. We have only been a basic aid district since 2012. It’s key to note the volatility. There are significant trend changes. Some of these trends are very good; but in 2009-2011, we had a severe downturn in property taxes. The last two years have been the best two years. The trend line is at 3%. Our basic aid begins with a large uptick. Right now we are tracking at 8.8%. Vice Chancellor Smith noted that he has been called conservative, but we have assumed that our property tax will trend around 3%. He would rather bring good news to the Board with up-trends rather than at a higher rate that could make promises and then could lead to a reduction of people and programs.

Vice Chancellor Smith reviewed the Governor’s Budget Proposal for 2015-2016. He reported that the $373M growth and apportionment and the $95M deferrals do not impact the district. The $353M prior mandated costs; it’s one time money for past obligations we already paid for. It’s $3.8M for us if this is actually funded by the Governor. We will know the status of this in July when the state budget actually passes. Much of the $500M adult education funds will go to K-12 institutions. The recommendation for SJECCD assuming the Governor’s budget goes through and an anticipated property tax of 3% is that we propose a block grant of
$500K for each college, $200K for the Workforce Institute and $3M in stabilization funds. Vice Chancellor Smith showed the impact of 5% compensation increase across all groups and also the projections that include one-time funds distributed across the organization. He reviewed the Prop 2 - 2014 regarding rainy day funds. He proposed we seed in 2015-2016 with $3M and $1M of future property tax above the $3 property tax projection. Vice Chancellor Smith reviewed the Employment Demographics from 2003-2014. We still served students and had programs, but we significantly reduced our workforce. One way or another we will be in business and continue with our OPEB obligations and our student success programs. He reviewed the 50% law definition, the numerator and denominator and exclusions, which are not in part of the equation. He reviewed how we performed with this law. He reviewed a comparison of SJECCCD with the Bay 10 districts regarding the 50% law. The statewide average has never been 52%, but it's a margin that we as staff have to manage. He also reviewed the ending fund balance in a five-year period comparing the statewide average, basic aid average, and Bay 10 average. Right now we are in the middle of the 72 community college districts.

Vice Chancellor Smith reviewed the budget principles, which are general budget guidelines, values to frame and guide budget deliberations, etc. He reviewed the current seven Board budget principles. He also reviewed proposed Board principles for consideration, including the establishment and maintenance of an employee salary and compensation structure that is competitive among the Bay 10 community college districts and the establishment of a $5M stabilization fund, establish and maintain a balanced funding model and property tax projections will be based on 3% growth and will be adjusted each period based on County Tax Collector updates, and adopted budgets and quarterly reports will include long-term revenue and expenditure forecasts. This college district will be in business if we don’t make any changes; it’s just a matter of how we want to function as a district and which principles we want to adopt.

Trustee Cruz stated that she is attentive to what it takes to evolve as an educational institution. Together we have shared responsibilities for outcomes. She thanked Vice Chancellor Smith for the presentation and for providing a lot of information that is critical. We have a target level of fund balance, and we have a policy to refund that balance. She also remembers a conversation of us having revenue potential that this district can access above and beyond just state funding. At some point in the past, a number of Board members talked about a multi-year funding plan and some sort of a model about how to approve academic excellence and student success. She stated she thought about data and evidence and about how the goals are to be established and measured. Our ends policy and governance principle address those points. Contained in that document is a charge to the Chancellor. The principle calls for the Chancellor to keep the Board informed of the district’s financial status during the course of the year, which she does very well. The relationship between funding priorities and progress of achievement of the Board’s ends policies is the key issue. She knows that much has been accomplished. She also recognizes that there is a constituency group review process. She inquired if the guidelines and process was used as it relates to the principles provided to the Board. What process was utilized to bring this recommendation forward? Vice Chancellor Smith answered that the key issue for process is to try to get a sense of where others are coming from. He listened to the constituents feedback. When he gave this presentation to the District Budget Committee last week, there was a lot of feedback from the constituency representatives. He stated he is trying to find a balance between his role as the fiscal officer and the constituency groups’ interests. He worked with the Chancellor and her Cabinet members behind the scenes. He had met with the AFT prior to that meeting. The voices are very consistent. He didn’t expect the stabilization fund to be particularly popular recommendation, but he has a fiduciary responsibility to bring it forward. Chancellor Cepeda answered that every member of her Cabinet was charged to develop a workplan to address the budget in line with the Board’s ends policies. How do these guidelines and processes align with the Board’s ends policies? We are at the beginning of that process and have a plan to measure that effectiveness. Our job is to make sure the Board hears the input from the various constituencies. She reminded the Board that we had an institution been informed that we needed to shore up our fiscal processes. Both Academic Senate presidents talked about the fact that we need to prepare for downturns in the budget. They recommended that the rainy day funds be used to support the student success principles. We have reviewed the principles to ensure they are sound and also note that is how we spend our funds.

Trustee Nasol thanked Vice Chancellor Smith for the information provided, especially the comparisons with the statewide and Bay 10 districts. Based on the graph the total number of bodies that lost jobs are Classified staff at the start of year 2008 to 2012. Part of our Board initiatives was to restore some of those positions. If you look at the general fund balances, we are below the state, Bay 10 and basic aid districts. He stated he has worked with basic aid districts and has experienced that it’s a five-year cycle. This projection provided is actually very accurate. These happy times will not last very long, and we want to ensure we have the funds.
available to move forward in our achievement of student success.

Mr. David Yancey, President, AFT 6157, stated the AFT did not receive this information until last week. He stated he did not support many of the principles stated this evening, especially the rainy day fund. The board already has a 7% reserve, which is 2% above the majority of districts in the state. No other district has a rainy day fund. Mr. Yancey distributed a written statement that he requested be included in the board meeting record. There is no hurry to make this decision tonight. The fact that there is one-time funding available, you should still not take away money from our students. There is no specific criteria for how this funding should be used. We don't know how the $5M would be used. What you do tonight will be remembered. The Board needs to make budget decisions based on what we value most. The district already has a 16% reserve. Therefore, the AFT recommends the Board postpones this vote. The process was not adequately followed in reviewing this budget. These principles as submitted tonight are taking money from our students.

Mr. Eric Narveson, EVC Academic Senate President, stated concerns about the $500K for each college. Two thirds of this one time funding goes to a specific fund, but an additional $500K should be given to each college so this would be a split. He also recommended using money to fund wireless access for students.

Ms. Margaret Muench, SJCC Academic Senate Vice President, stated that the senate receives this budget information too late. There has been no discussion. This document is brought to the District Budget committee for review, and then we are told to approve it.

Mr. Dan Hawkins, CSEA representative, stated that these new budget principles were not reviewed by the constituency representatives prior to the decisions being made. There needs to be a full review. He also expressed concerns that this budget report is an unrealistic conservative projection.

President Ho stated that the Board needs to be approaching its budget process in a way that is consistent with its governing principles. In particular, we have governing principles which require that this money is allocated to students. She inquired about what other districts had a rainy day fund. Vice Chancellor Smith answered that his former district did have such a fund. He provided an example of times that district did utilize those funds without having to have cuts to the college and its programs. President Ho also expressed concern about the lack of parameters around the stabilization funds. We need to think very clearly about how these funds would be used. Vice Chancellor Smith reviewed the uses: Board authority required to access, access during economic downturn and replenish in healthy fiscal times.

Trustee Pham thanked Vice Chancellor Smith and the constituency group speakers for expressing their legitimate concerns. He inquired about what would happen if we delayed voting on this item for a month or so? Vice Chancellor Smith answered that if the January proposal has changed, we would revisit it here at a board meeting. However, we usually do this budget study session in February. He is here tonight to propose these budget principles. However, one way or the other, we will be sensitive to the changes in the Governor's budget. Chancellor Cepeda answered that the reason we have the budget presentation in February was to address concerns made before that we had presented this information too late. When this college was on warning regarding budget decisions by the Board, we reedit our schedule to present this information earlier.

Trustee Lease stated this is an example of a great evolution of how the Board has seen budget presentations. It is very clear. As he reflects on what we are looking at here, he requested that Number 7 the 7% reserve is actually a policy and the other items are guiding principles. If what we are being asked to do is say these are our guiding principles, he supports doing that as long as we revisit these and revise as needed. We can later make decisions on how to use the rainy day funds. We have a policy for the 7% reserve, and 5% is required of OPEB. Never, ever again does he want to lay off Classified staff. But at the time we had to do that to stay in business. He also expressed concern that our adjuncts suffered when we had to cut 40% of summer session. We had to do that because of our fiscal situation. Yes, we want services, and we need to maintain the infrastructure. But he never wants to go where we had to go before. There was also the conviction that our faculty and staff needed to be properly compensated.

Trustee Mann stated that as the seconder as the motion he would support the principles. The principles are OK, and, yes, we can make other decisions regarding the use of one-time money. He knows how painful the decisions were made prior to his joining the Board. He knows that some people are not happy with the discussions held about the principles, but he still didn't have problems with the principles in general. This is a living principles document, and we know they will be modified as we go along. He preferred that as we
exceed the 3% property tax revenue, we share those funds across the board.

Student Trustee Harris stated that there are two truths being stated this evening; we have constituency groups that are not happy and also a Trustee who participated in the staff reduction. He requested that more discussion is needed before the Board makes its decision.

MSCC President Lauren McKee stated that in the history of the district, we always had a slush fund. What we have gone through when we had reductions has been very traumatic. It’s ideal to have some sort of fund available for times of crisis. The campuses have been hurting. If we had some funds set aside, we can have discussions on the campuses as to how to use these funds.

Trustee Cruz stated her belief in a process, dialogue and discussion that is longer than a week. She is also hearing that some Board members are ready to vote tonight, but she is not ready. She wants to know the strategies and plan and how that is in line with the Board ends policies initiatives. We have asked for an analysis and a plan to come back to us for what it would look like, especially the plan for meeting the Board initiatives and student success measures. We have not received that information yet. We are not sure what that means in the information that has been provided this evening. She knows that the population of students we serve in this district need more resources. When did we decide to put away $5M instead of advancing our mission to meet the diverse education and workforce needs of our students? How are we advancing this mission? She stated she is feeling rushed that she has been given a study session and an agenda where certain principles and direction has been provided. She stated she would not be supporting the recommended action proposed tonight.

Chancellor Cepeda answered that she understood the issue about the process and that it took us a week to go through that process. This is the beginning of that conversation that will take us through May. How are we using our resources to support student services? It’s not just about a tiny amount of $500K that is being used, but we don’t have the information about how are we using our resources. We have various formats at the colleges for these discussions. We can present a different budget model as part of this presentation, but we were not of an understanding that this was what was required. We also need the financial security so that no matter what happens we can provide the courses and the Summer Sessions that our students need. This all begins with security. If the Board wishes to go in another direction, that is its prerogative. Trustee Cruz answered that we already have fiscal stability in the district.

Trustee Naso stated that as a long term K-14 Trustee when we had to adopt a budget at a certain time, we had to adopt one prior to when the state had to adopt its budget. It was based on the assumptions we had at that time. We would make some adjustments to that budget later on. This is not set in concrete. This Board can be flexible enough to listen to our constituents, but we can also make decisions about principles that may be changed later on. This is a living document that all of us can work together with during the course of the year. We can improve and dialogue about this throughout the year.

Trustee Mann requested an amendment to the recommendations. He suggested that the dollar amounts be removed for now so that the conversation with the constituency groups. It’s not the if, it’s the how. Let’s just leave the Allocated State "One-Time Dollars" and one time $5M Principle #9 Establish a one time District Financial Stabilization Fund - remove the amount that as could be decided on later. Let’s work on this and maybe two Board meetings from now we can have a meeting where people can state that they have participated in the process.

Trustee Lease stated that we are being asked to adopt the principles tonight. He wants to see something go toward the district stabilization funds. Principles 1-6 are not new, #7 is a policy, number 8 we said this a year ago, this is not new. This is why we compensated everyone the way we did. He agreed with the amendment of Trustee Mann for #9, #10 is not new; we made decisions to compensate our employees based on this and #11 whether it’s 3 or 4% could we look at what that looks like between what 3% would be or 4% - can we see those projections? Could we make it somewhere between the 3% and the 4%. Vice Chancellor Smith answered yes, he could change that to 3.5%. It’s has been better than 3% the last couple of years. A little less conservatism is OK, and as we talk about this budget all the time, we can always make adjustments.

Trustee Lease stated the importance of stating the word "we" and he was grateful that we all have stated that at this meeting.

M/S/C (Lease/Mann) to amend the motion to accept the budget principles as modified: Principle No. 9 should
read "Establish a District Stabilization Fund" and the $5M "one time" wording should be removed from that principle; and Principle No. 11 should be changed to 3.5% growth instead of 3% growth. Principle No. 11 will, therefore, read as follows: Property Tax projections will be based on 3.5% growth and will be adjusted each period based on County Tax Collector updates.

Board vote was as follows:
Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes. Trustee Cruz abstained from the vote.

Advisory vote was as follows:
Student Trustee Harris voted yes.
Student Trustee Tram abstained from the vote.

Barbara Hanfling thanked the Board for modifying the motion to reflect the concerns expressed by the constituency groups. She appreciated the fact that the Board did come to that compromise.

SJCC President Breland stated that our district has a good problem to have. He has formerly sat through layoffs. It is something that every district experiences, and it's always heartbreaking. Some textbooks are costing upwards of $300. We can spend a lot of money. The reality is how we decide on how to spend the money we have available. We are now reviewing the budget through our finance committee, and we will come forward with our plan—a list of how to use these funds to meet the needs of students.

EVC President Yong thanked everyone for the discussion and stated he is looking forward to working with Vice Chancellor Smith. Vice Chancellor Coen stated that the Workforce Institute has existed since the 1980s. It has a meaningful collaboration with 10 colleges and local corporations. It is a pipeline. It has evolved beyond contract education to community engagement. This is the first time the district has considered helping the Workforce Institute through funding. Its existence and our representation in this community has been based on funding through local businesses. This is the first time those efforts have been recognized.

President Ho expressed gratitude for the spirited discussion this evening and in the spirit of student success.

Mr. Yancey requested that this statement be added to the meeting record.

I. INFORMATION AGENDA

1. ACCJC Follow-Up Reports: San Jose City College and Evergreen Valley College Standard III.A.1.c and Eligibility Requirement 21 - First reading of draft reports

President Ho stated that since the draft reports would be presented as a first reading at this evening, she asked the other members of the Board Accreditation Committee, Trustee Lease (chair) and Trustee Nasol if they would like to hold a committee meeting to discuss the draft reports before being submitted to the Board for approval at the March 10, 2015, meeting. Trustees Lease and Nasol answered yes; therefore, the Chancellor's Office will schedule a meeting.

President Breland reported that it has been a journey to get to the place where we are today. We are very confident that the necessary work has been done to meet the recommendation. The recent ratification of the AFT contract has been critical for moving forward. This is a collaborative effort. We are on target for completing the faculty evaluation. We needed to understand what full compliance meant. From our understanding, we are on target to meet the standard that is before you. Now it's in the Board's hands to take a look at it and provide us feedback. If you can do it in the next week so that we can provide to the Academic Senate for their feedback, that would be greatly appreciated. The final report that will be submitted to the Board for approval at the next meeting will include all the edits based on the recommendations made by the Board, faculty, staff and students.

President Yong stated that this report to addresses Standard III.A.1.c. and Eligibility Requirement 21. He reported that 93 faculty are scheduled for review in the 2014-2015 year; 58 were evaluated in the Fall and 30 are undergoing an evaluation in the Spring. We have different categories. We will be able to demonstrate
that at the end of Spring 2015, 100% of full-time faculty will complete the evaluation process. Today we have only 67%. At the next board meeting, the figures might change a little bit; but we are confident of getting this done so that we will be removed from probation. One of the reasons that we did not receive the pilot Baccalaureate degree program was because we were on probation. The college that was chosen is now put on probation so they were rejected for the pilot program. It's critical for us to be taken off probation quickly.

Trustee Cruz thanked the teams that were working on this report. The response to this standards refers to the 2002 accreditation standards. Have we looked at the requirement of the new standard? Vice President Aytch stated that we hosted the accreditation training meeting, and we have exceeded those standards. President Yong stated that we had asked the ACCJC, which stated that we needed to respond to the existing standard at the time and not the new standard. EVC Academic President Narveson stated that this item is on the agenda for approval at next week's meeting Academic Senate meeting.

Vice Chancellor Garcia stated that the contract language is based on the new accreditation standard so moving forward, the district will be able to comply with the SLO language requirement for evaluations. President Brelan stated that this report will generate a site visit, and once that occurs, we will receive an official letter from the ACCJC in July.

President Ho requested the Board review the draft reports and send their questions to Chancellor Cepeda and Trustee Lease as Chair of the Committee. Chancellor Cepeda answered that we will collect the questions, which will be reviewed at the Board Accreditation Committee Meeting.


Vice Chancellor Smith presented the report and thanked Fiscal Services Director Peter Fitzsimmons, Vice Presidents Henry Gee and Jorge Escobar and their staff for their input into this report.

Trustee Pham inquired about the Bookstore loss and its impact on the district budget. Vice Chancellor Smith answered that we had a cumulative loss of $1.4M, and this loss was becoming a burden on the general fund. We needed to improve the type of business we do with our students. After an outside study was performed and we received their recommendations, we decided to enter into a contract with an external firm to prevent further losses to our general fund. Fiscal Services Director Fitzsimmons answered that the contract included a one time $22,000 bonus, and we are projecting about $400,000 revenue in the current year. Chancellor Cepeda answered that this decision to use the services of an outside vendor was a collaborative process. It's important to note that no jobs were lost as a result of this change. She thanked the CSEA for their cooperation with that process.

President Ho inquired about the continued weaknesses apparent in Parking Fund 11 and Workforce Institute Fund 16. Vice Chancellor Smith answered that Parking Fund 11 receives its revenue from student purchases of parking permits. Since there are operational funds required, such as the upkeep of the parking structures, it is not unusual that in certain years the services required exceed what we receive from the parking fees. Vice Chancellor Coen answered regarding Workforce Institute Fund 16 that the Workforce Institute is subject to grant changes and changes in legislation. The Workforce Institute created a stabilization fund, which has held things together for a while, but this fund is being depleted. The Workforce Institute lost management staff that was key to pursuing revenue opportunities, which had a great impact on the overall revenue.

President Ho thanked Vice Chancellor Smith for answering the questions and providing the comprehensive 2nd quarter budget report.

3. Board Meeting Evaluation

Trustee Nasol stated how pleased he was with the budget study session, the interaction and expression of various opinions. At the end we came to a compromise that included our constituents and the Board. This is a good example of effective governance.

Trustee Lease echoed Trustee Nasol's comments and expressed how pleased he was with how well the Board worked together. A major part of what was discussed this evening is how to ensure we fulfill our commitment to student success.
Trustee Cruz thanked everyone for their participation in the discussion.

President Ho expressed appreciation for the meeting discussion and that everyone was willing to compromise for the benefit of students.

J. ADJOURNMENT

1. The meeting adjourned at 9:05 p.m.

Rita M. Cepeda
Board Secretary
The AFT 6157 strongly opposes any vote tonight to approve the new principle that establishes a Board Stabilization Fund/Rainy Day Fund. The Board already has a 7% reserve by policy which is 2% higher than any other CC in this state and on top of that a total overall reserve of around 16% which is growing. Also we are one of the only District’s in the state that has already funded our entire Retiree Benefit costs, and to our knowledge, there is no other Community College District in the state that has created a rainy day fund. We believe that our reserve is sufficient to protect this district from any short term drop in revenue. Our objections are based on the following issues:

1. This idea violates the very premise on which we, as a district, describe ourselves to our community and to our colleagues around the area, the state and the country. Equity, Access and Social Justice are more than words. This vote to take millions of dollars away from our students and classroom does not demonstrate a commitment to those words.

2. There is no hurry to make this decision. The projections you have heard tonight do not mean anything until the May Revise when the Legislature and the other interests in the state have had their say in how much of this unfunded mandated money is actually available. But a vote tonight to adopt these new principles commits you to this idea.

3. The fact is that if there may be a windfall of one time money then that money needs to go to the classrooms and to the course offerings now. There are classrooms that have no capacity to use a lap top computer with the overhead projector and we have many important programs such as Affirm, Aspire, Umoja, Enlace, Honors, International students and the Military Veterans just to name a few programs that could use some of the money to truly help create student success. Also, we are over 1000 FTES below our required level for state apportionment and we could use some of the money to build our student enrollment.
4. If you vote to create an additional reserve beyond the very large one we already have you are taking money away from our student population which is among the poorest in the Silicon Valley. We are their chance to become successful and we should not create another POT of money that will take away their chances for success.

5. And lastly, there are no specific criteria for how this new fund will be used or for what purposes the colleges can use them. If they are to be, as stated by the Chancellor and the VC of Administrative Services, to forestall any future layoffs then there needs to be specific language included in this new policy designating these funds for those specific purposes.

This board needs to know that what you do now will be remembered for your actions tonight. “Put you money where your mouth is” is an old adage meant to mean that what we do with our money is the best indication of what we really value. What are your values?

RECOMMENDED PROPOSAL:
The Board of Trustee votes today to postpone a vote on any policy change of the District as it relates to creating a Board Stabilization Fund. The Board of Trustees will revisit this matter once the May Revise has become public and faculty and students are still on campus. On May 12 or the September Board meeting, Board will examine the amount of one time money it receives from the state and determine how best to allocate those resources to fulfill our goals of equity, access and social justice.

David Yancey, President
AFT 6157 San Jose/Evergreen Federation of Teachers
A. CALL MEETING TO ORDER

1. 4:30 p.m. - The Meeting was called to Order at the District Board Room, 40 South Market Street, San Jose, CA 95113

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

   Board Members Excused:
   Ms. Mayra Cruz

2. Information was provided on Public Comments and Disability Access.

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

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

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

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

D. CLOSED SESSION ITEMS FOR DISCUSSION

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

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

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   CONFERENCE WITH LABOR NEGOTIATORS
   (Government Code Section 54957.6)
E. RECONVENE INTO OPEN SESSION

1. 6:00 P.M. - Pledge of Allegiance

Student Trustees Larry Harris and Kenny Tram joined the meeting.

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

2. Adoption of the Agenda

M/S/C (Mann/Lease) to adopt the agenda as amendment:

Consent Agenda Items

F-6 Faculty Personnel Adjunct SJCC - the incorrect salary schedule was uploaded. A corrected version has been loaded onto the BoardDocs agenda.

F-8 Classified Personnel Actions - Position Management - Position Establishment - SharePoint Developer - the range/step and salary has been corrected as follows: Range/Step 150 - $7,427.58-$9,062.33 mos. - Salary $89,131 - $108,748.

F-11 Curriculum Recommendations for Evergreen Valley College - The lecture hours and lab hours have been corrected for each of the three courses listed. PED 035B Hatha Yoga Intermediate - O Lecture Hours - 3 Lab Hours, ENGL 032 Gender in Literature Lecture Hours 3 - Lab Hours 0 and EDIT 026 Women in STEM - Lecture Hours 3 - Lab Hours 0

Measure G Bond Programs Consent Agenda

G-7 San Jose-Evergreen Community College District (SJECCD) - New District Office Building Project #39301, High Density Storage System - BMH Equipment, Inc. Independent Contract Agreement (ICA) Revision No. 001 - The last word in the recommended action should be changed to read "Human Resources" instead of "payroll."

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

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. Resolution No. 031015-2 to excuse Trustee Mayra Cruz from the meeting.

M/S/C (Nasol/Pham) to approve Resolution No. 031015-2 to excuse Trustee Mayra Cruz from attending the March 10, 2015, Governing Board Meeting.

Board vote was as follows:
Trustees 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 since there was no Closed Session Meeting.
5. Public Comments on Matters not on the Agenda

The Board heard public comments regarding the 27.1 acres adjacent to Evergreen Valley College from the following speakers:

Ms. Krissa A. Baylor, Teacher at Milpitas Unified School District; Mr. Bob Behrooz; Mr. Steve Bennette; Mr. Chris Ciechanowski; Mr. Jesus Covarrubias, SJCC Academic Senate President; Mr. Phil Crawford, Professor, SJCC; Mr. Kyri Cunningham; Mr. Balbir Singh Dhillon; Ms. Minerva Duke; Ms. Maria Fuentes; Mr. Josue Garcia; Mr. Robin Hahn; Mr. Tim Kelly, Instructor of History and Political Science at West Valley College; Mr. Zaf Khan; Mr. Paul Leaf; Mr. Wesley Lee; Ms. Yolanda Lewis; Mr. Eric Narvesen, EVC Academic Senate President and Professor of History; Ms. Dona Nichols; Mr. Ralph Nichols; Mr. Randy Pratt, faculty member; Ms. Sandra Randles; Ms. Brenda Serpa; Ms. Lauren Serpa; Ms. Terry Schriver and Ms. Nancy Zeiszler. The concerns expressed by these community and district members include the following:

- EVC is short of land, especially due to the future demolition of Acacia and Robles buildings, and this space would be needed by EVC in the future.
- Space is being taken away from the PE faculty, and the adjacent land could be used to recover that space.
- The land surrounding EVC should be used for student facilities; it will also keep drug facilities away from the college.
- Two BOG members voted no on this item due to the seismic issues being addressed.
- The President of the United States has recently spoken about the importance of community colleges; this land should be used to enhance and increase student programs and courses.
- What kind of legacy does this district want to have in the community; hopefully, a legacy it could be proud of when the land is used in the best interests of the students and community?
- The community surrounding EVC has shopping centers galore; we do not need more shopping centers or even a pool.
- What about the Milpitas educational site; as that grows, would the plan be to do away with EVC?
- The impact of the commercialization of the beautiful neighborhood surrounding EVC.
- The Board has been invisible and non-transparent through this whole process of making the decision in how to develop this land.
- The community heard about the plans for the development of the land via two editorials written in local newspapers and not through the efforts of the Board or district to reach out to the community.
- The Board has created a self-fulfilling prophecy of the decline of the college. As a result, classes have been reduced and student enrollment is down.
- There is discrimination of our area; the East Side has been abandoned but many community members have no choice but to live there. It is unethical to abandon this community.
- Increased traffic would create added pressure on existing businesses.
- Pollution in the area would be increased.
- When the Board next comes to the community to approve a bond, we will actively campaign against that bond based on the decision made by the Board regarding this property.
- What problem does this land deal solve? What is driving the land development?
- We already have commercial villages. Why do you want to add another one?
- If the district is short of money, it should address that through another bond. It should not destroy the neighborhood to attain more revenue.
- The district reserves are currently high and the Evergreen Marketplace also adds revenue to the district. Adding minimum wage jobs via a shopping center is not helping the community; but educating students for higher paying jobs is a priority.
- The space is needed for the soccer field and other PE programs, which are very important for students.
- The EVC campus is a squalid campus in need of land improvements. If the district wants to be in the land development business, it could start there.
- The Evergreen area is a high-crime area because the students have nowhere. Providing such a place for students and youth in the community should be a primary concern of the district.
- Education is a basic human right; if the district continues to act in this manner, the community will not tolerate it.
- The Board has had over two years of discussion on this yet; yet, the community was not contacted so that they could be engaged in these discussions.
- The developers are getting this land for peanuts; the district should not give it away in the manner it is doing.
- At least six or seven acres should be kept for future expansion at EVC.
- EVC is in the middle of its educational and master planning process; a decision should not be made until that process has been completed.
- A strong request was made to the Board to put this item on the next board meeting agenda.
- A statement was read from Mr. Paul Fong, faculty member, requesting a delay in the leasing of this property until the facility needs of EVC have been addressed. He fears the district is giving away this property.
• One public comment supported the Board's decision due to the construction jobs that would be available for workers in the local community.

6. Approval of the February 24, 2015, Governing Board Meeting Minutes

M/S/C (Lease/Mann) to approve the February 24, 2015, Governing Board Meeting Minutes as amended: Per the request of AFT 6157 President David Yancey, the statement from the AFT presented to the Board at that meeting was attached to the meeting minutes.

Board vote was as follows:
Trustees 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 item from the agenda, 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. Faculty Personnel-Adjunct/EVC

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

5. Faculty Personnel-Adjunct/SBRPTC

The Board approved the Faculty Personnel-Adjunct/SBRPTC personnel actions as submitted.

6. Faculty Personnel-Adjunct/SJCC

The Board approved the Faculty Personnel-Adjunct/SJCC personnel actions as submitted.

7. Supervisory-Confidential Personnel Actions

The Board approved the Supervisory-Confidential Personnel Actions as submitted.

8. Classified Personnel Actions

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

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

10. Ratification of Contracts, Purchase Orders and Contract Revisions

The Board ratified the contracts, purchase orders and contract revisions for the period of January 10, 2015, through February 9, 2015, as noted in the attached documents.

11. Curriculum Recommendations for Evergreen Valley College

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

12. Board Recognition of Berryessa Citizens Advisory Council Citizen of the Year Award

The Board approved a recognition certificate on behalf of the Board of Trustees to the Berryessa Citizens Advisory Council Citizen of the Year Award for 2014.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. Adoption of the Measure G Bond Programs Consent Agenda

Hearing no comments to pull any item from the agenda, President Ho stated that the Consent Agenda was adopted by general consent of the Board.

2. Measure G – 2010 Bond Program: Automotive Technology Building, Project #32111 - Lionakis Revision No. 005 to a Project Assignment Amendment (PAA) EVC-01

The Board approved Revision No. 005 to Project Assignment Amendment (PAA) EVC-01 in the amount of $8,000 to Lionakis for the Automotive Technology Building, Project #32111 at Evergreen Valley College.


The Board approved Change Order No. 001 in the amount of $277,476 to C. Overaa & Company for the Automotive Technology Building Project at Evergreen Valley College.


The Board approved Independent Contractor Agreement (ICA) Revision No. 004 in the amount of $35,945 to AECOM (URS Corporation) for Geotechnical/Environmental Services to Automotive Technology Building Project #32111 at Evergreen Valley College.

5. San Jose City College Career Technical Education Project #31107-2, Buildings 100 & 200 - Kitchell CEM Change Order No. 007
The Board approved Change Order No. 007 in the amount of $210,608.00 to Kitchell CEM Inc., for the Career Technical Education Buildings Project #31107-02, Buildings 100 & 200 at San Jose City College.


The Board approved Change Order No. 002 in the amount of $1,371.00 to Environmental Systems, Inc., for the HVAC & Plumbing Upgrades Project #31304-18 at SJCC.

7. San Jose Evergreen Community College District (SJECCD) - New District Office Building Project #39301, High Density Storage System – BMH Equipment, Inc. Independent Contract Agreement (ICA) Revision No. 001

The Board approved ICA Revision No. 001 in the amount of $1,500.00 to BMH Equipment, Inc. for the New District Office Building Project #39301 at SJECCD for furnishing and installing a high density storage system for payroll.


The Board approved Change Order No. 002 in the amount of $24,969.00 to Integrated Communications Systems, Inc. for the New District Office Building Project #39301, Audio Visual System at the San Jose Evergreen Community College District.

9. San Jose Evergreen Community College District - New District Office Building Project #39301 – XL Construction – Change Order No. 007

The Board approved Change Order No. 007 in the amount of $33,550.00 to XL Construction for the New District Office Building #39301 at San Jose Evergreen Community College District.

H. ORAL COMMUNICATIONS

1. Board of Trustees/Committee Chairs' Reports

Trustee Lease, Chair, Board Accreditation Committee, provided a report on the committee meeting held on March 4. At that meeting, committee members, comprised of Trustees Ho, Nasol and himself, received a status report from the college presidents of the draft follow up reports regarding Standard III.A.1.c and Eligibility Requirement 21. Trustee Lease reported that based on what was reviewed at the meeting, he believed the colleges have a strong response to the accreditation requirement. The reports are due for submission to the ACCJC on March 15, with a site visit to both colleges scheduled for Thursday, April 8. Trustee Lease also reported on the excellent open house celebration held last Thursday for the 40 South Market Street building. He stated the importance of not only thanking those who worked so hard on the event but also those who worked so hard on the details of the building, such as choosing the paint, lighting fixtures and furniture. There were also a lot of set up activities by the facilities and IT staff, which allowed for a smooth transition to this building.

President Ho provided an update on Board Committee assignments. She distributed a document outlining current committees, and proposed new members based on the interest expressed by board members. At the present time, the only committee identified as a Standing Committee is the Audit Committee. However, she is proposing to add the Legislative Committee and Self-Evaluation Committee as standing committees of the Board, which, as a result, would be required to comply with the Brown Act. This item will be submitted at the next meeting for formal approval of the Board.

President Ho congratulated everyone involved with the planning of the Grand Opening celebration last week. It was very well attended and an important event connecting us with our district community. She received a lot of positive comments about the event from members of the community.
2. Chancellor's Report

Chancellor Cepeda reported on the student forums on campus violence in compliance with Title IX, the Clery Act, SB 967 Sexual Assault, and AB 1433 Student Safety. The first such forum was held at EVC on March 4, 2015 and the most outstanding feature of this event was student involvement, student leadership and student empowerment in strengthening and sustaining the work of administrators, faculty and staff toward campus safety. A similar forum is scheduled at San Jose City College on March 17, 2015. Additional and ongoing compliance as well as training and educational activities will be scheduled throughout the year. These efforts will also serve to provide the necessary constituency input for this board in order to comply with the mandates of AB 1433 (staff designation and reporting) and SB 967 (adoption of policies concerning sexual assault, domestic violence, dating violence and stalking including affirmative consent standards in the determination of whether consent was given by a complainant.) In addition, we are planning to schedule training for all Managers and Supervisors based on the findings of our recent response to the Office of Civil Rights in compliance with Title IX and the Clery Act.

On March 2, members of the Chancellor’s Cabinet participated in a presentation by CampusWorks on the status of our Information Technology Infrastructure Business Review Process (BRP). CampusWorks was charged with conducting a review intended to maximize the uses of our revamped infrastructure, including network and applications. This process is examining practices in the areas of Finance, HR, Payroll, Student Accounts and Advancement. The process undertaken in each of these areas is designed to:
- Document best business practices.
- Increase efficiencies and eliminate redundant processes.
- Leverage existing resources, automate manual processes, and utilize web self-service.
- Create an integrated approach to student service throughout SJECCD.

We as a district have come a long way toward the development of a robust IT Infrastructure that will serve our students well. The outcomes and recommendations resulting from the BPR will ensure that our investment on equipment, staffing and training will be well positioned to make the best and highest use of these resources.

3. Presidents' Reports

EVC President Yong provided an update on Ms. Kiran Pabla, a former student of EVC, who was killed on January 26 while jogging along Yerba Buena Road. Kiran had completed 71 units before transferring to Cal State East Bay prior to this tragedy. President Yong notified the family that EVC will award an associate degree to Kiran posthumously. The family and relatives have decided to accept the degree during Commencement on May 21st. President Yong reported that the forum on Campus Safety was held last Wednesday on March 4. This was the first of a series of four campus forums dealing with campus safety, sexual assaults, self-defense and campus resources and Action Day. It was a panel discussion led by students, and moderated by the President of the ASG, Reyna Avila. The students who served on the panel were Ginger Guerra, Lourdes Ramos and Dianna Glover. The student panel took questions from the audience, and provided answers and suggestions. President Yong stated how impressed and proud he was of these students, who demonstrated knowledge, public speaking skills, confidence and finesse in moderating such a public event.

President Yong provided an update on the accreditation report. He stated that EVC has completed its report to ACCJC regarding compliance with Standard III.A.1.c, which requires SLOs to be included in the evaluation instrument of faculty. As negotiated with AFT 8157, the faculty evaluation instrument has been revised to include the required SLO language. The evaluation of 2015-2016 cohort of faculty has been on-going since last September. Today, we have completed 72% of the cohort, and the remaining 28% will be completed before the end of the semester, which would bring us to 100%. This cohort represents all full-time faculty, which includes both already tenured and those on tenure-track. As for the full-time faculty on categorical assignments, we will have completed all evaluations by the end of the semester. Since the approval of the negotiations with AFT on February 10, we have also started the evaluation of adjuncts under the new SLO language, and we expect to complete the current cohort before the end of the semester. The Accreditation Steering Committee, the SLO Committee, and the Institutional Effective Committee and faculty and staff have collaboratively contributed to the report. President Yong thanked the Board committee on accreditation, which includes President Wendy Ho, Trustee Rudy Naso and Trustee Jeff Lease, for their interest and input. Collaboratively and collectively, the contributions by all constituent groups have strengthened EVC's report.

SJCC President Breland reported on upcoming campus and community events. He stated that San Jose City College will sponsor the 4th Annual African American/Latino/Pacific Islander/Native American Male Leadership Summit on Friday, March 27. Although the summit focuses on males of color, this is an all-inclusive event open to all junior and senior high school and
community college students. President Breland reported on the SJCC Summer Bridge Program. Priority enrollment will be for high school seniors who will attend San Jose City College. Based on each student’s assessment and placement scores, the students will be enrolled in English, Reading or Math. This format reduces the number of basic skills courses students will take in college. Summer Bridge students will receive lunch, books, and those who need them will receive VTA bus tokens. SJCC will also hold a student safety forum, sponsored by the SJCC Associated Student Government, on Tuesday, March 17, 12:30-1:30 p.m. in T-415. President Breland reviewed campus events in support of Women’s History Month. President Breland also reported that the Accreditation Follow Up report is ready for approval at this evening’s board meeting. He thanked the many individuals who worked hard to accomplish this task. Both colleges believe this report will address the concerns of the ACCJC, and we plan to be ready for the site visit scheduled for April 7.

4. Constituency Reports

EVC Academic Senate Narveson reported on the Academic Senate’s approval of the accreditation follow up report and thanked the AFT for its support to ensure the SLO language was included in the performance evaluations.

SJCC Academic Senate Covarrubias expressed concerns about small problems the faculty are experiencing in their communications with students. He also complained about the issues related to the outsourcing of the campus bookstore. He stated that the bookstore is ordering course materials that are older versions than the ones currently being used by instructors.

CSEA, AFT and MCCC provided no report.

I. ACTION AGENDA

1. Resolution Number 031015-1 Approving District Budget Transfers and Revisions

M/S/C (Mann/Pham) to approve Resolution Number 031015-1 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 Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

2. Acceptance of resolution #31015-3 and Amendment to the 2014-2015 California Department of Education contract (CCTR-4284)

M/S/C (Nasol/Pham) to approve resolution No. 31015-3 and the amendment to the California Department of Education contract (CCTR-4284) for the 2014-2015 fiscal year. The amended contract will increase from $155,534 to $164,424, a net increase of $8,890.

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

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. Resolution No. 031015-4 in Support of Women’s History Month

M/S/C (Lease/Mann) to approve Resolution No. 031015-4 in support of Women’s History Month.

Board vote was as follows:
Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.
Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

4. Measure G-2010 Bond Program: Bond List Revision No. 12

Vice Chancellor Smith reviewed the major changes made to the bond list. He called specific attention to the SJCC Project No. 31107 from Career Technical Education and Media Arts Center to Career Technical Education (CTE): Renovation of 100/200 Buildings. Trustee Nasol requested the Board approve this list with the exception of item 31107 because he was not given enough information about why the project was changed from the building of a new theatre and media arts to strictly CTE. Vice Chancellor Smith stated that changing of this project allowed for that money to go towards other projects. Therefore, the approval of the project list with the exception of this one item would impact the other projects. Mr. Scott Jewel, Gilbane Project Manager, stated that as the college reviews the projects, it re-prioritizes those projects; and we try to move things around to address the new priorities. President Breland stated that faculty and student input showed that the industry drivers, training and what the college was about is reflected in this change. The schematic design for the media arts building still did not reflect the actual need. The money was diverted to CTE, and the original project did have enough to renovate the 100 and 200 buildings. Trustee Lease stated that he recalled the discussions regarding the shift towards CTE and the fact that the media arts project was going to be delayed. He inquired about the $1 million for the northside connection of the theater parking lot. Mr. Jewel answered that it’s about the parking lot from the President’s Office to the theater. Part of this discussion is aligned with the educational master planning process. There is still a goal to build a new theater. The media arts project is shovel ready. If we get through the facilities master plan update, there will be enough money to move forward to address the needs of that facility. We have had several conversations with the community about traffic. Trustee Lease stated his appreciation for the lighting and technology issues being addressed. Student Trustee Harris asked about the status of the theater. Mr. Jewel answered that in 2009 the theater was looked at, and there is a voice to keep that theater. It is a very expensive project. One of the reasons for building a new theater was to open up that side of the campus. Trustee Nasol inquired about how long the approval was good with the DSA regarding the multi-media projects. Mr. Jewel answered that the DSA has modified their process and has allowed for extensions for the project.

Trustee Nasol amended his motion to approve the entire Bond List Revision No. 12. He requested that in her Friday letter, Chancellor Cepeda provide an update to the board. EVC Academic President Narveson stated his appreciation for the Central Green project at EVC. Vice Chancellor Smith answered that this is a 2004 project, and we are augmenting it with 2010 funds.

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

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

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

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

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.


M/S/C (Lease/Pham) to approve the MSCC actions as submitted.

Chancellor Cepeda announced that this action includes a 5% salary increase for all MSC employees.
Board vote was as follows:
Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

7. The Chancellor and Executive Managers Salary Schedule Increase and Executive Management Doctorate Stipend and Longevity

M/S/C (Lease/Nasol) to approve the Chancellor and Executive Managers actions as submitted.

Chancellor Cepeda stated that this action includes the same 5% salary increase offered to other district groups.

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

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

8. Interim Chancellor and Chancellor Search Process, Committee Composition, RFP for Search Services, and Interim Chancellor Profile

Vice Chancellor Garcia distributed and reviewed the documents outlining processes for the Interim Chancellor and permanent Chancellor searches. She stated that these would be parallel processes. She outlined the actions that would be required by the Board. For the permanent Chancellor search, the Board needs to approve the search committee and appoint the three Board members who would be a part of that committee. An RFP for a search firm would be put in place; and in order to ensure that district members, including faculty, staff and students are included in the process, forums would be conducted at EVC, SJCC and DO. Vice Chancellor Garcia recommended that the Board review the timeline for the search processes.

President Ho stated that this is an opportunity to hone in on the processes, provide our input on the pieces described by Vice Chancellor Garcia. Trustee Lease expressed appreciation for the process that was put together by Vice Chancellor Garcia. He especially liked the opportunities for the community to be included. President Ho stated that the committee to choose the new Chancellor would be an ad hoc committee of the Board. The Chancellor is our only employee, and we must do the due diligence on this process.

Vice Chancellor Garcia stated that she required an action at this meeting on the approval of the Interim Chancellor profile and search committee composition and Chancellor search RFP for search services and committee composition. If the timeline is agreeable, we do need people available in July to help this process move along. Trustee Nasol inquired about the nature of the consultant services. Vice Chancellor Garcia answered that this is an RFP, not a contract.

AFT President Yancey stated he didn't see anything about social justice or equity included in the documents. He also requested that in the Interim Chancellor Profile the word "some" be removed before community college experience because this experience is needed and "some" is hard to define. Vice Chancellor Garcia answered that it would be put in the notice that would be sent out. SJCC Academic Senate President Jesus Covarrubias requested that experience in the classroom should be added. Trustee Lease answered that there is a shortage of available leadership, and the goal is to cast a wide net and ensure we have good choices. If we get too specific, we could discourage qualified candidates from considering our district. Trustee Mann agreed with Trustee Lease's position.

M/S/C (Mann/Lease) to approve the Interim Chancellor Profile (Required Qualifications amended to change remove the word "some" from before "experience in a community college"), Interim Chancellor Search Committee Composition, Permanent Search Committee Composition and RFP for Search Services.

Board vote was as follows:
Trustees Ho, Lease, Mann, Nasol and Nguyen voted yes.
Trustee Pham voted no.
Advisory vote was as follows:  
Student Trustees Harris and Tram voted yes.

9. ACCJC Follow-Up Report for Evergreen Valley College; submitted for final approval

President Yong stated that, along with Standard III.A.1.c, the report addresses specific compliance with Eligibility Requirement 21 that reads as follows: 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. He stated the report being submitted for Board approval addresses the concerns expressed by the ACCJC. Both colleges have been working diligently to ensure we comply with the standard. We inspected the evidence and also included hyperlinks in the document for the Commission to review the evidence. After the Board approves the report at the meeting, it will be hand-delivered to the Commission tomorrow morning.

President Ho stated that as reported by Trustee Lease, the Board Accreditation Committee reviewed the draft reports and made suggestions regarding the format. The committee was pleased at the comprehensive response and evidence provided and supports the recommendation for the Board to approve the final report.

M/S/C (Mann/Pham) to approve the Accreditation Follow-Up Report for Evergreen Valley College in compliance with ACCJC’s request (Standard III.A.1.c and Eligibility Requirement 21).

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

Advisory vote was as follows:  
Student Trustees Harris and Tram voted yes.

10. ACCJC Follow-up Report for San Jose City College; submitted for final approval

SJCC President Breland expressed his satisfaction with SJCC’s report and the evidence that presented would satisfy the concerns of the Commission. The next step after this report is submitted and reviewed by the ACCJC is a site visit, which is already scheduled for Thursday, April 9. After that time, we should receive a response from the Commission regarding our accreditation status in mid June.

M/S/C (Mann/Nasol) to approve the Accreditation Follow-Up Report for San Jose City College in compliance with ACCJC’s request (Standard III.A.1.c and Eligibility Requirement 21).

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

Advisory vote was as follows:  
Student Trustees Harris and Tram voted yes.

J. INFORMATION AGENDA

1. Board Ends Policy Monitoring Report #1: Global Ends Statement

Vice Chancellor Hawley provided the Board with the first monitoring report for the global ends statement, which included a detailed look at each of the six global ends policies. She introduced Dr. Joyce Lui, one of the campus based researchers, who was in attendance at the meeting. Dr. Hawley reported that overall, the district is at a C+ ranking. The report she provided does indicate why the district received that rating. Dr. Hawley explained how the indicator lights would be used on a 4 point scale. We are now using the colors green, purple, yellow and red for the metrics. Green is 90% within the metrics; purple between 80-89%; yellow within 70-79% and red includes any rating below 70% of its target or has yet to be measured by the district. The global ends policy is currently at 2.8 and colored yellow.
However, some of the metrics we have yet to even begin determining baselines. Just because we are green on certain items, doesn’t mean we want to stop at that target level. We have done a lot with student learning outcomes. We can also measure global outcomes and how we measure up to them. The Board Student Success Committee wanted to look at how we are performing regarding student access and equity. We will be doing another environmental survey to see if students are growing in their student success and equity. We had also done surveys district-wide to determine if district members are receiving the kind of services they need. We want to devote a lot of time to look at the institutional effectiveness policy. However, we are right on target with our student success policy; we have grown in terms of all the indicators of student success. The last ends policy is college experience. It tells the story of whether or not the students, staff and faculty are satisfied with their experience. Some are good but some need improvement. The global ends statement is very general, but when you look at this report you will see where we are and where we need to improve. How do we spend money and where do we commit in terms of money? When we look at this monitoring report, we are being very successful in our student success agenda. We may need to increase our target. We are doing good in transferability, SLO and college readiness. Why don’t we look at how we are doing in institutional excellence? Dr. Hawley reviewed some recommendations. We need to think about increasing targets on student success since all metrics are within range or above targets; begin the process of obtaining baseline data for Career Development and Institutional Excellence; provide the resources needed to continue services to increase the college experience for students, provide staffing needed to continue services to increase the college experience for students and provide resources and staffing needed to continue to improve employee satisfaction.

President Ho thanked Vice Chancellor Hawley for the report which included the metrics. Trustee Nasol inquired about the data for Number 4. Dr. Hawley answered that the metrics used is for March 5. Some information included can be a semester old. All the data are as of March 5 to ensure the data was updated. Dr. Hawley stated we want to centralize the data so that we can collect it for the monitoring reports. Yes, just because there is a red light doesn’t mean we don’t have the information, it simply means that it’s not collected in this report. If the data is not 100% accurate, Dr. Hawley won’t include it in this report. Trustee Nasol stated that he hoped the Board would receive timely information. Trustee Lease stated this report was awesome, and he thanked everyone who contributed to making this vision a reality. The Board could probably have a study session on numbers 4 and 6. How can we improve in those areas? President Ho stated that she was impressed with the report and is very grateful for the drill down. It’s good that the Board will continue to get quarterly updates. There are definitely areas where we need to improve, and she looks forward to seeing what was developed through those metrics. Vice Chancellor Hawley stated that when the Board receives the quarterly report, they will receive more information on each ends policy. The Classified staff really do the work; they are doing work that is many times invisible but crucial in our student success efforts.

2. District Facilities and Bond Program Management Overview

Mr. Steve Thompson, Director of Facilities and Bond Program Management, reviewed the Facilities Organizational Chart, Facilities Planning and Management, including the educational and facilities master plans and also provided a review of the condition of existing facilities. SJCC facilities assessment was completed in 2013, EVC’s assessment should be completed in the next two months. Mr. Thompson reviewed the five-year capital outlay program and the project proposal for Roble replacement, which relies upon state funding. He also reviewed the state funded work and scheduled maintenance for 2015/16 that we have submitted. We hope they return to the Governor’s budget for 2016/17. He reviewed the Prop 39 energy initiative, which equates to $400K per year for five years. These funds are split evenly between SJCC and EVC. The state funding initiatives total from $1M to $2M per year. We will come to the Board sometime with a management plan for that state funded project work.

Trustee Pham inquired if the district is ADA compliant even though the state has not funded these projects. Mr. Thompson answered it’s an ongoing process. Mr. Scott Jewel, Gilbane Project Manager, answered that ADA is included in the project upgrades. Many buildings were built under an earlier code and, therefore, are not out of compliance. As they review the plans, if we are proposing a project in an existing building, they will come back to us with a proposal to address some ADA issues.

3. Board Meeting Evaluation

Trustee Lease stated that given the situation the Board started with at the beginning of the meeting, it was still and effective meeting. The Board received a lot of information and status updates regarding its student success policy. He recommended that staff work to ensure the air conditioner does not go off during the meeting. Trustee Nasol thanked President Ho for managing the speakers and the timing situation very well. President Ho stated that given the difficult situation with the large amount of public comments, the Board adhered to its civility statement throughout the meeting.
K. ADJOURNMENT

1. The meeting adjourned at 9:40 p.m.

Rita M. Cepeda
Board Secretary
A. CALL MEETING TO ORDER

1. 4:30 p.m. - The meeting was called to order at the District Board Room, 40 South Market Street, San Jose, CA 95113

   Board Members Present:
   Dr. Jeffrey Lease
   Mr. Craig Mann
   Mr. Rudy Nasol
   Ms. Huong Nguyen
   Mr. Scott Pham

   Board Members Absent:
   Ms. Wendy Ho (Absent from Closed Session; arrived in Open Session at 6:55 p.m.)

2. Information was provided on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

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

   Board Vote was as follows:
   Trustees Cruz, Lease, Mann, Nasol and Nguyen voted yes.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

D. CLOSED SESSION ITEMS FOR DISCUSSION

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

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

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

   CONFERENCE WITH LABOR NEGOTIATORS
   (Government Code Section 54957.6)
   District Negotiator: Kim Garcia
   Employee Organization: AFT 6157
E. RECONVENE INTO OPEN SESSION

1. 6:00 P.M. - Pledge of Allegiance

Student Trustees Larry Harris and Kenny Tram joined the meeting.

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

2. Adoption of the Agenda

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

Item J-1 Update on Educational Master Plan and Facilities Master Plan was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

Board vote was as follows:
Trustees Cruz, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

3. Announcement of Reportable Action Taken in Closed Session

Vice President Nasol reported that in Closed Session the Board took action to return a Government Claim Act claim as untimely and to reject the claim:

The vote was 4 ayes, 0 nay, and 1 abstention.

Roll call vote was as follows:
Trustee Lease voted aye.
Trustee Mann voted aye.
Trustee Nasol voted aye.
Trustee Nguyen voted aye.
Trustee Cruz abstained.
Trustee Pham was not present for the vote.

4. Public Comments on Matters not on the Agenda

Ms. Lauren Serpa, Friends of EVC, commented that the current state of Evergreen Valley College is depressing, and the courses offered are limited. The Journalism Dept. has only three courses. According to its website, EVC offers 31 degrees and 19 certificates. EVC is funded at 49% and SJCC is funded at 51%. Students at EVC struggle to get courses. She asked the Board to please adhere to its model of opportunity, equity and social justice.

Ms. Brenda Serpa, Friends of EVC, commented that Vice Chancellor Smith has stated that a basic aid district requires a higher reserve. District reserves do not support student success. She also complained that she never received a response to the email she sent to the Board of Trustees. She stated that plans which impact the district community should not be dealt with in Closed Session but in public session so that the community could provide their impact.
Mr. Dennis Wyatt, resident and student, inquired about open classes in the area for retired adults. The County and State has been given money to provide those classes, and Vice Chancellor Coen has not been able to provide specific information about when these courses would be available.

Ms. Gale Goodson commented that the District spent $4.3 million on buying this building and $12 million on refurbishing it. It’s not convenient for the public to attend these meetings. She reprimanded Vice Chancellor Smith and Chancellor Cepeda for not responding to her emails.

Mr. Glen Wetzel stated that there is a large commercial shopping center located adjacent to EVC. The district lost all public records regarding the purchase of district land. The loss of records is questionable. Each board member was asked why a commercial shopping center would be put on college land. He submitted a document to be included in the meeting minutes.

Ms. Yolanda Lewis, Evergreen resident and Founder/CEO of the Black Human Rights Coalition, inquired about the District’s commitment to human rights. We must remember that people of African descent face denial of basic rights, such as education. She wanted to know the Board’s commitment to human rights. Is the reason for both colleges being different in that SJCC receives more resources because EVC is located on the East Side of San Jose. The community wants to look at what this Board is doing.

5. Approval of the March 10, 2015, Governing Board Meeting Minutes

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

Board vote was as follows:
Trustees Lease, Mann, Nasol, Nguyen and Pham voted yes.
Trustee Cruz abstained.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

F. CONSENT AGENDA

1. Adoption of the Consent Agenda

The Board heard a comment from Ms. Yolanda Lewis, EVC resident and Founder/CEO of the Black Human Rights Coalition, on Item F-7 regarding the piggyback contract with Office Depot. She inquired about how a member of the public could receive a breakdown of contracts the District awards to small companies. Office Depot is looking at a takeover by Staples. When is the District going to look at what’s in the best interest of the community? Small businesses in the area are suffering. Why would the District give a big company like Office Depot such a big contract? It’s not beneficial to the best interests of the community, and she requested the Board consider this issue.

SJCC Academic President Jesus Covarrubias inquired about why the Executive Director of RIE position is on the agenda for contract renewal at a time when the District is in the middle of recruitment for the Vice Chancellor of Institutional Effectiveness position. Chancellor Cepeda answered that although she is currently interviewing for the permanent Vice Chancellor position, the individual currently in the Executive Director position has the right to have her contract renewed. Also, the organizational redesign does note both positions; therefore, this contract renewal is on the agenda.

Hearing no comments to pull any item from the agenda, Vice President Nasol 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 & 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, Purchase Orders and Contract Revisions
The Board ratified the contracts, purchase orders and contract revisions for the period of February 10, 2015, through March 9, 2015, as noted in the attached documents.

7. Piggyback Office Depot Contract
The Board authorized the District to piggyback on a contract with Office Depot.

8. Extension of Piggyback Dell Marketing, LLP Contract
The Board authorized the District to extend a piggyback on a contract with Dell Marketing, LLC.

9. Out of Country Travel - SJCC Faculty Member
The Board approved out-of-country travel for Professor Margaret Muench at no cost to SJECCD.

10. Curriculum Recommendations for Evergreen Valley College
The Board approved the curriculum recommendations for new courses submitted by Evergreen Valley College.

11. Curriculum Recommendations for San Jose City College
The Board approved the new courses proposed by San Jose City College.

The Board approved an Independent Contractor Agreement (ICA) in the amount of $102,306.00 to Gilbane Building Company.

13. 2015 Board Committees
The Board approved the 2015 Board Committee Assignments as submitted.

14. EVC Wireless Upgrade to Replace Legacy Wireless Access Points
The Board approved the purchase of 136 Wireless Access Points (WAP) and the Independent Contractor
Agreement (ICA) for installation services per the attached Dasher Technologies ICA and Statement of Work and WAP quotation for a total cost not to exceed $200,000.

15. Self Generation Incentive Program (SGIP) – CDH Energy Independent Contractor Agreement (ICA)

The Board approved an Independent Contractor Agreement (ICA) in the amount of $33,500 to CDH Energy for the SGIP Performance Data Provider Services at Evergreen Valley Community College.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. Adoption of the Measure G Bond Programs Consent Agenda

Scott Pham requested to pull item G-3 from the agenda as he wanted to make a comment on this item. Hearing no comments to pull any other item from the agenda, Vice President Nasol stated that the Measure G Bond Programs Consent Agenda, with the exception of Item G-3, was adopted by general consent of the Board.

2. San Jose City College Campus Site Improvements Project #31116-04, Site Lighting- AlfaTech, Consulting Engineers, Project Assignment Amendment (PAA) SJCC-01

The Board approved Project Assignment Amendment (PAA) SJCC-01 in the amount of $29,710.00 to AlfaTech, Consulting Engineers for the San Jose City College Site Lighting Project.

3. Measure G-2010 Bond Program: San Jose City College Wireless Upgrade Starter for High Impact Areas

The Board approved the purchase of 45 Wireless Access Points (WAP) and the Independent Contractor Agreement (ICA) for network installation services of 25 WAPs per the attached Dasher Technologies ICA, Statement of Work and WAP quotations for a total cost of $56,910.49.

4. Evergreen Valley College South Campus Development Project #32107 – Blach Construction Company Change Order No. 005

The Board approved Change Order No. 005 in the amount of $726,529.90 to Blach Construction Company for the South Campus Development Project #32107 at Evergreen Valley College.

Update on Educational Master Plan and Facilities Master Plan

Interim Vice Chancellor Tamela Hawley introduced Mr. Frederick Trapp, Cambridge West Partnerships, and Mr. Larry Frewel, HPI Architects. She reported that on October 14, 2014, the Board awarded Cambridge West, LLC and HPI Architects the contract to help the colleges with an update of the Educational Master Plan and the Facilities Master Plan. Their work started in November with a kick-off at both campuses. Since then, the teams have been involved in surveys, focus groups, interviews, analyses of our course enrollment patterns, walkabouts, and a myriad of other data collection efforts. She feels as if Fred is an additional member of her staff, the kind that emails her at least three times a day, even on Saturday.

Mr. Trapp reviewed the EMP outcomes; projection of future WSC and related additional space (room) needs using state facilities standards and the articulation of potential new instructional programs as envisioned by the faculty and related additional space needs as appropriate. He reviewed the EMP process to answer these
questions: What are the educational needs of the service area and contextual considerations in which the colleges operate? How have the colleges responded to the external and internal environment? What are faculty visions for new programs and what additional space might be needed? What are the opportunities suggested by the labor market and legislation, such as SB 1440? Mr. Trapp reviewed the EMP timeline. The Educational Master Plan kick-off was held in November 2014. From February through May 2015, listening sessions will be conducted, documents and data will be reviewed and four presentations will be made to the steering committees. A rough draft of the plan will be completed in May, and the campus presentations and completion of the project should be completed in Fall. He also presented the FMP timeline, which also had kick-off meetings in November 2014. In February 2015 a review of existing buildings with Maintenance and Operations Staff and meetings with college administrators were held both at SJCC and EVC. In March a survey was conducted with students, faculty and staff at both colleges and from that review, a SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis was developed and reviewed with the EVC and SJCC Presidents’ Cabinets. In April (at this meeting) the Board of Trustees is receiving its update. The plan is to present the initial FMP draft with the College Council and President’s Cabinet at SJCC in April. For EVC that presentation will be made to the Safety and Facilities Committee and President’s Cabinet in May. In September, open forums will be held at both colleges to review the FMPs, which should be finalized sometime in October.

Mr. Larry Craftwall described the process used at both colleges as they have moved forward with the facilities master plan. It is driven by the educational master plan. We have been looking at the campuses and looking at the uniqueness of those campuses. He reviewed the Kick off meeting with the administration and the facilities master planning committees and provided a SWOT analysis. We are trying to ensure access to facilities and also that we have the right quality and quantity of facilities. We are trying to look not just how the campus supports formal learning but how it supports socialization. We are getting on a train that is already moving. Ultimately, we hope to not only provide the facilities you need but create unique places. We looked at how people access parking and the classrooms as well as service access and pedestrian circulation. How do people move through the campuses? We met with each of the facilities departments and began looking at the existing facilities. Which facilities are working well and which receive a lot of maintenance calls? We presented that process and solicited information from the colleges. EVC has a unique setting; the suburban and rural character of the place. Later this week we will meet at SJCC and address some of their issues. Will come back in May to make a presentation at EVC, and will also be conducting open forums.

The Board heard a public comment from Ms. Nancy Zeiszler, EVC Physical Education Instructor, about the facilities master plan provided by Cambridge West. She had asked questions that she submitted of which she did not receive any responses. We haven’t yet had the opportunity for faculty to provide input. Faculty and students must be part of the process. They are coming to meet with us for the first time on Monday. This meeting will take place when most faculty are teaching. Nothing has come to us, and we need to have input.

Trustee Cruz thanked Cambridge West for the presentation. She requested that we need to do more so that folks at the colleges are engaged much earlier in the process. We need to ensure our constituency groups are included when we are developing a long-term plan. When you are using acronyms, such as WCHS, what does that mean? We need to be clear on what those acronyms mean. She inquired if accreditation standards would be a component of this plan. How are these pieces forwarded into the plan. Chancellor Cepeda requested Cambridge West provide information. Mr. Trapp answered that his team has been on both campuses in February, March and April. He personally emailed the Deans to survey the faculty. We have requested they invite faculty if they wanted that particular member to be included. It’s still a work in progress. We are giving you a projection of the weekly student contact hours (WSCH) and turning that into space requirements. All of that is based on the student programs the Board has approved. On Monday we will hear from the faculty about their visions and wishes. We are not going to tell the faculty what to teach and what to offer. Mr. Craftwall answered with respect to the facilities master plan, we were getting ourselves familiar with the campuses. We did that by introducing the processes; two initial kick off meetings; reviewed the SWOT analysis. We are going back to SJCC later this week to resolve some planning issues. We also prepared a survey from faculty, staff and students. We received information from the student government at both campuses. Trustee Cruz stated that notes and minutes of the facilities committees were not posted on our website. Chancellor Cepeda stated these are committees on the campuses. Trustee Lease thanked everyone for their whole work. We are still looking at ways to keep students moving forward. Dr. Hawley stated she had attended one of the faculty sessions at SJCC and faculty who attended provided a lot of information. She made the observations that there weren’t a lot of faculty present. SJCC Academic Senate President Covarrubias requested that the faculty survey be sent out again.
President Yong stated that we are not asking Cambridge West to do a comprehensive master plan; we are doing an update. A stretched out version is not necessarily the best version.

H. ORAL COMMUNICATIONS

1. Board of Trustees/Committee Chairs' Reports

Student Trustee Harris reported on SJCC events in support Asian American Heritage Month. One special event is the upcoming poetry readings in native languages.

Student Trustee Tram provided an overview of several EVC events. He also invited everyone to attend the ASG basketball and volleyball tournaments.

Trustee Pham reported that he had met with the leadership of AFT 6157. He learned a lot from senior leaders, such as David Yancey, Barbara Hanfling and Frank Espinosa.

Vice President Nasol reported on his attendance at the EVC community forum and the Chancellor's community advisory group breakfast. At the breakfast, President Ho led a discussion regarding desirable qualities for the new Chancellor.

Trustee Cruz reported on her new reflections due to her participation on an accreditation team. We should be very proud of our governing principles and ends policies. The framework we have now is very powerful. She also realized that as we think about the revised accreditation standards we do a cross walk with those standards to ensure we are aligning with our policies. She wants us to be thoughtful about the cycle itself. How well are we doing regarding continuous improvements? We started exploring a greater emphasis about how the mission guides the institutional effectiveness, decision making, planning and institutional goals. We learned how critical documentation is and having it accessible. In the new standards - one relates to our work - governing board establishing policies and resources necessary to support them. The other area calls for the evaluation of faculty, academic administrators and other personnel involved with student learning. We have an added dimension that these new standards will create for us.

Trustee Nguyen thanked the AFT for inviting her to the bowling event. It was a fun time that allowed her to get to know faculty in a better way.

President Ho announced the board approved the updated committee list as a part of the Consent Agenda. She requested that board members take note of their committee assignments. She also stated that the Legislative Report of the Board Legislative Committee was distributed at the meeting. She also reported that the committee had a good meeting with Senator Beall. We continue to do our work on refining priorities on student success and building the dreamers in our advocacy work. The full list of legislation the Board would support will be made available to all. President Ho reported that feedback received from the community at the Chancellor's Advisory Group last week was very specific. We need a superhero to replace Chancellor Cepeda.

2. Chancellor's Report

No report provided.

3. Presidents' Reports

EVC President Yong reported on the sexual assault forum led by the associated student government. Accreditation visiting team last week commented that EVC worked very hard. We presented the team with the latest updated information. President Yong stated he would miss the special board meeting scheduled for next week due to ACCJC meetings.

President Breland reported that enrollment was down 9% compared to Spring semester last year. He thanked everyone who was apart of the accreditation site visit last week. He is confident SJCC met the standard. The accreditation team asked for additional documentation, which we were able to provide. Next week he will also
attend the ACCJC conference to review the new accreditation standards. President Breland congratulated the Academic Senate for participating in the plenary session. He also thanked Rosalie Ledesma and Manny Diaz for organizing the meeting with Senator Jim Beall. President Breland also distributed pamphlets on some of the events on campus.

4. Constituency Reports

CSEA President Arthur Azevedo thanked the Chancellor for the invitation to the community breakfast. It was good to get input from community members about what they want to see in the new Chancellor.

AFT 6157 President David Yancey reported that last week 70 students attended a summit regarding Silicon Valley rising. A lot of the students don’t share in the wealth in this area. He also reported that the AFT negotiated the contract language to the new SLO language. Mr. Yancey thanked President Breland for providing training on the AFT contract. He also thanked Trustee Ho for inviting members of the AFT to Somos Mayfairs. He also reported that the AFT is doing a great work in providing books for students. We shipped 3200 books to the Cesar Chavez School as our first donation.

SJCC Academic Senate President Jesus Covarrubias reported on his attendance at the state senate plenary session. Six of our senators attended the session. The SJCC Senate took action to establish a Latino Advisory Group on our campus. He reported that the La Raza graduation ceremony will be done on May 16. He expressed concern about the new contractor for the campus bookstore. This bookstore matter is a serious issue as faculty is having problems with books not being available for students. The faculty is also engaged in conversation concerning the one-time available funds. He expressed hope that faculty will have a timeframe when funds will be released to the colleges.

EVC Academic Senate President Eric Narveson distributed a senate resolution regarding the faculty’s opposition to the development of the 27.1 acres adjacent to Evergreen Valley College. He called attention to the 2nd page which outlined the acreage available for PE, Athletics and Kinesiology programs. It’s a preliminary document, but the Kinesiology Deptment provided information for a track and field. He welcomed the Board to tour the campus; not all the statements made to the Board about the poor condition of the campus are accurate. Mr. Narveson also attended the Plenary Session of the California Community Colleges senate. He reported that EVC has formed a Bookstore Committee. He feels that the Bookstore is violating faculty copyright rights, and we are investigating that issue. EVC faculty also has issues with the course catalog, which has many authors. The Senate has come to an agreement that certain portions of the catalog need further review to ensure correct wording. Mr. Narveson reported that senate elections will be held next week.

I. ACTION AGENDA

1. Resolution Number 041415-1 Approving District Budget Transfers and Revisions

M/S/C (Lease/Mann) 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. Resolution No. 041415-2 in support of Middle Eastern American Heritage Month
Chancellor Cepeda reported that this month marks the 15th anniversary of Middle Eastern American Heritage Month. The whole list of events attached to the agenda item is pretty powerful. She invited the Board and members of the audience to attend these important events.

M/S/C (Pham/Cruz) to support Resolution No. 041415-2 in support of Middle Eastern American Heritage Month.

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. Resolution No. 041415-3 in support of European American Heritage Month

M/S/C (Pham/Lease) to approve Resolution No. 041415-3 in support of European American Heritage Month.

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. 7:00 p.m. - Consideration of bids received for the Surplus 27.1 Acres and request for oral bids pursuant to Resolution No. 012715-1

President Wendy Ho joined the meeting at 6:55 p.m.

President Ho announced that at 7:00 p.m. the bids would be opened. While the attorney is opening the bids to compare the bids to Resolution No. 012715-1, Chancellor Cepeda and Vice Chancellor Smith would provide background information regarding the land development process.

Vice Chancellor Smith reported that per the requirements of the resolution, he received one proposal. He handed that sealed bid to the attorney.

Mr. Eller reported that he just opened the bid from Republic Urban Properties and would review and compare to the Board resolution. Once that review is completed, he would report on the specifics of the bid.

Chancellor Cepeda thanked the public for their input into the presentation she is providing at this meeting. Community colleges are in an interesting situation. When our economy is poor, that is when our students need us the most. When the economy is good, there is a decrease in enrollment because our students are getting full-time employment. In 2009 the district was placed on fiscal watch by the state of California. In 2010 the Accreditation Commission gave us two negative findings; financial solvency and long-term financial health of the district. Between 2008/9 and 2011/12 due to severe budget cuts, community college enrollment decreased. Our district’s share of the state $290 million reduction was approximately $3.5 million. The Board approved 7% reserve level for 2011-12 to address the ongoing structural imbalance as well as create a small stability cushion over the 5% minimum requirement. Chancellor Cepeda reviewed the EVC facilities situation. We are demolishing the Acacia and Roble Buildings and what space comes on line with the new buildings. We will have replaced the amount of space to move those programs. We also have future development in the South Development campus. The campus footprint is 130 acres, and the 27 acres are outside that footprint. The land purchase began in 1967 and was not done through the use of any bond dollars. Our campuses do not grow exponentially year by year. They reach a point of saturation. The parking situation is very inefficient at EVC, and we have to look at increased access to public transportation.

Vice Chancellor Smith reviewed the gross domestic product. It tells a boom and bust story. He stated that the district is currently in a boom cycle. We have three good years ahead of us nationally. California public education has experienced both boom and bust. As a basic aid district, as this area goes so goes the district.
Mr. Smith reviewed the footprint at EVC with reference to the 2011 facility master plan; it's a five-year cycle. The red area is the earthquake zone, which requires that the Roble and Acacia buildings will need to be demolished. We would like to apply for state funding to replace the space lost by the demolition of Roble and Acacia. One of the observations from discussions with Cambridge West is the issue of parking being so far away from classes. Mr. Smith reviewed the factors concerning the land development property. The 27.1 acres was declared surplus by the Board of Trustees unanimously in 2004. The college is currently oversized in its existing classrooms, and we need to right size them to classrooms that are 800 or 900 sq. ft. We need to determine how to utilize the existing classrooms.

Chancellor Cepeda reviewed the process behind the Board's decision to develop the 27.1 surplus land. Our community is concerned about the guiding principles for the development of this land. She reviewed the schedule of open session meetings where the item was discussed, the sub-committee meetings, and the Closed Session meetings where the Board received information.

Trustee Mann inquired if the chart of the numerous Open meetings, Closed Session meetings and sub-committee meetings was in compliance with the Brown Act. Mr. Eller answered that the district had been in compliance with the Brown Act for all meetings. Trustee Cruz inquired about community input and participation. She is still thinking about what could've been done better to keep the external community informed. It's important to think about what opportunities are available for the community to actually work right along with us on the next steps. What would that look like? Chancellor Cepeda answered that last academic year she presented two sessions with the internal district community that were poorly attended. We have had four campus forums and two community forums since that time.

Mr. Eller stated that he and Andy Plescia reviewed the bid and the single bid did comply with the resolution. He reported on the terms of the bid as follows:

In response to Resolution No. 012715-1, the District has received one (1) bid proposal from Republic Urban Properties (the "Bid"). The Bid was received in a timely manner and complies with the procedural requirements of Resolution No. 012715-1 and the related Bid documents. The contents of the Bid have been posted on-line at the District's website. The essential business terms of the Bid are as follows:

TERM: 55 years plus two twenty (20) year options to extend

USE: 37,000 square feet of retail space; 14, 400 square feet of medical office; an Aquatics/Wellness Center consisting of 39,800 square feet of indoor facilities plus an Olympic pool, a junior Olympic pool and a family pool; 250 units of market rate multi-family rental housing; 155 units of senior housing; and 52 units of affordable-rate multi-family rental housing (the "Project"). The Lessee agrees to establish a system to prioritize rental housing availability to the District's students, faculty and staff.

RENT: $1,500,000 per year (the "Rent"). On the first day of the 11th year of the Term, Rent shall increase by the amount of $160,000 per year and said increase shall continue for the balance of the Term. In addition to the above rent provisions, Rent shall increase each year by the amount of the increase in the Consumer Price Index ("CPI"). During the first ten (10) years of the Term, the minimum annual CPI increase shall be one (1%) percent and the maximum annual increase shall be three (3%) percent. For the remainder of the Term, the minimum annual CPI increase shall be one (1%) percent and the maximum annual increase shall be four (4%) percent. In addition to the above, the Rent shall be increased to the fair market rental value of the Property upon either: the expiration of thirty (30) years; the exercise of any of the extension Options; or, the modification of the Project during the Term which enhances its value.

PREPAID RENT: $1,000,000 shall be paid upon the execution of the ground lease as prepaid Rent.

ADDITIONAL RENT: Upon the sale, assignment or transfer of any project component or of any improvement on the Property, Lessee shall pay to the District twenty-five (25%) percent of the net profit (as defined).

GUARANTY: An entity approved by District, at its sole discretion, will guaranty the completion of the construction of all proposed improvements to the Property and the payment of Rent during the first 84 months of the Term. The guaranty shall have a maximum liability of $4,000,000.

CONDITION OF PROPERTY: The Property shall be leased in its "AS-IS" present condition.
MAINTENANCE: All improvements shall be maintained in good repair and condition by Lessee at its sole cost and expense.

DEVELOPMENT COST: All costs to obtain entitlements and to construct improvements shall be paid by Lessee.

PROJECT LABOR AGREEMENT: Lessee and the Santa Clara and San Benito Counties Building and Construction Trades Council shall negotiate a Project Labor Agreement in good faith prior to the commencement of construction.

Mr. Eller announced that per Code 81370, the district is required to ask for oral bids for the project pursuant to the resolution. The bid must be at a minimum in the amount of $1,575,000 - 5% over the written bid. Hearing no oral bid, Mr. Eller stated that the bidding was closed.

The Board heard public comments from Ms. Tiffani Lopez, Student; Mr. Jerry Jordan, Construction Worker; Ms. Bonnie Mace, Evergreen Elementary School District Board of Trustee; Mr. Rex Randles; Mr. Eric Narveson, EVC Academic Senate President; Mr. Josue Garcia, CEO, Building Trades Council; Ms. Nancy Zeiszler, EVC resident; Mr. Christopher Lindsay, student; Mr. Dylan Nichols, student; Mr. Chuck Johnstone, Friends of EVC; Mr. Mohan Kumar, Friends of EVC; Mr. Steve Benzette, Citizen; Ms. Done Nichols, Friends of EVC; Ms. Gayle Goodson; Ms. Lauren Semper, Friends of EVC; Ms. Brenda Serpa, Friends of EVC; Mr. Wesley Lee, Evergreen resident; Mr. Pacel Leaf; Mr. Glen Wetzel, Ms. Maria Fuentes; Ms. Yolanda Lewis, Resident and Founder of Black Human Rights Coalition.

Their statements include the following:

- Spoke in support of development; commended the Board for due diligence. Construction dollars are a boost to the immediate vicinity. It’s a win/win situation.
- If you only allow 30 minutes for hearing comments about this decision, you are not being transparent with the public and are non-compliant with the Brown Act. There was not a single community meeting until March, and nothing was printed in the Evergreen Valley Times about this land. There was not adequate time for EVC faculty to review this decision. It’s odd that the facility master planning process is not yet completed. The Chancellor will also be retiring and this decision should wait until the new Chancellor is hired.
- I read the Evergreen Valley Times and there was no mention of this land development deal. No Board member was around in 2004 when this decision was made. In 2011 when two buildings were declared to be on an active fault, only two board members were on the Board. It’s your duty and responsibility to reassess why this property is declared surplus; step down and reassess; do not hide behind protocol and procedure. You need to do your jobs.
- A portion of the EVC Academic Senate resolution was read. The resolution for bids on 27th of January was a first reading of the Board, and the bids were being opened today. This timeline provided the public with no opportunity for discussion.
- The building community wants the district to move forward. The community will benefit, local contractors and workers will benefit, local businesses and students will benefit. It’s been 45 years since that land was purchased, and the district has lost money while it remained undeveloped. Parking structures can be built in a land use effective way, which would not require this property.
- A clear distinction that the 27.1 acres development is an SJECCD development plan and not an EVC development plan. This land is not surplus but is vital to the college. The college has no classrooms for giving tests and also has a lack of general classroom space. How will the lost classrooms from Roble and Acacia be replaced. President Obama’s declaration of free community college will require expansion of programs and facilities. Evergreen and East Side students will be unable to access classes if the Board moves forward with this development plan.
- The Board is making the wrong decision; construction on campus is inconvenient, but students live with it when they know they will benefit from it. Students should be the ones that are thought of; this land should only be developed for the benefit of students. The Board is making this decision to prevent something that may not happen in the future. Although there may be benefits to a financial cushion, it’s not too far for the community to access stores; and that’s not what students need.
- Evergreen Community is a beautiful community that is being ruined by the shopping centers. EVC doesn’t look too good. It’s easy to say that people will benefit, but you did not walk through the community to actually see the impact.
- EVC students and faculty attend my church. The emotional and relational impact related to transparency for the community to hear well in advance of the decision is affecting my church.
community. Although there are benefits for economic employment, traffic and access to the college will be negatively impacted. It's a long way in to the college; there needs to be things that invite students and community members into the campus.

- Daughter attends an out of state college; she attended one course at EVC. Why can't you do something to make programs and courses available? Bring the community back to the dialogue. Community college is for the community. Using EVC for any ongoing expertise development is never mentioned in an educational master plan. You need to consider what you can do differently to improve your image.

- Vote no on selling the people's land. We need a new facilities master plan. We don't need to go vertical; we have the space. When did the bidders find out about this since there is only one bidder? When did they hear about it? The community needs to go to the land commission and fill up City Hall.

- What is happening in this community is deplorable. Tax payer money paid for this land. I didn't see any administrator salary cuts or your over $300K salary for the Chancellor. Urged everyone to write a letter to the editor and express their feelings.

- When this doesn't go through, do you have a plan B? If this college is expanded, it will bring construction jobs to the community. Friends of Evergreen spoke to attorney Mr. Eller about the community being notified. He answered, "Why do you care? Why don't you mind your own business?" The district should be ashamed of itself for the condition of the building; put some paint on the buildings at least.

- The shopping center will employ minimum wage earners and will do little to assist the residents of the area. EVC should be as equipped as SJCC. EVC looks as if it was updated in the 80s but SJCC looks current.

- Commended Mr. Josue Garcia and hopes the district provides opportunity for the building trades, but this deal does not allow for that. It's time for this district to live within it's budget and could start by reducing its highly paid Classified employees.

- Circulation of petition - 1300 signatures - opposing the commercial development of the 27.1 acres. Distributed list of district residents who oppose the development. How can we fill up swimming pools during this time of drought?

- It's obvious that the Board and Chancellor are out of step with the community. You have gone out of your way to avoid the community on this area. Dissemination of information of public projects and providing early and outstanding engagement with the community is critical to the success of this decision. -The campus will create a community outreach plan; where is that? A letter should be sent to the campus community members. The Board has violated the public procedures. We are not anti-development but want best usage of this space.

- Administration is wrong in stating that bond funds were not used. The Public Records Act identify the source of funds. The answer "We do not have records of funds used to purchase district parcels," is not sufficient.

- I was on the Board when this was declared surplus land. We didn't expect to not include the needs of EVC as to how this land was used. We didn't decide to ignore the community needs. We also wanted to be assured of the best usage and value of this land. There needs to be more than one high quality appraisal regarding the highest use of this land. As a member of the Evergreen Community and former board member, this is a nightmare. The community will continue to talk to the City Council and County.

- Raised the issue of only one bidder. The disrespect you have of the Evergreen Community is indicative of your willingness to accept this bid. You planned all these years and only have one bidder. You cannot write the Scope of Work and submit a bid; it's a conflict of interest. And that's what happened in this case.

Mr. Eller informed the Board has the opportunity to accept or reject any and all bids. The Board has 10 days to make the decision. In terms of process, a vote can be taken by the Board and this bid accepted with a majority decision. If the Board accepts the bid, the step would be to accept the long term ground lease. The developer would then apply to the City of San Jose. That process initiates the CEQA and other reviews. There is a long process ahead for any action the Board takes this evening.

Trustee Nasol stated that the Board has 10 days to accept or reject the bid. If we use that time to review the bid, the Board would still have the ability to accept or reject.

M/S (Lease/Nasol) to take advantage of that 10 day time frame for the Board to review the bid.
Trustee Cruz expressed appreciation for the community members who attended and spoke at today’s board meeting. She heard clearly the many concerns, but there is the one major concern. It is about community participation. She trusted that the process got resolved, but that it was actually the right process. As Trustees we went through the process that we thought was appropriate. The Board is aware of its own accountability. She understands that we have to do better. It’s important for us in the next few days while we are reviewing the bid. She is looking for common ground, and she is not sure it is something she could achieve. Hopefully, this period of time would help get us there. It is opportunities like this that expand ways for us to communicate. We have to engage so much more with our external communication. Student Trustee Harris stated that public notice wasn’t what it should be. We have been informed by Cambridge West that EVC has adequate land for the next 30 years. All things said and done, we have been on this issue for another 10 days. He recommended voting tonight. Trustee Mann stated that he was stunned that people didn’t know what they should have known. We can definitely do a better job of communication and engagement. On the other hand, he has served the Evergreen Community for over 30 years, and even within the process of boardsmanship and public meetings, it is really hard to inform everybody of everything. We can all do better; we don’t do all things well yet. He stated he was willing to take those 10 days for the Board to ask itself serious questions.

President Ho thanked members of the public for their attendance. We value your time in coming here tonight. The Board wants to take some time to review the bid.

Trustee Lease requested that as we move forward as community we would all refrain from negative and hurtful comments. Everybody here did more with less to ensure our students succeed. It’s about the Board creating a revenue to move forward for our students. He expressed pride in what the colleges are doing. As we move forward, let’s be civil.

Mr. Narveson stated that he had some concerns with the factual information provided by the Chancellor. The Board has never heard the point of view of the college faculty but only the point of view of the Chancellor and administration. He requested the chance to provide a presentation that goes beyond three minutes to provide factual information and a proposed Plan B from EVC faculty.

Mr. Covarrubias stated that the Academic Senate has the EVC resolution on its agenda for next week. There is a lot of good points to be made. He also heard well articulated points from the community.

Mr. David Yancey stated that process is everything - a fair, open and inclusive process is important for our district principles. It’s good that the Board is taking 10 days to review the bid.

Trustee Mann recommended that since the Board meets on Tuesday, a special meeting be held on April 21, at 6:00 p.m.
Trustee Lease amended his motion to include that the Board would meet on Tuesday, April 21, 6:00 p.m., to make a decision to either accept or reject the bid received at today’s meeting.

Trustee Pham requested that the Board also receive a presentation from the EVC faculty.

M/S (Lease/Nasol) to call a special board meeting on Tuesday, April 21, 6:00 p.m. to allow the Board to take advantage of that 10 day time frame for reviewing the bid. At that meeting, the Board would receive a presentation from EVC faculty and also make a decision to accept or reject the bid that was received at this meeting.

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.

5. CCCT Board Election 2015

Trustee Nasol suggested the Board support the five incumbents and also choose Don Edgar and Brent Hastey as the seven candidates.
M/S/C (Lease/Mann) to nominate Ann Ransford, Janet Chaniot, Bernard Jones, Don Edgar, Brent Hastey, Doug Otto and Tony Ontiveros for the CCCT 2015 Board.

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

6. Measure G-2004/Measure G-2010 Bond Programs: Citizens' Bond Oversight Committee Appointment

Chancellor Cepeda announced how pleased we are to have a student commit to serving on the CBOC. This is a very active and interested committee.

M/S/C (Nasol/Cruz) to appoint Mr. Zach Turminini as a student member of the Measure G-2004/Measure G-2010 Bond Programs: Citizens' Bond Oversight Committee.

7. San Jose City College Career Technical Education Project #31107-02 – Buildings 100 and 200, Kitchell CEM Change Order No. 008

This item was removed from the Measure G Bond Programs Consent Agenda to the Action Agenda for discussion and separate vote.

Trustee Pham stated his support for the item. As a district, we are advancing opportunity, equity and social justice. We have 55 million adults and children with disabilities. He called on the administration to pay attention to what we need to do in order to be ADA compliant.

Trustee Nasol inquired about the completion date. Mr. Scott Jewel, Gilbane Project Manager, stated that some contract work would take place next summer. However, we have not formalized with Kitchell regarding a revised completion date.

M/S/C (Pham/Lease) to approve Change Order No. 008 in the amount of $7,819.00 to Kitchell CEM Inc. for the Career Technical Education Project #31107-02, Buildings 100 and 200 at San Jose City College.

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.

J. INFORMATION AGENDA


Chancellor Cepeda stated there were no items that are in warning and this report is being submitted for information only.

3. Board Meeting Evaluation

Trustee Lease thanked Trustee Nasol for leading the meeting until President Ho could attend. He thanked President Ho for leading the public speakers. Trustee Cruz stated that the Board performed well during an emotionally charged meeting. We had a good meeting that set an example of the spirit of civility. The Board also cared for one another. President Ho echoed Trustee Cruz's sentiments. She commended the Board for living up to the district's civility statement. Trustee Nasol stated that the Board does care for the community and our students. The challenge of being a board member is to always listen.
K. CONTINUATION OF CLOSED SESSION (If needed)

L. RECONVENE TO OPEN SESSION

1. Announcement of Action Taken in Closed Session

M. ADJOURNMENT

Meeting adjourned at 10:56 p.m.

Rita M. Cepeda
Board Secretary
4/14/2015

Public comment

It is odd that there is a large commercial shopping center operating on the land of Evergreen Valley College. Large public school assets, such as land, are usually purchased with State or local education bonds. Voters usually approve such bonds for a specific set of educational use conditions. The public would likely never vote to give money to a school district to buy land for a commercial shopping center for earning commercial lease income.

An inquiry was performed regarding the funding source of the land. A request under the Public Records Act found that the district has lost all financial records with regards to land purchase funding.

There is concern that the district may be converting bond funds to operating income by using an asset (the land) contrary to purposes of the bond as approved by the voters. The loss of asset records by a qualified bond recipient in itself is questionable.

Since there was a State education bond passed prior to the Evergreen Valley College land purchase, it is likely State bond funds may have been used.

Specific questions were posed via email to each of the board members as to whether it is proper that a commercial shopping center is now located on Evergreen Valley College land. There has been no response.

State education bonds Jr. Colleges prior or close to Evergreen Valley College land purchase:

http://ballotpedia.org/California_Proposition_2,_Bonds_for_School_Districts_(June_1960)
http://ballotpedia.org/California_Proposition_2,_Bonds_for_Junior_Colleges_(June_1968)
January 20, 2015

Dear Mr. Wetzel,

Thank you for your communication and Public Records Request dated December 22, 2014. I would like to begin by clarifying that the shopping center located at the corner of San Felipe Road and Yerba Buena Road was not constructed by the San Jose Evergreen Community College District ("District") and no public funds were used for the construction of the shopping center. The parcel in question is owned by the District and was acquired sometime in the late 1960's as part of the acquisition of land for the construction of Evergreen Valley College. The total site consists of approximately 175 acres. In the 1990’s, pursuant to the authorization and procedures set forth in the California Education Code, the District declared some of its land as “surplus” which means that it was not needed for the construction of classroom space. Subsequently, the six (6) acres currently used for the shopping center were leased to a developer using a long term ground lease. Per the terms of the ground lease, the developer then obtained approvals from the City of San Jose to build a shopping center. The shopping center was built by the developer using its own funds and did not use any public money to construct the shopping center. Thereafter, the developer operated the shopping center using its own funds and pays rent to the District.

Regarding your concerns about the payment of property taxes, you are correct in that the District does not pay property taxes. However, the developer pays a possessory interest tax to the County. This tax is assessed in the same way as a property tax.

With regard to your specific request for records, I have the following responses to each of your requests:

   a. We do not have records which identify the source of funds used to purchase the District parcels.

2. Records that specifically identifies the source funds used to construct the commercial shopping center at 4868 San Felipe Rd, San Jose, California.
   a. We do not have any records that specifically identify the source of funds used by the developer to construct the shopping center.

3. Records that specifically identifies the source funds used to operate and maintain commercial shopping center at 4868 San Felipe Rd, San Jose, California.
   a. We do not have any records that specifically identify the source of funds used by the developer to operate and maintain the shopping center.

Board of Trustees

Mayra Cruz • Wendy Ho • Scott Hung Pham • Jeffrey Lease • Craig Mann • Rudy Nasol • Huong Nguyen
4. A copy of the bond agreement or any other written conditions that were placed on the District for the funds used to purchase the property located at 4868 San Felipe Rd, San Jose, California.
   a. We do not have any such documents.

5. A copy of the bond agreement or any other written conditions that were placed on the District for the funds used to construct the commercial shopping center located at 4868 San Felipe Rd, San Jose, California.
   a. We do not have any such documents.

6. Any public record that shows that SJECCD is permitted to purchase develop, own or maintain commercial property using public education funds.
   a. We do not have any such documents.

I hope this answers your questions regarding the status of the shopping center.

Sincerely,

Doug Smith
Vice Chancellor, Administrative Services
San Jose/Evergreen Community College District
A. CALL MEETING TO ORDER

1. 6:03 p.m. - The Meeting was Called to Order at the District Board Room, 40 South Market Street, San Jose, CA 95113

   Board members Present:
   Ms. Wendy Ho
   Dr. Jeffrey Lease
   Mr. Craig Mann
   Mr. Rudy Nasol
   Ms. Huong Nguyen
   Mr. Scott Pham
   Mr. Larry Harris
   Mr. Kenny Tram

2. Information was provided on Public Comments and Disability Access

3. Pledge of Allegiance

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

4. Adoption of the Agenda

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

   Board vote was as follows:
   Trustees Cruz, Ho, lease, Mann, Nasol, Nguyen, and Pham voted yes.

   Advisory vote was as follows:
   Student Trustee Harris voted yes.
   Student Trustee Tram was not present for the vote.

5. Public Comments on Matters not on the Agenda

   Ms. Yolanda Lewis, Founder and CEO of Black Human Rights Coalition outlined some items where she felt the Board violated the Brown Act, such as the public cannot be prohibited from speaking against Board members, and there is no requirement for participating in this meeting. This is a form of intimidation. She stated that the time and location of meetings must be convenient for the public. She also accused the Board of engaging in price fixing with the only bid the Board received.

   Ms. Brenda Serpa stated that the district now receives funding without enrollment targets, but EVC is not receiving the support it needs. Seventy six percent of EVC students are on financial support. The EVC campus is neglected compared to the SJCC campus. Chancellor Cepeda and Vice Chancellor Smith are intimidating. The defrauding of EVC is happening because of the collusion with Chancellor Cepeda, Vice Chancellor Smith/and attorney Jim Eller. Your behavior has been mercenary. The community supports EVC faculty and students.

   Ms. Lauren Serpa accused Mr. Jim Eller of calling her mother a liar and that she didn’t understand EVC college. There is a disconnect between the administration and the campus community. It happens when you
As public officials don't represent us. We live in this area and have the right to care. We won't be silent about things that matter. We need to stop the disconnect and lack of transparency. Ms. Serpa expressed her definition of opportunity, equity and social justice. We are upset that we have to remind you of that.

Mr. Wesley Lee, Evergreen resident, thanked the Board for deferring the decision until tonight. Selecting one option may appear to be good, but things may not be good after all. $1.5 million in proposed revenue may seem like a good idea, but the fundamental purpose of this land was initially for education. He read the vision statement of the district. San Jose is a high tech hub of the world, and many of those high tech products are designed right here. We need more programs and, thus, the land to meet the high tech needs of the region.

Ms. Gayle Goodson commented that at the last board meeting, the administration stated that this land was not purchased with bond funds. It appears that voter bond money is being used for profit in the building of shopping centers.

Ms. Donna Nichols stated that this board has failed to engage with faculty and students at EVC. Chancellor Cepeda put together public forums at times that were inconvenient for faculty and students. We support the unions that are here tonight and hope they are involved with building new structures at EVC. There were no public notices of the meeting and the community was not adequately informed. The Board stated in 2013 that degrees, and certificates would be increased by 20%. Long after the Board is recalled, the community will have to live with the decisions made by the Board tonight.

Mr. Glen Wetzel stated that at the previous board meeting on April 14, 2015, district administration asserted that the land of Evergreen Valley College has not been purchased with voter approved bond funds. However, their own written response under a Public Records Act request does not support such assertion. It appears that the district likely has used voter approved education bond funds to purchase Evergreen Valley College land and that leasing the land for a commercial shopping center may then be a violation of law.

B. INFORMATION AGENDA

1. EVC Faculty presentation regarding Faculty ideas pertaining to the EVC Facilities Master Plan

EVC Academic Senate Eric Narveson thanked the Board for allowing the EVC faculty to speak about their ideas for the 27.1 acres under consideration for land development by the Board. SJCC Academic Senate President Jesus Covarrubias reported that the SJCC Academic Senate asked the Board to delay this decision until EVC has updated its Facilities Master Plan.

Mr. Narveson stated his presentation was not a final report of the EVC facilities master plan. This presentation is to let the Board know what plans EVC faculty want to see done with the property. He reported that he was just re-elected as the EVC Academic Senate President. He provided his career background as an Instructor of history. The faculty of the PEEK department are mostly present in the room, as well as the automotive department. He had listened to Chancellor Cepeda and Vice Chancellor's presentation five times and has seen the same slides many times. He showed a slide on the real gross domestic product growth and stated that if you look at the up and down bars, some of these bars aren't even down; they are on the plus side. Therefore, it doesn't have to mean that in 2018 there will be a downturn in the economy. We don't have to react to fear. In 2008 we were on state apportionment; and our reserves are now different. The Board ensured our reserves are at least 7%. We have a more efficient employee group than in 2009. The Fall 2011 Facilities Master Plan shows that the future Engineering and Applied Science Building sits atop a portion of Roble. Acacia will be replaced with short-term parking. Acacia is currently on a hill, and you can't put a soccer field at that location. EVC is 130 acres but minus the earthquake impacted land is closer to 100 acres. EVC's efficiency is 57.5% overall. San Jose City College's efficiency is 52.1%. EVC is based upon an old model. Acacia and Roble were built upon a disused model of matching clusters within the larger college. Therefore, the buildings were designed to provide classrooms for an entire college experience. Obviously, any replacement will be more efficient; but the replacements cannot be built in the same location due to the fault line. This is what we have to live with. The guiding principles for the land development was to enhance the identity and image of the EVC campus environment. Placing 459 housing units right next to the college would create 900 plus cars that need parking and EVC's parking lots will be filled with non-student cars at a cost of
only $2.00/day that would benefit with our own police protection. This is what happened to San Jose State University in the 1970’s. If EVC is granted the BA program in Automotive Technology, the campus will need another building equal in size to the present one under construction. Each classroom that they use will have to be different, i.e. hybrid engine stands, field cell engine stands, compressed natural gas engine stands, all electric engine stands, diesel engine stands and transmission engine stands. When combined with needed area for storage, that is nearly 10K square feet.

Professor Randy Pratt introduced Nancy Ziegler, Lisa Perez, and thanked the Board for the opportunity to speak at this meeting. We are very happy that you invited faculty input but are not happy with the process. There is a process. Faculty wrote last March 2014 the educational master plan should have considered what was in this presentation. Before the builders and architects begin their work, it is the facilities master plan and before that is the educational master plan. The consultant confirmed yesterday that he is just starting to review the educational master plan. There is no one in the district who knows our students like the faculty. Part of our concern is that the process just didn’t seem to happen. Faculty need to flesh out what should happen with that land. The qualitative piece is missing from the decisions that impact the college. Well appointed athletic facilities can have a great positive impact for the community. He showed a video of a successful South Bay college that had a fitness and aquatic center, and it’s unfortunate that EVC may lose this opportunity. We visited another center run by the same group, which had 238K visits by the community. Classes were offered for students and for the community, a win/win situation. In its fourth year, this generated a $1 million profit. Why can’t we have something like that? We have the community and the space available. He stated the district could offer the students and community more athletic programs. EVC’s current reduction in athletic field space greatly diminishes the college’s appeal to community sports groups. The district should evaluate how quality athletic programs impact our students and community.

In closing, Mr. Narveson stated that the nursing program indicated that program may grow; and we may need a separate Sequoia section. He stated that regarding transparency, he has attended almost every meeting and reviewed every agenda, yet he has not seen a comprehensive presentation made on this subject. It has always been a part of the Consent Agenda and Closed Session Agenda. If the Board votes to accept this bid, they would have half the district angry at them. He requested the Board vote no on this bid.

President Ho thanked Professors Narveson and Pratt for the presentation.

The Board heard a public comment from Ms. Brenda Serpa who discussed the facilities master plan and that the athletic programs were not considered in that plan. What other programs weren’t included into the plan? The students get no variety of courses or degrees. Access to equal education is a basic civil and also human rights. We are speaking on the students’ behalf because you are not listening to EVC students. Stop depriving EVC and East Side students equal access to quality education.

Student Trustee Harris thanked Professors Narveson and Pratt for discussing the importance of athletic programs. He was impressed with the alternatives he has seen. Trustee Cruz referred to the slide about space efficiency. Mr. Narveson stated he received that analysis from a confidential source. Trustee Cruz inquired about program review. Mr. Narveson answered that global, comprehensive review is done every six years. He has not seen one for 2011. Trustee Cruz stated that EVC enrollment has continued to decrease; it is not increasing. She asked for some sense or reasons about what is being done internally to increase FTES. Mr. Narveson stated that we are seeing a decline in the number of courses that students are taking, but we still have around the same headcount.

President Ho asked about the BA program in auto technology program we applied for and if the college took into consideration current space or projected space. Professor Michael Hernandez answered that the first two years is taking what we currently offer, most of the second two years will be using the business end of the division. It will be more of a business degree with an emphasis on automotive. We also took into consideration our new automotive building. Honda stated if we provide the space, they would pay for the land usage to allow outside industry to co-teach with us or they would teach their own subject matter and pay us. Seventy five percent of our automotive students surveyed indicated they would stay an additional two years to receive the baccalaureate degree. He stated that if the automotive and nursing programs are expected to grow, EVC will need the space to achieve that. He commended the Chancellor for guiding the district through tough financial times, and this other decision is separate from that great work which was done.

Mr. Narveson stated that this BA program will include other general education requirements. One BA program has the need for more classrooms and more space.

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Trustee Lease expressed concern about the district being put into a situation where it needs to lay off employees. Laying off even one employee is too much. He reported that when the Board first considered a location for the District Office, EVC stated they did not have the land to accommodate them on the campus. He stated the fitness facility at EVC is an excellent facility, but we have not seen a proposal for an aquatic center. He appreciated Mr. Narveson's comments, but he expressed puzzlement about not having this type of conversation because there was a discussion about endowments. Trustee Mann stated that all the constituency groups were at all the meetings where there was in depth discussion about the 27 acres. In 2004 the land was declared as surplus. There was a lot of conversation that had to happen to get at that point, which is 11 years. All the presentations in Open Session meetings were extremely long. Mr. Narveson answered that he had discussed in Open Session the issue with the Roble and Acacia buildings and how EVC would need to replace that land. Trustee Mann stated that things have been said that were less than true, a lot of hyperbole, but this is not new news. He didn't want that to be left unsaid; this is not new news. Mr. Narveson stated that he was the first person to tell the faculty for the first time in October. They were not told by the district. Chancellor Cepeda responded that there were two campus presentations in the last academic year and statements also made at PDD. This latest go around with college forums were held in the morning, afternoon and evening to accommodate faculty schedules. There is a program review, facilities master plan and facilities committees where priorities were set. What the faculty have described is an excellent process for facilities master plan. But what you have is a beautiful setting with land that is inappropriately used. This most recent facilities master planning is addressing the best usage of the space. The faculty has 130 acres minus the loss of Roble and Acacia.

Professor Covarrubias stated that we could look at the long list of Open Meetings but our community is here now, and we need to treat them with care and be thoughtful about how these decisions are made so that we have buy in. He stated he is not convinced that program reviews have been fully integrated with the educational master planning process. This has been fully integrated into the EMP and FMP. Student Trustee Harris stated that this Board is committed to students and putting them first. Trustee Nasol inquired about the utilization of classroom facilities as some of this information is available through the State Chancellor's Office. Chancellor Cepeda answered that the State Chancellor's Office does look at the efficient use of campus space. When they have looked at under-utilization of space, we have been criticized for that issue. Vice Chancellor Smith stated that our reporting to the state involves best utilization of our space. Trustee Nasol inquired if we showed excess under-utilized space, would that impact the dollars we receive from the state. Trustee Cruz stated that regarding our application for the BA program, we were denied because we were on accreditation probation. The decision on the BA may be made before we hear from the Commission so we may still have that problem.

Professor Zeissler read a petition that was signed by EVC faculty, staff and students. We collected 562 signatures. Our voices need to be heard and the voices of students need to be heard, and it's about time the Board listens to the students and the community.

**C. ACTION AGENDA**

1. Accept or reject bid received on April 14, 2015 responding to Resolution 012715-1 concerning the selection of a developer with whom to negotiate a ground lease for the 27.1 acres of surplus land.

Chancellor Cepeda read the recommendation being made to the Board at this meeting. The Board has only two options; to accept the bid or reject the bid. There is no other legal option for the Board. If the Board accepts the bid, the conversation continues at the city level between the bidder and the community itself. If the Board rejects the bid; the conversation is over. The Board at that point may go back to where it was two years ago. The Board can go back to the non-binding letter of agreement. This Board has invested a lot of resources and put a lot of review into this process.

Vice Chancellor Smith reviewed the process that led to this evening. He showed all the Open Session meetings where this item was presented. For each of those items on the list, as of tomorrow evening, April 22, the district website will provide a link that will open up the agenda item and have a copy of the presentation that was made for that board meeting. It will all be there, including a brief extract of what was
reviewed at the meeting.

Mr. Jim Eller, attorney, stated that the process has been very extensive. In December 2011 consultants were hired. The Board Sub-Committee on Land Development met and provided information to the whole Board. In April 2013 the Board approved the RFP.

The Board heard public comments from Ms. Teresa Lo; Mr. Rex Randles; Ms. Bonnie Mace, Evergreen Elementary School District Trustee; Ms. Ruby Morales, student; Ms. Gayle Goodson; Ms. Nancy Zeiszler, EVC faculty; Ms. Phyllis Karsten, Friends of EVC; Ms. Dona Nichols, faculty SJSU; Mr. Eric Narveson, EVC Academic Senate President; Mr. Chris Ciechanowski; Ms. Joan Chavtur, Friends of EVC; Mr. Bob Behrooz, Friends of EVC; Ms. Yolanda Lewis, CEO, Black Human Rights Coalition; Mr. Wesley Green, Evergreen resident; Ms. Lauren Serpa; Ms. Brenda Serpa; Mr. Steve Bennette; Mr. Glen Wetzel; Mr. Daniel Reyes, resident and Friends of EVC; Mr. Paul Leaf, Friends of EVC; Ms. Celeste DiGenova, resident and SJC student; Mr. Paul Fong, EVC faculty; Mr. Jethroe Moore II, Pastor and President NAACP; Mr. Jose Sanchez, President, Sanpri Electric Inc.; Ms. Maria Fuentes, resident and former board member; Mr. Jian Wang; Mr. Josue Garcia, CEO, Building Trades Council; Mr. Patricia Rich, EVC student; Mr. Jeff Salvotti; Mr. Mark Plubell, Heat & Frost Insulators 16; Mr. Willie Solis, SMW Local 104 representative; Mr. Bill Guthrie, Resident and Manager of UA 393 Plumbers; Mr. Andrew Phelps, SJCC student; Mr. Cody MowBray, Director, Legislative Affairs, SJCC ASG

The statements that were made include the following:

- The way this proposal is being managed, you have not treated us with respect. The Board, the Chancellor and Vice Chancellor Smith have not treated the community with respect. Attorney Eller has not provided factual information and has only provided the information the administration wanted to release. The community of Evergreen is calling on you to stop your arrogant attitude. There was a collusion of all these entities regarding this decision.
- Trustees have been given many concerns by the community that have not been adequately addressed. No administrative staff has yet proved that the land has not been purchased with voter approved bond funds; and land that's purchased that way cannot be used for private entities.
- Tired of people outside the East Side proposing how land at EVC should be utilized. He proposed a five-member Evergreen Valley College Board of Trustees. By removing the Chancellor position and other administrators the district can save over $1 million. We need to keep the Police Academy. We do not want partners on our land; this is not a business entity. It is not a place to show off to other show off in this area.
- Your lack of willingness to be open and transparent is why the community is here tonight. The public believes that Republic Urban Properties is the only bidder because they wrote the RFP. The facilities requirements for EVC have not been wired in to faculty needs. The Evergreen Marketplace already provides funding for the district. The district has enough reserves. The Board should do its job and reject the one and only bid. By voting yes, you seal this district to the status quo. Do your job. What you do today will follow you wherever you go, and we will recall you if we have to.
- It is appropriate that the Board admitted at the last meeting that there was a lack of community notification. One the one hand, we are told that this is just the beginning of the process, yet tonight we saw all those dates that showed this process started a long time ago. This campus should have proper facilities for the gym and aquatics programs. There has not been community engagement, and this is a farce. You need to stop this and start at the beginning, you can get the outcome you desire.
- By building on the last 27 acres of EVC land, you seal the fate of the college for the status quo. You are assuming there won't be any future growth. We pay our fair share of property tax that funds this district. The community and district will profit more from expanding courses. The whole community is against this commercial land development. The Board should vote no on this bid.
- The community presentations seems to project a dire financial future. The number of years with a negative gross national product was only one year. All the other years are positive by 2% and 3%. Why do we need this property to generate revenue? Most of the houses at Evergreen are paying a lot of property taxes, and there is a very rich real estate market. The Board should reconsider and vote no on this proposal.
- Reject the bid. This project represents numerous violations regarding contracts. You show a clear pattern of unfair, unearned privilege which leads to inequalities to our community. You killed that pursuit of equality with this single proposal. The Department of Justice antitrust primer outlines how the district should conduct its bid process.
- As a homeowner in Evergreen, I request that the Board vote no and reject the one and only bid received. Your community is saying no to the land development of this area. You had the chance to
have the community buy into this decision, but you rejected it. Who does the Board answer to?

- Oppose this development due to the three main access roads which are already highly impacted by traffic. A huge apartment complex and shopping center will just make this situation worse. This land needs to remain college property. Isn’t that what the Board is supposed to do?

- Thanked Trustee Cruz for acknowledging the community concerns at the last meeting. A lot of discussions at the last meeting concerned social justice. It’s unclear why the Board is not considering that with this decision. The facilities master plan completely ignores the athletic programs, and this has a negative impact with students. We don’t trust the master plan and what it proposes for the college.

- Going back in history, SJECDD was a leader in the community college world. They passed a large bond which showed the strong support of the district community. The community has a lot to say about this district. They supported our first and second bond measures. SJECDD led the way for all other community colleges to think about bond measures. The first majority Asian American board is right here, and this community appreciates diversity. This community is passionate about what we do, and you have to consider what the community wants you to do.

- The Board needs to listen to its community. The Board declared this land surplus because it rejected every proposal made by EVC faculty for the use of this land. If it’s really about the money, $1.5 million only represents about 1% additional money for the district. How about selling the 5.6 acres of the former DO and get revenue for EVC. This bid smacks of collusion, and the negative perception of the community is what you will live with. Urged the Board to vote this down.

- Saw EVC open up and provide an opportunity for high school students to take the first two years of college courses or take trade courses. The Board put three years of very hard work but if it had gone to the constituents in the very beginning, this proposal would have been greatly modified. There has not been one article in Evergreen Valley Times about Evergreen Valley College.

- It's hard to grow when you put no money into marketing. I have seen buses with Foothill-De Anza ads. This Board has been talked to by the accreditation visiting teams regarding Board micro management. The Board is jeopardizing any future bond they are going out for. When is this Board going to be more concerned with education instead of development?

- Many of Board members expressed surprise at the last meeting that the community was not notified about this land development. We have not met up with one single resident that knew about this land development. Although it may not be illegal; it was not ethical. As a board member, you cannot find this to be acceptable behavior. Expressed concern about contrary answers from Chancellor Cepeda to the question of whether or not there would be restrictions on how the property would be developed.

- Student wants to leave EVC after a course or two because of the quality of courses at EVC. Money making should never stop educational opportunities.

- Thanked Trustee Ho for allowing the public to speak at this meeting. This is a hard decision, and the community understands that. This is something that takes us to 50 years with two year extensions; therefore, it’s important that the process be thoughtful. This has not been transparent and open for your stakeholders. There is no reason why this decision should not be delayed. Fundamentally, this is about what is the best use for that property. The process needs to be more inclusive and thoughtful. The review should be made from the college, the educational master plan and the facilities master plan then you have a developer and the bid. The process looks backwards.

- EVC is the only college that serves the East Side area. You are land locking this property for no growth of the college. Cambridge West consultants and the EVC faculty believe that the college would grow. The Board should step back and reject the bid, but the developer will not get the permits to develop this land.

- Land is something you cannot really put a value on because now residents have property that is worth over $1 million. The Administration Office is not really concerned with faculty and students since they have moved away from the colleges.

- Land should be supporting the students. There is no advertising to get potential students to attend Evergreen Valley College. You need to develop the resources at the college.

- The Civil Rights community will move against this decision. There is something wrong with having only one bidder. As much as I funnel young people into these colleges, I can also funnel them away from your colleges. We must stand against this decision, and we will move against this Board. You need to include this community in this decision. If you don’t come around, we will vote you out.

- I know that each of you truly care about education, students and the community. The decision to choose Republic in Closed Session did not include the community. You have been informed many times by the CSEA employees and the community members. You need to take the community input and go back to the beginning. You will do damage to the Evergreen Valley College community if you do not reject this bid. The twenty seven acres will not be controlled by the district, but by Republic.

- We need to find a new way of communicating within the district. The voice of the community is finally
being involved in the process. Isn’t it about time we go to education as our business. Please reject this bid.

- The building and trades union is in support of the development of this property. Very often the city may reduce the plan of the developer. The district is large, and we would like you to move forward with this project.
- The Journalism Club at EVC stated that the student body has not been heard. It was the beginning of the year when the information started coming out. The land should be used for sport programs and courses. It would be a bad idea because it would increase of traffic and crime on the campus.
- Plumbers and pipers union 40% unemployment rates have greatly affected local community members. This development means jobs for members of the community. The Board should move forward with this bid.
- The Board would probably want to be remembered as one that put the needs of students and the community before revenue. Have the foresight to look ahead to put education before commercial interests.
- There are a lot of community members who need jobs around their homes. Why not build on the 27 acres? This building would provide a lot of construction jobs and would help small local businesses in the community.
- The Board should go forward with the project. The community will have more say on this project as they will be able to speak with the City Council.
- Student government at SJCC is in support of EVC students that education should be the focus and this land should be used for educational purposes.

Trustee Lease expressed appreciation for the students and community members who spoke at the meeting. This land development is about creating ongoing and sustainable resources for all students in the district, not just one college. The community college has a very unstable funding model. The final project is not yet determined; and, as the framework moves forward, it will probably be changed. The goal is to find out what is possible to provide ongoing funding for students. It’s not an “us” and “them” scenario; he really heard from the community. We had to cut advertising; and we had struggles that we probably failed to properly communicate with the community. What does the community want us to communicate about? Maybe we need to advertise when we had a presentation about our programs. This decision is not about developing land; it’s about having a revenue resource that will benefit students well into the future. He hears the community, and we do need to communicate better with the community. Trustee Cruz stated that the decisions we made may not be seen as appropriate, but the decision to move downtown was because this is an area that is part of our jurisdiction. The opportunity for investment was here. The opportunity for connecting with our district community and non-profits, etc., was here. The Board understands the concerns that have been brought to its attention. Even though there seems to be a distrust for what got us here tonight, it was a very thoughtful decision by the Board. Data-driven decisions are what moves the Board. We lost our public information officer, and this impacted our ability to provide information to the community. The balance between the opinions expressed by the community tonight and the Board and community still leaves the Board with a desire to create opportunities for support of our students. The Board studied the opportunity associated with the development of this property. As a Board member, she will think holistically about what can be done further in our communities. She believes the Board did the due diligence even though mistakes have been made. She has personally seen the financial troubles of community colleges in the past 25 years. She requested that community members trust the Board because they are considering the dream they all wish to achieve. Trustee Nasol stated the Board is very conscious about how they have impacted the district through its decisions. The Board had directed the Chancellor to pursue several areas to ensure solvency of the district so that they would not be in a position of having to lay off employees and reduce programs. Some of these areas included the pursuit of grants, building up the Foundation and developing the surplus land. This was the driving force behind the decision of the Board to direct the Chancellor to pursue the land development. We have had a lot of public meetings where this plan was discussed. As this district may not always be a basic aid district, the Board needs to ensure that we don’t have to reduce programs and services for students. The Board made a lot of effort in ensuring it makes data-driven decisions; and we’ve had a lot of consultants provide detailed information. Trustee Mann stated he sensed a lot of anxiety and a lot of hope at this meeting. He heard a lot of misinformation and hyperbole; bond money can only be spent on brick and mortar. We are not asking the community for parcel taxes. Bond money is limited so the Board is looking for ways to generate funds we can use in support of students. We did make some mistakes in the process; but even if we did everything right, would the Board make a decision other than the one it will make tonight? President Ho thanked the members of the community who came to the meeting and also for attending the community forums. We as Trustees take our fiduciary responsibilities very seriously and are looking for ways
to ensure solvency without having to cut programs and services for students. We have increased scholarships through the Foundation and pursued grants to ensure the success of students. The Board has studied this decision for a long time. The Board went above and beyond to determine land valuation and other issues related to the development of the land. We need to think about the quality of life for our students when we have to cut support services for our students. We can be one bad property tax away from going back to state funding. Student Trustee Harris stated that until the plan for what the college should look like is determined, he is not ready to support this vote. Trustee Lease stated it is in the best interests of students to provide revenue streams to support student programs. However, there should be a better communication provided to the community during this development process.

M/S/C (Lease/Cruz) that since the District has evaluated the use of the Surplus Land very carefully; the bid received from Republic Urban Properties pursuant to Resolution No. 12715-1 meets or exceeds the minimum requirements set forth in said resolution; in consideration of the studies, reports, analysis and input presented to the Board since 2012 regarding the use and value of the surplus land, the Board will accept the bid of Republic Urban Properties, which has been received pursuant to Resolution No. 12715-1.

Board vote was as follows:
Trustees Cruz, Ho, Huong, Lease, Mann, and Nasol voted yes.
Trustee Pham voted no.

Advisory vote was as follows:
Student Trustees Harris and Tram voted no.

D. ADJOURNMENT

M/S/C (Cruz/Nasol) to adjourn meeting at 9:59 p.m.

Rita M. Cepeda
Board Secretary
Governing Board Meeting Minutes (Tuesday, April 28, 2015)
Generated by Joy A Pace on Thursday, May 7, 2015

A. CALL MEETING TO ORDER

1. 6:08 p.m. - The Meeting was Called to Order at the San Jose City College, Technology Center, Room T-415, 600 S. Bascom Avenue, San Jose, CA 95128

   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

2. Information was provided on Public Comments and Disability Access

B. CLOSED SESSION

1. There was no Closed Session meeting.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

D. CLOSED SESSION ITEMS FOR DISCUSSION

1. There was no Closed Session meeting.

E. OPEN SESSION MEETING

1. 6:08 P.M. - Pledge of Allegiance

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

2. Adoption of the Agenda

   M/S/C (Lease/Nasol) to adopt the agenda as amended: Information Agenda Item I-4 Overview of 2015 General Obligation Refunding Bonds was moved to precede Information Item I-3 Board Meeting Evaluation.
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. 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.

5. Approval of the April 14, 2015, and April 21, 2015, Governing Board Meeting Minutes

Mr. Glen Wetzel stated that the comments attributed to him at the April 21 meeting were not made by him. He requested that the wording of his comments on the April 21, 2015, Governing Board Meeting minutes be revised as follows: At the previous board meeting (4/14/15), district administration asserted that the land of Evergreen Valley College has not been purchased with voter approved bond funds. However, their own written response under a Public Records Act request does not support such assertion. It appears that the district likely has used voter approved education bond funds to purchase Evergreen Valley College land and that leasing the land for a commercial shopping center may then be a violation of law.

Mr. Wetzel also requested that a clarification statement he made during the April 14, 2014, Governing Board Meeting on Information Item I-4 Consideration of bids received for the Surplus 27.1 Acres and request for oral bids pursuant to Resolution No. 012715-1 be submitted as an attachment to the minutes of this meeting.

M/S/C (Mann/Cruz) to approve the minutes for the April 21, 2015, Governing Board Meeting as amended by Mr. Wetzel and also that his written addendum be attached to the April 28, 2015, Governing Board Meeting Minutes.

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 item from the agenda, President Ho stated that he Consent Agenda was approved by general consent of the Board.

2. Classified Personnel Actions
The Board approved the Classified Personnel Actions as submitted.

3. Faculty Personnel Actions - Regular
The Board approved the Faculty personnel actions as submitted.
4. **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.

5. **Curriculum Recommendations for San Jose City College**

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

6. **Acceptance of Grant Funds - Song Brown Health Care Workforce Training Act Special Programs - Evergreen Valley College**

The Board accepted the California Office of Statewide Health Planning & Development Song Brown Health Care Workforce Training Act Special Programs in the amount of $125,000 for Evergreen Valley College.

7. **Acceptance of Grant Funds - Song Brown Health Care Workforce Training Act Capitation Funding**

The Board accepted the California Office of Statewide Health Planning & Development Song Brown Health Care Workforce Training Act Capitation Funding in the amount of $40,000.

8. **Acceptance of Grant Funds - 2015 Dorothy D. Rupe Nursing Assistant Grant - Evergreen Valley College**

The Board accepted the 2015 Dorothy D. Rupe Nursing Assistant Grant funds in the amount of $55,000 for Evergreen Valley College from the Arthur N. Rupe Foundation.

9. **Memorandum of Understanding between Evergreen Valley College and J.E.W.L. Inc.**

The Board approved the Memorandum of Understanding between Evergreen Valley College and J.E.W.L., Inc.

10. **Revision of the Board Ends Policies and Governance Principles document**

The Board approved the Board Ends Policies and Governance Principles document to reflect the changes made to Governing Board Principle: Board Committee Structure.

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

1. **Adoption of the Measure G Bond Programs Consent Agenda**

Hearing no comments to pull any items from the agenda, President Ho stated that the Measure G Bond Programs Consent Agenda was approved by general consent of the Board.

2. **Measure G 2010 Bond Program: Phase 2 - New District Office Network Installation and Migration from Old District Office**

The Board approved the Independent Contractor Agreement (ICA) for Phase 2 of the District Office network installation and migration from the old District Office per the ICA and Statement of Work with Dasher
H. ACTION AGENDA

1. Resolution No. 042815-1 in Support of the "Black Lives Matter" Movement And Fairness in the Criminal Justice System

Chancellor Cepeda reported that the AFT desired to amend the resolution that had been submitted with the agenda. AFT 6157 Executive Director Barbara Hanfling distributed a revised copy of the resolution and read out the following change to the resolution. The change added a phrase to the "Be It Finally Resolved that" section and the words added were "Including the San Jose-Evergreen Community College District Police."

SJCC Student Trustee Harris showed a video of a situation in a grocery store that could have led to a tragic encounter between a black man and police officer. He requested the Board wait until more facts are revealed before approving this resolution. Trustee Cruz commented on the emotional situation regarding this resolution. Although we don't support the way people are communicating how upset they are; they are at least being heard through their protests. We need to do a better job of how all district members, including faculty, staff, and students, relate to others and engage in discussions. We need to be sensitive and aware of how we relate to one another. MSCC President Lauren McKee shared a personal experience where she was treated unfairly by a policeman for no other reason than being a black women. She was very offended that someone would oppose this resolution. She thanked the Board for taking a stand. SJCC Academic Senate President Covarrubias thanked the Board for supporting this resolution and expressed how important it is to take a leadership role in how our police relate to students. He expressed appreciation that the district has considered this resolution.

Chancellor Cepeda stated that in a learning environment we appreciate critical thinking. We have data that shows when it comes to searching, incarceration and prison, we in the United States have the largest number of people of color in prison. We must bring attention to this issue.

President Ho stated that we have a lot of knowledge and must listen to the experiences of everyone. She thanked the AFT for submitting this important resolution to the Board. Trustee Mann thanked the proponents of this resolution. He thanked Ms. McKee for telling it like it is. Unless you are black or brown, you often don't understand or have these issues to deal with. We need to fix the process and, at the same time, not blame people. Trustee Nasol also shared a personal experience where he was pulled over by a police officer; and when he showed the officer his business card, he was told there was no issue. This action indicated that he was pulled over simply because he was a person of color and not because he had done something wrong. This behavior is wrong, and we must take a stand against it.

M/S/C (Lease/Cruz) to approve Resolution No. 042815-1 in Support of the "Black Lives Matter" Movement and Fairness in the Criminal Justice System as amended by Executive Director AFT 6157 Barbara Hanfling.

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. Adoption of Resolution No. 042815-2 Eliminate Positions and Layoff Classified Employees

Chancellor Cepeda announced that district members who were employed through this grant need to be notified that funding for this project is coming to an end. The purpose of this resolution is to provide that notice; however, our desire is to see if we can find other employment opportunities in the district for which they are qualified.

President Ho also stated her hope that these employees would find other employment with the district.
M/S/C (Mann/Lease) to approve Resolution No. 042815-2 Eliminate Positions and Layoff Classified Employees.

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. Selection of Search Firm

Vice Chancellor Garcia reported that the district issued an RFP for search services for the recruitment of the new Chancellor. The Board Chancellor Search committee reviewed the proposals that were received. The committee did reference checks on the two finalist firms. Trustee Mann stated there were six proposals, and the committee chose three as finalists. After the interviews and reference checks, two finalists were selected; the ACCT (Association of Community College Trustees) and CCSS (Community College Search Services). They were both equally strong. The one difference is that the ACCT has a deeper national depth and breadth. CCSS has done successful searches for our district, including the searches for Chancellor Cepeda and both college presidents. However, the committee determined that the ACCT has a wider berth. Trustee Nguyen stated that the ACCT representative was a little more aggressive on how she wanted to help us conduct our search. The fact that they are not for profit also helps us control costs. President Ho stated that the CCSS was wonderful for us, but it’s important to change firms now and then, the same as we do with the district’s auditing firms. We also need a firm that would help us attract a more national pool.

Trustee Cruz inquired about the capacity of the ACCT to actually take a look at issues of diversity in their work. How was that reflected in the documents the committee reviewed? President Ho answered that in terms of the ACCT’s response, one major component was how well they spoke to having diversified applicant pools, their method for achieving that goal and also their experience with it. The ACCT also has development programs to achieve that goal; relationships with national higher education bodies that work with diverse communities. Being the national organization they are, they have relationships with diverse ethnic organizations. Trustee Mann stated that Dr. Narcisa Polonio has national relationships, and she would be taking the lead on the search conducted by the ACCT. President Ho stated there were complete packets that could be reviewed. She also stated that the ACCT could provide a California based consultant and out-of-state consultant to work with Dr. Polonio if we so desired.

SJCC Academic Senate President Covarrubias stated the importance of having a search firm who could find a Chancellor with knowledge of the state of California laws and issues.

M/S/C (Mann/Pham) to approve the Association of Community College Trustees search firm to conduct the search for a new district Chancellor.

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.

I. INFORMATION AGENDA

1. San Jose City College Presentation to the Board of Trustees

President Breland invited the Board and members of the audience to San Jose City College. He stated that last time the college presented to the Board, there was the promise of a bright future; and now with key staff members in place and a renewed sense of possibility and teamwork, SJCC will present a broad and aggressive vision that is brightly lit for student success. We will do so by highlighting the unlimited potential of our student services, academic pathways, student support efforts, partnerships with K-12, community, business, alumni connections, and 4-year educational institutions, and our internationalization efforts. We have focused on access, and now we need to move to completion and the overall success of our students as they reach for
their educational goals. The college is fully committed to doing what it has to do to transform the curriculum and student services as well as direct the necessary and appropriate resources to where they will have maximum impact in meeting board goals; but more importantly, we are committed to changing the student experience; particularly as they relate to registration, awarding financial aid, getting students the books they need, securing courses, and providing high impact counseling. We need to work together to fulfill the obligation that we have to the community, to the state and to the nation; but most importantly, to our students. Preparation, hard work, and execution will be the key to preparing the institution for what has to be done to serve the needs of our students and the community. While Silicon Valley is about innovation and creating a forward thinking future; we at San Jose City College are about inventing the future – and doing so through education. We need to move forward with a focus on support for all students including African American, Latino, Asian Pacific Islander as well as all other groups that as a whole have not experienced the requisite level of success on our campuses (veterans, LGBT students, and foster youth.) Finally, this evening, we will be unveiling the 2021 Scholars Initiative at San Jose City College.

A mariachi band from San Jose High School performed a series of songs for the Board and members of the audience.

Dr. Elaine Burns, Vice President of Student Affairs, reviewed the roadmap to success, a plan for the future. SJCC provides road signs to our students along the way. First is outreach and recruitment which leads to orientation and assessment which leads to counseling and education planning. Orientations are conducted at the high schools and at the DPSO program; but on June 30, 2015, online orientation will be fully implemented. Dr. Burns reviewed the opportunities for counseling services. On March 27 the MAE Summit was held at SJCC, and the subject was on exploration and passage to manhood. Road signs are like a pipeline, such as SOAR Week or Super Saturday. This week our counselors will be in the high schools, and this Saturday we'll have counselors on the campus. One hundred fifty students will participate in the Summer Bridge program. SJCC students from outreach, orientation, assessment, education plan, summer bridge students, will be enrolled in First Year Experience (FYE).

Mr. Jorge Escobar, Vice President, Administrative Services, recognized Mr. Lopez, from the National Hispanic University, who was in the audience. He discussed the impact of the Corinthian schools shutdown, and its impact on students. We don't want to be exempt from accountability. We need to design a new system that works, especially the impact of technology on education. The college is increasing its efforts in social media and on Facebook. Our campus is in the core of Silicon Valley. We have the proper infrastructure. We have momentum. These factors create great opportunities for us. Mr. Escobar reviewed the case for high-quality Career Technical Education programs at the college. He stated that SJCC is a great campus, has a unique location, proper infrastructure, with key campus developments and initiatives in the works. SJCC is also improving its campus through Spring cleaning efforts: 18 pallets of two 20' dumpsters out of SJCC.

Mr. Duncan Graham, Vice President, Academic Affairs, and Mr. Robert Gutierrez, Director, METAS program, presented on the academic programs at SJCC. SJCC currently has nine associate degrees for transfer. We have a transfer agreement with John F. Kennedy University with ADTs in Psychology and Administration of Justice. We have a Pathway to Law School program in place (2+2+3), an HSI Title V Grand-UCSC collaborative, and seven dual enrolled courses with high school partners. Our goal for 2021 is to have 16 Associate Degrees for Transfer; five new ADT transfer agreements with private universities; the Pathway to Law School will have the 1st cohort entering the final year of law school; SJCC Title V UCSC transfers will have joined the workforce with a BA/BS degree with the 2nd and 3rd cohorts successfully completing at a 95% rate; and 20 dual enrolled classes with high school partners. Mr. Graham also reported on the Caminos Summer Bridge with instructor Dr. Stacy Kim, Moss Landing Marine Lab, Cal State University. Mr. Gutierrez reviewed the SJCC and UC Santa Cruz partnership, Title V: Hispanic-Serving Institutions Cooperative Arrangement Grant, which includes one UCSC faculty, one SJCC faculty and two UCSC graduate students as well as peer tutors. In Fall at SJCC the Fundamental of Research/Writing Part A course will be taught and Part B will be held at SJCC in the Spring. This program also includes a six-week research experience at UCSC in the summer, and an Intercension at SJCC with UCSC graduate students. Mr. Graham reviewed the class schedule at SJCC, which is based on longitudinal trends, enrollment trends, wait lists and seat counts and the goal for the college to provide a student centered class schedule.

Mr. Jesus Covarrubias, SJCC Academic Senate President, reviewed the role of the SJCC Academic Senate, especially AB 1725, which outlines the required role of SJCC Academic Senate. He stated the importance of academic excellence in teaching, SJCC Latino Advisory Council on HSI and the professional development of faculty.
Ms. Doriann Tran, SJCC International Counselor/Coordinator, introduced herself and showed a video of students enrolled in the International Studies Program set to the John Lennon song, "Imagine."

President Breland introduced two SJCC alumni, Mr. Everett Randolph and Mr. Gino Borgioli, who provided personal stories of how SJCC greatly impacted their careers and lives.

President Breland asked everyone to imagine a clear pathway for adult learners directly into CTE programs at San Jose City College. This initiative is being developed by the hard work of individuals at the Workforce Institute. He thanked Vice Chancellor Carol Coen and Dean Kishan Vujeni for their efforts in preparing our district for the shift in the provision of adult education and securing our district's position as a leader along this front. Every semester, in fact every day, we lose the opportunity to meet the needs of our students if we don't stand unified and work together for the right reasons. He stated that we must remember that we, as an institution of higher learning, serving a non-traditional college going population, are only as good as our ability to assist the under-prepared student in reaching their educational goals. As we move forward to our 100 year anniversary (which will be in the year 2021) we need to invent our future and the 2021 Scholars initiative is the way we are moving. Imagine students having a seamless registration process...immediate access to financial aid ... text books in hand, paid for, before the first day of class, access to counseling, early alert intervention, a curriculum that speaks to their needs and interests....and a faculty and staff that are here only for the sake of student success. Imagine having one of the most robust International Student programs in the country. Imagine having our own child care facility meeting the needs of our students so they can focus on getting their education. Imagine a promotional campaign that goes way beyond being on the back of a bus to having a banner on the flagpoles of every major thoroughfare or street in the city of San Jose; staking our claim as one of the oldest, most important and most successful community colleges in the nation? We don't have to imagine too hard, we are right there (we have arrived) and these things are happening now.

Trustee Nasol thanked SJCC for its excellent presentation. He inquired about Track D on the Summer Bridge Program with reference to Asian/Indians if we could have this track on Asian American Studies to put the diversity of issues for our students. Vice President Escobar answered that this was put on by the Department of Education. These grants have the capacity, and we have to think about ways of optimizing the processes we have. Trustee Nasol stated he would like to see more ethnic studies. He expressed ardent support of the CTE programs. He supported President Breland's shift from media arts to CTE. He would like the college to keep doing what it's doing. Trustee Pham inquired about the total number of students in the international student program; in particular, those students from China and Vietnam. President Breland answered that the college has gone to 102 international students for the first time. Probably 15% are from Vietnam. Trustee Pham asked if the students in the legal program 2+2+3 are admitted to law programs. Breland stated that the law programs have not made a commitment to admit the students but are providing tutoring and mentoring programs. Some have said they would give them a strong look regarding admittance. Trustee Nguyen thanked SJCC for the good job they did with the presentation. She appreciated that when putting the materials into a folder that there were three different languages in the program. The parents really appreciate this information. Trustee Cruz thanked Dr. Breland, staff and administrators and everyone who was involved in organizing the wonderful presentation. She appreciated the opportunities to hear the vision we have for students and the community. As she thinks about the student success factors: students are to be directed, students are to be focused, students are to be engaged, students are to be connected, and students are to be valued—all these things were highlighted in the presentation. This is aligned to the vision of our district. The vision of SJCC is aligned and integrated with SJCC's vision. The question is, "Where is the money?" How are we going to assess the ways we will allocate dollars to achieve this vision? What is the vision for resource allocation? President Breland answered that the college will maximize resources and allocate resources. We are reviewing our programs now, and we know we'll need more money to start new programs. Trustee Pham inquired about the total number of students in the disabled program from five years ago and where we see the college in another five years. Vice President Escobar stated he would provide that information. SJCC President Breland stated he would send that information this evening.

Chancellor Cepeda stated the presentation was just what the doctor ordered, especially after the last three board meetings. She congratulated President Breland for the innovation; focus on student centeredness, CTE, engineering, law and love, love, love. The importance for employers to have employees with competencies has to do with being able to be a citizen of the world. This process includes adult education all the way through graduate school. Trustee Lease thanked everyone who contributed to putting the presentation together. He was very excited to hear that counseling hours are being extended. Being able to scale up the
Summer Bridge Program is also a plus. He thanked the college for the wonderful gifts his children would enjoy. President Ho stated that the college presentations are her favorite part of being a board member. It serves as a critical reminder of why we are here.

2. Board of Trustees Global Ends Policy Dashboard

Vice Chancellor Hawley reported the good news that some of the indicators have moved, improved and gotten better since the last month's dashboard. Since the monitoring report in March, our student success scorecard came out. ESL at SJCC went up a point, and EVC's went up substantially. Those indicators improved enough so that our global ends policy rating improved to 2.94 - a B score. This is a testament to the commitment of this Board.

Trustee Cruz inquired about how we see the needle moving in a more concrete way. As we think about how we evolve the presentation, we can think about the ceiling and aspirational targets. We can then see the actual improvement. Vice Chancellor Hawley stated that concerning the State Chancellor's Office right now these are targets for the short term and long term goals.

Chancellor Cepeda stated that we started at the floor because we had no way to measure before. The Board also set student success metrics; we also use the scorecard and CCSSE.

Trustee Cruz stated that equity is one of our values, and it's important how do we sustain that. Vice Chancellor Hawley answered that we can have tabs for each policy in the dashboard, although most of the indicators will be the same month to month. Trustee Cruz requested that the program review be posted on website for each department.

President Ho stated that month to month we may not see the change but having highlights where there was change would be helpful.

3. Overview of 2015 General Obligation Refunding Bonds

Vice Chancellor Smith introduced Mr. Chet Wang, Financial Advisor, Managing Director, Keygent LLC, and Ms. Brianna Abrams Bond Counsel, Associate, Stradling Yocca Carlson and Roth. Vice Chancellor Smith stated that the district has another opportunity to save taxpayers money as interest rates fall and a mature bond would allow for $10 million in savings. On this Chancellor's watch, our district will be giving a third presentation to Standard & Poors and Moody's. Our ratings have increased twice. As for rating criteria: The two things Moody's describe as significant are improved financial performance and substantial tax based growth. The three characteristics that would lower our rating are structural imbalance, revenue or tax based loss reducing our reserves, and deteriorating liquidity, cash flow and borrowing. We have improved on all of these measures since we last met with the credit rating agencies.

Mr. Chet Wang reported that 9 series of bonds are outstanding. Measure G-2004 Series A & B bonds are the ones that make sense to refinance. Mr. Wang reviewed the interest rates. He stated the plan for the Measure G-2004 bond Series A & B is to pay off higher rate debt with lower rate debt. The district is currently paying 5.2% under old bonds which can probably be reduced to 2.7%, an $11.4 million savings. The next step in the process is for the legal documents to come back to the board for approval. They will make presentation to Standard and Poors and Moody's in San Francisco, along with Chancellor Cepeda, Vice Chancellor Smith, Mr. Peter Fitzsimmons and Ms. Ann Kennedy. A 50-60 pages report will be provided to those financial institutions.

Ms. Brianna Abrams reported on the legal documents that will be presented to the Board for approval at the May 12, 2015, Governing Board Meeting. The resolution will set the terms for refunding of the bonds. She reviewed the Preliminary Official Statement, Bond Purchase Agreement, Continuing Disclosure Certificate and Escrow Agreement.

Trustee Nasol stated that this is another action the Board will take for saving taxpayer dollars. He inquired about the time frame since the meeting in San Francisco is on May 14 and the Board is scheduled to approve the resolution on May 12. He also inquired that since we are now a basic aid district will we get a better rating? Mr. Wang answered that the district was a basic aid district in 2013. However, the plan is to mention that you are deeper into basic aid this year.
Mr. David Yancey, AFT 6157 President, stated that property owners will have no idea we saved money for them. Trustee Mann suggested that the sooner we report this information to the public, the better. Chancellor Cepeda stated that this will be a story we would focus on and find numerous ways to communicate this information to the public.

4. Board Meeting Evaluation

Trustee Nasol complimented President Breland and his staff for the very enjoyable presentation, especially the mariachi music that was played by the high school students. Because of this presentation, he feels more informed about the programs at SJCC. Also the resolution the Board adopted that Black Lives Matter is an example of being sensitive to race issues in our country. Trustee Lease stated this meeting shows that we are focusing on what we are doing for students and focusing on our global ends policies. President Ho stated the importance of the presentation provided by Vice President Escobar about escalating our efforts in CTE programs is a key example of what the district should focus on to impact student success. The presentation on refunding of the bonds also is in line with the Board’s charge to provide effective stewardship of the district’s resources. This meeting was very informative as well as enjoyable.

J. ADJOURNMENT

1. M/S/C (Lease/Cruz) to adjourn the meeting at 9:03 p.m.

Attached to these meeting minutes is a written copy of comments submitted by Mr. Glen Wetzel for the public record.

Dr. Rita M. Cepeda
Board Secretary
4/28/2015

Item E.5 (adoption of minutes)

On item A.5 of 4/21/2015 Board Minutes, the content attributed to my name is not correct. The content appears to have been said by another person. Please consider revising item A.5 of the 4/21/2015 minutes to reflect a synopsis of my testimony. A synopsis of my testimony is:

* At the previous board meeting (4/14/2015), district administration asserted that the land of Evergreen Valley College has not been purchased with voter approved bond funds. However, their own written response under a Public Records Act request does not support such assertion.

* It appears that the district likely has used voter approved education bond funds to purchase Evergreen Valley College land and that leasing the land for commercial shopping center may then be a violation of law.

There are some other minor inaccuracies with the other minute items. For those other inaccuracies, I will submit this document for clarification and can be attached to today’s minutes.

Thank you.

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Clarification of 4/14/2015 minutes. Item I.4.

In synopsis, it was conveyed to trustees:

a) I quoted the Public Records Act response document from the district administration that stated that all district records were lost regarding the funding of Evergreen Valley College and therefore the administration is unable to substantiate that State or local bond funds were not used.

b) I cited Cal Ed Code 81360-81382 as apparently not applicable to the leasing of school land when purchased with voter approved bond funds. As such, leasing of the Evergreen Valley College land for commercial income appears unlawful.

c) I asked that the trustees facilitate clarification of the legal basis of leasing for Evergreen Valley College commercial purposes given the lack of records.

d) I urged the trustees to ask their legal counsel to make sure there activity is legal. I urged the trustees to inquire about any presiding court case which supports that leasing public school land for commercial purposes is allowed when land was purchased with State bonds.
Clarification of 4/21/2015 minutes. Item C.1.

In synopsis, it was conveyed to trustees:

* No administrative staff or trustee has provided any records showing that the college land was not purchased with voter approved education bond funds.

* No administrative staff or trustee has provided any basis that public school land purchased with voter approved education bond funds may be leased for non-educational purposes.

* I urged the trustees to address these concerns before approving any lease.
A. CALLED MEETING TO ORDER

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

Board members present:
Ms. Mayra Cruz
Ms. Wendy Ho
Dr. Jeffrey Lease
Mr. Craig Mann
Mr. Rudy Nasol
Ms. Huong Nguyen
Mr. Scott Pham

2. Information was provided on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

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

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

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

D. CLOSED SESSION ITEMS FOR DISCUSSION

1. 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: Interim Chancellor

E. RECONVENE INTO OPEN SESSION

1. 6:00 P.M. - Pledge of Allegiance

Student Trustees Larry Harris and Kenny Tram joined the meeting.

President Ho led the Board and members of the audience into the Pledge of Allegiance to the flag.
2. Adoption of the Agenda

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

Information Agenda Items J-1 Presentation by the District's Benefits Broker and Agenda Item J-2 Retirement Board of Authority Annual Report were moved to follow the approval of the Measure G Bond Programs Consent Agenda.

Consent Agenda Item F-10 SJCC Associated Students 2015-16 Budget was removed from the agenda to allow the students to speak to the item.

A correction was made to Information Item J-6 Presentation of the San Jose-Evergreen Federation of Teachers, AFT 6157 Contract Proposal with San Jose-Evergreen Community College District for 2015/2016 - Under Recommendation - the date of the public hearing was changed from the May 26, 2015, Governing Board Meeting to the June 9, 2015, Governing Board Meeting.

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. 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 April 28, 2015, Governing Board Meeting Minutes

M/S/C (Lease/Nasol) to approve the April 28, 2015, Governing Board 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.

Student Trustee Harris announced that his statements reflected in the meeting minutes were his own and not a representation of the opinion held by SJCC students.

F. CONSENT AGENDA

1. Adoption of the Consent Agenda

Consent Agenda Item F-10 SJCC Associated Students 2015-16 Budget was pulled from the agenda for discussion and separate vote. Hearing no comments to pull any other item from the agenda, President Ho stated that the Consent Agenda was approved by general consent of the Board.

2. Faculty Personnel Actions - Regular

The Board approved the Faculty personnel action as submitted.
3. Classified Personnel Actions
The Board approved the Classified Personnel Actions as submitted.

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

5. Ratification of Contracts, Purchase Orders and Contract Revisions
The Board ratified the contracts, purchase orders and contract revisions for the period of March 10, 2015, through April 9, 2015, as noted in the attached documents.

6. Curriculum Recommendations for San Jose City College
The Board approved the new degree and certificate proposed by San Jose City College.

7. Award of Contract for Bid Proposal #1015-14 - Custodial Supplies
The Board awarded the contract of Bid Proposal #1015-14 - Custodial Supplies to California Janitorial Supply, a Small Business Enterprise (SBE).

8. CTE Grant Sub-Agreement Between Evergreen Valley College/SJECCD and Cabrillo Community College District
The Board approved the Career Technical Education Enhancement Fund grant sub-agreement between Evergreen Valley College/SJECCD and Cabrillo Community College District.

9. Student Trustee Privileges
The Board approved all privileges extended to Student Trustees outlined in BP 2105, with the exception of the privilege to attend Closed Session meetings.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. Adoption of the Measure G Bond Programs Consent Agenda
Hearing no comments to pull any items from the agenda, President Ho stated that the Measure G Bond Programs Consent Agenda was approved by general consent of the Board.

2. San Jose City College (SJCC) – Technology Ctr./Student Ctr. Interior Finish Upgrades Project #31304-11 – Pueblo Construction, Change Order No. 001.
The Board approved Change Order No. 001 in the amount of -$11,376 to Pueblo Construction for the Technology Ctr./Student Ctr. Interior Finish Upgrades Project 31304-11 at San Jose City College.

3. San Jose City College (SJCC) Technology Ctr. /Student Ctr. Interior
Finish Upgrades Project #31304-11 – Pueblo Construction - Notice of Completion (NOC)

The Board approved the Notice of Completion (NOC) of the contract by Pueblo Construction for the SJCC Technology Ctr./Student Ctr. Interior Finish Upgrades Project #31304-11 upgrades of carpet, resilient flooring and ceiling tiles in the Technology Ctr. and Student Ctr. buildings of the San Jose City College Campus.

4. San Jose City College (SJCC) Physical Education Building Project #122 - Sundt Construction Inc. Revision to Preconstruction Services Agreement No. 002

The Board approved Revision No. 002 in the amount of $2,680 to Sundt Construction, Inc., for the Physical Education Building Project #122 at San Jose City College.

5. San Jose City Community College (SJCC) Campus Site Improvement Project #31116-04, Site Lighting – DV Electric Agreement

The Board waived the minor irregularity in DV Electric's bid response, deny the bid protest submitted by Sanpri Electric, Inc., and authorized award of a contract in the amount of $23,900.00 to DV Electric for G2010.0124 SJCC Campus Site Lighting.

6. Measure G 2010 Bond Program: Network Switch Upgrade at San Jose City College

The Board approved the purchase of network switches and Independent Contractor Agreement (ICA) with Dasher Technologies to configure and deploy at San Jose City College for a total cost of $1,686,529.43.

7. Measure G Bond Program: Phase 2 Wireless Network Installation at San Jose City College

The Board approved the purchase of Wireless Access Points and Independent Contractor Agreement (ICA) with Dasher Technologies to configure and deploy at San Jose City College for a total cost of $423,438.91.


The Board approved Change Order No. 002 in the amount of $97,529 to C. Overaa & Company for the Automotive Technology Building Project at Evergreen Valley College.

9. Measure G-2010 Bond Program: Evergreen Valley College South Campus Development Project #32107 – Blach Construction Company Change Order No. 006

The Board approved Change Order No. 006 in the amount of $39,685.60 to Blach Construction Company for the South Campus Development Project #32107 at Evergreen Valley College.

10. Measure G-2004 Bond Program: Evergreen Valley College Soccer
Field Phase 1 Bleacher Project #210-01 – Guerra Construction Group Notice of Completion (NOC)

The Board approved the NOC of the contract by Guerra Construction Group, EVC College Soccer Field Phase 1 Bleacher Project #210-01 at Evergreen Valley College.

10. SJCC Associated Students 2015-16 Budget

President Breland introduced members of the SJCC Student Senate - Ms. Abi Osmobugie, President, Ms. Sia Sagupee, Vice President, Mr. Duy Vo, Director of Finance and Ms. Nina Pham, Senator for UWSA student organization.

Ms. Osmobugie thanked the Board for giving the students the opportunity to present the budget. We will be using funds to send students to conferences and to take advantage of off-campus opportunities. They are also looking into purchasing VTA passes for students. We have the personnel account to help hire someone to assist the student senators with the office work.

Student Trustee Harris stated that we were able to send a lot of students to conferences with this budget. Trustee Cruz inquired how this budget compares with the budget for other years. Mr. Vo, Director of Finance, answered that this budget for next year is much more organized than the prior year, and he is also the developer of the budget. He put money in categories, such as scholarships and support for students to attend conferences. He decreased the budget for audit activities. The fund that we have right now is not that much, but we are satisfied. If the Board and district would put more responsibility on us, we can use some additional money from the district fund. Student Trustee Tram asked about the $9K for personnel. Ms. Sagupee answered that these are the funds that would be used for the student office workers.

President Ho thanked the ASG leaders from SJCC for presenting their budget.

M/S/C (Lease/Cruz) to approve the 2015-16 Associated Students Budget.

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

Advisory vote was as follows:
SJCC Student Trustee Harris voted yes.
EVC Student Trustee Tram voted no.

1. Presentation by the District’s Benefits Broker - Alliant Employee Benefits - To Review Impact of 2015-2016 Rate Increases

Vice Chancellor Garcia stated she had invited the District’s benefits broker to provide information to the Board on the rate increase of the District’s health benefits. Ms. Kearns will also review the Cadillac tax and its impact on our district.

Ms. Christine Kearns, Vice President, Alliant, reported that Anthen Medical PPO original renewal was a 30% increase, but Alliant was able to reduce that to a final renewal increase of 49.79% for active employees. The renewal for Kaiser HMO is -5% to current rates for active employees. Kaiser, however, is not willing to provide a multi-year rate guarantee at this time. The Anthem Blue Cross Renewal has averaged a 13% annual increase for the past two years. She stated that 321 employees on Anthem Blue Cross and that 3.84% of rate renewal is due to the Affordable Care Act. The District is experiencing high pharmacy trends with 39 claimants over $25K annually. These individuals are high cost to the District. The good news is that Kaiser Permanente renewal is -5%. Kaiser's trend is significantly lower than Anthem’s. Ms Kearns reviewed the 2014-2015 Anthem and Kaiser current rates for full-time and part-time active employees. She also provided an overview of the Cadillac tax, which becomes effective on January 1, 2018. This would include a plan that has lower out-of-pockets costs, covers most health care services and discourages participants to take a more proactive role in healthcare costs. There is no regulation so far on who pays the tax. She reviewed an estimate of what the Cadillac tax would look like based on projected renewal rates.
Trustee Nasol stated it's very obvious of the difference between the Kaiser and Anthem plans regarding the Cadillac tax. She answered that, yes, there is a difference between a PMO plan versus an HMO plan. President Ho inquired if other districts are talking about how they plan to pay this tax or what strategies they would put in place to deal with those costs. Ms. Kearns answered that, yes, many districts are planning a low-cost medical plan as a result of the Cadillac tax. People are also looking at plan design. However, districts are also understanding that they will have some sort of Cadillac tax to pay.

H. ORAL COMMUNICATIONS

1. Board of Trustees/Committee Chairs' Reports

Trustee Lease reported on the district's presentation regarding the Board ends policies and governance principles at the CCLC conference. It was excellent session and well received. He thanked Sam Ho for his work in putting the presentation together. This is a topic of great interest and the ACCT also wants us to present and the CCLC informed us they want us to present again on this topic.

Trustee Cruz reported on her attendance at the NAACP awards dinner where Chancellor Cepeda received the T. J. Owens Education award. Mr. Evans is a former Dean at Gavilan College and a champion of civil rights. He made sure that youth were involved in areas that would produce. She congratulated Chancellor Cepeda for receiving that award. Trustee Cruz reported that the Policy Governance workshop presented by the SJECCD team, including Trustees Lease and Nasol, Chancellor Cepeda and attorney Randy Parent was excellent. She also enjoyed attending other sessions and workshops. Assemblymember District 30 Luis Alejo urged everyone to support AB 200 as it will increase the number of competitive Cal Grant A & B awards. We are now looking at that bill as a district. Mr. John Hope Bryant, an entrepreneur and product of the California community college system, gave a moving message as he spoke about the poor. The word is about receiving the memo - every student who comes to us must receive the memo. It was an inspirational moment. The California Acceleration Project has a basic skills tracker and you can actually examine and drill down data. Both of our colleges are not a part of that project at the current time. Some of the very informative workshops included: Negotiations and the Board's Role, Common Assessment Initiative, Board Members on Social Media, COMPASS College of Marin Providing Access and Student Success (dual enrollment), and Shifting Winds: Proceed with Caution, Think Sustainability. The Focus Session: What Role Do Trustees Play in Fostering an Institutional Culture of Student Success detailed the RP factors of student success - "Students must be directed, focused, nurtured, engaged, connected and valued."

Trustee Nasol reported on his participation in an EVC forum as part of the celebration activities for Asian Pacific Islander month. He presented along with faculty member Mr. Paul Fong. Students asked about Asian students in the political arena. Trustee Nasol, as chair of the Board Audit Committee, reported that the committee met yesterday evening with the district's auditors. They reviewed the audit process for the district; and in December they will meet with the committee to present the audit findings.

Trustee Pham attended the Education summit; discussed with other Trustees and superintendents of other districts. Cortece would be meeting in Sacramento.

EVC Student Trustee Tram reported on the Asian forum conducted by Trustee Nasol and former Assemblymember Paul Fong. There was a lot of interest in the discussion, and this was a good opportunity for students.

SJCC Student Trustee Harris reported that he was re-elected as the Student Trustee for San Jose City College for the coming year and is looking forward to all that will be accomplished during the next school year.

President Ho thanked Vice Chancellor Coen for preparing her for the San Jose Silicon Valley Chamber of Commerce Workforce Education summit, where she was a panelist. As a panelist, she highlighted the work we are doing in preparing students for the workforce. We hope to get the green light on the engineering portion of the Silicon Valley Engineering Technology Pathway grant from the state. President Ho reported that the legislative bills we are following will be addressed in May after the governor has revised his budget.
2. Chancellor's Report

Chancellor Cepeda announced that this report is a bit different from the rest because it is likely the last opportunity she would have to share good news with all of the constituent groups present. From Good to Great is surely a descriptor we can apply to our District; and it has been her privilege to benefit from the support and hard work of students, faculty and staff and, in particular, to have had the good fortune to serve under a governing board focused on excellence in governance and so committed to equity, opportunity and social justice.

The month of May is always extraordinary and filled with expectations, deadlines and anticipation of the great things to come with the advent of Commencement.

This is also the time when we recognize what a difference a person can make in the lives of students and in the overall climate of our District. One such example is the list that emerged from SJCC announcing its “Distinguished Employees” for this academic year. The list includes a wide array of faculty staff and administrators demonstrating once again that it takes a village. Congratulations to:

- Ms. Madhavi Sudarsana, Adjunct Early Childhood Education Faculty
- Mr. Sean Abel, Dean of Humanities and Social Science
- Ms. Maria Avalos, Administrative Secretary to Vice-President of Student Affairs
- Dr. Celia Cruz-Johnson, Reading Faculty

A wise colleague once told her that managing a great budget is sometimes more difficult than managing a bad one. In essence, when things are going badly we struggle, we collaborate and we unite knowing what has to be done. When budgets are more bountiful, the difficult thing is to determine what is highest in priority given competing demands. What we must do as a District is to "keep the eye on the prize" and not deviate from the "Ends Policies" established, thus ensuring that special interests, however well-meaning, are placed within the larger framework in terms of resource allocation.

The other important point to make at this time is to ensure that we continue to be united as a system and heed the advice of Chancellor Brice Harris and, that is, to ensure that we respond to media and legislative inquiries to ensure that the increases coming to community colleges are safeguarded by reminding them that our system is still recovering from the terrible recession and we have yet to restore the loss of student access suffered during that period.

It has become apparent that the work of our District is being recognized as innovative and ground breaking. At this point we are being asked to present at system wide conferences, including the Community College League and the Community College Trustees Conference on matters related to our work in Governance and Student Success. Most recently, we received an invitation to submit a proposal for the upcoming Association of Community College Trustees in Chicago. In addition, we received a request to formalize a CEO self-help tool she presented at the most recent NorCAL Conference. Other examples of our recognition include the recent ranking of SJCC as one of the top institutions of higher education nationwide and UNIVISION’s request to host the Northern California Education Fair next Fall at EVC as part of their nationwide seven-day education effort.

Chancellor Cepeda reviewed major accomplishments in the following areas:

- Technology
  - IT Infrastructure
  - Website Redesign
- Fiscal Stability
- Deficit spending
- Stellar Credit Ranking Standard and Poors
- RIF to two consecutive years with the highest salary raises in the region
- Bond Management -Refunding (Tax Payer Savings $20M + probable $10M)
- Re-establishment of the Office of Institutional Effectiveness and Student Success
- Scorecard Gains—Important to note is that both colleges have made gains in most of the critical measure of student success including persistence, remedial English and ESL Completion rate. These data continue to hold even when disaggregated to focus on underrepresented students.
• Workforce Institute/Economic Development/ CTE/ Adult Education.
• Civility Task Force/Civility Statement and Guidelines
• Accreditation- Adoption of SLO
• Redesign/Reorganization/Development and Retention of Administrative Leadership

Cutting Edge Innovations
Board Governance and Metrics
Student Success Policy
Refinancing of Bonds $20M completed and an additional $10M underway
Diversity/Students/Employees/Board— The District continues to lead the state in our diversity profile

Partnering and Collaboration
o NHU—EVC reaching out to NHU Students and safeguarding TRIO Dollars
o Corinthian Colleges— SJCC and EVC extraordinary efforts to provide admission, financial aid counseling and placement
o Adult Education—Leader the South Bay K-12 and Community Colleges to document and develop a collaborative approach to meet the needs of adult learners
o Milpitas 21st Century Education Center—a long time commitment to the tax payers in the city of Milpitas to provide educational services and early college high school programs
o Silicon Valley Engineering Pathways—a partnership underway already being cited as one of the best proposals in partnership with NASA Ames, Lawrence Livermore and including high schools, colleges and universities in STEM preparation.

Projects that had languished but are now in process
• Milpitas Facility
• District Office Relocation
• Public/Private Partnership- Land Development
• Completion of Measure G 2004 Bond Projects

Chancellor Cepeda stated that it has been a good five years. Our house is in order, and we are ready for showcasing our great work.

3. Presidents' Reports

EVC President Yong reported on several events that were held at EVC. The Cinco de Mayo celebrations at EVC went very well. The food sale and entertainment was sponsored by the ENLACE program. There was a mariachi band, and one of the violinists and singers was Arturo Vallin, an instructional specialist in the Math and Science Resource Center. Chancellor Cepeda attended and demonstrated her knowledge and excellent footwork in several Mexican and Latin dances. Enlace Graduate Celebrations held Friday evening on May 8 went very well. The graduates transferring to four-institutions were recognized in the EVC Theatre. The celebration event continued with dinner for the graduates and their families in Gullo II. It is estimated that the crowd numbered about 300. Asian Heritage Month celebrations at EVC were held today over the lunch hour in Gullo II. Among the many presentations featured were Tálko drummers, Mountain Vietnamese tribal songs, dances from South Asia, and a variety of Asian cuisines. Asian Heritage Month celebrations will continue on Friday, May 15 with more Asian dances and songs at the EVC Theatre in the evening.

President Yong also reported on upcoming events at EVC. While retirees were honored this evening, prior to the start of the Board Meeting, EVC would be hosting the Employees Recognition Reception on Wednesday, May 13, in Gullo 1, at 2:00 p.m. The retirees would be honored again, along with faculty, staff, and managers. The Native American Graduation at EVC will be held this Wednesday evening at 6:00 p.m. in Gullo II. EVC hosts this event to recognize students from various Native American tribes in the region. The event is well known, and tribal elders and families travel long distances to honor the next generation of students. The Special Programs Recognition Reception will be held on Thursday, May 14, at 2:30 p.m. in Gullo II. This event recognizes the accomplishments of students in seven special programs at EVC: ASPIRE, AFFIRM, ENLACE, EOP&S/CARE/YESS, CalWORKS, DSPS, and Honors. The Scholarship Awards Ceremony will be held on Friday, May 15, at 6:00 p.m. in Gullo II. At this event, we would be handing out scholarships of various amounts to successful applicants. As in previous years, we expect to have money left over because there weren't enough
applicants in some categories for these scholarships. The Nursing Pinning Ceremony will be held on May 21 at 10:00 a.m. EVC celebrates Pinning twice a year for the two cohorts of nursing students. Students receiving their pins would be completing their associate degrees, and would be taking for their state board licensure exam soon after.

This year, Commencement at EVC will be on Thursday, May 21 at 6:00 p.m., in the soccer stadium, and both degree and certificate graduates will be recognized with diplomas. The staging area for both graduates and staff will be on the tennis courts next to the soccer stadium.

SJCC President Byron Breland announced that San Jose City College was named in the Top 25 National Colleges for Latinos. Latino Magazine ranks San Jose City College #14 - one of the top three community colleges in the nation and the only California Community College on the list. Latino Magazine stated: "Located in the heart of Silicon Valley, San Jose City College (SJCC) is known around the world as the center for innovation in technology and research. From its modest beginnings in 1921, San Jose City College has grown into a world-class institution enrolling about 20,000 students each year and offering associates degrees in multiple disciplines within the arts and sciences.” He also reported that in April, the San Jose City College Reading & Writing Center received official certification through the Association of Colleges for Tutoring and Learning Assistance (CRLA). Dr. Breland announced that Jan Batiste Adkins, English faculty, recently published "African Americans of Monterey County" through Arcadia Publishing. The book celebrates the rich African American experience as seen in photographs from area archives, museums, local newspapers, historical societies, libraries, and family oral histories. Jan is also the author of "African Americans of San Francisco". Yasmine Hernandez and Ja'nee Miskell, members of the SJCC Women’s Fastpitch Softball Team, are being honored by the California Community College Fastpitch Coaches Association (3CFCA) at Bakersfield College during the weekend of May 15-17th. Honorees must have completed at least 24 units of collegiate coursework and maintained a GPA of at least 3.5. The Asian Americans for Community Involvement (ACCI) has been awarded a $30,000 grant from the Office of Statewide Health and Planning and Development. This grant will allow ACCI to continue our paid internship program at ACCI for SJCC and EVC trained patient navigators, preparing first generation, low-income students for success in health careers. The San Jose City College Creative Writing students are celebrating the release of the literary magazine, Checkerbloom, containing poems and stories by SJCC creative writing students. Contributors include Steven Canalez, Viviana Bugarin, Dylan De La Cerda, Victoria Medina, Zoe Goddard, Andrew Ngo and Jonathan Tolentino, with cover art by Doaa Abdelrahman. President Breland extended thanks to Dr. Deborah Santiago, COO and VP of Policy at Excelencia in Education, and her inspiring work on “accelerating Latino student success in higher education while serving all students”, and the Academic Senate, San Jose City College proudly hosts a Latin@ Advisory Council on HSI. The initial task of the SJCC Latin@ Advisory Council will be to create a campus team with expertise in best educational practices, academic affairs, student affairs and institutional research, and then implement Excelencia’s Latino Student Success (LSS) Inquiry Model to delve into the 10 guiding questions to answer, “What it means for San Jose City College to be an Hispanic Serving Institution”.

President Breland announced the SJCC Distinguished Employee Awards:
Mr. Sean Abel, Dean of Humanities and Social Science
Ms. Maria Avalos, Administrative Secretary to the Vice-President of Student Affairs
Dr. Celia Cruz-Johnson, Reading Faculty
Ms. Madhavi Sudarsana, Early Childhood Education Adjunct Faculty

President Breland invited everyone to attend the SJCC Commencement Ceremony on Friday, May 22, 6:00 p.m. at the SJCC Athletic Field. Mr. Lou Evans, SJCC Alumnus, professional athlete and performer will be the Commencement Speaker.

4. Constituency Reports

CSEA Past President Dan Hawkins thanked the Board for acknowledging the CSEA by approving the resolution submitted to the Board this evening in support of Classified School Employee Appreciation Month. He also stated how happy he was that the ratification of the CSEA collective bargaining agreement was also on this evening’s agenda.

AFT 6157 President David Yancey stated that Corinthian College has been in the news lately, and it’s important to note that the ACCJC gave this college full accreditation. Ms. Hanfling stated that it was important for the Board to hear the report from Alliant about the increase in the cost of health benefits. We have
continued our health plans, but there is a history of years when the increases were balanced through our salaries. There is a May 16 hearing where the AFT will be presenting the concerns of many groups regarding the Cadillac tax. We don’t know yet what the final result will be. Most of the indicators are that nothing will happen until after 2016. We are not going to panic about it. Ms. Hanfing reported that she and Mr. Yancey will not be in attendance at the May 26 board meeting. She will, however, be back in June.

EVC Academic Senate President Narveson reported that the Academic Senate is in recess and will not reconvene until September 1. The executive committee will be meeting throughout the summer. He reported that the Scholarship Ceremony will be held this Friday, May 15. He has been a scholarship reader for many years, and there are so many students who are so deserving. There is a whole class of students who are barely surviving so these scholarships have a lot of meaning for students. Professor John Carrion is the faculty member who will receive the Distinguished Faculty of the year award. He also reported that morale on the campus is very low due to the Board’s decision on the 27 acres.

SJCC Academic Senate President Covarrubias reported that the Academic Senate election of officers will be done at the last meeting on Tuesday, May 19. He credited Vice President Muench for updating the senate by-laws and constitution. He also reported that the Academic Senate has concerns about the Interim Chancellor hiring process. When we are asked as a constituency to participate, we really wanted to actually participate. He was nominated by the senate to participate, but the meeting to conduct interviews was scheduled on a Saturday. Constituency members are normally consulted about the interview schedule in advance. However, he had to drop out of the interview, and the senate appointed another faculty member. Going forward, we need to be thoughtful of the process we use. He shared those concerns with Vice Chancellor Garcia. Mr. Covarrubias reported that the SJCC Senate is planning a summer retreat. We will have a one-day retreat in the end of June. He also reported that the La Raza graduation ceremony is scheduled for Saturday, May 16, 4:00 – 7:00 p.m.

MSCC Lauren McKee reported that the MSC group funds the CSEA appreciation events as we know how hard they work for us. She stated that she has been at the district for 31 years, and employees have taken salary cuts because we value our benefits. We have met those challenges and sacrificed enough. She acknowledged Chancellor Cepeda for being a listener and wished her a wonderful life in retirement because she has done well for us.

I. ACTION AGENDA

1. Resolution No. 051215-1 Approving District Budget Transfers and Revisions

M/S/C (Lease/Mann) 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, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

2. Resolution No. 051215-2 in Support of Classified School Employee Appreciation Month

CSEA President, Mr. Art Azevedo, presented recognition awards to Daryl Wetzel, Teresa Paiz, Liz Juarez, and Stacy Alvarez for Outstanding Service to the district.

M/S/C (Lease/Mann) to approve Resolution No. 051215-2 in support of Classified School Employee Appreciation Month.
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. Resolution No. 051215-3 2015 General Obligation Refunding Bonds

Vice Chancellor Smith introduced Ms. Ivy Lee, bond underwriter, and stated that at the last meeting, the Board heard a presentation about the financial opportunity afforded to the district through the refunding of the bonds.

Trustee Mann inquired how much the district would be saving. Vice Chancellor Smith stated he thinks we may have a $10 million opportunity. A team is going to San Francisco on Thursday. Ms. Lee answered that it’s similar to refinancing a home mortgage. Another benefit of long-term financing is transferring to fix rate financing. Trustee Mann requested that we make sure that people who pick up the Evergreen Times sees this good news about the money we are saving for homeowners. Chancellor Cepeda answered that we are already on top of this news release. Trustee Nasol stated how grateful he was that the Board is taking this opportunity for our taxpayers. If our rating from last year to this year gets higher, our interests rates would get lower. Student Trustee Harris stated this should be a good public relations story for our district.

M/C/S (Lease/Mann) to approve Resolution No. 051215-3 authorizing the issuance of the San Jose-Evergreen Community College District (Santa Clara County, California) 2015 General Obligation Refunding Bonds.

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. Resolution No. 051215-4 in support of May 2015 as Asian American and Pacific Islander Heritage Month

Chancellor Cepeda called attention to the campus events in support of this resolution, which were attached to the agenda item.

M/S/C (Nasol/Pham) to approve Resolution No. 051215-4 in support of May 2015 as Asian American and Pacific Islander Heritage Month.

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.


M/S/C (Lease/Mann) to approve the District and California School Employees Association Chapter 363 tentative agreement.

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.
6. Measure G-2004 Bond Program: Bond List Revision

Trustee Nasol stated that the Board ultimately is responsible for District bonds. The Board approved major projects, and last month the Media Arts project dollars were shifted to CTE. However, this project was approved by the Board for a specific amount. It would be appropriate for the program managers to come back to the Board with a report that they are moving the funding from one project to another. The approval needs to include this other scope. It's not that the Board would disagree with the district's decision, but it's important the staff and program managers go back to the Board when they are making such major changes. Mr. Scott Jewell, Gilbane Project Manager, answered that we did come back to the Board through a Change Order. Trustee Nasol expressed concern about a major change to a project and that the Board should be informed by receiving a presentation about the reason for the change. Chancellor Cepeda acknowledged the concern, especially regarding a large scope project that has been re-prioritized or removed, and that staff should provide a special presentation explaining that change. We will work on guidelines to do that; however, the college did do a review according to its own process. Trustee Nasol requested that in the future the staff and project manager keep the Board apprised on a major shift on a project. Trustee Pham supported the suggestion made by Trustee Nasol. Trustee Lease stated that the information he received in the past made him feel comfortable with the project change, but he supports any process that the Board would like for it to be comfortable. Trustee Mann agreed with Trustee Lease that he felt very informed about this decision; however, it wouldn't hurt to have a two or three page report if that would be helpful to other members of the Board. President Ho agreed that a report on major project changes would be helpful to the Board. Vice Chancellor Smith appreciated the candor of the Board; and, in the future, as we have priority shifts we can be more detailed in our reporting.

M/S/C (Mann/Lease) to approve the revisions to the Measure G-2004 bond list, as presented.

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.

7. Measure G-2010 Bond Program: Bond List Revision No. 13

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

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.

J. INFORMATION AGENDA

1. Presentation by the District's Benefits Broker - Alliant Employee Benefits - To Review Impact of 2015-2016 Rate Increases

This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

2. Retirement Board of Authority Annual Report

Mr. Peter Fitzsimmons, Chair, Retirement Board of Authority, stated this presentation was provided annually to the Board to report the performance of the district's OPEB bonds. These funds cover the health and welfare costs for the District's retirees.
Mr. Cary Allison, Morgan Stanley, Sr. Vice President, provided a historical overview on the creation of the District's Retirement Board of Authority. The RBOA's role is to create the parameters in which the trust works. Morgan Stanley has a relationship with the trust. The day to day decisions are left with Benefits Trust. The Board sets the targeted rate of return and determines the risks. There is a lot of fiduciary protection for the district. No conflict of interest occurs because the only revenue Morgan Stanley receives is the agreed upon fees. When they meet with the RBOA, it's a high-level meeting. Mr. Allison reported that over the last year, the District's account is up 1.5% and 7.5% over the last five years. The portfolio is structured to avoid major mistakes. It is pretty diversified; over the past few years, the non-U.S. accounts have not done well. We are continually discussing with the RBOA the cash flow and its impact on the portfolio. Moving forward, we don't see significant growth domestically and internationally. On the bond side, we don't see inflation that's high or growth that's high. We are seeing more growth in Europe than in Asia. We keep track of these movements.

Student Trustee Harris inquired if funds in international stocks is a good investment with the turmoil in this world. Mr. Allison answered that money always flows into the investments that just did the best. The best opportunities over the last year are the ones that didn't do well last year; they are cheaper to acquire. However, we take the wimpy approach and do it all. Trustee Nasol commended the past Boards for having the foresight to go with the investment portfolio. We are at 18% value of our portfolio. This is great, and we are ahead of other college districts who did not go this direction. Mr. Allison said our district is fully funded, but the strain on the trust will increase as health care costs go up.

President Ho thanked Mr. Allison for the presentation.

3. A Preliminary Draft of the Chancellor Search Material for Review by the Board of Trustees

Vice Chancellor Garcia reviewed the process for gathering information for the new Chancellor profile. Forums were held at the District Office and the campuses; and for those who could not attend, a survey was sent districtwide. We also gathered a lot of information from the external community at the Chancellor's Community Advisory breakfast. The next leader needs to understand the students we serve, and to empower those students to succeed on those terms. We need to communicate that message to those who work here. She stated the document presented to the Board at this meeting is a draft, and the input submitted at this meeting would be included in the final profile for submission for approval at the May 26 meeting. The bottom line is the district needs someone who could move us forward and not reinvent us.

The board reviewed the draft of the Chancellor profile and made edits and recommendations by Board members in the following sections:

The District:
Who we are – add an additional section to address employees/constituency groups
Our students – specifically address second language learners, immigrants and EUHSD
Add language that addresses the two parts of Silicon Valley

Augment the Expected Qualities and Qualifications with language that addresses:
Commitment to access and student success
Ability to take strategic risks and reallocate resources
Ability to influence policy makers and legislative officials
Understand and prioritize of the colleges in budget decisions

Trustee Cruz expressed the need to include in the profile the qualities of an exceptional leader identified in the Crisis and Opportunity publication issued by the Aspen Institute and Achieving the Dream Reform Network.

Mr. Yancey stated this person will need to walk on water. What is missing is an introduction with the employees of this district. There is no discussion related to the unions that is reflected in this document. There is nothing in here about supporting employees. There is a humanness missing in this document as faculty and Classified staff are missing. Trustee Lease stated that on page 6 line 5 it states that issue. Mr. Covarrubias stated the need to add 10+1 to the document. Mr. Narveson stated the need to understand the CA community college system. Trustee Lease stated that teasing out a few items that make it clear the priority of understanding how we collaborate. The state of California is a unique environment in the
community college world. Mr. Yancey offered his assistance in writing some statements that could be added to the profile. Vice Chancellor Garcia answered that she would be willing to work with Mr. Yancey's to draft that statement. Trustee Cruz stated we need to add inclusion items, i.e. would the custodians feel included in this document? Student Trustee Harris stated that he felt the profile should be more user friendly.

Vice Chancellor Garcia reviewed the How to Apply document and discussed the submission of documents received by the candidates. President Ho spoke with Dr. Narcisa Polonio about the documents, which would be collected and housed by the ACCT instead of the district. The ACCT wants to hold all documents submitted by the candidates to protect the integrity of the process and also to ensure those records are not part of the public information request act. Trustee Mann stated that every superintendent his K-12 Board hired, it was the job for the consultant to house those documents. The issue of confidentiality and leakage is too great. Trustee Cruz also agreed with Trustee Mann. We need to trust the work that the ACCT would do. This time it is important for us to go with the recommendation of our consultants. Vice Chancellor Garcia expressed her concern about the district getting the data that would inform us that we had a good search. Trustee Nasol agreed that since we have hired a consultant, we need to allow them to take charge of the process.


Mr. Casey Michaelis, Principal in Charge, Gilbane Building Company, provided a presentation on Measure G-2004 and Measure G-2010 bond programs. Gilbane is now in year 4 of that contract. The program management fee is $268 million for Measure G-2010. Typically for a project of this size, the program management fee is between 3% to 5%. For construction management fees range in 8-10%, and we are approaching the 10% range in year 8 of the program. Gilbane provides bond list revisions, master schedule updates, and cash flow analysis reports for the District. Gilbane also coordinates and supports the Citizens Bond Oversight Committee meetings, program purchasing and accounting support, Board of Trustees meetings, and provides outreach program support. Gilbane will also be working with the consultant on the facilities master planning process. Mr. Michaelis reported on the construction management program. The first major project at EVC was the Central Plant and Police Renovation project, a $15 million project. The South Campus Development project is $56 million and the Automotive Technology building is a $17 million project. For these two projects, Gilbane utilized the lease/lease contract. The Central Green/Arts Plaza project combines Measure G-2004 and Measure G-2010 funds. San Jose City College projects include the Physical Education Gymnasium, Campus site Improvements Project, and several sub-projects, including site lighting, a $3.4 million project, and Scheduled Maintenance Projects at the Student Center and Technology Center. The District Office Building project is a $17 million project. The Milpitas Educational Center includes 15K sq. ft. of new building space. Mr. Michaelis reviewed the G-2010 cash flow report. The projects will total $104 million, and on June 30 we'll be at $118 million. He also reviewed the FY14/15 budget, estimated costs, variance, and projections for the FY15/16 budget. Mr. Michaelis reviewed the next steps, which includes a contract renewal at the June 9 board meeting for both Measure G-2010 and Measure G-2004.

Trustee Cruz inquired how Gilbane assesses quality control and who is involved in that assessment. Mr. Michaelis answered that Vice Chancellor Smith, Director Fitzsimmons and Director Steve Thompson and Gilbane's executive team meets once a month. During those meetings, we talk about what is working or not working and how we can improve. The project managers are out in the field daily working with the construction managers. Trustee Nasol expressed concern about the ethnic diversity of staff working on bond projects. The Board is looking at that through our consultant regarding the District's purchasing contracts. Mr. Michaelis answered that Gilbane Building Company is always looking at that, particularly in the current hiring processes.


Vice Chancellor Smith reviewed the content of the FY2014/2015 Third Quarter Report. He provided an overview of the budget for FY2014/15, which includes an ending fund balance of $11.9 million, 12.9%. Some of the major assumptions for FY2014/15 include a property tax increase of 8.82%, new rate increases for STRS, PERS, and medical benefits, contract settlements with AFT 6157, CSEA, and the executive and MSC employee groups. The budget outlooks for FY2015/16 includes an ending fund balance of $12.9 million, 13.6%; and in FY2016/17 we project an ending fund balance of $11.7 million, 12.1%. Some of the major assumptions for FY2015/16 include a property tax increase of 3.5%, increase rates for medical benefits,
contract settlements, Board initiatives, one-time allocations for the colleges and Workforce Institute, curriculum innovations, hiring of interpreters, and the establishment of a financial stability fund. Mr. Smith reviewed the property tax history and the historical graph of the ending fund balance for the general Fund 10. He reviewed the timeline for when budget updates would come from the state and Governor’s Office. The bulk of what is coming from the state is designated for K-14; however, we will also benefit. We do expect more money for categorical programs. Mr. Smith provided a list of future items the District must consider as relating to the budget. One issue includes watching the 50% law as we have more challenges in that area as a Basic Aid District. Mr. Smith reported that the Tentative Budget would be submitted at the June 9 board meeting.

Trustee Cruz inquired if any information was released about funding available for professional development. Vice chancellor Smith stated he had no information on that subject. Chancellor Cepeda stated that she has heard that this may be a possibility. Trustee Nasol stated that it seems the district would be fiscally healthy in the next few years. He inquired about the loss in the parking fund. Mr. Peter Fitzsimmons answered that Fund 11 is parking, and in 2012 the Board raised the daily fee from $2 to $3. Now that enrollment is down, parking revenues are down. We are now projecting that Fund 11 will need to be augmented from Fund 10, probably in an amount around $300K. Trustee Nasol inquired about facilities rental revenue and revenue from the shopping center adjacent to the old district office. Mr. Fitzsimmons answered that this revenue goes into unfunded liability. The rental fees can be moved to Fund 10. The rent from tenants in this building also goes to Fund 15. Trustee Nasol expressed concern about enrollment management. We should be looking at offerings at both campuses to increase enrollments. He would like the district to consider that. We need to determine what are the needs of our students in terms of classes and offer those classes. Vice Chancellor Smith stated that we are very deep into basic aid now, and our funding is not based on enrollment. Chancellor Cepeda stated enrollment management is a big concern for both presidents. They are looking into high demand courses. President Breland stated that part of what we are doing is restoring what we have lost, and now the college is going through a prioritized review. The view we have is to look at technology, courses, and how to get funds to our instructors. President Yong stated the importance of having classes available for a student friendly schedule. The college seems to have more activity in Admissions and Records. Unfortunately, we’ve not been able to get any data at all. It seems to be busier than in the past. Mr. Covarrubias stated the need for a budget allocation model, but the colleges do not have an opportunity to present what the needs are. We have accountability at our colleges. Where is the accountability regarding our technology infrastructure? We have been taken stock with our program reviews. We can present how much we need and why. We need to compare the discretionary funds of the colleges versus the District Office. Mr. Narveson noted that the state was losing what state funding was lost. EVC has a Theater that is not being used. This building is underutilized due to a lack of faculty. We just had a music instructor that retired in December. We need to restore that program. Trustee Pham inquired about the international program and how much were we bringing in. Does the state still owe us by giving us less than the promised budget? Vice Chancellor Smith answered that during the tough years, the state basically borrowed but now have paid back all those deferrals. When the community college system promises you a $1, they give you 90 cents. Vice Chancellor Coen stated that the adult learners program will have pathways for thousands of students, and it’s important to fund that program. Vice Chancellor Smith stated that he sees funding from the state for categorical programs and one-time funds. We also expect the property tax increase revenue. Chancellor Cepeda stated the importance of addressing the budget issue without attacking one another. It is wasted energy to have acrimony and we need to work together to make the best use of this money.

6. Presentation of the San Jose/Evergreen Federation of Teachers, AFT 6157 Contract Proposal with San Jose/Evergreen Community College District for 2015/2016

Chancellor Cepeda stated that this item is being presented for information at this time, and the public hearing would be conducted at the June 9 board meeting.

7. Board Meeting Evaluation

Trustee Lease stated that part of the Board’s meeting evaluation is related to meeting management. In the future, we need to be more brief with our oral reports. Trustee Nasol stated that, traditionally, when we have new members of the Board we either have a board retreat or some other venue where the Board gets together. We are overdue for our own board retreat as this would be beneficial for our new members. It may be something to think about. Trustee Cruz expressed appreciation to her fellow trustees for the conversation
with one another and colleagues. President Ho expressed appreciation for Gilbane's presentation, in particular, as this highlights the Board's responsibility of the use of bond funds.

K. CONTINUATION OF CLOSED SESSION (If needed)

L. RECONVENE TO OPEN SESSION

1. Announcement of Action Taken in Closed Session

M. ADJOURNMENT

1. M/S/C (Lease/Mann) to adjourn the meeting at 10:29 p.m.

Dr. Rita M. Cepeda
Board Secretary
A. CALL MEETING TO ORDER

1. 5:00 p.m. - The Meeting was Called to Order at Milpitas Unified School District, 1331 East Calaveras Blvd., Milpitas, CA 95035 in Building 200, Room 206

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

Board Members Excused:
Ms. Mayra Cruz

2. Information was provided on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

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

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

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

D. CLOSED SESSION ITEMS FOR DISCUSSION

1. The Board recessed to consider or take action upon the following item:

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

E. RECONVENE INTO OPEN SESSION

1. 6:00 p.m. Adoption of the Agenda

M/S/C (Lease/Mann) to adopt the agenda as amended:
Information Item I-2 Study Session on Board’s role in Expulsory/Suspension of a student to follow the approval of the Measure G Bond Programs Consent Agenda.

Added Information Item I-3 Board Meeting Evaluation.

 Corrections were made (highlighted in yellow) to the document attached to Action Agenda Item H-2

Board vote was as follows:
Trustees Ho, Lease, Mann, Nason, Nguyen and Pham voted yes.

President Ho announced that Ms. Mayra Cruz informed her that she could not attend this meeting due to illness.

M/S/C (Pham/Mann) to approve Resolution No. 052615-1 to excuse Trustee Mayra Cruz from attending the May 26, 2015, Governing Board Meeting due to illness.

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

Advisory vote was as follows:
Student Trustees Harris and Tram voted yes.

2. Open Session Meeting moved to the MUSD Board Room, Building 500, for Joint Meeting between Milpitas Unified School District and San Jose-Evergreen Community College District Governing Boards

SJCC Student Trustee Larry Harris joined the meeting.

3. Pledge of Allegiance

MUSD Board President Danny Lau led the MUSD and SJECOD Board and members of the audience into the Pledge of Allegiance to the flag.


MUSD Superintendent Cary Matsuzuka welcomed the SJECOD Board and audience to the special presentation on the Joint Use 21st Century Post Secondary Education Center. He thanked SJECOD Chancellor Rita Cepeda for her collaboration in the important work of building this facility. Chancellor Cepeda stated that the process of getting this center built was a long one, and began with the efforts and commitment from former Trustee, Mr. Ron Lind and continues with the commitment of Trustee Rudy Nasol, who continues to sharpen the focus of the center. Since Mr. Lind was in the audience, Chancellor Cepeda thanked him for all the commitment and work he did towards getting this project launched. Superintendent Matsuzuka reviewed the vision of MUSD and SJECOD for the Center. SJECOD’s vision is to better serve the needs of the residents of Milpitas and to provide seamless access to higher educational services. MUSD’s vision is to create a facility to allow access to college level courses while completing high school curriculum.

Superintendent Matsuzuka reviewed the building site, which is on the front side of Escuela Parkway at Russell Middle School. Initially, four acres were to be allocated for the site, but the program review process indicated that three acres would be sufficient. The good news is that students can attend elementary school through college within two blocks. Mr. Matsuzuka also reviewed the educational facility program goals that were reflected in the program document, and Dr. Cepeda provided a historical overview of the courses that were offered by SJECOD at MUSD since Fall 2001. Mr. Matsuzuka reviewed the timelines and indicated the project was now in the Initial design phase. He stated the work now is to submit the design to the DSA for approval as soon as possible. The submission to the DSA will be done in two packages; site work and construction. Dr. Cepeda introduced members of the McCarthy/Steinberg design building team who were present in the
audience. The design team indicated that most parts of the building to be used are models which are already DSA approved; therefore, this should move the process along more quickly. Dr. Cepeda reviewed the work done by the Operations Committee and Educational Facility Programming Committee and thanked Vice Chancellor Coen and Dean Vuijeni for their excellent work in moving this project along.

Mr. Matsuoka reviewed the design of the buildings, including an aerial view of the center. The plan is to have another joint board meeting before the groundbreaking ceremony. It is anticipated we should occupy the facility by August of 2016.

MUSD Board Member Chris Norwood inquired if there was a plan to use solar panels. Mr. Matsuoka answered that it is unknown at the present time if there is the budget available to include solar panels, but the buildings would be prepared for them. SJECCD Trustee Nasol stated that as a LEAD Silver project, this would be an energy efficient facility. SJCC Academic Senate President Covarrubias inquired about the number of parking spaces available for faculty and students. Chancellor Cepeda answered that there will be 158 parking spaces. Mr. Matsuoka also stated that when the high school courses end, there would be additional parking spaces available. EVC Academic Senate Narveson inquired about police coverage for the facility. Vice Chancellor Smith answered that this question, along with other logistical details, are still in the process of being addressed by the Operations Committee. Some of the details already determined is that the inside of the buildings would be managed by SJECCD staff and the external details by MUSD staff. It is very possible that the facility would be supported by the local police department. MUSD Board Member Bob Nunez stated that the course offerings are excellent, and he looked forward to the opening of the facility, and Board Member Dan Bobay agreed with that assessment. Trustee Lease thanked everyone who had a hand in moving this project forward. He thanked Trustees Ron Lind, Superintendent Matsuoka and Chancellor Cepeda for following through on the vision. Former SJECCD Ron Lind stated that everyone has been working on this for a long time, and he thanked the board members of the MUSD and SJECCD for moving this forward. It will be great to see this finally come to fruition.

Superintendent Cary Matsuoka presented a retirement gift to Chancellor Cepeda; tickets to Disneyland to take her granddaughter. He thanked Dr. Cepeda for her commitment to this project, which would not have moved forward without her support.

Trustee Huong Nguyen left the meeting.

5. 7:00 p.m. The meeting of the SJECCD Board Open Session Continued in Building 200, Room 206, 1331 East Calaveras Blvd., Milpitas, CA 95035

6. Announcement of Reportable Action Taken in Closed Session

There were no reportable actions.

7. Public Comments on Matters not on the Agenda

There were no public comments.

8. Approval of the May 12, 2015, Governing Board Meeting Minutes

M/S/C (Nasol/Lease) to approve the above meeting minutes as revised: The SJCC ASG President is a female and her title should be changed from Mr. to Ms.

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

Advisory vote was as follows:
SJCC Student Trustee Harris voted yes.
F. CONSENT AGENDA

1. Adoption of the Consent Agenda

Hearing no comments to pull any item from the agenda, President Ho stated that the Consent Agenda was approved by general consent of the Board.

2. Management Personnel Actions

The Board approved the Management Personnel Actions as submitted.

3. Classified Personnel Actions

The Board approved the Classified Personnel Actions as submitted.

4. Hourly, Student Work & Volunteer Personnel Actions

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

5. Curriculum Recommendations for Evergreen Valley College

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

6. Curriculum Recommendations for San Jose City College

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

7. Acceptance of Grant Funds - Enrollment Growth for Associate Degree Nursing

The Board accepted grant funds in the amount of $103,937 awarded to Evergreen Valley College's nursing program from the State Chancellor's Office, Nursing Education Program, Enrollment Growth for Associate Degree (RN) Nursing Program.

8. Acceptance of Grant Funds - Assessment, Remediation & Retention for Associate Degree Nursing (RN) Programs

The Board accepted grant funds in the amount of $79,800 awarded to Evergreen Valley College's nursing program from the State Chancellor's Office, Assessment, Remediation & Retention for Associate Degree Nursing (RN) Programs.

9. Acceptance of additional Grant funds from Yosemite Community College District, Child Development Consortium

The Board accepted and appropriated grant funds up to $10,987.50 (and increase of $987.50 of the grant approved November 11, 2014) from Yosemite Community College District, Child Development Consortium for San Jose City College's Early Childhood Education students.
10. Out of Country Travel - SJCC Students
The Board approved out-of-country travel for two San Jose City College students to be funded by the SJECCD Foundation.

11. EVC Out of Country Travel
The Board approved the out of country travel for Professor Kenneth Jardin and approved funds in the amount of $500.00.

12. MOU between Asian Americans for Community Involvement and San Jose City College
The Board approved the MOU between Asian Americans for Community Involvement (AACI) and the San Jose-Evergreen Community College District-San Jose City College to partner and provide the Patient Navigator Training Program.

13. CTE Grant Sub-Agreement Between San Jose College/SJECCD and Cabrillo Community College District
The Board accepted a Career Technical Education (CTE) Enhancement Fund grant in the amount of $232,999.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. Adoption of the Measure G Bond Programs Consent Agenda
Hearing no comments to pull any items from the agenda, President Ho stated that the Measure G Bond Programs Consent Agenda was approved by general consent of the Board.

2. Measure G – 2010 Bond Program: Evergreen Valley College Automotive Technology Building, Project #32111 - C. Overaa & Company Change Order No. 003
The Board approved Change Order No. 003 in the amount of $55,312 to C. Overaa & Company for the Automotive Technology Building Project #32111 at Evergreen Valley College.

3. Measure G – 2004 and 2010 Bond Programs: Evergreen Valley College Central Green / Arts Plaza Project #223 - Taber Construction, Inc. Agreement
The Board approved the award of a contract in the amount of $7,115,000 to Taber Construction, Inc. for the Central Green/Arts Plaza Project #223 at Evergreen Valley College.

4. Measure G - 2004 Bond Program: San Jose City College (SJCC) Physical Education Building #122– LPAS, Inc., Amendment #001 to the Standard Form of Agreement - SJCC #B0011332
The Board approved the Amendment #002 to Standard Form Agreement in the amount of $15,000 to LPAS, Inc. for the Physical Education Building #122 at San Jose City College.

The Board approved Project Assignment Amendment (PAA) SJCC-01 in the amount of $88,600 to LPAS Architecture & Design for the SJCC Physical Education Building Project #122 for Furniture, Fixture & Equipment Consultant Services (FF&E).

6. Measure G - 2010 Bond Program: San Jose City College (SJCC) GE HVAC Upgrades Phase I Project #31127 – Environmental Systems, Inc. Agreement

The Board approved the award of an Agreement in the amount of $1,063,900 to Environmental Systems, Inc., for the GE HVAC Upgrades Phase I Project #31127 at SJCC.

7. Measure G - 2010 Bond Program: San Jose City College (SJCC) Career Technical Education Project #31107-2 – Buildings 100 & 200 Change Order No. 009 (Final Change Order)

The Board approved Change Order No. 009 in the amount of $262,602.00 to Kitchell CEM Inc. for the Career Technical Education Buildings 100 and 200 Project at SJCC.

8. Measure G-2010 Bond Program: Uninterruptible Power Supplies (UPSs) for San Jose City College Network Switch Upgrade

The Board authorized the District to “piggyback” on a contract with Transource Computers to purchase UPSs for the San Jose City College Network Switch Upgrade for a total cost of $146,136.33.


The Board approved the award of a contract in the amount of $403,198.00 to ReGreen, Inc. for the Prop 39 Lighting Upgrade Project #25103.

10. Measure G - 2004 Bond Program: Joint Use 21st Century Post-Secondary Education Center #309, Amendment to the Ground Lease and Joint-Use Agreement

The Board approved the First Amendment to Ground Lease and Joint Use Agreement by and between Milpitas Unified School District and San Jose Evergreen Community College District for the Joint Use 21st Century Post-Secondary Education Center #309, Milpitas, CA.

11. Measure G-2010 Bond Program: Miscellaneous Items for DO Phase II Network Upgrade and Migration

The Board approved the purchase of miscellaneous items for the DO Phase II Network Upgrade and Migration project per the attached quotes for a total cost of $17,938.48.

I-2. Study Session on Board's role in Expulsion/Suspension/Expulsion of
a Student

Mr. Randy Parent, Liebert Cassidy Whitmore, provided a study session on the Board’s role in the expulsion/suspension of a student. He stated that the Board and district as a whole are interested in students receiving due process. The law provides that student expulsion can only be done by the Board of Trustees. As we are looking at due process rights of students, he started with the disciplinary procedures as a whole and the answer to the question: Did the student receive due process on the way to this recommendation getting to the Board? Mr. Parent distributed an outline along with the applicable board procedure and the section of the student handbook where students’ standard of conduct and disciplinary procedures are addressed. The Education Code requires the Board adopt rules for student conduct. The Education Code also outlines the good causes for student expulsion and specifies that the Board could rule other things as criteria for discipline. The Board has adopted policy BP 5530 Standards of Conduct. The president of either college can make the recommendation and can suspend students, but only the Board can expel students. You can’t expel a student for protected speech but you can discipline a student for vulgar speech, or speech such as "shouting FIRE in a crowded theater," which puts other students in danger. Mr. Parent stated that the development of the procedures is delegated to the Chancellor, and those procedures are contained in AP 5095. The Board reviews whether or not the district has followed its procedures. Due process rights include that each college president appoints a disciplinary officer. The first step is for the disciplinary officer to conduct an investigation. The student is informed of what rule they have violated and is entitled to a formal hearing for suspensions over 10 days. If the student requests a formal hearing, the president appoints an officer other than the disciplinary officer and a panel who would be available to serve. The letter with findings and recommendations goes to the college president. If the president decides that suspension is necessary, he/she can do that without Board approval. But if the president decides the student should be expelled, the finding of the panel is passed along to the Board. The Chancellor reviews the president’s decision, and, if there is agreement, that determination is also forwarded to the Board. The Closed Session item must include a notice to the student, who can choose to present their argument in Open Session. But neither side gets to call witnesses. The Board is not required to provide an evidence hearing if the item is moved to Open Session. The Board does its deliberation in Closed Session. In its deliberations, the Board and the district are separate. Any attorney that was involved in the process also cannot be included in the Closed Session meeting. After the deliberation in Closed Session, the Board must report out in Open Session its determination as to whether or not the district adhered to its disciplinary procedures.

Student Trustee Harris asked if the expulsion shows up in the student’s transcript. Mr. Parent answered yes. He also inquired if the student can have representation during the panel. Mr. Parent answered yes. Trustee Pham inquired if the student can have legal representation during the panel meeting. Mr. Parent answered yes. Trustee Nasol inquired if a student who tells lies could be expelled. Mr. Parent answered that the student could not be expelled for statements of opinion. Trustee Nasol inquired if the student tells lies about others would that be a cause of expulsion? Mr. Parent answered that if it’s detrimental to other students or causes disruption, the student can be disciplined. President Ho inquired what process would be used if the student is undergoing a criminal investigation. Mr. Parent answered that the district should proceed to make its own determination. Chancellor Cepeda asked if the Board should answer any questions if the student asks them in Open Session. Mr. Parent answered that the Board should just listen. Mr. Covarrubias stated the appeal process can take a whole semester and if the student is not disciplined, there is not outlined in the procedure what the remedial measures would be. Mr. Parent said there are remedies the district could take in those circumstances.

President Ho thanked Mr. Parent for the informative presentation.

H. ACTION AGENDA

1. Interim Chancellor Selection

President Ho stated how excited she was that the Board was able to hire Mr. John E. Hendrickson as Interim Chancellor. He will serve the district well during the time the district is searching for a permanent Chancellor. Trustee Mann stated that members of the constituency groups came away with the consenses that this candidate was the best that was brought forward through the search process. Chancellor Cepeda stated she had known Mr. Hendrickson for a long time, and the district should be well served by Mr. Hendrickson. President Ho thanked the constituency representatives for spending a Saturday to interview the candidates.
M/S/C (Lease/Pham) to approve the Interim Chancellor Selection actions as submitted.

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

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

2. Final Draft of the Chancellor Position Search Material for Review by the Board of Trustees

Vice Chancellor Garcia noted the changes to the document that were made as a result of the last board meeting. She stated that Page 4 included a section from the findings of the Aspen Institute and Achieving the Dream Reform Network entitled Crisis and Opportunity, which Trustee Cruz requested be added to this document. Vice Chancellor Garcia noted that the qualities from this document is about the desired leadership qualities of college presidents and not that of a Chancellor.

M/S (Mann/Lease) to approve the materials to be used in the search and selection of the SJECCD Chancellor search.

Trustee Mann inquired of Chancellor Cepeda what she thought about the information requested by Trustee Cruz. Chancellor Cepeda answered there was a need for stating something more generic. Because this document is aimed at the college presidents, there is the risk that you are asking the Chancellor to do things required by the college presidents. You have to be very careful about that. However, you can take some of those recommendations and reword them to apply to the Chancellor position. All of these items need to be brought up to the district level. President Ho inquired about the section submitted by David Yancey on behalf of the constituency groups. Trustee Nasol requested the wording change from college to district, which would allow for this section to work for the Chancellor position. Vice Chancellor Garcia stated her concerns about using the notation of that particular document. Trustee Mann inquired what the consultants thought about this document. Chancellor Cepeda answered that both the ACCT and CCLC have documents related to the leadership qualities of Chancellors.

President Ho inquired about the next steps and getting this document in final form. Would it be possible to move this approval to the June 9 meeting? Vice Chancellor Garcia answered that we initially wanted to launch this search on June 1; but if we approve this item on June 9, we can start the search on June 10. This revised timeline would not negatively impact the search.

President Yong requested the demographic information for Native American student population be included. Trustee Lease requested that sufficient familiarity with the region be used instead of local experience. Trustee Nasol agreed with that request to avoid excluding candidates that have excellent Chancellor experience but not in this area. Vice President Burns stated that three references should be included from the Associated Student Government. President Ho stated we should not be too prescriptive; however, there does need to be student perspective. Chancellor Cepeda stated that the three/three/three references may be too much. Perhaps at least one or more would be better. Vice Chancellor Garcia answered that this is just a list. Often when you call the references, you can't get everyone you call. Trustee Lease recommended asking for two or more references for each group. President Ho recommended at least a minimum of one. Also, we need to add one board of trustee member. Academic Senate Presidents requested the policy that addresses the 10+1 be added to the constituency section.

Trustee Lease amended the motion to move the approval of this item to the June 9 board meeting with the understanding that the document would continue to be revised.

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

Advisory vote was as follows:
Student Trustee Harris voted yes.
3. Measure G-2004 Bond Program: Bond List Revision

M/S/C (Mann/Lease to approve the revisions to the Measure G-2004 bond list as presented.

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

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

4. Measure G-2010 Bond Program: Bond List Revision No. 14

Vice Chancellor Smith made note that costs are coming in higher than anticipated due to current market conditions. Trustee Nasol requested that on the next report a listing be provided of how the funds for the Media Center were dispersed to other projects. He just wanted a brief report to show where this money was applied.

M/S/C (Pham/Lease) to approve the revisions to the Measure G-2010 bond list as presented.

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

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

I. INFORMATION AGENDA

1. Presentation of the San Jose-Evergreen Community College District Contract Proposal with San Jose/Evergreen Federation of Teachers, AFT 6157 for 2015/2016

Chancellor Cepeda reported that this item would be presented for approval at the June 9 meeting, and there will also be public hearings for these items. She stated that the plan is for negotiations to begin on June 26.

Vice Chancellor Garcia stated that last year we worked very hard on evaluations; therefore, and this list is more comprehensive because the items listed were pushed back.

2. Study Session on Board's role in Expulsion/Suspension of a Student

This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

Discussion: 3. Board Meeting Evaluation

Trustee Nasol expressed his appreciation for the joint presentation and stated that he is committed to this project. Trustee Lease stated that the discussion regarding the qualities of the new Chancellor are in line with the Board’s ends policies.

J. CONTINUATION OF CLOSED SESSION (None)

K. RECONVENE TO OPEN SESSION
1. No Action Taken in Closed Session

L. ADJOURNMENT

1. M/S/C (Lease/Nasl) to adjourn the meeting at 8:25 p.m.

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

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

   Board Members present:
   Ms. Mayra Cruz
   Ms. Wendy Ho
   Dr. Jeffrey Lease
   Mr. Rudy Nasol
   Ms. Huong Nguyen
   Mr. Scott Pham

   Board Members Excused:
   Mr. Craig Mann

2. Information was provided on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

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

   Board vote was as follows:
   Trustees Cruz, Ho, Lease, Nasol, Nguyen and Pham voted yes.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

D. CLOSED SESSION ITEMS FOR DISCUSSION

1. 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 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
E. RECONVENE INTO OPEN SESSION

1. 6:00 P.M. - Pledge of Allegiance

SJCC Student Trustee Harris joined the meeting.

President Ho led the Board and members of the audience into the Pledge of Allegiance to the flag.

2. Adoption of the Agenda

The Chancellor recommended the following changes to the agenda.

Move two items to follow the approval of the Measure G Bond Programs Consent Agenda:
Action Item I-3 Measure G-2010 Bond Program: Programmatic and Schematic Design for Signage Board Study Session and
Action Item I-4 Measure G-2004 Bond Program: Joint Use 21st Century Post-Secondary Education Center Project #309 Environmental Impact Report Approval
These items are to be moved because there are outside consultants who will be presenting on those items.

Consent Agenda F-2 Management Personnel Actions
1.a Position Establishment – Vice President and
2.c Change of Status – Transfer, Burns, Elaine
The above section be removed from the Consent Agenda and added to the Action Agenda as Item I-10

Consent Agenda F-5 Classified Personnel Actions, the items related to Telecommunications System Specialist and Information Technology Technician for Elizabeth Juarez from the below sections have been removed from this agenda item:

1 Position Management
a) Classification Elimination & Establishment
b) Position Elimination & Establishment
2 Change of Status
a) Reclassification

This item was removed per the request of CSEA for further review. It is requested that all other items contained in F-5 be approved.

Consent Agenda Item F-10 Students Out of Country Travel will be removed from the agenda.

A correction was made to Information Item J-2 Institutional Effectiveness Partnership Initiative Metrics – On the IEPI Indicators and Goals document, the date of the next accreditation visit has been changed to October 15, 2016.

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

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
SJCC Student Trustee Harris voted yes.

3. Announcement of Reportable Action Taken in Closed Session

President Ho reported out on two Closed Session items.

Removal/Suspension/Expulsion of a Student.

The Board has reviewed the President and Chancellor's recommendation to expel Mr. Chinyu Chou. The Board finds that the student has been afforded due process to which the student is entitled under the law and administrative procedure 5095. The Board finds that the President's and Chancellor's determination of facts and conclusions regarding the student's violation of the District Standards of Conduct are reasonable and correct.

President Ho asked the Board for a motion.

M/S/C (Nasol/Lease) to expel Mr. Chinyu Chou, student at Evergreen Valley College from the San Jose-Evergreen Community College District.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, and Nguyen voted yes.
Trustee Pham voted no.

President Ho reported on the Chancellor's performance evaluation.

The Board is unanimous in its recognition of Chancellor Cepeda's many accomplishments, as well as her expertise, dedication to, and leadership of the San Jose-Evergreen Community College District. The Board's work with the Chancellor has been transformational. In particular, the work she performed in the development of the SJIECCD Board of Trustees' Ends Policies and Governance Principles was impactful as those principles now clearly define the means by which the Chancellor shall be evaluated in direct relationship to the successful implementation of districtwide priorities. The Board believes this new approach will strengthen and fortify the commitment we have in becoming a premier institution for advancing opportunity, equity and social justice for everyone through educational excellence. It is through this work that we are now confident in modeling the powerful relationship that can exist between a Board of Trustees and a Chancellor.

The Chancellor's 2014-15 Contract allows for the award of $10,000 in tax-deferred compensation pending successful performance. The Board is unanimous in its evaluation of the Chancellor's exemplary performance and has approved the allowed compensation.

In addition, the Board wishes to bestow the status of "Chancellor Emeritus" to the Chancellor as an expression of appreciation and gratitude and in recognition for her service to the San Jose-Evergreen Community College District and the California Community College System.

President Ho reported that Trustee Mann informed her this morning that he would not be able to attend the meeting due to illness.

M/S/C (Lease/Pham) to approve Resolution No. 060915-3 to excuse Trustee Mann from attending the June 9, 2015, Governing Board Meeting.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nguyen, Nasol and Pham voted yes.

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

4. Public Comments on Matters not on the Agenda

EVC Professor Keenan Norris and students Christopher Sifflet, Kenny Jackson, Tasean Clark, reported on their
upcoming trip to Cuba and the value this trip holds for their educational experience, especially in reference to understanding other cultures. EVC Academic Senate President Eric Narveson stated the students made a presentation at the last Academic Senate meeting. The Board should be seeing this type of item annually. This is an excellent method of learning, and we wish them good luck and hope they have a great trip.

Trustee Nasol commended the students for undertaking the trip to Cuba. You can be ambassadors of good will to someone else. He wished them a lot of luck and success during their trip. Student Trustee Harris stated he knew how much work went into a fundraiser and wished the students well in their endeavor.

5. Approval of the May 26, 2015, Governing Board Meeting Minutes

M/S/C (Lease/Pham) to approve the above meeting minutes as submitted.

Board vote was as follows:
Trustees Ho, Lease, Nasol, Nguyen and Pham voted yes.
Trustee Cruz abstained.

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

6. 6:10 Public Hearing on The San Jose/Evergreen Federation of Teachers, AFT 6157 Contract Proposal with San Jose/Evergreen Community College District for 2015/2016

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

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, Nguyen and Pham voted yes.

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

AFT 6157 Executive Director Barbara Hanfling stated that this open hearing is for a contract reopener. The AFT settled its contract in February and has two reopeners on a three year contract. It's a fairly standard reopener, and the AFT looks forward to negotiating with the district in good faith on both sides. The AFT feels it's behind in terms of monetary issues. Things are doing well property tax wise, and the reserve has been going up every quarter. The AFT 6157 bargains for all faculty. For the most part, it has an excellent contract for full-time faculty; but the goal is to bring adjunct faculty closer to our full-time faculty. This is a very important issue for the union. The union is also trying to negotiate office hours for adjunct faculty.

7. 6:15 p.m. Public Hearing on The San Jose-Evergreen Community College District Contract Proposal with San Jose/Evergreen Federation of Teachers, AFT 6157 for 2015/2016

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

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
SJCC Student Trustee Harris abstained.

F. CONSENT AGENDA
1. Adoption of the Consent Agenda

Trustee Cruz pulled Item F-12 Estrella Family Services Independent Contract Agreement from the Consent agenda for discussion and separate vote. President Ho stated this item would be added as Action Agenda Item No. I-11 to follow the sections of F-2 Management Personnel Actions, which has been added as Action Agenda Item No. I-10. Hearing no comments to pull any other item from the agenda, President Ho stated that the Consent Agenda was approved by general consent of the board.

2. Management Personnel Actions

The Board approved the Management Personnel Actions as amended: Sections 1a and 2b Vice President was moved to Action Agenda Item No. 10 for further discussion and separate vote.

3. Faculty Personnel Actions - Regular

The Board approved the Faculty personnel actions 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 amended.

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. Ratification of Contracts, Purchase Orders and Contract Revisions

The Board ratified the contracts, purchase orders and contract revisions for the period of April 10, 2015, through May 9, 2015, as noted in the attached documents.

8. The San Jose/Evergreen Federation of Teachers, AFT 6157 Contract Proposal with San Jose/Evergreen Community College District for 2015/2016

The Board adopted the reopener proposals of the San Jose-Evergreen Federation of Teachers, AFT 6157, with the San Jose-Evergreen Community College District for 2015/2016.

9. The San Jose-Evergreen Community College District Contract Proposal with San Jose/Evergreen Federation of Teachers, AFT 6157 for 2015/2016

The Board adopted the reopener proposals of the San Jose-Evergreen Community College District with the San Jose-Evergreen Federation of Teachers, AFT 6157 for 2015/2016.

10. Students Out of Country Travel
11. InCommon Participation Agreement and Addendum for Federated Identity Management Services

The Board approved the InCommon Participation Agreement and Addendum with InCommon at no cost to the District.

12. Estrella Family Services Independent Contractor Agreement

This item was removed from the Consent Agenda and moved as Action Agenda Item I-11.

13. Workforce Institute – California Career Pathways Trust (CCPT) Grant Award for the Silicon Valley Engineering Tech Pathways (SVETP) Project

The Board approved the California Career Pathways Trust Grant Award for the regional Silicon Valley Engineering Tech Pathways (SVETP) project for the two year term: July 1, 2015 - June 30, 2017.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. Adoption of the Measure G Bond Programs Consent Agenda

Student Trustee Harris stated the beautification of EVC is a good PR opportunity.

Hearing no requests to pull any item from the agenda, President Ho stated that the Measure G Bond Programs Consent Agenda was approved by general consent of the Board.

2. Measure G-2010 Bond Program: Evergreen Valley College South Campus Development Project #32107 – Blach Construction Company

The Board approved Change Order No. 007 in the amount of $19,820.21 to Blach Construction Company for the South Campus Development Project #32107 at Evergreen Valley College.


The Board approved the award of a contract in the amount of $589,608.00 to Integra Construction Services, Inc. for the Cedro Transformer and PE FCU Upgrade Project #32307-08 at Evergreen Valley College.


The Board approved the award of an Independent Contractor Agreement in the amount of $259,100 to Clampett Industries LLC, Dba EMG, for the Facility Condition Assessment, #32307-01 Schedule Maintenance-Small Projects.

5. San Jose City College (SJCC) Utilities Upgrade Phase II Project #31110-2 – Lewis and Tibbitts, Inc. Agreement
The Board approved the award of an Agreement in the amount of $896,980.00 to Lewis and Tibbitts, Inc., for the Utilities Upgrade Phase II Project #311110-2 at SJCC.

6. San Jose City College (SJCC) Ironworkers Training Center Project #31126 – R.C. Benson & Sons, Inc. Agreement

The Board approved the award of an Agreement in the amount of $917,500.00 to R.C. Benson & Sons, Inc., for the Ironworkers Training Center Project #31126 at SJCC.

7. San Jose City College (SJCC): Campus Site Improvements Project #31116-06, Pathway/Parking Improvement – Lewis and Tibbitts, Inc. Contract

The Board approved a contract in the amount of $447,075.48 to Lewis and Tibbitts, Inc., for SJCC Campus Pathway/Parking Improvements.

8. Measure G - 2010 Bond Program: San Jose Evergreen Community College District- New District Office-Signage Project #39301 - Anderson Brule Architect, Inc. Revision No. 001 to Project Assignment Amendment (PAA) No. DO-01

The Board approved Revision No. 001 to Project Assignment Amendment (PAA) DO-01 in the amount of $15,490 to Anderson Brule Architects, Inc., for the District Office - Signage Project #39301.


The Board approved Amendment #08 to Gilbane's PM/CM agreement to provide Construction Management services for fiscal year 2015/2016 on the remaining Measure G-2004 bond projects for a not-to-exceed amount of $1,306,030.


The Board approved the fifth year renewal of Gilbane's PM/CM agreement for fiscal year 2015/2016 for the not-to-exceed amount of $5,296,131.

11. (Formerly Action Item I-3) Measure G:2010 Bond Program: Programmatic & Schematic Design for Signage Plan Board of Trustees Study Session

Vice Chancellor Smith introduced Ms. Pamela Anderson Brule, Principal-In-Charge, Anderson Brule Architects, who would be presenting to the Board on signage options for the new District Office. The purpose of this presentation is to receive the Board's approval and direction on this project. Ms. Brule reviewed the project goals for the interior and exterior signage design. She reviewed the discovery process that was used to compile the information. She reviewed the key design drivers for the signage that was provided through review with the district's constituency group leaders. The building was currently a bank and still looks like a bank, and the question now is what can we do to change that look and make this building compatible with the educational institution message. There are opportunities to incorporate student art and also wall graphics, and something can be placed inside and outside to reflect a continuous theme. That something can be an interactive display that could be changed over time. The elevator really needs signage. One of the biggest priorities is branding at the street level. The second priority is to look at skyline branding. The next step would be to develop a schematic design and develop budget projections and come back to the Board in
August based on the recommendations made by the Board this evening.

Trustee Nasol stated he liked the facing on the outside, and this should be the main priority. The interior signage should be a Phase II priority. Skyline branding can come later on. But we need signage for those who walk outside this building. Trustee Cruz stated the Board received a lot of options this evening. As we think about being mission centered, image No. 12 caught her attention; and she asked about for the internal images, the wall graphics, Nos. 26 & 28 look appealing. What would that look like for us? Does that branding involve our internal folks at the colleges who would have expertise in art? Ms. Brule answered that it could be a branding done by students, etc.; however, the images provided are just conceptualized ideas. The discussion was about using the core of creativity from you. Trustee Cruz stated that Berkeley City College has the history of the institution narrated in the building. Student Trustee Harris inquired if any of these images would be combined with what Reprographics is using for the district logo. Ms. Brule answered that as they develop art for signage that could be incorporated into the other branding of the district. Trustee Lease agreed with Trustee Nasol that street signage is the highest priority. It’s also important to have something displayed in the entrance when you come into the building. The east side of the building faces the Rotary and City Hall buildings and would be ideal for outside skyline signage. President Ho stated that the board room is also an opportunity for student art, as was represented in the former DO board room. SJCC Academic Senate Covarrubias thought it would be important to have photos of the two campuses and Milpitas Educational Center represented at the District Office.

President Ho stated that the Board looks forward to seeing this design at the August board meeting.


Mr. Paul Stephenson, AICP, Senior Project Manager, Impact Sciences, Inc. reported that the final report includes comments made by those who have responded to the survey. Some of the findings include construction impact and street noise. There wasn’t an impact with traffic but that traffic from the center shouldn’t impact from the other surrounding schools.

Chancellor Cepeda stated that this report was sent out to the public. Trustee Nasol stated that no body showed up at the public hearing. Therefore, we can’t possibly know if it is OK with them or we can have a barrage of speakers at future meetings that state otherwise. But the community has embraced this project, and we would be unlikely to hear many complaints.

President Ho stated that she did review all 500 pages of the report and agreed with the assessment that there is minimal impact. The concerns were minor. One request was for wide sidewalks. The report has made great recommendations for mitigating the impact.

M/S/C (Lease/Cruz) to approve the Final Environmental Impact Report and "Findings of Fact" for the Joint-Use 21st Century Post-Secondary Education Center Project, #309 located in Milpitas, CA.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, and Nguyen voted yes.
Trustee Pham abstained.

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

H. ORAL COMMUNICATIONS

1. Board of Trustees/Committee Chairs' Reports

SJCC Student Trustee Harris reported that students are currently talking about where they would be transferring. The same excitement followed through to the commencement exercises.
Trustee Nasol attended both graduation ceremonies, which were very exciting. This is an important and gratifying experience for Trustees.

Trustee Cruz attended both graduations. The teams put together good ceremonies. It is a closure of a chapter which leads to a new chapter. She reported that she chairing the Board's self evaluation committee. The committee met on May 28, and Dr. Tamela Hawley and Ms. Maria Duran provided administrative support. The committee reviewed the ACCT student success survey, and it will continue to take a look at that report when necessary. The survey was done by our former board, and we would use the tool as information. The committee also looked at the self evaluation schedule. Our evaluation tool would look at our ends policies and governance principles, and student success policy. We set a schedule that will take us from the final section of the tool and use the tool as a tool itself for what will happen quarterly. We will be working on finalizing the schedule, and we have another meeting set in September.

Trustee Lease reported that both commencements were fantastic. We are student success. We have increased graduation rates, and it's a sign we are adhering to our ends policies.

Trustee Nguyen reported that she had attended EVC's graduation. It was very moving to see family celebrating.

President Ho stated it's always great to see students fulfill their educational goals. She also attended the ceremonies for our student success programs, which were also very informative. Trustee Lease and she attended the media presentation for the award of the Silicon Valley Engineering Transfer Pathway (SVETP) grant. President Ho also distributed a legislative report. She reported that the AB 490 ($40 million) bill was held in the committee but part of that may be included in the state budget. Finally, she reported that she has been meeting with members of the staff in support of the Chancellor's retirement event. It will be the event of the season.

2. Chancellor's Report

Chancellor Cepeda reported that during today's meeting the district will be seeking the Board's approval for the 2015/2-16 Tentative Budget. Vice Chancellor Smith's presentation will provide you his usual historical, rational and factual presentation. The future continues to bode well for our District; nevertheless, the focus must continue to be on the achievements of the Board's Global Ends Policy Statement that reads: The San Jose Evergreen Community College District exists to ensure 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 resource. Chancellor Cepeda brought this statement forward because it reminds her about the Board's discussions when adopting these policies in which you made it very clear that you were determined to tie budget/resources to policy directions and, furthermore, that you would base allocation decisions on metrics. She also brings this point to bear because she wanted to counter a phrase that seems to be cropping up in our discussions, namely; “but we are a basic aid district...” as if to say that the rules as we know them may not necessarily apply. Chancellor Cepeda stated that her thinking is that, in fact, the opposite is true—the prudent, targeted and efficient allocation and expenditure of dollars come under even greater scrutiny if for no other reason that it is our local tax payers who are footing the bill.

While nearly everyone has now learned the good news; it is important to highlight a significant accomplishment for our District, which is the receipt of $13.2 million awarded by State Superintendent of Public Instruction Tom Torlakson. Our District received the grant on behalf of the Silicon Valley Engineering Tech Pathways, which is designed to promote an integrated and accelerated system of K-14 STEM (Science, Technology, Engineering, and Mathematics) career pathways targeted to high-demand careers in computer science, engineering technology, and advanced manufacturing. This project will create a seamless transition from career technical education to high-demand, high-wage careers in three industry sectors: engineering, advanced manufacturing, and information and computer technology.

Kudos to Vice Chancellor Seaberry and the IT Staff. There has been no respite for our colleagues as the process of installation, replacement, migration, training and continually upgrading communication and data tools never seems to end. In fact IT staff is working hardest when the rest of us are on vacation or we have “down time” in our academic calendars. She wanted to make sure that their hard work and dedication does not go unnoticed.
Prior to moving from the San Felipe District Office location to our downtown location, this Board asked that we as staff look into the factors and process associated with any future requests to lease the facility pending our plans for demolition. In July we will be bringing an information item on the matter and will ask policy guidance from the Board regarding next steps.

As evidenced in this agenda, “no down time” is also the operative term for HR. There are multiples changes, alignments, reassignments, revisions, reclassifications—all in line with ensuring the proper classification, salary and placement of employees, which also allows us to continue on the road to redesign and restructuring of our workforce.

3. Presidents' Reports

EVC President Yong reported that in the three weeks after Commencement, EVC has been busy monitoring and fine-tuning our summer and fall offerings. To better serve student needs, and to be more efficient in our course offerings, we have cancelled low-enrolled sections and added additional sections to take pressure off the Wait Lists in high demand areas. Our goal is to offer courses that are in demand and to facilitate students in achieving their educational goals. The summer session is a great opportunity for students to get ahead in their course completion agenda, as well as for some to catch up on courses that they missed. EVC’s summer enrollment, as of this afternoon, shows a modest increase of 5.45% over last summer. As of now, this percentage gives us a projected yield of 612 FTES for this summer. This is a reversal in the enrollment trend, where we have been experiencing a steady decline in our enrollment for the last two years. In particular, we are seeing more high school students on campus this summer, taking general education classes for the A through G requirements for public four-year institutions. We hope the new enrollment trend will continue into the fall semester. Our Counseling and support staff are busy with assessment and orientation for incoming students. We have provided assessment and orientation to more than 100 students as of last week. In a special local partnership, EVC is offering 5 sections of information competency courses for students from James Lick High School during the summer. EVC welcomes and appreciates this opportunity to serve our local community in a mutually beneficial capacity. Through a partnership and grant through an organization called Generation, our Certified Nursing Assistant program is offering a special summer session for a brand new cohort. This effort will allow EVC to help prepare more CNAs for employment in nursing homes and long term care institutions. In the Bay Area, there is a strong demand for CNAs in health care and elder care institutions. President Yong reported that Generation is part of McKinsey and Company, a non-profit organization dedicated to reducing unemployment among youth and young people. EVC was awarded funds to expand its CNA program so that the young people in the community could be better served.

SJCC President Breland thanked everyone who attended the commencement ceremony where SJCC awarded more than 1330 degrees and certificates. The Accreditation Commission met last week, and we hope to get their report prior to the July board meeting. We currently have two students in Salzburg, and they are doing very well. We recently sent one Classified staff to Tahoe City for a leadership conference. These opportunities for training and development greatly benefit our staff. The STEM core summit in Southern California was very informative, and we offered to host the next summit. This summer marks the beginning of the Summer Bridge program, and we have 120 students attending this summer. President Breland thanked Robert Gutierrez for his work during SJCC Acceleration week, which provides an opportunity for students to retake the assessment tests.

4. Constituency Reports

CSEA President Art Azevedo thanked EVC for inviting the CSEA president to its graduation ceremony. This was his first time there.

SJCC Academic Senate President Jesus Covarrubias stated that at the last senate meeting, new officers were elected. He will be continuing as president. Michael Burke will be Vice President and Phil Crawford will continue as Treasurer. Our senate is planning a senate retreat next week. There is one action item - our senate has requested that we review the funding allocation for our college. It is important to establish an allocation model; three year plan, and that this be established no later than September 2015. We need to consider establishing an allocation model that’s more long term.

EVC Academic Senate President Narveson reported that commencement ceremony went very well. It is the 39th ceremony for EVC, and we now feel it’s being held in the right location. Summer classes begin next
Monday, and the enrollment numbers look good.

I. ACTION AGENDA

1. Resolution Number 060915-1 Approving District Budget Transfers and Revisions

M/S/C (Lease/Pham) to approve the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, 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, Ho, Lease, Nasol, Nguyen and Pham voted yes.

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

2. Resolution Number 060915-02 Establishing the Fiscal Year 2015-2016 Appropriation Limit (GANN)

M/S/C (Lease/Cruz) to approve the resolution establishing the Fiscal Year 2014-2015 Appropriation Limit (GANN).

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, Nguyen and Pham voted yes.

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

3. Measure G-2010 Bond Program: PROGRAMMATIC & SCHEMATIC DESIGN FOR SIGNAGE PLAN Board of Trustees-Study Session, Discovery

This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.


This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda immediately after Action Agenda Item 1-3.

5. FY2015-2016 Tentative Budget

Vice Chancellor Smith provided an overview of the comprehensive budget report. He stated that the report has a narrative portion. Page 4 contains a lot of numbers and what the big picture looks like and pages 5 and 6 contain the budget principles.

In his presentation, Vice Chancellor Smith reviewed the ending fund balances for FY14-15, which is $12.5 million, 13.5%; Tentative budget for FY15-16, which is $15.2 million, 15.6%; and the Estimated budget for FY16-17, which is $12.8 million, 13.0%. Major factors included in the detailed budget document include a property tax base up 10.1% for FY14-15 and applies a 3.5% principle in FY2015-16. Each 1% equals approximately $800K; $6.7 million one-time funds from May Revise; all salary settlements except CSEA and
$3 million for new Board initiatives High Impact, Student Success and Redesign; $1.2 million one-time funds to colleges and WI, $325K ongoing for ADA interpreter services; $150K ongoing for curriculum innovations (STEM, CTE, International Program); $1.6 million for medical premium increase and STRS/PERS premium increases. Updates to Tentative for Adopted budget include: CSEA 5% salary settlement; $350K mandated cost reimbursement ongoing; state budget adoption (should know in July); actual county tax collector first period estimate; and actual beginning fund balance when books close. We estimate to be a little better than what was budgeted. Major factors TBD include: Will the District participate in $75 million state full-time faculty resource? What amount will be allocated to colleges and WI as additional one-time funds? What amount will be allocated for Budget Stabilization Fund, one time dollars? He hopes to begin with at least $1 million for this fund. What amount to allocate to the colleges - ongoing? What amount would be available for collective bargaining? We also expect major state funds for Student Success, Equity, DSPS, EOPS and various categorical programs, but this amount is yet unknown. We are hoping that as a basic aid district that we would be able to participate in the $75 million state full-time faculty resource. Vice Chancellor Smith reviewed five graphs actual and projected for FY01/02 through FY17/18 based on various percentages of property taxes. Vice Chancellor Smith also reviewed the property tax history.

Vice Chancellor Smith reported that today we saved the taxpayers $10.2 million by refinancing the bonds. He asked for AAA rating with both Standard & Poor's and Moody's. They did not change our rating because we did not have a high enough fund balance. S&P stated that we could raise the rating during the next two years if such revenue growth translates into sustainable and significant reserves. Our rating would go up with significant and sustained increase in general fund reserve funds. Vice Chancellor Smith also reviewed the 50% law. We have been up in the 54s and 55s, but probably in FY13-14 we are just over 51%. He provided a comparison with the statewide average, and with other basic aid districts. On July 1 we will know the status of the state budget. Vice Chancellor Smith expressed the need to begin to develop a budget allocation model. We'll need to review how this is accomplished as a basic aid district.

Trustee Pham inquired about the 50% law in other districts and if there are cases where other districts were non-compliant and what were the consequences? Mr. Smith answered that Marin County went to 49%, and they negotiated a way to get over that percentage in the subsequent year. Trustee Nasol inquired about the cause of the 1.6 million medical premium increase. VC Smith answered that we need to rethink how we manage health care benefits. Trustee Cruz inquired about the impact of categorical programs - what does the $2.5 million include? The allocation has increased quite dramatically from $200 million for FY14-15 to about $300 million next year. What does that mean to us in terms of the state budget? Vice Chancellor Smith answered that physically it means we get more money to serve more students. The goal is to put this all to work the year we receive it. Our rule is 1.1% and $1.1 million. President Breland answered that maybe the equity budget will have more dollars. The recent allocation takes us through December 31. We received an additional $200K and that doesn't include the money we'll receive in FY16-17. Executive Director Fitzsimmons answered that the district received this year about $800K and we expected more than $2 million. We should know with much more specificity in August how much each program will receive and what programs in our district would benefit.

Trustee Lease thanked Vice Chancellor Smith for the clear, transparent presentation. He also asked if we could bring back a board agenda item about bringing money from the shopping center to redirect those dollars for student opportunity dollars. President Ho stated that the board has some consensus for an information item regarding student opportunity funds. We will make that request of the Chancellor. Vice Chancellor Smith stated that page 134 of the tentative budget book provides an analysis of where the shopping centers fund go. He also stated that he would provide a presentation.

SJCC Academic Senate President Jesus Covarrubias stated the importance of prioritizing programs for our students. Barbara Hanfling reported that faculty are spending time in Sacramento to lobby for our district to get our fair share of the $75 million. But even if we don't receive our share, we should act as if we did receive it. The redesign plan includes no hiring of full-time faculty. She stated that this is a great year and there is a lot of money available. On top of that we need to allocate at least more one-time money to the colleges. We now have almost twice as much one-time money so somewhere before July 1 that money should be allocated to the colleges. Foothill De Anza Community College District used some of the ongoing money for adjunct faculty to hold office hours for students.

Chancellor Cepeda stated that the Board initiatives immediately align with basic skills and student success. They have to do with instruction. We did not allocate any money to those initiatives. The priorities are not separate from but part of student success. Trustee Cruz stated the importance of being more transparent as
to what the board initiatives are and what they cost. It is not separate but integrated with what the campuses need. It is important that we think about and assess college needs and cost that out. How do we use that information that departments and divisions are so thoughtfully putting together? Trustee Pham inquired about the $325 ongoing money for ADA interpreter services if the district could use categorical funds for those purposes instead of general funds. Vice Chancellor Smith stated that he did not know whether or not categorical funds could be used for interpreter services. Chancellor Cepeda stated that this is a mandated cost. It could be we could use grants funds, but we need to ensure funding. Vice Chancellor Garcia answered that this is one way of showing we are supportive of that access.

President Ho stated that our budget is a statement of our values. We set principles to address the many competing priorities. A report of where the resources are going to for the Board initiatives would be helpful. Maybe we can tie them into our dashboard so that we can see the impact of resources towards each area. Trustee Cruz inquired if equity dollars can be a pot of money we could access to support the ADA interpreter services. Chancellor Cepeda answered that we could look at using those funds. However, the recommendation of the college presidents is not to do that. Trustee Lease stated that the colleges need money, but he wanted to hear which program needs money, what will they do with it, and that it’s going to intentionally increase student success. He wants to know those pieces and hear where those funds are going. If we couldn’t do it today, what would this look like in the next three years? Mr. Covarrubias answered that the program review process answers those questions. He asked the Board to keep in mind to consider the fact that SJCC is a revenue-generating campus, i.e Cosmetology and those revenues go to the District Office.

M/S/C (Lease/Cruz) to approve the Tentative Budget for FY2015-2016.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
SJCC Student Trustee Harris voted yes.

6. Final Draft of the Chancellor Position Search Material for Review by the Board of Trustees

Vice Chancellor Garcia reviewed the changes based on the comments made by the Board at the last meeting. The section which received the most changes was regarding the qualities of the Chancellor. The portion which quoted the Aspen Institute was removed and new bullet points were added. She reviewed the reference check section. President Ho thanked Vice Chancellor Garcia for her work in ensuring that the document reflected the values of the district community.

Trustee Cruz stated the resource she provided was basically a resource. She stated the importance of using the resource by taking what is needed from it. She will not take it personally that her voice was silenced through the strikeouts. She also stated that we are beyond sensitivity and didn't see the need for that statement to be included. We need someone who can really engage the district community. Vice Chancellor Garcia answered that the law requires we have a statement that includes sensitivity. Trustee Pham requested that demographics for students with disabilities be included. President Ho inquired if the constituency groups had any feedback regarding the portion added by Mr. David Yancey. Vice Chancellor Garcia answered that yes that's why the BP was added.

M/S/C (Lease/Cruz) to approve the materials to be used in the search and selection of the SJECCD Chancellor search.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
SJCC Student Trustee Harris voted yes.

7. MSC Handbook - Administrator Performance Evaluation Cycle -
Section 15 (New)

Chancellor Cepeda reported that the Board is being asked to approve the process for the administrative performance evaluation cycles. Vice Chancellor Garcia stated that the concerns of the MSC group were that the process was not done in a way to assist the employees in improving their job performance. MSC identified a work group and met to develop a cycle that begins in July and ends in June. The MSC group appreciates that we did that, and this also addresses some accreditation concerns.

President Ho appreciated the thoughtfulness that went into this section of the handbook.

M/S/C (Lease/Cruz) to approve MSC Handbook - Administrator Performance Evaluation Cycle - Section 15 (New).

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
SJCC Student Trustee Harris voted yes.

8. Process to Appoint Community Members to the Chancellor Search Committee

Chancellor Cepeda reviewed the draft process contained in the board agenda. Vice Chancellor Garcia stated that this is a suggested process to recognize those who have made a commitment to the district. We also heard the voices of those who participated.

Ms. Bonnie Mace, Evergreen School District Trustee, made a public comment that she appreciated the transparent process. She provided recommendations to the Chancellor:

Community members reflect the diversity of the district. They should represent diversity of age, ethnicity and perhaps including a student. It’s important to include the community, such as Evergreen Times, and other local papers. Candidates should have experience and a resume to include some experience in public education and also experience in the community. Lastly, the search committee as a whole should vet members prior to the beginning of the process. Those were her recommendations. She thanked the district for making the process open and transparent.

President Ho inquired what the process was for the last Chancellor search? How are community members recruited for the Citizens Bond Oversight Committee? Vice Chancellor Garcia answered that the two members were appointed by the Board. That is consistent with the executive searches that have happened over the last five years. Executive Director Fitzsimmons answered that the district is in constant recruitment for CBOC members, and we use many ways to advertise. We put a call out on Craig’s list. Chancellor Cepeda answered that membership for the CBOC is prescribed by law. Trustee Nasol stated the need for diversity as certain minorities have different sensitivities. We need to look at the resume in terms of looking at volunteers. President Lease suggested getting a recommendation from the hiring consultant and also getting the input from neighborhood associations. SJCC Academic Senate President Covarrubias requested the need to ensure there are no conflicts of interests. President Ho stated the need to understand and represent all the Trustee areas to promote this particular opportunity. Her particular area doesn’t get particularly engaged. We need to cast a very wide net because this is an important decision to make.

M/S/C (Lease/Pham) to approve the process to appoint community members to the Chancellor Search Committee.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
SJCC Student Trustee Harris voted yes.
9. Chancellor Performance Evaluation

Trustee Lease thanked Chancellor Cepeda for all she did for the district, Student Trustee Harris stated how difficult it will be to find someone who could fill her shoes. Trustee Cruz thanked the Chancellor for all she accomplished over the past five years and for her sensitivity and desire to work with each one of us. President Ho stated she didn't want to take away for the retirement celebration on the 25th by making her comments at this meeting.

Chancellor Cepeda stated how deeply honored she has been and blessed all her life and having a crowning experience at this district. It is unexplainable. What an opportunity and a dream come true. She has never seen a Board that works so hard and students who love their faculty so much.

M/S/C (Lease/Pham) to approve the provisions related to the Chancellor's Contract by way of performance.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
SJCC Student Trustee Harris voted yes.

10. Management Personnel Actions - Sections 1b - Position Establishment - Vice President and Section 2c - Transfer

Chancellor Cepeda stated that the MSC group has requested the sections concerning the new Vice President position be pulled from the agenda.

MSC Vice President Gonzalez stated that all he has as a Dean is process. The process is what keeps it fair. MSC wants a fair process for our member. The Executive Director has a job description attached to his board agenda item. This position is the Vice President of "what." This individual is being asked to accept a big change without a job description. According to our contract, our members can be assigned to another assignment; but the assignment is not defined in this case. The MSC member shall be evaluated on the individual's job description; therefore, this person cannot be evaluated. There are no duties listed or objectives for that year. We feel this should be postponed for the next meeting so that you can vote on something. We want our member to succeed in this position.

President Ho thanked Mr. Gonzalez for providing MSC perspective.

Chancellor Cepeda answered there is no challenge to this change but the concern is the lack of a job description. Vice Chancellor Garcia stated that the Board is to approve a position. It also states that the district may at its discretion change the duties. The rate of pay and length of contract remains the same. The evaluation is not a precondition to the decision to reassign. The leadership at SJCC made that decision. We are advancing an appropriate decision. We are following the contract.

Trustee Nasol stated that organizational structure is important. Both colleges have different vice presidents based on the needs of the college. Just to have a Vice President position without defining for what is not a good process, and we need to put restrictions to this area. He has to defer on making a decision for a position that just lists a title of Vice President when, in fact, the colleges have several vice presidents. Vice Chancellor Garcia stated there is a body of work to be done at Milpitas, and we also have staff development we must do for our employees. Trustee Lease stated that the only thing in question is the action listed in 2C.

M/S (Lease/Nasol) to approve the actions listed in F-2 1b - Position Establishment and 2c Transfer.

Trustee Cruz stated that the word transparency comes to mind in the establishment of this Vice President position. Is there a reason why we don't have a formulated job description? We get a request for a new position and then we see a document to support that position. She would like to know a little bit about the rationale. You mention that this particular position dates back to Milpitas.

Chancellor Cepeda stated a recommendation to bring this item back to the next meeting with a job
description. We can move ahead with the other items, and she will recommend the Board pull this item, and she will bring it back to the next meeting with the position description.

Trustee Lease withdrew his original motion and made a new motion to confirm that all items in the Management Personnel Actions have been approved, with the exception of Items 1a Position Establishment - Vice President and 2c - Transfer, which will be tabled until July 14 board meeting. Trustee Pham seconded the revised motion.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
SJCC Student Trustee Harris voted yes.

11. Estrella Family Services Independent Contractor Agreement

Trustee Cruz thanked Dr. Breland and the team for ensuring in such a short period of time a backup organization to provide child care for students who are parents. She inquired if a satisfaction survey was administered or could be administered to parents that would help us learn about their experience with a non-profit organization. The other issue is that Estrella Family Services is out of the way and accessibility issues may come up for our student parents. Will there be an opportunity for transportation dollars to be made available. The larger question is about child care on campus. As she was revisiting reports, folks continue to talk about the importance of offering child care services to parents who are students. Eighty four percent of CA community colleges provide on-site child care services. This is an important part of our equity work. What are the opportunities to revisit the student equity plan, and what is the long-term plan around a child care facility on campus?

President Breland thanked Trustee Cruz for her thoughtful questions. He stated that Vice President Escobar is doing research on this issue and some survey work was also done. This child care center is part of SJCC’s Early Child Care program. Right now our former center is not safe enough for children. We need to think about how to develop a funding model that fits into our FMP and EMP. Vice President Escobar stated that the challenge the college had was that the provider was going out of business. The college received no prior notice that this was going to happen. One option was to return the money to the state and the other option was to begin the recruitment process. We selected the best of two options. There are 34 families impacted. If we continue with the contract on July 1, the parents affected won't have any negative effects.

M/S/C (Cruz/Lease) to approve an Independent Contractor Agreement (ICA) in the amount of $301,940.40 to Estrella Family Services.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Nasol, and Nguyen voted yes.
Trustee Pham abstained.

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

J. INFORMATION AGENDA

1. Board Ends Policy Monitoring Report: Career Development; Transferability

Interim Vice Chancellor Hawley reviewed the dashboard process and the color coding as well as student grouping comparisons by gender, ethnicity, age, DSPS status and economic status. The district is in "yellow" for all ends policies. Career Development is currently in yellow. In English and ESL we are doing better; in Math we are not doing as well. Females are more likely to complete ESL courses than are males. Students under 34 years are more likely to complete ESL courses than those who are older.
Transferability is what it means to serve the students and get them ready to transfer. We picked some of the services that are working and that older students may need. The number of students enrolled in online courses has increased extensively. The Asian and Pacific Islander and to a certain degree the White population are more ready to transfer after six years. Interim Vice Chancellor Hawley reviewed the strengths and opportunities for improvement. We need to do a better job of tracking optional indicators. She reviewed the recommendations: We need to have a model for targets on the metrics and what programs we need to increase the programs which would allow our students to improve.

Trustees Cruz, Ho and Lease inquired about slide 6 and how the monitoring is decided. Trustee Cruz stated we should truly add the aspirational goal. Some of it seems so low, and we need to think about that. This work is really important to us. There has to be a way to look at this. Trustee Ho also requested that this type of presentation be put earlier on the agenda. Trustee Lease thanked Dr. Hawley for the hard work in getting this information.

2. Institutional Effectiveness Partnership Initiative Metrics -- First Review

Interim Vice Chancellor Hawley stated that the Board of Governors requires that the State Chancellor's Office post these goals by June 30, 2015. Therefore, local college and district goals must also be posted by June 30. For this first year, the Chancellor's Office requires districts to only adopt four goals, but we have decided to report goals in all required and optional areas within the framework. We do have the action item ready and scheduled for the next board meeting.

Trustee Nguyen inquired if the different percentages were by the year. Dr. Hawley answered that this is five years worth of data. We are asked to provide a target and aspirational goal. Trustee Cruz thanked the district for going for all the indicators.

3. District Academic Senate Proposal

SJCC Academic Senate President Covarrubias stated that the senate is trying to improve our understanding of the role of the district academic senate. District Senates work in other multi-college districts and have a district senate instead of just two college senates. EVC Academic Senate President Narveson stated that over one-half of community college districts in California have district senates. As a senate, we have the right to grant equivalency, and it requires training to understand how that process works. Having a district senate coming up with common rules would be a great asset to the district. Other charges of this District Senate would be to provide oversight of the Milpitas educational programming and participation in enrollment management, improve Academic Senate participation with District budget decisions, redesign process, elimination of duplication efforts between campuses, etc. We also hope this District Senate would help us with accreditation. The goal is to present this idea to the Board at this meeting, and the Academic Senates would work on the details.

Trustee Pham inquired when we plan to have this in existence? Mr. Covarrubias answered that the sooner we get it off the ground the better.

Chancellor Cepeda congratulated the two senates for proposing this decision. We have a board policy that addresses the participatory governance process. The ultimate outcome would be beneficial to us all.

4. Administrative Procedure 5520: Student Discipline Procedures

Chancellor Cepeda stated that this procedure had extensive review with constituency representatives. Most of this work had been reviewed with legal counsel. There is no action for you to take as this item is being presented for information only.

5. Board Policy & Administrative Procedure 3540: Sexual and Other Assaults on Campus- first reading

Chancellor Cepeda discussed the legal requirement of having this policy in place. It is being presented to the Board as a first reading and will come back at a future meeting for approval.
6. Board Meeting Evaluation

Trustee Lease stated that receiving our monitoring report shows that we are advancing our ends policies. Trustee Cruz stated that items we reviewed today go back to our ends policies. President Ho stated that the workshops at SJCC that support our staff helps in advancing the board's ends policies.

K. CONTINUATION OF CLOSED SESSION (If needed)

L. RECONVENE TO OPEN SESSION

1. Announcement of Action Taken in Closed Session

M. ADJOURNMENT

1. M/S/C (Lease/Pham) to adjourn the meeting at 10:57 p.m.

Dr. Rita M. Cepeda
Board Secretary
A. MEETING CALLED TO ORDER

1. 4:30 p.m. - The Meeting was called to order at the District Board Room, 40 South Market Street, San Jose, CA 95113 and the Fairfield Inn & Suites Paducah, 3950 Coleman Crossing Circle, Paducah, KY 42001.

Board members present:
Ms. Wendy Ho
Dr. Jeffrey Lease - (Participated via teleconference)
Mr. Rudy Nasol
Ms. Huong Nguyen
Mr. Scott Pham

Board member excused:
Mr. Craig Mann

Board member absent:
Ms. Mayra Cruz

2. Information was provided on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

M/S/C (Huong/Nasol) to approve the Closed Session meeting agenda as submitted.

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

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

D. CLOSED SESSION ITEMS FOR DISCUSSION

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

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

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
E. RECONVENE INTO OPEN SESSION

1. 6:00 P.M. - Pledge of Allegiance

Student Trustee Larry Harris joined the meeting.

President Ho led the Board and members of the audience into the Pledge of Allegiance to the Flag.

2. Adoption of the Agenda

M/S (Nasol/Pham) to adopt the agenda as revised:

Move the following Information Items to follow the approval of the Measure G Bond Programs Consent Agenda:

J-3 – Presentation on Evergreen Valley College’s Student Success, Equity, and Basic Skills Plans (students are co-presenting) and
J-2 – Contractor Outreach Consulting Services Contract Final Report – (consultants are presenting)

Remove from Consent Agenda Item F-22 SJCC Overseas Recruitment: Fall 2015 to the Action Agenda.

Roll call vote was as follows:
Trustee Nguyen voted yes.
Trustee Lease voted yes.
Trustee Ho voted yes.
Trustee Nasol voted yes.
Trustee Pham 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.

4. Public Comments on Matters not on the Agenda

There were no public comments on matters not on the agenda.

5. Governing Board Organization

M/S (Nasol/Pham) to appoint Interim Chancellor John E. Hendrickson as Board Secretary effective August 1, 2015.

Roll call vote was as follows:
Trustee Nguyen voted yes.
Trustee Lease voted yes.
Trustee Ho voted yes.
Trustee Nasol voted yes.
Trustee Pham voted yes.

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

6. Approval of the June 9, 2015, Governing Board Meeting Minutes

M/S (Pham/Nasol) to approve the above minutes as amended: Trustee Pham’s vote on the Closed Session meeting item Removal/Suspension/Expulsion of a Student was incorrectly recorded as an abstention. His vote was actually a "no" vote.

Roll call vote was as follows:
Trustee Nguyen voted yes.
Trustee Lease voted yes.
Trustee Ho voted yes.
Trustee Nasol voted yes.
Trustee Pham voted yes.

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

F. CONSENT AGENDA

1. Adoption of the Consent Agenda

Chancellor Cepeda requested that Consent Agenda Item F-22 SJCC Overseas Recruitment: Fall 2015 be moved to the Action Agenda as there is a correction to this item. Student Trustee Harris requested to pull Item F-2 Management Personnel Actions, Section 2 Position Management - Position Establishment - Vice President Special Services and Section 3 - Change of Status - Transfer from the agenda so he could make comments on that action. The related items pulled from the Consent Agenda will be added as Action Agenda Item 3-9. Hearing no requests to pull any other items, President Ho stated that all the other remaining items were adopted by general consent of the Board.

Student Trustee Harris reported that the grant funds in Consent Agenda Item F-13 would provide two much-needed computers for SJCC Journalism Department.

2. Management Personnel Actions

The Board approved the Management Personnel Actions as amended: Item F-2 Management Personnel Actions, Section 2 Position Management - Position Establishment - Vice President Special Services and Section 3 - Change of Status - was moved to the Action Agenda for discussion and separate vote.

3. Faculty Personnel Actions - Regular

The Board approved the Faculty Personnel Actions-Regular as submitted.

4. Faculty Personnel-Adjunct/SJCC

The Board approved the Faculty Personnel-Adjunct/SJCC actions as submitted.
5. Faculty Personnel-Adjunct/EVC
The Board approved the Faculty Personnel-Adjunct/EVC actions as submitted.

6. Faculty Personnel-Adjunct/EVC/SBRPTC
The Board approved the Faculty Personnel-Adjunct/EVC/SBRPTC actions as submitted.

7. Supervisory-Confidential Personnel Actions
The Board approved the Supervisory-Confidential Personnel Actions as submitted.

8. Classified Personnel Actions
The Board approved the Classified Personnel Actions as submitted.

9. 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.

10. Ratification of Contracts, Purchase Orders and Contract Revisions
The Board ratified the contracts, purchase orders and contract revisions for the period of May 10, 2015, through June 9, 2015, as noted in the documents.

The Board approved an Independent Contractor Agreement (ICA) in the amount of $171,862.00 to Gilbane Building Company to provide project management services for State funded projects, as well as certain facilities management services.

12. San Jose Evergreen Community College District Foundation Master Agreement Extension
The Board approved an extension through June 30, 2016, to the Master Agreement with the San Jose-Evergreen Community College District Foundation.

13. Acceptance of Grant Funds for SJCC - The California Press Foundation
The Board accepted grant funds in the amount of $1,360.00 from The California Press Foundation to purchase computer equipment for the Journalism Department.

14. Award of Elevator Service contract to Schindler Elevator Corporation
The Board approved an ICA with Schindler Elevator Corporation in an amount not to exceed $61,848 annually for a period of three years with two optional one-year extensions.

15. Approval of the Amendment to the 2014-2015 St. Elizabeth Day
Home Independent Contractor Agreement
The Board approved the amended Independent Contractor Agreement based on the increase in state contract CCTR-4284 from $280,872 to $390,629 for the 2014-2015 fiscal year.

16. Approval of the Independent Contractor Agreement for Estrella Family Services
The Board approved the Independent Contractor Agreement with Estrella Family Services for FY 2015-2016.

17. Approving Designee to the South Bay Regional Public Safety Training Consortium Joint Powers Authority
The Board designated the Vice Chancellor of Administrative Services as the District's alternate representative to the South Bay Regional Public Safety Training Consortium Joint Powers Authority.

18. Memorandum of Understanding - Evergreen Valley College and McKinsey Social Initiative (Generations)
The Board approved the Memorandum of Understanding between Evergreen Valley College and McKinsey Social Initiative's Generation San Jose Program.

19. Memorandum of Understanding between Evergreen Valley College and Mission College
The Board approved the Memorandum of Understanding between Evergreen Valley College and Mission College for Evergreen Valley College to provide the Role Transition Course for the Nursing Program.

20. Amendment #4 to the Land Development Consulting Agreement with A. Plescia & Co.
The Board approved Amendment #4 to the agreement with A. Plescia & Co., an independent contractor providing consulting services related to land development, increasing the amount by $12,000 for a total of $142,000.

21. Student Out of Country Travel - Study Abroad Trip to Cuba
The Board approved the out of country travel to Cuba for students and faculty.

22. SJCC Overseas Recruitment: Fall 2015
This item was moved to the Action Agenda for discussion and separate vote.

23. Approval of the Institutional Effectiveness Partnership Initiative Indicators for SJCC, EVC, and District
The Board adopted the metrics for the Institutional Effectiveness Partnership Initiative as required by the California Community Colleges Chancellor's Office in compliance with the Student Success and Support Program.
24. Board Policy & Administrative Procedure 3540: Sexual and Other Assaults on Campus

The Board approved BP 3450: Sexual and Other Assaults on Campus.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. Adoption of the Measure G Bond Programs Consent Agenda

Hearing no requests to pull any item from the agenda, President Ho stated that the Measure G Bond Programs Consent Agenda was adopted by general consent of the Board.

President Ho informed the Board that Trustee Craig Mann informed her he would be unable to attend the meeting due to illness.

M/S (Pham/Nasol) to approve Resolution No. 071415-7 to excuse Trustee Craig Mann from attending the July 14, 2015, Governing Board Meeting.

Roll call vote was as follows:
Trustee Nguyen voted yes.
Trustee Lease voted yes.
Trustee Ho voted yes.
Trustee Nasol voted yes.
Trustee Pham voted yes.

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

2. Measure G – 2010 Bond Program: Evergreen Valley College Automotive Technology Building Project #32111, Consolidated Engineering Laboratories Independent Contractor agreement (ICA) Revision No. 001

The Board approved the Independent Contractor Agreement (ICA) Revision No. 001 in the amount of $27,052 to Consolidated Engineering Laboratories (CEL) for Testing and Inspection services for the Automotive Technology Building Project #32111 at Evergreen Valley College.


The Board approved Change Order No. 004 in the amount of $46,937 to C. Overaa & Company for the Automotive Technology Building Project #32111 at Evergreen Valley College.

4. Measure G – 2010 Bond Program: Evergreen Valley College Automotive Technology Building Project #32111, Geotechnical Environmental Services - AECOM (URS Corporation) Independent Contractor Agreement (ICA) Revision No. 005

The Board approved Independent Contractor Agreement (ICA) Revision No. 005 in the amount of $0 to
AECOM (URS Corporation) for Geotechnical/Environmental Services to the Automotive Technology Building Project #32111 at Evergreen Valley College.

5. Measure G – 2010 Bond Program: Evergreen Valley College Automotive Technology Building, Project #32111 - Lionakis Revision No. 006 to a Project Assignment Amendment (PAA) EVC-01

The Board approved Revision No. 006 to Project Assignment Amendment (PAA) EVC-01 in the amount of $8,300 to Lionakis for the Automotive Technology Building, Project #32111 at Evergreen Valley College.


The Board approved an Independent Contractor Agreement (ICA) Revision No. 001 in the amount of $82,160.00 to Signet Testing Laboratories, Inc. for additional special testing and inspection services for the South Campus Development Project #32107 at Evergreen Valley College.

7. Measure G-2010 Bond Program: Evergreen Valley College South Campus Development Project #32107 – Blach Construction Company

The Board approved Change Order No. 008 in the amount of $7,392.15 to Blach Construction Company for the South Campus Development Project #32107 at Evergreen Valley College.


The Board approved issuance of an Independent Contractor Agreement (ICA) to Sedia Systems Inc., in the amount of $74,135.00 for the supply and installation of the fixed table furniture in the three (3) tiered lecture rooms of the South Campus Development Project at Evergreen Valley College.


The Board approved the award of a Construction Contract Agreement in the amount of $20,672 to Bay Point Controls, Inc., for the Refrigerant Monitoring Upgrade (RMS) Project #39311 at Evergreen Valley College.

10. Measure G – 2004 Bond Program: San Jose City College, Physical Education Building #122 - Sundt Construction Inc. Revision No. 003 to Preconstruction Services Agreement

The Board approved Revision No. 003 in the amount of $22,525 to Sundt Construction, Inc., for the Physical Education Building #122 at San Jose City College.

Construction Inspections - Independent Contractor Agreement

The Board awarded a contract in the amount of $237,800 to Santa Clara Valley Construction Inspections for the New Gym Site work and Auxiliary Buildings (PE Bldg.) #31125 at San Jose City College (SJCC).

12. Measure G-2010 Bond Program: SQL Conversion Project Management Services - Change Order No. 001 to CampusWorks

The Board approved Change Order No. 001 to the CampusWorks ICA in the amount of $98,000 for additional Project Management services for the Colleague Conversion to MS SQL at the District Office.

H. ORAL COMMUNICATIONS

1. Board of Trustees/Committee Chairs' Reports

Trustee Nasol reported on the excellent retirement event for the Chancellor.

President Ho provided a brief legislative report. The state legislature is about to recess. On the whole, most of the legislation we identified as Tier 1 priority bills died in committee. Many of our Tier 2 priority bills are still in committee, and some of these have been resurrected. President Ho distributed an updated legislative report on the status of bills we support, which was developed by Executive Director Rosalie Ledesma. President Ho reported that on Monday, June 15, members of the State Board of Equalization & City Council members, including Raul Peralez and Ash Kalra toured our district office. We talked about a number of areas of collaboration, particularly in workforce development. President Ho reported that over 200 people attended the Chancellor’s retirement event. The planning committee worked tirelessly on the details. As she had promised at the last board meeting, it was the event of the season. President Ho also provided an update on the Chancellor’s search committee. There were 21 community members who wanted to be a part of this committee. We plan to send an update soon to the entire district community regarding the status of the search process.

2. Chancellor's Report

Chancellor Cepeda reported that nine years ago on January 19, 2006, NASA’s New Horizons interplanetary probe was sent to Pluto also known as our Solar System’s most prominent “dwarf planet.” Today, at 7:50 a.m. EST/ 4:50 a.m. PST, the probe came within 8,000 from Pluto, it’s closest approach. She displayed one of the photos it took. The picture is very sharp despite the fact that it took four and a half hours to get to Earth traveling at the speed of light (186,000 miles per second). Probability scientist Neil DeGrasse Tyson said that getting this close to Pluto today is a feat likened to “a hole-in-one on a two-mile golf shot.” He’s right.

Every once in a while, a photo comes along that has the ability to shift not only how we see our place in the universe, but how we see ourselves -- not just as Americans, but as citizens of Earth.

Chancellor Cepeda explained why she had chosen this photo to be part of her last Chancellor’s Report to the Board. Because it is the kind of achievement that is made possible by you as policy makers in the field of education, our faculty and staff as educators and our students as budding scientists. This is what we can and will do as we journey to the future. She understands this metaphor is grandiose but not out of proportion. It is in fact education that is the key and you/we hold this great opportunity in the palm of our hands.

It has been a privilege to serve as your Chancellor.

3. Presidents' Reports

EVC President Yong reported that EVC’s summer enrollment continues to be consistent and strong. Yesterday, at the beginning of the fourth week of summer, our enrollment is holding steady, and our summer FTES is projected to be 610.5 which is an increase of 6% over last summer. We have two more weeks to go, and another class just started. The final FTES is expected to be around 612 for this summer. We were able to fine
tune our course offering to meet high demand discipline areas, and our summer line up of courses is especially serving the needs of high school students. For some, the summer session is an opportunity to catch up, or to replace a course previously dropped. For others, the summer session is an opportunity to get a head start in post-high school education. For those high school students who are already accepted at four-year institutions, and the summer session allows them to take a few courses before actually starting in fall. For them, they are making their last summer at home with their families, very productive by enrolling at EVC. All in all, while our summer session means different things to different people, our summer session means progress and moving forward to all our students. The practice at EVC since I have been here is to keep a close watch on the enrollment trend starting 10 weeks prior to opening day. Yesterday, at 7 weeks prior to opening day on August 31, our preliminary Fall enrollment figures show a 2% decline over the same period last year. However, the trend in the past shows that enrollment typically picks up closer to opening day. Given the strong summer enrollment, we are hopeful that some of the new students will continue on at EVC, and could help to increase our Fall enrollment. He will keep the Board posted. EVC continues the tradition of supporting neighboring high schools with on-campus classes in our community. This summer, the outreach was extended to James Lick High, where we offered four computer courses and one Counseling course. They are all well attended. This summer EVC is offering Conversational Practice for our ESL students. This service augments and complements the regular ESL labs, and specifically benefits students who would like to have additional opportunities to practice their newly acquired language skills. This service is offered free of charge, but by appointments only. Construction on campus is in full swing. Construction is continuing on the South Campus, Fitness Center, Automotive Technology building, and the Central Green. In addition, construction has started on the new entrance to the campus, and a new turn-around at the VPA area. With so many construction projects going on, fencing has been put up to ensure safety. The fencing is necessitating students and employees with detours in getting around campus. Fortunately, when construction is completed, the campus will have a whole new look! The college is also actively engaged in hiring. We have completed final interviews for the Librarian, Nursing and Biology positions. The final interviews for English will take place this week. We will send forward the list new hires for the next Board meeting.

SJCC President Breland reported that on Monday, July 27, students will showcase their work in the Cosmetology Department. Planning is currently underway in collaboration with the Workforce Institute - 40 student visiting the Bay Area to receive English language training. SJCC also has a new course in home automation. SJCC will be competing in a tiny house competitions with students from UC Berkeley, Stanford, a total of 12 schools; and it's a competition. He thanked Vice Chancellor Coen for bringing a coding training course to the college. On behalf of students, he presented Chancellor Cepeda for a mini enterprise model made by students in the ceramics course.

Chancellor Cepeda thanked everyone for their well wishes.

4. Constituency Reports

CSEA representative Mr. Dan Hawkins congratulated Ms. Bunnie Rose on her promotion. The district also hired seven new Classified employees. It's great to see CSEA employees receive new opportunities in the district. He thanked Chancellor Cepeda for all she has done on behalf of CSEA employees.

SJCC Academic Senate President Jesus Covarrubias reported that EVC Academic Senate President Narveson was ill and was unable to attend the meeting. He stated that both Academic Senates will bring the District Academic Senate proposal to the August meeting. He thanked Chancellor Cepeda and Interim Chancellor Hendrickson for their suggestions about this new senate during their meeting last week. He acknowledged the fine work of faculty member, Mr. Fabio Gonzalez, who was elected to be president of the California Community Colleges EOP&S. Mr. Gonzalez worked tirelessly going to Sacramento and meeting with legislators in order to get the EOP&S funding restored.

MSCC President Lauren McKee acknowledged Chancellor Cepeda and thanked her for the support she provided in getting the MSC group together as a unit. There is still a lot that the MSC still needs to accomplish. The group will continue to strive to have equity with all other represented groups in the district.

I. ACTION AGENDA
1. Resolution Number 071415-1 Approving District Budget Transfers and Revisions

M/S (Nasol/Pham) 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.

Roll call vote was as follows:
Trustee Nguyen voted yes.
Trustee Lease voted yes.
Trustee Ho voted yes.
Trustee Nasol voted yes.
Trustee Pham voted yes.

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

2. Approval of the California Department of Education - Child Development Contracts CCTR-5279 & CSPP-5531 and resolutions 071415-2 & 071415-3

M/S (Nasol/Nguyen) to approve California Department of Education contracts (CCTR-5279 & CSPP-5531) and resolutions 071415-2 and 071415-3 for fiscal year 2015-2016.

Roll call vote was as follows:
Trustee Nguyen voted yes.
Trustee Lease voted yes.
Trustee Ho voted yes.
Trustee Nasol voted yes.
Trustee Pham voted yes.

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

3. Resolution No. 071415-04 - Delegation of Authority for Resignations & Hires

M/S (Nasol/Nguyen) to approve Resolution No. 071415-04 for the Delegation of Authority to the Chancellor or her/his designee for fiscal year 2015-2016 for resignations and hires.

Roll call vote was as follows:
Trustee Nguyen voted yes.
Trustee Lease voted yes.
Trustee Ho voted yes.
Trustee Nasol voted yes.
Trustee Pham voted yes.

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

4. Resolution #071415-5 in support of lease of office space in the vacated 4750 San Felipe Road Administration Buildings

Chancellor Cepeda stated that the district had done the work the Board had requested regarding the old
District Office location, which now remains vacant. The proposal submitted to the Board reflects the best usage of this space and is in line with our district's values.

M/S (Nasol/Nguyen) to approve Resolution No. 071415-5 in support of leasing the vacated 4750 San Felipe Road Administration Buildings.

Roll call vote was as follows:
Trustee Nguyen voted yes.
Trustee Lease voted yes.
Trustee Ho voted yes.
Trustee Nasol voted yes.
Trustee Pham abstained.

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

Motion failed since the resolution required a 2/3 yes vote from the Board.

Trustee Nasol stated that the Board gave direction to the district to ensure that this vacant land would not remain vacant. The Board expressed its desire that if there was some possibility to keep that land in use, it should do so. We have negotiated with the developer, and these buildings would eventually be demolished. One of the goals of the district is to create opportunities for non-profit organizations that perform work in line with the values supported by this district. The decision to lease that land is already a final decision by the Board.

5. Resolution No. 071415-6 Eliminate Position and Layoff Classified Employee

Chancellor Cepeda stated that we do have a place available for the employee who is impacted by this resolution. Once the Board has approved this resolution, that process would begin to place this person in a new district position.

M/S (Nasol/Nguyen) to adopt Resolution No. 071415-6 to Eliminate Position and Layoff Classified Employee.

President Ho stated that it's unfortunate we cannot continue this program, but it is her hope that people involved in this program would be able to find other employment in the district. It's good to know that at least one employee has already done so.

Roll call vote was as follows:
Trustee Nguyen voted yes.
Trustee Lease voted yes.
Trustee Ho voted yes.
Trustee Nasol voted yes.
Trustee Pham voted yes.

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

6. Five Year Capital Outlay Plan for 2017 - 2021

Vice Chancellor Smith stated this plan is one the Board receives every year. Part of our EMP and FMP plans request we rethink our Engineering program. We have included that request in this report, but will update the plan next year.

M/S (Nasol/Pham) to adopt the Five Year Capital Outlay Plan for the period 2017-2021 as required by the State Chancellor's Office as a provision under Community College Construction Act (California Education Code Section 81800).
Roll call vote was as follows:
Trustee Nguyen voted yes.
Trustee Lease voted yes.
Trustee Ho voted yes.
Trustee Nasol voted yes.
Trustee Pham voted yes.

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

7. EVC Child Development Center: Notice of Intent to Lease Real Property

M/S (Nasol/Nguyen) to lease the facility known as the Child Development Center, Building #8, to Sharon Yang, dba Empire Montessori School, for a period not to exceed five years, and authorize staff to execute and administer the lease.

Roll call vote was as follows:
Trustee Nguyen voted yes.
Trustee Lease voted yes.
Trustee Ho voted yes.
Trustee Nasol voted yes.
Trustee Pham voted yes.

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

8. SJCC Overseas Recruitment: Fall 2015 (Formerly Consent Agenda Item F-22)

Chancellor Cepeda requested that due to the sensitivities of our district community, the city listed in the third paragraph as Ho Chi Minh be changed to Saigon.

M/S (Nasol/Nguyen) to approve out of country travel to Asia for recruitment purposes as amended above.

Student Trustee Harris stated that this is a very valiant effort. Trustee Nasol stated that the travel arrangement the Board approved for students to go to Cuba is a very positive experience for them. We hope those students become goodwill ambassadors for our college and that we are also recruiting overseas students through this process. He appreciated these outreach efforts at the campuses. President Ho stated that President Breland will be taking this trip with some staff at his college staff, and this is a great opportunity to grow our connections globally. We want more interest in our colleges from these countries.

Roll call vote was as follows:
Trustee Nguyen voted yes.
Trustee Lease voted yes.
Trustee Ho voted yes.
Trustee Nasol voted yes.
Trustee Pham abstained.

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

J. INFORMATION AGENDA

1. Accreditation Status for San Jose City College and Evergreen Valley
College

Chancellor Cepeda reported that it is a requirement for the district to post the letters from the Commission, and we have now complied with the action we needed to take. She offered congratulations to Presidents Breland and Yong and their staff for the excellent work they had done to ensure the colleges are now off probation.

EVC Vice President Keith Aytch thanked AFT 6157 for their efforts in ensuring we meet the accreditation standard. In particular, he thanked AFT Executive Director Barbara Hanfling and Vice Chancellor Kim Garcia for their efforts on behalf of the colleges. He also thanked the EVC faculty, staff and academic teams, and the leadership of President Yong and Chancellor Cepeda. The college is now working on its first draft of the Comprehensive 2016 report. We have to do a substantive change to online education.

EVC President Yong stated that an invitation was sent out for campus community members to participate in the self study report.

SJCC President Breland thanked Vice Chancellor Garcia, AFT 6157 and the Academic Senate for their leadership at the campus; and he also thanked the Board accreditation committee and Chancellor Cepeda for her leadership in this process. SJCC Vice President Duncan echoed the thanks to everyone for making this happen. He stated his concern, however, that the college has never filed a form regarding the sub-changes, especially regarding on-line courses. AS-T degrees have to also go through this substantive change process. No college is allowed to file this form while it’s on probation. SJCC is also in the process of conducting the 2016 comprehensive self evaluation. This process will help ensure that all voices are heard. We are looking forward to getting a draft out for the college community to review.

2. Contractor Outreach Consulting Services Contract Final Report
This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

3. Presentation on Evergreen Valley College’s Student Success, Equity, and Basic Skills Plans
This item was moved to follow the approval of the Measure G Bond Programs Consent Agenda.

Chancellor Cepeda reported that there is nothing outstanding to report. Everything is on track and on target.

Trustee Nasol stated there is an excessive amount of interest earned. What was done with it? Vice Chancellor Smith answered that those funds will go to the contingency account, which is applied towards the greatest needs.

5. Board Global Ends Policy Dashboard
Vice Chancellor Hawley reported that the student success indicator is now in green. On the institutional effectiveness measure, she has taken out the items we don’t report. We want to stretch ourselves and so will re-evaluate our goals and metrics. This will be a topic for discussion at our next meeting.

6. Board Meeting Evaluation
Trustee Nasol stated he was moved by the presentation by students and how that shows our level of student success. He encouraged staff to keep up the good work. President Ho agreed that it’s wonderful to see how our dollars are actually changing lives. It’s our job as Trustees to prioritize the district’s resources. Trustee Pham is pleased to see that Board has tried to accommodate Trustee Lease, who is out of town. We are
understanding that Trustee Mann is sick, and we try to accommodate that as well. Student Trustee Harris stated that we should not let Chancellor Cepeda. She has been so important for our district.

K. CONTINUATION OF CLOSED SESSION (If needed)

L. RECONVENE TO OPEN SESSION

1. Announcement of Action Taken in Closed Session

M. ADJOURNMENT

1. The meeting was adjourned.

M/S/C (Nasol/Pham) to adjourn at 8:47 p.m. in honor of Chancellor Cepeda.

John E. Hendrickson, Board Secretary
A. CALL MEETING TO ORDER

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

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 absent:
None

2. Information was provided on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

M/S/C (Lease/Nguyen) 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

D. CLOSED SESSION ITEMS FOR DISCUSSION

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

CONFEERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Government Code Section 54956.9(c))

CONFEERENCE WITH LABOR NEGETIATORS
(Government Code Section 54957.6)
District Negotiator: Kim Garcia
Employee Organization: CSEA

CONFEERENCE WITH LABOR NEGETIATORS
(Government Code Section 54957.6)
District Negotiator: Kim Garcia
E. RECONVENE INTO OPEN SESSION

1. 6:00 P.M. - Pledge of Allegiance

SJCC Student Trustee Larry Harris joined the meeting.

President Ho led the Board and members of the audience into the Pledge of Allegiance to the Flag.

2. Adoption of the Agenda

M/S/C (Mann/Pham) to adopt the agenda as revised:

Action Agenda Item 1-5 Expulsion of Student was moved to immediately follow Reconvene Into Open Session Item E-3 Announcement of Reportable Action Taken in Closed Session.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham 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; however, a vote regarding the Removal/Suspension/Expulsion of a Student closed session agenda item has been put onto a separate Action agenda item, which has been moved to follow this item.

5. Public Comments on Matters not on the Agenda

The Board heard a public comment from Mr. Rex Randles, who provided an overview of student enrollment patterns at the colleges. He also distributed a document to the Board, which outlined those patterns. Ms. Bonnie Mace made a public comment as to how enrollment management would bring more people to SJCC and EVC. She also thanked Vice Chancellor Garcia for her work with the Chancellor's Search Committee, and she is looking forward to the successful recruitment of the new Chancellor.

6. Approval of the July 14, 2015, Governing Board Meeting Minutes

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

Board vote was as follows:
Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.
Trustee Cruz abstained.

Advisory vote was as follows:
F. CONSENT AGENDA

1. Adoption of the Consent Agenda

Hearing no requests to pull any item from the agenda, 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. 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. Ratification of Contracts, Purchase Orders and Contract Revisions

The Board ratified the contracts, purchase orders and contract revisions for the period of June 10, 2015, through July 9, 2015, as noted in the documents attached to the agenda item.

8. Approval of Agreement with the State Chancellor's Office for the 2016 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 2016 Chancellor's Office Tax Offset Program (COTOP).


The Board authorized the District to 'piggyback' on Glendale Unified School District's (GUSD) contract to purchase School Furnishings, Office Furnishings and Accessories from listed vendors.

10. EVC Associated Student Budget 2015-2016

The Board approved Evergreen Valley College's Associated Students budget for 2015-2016.
11. Out of Country Travel to Asia - Recruitment and Partnership Development

The Board approved out of country travel to Asia for recruitment and partnership development purposes.

12. Acceptance of Grant Funds - EVC Mother-Daughter Science, Technology, Engineering and Math (STEM) Project

The Board accepted grant funds in the amount of $30,000 for Evergreen Valley College's Mother-Daughter Science, Technology, Engineering and Math (STEM) Project.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. Adoption of the Measure G Bond Programs Consent Agenda

Hearing no requests to pull any item from the agenda, 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 Automotive Technology Building Project #32111 - Proprietary Purchase of Courseware

The Board approved the propriety (sole source) purchase of automotive technology courseware and equipment from ATech Training, Inc. in the amount of $121,749.91.


The Board approved Change Order No. 005 in the amount of $181,374 to C. Overaa & Company for the Automotive Technology Building Project #32111 at Evergreen Valley College.


The Board approved issuance of an Independent Contractor Agreement (ICA) to Eagle Enterprises in the amount of $14,950.00 for Inspector of Record Services for the Evergreen Valley College (EVC) MDF Relocation Project (#39310).

5. Measure G – 2010 Bond Program: Evergreen Valley College Cedro Transformer and FCU Upgrade Project #32307-08 – Integra Construction Services, Inc. Change Order No. 001

The Board approved Change Order No. 001 in the amount of $12,683 to Integra Construction Services, Inc. for the Cedro Transformer and FCU Upgrade Project #32307-08 at Evergreen Valley College.
6. Measure G-2004 and G-2010 Bond Programs: Evergreen Valley College Central Green / Arts Plaza Project #223 - Taber Construction, Inc. Change Order No. 001

The Board approved Change Order No. 001 in the amount of $219,768 to Taber Construction, Inc. for the Central Green/Arts Plaza Project #223 at Evergreen Valley College.

7. Measure G-2004 Bond Program: Evergreen Valley College Central Green / Arts Plaza Project #223 – Bellinger Foster Steinmetz Landscape Architects – Project Assignment Amendment (PAA) No. 02 Revision No. 002

The Board approved Project Assignment Amendment (PAA) No. 02 Revision No. 002 in the amount of $11,700 to Bellinger Foster Steinmetz Landscape Architects for the Central Green/Arts Plaza Project at Evergreen Valley College.

8. Measure G-2010 Bond Program: Evergreen Valley College South Campus Development Project #32107 – Blach Construction Company Deductive Change Order No. 009

The Board approved Deductive Change Order No. 009 in the amount of ($22,609.00) to Blach Construction Company for the South Campus Development Project #32107 at Evergreen Valley College.

9. Measure G -2010 Bond Program: Evergreen Valley College Main Data Frame (MDF) Relocation Project #39310 – Rodan Builders, Inc. Notice of Award – Construction

The Board approved the award of a contract in the amount of $960,000.00 to Rodan Builders, Inc., for the Main Data Frame (MDF) Relocation Project #39310 at Evergreen Valley College.


The Board approved the purchase of Wireless Access Points for Evergreen Valley College through Dasher Technologies for a total cost of $286,629.72.

11. Measure G – 2004 Bond Program: San Jose City College (SJCC) Physical Education Building #122– LPAS, Inc., Amendment No. 003 to the Standard Form of Agreement

The Board approved Amendment No. 003 to Standard Form of Agreement in the amount of $17,000 to LPAS, Inc., for the Physical Education Building #122.

12. Measure G – 2010 Bond Program: San Jose City College (SJCC) Ironworkers Training Center Project #31126 - Artik Art and Architecture - Revision No. 001 to a Project Assignment Amendment (PAA)

The Board approved the Revision No. 001 to Project Assignment Amendment (PAA) in the amount of $26,700
13. Measure G-2010 Bond Program: San Jose City College (SJCC) Ironworkers Training Center Project #31126 – R.C. Benson & Sons, Inc. - Change Order No. 001

The Board approved Change Order No. 001 in the amount of $19,555 to R.C. Benson & Sons Inc., for the Ironworkers Training Center Project #31126.

14. Measure G-2010 Bond Program: San Jose City College (SJCC) Media Arts Center Project Pre Construction Contract Revision No. 001

The Board approved Pre-construction Contract Revision No. 001 in the amount of $25,604.00 to Kitchell CEM Inc., for pre-construction services associated with the San Jose City College (SJCC) Media Arts Center Project.

15. Measure G-2010 Bond Program: San Jose City College (SJCC) GE HVAC Upgrades and Campus HVAC Controls Extension Project #31127 – Environmental System, Inc. Change Order No. 001

The Board approved Change Order No. 001 in the amount of $17,718 to Environmental Systems, Inc. for the GE HVAC Upgrades and Campus HVAC Controls Extension Project #31127.

16. Measure G-2010 Bond Program: San Jose City College (SJCC) Pathway / Parking Lot Improvement Project #31116-06 – Lewis & Tibbits, Inc. Change Order No. 01

The Board approved Change Order No. 001 in the amount of $44,677.00 to Lewis and Tibbits, Inc., for the Pathway/Parking Lot Improvements at San Jose City College (SJCC).

17. Measure G-2010 Bond Program: Evergreen Valley College (EVC) South Campus Development Project #32107 – Furniture, Fixtures & Equipment (FF&E) Cardio Equipment Purchase Independent Contractor Agreement (ICA)

The Board approved the Independent Contractor Agreements not-to-exceed the amount indicated to the following cardio equipment vendors: Precor Incorporated ($170,912), Precor Commercial Fitness ($75,693) and LifeFitness ($4,089) for a total amount of $250,694 for the South Campus Development Project #32107 at Evergreen Valley College.

H. ORAL COMMUNICATIONS

1. Board of Trustees/Committee Chairs' Reports

SJCC Student Trustee Harris reported that the college is preparing for the start of the new year and things are very busy on the campus.

Trustee Pham stated how pleased he was to see the information regarding our bond refinancing on the district website. It’s important for the public to see how we are saving taxpayer dollars.

Trustee Nasol reported that the district’s Foundation is moving forward with this year’s annual Bridge to the
Future fund raising event. The event will be held on Friday, September 18, 2015, at 6:00 p.m. at the Hotel Valencia. He encouraged everyone to support this event by purchasing tickets, and to contact Shana Carter for this information.

President Ho announced that the legislative report has been distributed at this meeting and provides an update from the last report she provided. She thanked Executive Director Ledesma for her work on this report. Ms. Ledesma also developed a new website page that contains a review and status of the bills. Visitors can stream legislative meetings through this site. The Board Legislative Committee is also working to set dates for future committee meetings.

2. Chancellor's Report

Interim Chancellor Hendrickson stated how happy he was to report for duty on July 1. It's been a wonderful place to be. We have two fully accredited colleges, clear performance audits for general funds and bond funds, and reconstruction efforts are moving along throughout the district. The district also has the best Board of Trustees and, of course, CEO. It's great to see the board members work together to make our colleges the best they can be. Mr. Hendrickson also encouraged board members to participate in PDD activities at the colleges. Since his tenure with the district, he has taken tours of the colleges and spent time in the district office and in committees. It's obvious that people are happy to be here, and happy to be doing their work as well.

3. Presidents' Reports

EVC President Yong reported that one week before Opening Day, EVC enrollment is at 1% decline, which is much less than what we expected. We know that some students enroll late, and so we won't really know our enrollment status until Census. In the meantime, we have added additional sections in the high demand areas to better serve the learning needs of our students. Construction is continuing on the South Campus, Fitness Center, Automotive Technology building, Central Green and the VPA turn-around. The construction of all these projects at EVC has required fencing to be put up for safety reasons. It has also reduced the number of parking slots available. However, we have made available a new area to offer free parking to help mitigate the temporary inconvenience. Additionally, new signs to direct traffic have been put out on Yerba Buena Road. Additional signage and maps to facilitate way finding will be put out on campus this week. To advise students of the construction and parking changes, an email blast was sent out last Friday afternoon. Another email reminder will be sent out this Thursday evening, and a final reminder will be sent out Saturday night.

President Young reported that welcome stations were being set up to help new students navigate the campus, for the first week, we will have Welcome Stations in the parking lots and on campus. At the Welcome Stations, employee volunteers will hand out maps and give directions to the classrooms and labs in the different buildings. Our Fall PDD is this Thursday and Friday. As mentioned, the fencing makes it a little inconvenient to get around the campus this week, but we have enough buildings and facilities to host all the activities that are planned for the 2 days. I want to invite everyone to come and join us for our PDD.

SJCC President Breland stated that everybody is fast at work preparing for PDD. The featured speaker is Dr. Tyrone Howard, an advocate on equity. Dr. Howard is a full professor at UCLA. President Breland highlighted that Saturday, August 22, was open to students for student services, such as assessment, orientation and financial aid. The college will do an assessment as to how that has worked out. President Breland distributed a draft written report of the Campus Development and Safety & Security Initiatives and Campus Development Projects. He thanked the Gilbane team for the work they have done in support of safety on the campus. President Breland reported that the San Jose Earthquakes will be partnering with San Jose City College and the Consulate of Mexico in San Jose to celebrate Mexican Heritage Night on Wednesday, September 16, at 7:30 p.m. vs. Montreal Impact. Tickets are only $21, and $1 from every ticket purchased goes to scholarships for SJCC students.

4. Constituency Reports

AFT 6157 Executive Committee member Randy Pratt announced that Executive Director Hanfling was currently attending the new adjunct faculty orientation. He extended the warmest wishes to Interim Chancellor Hendrickson.
EVC Academic Senate Narveson apologized for missing the last board meeting due to illness. EVC's enrollment is looking good. Fall semester has a lot of new students. He encouraged the Board to attend PDD activities at the colleges. The difference this year is that it's leadership talking less and more interactions and breakout meetings with faculty and staff. He announced that power is back on at EVC, and this is timely since classes start next week. Our own senate will have changes. Former Vice President Henry Gee is the past president and will be serving on the senate. The initiative for a new District Senate will wait until we meet with the District Council members in September.

SJCC Academic Senate member Michael Burke reported that he attended the August 5 & 6 enrollment management workshop at the College of San Mateo. It was a great learning experience. He is looking forward to working with all the district cohorts on this important initiative.

MSCC Executive Council member Dr. Elaine Burns welcomed Interim Chancellor Hendrickson to the district.

I. ACTION AGENDA

1. Resolution Number 082515-1 Approving District Budget Transfers and Revisions

M/S/C (Lease/Mann) 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 Trustee Harris voted yes.

2. Resolution 082515-2 in support of lease of office space in the vacated 4750 San Felipe Road Administration Buildings

M/S/C (Mann/Nasol) to approve Resolution No. 082515-2 in support of leasing the vacated 4750 San Felipe Road Administrative Buildings.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, and Nguyen voted yes.
Trustee Pham abstained.

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

3. Measure G-2010 Bond Program: Bond List Revision No. 15

Interim Chancellor Hendrickson stated that, moving forward, we will highlight any major changes to the bond revision list. In this report, there are only minor adjustments.

M/S (Lease/Mann) to approve the revisions to the Measure G-2010 bond list.

Trustee Nasol inquired about the two budget items where the interest totaled $113,000 and if this money was allocated to the management of the bond, future EIR and other costs of the projects. Vice Chancellor Smith answered yes.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.
Advisory vote was as follows:
Student Trustee Harris voted yes.

4. Measure G-2004 Bond Program: Bond List Revision

M/S (Mann/Pham) to approve the revisions to the Measure G-2004 bond list.

Trustee Nasol inquired when we expect the total expenditure of 2004 bonds. Interim Chancellor Hendrickson stated the amount left in this bond is very little. Vice Chancellor Smith answered the trigger date is actually when you issue, when you sell the bond. At that point, there is a three-year time period to spend the money. We issued those bonds for the Milpitas project, small projects at EVC and PE building at SJCC. The Milpitas project should be completed a year from now. The PE project should be done in 18 months, and the minor projects at EVC next year. Trustee Nasol stated the reason for his question is that there is a possibility we can go for future bonds. We want to let the voters know we are responsible, and we spend the money they provide for us.

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

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

5. Expulsion of Student

This item was moved to follow Agenda Item E-3 Announcement of Reportable Action Taken in Closed Session.

J. INFORMATION AGENDA

1. Board Meeting Evaluation

Trustee Lease stated the Board had a short agenda this evening, and not all of our meetings are that way. One of our goals this year was to work on meeting management. In the future, we may want to focus on the board’s work first. Maybe in the future information items can be handled as documents to be submitted. Perhaps when there is a lot of work to be done at the meeting, we can move the oral reports to the end of the meeting.

Trustee Mann thanked Trustee Lease for saying it very well. This is his 18th year serving as an elected official. Consent Agenda items and Action Agenda items should be handled first because these items contain the business the Board must conduct at the meeting. After approving the agenda and minutes, the Board should move immediately to those two categories. Even Public Comments on Matters Not on the Agenda should come after the Board does its work. Information that might be future Action can be put in transmittal form. We have just broken a time record at this meeting.

Trustee Nasol stated that sometimes an agenda may include reports from our students. He is very uplifted when he hears reports from our students. Those are things he always likes to hear, because as Trustees, we need to hear from our students and constituents.

Student Trustee Harris stated that as a courtesy to our constituents, he would like to hear those oral reports at the beginning of the meeting.

President Ho stated that the information provided in the Measure G bond list revision reports is important for the work we do as Trustees.
K. CONTINUATION OF CLOSED SESSION (If needed)

L. RECONVENE TO OPEN SESSION

1. Announcement of Action Taken in Closed Session

M. ADJOURNMENT

1. M/S/C (Lease/Mann) to adjourn the meeting at 6:54 p.m.

John E. Hendrickson, Board Secretary
A. CALL MEETING TO ORDER

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

Board Members present:
Mayra Cruz
Wendy Ho
Dr. Jeffrey Lease
Rudy Nasol
Huong Nguyen

Absent from Closed Session:
Craig Mann

Board Member Excused:
Scott Pham

2. Information was provided on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

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

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

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

D. CLOSED SESSION ITEMS FOR DISCUSSION

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

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

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Employee Organization: AFT 6157

CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code Section 54957.6)  
District's Negotiator(s): Kim Garcia  
Unrepresented Employees: M/S/C

E. RECONVENE INTO OPEN SESSION

1. 5:00 P.M. - Pledge of Allegiance

President Ho led the Board and members of the audience into the Pledge of Allegiance to the Flag.

Trustee Craig Mann joined the meeting.

2. Adoption of the Agenda

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

Consent Agenda Item F-2 Management Personnel Actions - Change of Status - Interim Vice President of Administrative Services, EVC, was pulled from the agenda.

Information Items J-1 Introduction of New District Employees and J-4 California Community Colleges Student Success Scorecard Board Engagement were moved to follow Agenda Item E-4 Public Hearing on the FY2015/2016 Adopted Budget.

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

M/S (Lease/Nasol) to approve Resolution No. 090815-3 to excuse Trustee Scott Pham from attending the meeting due to illness.

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

3. 5:00--6:00 p.m. - Study Session on Chancellor Search Process

Judy E. Walters, Ph.D., ACCT Consultant, provided an overview of the Chancellor search process to date. She reported that there are 17 members of the screening committee. The committee is currently reviewing all applications, and the pool is a large one. The committee is observing strict confidentiality and will recommend in unranked, un-alphabetical order a list of finalists to the Board. The Board will review the final candidates moved forward by the committee. The committee is meeting on September 19 to determine whom they want to interview. On Saturday, October 24 and Monday evening, October 26, the committee will be interviewing the candidates they have selected and will also conclude their deliberations to determine the five or more candidates they want to move forward to the Board. There will be preliminary information on references. Within two days, the committee will put together a public notice on the finalists. The campuses would like to host forums for the finalists in the first week of November.

President Ho will work with the Board to put together a final list of questions to ask the candidates during their interviews with the Board. Dr. Walters recommended the Board meeting begin 30 minutes before the start of the interviews so that the Board members could review the questions. She recommended 45 minutes, or at least 30 minutes, for the formal part of the interview. Each candidate should be asked the same questions and be treated the same way. The Board may have specific questions for certain candidates, but it's important to treat everyone fairly. It's also important for all Board members to be present for both the
formal interviews and the deliberations.

It would be possible for the ACCT to arrange a Skype session so that if a Board member could not attend, at least they would get to see the interviews. If the Board wants to bring certain candidates back for a second interview, ACCT will work with the Board to arrange those interviews as well. Once a first choice and alternate second choice is chosen, those candidates may have questions about what the district would provide, such as housing, electronic equipment, mileage reimbursement, as well as other details regarding what community engagement is required of the Chancellor, and compensation, which is outlined in the executive salary schedule.

AFT President David Yancey stated that the committee would only forward qualified candidates, even if that is just two or three. CSEA representative Dan Hawkins stated that the forums would be held in three locations, Evergreen Valley College, San Jose City College and the District Office.

Dr. Walters stated that based on the strength of the pool, it is recommended that three to five candidates be moved forward for Board interviews. There are a few ways to handle the interviews; all interviews could be done in one day or the interviews could be scheduled for several days in a row.

Trustee Nasol stated that three finalist interviews can be conducted in one day, but if it's more than three, we may need more time. We could probably choose one day over a weekend. Trustee Cruz stated that a Saturday may be a good way to go. President Ho stated that Saturday the 14th or Saturday the 21st of November are possibilities. Trustee Lease stated that Saturday, November 14, seems to be the best day. Trustee Mann agreed. Dr. Walters stated she would work with Vice Chancellor Garcia to lay out a schedule for the Board interviews on Saturday, November 14. The colleges and District Office will now work to finalize dates for the forums to be held on their sites. Dr. Walters recommended setting aside a date for potential site visits of the finalist's college/district. The Board agreed to wait until after the candidate is chosen by the Board. Dr. Walters stated the Board can schedule a special meeting or else announce their choice at a regular meeting of the Board. The ACCT will assist in writing the press releases and also the introduction of the candidate to the public.

Trustee Cruz thanked Dr. Walters and President Ho for their work on the process. Trustee Nasol stated the importance of a smooth transition between the Interim Chancellor and the new Chancellor.

AFT President Yancey requested an introductory period of the new Chancellor with district employees.

President Ho stated that Trustees Mann, Nguyen and herself are on the screening committee and to please be sure to inform them if there are any questions.

4. 6:10 P.M. Public Hearing on the FY2015/2016 Adopted Budget

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

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

Mr. Bob Harper, Director, Campbell Adult & Community Education, stated there is a lot of progress regarding the SBCAE consortium. He thanked the Board for their support in addressing the needs of adult learners in the area. There is a block grant in place, but there seems to be no resources allocated to this area. The intent of the legislation is for school districts to leverage other funds beyond the grant funds. This district is expected to attribute certain resources to that effort. The block grant asks all members of the consortium to report on all funds allocated to this area. It is aligned with the goals of this district, and he expressed disappointment there are not funds allocated for this area in the adopted budget.

Mr. Richard Uribe, Director of Adult Education, East Side Union High School District, expressed support for Mr. Harper's comments regarding the additional funds needed to support adult education. The consortium dollars alone cannot support this program. Our plan requires the financial support of the community colleges. We can support the effort, but we don't have the funds to support the staff. We need support in that area. He urged the Board to put some funds in the non-credit education area.
President Ho closed the public hearing.

5. Formerly Item J-1 - Introduction of new District Employees

Chancellor Hendrickson thanked the Human Resources department for the booklet they produced of new hires for the District. The booklet included bios and photos of each individual who was hired over the past year.

EVC President Yong thanked Human Resources for the production of the booklet. He mentioned the names and job positions of his college’s new hires: Lorelyn Ancheta, Senior Division Administrative Assistant; Reyna Avila, Community Engagement Specialist; David Camara, Groundskeeper II; Karen Cheung, Nursing Program; Gwen Clutario, Outreach/Recruitment Specialist; Angela Hamilton, Senior Division Administrative Assistant; Luis Fernando Macias, Talent Search Program Supervisor, Sarai Minjares, EOPS Eligibility Specialist, Michael Osorio, Upward Bound Program Supervisor; Huma Saleem, English Faculty; Mayra Salvador Sanchez, Program Coordinator; Maria (Veronica) Santos Liason, Program Specialist; Julie Vo, Program Coordinator, Edlin Flores, Student Retention Assistant, Emmy Nguyen, Program Specialist and Tiffany O’Brien, Program Assistant.

SJCC President Breland introduced the four faculty members that were hired at SJCC this year: Meiko Daire, Counseling; Shelley Giacalone, Communication Studies; Olga Morales-Anaya, EOP&S Counselor; and Lezra Chenportoilo, Transfer/Career Counselor.

Vice Chancellor Coen introduced three new hires from the Workforce Institute: Dan Montoya, Project Supervisor; Jeff Pallin, Dean, Workforce and Economic Development; and Kathy Tran, Business Services Supervisor.

Interim Chancellor Hendrickson announced the District Office hires: Sherri Brusseau, Confidential Executive Administrative Assistant; Claudia Cortes Guzman, Human Resources Technician; Anthony Jakubowski, Maintenance Supervisor; Diep (Jennifer) Le, Senior Account Clerk; Amanda Samaya, Confidential Administrative Assistant; Troy Trujillo, Traffic & Campus Services Officer; Thang Vu, Traffic & Campus Services Officer; and Thomas Morales, the new campus Police Chief.

President Ho extended a warm welcome to the district’s new hires.

6. Formerly Item J-4 California Community Colleges Student Success

Interim Vice Chancellor Hawley stated she enjoyed the news about the scorecard. Even though it is our obligation to provide this information to the Board, it is also an opportunity for our district to discuss data around student success. It’s also an opportunity to hear about what is being done at the campuses. Dr. Hawley stated that during this presentation she would discuss the framework and methodologies of the scorecard. She will discuss results by college and will discuss implications, student success interventions and next steps. We are two years into the SSSP. How do we compare to all the other community colleges in California? This is a public information piece, and our district will be compared to its peers. We also need to send our board minutes to the state as evidence that we have reported to the Board.

Six years ago there were people who were first-time students in our colleges. They intended to either complete a degree or transfer to a four-year institution. These students are considered first time when they take a course in any community college. As long they took six units at one of our colleges, they are considered our students. They also need to take a math or English course at one of our colleges. College prepared students are considered students who their first math or English course at the college level and not at the basic skills level. A student is considered unprepared or remedial if the first math or English course they took was below college level. The metrics used include Student Progress and Achievement, Persistence Rate, 30 Unit Achievement Rate, Math/English/ESL. Basic Skills Progress means the student successfully completed those subjects and are now in a college level course. Students who take at least 30 units. Persistence means that students who enrolled in our colleges finished six units and continued over the next two years. Even if that student went to another college, they are still considered our student. Student Progress and Achievement is measured by if a student earned an AA Degree, AS Certificate or transferred to a four-year Institution.
Dr. Hawley presented the results by college. Evergreen Valley College shows progress in the areas of persistence, basic skills English and ESL. Persistence has gone done throughout the Bay 10 area, and EVC is just above that level. We do, however, have some issues in Basic Skills Math, and Persistence for 30 units. We are below the Bay 10 average in those areas. When you look at prepared versus unprepared we see some difference in completion rates. When we are looking at the prepared students who do complete their goals, and it's getting higher, but they are not persisting at our colleges. Students who are under-prepared tend to stay at our colleges, but they do not complete. This is a statewide trend. The students are continually getting their units. For San Jose City College it's the same story. We are just at the Bay 10 average. Persistence has gone down at SJCC, and CTE completion is not as high as last year. SJCC students are really struggling with Basic Skills Math. Basic skills students keep trying to take those classes.

Dr. Hawley reviewed the basic skills trends. African American students, Asian and Filipino students, in particular, have gone down in Basic Skills Math. For English, the trend goes up. Hispanic, and White students are doing better in Basic Skills Math at SJCC. A positive story for SJCC with regarding to Basic Skills English; every ethnicity has improved in this area.

Implications for student success at SJECCD. Scorecard data are not perfect due to limited definitions, which don't define the reality of the full student experience. It doesn’t reflect our definition of success and past cohorts don't reflect current interventions. Dr. Hawley reviewed some best practices and interventions.

Mr. Keith Aytch, EVC Vice President of Academic Affairs, gave kudos to VP Duncan Graham for their collaboration. We need to expand CTE at EVC. EVC is doing a lot of things to add programs. Spanish translation programs, and the engineering program is growing. In terms of basic skills, we've just hired two exceptional people. We have wonderful special programs, especially EOP&S. There is enrollment management; EVC has more sections than ever before. EVC needs to balance both the budget and student success initiatives. The scorecard doesn't tell the true story of what we are doing at the colleges. EVC is working with SJCC to create student success for all our students.

Mr. Duncan Graham, SJCC Vice President of Academic Affairs, stated that the colleges have a true collaboration. He discussed how the two academic senate are joining together to form a district-wide academic senate. We also had a Deans Academy where we challenged our Deans to discuss what they are doing as Deans to advance student success and the ends policies of the Board. At the end of four hours, the Deans decided they needed to meet again to continue this discussion. How do we leverage our SSSP money and equity funds to make things happen? It's important to look at Associate Degrees for Transfer - SJCC has 11 to go and 8 more in the pipeline. That is happening right now.

Mr. Roland Monterminor, SJCC Dean of Counseling, discussed the counseling activities at the college. A full time counselor was moved to CTE. He applauded faculty for working on Saturdays and in the evenings and going to the meatcutter union meeting.

Vice Chancellor Hawley stated that the length of time the scorecard looks out doesn't reflect what is being done at our colleges. The stuff we are doing will provide real results; and we are measuring that progress, especially as it relates to the Board ends policies. She reviewed the next steps, which include the linkage of the scorecard to the Board Ends Policy and to continue enrollment management conversations.

President Ho thanked Interim Vice Chancellor Hawley for her presentation and thanked the Vice Presidents for taking it to the streets. Trustee Nasol thanked the staff for the work they are doing. Trustee Cruz stated that it's great to see the areas where we are improving and what we still need to do. She sees the scorecard as a tool. How do we support the work we need to do? In our continuous improvement cycle, one thought is to continue to look at the achievement gap. We have gone beyond the scorecard in that regard. We need to look at the opportunity gap. What are we each contributing to the results we are seeing? Is it time for transformation? For Trustees, we need to look at what the policy implications are for these types of analyses. What are the investments that are helping us move forward? What do we need in terms of dollars to continue doing that? Basic skills math is an area we need to be concerned about; and as Trustees, what do we need to do about that in terms of resources? Dr. Hawley is linking this work to the Board's ends policies. How much more do we need to do with what's working, and how can we do more of that?

SJCC Academic Senate President Covarrubias stated that where the rubber hits the road is in the classroom. What happens inside a classroom? It's more than just about what happens with the services. Our senate wants to expand on best practices. We must put dollars toward the professional development of our faculty.
Trustee Lease stated how delighted he was that the Board's ends policies are being reviewed. It's nice to have comparisons and measures with others, but what the Board really needs to look at is how well we are doing compared to how well we can be doing with the resources that are available.

EVC Academic Senate President Narveson stated that maybe we should bring out more of the populations listed on the scorecard; such Asian Pacific Islander and European American instead of white, and how about the disabled and veteran population? Dr. Hawley answered that the state categorizes the different ethnic groups, but we can look further into which component of these different ethnic groups are not doing well.

7. Announcement of Reportable Action Taken in Closed Session
There were no reportable actions.

8. Public Comments on Matters not on the Agenda
There were no public comments.

9. Approval of the August 25, 2015, Governing Board Meeting Minutes
M/S/C (Mann/Nasol) to approve the above listed minutes as submitted.

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

F. CONSENT AGENDA

1. Adoption of the Consent Agenda
President Ho pulled Item F-7 - Formalization of SJECCD's representation in the South Bay Consortium for Adult Education (SBCAE) from the Consent Agenda and moved it to the Action Agenda as Item I-5. Hearing no requests to pull any other items, President Ho stated that the Consent Agenda was approved 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. Classified Personnel Actions
The Board approved the Classified Personnel Actions as submitted.

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.
6. Ratification of Contracts, Purchase Orders and Contract Revisions
The Board ratified the contracts, purchase orders and contract revisions for the period of July 10, 2015 through August 9, 2015 as noted in the attached documents.

7. Formalization of SJECCD’s representation in the South Bay Consortium for Adult Education (SBCAE)
This item was moved to the Action Agenda as Item I-5.

8. Career Pathways Trust Memorandum of Understanding between Evergreen Valley College and West Valley College
The Board approved the Career Pathways Trust Memorandum of Understanding between Evergreen Valley College and West Valley College.

9. Acceptance of Grant Funds for the Southeast Asian American Student Excellence (SEAASE) Project at Evergreen Valley College
The Board accepted grant funds from the U.S. Department of Education in the amount of $1,426,230 for the Southeast Asian American Student Excellence (SEAASE) Project at Evergreen Valley College.

10. Workforce Institute – 2015-2016 WIA/WIOA Overall Cohort Training Pool Contract
The Board approved the 2015-2016 WIA/WIOA Cohort Training Pool Contract.

11. Workforce Institute – 2015-2016 WIA/WIOA work2future Youth Career Technical Training Contract
The Board approved the 2015–2016 WIA/WIOA work2future Youth Career Technical Training Contract.

12. Workforce Institute – WIA/WIOA work2future Workshop Contract
The Board approved the 2015-2016 WIA/WIOA Workshop Contract.

13. Workforce Institute – Memorandum of Understanding (MOU) for the California Career Pathways Trust grant, Silicon Valley Engineering Tech Pathways (SVETP)
The Board approved the Memorandum of Understanding (MOU) with 28 education and nonprofit partners, in the amount of $8,474,500, for the implementation of the Silicon Valley Engineering Tech Pathways (SVETP) July 1, 2015 – June 30, 2019.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. Adoption of the Measure G Bond Programs Consent Agenda
Hearing no requests to pull any items, President Ho stated that the Measure G Bond Programs Consent
Agenda was approved by general consent of the Board.

2. Measure G – 2004 Bond Program: San Jose City College (SJCC) Physical Education Building #122 - LPAS, Inc., Amendment No. 004 to the Standard Form of Agreement

The Board approved Amendment No. 004 to Standard Form of Agreement in the amount of $12,000 to LPAS, Inc., for the Physical Education Building #122 at San Jose City College.


The Board approved Change Order No. 006 in the amount of $704,244 to C. Overaa & Company for the Automotive Technology Building Project #32111 at Evergreen Valley College.

4. Measure G – 2010 Bond Program: Evergreen Valley College Automotive Technology Building, Project #32111 - C. Overaa & Company Change Order No. 007

The Board approved Change Order No. 007 in the amount of $194,947 to C. Overaa & Company for the Automotive Technology Building Project #32111 at Evergreen Valley College.

5. Measure G-2010 Bond Program: San Jose City College (SJCC) Ironworkers Training Center Project #31126 - R.C. Benson & Sons, Inc. - Change Order No. 002

The Board approved Change Order No. 002 in the amount of $106,600.00 to R.C. Benson & Sons Inc., for the Ironworkers Training Center Project #31126 at San Jose City College.

6. Measure G-2010 Bond Program: Uninterruptible Power Supplies (UPSs) for Evergreen Valley College Network Switch Upgrade

The Board approved the purchase of UPSs from Transource Services Corp for the Evergreen Valley College Network Switch Upgrade for a total cost of $123,496.87.

7. Measure G-2010 Bond Program: Uninterruptible Power Supplies (UPSs) for SJCC Network Switch Upgrade - Deductive Change Order No. 001

The Board approved Deductive Change Order No. 001 for ordering a decreased number of UPSs than originally requested on the May 26, 2015 Measure G Bond Programs Consent Agenda.

8. Measure G Bond Program: Phase 2 Wireless Network Installation at San Jose City College - Change Order No. 001

The Board approved Change Order No. 001 to the Phase 2 Wireless Installation Project at San Jose City College for a total cost reduction of $151,356.81.
H. ORAL COMMUNICATIONS

1. Board of Trustees/Committee Chairs' Reports

Trustee Nasol announced that the Foundation's Bridge to the Future event is next Friday, and proceeds from that event will be used to support our student success initiatives. He invited everyone to participate in this very important event, which will be held at the Valencia Hotel, which is a beautiful venue.

Trustee Lease reported that last Friday an article was written about his father in the San Jose Mercury News. Dr. Gus Lease is now in his 66th year of teaching. He is amazing.

2. Chancellor's Report

Interim Chancellor Hendrickson reported that the Fall session has begun, and we have every reason to feel optimistic. It's exciting to see what is happening at the colleges. The construction at Evergreen Valley College is challenging. We need to watch this unfold. EVC is seeing an increase in enrollment, in head count and seat count. We are also working closely with Milpitas Unified School District on the new educational facility. The programming and instructional effort for this facility are also issues we are currently working on. We are also working closely with Republic on the development of the surplus property, and he is very impressed with the work they are doing on this project. The Board made an excellent choice with this developer.

3. Presidents' Reports

EVC President Yong reported that PDD went well, and more people attended than ever before. As an enrollment update, he reported that EVC is up 2%. This is great news as it is the first improvement the college has seen since 2009. We have some issues with the construction in the parking lots, and we tell the students that soon it will be over and the campus will look great.

SJCC President Breland stated that SJCC is 2% below in headcount and 1% down in FTES. He reported that we are expecting visitors from Japan regarding ESL courses in conversational English. He announced that the Male Summit scheduled for October 16. This is the 5th annual summit the college is hosting. He reported that SJCC is moving forward with next Wednesday's Mexican Heritage night. President Breland announced that on Monday, September 21, 2015 San Jose City College Peace Pole program will be held on the campus, and Mayor Sam Liccardo, Santa Clara County Board of Supervisors President Dave Cortese and others will honor community leader Sal Alvarez. A Peace Pole will be placed at the college in memory of Mr. Alvarez. His office will send out invitations to the Board.

4. Constituency Reports

EVC Academic Senate President Narveson honored Professor Gus Lease for his lengthy teaching career. He also reported that construction is progressing well at the college. It's also exciting news that EVC will have a veterans center opening in mid November. He also reported that EVC is hosting the Area B meeting on October 23 for the senate leadership of all the colleges. EVC will also hold a Senate retreat in November to rejuvenate the senate.

SJCC Academic Senate President Covarrubias reported that the senate received training at PDD. Both senates also plan to bring the launching of the district Academic Senate to the Board very shortly. The senate is also working on the full time faculty hiring priorities and will bring that proposal forward soon.

I. ACTION AGENDA

1. Resolution 090815-1 Approving District Budget Transfers

M/S/C (Lease/Mann) 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, Ho, Lease, Mann, Nasol and Nguyen voted yes.

2. Fiscal Year 2015/2016 Adopted Budget

Vice Chancellor Smith presented the FY2015/16 Adopted Budget. He stated that a 197 page detailed budget report has already been provided to the Board. In terms of format, the front of the report includes the Board principles, a brief narrative and a fiscal summary document.

He stated the goal is to maintain fiscal stability while getting resources to the colleges and into programs where it is needed. The beginning fund balance for the 2014-15 fiscal year finished was 16.1% and by year end finished at 13.6%. Tonight the board will be asked to approve the FY2015/16 budget. The beginning fund balance becomes 13.6% after all activities. The ending fund balance is projected to be 14.1%. Major data points include a series of assumptions. Property tax increases is 3.67%, which is lower than initially expected. Mr. Smith stated that his message today is about a good, solid budget; but it's not all he thought it would be. The district does participate significantly in state categorical programs, and the state is doing well in those efforts. Additionally, even as a basic aid district, we will receive significant one-time unrestricted money. This governor is showing a pattern of allocating money in one-time ways versus making ongoing commitments that has gotten the state in fiscal trouble in past years. We received $6 million this year. That is a hope we have that the state will continue to allocate one-time revenue because we do benefit even as a basic aid district. Mr. Smith reviewed other budget impacts, such as 82.7% effort for personnel, Step and column factored, health and welfare, STRS, PERS greater than 3% costs. He had never seen such an increase, a 29% increase in Blue Cross premiums, as in this fiscal year's budget. We funded a major effort in FY15/16 redesign and student success staffing, $1.2 million to colleges and WI one time, carryover allocations, interpreter costs redirected $486K; curriculum innovations: International, STEM $113K, $1.6m medical premiums and redirect utility rebates directly to colleges. Vice Chancellor Smith reviewed the increased categorical funds over three fiscal years. We would like to allocate more one-time money to the colleges. Caution is in order due to 3.67% property tax. We only have three years history of property taxes and cannot establish a pattern at this time. Things to consider; stabilization funding, collective bargaining resources, budget allocation formula and the upcoming concerns of the Cadillac tax, annualizing at $1.8 million, and Proposition 30 sunsets on 12/31/17, which is a $1.2m loss, annualized. Things to consider is that we will need to watch for the 50% law standards and requirements. We have to keep an eye on this as a basic aid district. Mr. Smith reviewed the estimated budgets for FY2016/17 and FY2017/18. We are down on property tax revenue this year from last year, which is a little surprising. Overall, we are reporting that we are in a good year, but we are hoping for better.

M/S/C (Lease/Nasol) to adopt the Fiscal Year 2015/2016 budget as presented.

Trustee Nasol thanked Vice Chancellor Smith for the great presentation. He expressed concern about the property tax and Proposition 30. We need to engage in discussions in anticipation of the future financial burdens on the district. We are now amending the agreement which impacts the Workforce Institute since we don't own the land, we own the building. He expressed concern that the Workforce Institute used to contribute $250K to the general fund, and that is no longer the case. Vice Chancellor Coen stated that the $502,000 augmentation made by the district to the Workforce Institute includes the costs of renovation of the space. The information presented is what we anticipated in May. However, the Workforce Institute does not anticipate needing augmentation due to grants that are now coming in. The redesign money will come from Fund 10, but the Workforce Institute started having decline due to changes with the WIA grants. Things were on hold last year. This year we have several contracts we are receiving, and some of those are listed on the Consent Agenda. The SVETP grant will provide revenue.

President Yong stated that last year we made a move to restore EOP&S without waiting for the state to make it whole. We tried to use the funds to restore some of the students. President Breland stated that we brought this issue to restore EOP&S to the Board who approved the resolution. The equity funds have now been replenished by the state. Trustee Nasol inquired if the district has the augmentation needed to provide the full services required by our DSPS students. President Yong answered that SJCC has a full time faculty.
member assigned to that area, and the college is bringing staffing back in its attempt to serve more students. We are doing more than we used to. President Breland added that SJCC did the same thing and hired a director of DSPS. Now that those costs are taken care of, the college has been able to provide more services.

Trustee Cruz inquired about the process that was used to determine allocations and how the district and colleges actually arrive at those decisions. Are we using program review data to actually figure out where these allocations need to be? As a district, we have prioritized the non-credit program, and where is that indicated in terms of priority as a district? Vice Chancellor Smith answered that our allocation process is similar to San Mateo. The Chancellor’s Cabinet reviewed the needs of the colleges and what one-time money was available; and we simply released the money to the colleges to spend. Most of that program review discussion is college based. The "how much" is available discussion begins at the Chancellor’s Cabinet, and a plan is developed there that is vetted at the District Budget Committee. President Breland stated that 84% of our budget goes to employee costs. He discussed the SJCC budget committee process. President Yong discussed the EVC budget committee process as well. EVC is getting ready to go through that process shortly.

SJCC Academic Senate President Covarrubias discussed the need for a college driven process instead of a top down process beginning with the Chancellor. We also need to look at rental revenues and find a way to keep those dollars at the campuses. Vice Chancellor Smith stated that the $500K received from rentals do stay at the colleges.

Trustee Lease stated the need for a student opportunity fund with the revenues the district would receive from the leasing of the 27 acres. What could be done with $1.5m per year? He would like to see what could be done with the Board’s direction and coming back as an action item. It shows our intent and direction as to where revenues would go. Vice Chancellor Smith answered that, with direction from the Board to the Chancellor, we can include this program in the next budget presentation. Vice Chancellor Coen stated that the Workforce Institute cannot take money from grants that are coming from other sources and move those to Adult Education. This initiative needs to be funded by this district. Vice Chancellor Garcia inquired what non-credit instruction would mean for our faculty to be deployed to this initiative. It’s being supported by the work of the faculty members and Deans, but it needs a broader discussion.

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

3. Measure G-2010 Bond Program: Bond List Revision No. 16

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

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

4. Resolution No. 090815-2 in Support of National Hispanic Heritage Month

M/S/C (Lease/Cruz) to approve Resolution No. 090815-2 in support of National Hispanic Heritage Month.

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

5. Formerly Item F-7 - Formalization of SJECCD’s representation in the South Bay Consortium for Adult Education (SBCAE)

Professor Michael Berke, Vice President of the Academic Senate, San Jose City College, expressed concerns about the Consortium website, which is located on the Workforce Institute website. He stated that meeting agendas, minutes of meetings and even information regarding the members of the steering committee is not found on the website. Other consortium members, however, are very transparent. He also expressed the concern of faculty about how the courses would be developed. It’s important for faculty to be involved in this
process to move this program forward.

Ms. Kathy Martarano, Director, Santa Clara Unified School District, expressed her support of the consortium. Vice Chancellor Coen and Dean Vujjeni have been exceptional in providing the leadership necessary to move this forward. The Steering Committee is looking at putting a good amount of funding into this career pathway we are supporting. There have been workforce groups involved in the planning. As the South Bay region, the Consortium is making history in the State of California. When people talk about best practices and collaboration, the Consortium is a great example.

Mr. Richard Uribe, Director, Adult Education, East Side Program, stated that the SBCAE is following the guidelines proposed by the state. AB 86 is now in the past, and we are currently in the implementation stages. We are now in the state of determining what resources would be allocated to the program. Faculty on both sides do have input in the formation of what we are going to be doing. There is no attempt by the Steering Committee to not to be transparent. A website containing all the information is currently being built, and there will be a charter that the Steering Committee will be utilizing.

Vice Chancellor Coen stated the website is still in development but in the final stages. District faculty, staff and bargaining units have been engaged in the Consortium. Faculty and staff have been provided information and there has been and will continue to be an opportunity for feedback. She reviewed the materials distributed on the 54 opportunities for input which were provided. Trustee Cruz stated that the primary function is not just being a part of an advisory committee but being a part of the group that engages in decision making responsibilities. When we get to that place when you are getting to the academic and professional matters and you get to those decisions, the role of the steering committee is missing. Is there room to incorporate that responsibility? When you get to the places where curriculum and professional matters are involved, what role does the steering committee have? Vice Chancellor Coen answered that the role is related to implementation. The steering committee deals with the administrative functions of implementation of AB 86, but anything related to curriculum has to go through the colleges. Trustee Cruz stated that no where in the materials she was provided has made that clear or has been specific. That particular role of the steering committee is not clear in the documents. Vice Chancellor Coen answered that she could incorporate that into the document. Trustee Nasol stated that as a provision of AB 86 is to get all the resources of faculty for them to arrive at the planning stage. AB 104 is now the implementation stage of the adult education program, and most of the members are administrators of the Consortium. They are an implementing committee and not an academic steering committee. He stated he had no problem with the motion approving Vice Chancellor Coen and Dean Vujjeni in that role.

SJCC Academic Senate President Covarrubias stated that terms, such as "faculty have been consulted; 1 on 1 meetings have been conducted" are insufficient in describing the role of faculty. We have 10+1 in place. These are supposed to be joint programs but must take in account what we have in place on our campuses for governance structure. That is the major problem; there are accreditation issues and Brown Act violations due to no agendas or minutes posted. Individual faculty have been approached and asked to write courses for the program, but this is not the proper way to engage faculty.

Interim Chancellor Hendrickson answered that the steering committee is a planning body working with our K-12 partners. All college course development and curriculum approval items are college academic matters. Only the academic senates can act to approve curriculum necessary for courses to be offered at our colleges. Nothing other than this approach can occur. AFT 6157 President Yancey stated that it's confusing as to whether it's planning or implementation. He was invited to the meetings, and they counted that action as inclusion. There is a concern that we are not involved with this process. This is not the state; this is our district. You can't include faculty by stating that they were sent an email. This consortium has been an administration run process from the beginning and it still is.

President Ho inquired about the timeline for submitting the committee members. Vice Chancellor Coen answered that every other district has appointed their committee members already. This district is the last one to receive approval from its Board. Dean Vujjeni stated that the deadline for submitting the steering committee representation is the end of this month.

M/S/C (Lease/Nasol) to formalize the continuation of Vice Chancellor Carol Coen and Dean Kishan Vujjeni as SJECCD representatives to the SBCAE Steering Committee.

Board vote was as follows:
Trustees Ho, Lease, Mann, Nasol and Nguyen voted yes. Trustee Cruz abstained.

J. INFORMATION AGENDA

1. Introduction of New District Employees

This item was moved to Agenda Item E-5.

2. Board Meeting Agenda Order

Interim Chancellor Hendrickson stated that, although the Board agenda is working well, there may still be improvements that could be made in the Board’s ability to address policy items at meetings. He reviewed an option for Information Items and moving Oral Communications to the end of the meetings.

President Ho supported any changes that would improve board meetings, and the Board is always concerned with continuous improvements. Trustee Mann stated the Board’s business should be addressed first and foremost at meetings. He liked the splitting of the Information Items as well, and stated that he could live with the public comments staying where it is but he also feels that some meetings have been taken over by those making public comments at the meetings. Those people who are passionate about items will stay to the end of the meeting. It was difficult to get to down to board business when the beginning of the meeting has a lot of public comments. He recommended moving the public comments agenda items to after the Action Agenda. Trustee Nasol stated that he would like to try out this new format as presented by Interim Chancellor Hendrickson.

President Ho stated that the Board president has the purview to move the public comments to later on in the meeting when there are a lot of speakers; therefore, it would not be necessary to move that agenda item at this time. Trustee Cruz expressed her support of continuous improvement. She recommended the Board should have a short session on how to develop its agenda to ensure continuous improvement. Trustee Lease stated that in looking at Version B where the Information documents are provided and a separate Information category where presentations are made would allow meetings to be more streamlined and productive. We also need to continually move the business items to the beginning of the agenda. He recommended moving Public Comments on Matters Not on the Agenda permanently to the Oral Communications portion at the end of the meeting. President Ho supported Version B because even the minor changes proposed can make a difference in the effectiveness of the meetings.

CSEA representative Dan Hawkins stated that Chancellor Hendrickson’s proposal outlined in Version B is actually returning to an old format previously used by the district. He recommended that moving Public Comments on Matters Not on the Agenda may alienate the public. AFT President Yancey stated the need for the Board to be careful of how it treats the public. The Board’s obligation is to always treat the public with respect. We need our communities. We need to go to the community for bonds and other support. The Board is the leadership of the district and sets the tone. Leadership starts at the top.

3. Board President to report on conflict of interest review as provided in Board Policy BP2715

President Ho read the following statement to be included in the meeting minutes as a public record:

The law around conflicts of interest is complex and designed not only to address actual conflicts but even the possibility of a conflict. There was a concern that arose regarding Trustee Pham’s ongoing efforts to address his employment dispute with SJTECCD after becoming a trustee. Our Ethics Policy requires among other things that the Board President look into such concerns, meet with the trustee involved, and rule on her findings during a public meeting.

After review and consultation with legal counsel, I have concluded that it constitutes a conflict of interest for
the District to engage in any settlement discussions with Trustee Pham regarding his employment dispute while he is a sitting trustee.

Consistent with Board Policy 2715, I have met with Trustee Pham; and based on our productive discussion, I do not see the need for any further action.

4. California Community Colleges Student Success Scorecard Board Engagement

This item was moved to agenda item E-6.

5. Board Ends Policy Dashboard

Interim Vice Chancellor Hawley stated that the Dashboard is being presented as information. She reported the Dashboard indicates that we are currently at a B grade.

Trustee Lease inquired if this report excludes the matrix that we are not monitoring. Vice Chancellor Hawley answered that yes, it doesn't include what we don't yet monitor. Trustee Cruz recommended that it would be good if once or twice a year the Dashboard could actually have side by side comparisons.

6. Board Ends Policy Monitoring Report -- College Readiness and Student Success

Interim Vice Chancellor Hawley thanked everyone for sticking around late for her presentation. This is the quarterly monitoring report for two ends policies: College Readiness and Student Success. In doing this particular monitoring report, the goal is to tweak this report even more. The fact that we are doing so well is a false positive, and it's important for the district to improve its performance.

Dr. Hawley reported on College Readiness, Ends Policy No. 3, and focused on the students' ability to analyze information. We are defining learning outcomes. We had a retreat and went through a process of explaining what these policies are about. It doesn't match what their idea of what college readiness is. What do we really want to know? On this metric we are doing very well. We did a survey of students, we have a baseline and were able to put targets. We measure at B+. Habits of Mind behaviors are seen as the foundation for lifelong learning. Pluralistic Orientation measures skills and dispositions appropriate for living and working in a diverse society. We are doing very well in these areas. Integration of Learning is a measure of student behavior that reflects integrating.

Dr. Hawley reviewed the Student Success Ends Policy No. 5, which includes Persistence, Course Completion, Basic Skills Completion, and Retention. We need to start talking about how we are implementing the enrollment management pieces in terms of ensuring student success. Another key component is how we are defining the ends policies to tie into what the faculty is doing.

Trustee Cruz requested we keep at the forefront what the mix/match is because we haven't gone into that area. Dr. Hawley stated the need to have this discussion with the Deans.

President Ho stated that College Readiness did not measure with them. Dr. Hawley stated that the definition is right on target and what most people think about is basic skills. The information is important, but are we speaking their language?


Mr. Hendrickson stated this is an information report only. Trustee Lease inquired if there is anything we can do with those revenues to ensure it goes into students' hands. Can we think of something fun that would support our students?

8. Board Meeting Evaluation
Trustee Lease stated that the scorecard conversation and data presented in the Dashboard clearly speak to the Board's ends policies. And it was also important to uphold our ethics policy in an appropriate manner. Trustee Nasol enjoyed the budget presentation and is hoping we can move forward with concerns about the burdens we will face in the future. Trustee Cruz appreciated the conversation regarding the Board's code of conduct. She appreciated all the information related to ends policies and where we are at regarding the scorecard. The conversation and discussion is in the midst of advancing the Board's ends policies. President Ho appreciated the Vice Presidents' report regarding the Deans Academy and using equity dollars for student success. The discussion is about how we can be better at deploying the resources.

President Yancey stated the union supports the right of faculty that if the heat is too high in the classroom, they could let their students go home. We need to think about the rebate the district is receiving by not using air conditioning on hot days. This does not promote student success. Even the high schools are letting students out early. He reported he would send out a note to all faculty on this matter tomorrow.

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

**L. RECONVENE TO OPEN SESSION**

1. Announcement of Action Taken in Closed Session

**M. ADJOURNMENT**

1. M/S/C (Nasol/Lease) to adjourn the meeting at 9:40 p.m. in memory of Sacramento City College shooting victims.

John E. Hendrickson  
Board Secretary
A. CALL MEETING TO ORDER

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

Board members present:
Mayra Cruz
Wendy Ho
Jeffrey Lease
Craig Mann
Rudy Nasol
Huong Nguyen

Board Member Absent:
Scott Pham

2. Information was provided on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

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

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

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

1. Public Comments on the Closed Session Agenda

There were no public comments.

D. CLOSED SESSION ITEMS FOR DISCUSSION

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

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

1. 6:00 P.M. - Pledge of Allegiance

President Ho led the Board and members of the audience into the Pledge of Allegiance to the Flag.

Student Trustee Larry Harris joined the meeting.

2. Adoption of the Agenda

Chancellor Hendrickson recommended that Item H-2 Resolution No. 101315-2 be removed from the agenda.

M/S/C (Mann/Lease) to approve the agenda as amended.

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

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

President Ho informed the Board that Trustee Pham reported to the Chancellor that he could not attend the meeting due to illness.

M/S/ (Harris/Cruz) to approve Resolution No. 101315-5 excusing Trustee Pham from attending the October 13, 2015, Governing Board Meeting, due to illness.

Board vote was as follows:
Trustees Cruz and Nguyen voted yes.
Trustees Mann and Lease voted no.
Trustees Ho and Nasol abstained.

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

Motion failed.

3. Announcement of Reportable Action Taken in Closed Session

There were no reportable actions.

4. Public Comments on Matters not on the Agenda

Mr. Andy Nguyen, alumni of SJCC, thanked the district board for supporting him in his education. He
expressed deep appreciation to President Breland and especially to the SJCC Associated Student Government and the art department and staff. The Senate college has also been his second home.

Mr. Eric Narveson, EVC Academic Senate President, stated that he is beginning his 5th year as Academic Senate President. He reported that constituency reports used to be given at every meeting, but now it's only allowed for the first meeting of the month and limited to three minutes. The recent board meeting agenda change relegates constituency reports to the end of the meeting. These actions give the opinion that the Board does not really want to know about what is going on at the colleges. He recommended the Board hold additional meetings if the agendas are too large to allow time for constituency reports.

MSCC President Lauren McKee expressed her agreement with Mr. Narveson. She hoped the Board would move the constituency group reports to the beginning of the meeting. There are times that we are being treated by the Board as if we are not important.

SJCC Academic Senate President Covarrubias expressed an opinion that the Board seems to enjoy constituency reports when they are provided at the beginning of the meeting. Constituency group leaders report on important items. Members of the community have stated to him that they are interested in knowing what is taking place at the colleges. What better place to provide reports that people enjoy than at the beginning of the meeting before people leave.

Executive Director AFT 6157 Barbara Hanfling stated her concern is not just about constituency reports, but it's about all reports. As elected officials, the Board should want to hear about what we are doing. The community wants to know as well. As it is now, the community doesn't know the work that the Board is doing and that it's supposed to be doing. There are many, many meetings where we have large numbers of community members present. The constituency reports are very important, as these reports also include the Board's reports, the Chancellor's report and the presidents' reports. She wants to ensure we have time to hear what all these groups have to say. It is a practice the district has had for 15-20 years. She expressed hope that after this meeting or even during this meeting, the Board would go back to the other format. Open, inclusive and transparent board meetings is what the Board should be seeking.

CSEA Chapter 363 Past President Dan Hawkins expressed agreement with what Ms. Hanfling has stated. We have been there, done this. The Board has made these similar mistakes in the past, and it's important for the Board to do what is right for the community as well as the constituency group leaders, who are present at every board meeting.

Ms. Odilia Peper, SJCC Financial Aid, and Mr. Andy Nguyen, former student, invited the Board and members of the audience on behalf of the SJCC Arts & Lectures program to attend the Jamie Bianchini discussion, which will be held on October 27 at the SJCC Technology Center at 12:00 noon.

5. Approval of September 8, 2015, Governing Board Meeting Minutes

M/S/C (Mann/Lease) to approve the above listed minutes as amended: A few corrections were made to names listed in the agenda: Dr. Nasol was corrected to Trustee Nasol and Mr. Bob Harper's name was corrected in the public comments section.

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

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

F. CONSENT AGENDA

1. Adoption of the Consent Agenda

SJCC Student Trustee Harris commented on Item F-20 Student Travel to Washington, D.C. for SACNAS Travel and requested that a post report be provided to the Board.
Hearing no request to pull any items, President Ho stated that the Consent Agenda was approved 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. Faculty Personnel-Adjunct/EVC
The Board approved the faculty personnel action as submitted.

5. Faculty Personnel-Adjunct/SJCC
The Board approved the faculty personnel actions as submitted.

6. Faculty Personnel-Adjunct/SBRPSTC
The Board approve the faculty 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. Ratification of Contracts, Purchase Orders and Contract Revisions
The Board ratified the contracts, purchase orders and contract revisions for the period of August 10, 2015, through September 9, 2015, as noted in the documents attached to the agenda.

10. 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.

11. Destruction of Records - Fiscal Services
The Board approved the destruction of records as listed per Section 7080.203 of the Retention and Destruction of Records under Board Policies.

12. Operational Banking Services
The Board approved the transfer of operational banking services from Bank of America to Wells Fargo.
13. Piggyback Krueger International (KI) Furniture Contract
The Board authorized the District to 'piggyback' on a contract with Krueger International (KI) Furniture.

14. Curriculum Recommendations for Evergreen Valley College
The Board approved the curriculum recommendations for new courses submitted by Evergreen Valley College.

15. Evergreen Valley College Mission Statement
The Board approved the updated Evergreen Valley College Mission Statement.

16. Acceptance of Sponsorship for Silicon Valley Code Camp at Evergreen Valley College
The Board accepted sponsorship from Deputy Sector Navigator for Information Communication Technology: Doing What Matters (Chancellor's Office) in the amount of $27,500 for Silicon Valley Code Camp held at Evergreen Valley College October 3 and 4, 2015.

17. Acceptance of Grant Funds for Evergreen Valley College's participation in the East Side Alliance Career Pathways Initiative
The Board accepted $127,000 in grant funds from the Chancellor's Office in partnership with East Side Alliance Alliance Career Pathways Initiative for the design and implementation of a dual/concurrent enrollment program for East Side Union High School District.

18. Acceptance of Grant Funds - San Jose City College
The Board accepted Year 1 grant funds awarded to San Jose City College for the grant period effective October 1, 2015 through September 30, 2015 in the amount of $649,499.00 from the U.S. Department of Education, Title V Hispanic-Serving Institutions Program.

19. Agreement between Evergreen Valley College and The Valley Foundation School of Nursing (TVSON) at San Jose State University
The Board approved the agreement between Evergreen Valley College and The Valley Foundation School of Nursing (TVSON) at San Jose State University.

20. Student Travel to Washington, D.C. for SACNAS Conference
The Board approved student travel to the SACNAS Conference in Washington, D.C.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. Adoption of the Measure G Bond Programs Consent Agenda
Trustee Nasol requested that Items G-9 and G-10 be pulled from the agenda and added to the action agenda for further discussion and vote.

Hearing no requests to pull any other items, President Ho stated that the Consent Agenda was approved by general consent of the Board.
2. Measure G – 2010 Bond Program: Evergreen Valley College
Automotive Technology Building, Project #32111 - C. Overaa & Company
Change Order No. 008

The Board approved Change Order No. 008 in the amount of $72,318 to C. Overaa & Company for the
Automotive Technology Building Project #32111 at Evergreen Valley College.

3. Measure G – 2010 Bond Program: Evergreen Valley College
Automotive Technology Building, Project #32111 - C. Overaa & Company
Change Order No. 009

The Board approved Change Order No. 009 in the amount of $181,030 to C. Overaa & Company for the
Automotive Technology Building Project #32111 at Evergreen Valley College.

4. Measure G-2010 Bond Program: Evergreen Valley College South
Campus Development Project #32107 – Blach Construction Company
Deductive Change Order No. 010

The Board approved Deductive Change Order No. 010 in the amount of ($35,270.00) to Blach Construction Company for the South Campus Development Project #32107 at Evergreen Valley College.

5. Measure G – 2010 Bond Program: Evergreen Valley College
Automotive Technology Building, Project #32111 – Sales tax on
Automotive Technology ATech Training, Inc. Courseware and Equipment

The Board approved an increase of the ATech Training, Inc. purchase order in the amount of $10,243.04 to account for sales tax on Automotive Technology courseware and Equipment.

6. Measure G-2010 Bond Program: Evergreen Valley College South
Campus Development Project #32107 – Sedia Systems Inc. Independent Contractor Agreement (ICA) Revision No. 001 (Completion Date)

The Board approved revision of the Independent Contractor Agreement (ICA) to Sedia Systems Inc. to revise the date the "Contractor shall complete its Work by" from November 30th, 2015 to January 30th, 2016 (Section 19 Terms of Agreement).

7. Measure G-2010 Bond Program: Evergreen Valley College (EVC) South Campus Development Project #32107 – Furniture, Fixtures & Equipment (FF&E) Strength Equipment Purchase – Independent Contractor Agreements (ICA)

The Board awarded the Independent Contractor Agreements, not-to-exceed the amount indicated, to the following strength equipment vendors Opti-Fit International, Inc. ($94,944.19) and Precor Commercial Fitness ($22,617.19) for a total amount of $117,561.38 for the South Campus Development Project #32107 at Evergreen Valley College.

8. Measure G-2010 Bond Program: San Jose City College (SJCC)
Ironworkers Training Center Project #31126 – R.C. Benson & Sons, Inc. - Change Order No. 003

The Board approved Change Order No. 003 in the amount of $77,325.00 to R.C. Benson & Sons Inc., for the Ironworkers Training Center Project #31126 at SJCC.


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

10. Measure G – 2010 Bond Program San Jose City College(SJCC) Vocational Center and Performing Arts Building - Project #31107-01 Marcy Wong Donn Logan Architects, Inc., Amendment No. 002 to the Standard Form of Agreement - BPO # B010080

This item was moved to the Action Agenda as Item H-6.

11. Measure G-2010 Bond Program: San Jose City College (SJCC) GE HVAC Upgrades and Campus HVAC Controls Extension Project #31127 – Environmental System, Inc. Change Order No. 002

The Board approved Change Order No. 002 in the amount of $62,601 to Environmental Systems, Inc. for the GE HVAC Upgrades and Campus HVAC Controls Extension Project #31127 at SJCC.


The Board approved the award of a contract in the amount of $85,000 to Santa Clara Valley Construction Inspections, for the Joint-Use 21st Century Post-Secondary Education Center, #309 located in Milpitas, CA.

13. Measure G-2010 Bond Program: Evergreen Community College IT and Tech Equipment Project #32702 - Salas O’Brien Design Agreement Project Assignment Amendment (PAA) #EVC - 05 to the Master Agreement

The Board approved the award of an Agreement (PAA #EVC - 05) in the amount of $212,500.00 to Salas O’Brien, for Design Services, IT and Tech Equipment Project #32702 at Evergreen Valley College.

14. Measure G-2010 Bond Program: Network Switch Upgrade and Wireless Configuration at Evergreen Valley College

The Board approved the purchase of network switches and Independent Contractor Agreement (ICA) with Dasher Technologies to configure and deploy at Evergreen Valley College for a total cost of $2,187,408.62.
15. Measure G-2010 Bond Program: Network Switch Upgrade at San Jose City College - Change Order No. 001
The Board approved Change Order No. 001 to Dasher Technologies in the amount of $23,272.44 for the San Jose City College Network Upgrade.

16. Measure G-2010 Bond Program: Network Switch Upgrade at San Jose City College - Change Order No. 002
The Board approved Change Order No. 002 to Dasher Technologies in the amount of $65,101.36 for the San Jose City College Network Upgrade.

H. ACTION AGENDA

1. Resolution Number 101315-01 Approving District Budget Transfers and Revisions
M/S/C (Lease/Mann) 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:
Trustee Cruz, Ho, Lease, Mann, Nasol and Nguyen voted yes

Advisory vote was as follows:
Student Trustee Harris voted yes

2. Resolution Number 101315-2 approving that the Board of Trustees direct its legal counsel to send a letter to Trustee Scott Pham that he has acted in his official capacity with a conflict of interest.
This item was removed from the agenda.

3. Resolution No. 101315-3 in Support of Filipino American History Month
Trustee Nasol shared historical information about Filipinos in American. He reported that Filipinos have been in the Americas since the 14th century. Many Filipinos in Morro Bay are descended of those that crossed the Pacific with the Spanish Armada.

M/S/C (Nasol/Lease) to approve Resolution No. 101315-3 in support of Filipino American History Month.

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

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

4. Resolution No. 101315-4 in Support of Disabilities Awareness Month
Interim Chancellor Hendrickson reported on the history of Disabilities Awareness Month since 1945 and more
recently through the efforts of Senator Beall.

M/S/C (Nasol/Cruz) to adopt Resolution No. 101315-4 in support of Disabilities Awareness Month.

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

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

5. Formerly Consent Agenda Item G-9 - Measure G – 2010 Bond
Program: San Jose City College (SJCC) Vocational Center and Performing Arts Building Project #31107-01 - Marcy Wong Donn Logan Architects, Inc., Amendment No. 002 to the Standard Form of Agreement - BPO # B010377

Trustee Nasol stated he would like the vote on this item to be combined with Item H-6 as he wants to make the same comments about both items. They are both deductive change orders. He inquired if in the future there would be another project called Performing Arts Building would it be considered one in the same. Mr. Scott Jewel, Gilbane Building Company, answered that this particular project has had several name changes: at one time it was the Theater, another time it was Vocational Technology, and another time it was called Vocational Tech/Media Arts. At the last bond list revision, Media Arts was dropped from the name. Therefore, the contract with Marcy Wong was reduced because the Media Arts portion was taken out of the project.

Trustee Nasol inquired why the name Media Arts Center couldn’t be included in a parenthesis so as not to confuse everyone. Now, however, it’s a different type of project with a different name. Mr. Jewel stated that the current name is CTE, and we made an effort to make that clear. Trustee Nasol stated these two credits are over $100K for project management, and it is no longer needed. He inquired how this money was being shifted to other projects at SJCC. Mr. Jewel answered that bond list revision number 12 outlines that proposal in detail, such as $21 million that went to campus site improvements, the new gym site, including the racquetball court. Trustee Nasol requested more detailed information as the Board had initially approved $32 million. He wants to know how much is distributed to CTE and how much to other projects. He requested the Board receives a report from Gilbane staff to show that money is not going to be wasted in terms of the design of the media center. It is important for the Board to have this data. This Board approved a project that has now been scrapped. Vice Chancellor Smith stated that over three or four years the project had changed directions. We had a transition of staff and leadership at SJCC that changed the direction of this project. We are also in the middle of an educational and facilities master planning process. All the changes have been reflected in the actions that the Board has seen via monthly updates. We want the process to be more transparent and obvious. As to informing the Board, administration has made a change in its process that when there is a substantial change to a project, we would bring forward that change as a stand-alone action agenda item. That’s what we will do to improve our service to the Board.

M/S/C (Nasol/Lease) to approve Amendment No. 002 to Standard Form Agreement for a reduction of ($622,599.00) to Marcy Wong Donn Logan Architects, Inc., for the SJCC Vocational Center and Performing Arts Buildings and also Amendment No. 002 to Standard Form of Agreement, for a reduction of ($70,013.00) to Marcy Wong Donn Logan Architects, Inc., for the SJCC Vocational Center and Performing Arts Building Project #31107-01.

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

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

6. Formerly Consent Agenda Item G-10 - Measure G – 2010 Bond
Program San Jose City College (SJCC) Vocational Center and Performing Arts Building - Project #31107-01 Marcy Wong Donn Logan Architects, Inc., Amendment No. 002 to the Standard Form of Agreement - BPO # B010080

This item was approved and included in the vote taken in Action Agenda Item H-5.

I. INFORMATION AGENDA - DOCUMENTS PROVIDED


Interim Chancellor Hendrickson stated this item reflects the change the Board made to the agenda and, moving forward, this item would be included in the Information Agenda-Documents Provided section unless discussion is desired.

Trustee Nasol reminded the Board and members of the audience of the November 17 groundbreaking ceremony at Milpitas. This will be an exciting event for our district, and it’s been a long process to get moving on this very important project.

J. INFORMATION AGENDA - PRESENTATIONS AND DISCUSSION

1. Presentation on San Jose City College’s Student Success, Equity, and Basic Skills Plans

SJCC Vice President Duncan Graham introduced Mr. Roland Montemayor, Dean of Counseling, and Dr. Celia Cruz-Johnson, Faculty Member and Chair of the Basic Skills Initiative Committee and also a member of SJCC’s Student Success Committee. They provided the SJCC Student Success and Equity report.

Mr. Montemayor reported on the redesigning of the student enrollment experience. SJCC has worked with ESL faculty to do placement and assessment, and the good news is 80% enrollment was achieved through that process. Student wait time was reduced from three hours to 20-25 minutes. Mr. Montemayor provided a summary of all activities last year regarding counseling and student services. The IT department is now assisting in documenting these processes. Student equity dollars supported EOP&S, and it is now a $1 million program at SJCC. He reported that 636 students were served in the 2014/15 academic year, 200 new students were accepted into the program in Fall 2014, and 86 new students were accepted into the program in Spring 2015. The outcomes from the program include 157 earned degrees or certificates; 89 received AA or AS-T degrees, 32 AS degrees and 36 certificates. Mr. Montemayor provided a list of colleges where the graduates transferred.

Trustee Cruz expressed appreciation for how the college integrated programs for students. Through EOP&S you are looking at a model you can actually grow. She applauded the college for that work. Trustee Lease stated that this presentation speaks to our global ends policies for the use of available resources. Mr. Montemayor stated that they are working on an initiative with Vice Chancellor Garcia and Ms. Hanfling, AFT, that could not be reported at this time.

Dr. Celia Cruz-Johnson reported on faculty and staff development opportunities at the college. Forty employees received professional development opportunities through support of equity funds. She showed a video of staff who benefited from this training. She also reviewed the linking of services to student achievement, activities that engage the college’s constituency groups, and the college activities for the 2015/16 year, including CalWORKS, DSP&S, EOP&S, health services, historically black colleges, language arts, outreach, PLTL, pre-med, veterans services and the male summit.
President Ho thanked SJCC for the comprehensive report about all the college is doing in support of student success.

2. District Technology Plan Annual Report 2015

Interim Vice Chancellor Hendrickson expressed his excitement for this report as there are many projects IT staff has completed over the past year.

Vice Chancellor Seaberry provided the SJECCD Strategic Information Technology Plan 2015 Annual Report. He stated this report would include an overview of the technology plan, district technology planning group, strategic initiatives and projects, technology plan accomplishments in 2014-15, prioritized projects for 2015-16 and challenges and opportunities. He also provided an overview of how the technology plan was developed and the work of the District Technology Planning Group to align the colleges' and district's technology plan. The planning group also prioritized the district's IT projects. Dr. Seaberry reported on the strategic initiatives and projects which are included in the plan. He noted that Strategic Initiatives are grouped by Information Systems Architecture (Data, Hardware, Network, Organizational, System); each Strategic Initiative has one or more projects associated with it; and each project description includes: priority, start and end dates, status, sponsor, lead, fund source, link to district's strategic priorities, global ends, accreditation standards, college plan, etc. He reviewed a sample of the project list and stated this is just a subset, which indicates we have 115 projects included in the five-year plan. He reviewed the projects and initiatives for 2014-15, and reported that 25 of the 43 have been completed. Next year the plan is to complete 28 of the strategic initiatives.

Vice Chancellor Seaberry reviewed challenges and opportunities for ITSS, such as: too many IT projects underway given limited resources; unknown complexities, dependencies and resource needs cause project timeline slippage and delays; staff resources diverted from operations to projects; unexpected new project requests arise with high priorities; and we also have the opportunity to develop improved Project Portfolio Processes to increase effectiveness and manage expectations. ITSS also has hiring opportunities. Last month the district hired the Director of Enterprise, and this Thursday we hired our SharePoint developer. We do, however, have challenges with funding IT projects, including warranties, upgrades, license costs, and annual increases. Many IT resources have gone to the cloud and are networked based. We can't do this work using capital outlay (bond) funds.

President Ho thanked Vice Chancellor Seaberry for the very detailed and informative presentation. Trustee Mann expressed hope we could grow our own staff to move into many of the open IT positions. Trustee Lease stated it was nice to hear that the technology plan is also integrating into accreditation and our ends policies. President Ho inquired about the composition of the Technology Planning Group. Vice Chancellor Seaberry stated the members are from the technology committees on campus, district staff and faculty.

SJCC Academic Senate President Covarrubias stated that our priority is our students. We need to think about what students interact with on a regular basis, whether it's the students in the labs or the students in the classrooms. The Board room is technology heaven, and it would be nice to say that all rooms at the colleges were the same. The technology in classrooms is not working on a regular basis. ITSS is overworked. EVC Academic Senate President Narveson expressed support for the strategic priorities regarding Admissions and Records, especially with regard to transcripts. We also need to find a way to protect information in case of fire.

3. AB 104 - Adult Education Block Grant Implementation

Vice Chancellor Coen and Dean Kishan Vujjeni reported on the non-credit adult education program. Dean Vujjeni reported that on January 27, 2015, the Board received information on the 400-page plan that was submitted to the state. It takes $35/hr. for a person to live in this area; therefore, adult education is key to the success of members of our community. The focus of this presentation is the implementation of that plan. AB 104 passed in April. The South Bay Consortium for Adult Education (SBCAE) is the largest consortium in the state. We are the only one with two community college districts. Vice Chancellor Coen discussed the obstacles that adult learners have in attending and succeeding at community colleges. We need to consider how we could create a bridge program to enhance their learning experience and create pathways for them. The goal is to have them succeed when they move from non-credit to credit courses. The Consortium didn't
want to create obstacles for the colleges and didn’t want to negatively affect the colleges’ persistence rates. We worked with both colleges and identified CTE programs that would support regional workforce needs. Dean Vujični stated the bridge component was in the plan we submitted to the state. He reviewed the bridge programs at SJCC. He thanked SJCC faculty for moving forward with approving the courses. Contextualization is the key component of this plan. Students are not prepared to come to credited certificate courses. What we want to do is create the bridge to get them there. We will provide additional support for students for whatever they are missing. Wrap-around services are a key component of this plan. We have a November 2 deadline to provide a governance charter, i.e. how the SBCAE will operate. We are working on the plan we submitted to the state to see if there are changes; and they want to know where the money is going on the 2015-16 plan. After they receive that report, we will then receive some money from the state.

Vice Chancellor Coen announced that the new website for the SBCAE has just gone live yesterday. The Consortium solicits comments and also asks viewers if they want to be included in the distribution list. We want input from the community as it really is a regional plan.

Trustee Lease loved the picture that stated, "No Wrong Door," and stated that empowerment and efficacy is also really important. Trustee Cruz commended Vice Chancellor Coen and her partners for the work they have done. Now it is time to create the programs that would be accessible for students in our geographical area. She is pleased the role of the academic senates has been defined and that they are participating in the process. President Ho stated this has been a long time coming. She is pleased to see the Consortium has approved its guiding principles. Vice Chancellor Coen reported that based on the Board’s direction, we had solicited input from adult learners in our district area. We now have outreach as part of our plan as we want to include others as best we can.

Mr. Narveson stated that in the Consent Agenda the Board did approve four of our non-credit courses. Non-credit courses have been around the district for a long time. For us we are plowing new ground, and there is a great opportunity here. He discussed the importance of the auto tech and engineering programs, and this could lead to having full-time faculty working in non-credit education. This is not a take away; this is totally additive to our colleges. Mr. Covarrubias thanked Dean Vujični for thanking the academic senate in his presentation. A lot of faculty have excitement about what is happening. We have almost unanimously approved courses at our last senate meeting. As a senate, our prime reason for existence is curriculum. We want to encourage continued collaboration. We took action to establish an ad hoc committee that will work in tandem with the Consortium to keep things connected in a way that honors the role of our senates. MSCC Vice President Mark Gonzalez inquired about who will process the faculty who would teach these courses, i.e. who would support the infrastructure. Vice Chancellor Coen stated that the goal is to get the students to our campuses, and those decisions are still in process. Where we go from here needs further discussion. MSCC President McKee expressed concern for the campus offices and the impact this program would have on staff. AFT Executive Director stated that the faculty who teach these courses are a part of our faculty, and they will have all the rights and responsibilities of our faculty. All that will be happening in the future.

4. Joint-Use 21st Century Post-Secondary Education Center

Interim Chancellor Hendrickson stated this report would provide an update on the new Milpitas facility.

Dean Vujični stated that on May 26 the Board received project and program updates regarding this facility. He showed some pictures of the new site and buildings from all views. Vice Chancellor Coen reported that the design committees created boxes to capture the big picture ideas for what was wanted and needed in the buildings and classrooms. Dean Vujični reviewed the proposed courses. He reported that the Milpitas area is very interested in computer courses and programs. Vice Chancellor Coen stated that the next step is to present this information to the colleges. We want to alter the name of the center from Joint Use 21st Century Post-Secondary Education Center to Milpitas College Campus. She also reported the campus will be included in the San Jose City College accreditation report. She also invited everyone to the groundbreaking ceremony on Tuesday, November 17, refreshments at 4:00 p.m. and ceremony at 4:30 p.m.

Trustee Nasol invited everyone to attend. As a resident of the area, he is very excited about this project. Former Trustee Ron Lind has also supported this college for a long time. Trustee Cruz stated that this is like having a baby and what a process it’s been to birth this project. She thanked all the parties who have been involved in the planning since 2004. AB 288 was signed by the Governor. It is the bill that will be looking at the expansion of dual enrollment programs. This is definitely an opportunity for us to align with what we are
doing with adult education. She reminded us that particular legislation will provide some opportunities. Trustee Ho inquired if the planning group thought about the bridge programs that may become a part of this college. Vice Chancellor Coen answered that the Milpitas community is generally a higher educated group, and we want to have sustainable structured growth in this new program. We can continue to grow into these other opportunities related to workforce education and skills.

Trustee Nasol agreed with the recommendation to change the name to Milpitas College Campus. Mr. Narveson stated that this campus is not a college but a satellite of San Jose City College. We do have to recognize that the coursework students will take is located at SJCC. There will be some confusion if we just call it Milpitas College Campus. Mr. Covarrubias inquired about who would support IT, custodial and other needs of this facility. Vice Chancellor Smith answered we have allocated $750K for that support for next year. President Yong stated that EVC offered courses in Milpitas until they were asked to scale back. Trustee Nasol stated the importance of ensuring our district’s students be allowed to enroll even if they are not from Milpitas.

K. ORAL COMMUNICATIONS

1. Board of Trustees/Committee Chairs' Reports

SJCC Student Trustee Harris reported on ASG activities at the college. He also reported that students are excited to be back in school.

Trustee Nasol, Chair, Board Audit Committee, reported that the contract with the district’s external auditors is expiring. The district is now working on the RFP to choose the next auditor.

Trustee Cruz expressed appreciation for the invitation she received to the AFT 6157 barbecue and was very moved by the tributes to the lives of faculty members Kieron Connolly and Paul Humann. She also reported on the Board Self-evaluation Committee, which is working on the criteria for the evaluation of the board. At its meeting on October 13, the committee met with staff to discuss the self-evaluation timeline, framework and accreditation. She reported that the self-evaluation survey will be sent to Board members sometime next week, and Trustees will have until October 31 to complete the survey. Part of the framework this year is to gather the evidence in our monitoring reports and also the data from our board meetings’ self-evaluation. The documents will then come together with the self-evaluation tool, and this will be presented to the Board at the December 8 meeting. The committee hopes that the information that we gather would actually be presented at a Board retreat in February 2016. The Board is waiting to schedule this retreat as it is now going through the new Chancellor search process.

Trustee Lease, Chair of the Board Ad hoc asset management committee, reported that the committee met to review its charge and timeline and will update the Board as information becomes available. The Board Student Success Committee presented on October 8 at the RP Group Strengthening Student Success Conference and someone made a comment that you just gave us permission to go above and beyond what the state has recommended.

Trustee Nguyen thanked the AFT for the great barbecue as she was able to meet with people she doesn’t normally meet in this board room.

President Ho thanked the Foundation for organizing the wonderful Bridge to the Future Event. On September 19 the Chancellor’s search committee met to choose the finalists and prepare for those interviews. On September 22 the Board Legislative Committee met, and she distributed the legislative report at the meeting. On Thursday, October 8, we had a successful meeting with Assemblymember Jose Medina. She thanked the college presidents and staff for showcasing the colleges and programs. The committee also discussed the American College Initiative. She expressed thanks to the AFT for the wonderful picnic that she was also able to attend.

2. Chancellor's Report

Interim Chancellor Hendrickson reported on the amazing activity of programs and services at our colleges. This district should be very proud of the work its doing, but we can do a better job of getting that word out to
the district's community. The mass murder at Umpqua Community College raises awareness of the safety of our work environment. We look for opportunities to work with other agencies to upgrade our safety training opportunities. He reported that he will be accompanying Trustees Ho, Cruz, Lease as well as Vice Chancellor Hawley, to present on the governance ends policies and principles at the ACCT conference in San Diego.

3. Presidents' Reports

EVC President Yong reported that enrollment is holding steady at 1% over last Fall in terms of headcount, which is indicative that our attrition pattern is stable, and not increasing. In terms of FTES, we are 2% over last Fall. We are very pleased that our enrollment is doing better than colleges in the neighboring districts. EVC hosted the Silicon Valley Code on Friday, Saturday and Sunday at the beginning of the month. Over 3,000 people attended the event, and the corporate sponsors included major technology corporations such as Samsung, Google, AT&T, and others. The Code Camp was covered by Channel 2. Assemblymember Joseph Medina, Chair of the Higher Education Committee in the Legislature, visited EVC on October 8. EVC hosted a luncheon for him with students and staff from the OASSIS, Cal Soap, and Work Experience. Assemblymember Medina heard first-hand accounts from AB 540 students on how Dreamers' Center at EVC, believed to be the first in the state, is serving economically disadvantaged students with support services such as counseling and book loans. Later, Assemblymember Medina visited Professor Cynthia Burnham's math class, where he encouraged the students to strive for success, and noted the importance of math in jobs and careers. President Yong reported that the Associated Student Government has completed its election, and the results have been certified. Kenney Jackson has been elected as ASG President; Gebrehlvet Segan as Vice President; Cintia Diaz-Van Sambeek as Student Trustee; and William Cord, Bethal Kim, and Aaron Garcia as Senators. EVC has been offering this certificate program for several years now. We are committed to incorporating the latest technology into the instructional array, and we recently purchased a drone for instruction. This afternoon marked the first time that the drone was used for mapping and cartography. Along with aerial mapping, our students are trained in both Geographic Information Systems (GIS) and Global Positioning System (GPS).

EVC Vice President Duncan Graham reported that the Academic Senate has forwarded their recommendations for faculty hires for 2016-17. He expressed gratitude to the Academic Senate for their thorough and thoughtful process, and for giving the recommendation to President Breland. As this will be a competitive year for faculty hires having the recommendations early means we can move forward to starting the process and be in a position to hire in early spring semester. We are in the process of forming a Milpitas Transition Team to transition the planning work that has been done by the Workforce Institute to SJCC making it operational for SJCC starting in Fall 2016. SJCC hosted a very successful visit to the campus by Assemblymember Jose Medina, and Chief of Staff Laura Metune. Many thanks to Rosalie Ledesma who spearheaded the visit, and to Robert Gutierrez and his METAS staff, Dean Ingrid Thompson and our Cosmetology Department for their cooperation in coordinating activities with students for the visit. Our students did us proud. On Sunday, October 4th, 2015, five teams from San Jose City College Cosmetology entered the Santa Cruz Hair Show Student Competition. A total of twenty-two teams from all over California entered this competition traveling as far as Hanford, and other community colleges: Sacramento City College and Skyline Community College.

Our students placed in each category and took all three places (1st, 2nd, and 3rd) for hair. Kudos to instructor Susan Zagar who worked very closely with all the teams. We're especially proud of our freshmen team with only 200 hours and five weeks into the Cosmetology Program who placed 3rd in the hair category. This is the second year that San Jose City College has taken 1st place in overall look. Through the hard work and efforts of Robert Gutierrez, we have been awarded a title V H I S Grant for $3.25 million over the next 5 years. The project is entitled Cultivamos Excelencia with the principal goal to motivate and retain Latina/o and other high-need students to complete a degree at a research university. The project is focused on undergraduate research in cooperation with UCSC. Our students will take Research Methods courses for transfer credit, design their own undergraduate research projects. During the summer in collaboration and guidance with UCSC graduate students, our students complete their research projects, present their findings and submit their research papers to peer review publications. The project is designed to help more of our students transfer to a UC. Finally, this Friday October is our Male Summit. The Male Summit is designed to address the ever-increasing problem of declining college enrollment of minority males. The program will offer young men encouragement and inspiration to focus on the importance of education in their lives. We are very pleased to have over 300 young men from our area high schools participating this year.
4. Constituency Reports

CSEA Dan Hawkins is encouraged by the hiring of CSEA staff. With the nine CSEA employees working out of class, it provides a great growth opportunities for those employees. There are also five brand new CSEA hires, a few are redesign positions. Progress is progress.

AFT 6157 Executive Director Barbara Hanfling reported that at the beginning of the academic year the union is greatly involved in full-time faculty orientations. We hired nine new faculty and four full-time temporary and we oriented about 40 adjunct faculty. At this moment we have 232 full time faculty and 565 adjunct. We are very much moving at excitement level, and although we did not receive state money due to our basic aid status, we need to continually move forward with our hiring. Over 100 people came to the SJCC Theatre to attend the end of life celebrations for Kieron Connolly and Paul. Those two men were phenomenal instructors.

SJCC Academic Senate Covarrubias reported on faculty hiring. Faculty were asked to submit proposals for full-time faculty in their areas. The Senate received 17 proposals and spent the bulk of its meeting hearing from various departments. Air Conditioning was the top department as far as immediate need is concerned. Of the 17 requests received, we realize that not all of those are new positions. He shared Ms. Hanfling’s hopes that we balance things out more between adjunct and full-time faculty.

EVC Academic Senate President Narveson reported that EVC is also working on faculty hiring recommendations. EVC Senate received 17 presentations as well. Music, art, dance and theater were all requesting full-time faculty. We have only two full-time faculty left in that area, yet we have a brand new building. A week from Friday EVC is hosting the Area B statewide academic senate meeting. He welcomed the Board to attend. The Senate also expects to see the educational master plan soon, which will soon move to a facilities master plan.

MSCC President McKee reported that the district management is going through transition time. Our team works hard, and she thanked Vice Chancellor Garcia for helping the MSC to clean up the evaluation process and other portions of the MSC Handbook. All managers need to go through the evaluation process. It is so critical for the success of the district.

L. BOARD MEETING EVALUATION

1. Board of Trustees to Discuss Board Meeting Performance

Trustee Lease stated that tonight’s meeting was a clear indication the Board spoke to its ends with the presentations by SJCC report on student success and equity and also the work regarding the Milpitas College Campus. President Ho stated that SJCC moving around resources to meet the needs of students, and this is in line with the Board’s ends policies to ensure that resources are used to support students. It is also good to know that the district’s Technology Plan works across all the district organizations.

M. CONTINUATION OF CLOSED SESSION (None)

N. RECONVENE TO OPEN SESSION

1. The Board did not Reconvene to Open Session

O. ADJOURNMENT

1. M/S/C (Cruz/Lease) to adjourn the meeting at 9:22 p.m. in honor of
those impacted by the tragic shooting at Umpqua Community College.

______________________________
John Hendrickson, Board Secretary
A. CALL MEETING TO ORDER

1. 4:30 p.m. - Meeting Called to Order at Evergreen Valley College, 3095 Yerba Buena Road, San Jose, CA 95135, in Gullo II Building

Board members present:
Ms. Mayra Cruz
Ms. Wendy Ho
Dr. Jeffrey Lease
Mr. Craig Mann
Ms. Huong Nguyen
Mr. Scott Pham

Board members absent:
Mr. Rudy Nasol

2. Information was provided on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

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

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nguyen, and Pham voted yes.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

1. Public Comments on the Closed Session Agenda

There were no public comments.

D. CLOSED SESSION ITEMS FOR DISCUSSION

1. 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

E. RECONVENE INTO OPEN SESSION
1. 6:00 P.M. - Pledge of Allegiance
President Ho led the Board and members of the audience into the Pledge of Allegiance to the Flag.

2. Adoption of the Agenda
M/S/C (Lease/Mann) to adopt the agenda as amended: Agenda Item I-1 was moved to follow Agenda Item E-6.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

3. Oath of Office - EVC Student Trustee
President Ho administered the Oath of Office to newly elected Evergreen Valley College Student Trustee Cintia Diaz Van Sambeek.

4. Announcement of Reportable Action Taken in Closed Session
There were no reportable actions.

5. Public Comments on Matters not on the Agenda
Mr. Rex Randles, community member, expressed concern about the leasing of the land adjacent to Evergreen Valley College. The Board had commented that the district needed to do more community outreach regarding the development of this land. We invited the Board to a District 8 meeting, but they did not attend. He has also not seen any information in the Evergreen Valley Times about the status of this land. He recommended the Board hold off on doing anything with this property. The facilities master plan was supposed to be available in October/November, and no information was sent out regarding this plan. He asked when it would be available. President Ho answered that the Board could not answer any questions at this time but would make note of his concern so that administration could respond to his request for information.

Mr. Daniel Reyes, resident and Friends of EVC, stated that he would go to the Planning Commission because he, along with many other community members, don't want the land development project to move forward. He wished for the students to be a priority with the district, and this land development plan doesn't reflect that priority.

6. Approval of October 13, 2015, Governing Board Meeting Minutes
M/S/C (Cruz/Lease) to approve the meeting minutes as submitted.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

7. Formerly Agenda Item I-1 - Evergreen Valley College Presentation to the Board of Trustees
Interim Chancellor Hendrickson expressed his excitement about the Evergreen Valley College presentation that should also be a very good time for those present at the meeting. President Yong welcomed the Board
and audience to this meeting and called attention to the album that was distributed to the Board, which included updates of college programs. Mr. Ken Jackson, EVC Associated Student Government President, also thanked the Board and audience for attending the meeting.

Ms. Amalia Alvarez, Adjunct Faculty, Language Arts/English spoke about the amazing Authors' Series and Poetry Festivals held at EVC during the year. The authors that come to the college give our students outside resources and opportunities and bring the four-year college experience to our community college. The AFFIRM program holds a Valentine's Day poetry festival, which is enjoyed by many students.

Ms. Elizabeth Falvey, Adjunct Faculty, Dance, introduced Mr. Dallas Manson, EVC student, who performed a dance he choreographed himself, which is called Silhouettes.

Mr. Keenan Norris, English Faculty, and Ms. Flora Payne, Adjunct Faculty, provided a report on the AFFIRM/UMOJA Student Abroad 2015 trip to Cuba. The Board heard a report from Ms. Audreya Deshazer, Mr. Kenny Jackson and Mr. Derrick Newton, who are students that participated in the trip. Ms. Deshazer stated the trip was amazing, educational and a spiritual journey as well. They learned about the social, political and economic hardships experienced in Cuba. They learned about Cuba's strategies in the past 50 years, especially since the embargo. Cuba is a united group. We in the U.S. can learn a lot from Cuba as we have segregated communities. Of course, there is still racism there, but everyone identifies as Cuban. As an African American woman, she has had issues about her identity. Mr. Newton reported that Cuba had very hot weather, but the visit was educational. It's really important to get this program institutionalized so that all students could enjoy this unique experience. The college experience is more than just what students learn from textbooks. Students need to see how other cultures live. They may have less material items than we do, but they have more community. Who's better off? Mr. Jackson expressed his appreciation for the study abroad trips. He grew up not having the choice to go on trips like this. He thanked Vice President Keith Aytch for coming through for students in a big way.

Ms. Tina Iniguez, Foster Care, discussed the Youth Empowerment Strategies for Success (YESS) program. Ours is the only program in Santa Clara County that serve foster youth. EVC has wraparound services for students and the campus has had this program for 10 years. As part of the equity plan, all colleges are required to have this program; but we already have a good start. She reported on the cafeteria voucher program, which is so important since money is an issue for these students. She reported on the textbook donation services and that with student success dollars, EVC has made sure to do a One Stop Shop. It's a place for foster youth to belong. EVC has partnerships with the Santa Clara County Department of Children and Family Services, Silicon Valley Children's Fund, The John Burton Foundation, and the Family and Children's Services-ILP. We are excited that we do reach out to the community. Ms. Cam Martian, EVC FasTrack discussed outreach and office support. This is a great program for student success and equity.

Mr. Mike Highers, Dean of Math, Science and Engineering discussed the tutoring program and the MSRC staff. The students tell us that they love the tutoring here at the college. Mr. Bryan Pham, Instructional Support Assistant, reviewed the tutoring provided to all EVC students in astronomy and chemistry. Each year a student will come for 10 tutoring sessions. Mr. Jorge Vallin, Instructional Support Assistant in mathematics, played the violin. Ms. Gabriela Gonzalez, student, reported that the tutoring sessions have helped her pass all her math classes. She requested the college keep supporting the math lab. Ms. Lianne Posadas, student, discussed working at the tutoring session and how talking to students helped build her confidence. It helped her move in the right direction. Mr. Pham reviewed the layout for the new math building, which is currently in construction.

Ms. Sylvia Min, Faculty, Art Department, reported that she was hired last year. She thanked the arts department staff for their support. She showed videos by students Preston Eberly and Humberto Rocha. The videos were created for their final projects for her Art 41: Digital Filmmaking class.

President Yong stated the college cares about Arts and Sciences but especially the students in our programs. He thanked Vice President Aytch, executive director of the nice LP showcased at the meeting.

President Ho thanked everyone for attending and entertained a short recess to enjoy the food and refreshments that was provided at the meeting.

Student Trustee Harris expressed his appreciation for the 60s music. Student Trustee Diaz Van Sanbeek reported that the math lab helps students in different languages, which is important for a college with a
diverse student population. They helped her by providing tutoring in Spanish when she needed it. Trustee Nguyen thanked staff for the amazing presentation. She also used the tutoring program in the math center. Trustee Lease stated that these meetings, when they visit the campuses and hear from students, are by far his favorite meetings. He thanked Mr. Aytech for the music that was played during the presentation and also for throwing in some James Taylor songs. Trustee Cruz echoed the thanks to all presenters for such a great program. The program shows the impact of support programs for students and the impact made in the classrooms. It is so important for our student success and equity plans. President Ho expressed appreciation for the showcase of the student programs. The programs we have at the colleges really do transform lives.

F. CONSENT AGENDA

1. Adoption of the Consent Agenda
Hearing no requests to pull any item, President Ho announced the Consent Agenda was adopted by general consent.

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. 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.

5. Curriculum Recommendations for San Jose City College
The Board approved the new courses proposed by San Jose City College.

G. ACTION AGENDA

1. District Academic Senate
Interim Chancellor Hendrickson stated the information in the packet explains the reasoning for the creation of a new District Academic Senate, and he highly recommended the Board approve this action. Such action does not add to the number of representatives from the Academic Senate on any district committees. The District Academic Senate will assist the district in working in a collegial manner with the colleges.

M/S/C (Lease/Cruz) to approve the establishment of a District Academic Senate by amending BP2510.1.

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

President Ho inquired about the timeline in terms of governance issues. She can see there is a general proposal, but she would like to see the framework and bylaws as well. SJCC Academic Senate President Covarrubias answered that there was already a constitution written, but it needs to be vetted by both senates. By spring there should be bylaws. She is glad to support this motion. Trustee Cruz is also excited to
see this proposal. What you foresee could be a couple of areas the District Academic Senate would provide valuable insights to administration. EVC Academic Senate President Narveson stated that curriculum and equivalency issues would be two such areas.

H. INFORMATION AGENDA - DOCUMENTS PROVIDED


This item was submitted as information only.

I. INFORMATION AGENDA - PRESENTATIONS AND DISCUSSION

1. Evergreen Valley College Presentation to the Board of Trustees

This item was moved to follow Agenda Item E-6.

2. Recruitment and Hiring Activity/Employee & Student Demographics

Ms. Kim Garcia, Vice Chancellor of Human Resources, provided the Student and Employee Diversity Report. She stated the information that’s available for this report is from 2014. The focus of this report is to provide data regarding student demographics, employee demographics and recruitment and hiring data. We do our best to marry these three points to talk about who and what we are. The state is ramping up again and pumping a lot of money into the system to focus on diversity. The state is saying that districts need to take a look at its student population and then look at its employee groups to see if it reflect the student population. Our district has some positive news to share. Our Classified staff mirror the students we serve, our management exceed and our full time faculty have made great gains in mirroring our student population. We still need to do work with adjunct faculty. Hispanic, Native American, African American are included in the under-represented populations the state has identified. However, the state does not include Asians in this grouping, but our district does. We are a non-majority institution, and 32% of our student population is Asian. However, we need to target our recruitment efforts. We need to dive deeper into the students categorized in the “Other” and “Unknown” categories. We currently aren’t looking into gender identification, and this is an area we need to look into further. The better we can dive into populations that are unknown, the better we can develop programs to serve those students. Vice Chancellor Garcia also reviewed data concerning the candidates selected for interviews in 2014-15. If we can recruit and bring people in, it will be those people who reflect into our process and into our hires. Our Classified staff are the closest in representing the students we serve. She stated the district now includes “bilingual desired” in its recruitment and application materials.

President Ho stated that it's good to know we have a diverse population and have also identified areas for improvement. Trustee Cruz inquired about the Asian population, especially since it gets lumped into one category. If we can break that down to see how representative they are for the Asian populations we serve, that would provide better insight into how to serve those students. She asked Vice Chancellor Smith about the statewide funding for hires and how that impacts us as a basic aid district. Vice Chancellor Smith answered that the district is not participatory in that funding. Trustee Cruz stated that we will see the other colleges in our area acquiring talent, and how will that help us strengthen the areas we see as gaps? Has there been any conversation about how we begin to address that question? Vice Chancellor Garcia answered that San Jose City College has 8+ open faculty positions and Evergreen Valley College has 6. We need to go out for these positions in December, and we can’t wait to do the recruitment if we want to get the most qualified candidates. President Ho inquired what we already do to attract diverse candidates. Vice Chancellor Garcia answered that the majority of people we hire stated that they hear directly from us; we are the best recruitment source. We live in the San Jose area and have an educated workforce. We have a world outside our door, and we’re trying to get out and be engaged. We advertise and hit up various associations. The challenge is we open positions throughout the year, and we need to focus doing that at one time. President
Ho inquired about gender expression. Vice Chancellor Garcia answered that when we put "declined to state" then we need to explore how people want to record. She is not sure how we would phrase that. Mr. Yancey reminded people that at the District Council meeting, Director Sam Ho reported we are doing more than the state requires. We are all aware of the value of diversity. Mr. Yancey didn't want this to become an urgent problem we need to fix. Part of the district's problem is that in the redesign process, full time faculty were not included in that process.

President Ho commended staff for going out and recruiting qualified and diverse applicants for the district.

J. BOARD MEETING EVALUATION

1. Board of Trustees to Discuss Board Meeting Performance

Trustee Lease stated the Board can't be any more effective than seeing our ends policies outlined on the record outlining services and programs that was distributed at the meeting. Good job to Chief Governing Officer for having a great presentation and not filling up the agenda with board work so that at this meeting, the Board could focus on students. President Ho stated that the ends policies are being demonstrated through our support of students.

K. CONTINUATION OF CLOSED SESSION (If needed)

L. RECONVENE TO OPEN SESSION

1. Announcement of Action Taken in Closed Session

None

M. ADJOURNMENT

1. The meeting will be adjourned.

M/S/C (Lease/Mann) to adjourn the meeting at 7:58 p.m.

John E. Hendrickson, Board Secretary
A. CALL MEETING TO ORDER

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. Mayra Cruz
   Ms. Wendy Ho
   Dr. Jeffrey Lease
   Mr. Craig Mann
   Mr. Rudy Nasol
   Mr. Scott Pham

   Board Member Excused:
   Ms. Huong Nguyen

2. Information provided on Public Comments and Disability Access

   Information was provided in the board agenda on Public Comments and Disability Access.

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

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

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

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

1. Public Comments on the Closed Session Agenda

   There were no public comments.

D. CLOSED SESSION ITEMS FOR DISCUSSION

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

   The Board recessed to consider the following item:

   PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
   (Government Code Section 54957 (b))
E. RECONVENE INTO OPEN SESSION

1. 6:00 P.M. - Pledge of Allegiance

The Board reconvened to Open Session at 6:23 p.m.

Student Trustees Larry Harris and Cintia Diaz Van Sambeek joined the meeting.

President Ho led the Board and members of the Audience into the Pledge of Allegiance to the Flag.

2. Adoption of the Agenda

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

Action Agenda Item H-6 EVC and SJCC Educational Master Plan Final Report was moved to follow the approval of the meeting minutes.

F-2 Management Personnel Actions Position Management - Lieutenant position FTE increase from 50% to 100%. The board agenda lists the End Date as 11/11/15; however, this date is actually the Effective Date.

F-4 Faculty Personnel Actions Employee Separations - The End Date was corrected to 5/27/16 instead of 5/27/15.

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

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

President Ho announced that Trustee Huong Nguyen informed her she could not attend the meeting due to illness.

M/S/C (Mann/Cruz) to approve Resolution No. 111015-4 to excuse Trustee Huong Nguyen from attending the regularly scheduled meeting of November 10, 2015, due to illness.

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

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek 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

Mr. Dan Hawkins spoke on behalf of employees located at the District Office and stated how unfair it was that the Chancellor candidates were not scheduled to spend any time at the District Office location. He brought this matter up to the Board of Trustees and the screening committee and no action was taken to make this happen. It was the Board’s decision to move the District Office to this location. It is inexcusable for the employees of the District to not be allowed to participate in this process, especially one as important as choosing a new Chancellor.
MSCC President Lauren McKee read the following statement to the board and stated this would also be considered her oral communications report for this meeting:

"I want to thank the Board for this opportunity to speak on behalf of MSCC. As this Board is aware, prior to Chancellor Cepeda being Chancellor of our District, it was noted in our accreditation that concern for the turnaround of managers in our District. The Board had a management climate survey which many of us completed, but, MSCC has yet to be presented with the survey findings, after several requests. Under Chancellor Cepeda’s and this Board’s Leadership, we have made stride towards giving MSC employees clear procedures and opportunity to continue and grow in this District. One of the key procedures that were reintroduced was the manager two year multi-year contract. Like the Chancellor, managers are required to have a 360 evaluation, where faculty, classified and peers are part of their evaluation process. Managers obtaining a two year contract must go through a three year evaluation process with a good evaluation. It was always our understanding that after receiving a two year contract, a manager’s contract would continue to be rolled over as a two year contract. The only reason a contract wouldn’t be rolled over was due to performance issues which would be noted in the manager’s annual evaluation. An evaluation is a critical process to communicate to an employee their strengths and weaknesses. If weaknesses are identified, a work improvement plan should be initiated so that the employee knows what they need to do to improve and continue their employment. MSCC worked very hard with Vice Chancellor Garcia in comprehensively clarifying manager’s evaluation process which was presented and approved by the Board on June 9, 2015. This was critical, due to what was occurring to managers this 2014-15 year. MSC member’s, like the Chancellor, faculty and classified staff all participate in an evaluation process. But no one is aware of the evaluation process for the President’s our Vice Chancellors who receive an automatic rolling three year contract without any input from any of the constituency groups. We bring this to your attention, because MSCC is experiencing inequity on how our managers are being treated. We had three managers who have 2 year contracts since we reinitiated the practice who weren’t sent to the Board for their contract to be rolled over to 2017. MSCC leadership spoke with the president and supervisors of the managers. One received a good evaluation from their manager and the other two did not receive any evaluation. One manager was transferred into another position, which MSCC addressed with the Board their concern about a transfer occurring without a job description being presented to the Board or the employee. This is a practice that hasn’t occurred in the past and the Board did address the issue of the job description. One manager, their supervisor and MSC representative met concerning their contract rollover and performance. The manager’s supervisor was positive in the meeting and referred the decision back to the president. MSCC Executive Leadership requested a meeting with both our presidents and Vice Chancellor Garcia. Our meeting request was to make certain that MSCC’s Evaluation Procedure was understood and adhered to. Over the past year, MSCC became aware that the presidents understanding was that the contract that managers signed superseded the MSCC Handbook and that it was not their understanding that the 2 year contract was a rolling contract. The president also addressed that they could decide on reorganizing management positions and/or departments without any input from the constituency representatives or the campus community. MSCC Leadership is concerned over this practice, since the entire District under Dr. Cepeda went through a major redesign that was presented and approved by the Board. Why is reorganization being brought about with the redesign not being completely implemented or discussed? It was noted by the president that MSCC was a "Meet and Confer" group and not a Union. Please note, that MSCC had seriously considered becoming a Union, but, out of respect for Chancellor Cepeda and our collegial relationship with Vice Chancellor Garcia did we defer becoming a Union. MSCC requested that the three managers go to the Board with their contracts continued as a two year contract to 2017 like their peer managers who had rolling two year contracts. We were informed in our meeting that our request for the manager’s contract continuance of the 2 year contract to 2017 is up to the president. MSCC request that the Board require that the president follows the MSCC Handbook article 7.4.4 and reinstate the three managers two year contracts."

Ms. Bonnie Mace, Trustee in Evergreen, requested that the agenda item for the EVC and SJCC Educational Master Plans be turned from an action item to an information item.

5. Approval of October 27, 2015, Governing Board Meeting Minutes

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

Board vote was as follows:
Trustees Cruz, Ho, Lease, Mann, and Pham voted yes.
Trustee Nasol abstained.

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

6. Formerly Action Agenda Item H-6 EVC and SJCC Educational Master Plan Final Report

Interim Chancellor Hendrickson requested that since the plans submitted on the agenda were incomplete, this item be changed from an action item to an information/presentation item. This item will come back to the Board for approval at the December 8 board meeting.

Messrs. C.M. Brahmhatt and Fred Trapp, Cambridge West Partnership, LLC, provided an overview of the educational master plans for Evergreen Valley College and San Jose City College. Mr. Brahmhatt reported that although the presentation would be made at this meeting, the final document is not yet ready but will be ready for the Board to approve at the December 8 board meeting.

Mr. Trapp provided an overview of the three points of focus to the educational master plans, i.e. Question No. 1: How much additional instructional and student services space will each college need into the future and Question No. 2: What might be curriculum options to match labor market needs and transfer opportunities and Question No. 3, which addresses accreditation considerations. The areas of accreditation consideration includes: How does the EMP contribute to and draw upon college planning processes and plans? How does the EMP help describe whom each college serves and what the college provides? How does the EMP help address how well the college is doing? Mr. Trapp reported that the documents were written as a whole, and he provided a recap of the process used to develop these plans. He thanked Vice Chancellor Hawley and her staff for the support they have provided. In Fall 2014 the kick off was held, and the colleges established a web page for their use. A rough draft of the report was ready in May. In Spring 2015, the questionnaire and interviews were conducted. Four presentations were made to the two steering committees on the campuses. Discussions were held with the Academic Senates and Executive Committees of both colleges. In Fall 2015 a presentation was made at each college during PDD.

Mr. Trapp provided some details of the plans. Projections for additional space were included in Chapter 10 in the EMPs. The EMP for Evergreen Valley College in Chapter 10 includes construction plans for the South Campus, Auto Tech and the removal of the Robie and Acadia buildings. Upwards of 25 additional rooms for instruction purposes will be needed at Evergreen Valley College. For San Jose City College, the renovation has been completed for Buildings 100 and 200, a new gymnasium and racquetball redo is now underway. The removal of building 300 is also underway. For Question Number 2, Chapter 9 Appendix C includes a discussion of labor market data and Appendix D includes the labor market data tables for 2013-2022. Seven community colleges in our region are moving to the labor force. Gaps and surpluses to the labor market have been indicated. The common wages for those less than high school or high school diploma or equivalent is not really a livable wage for this area. Thirty percent of job openings require a Bachelor's Degree. Santa Clara County is unique in the labor market. Mr. Trapp provided information on the SJECDD established programs that tie into the employment programs. He reported on the faculty visions for future curriculum. The plan includes eight pages of description for both EVC and SJCC. He reviewed the new transfer programs required of SB1440/440. EVC has eight new transfer programs. SJCC has 12 in process. EVC has three adult education programs in Automotive Tech Preparation, Engineering Preparation and Surveying and Geomatics Preparation. At SJCC, the adult education programs include Medical Career Preparation, IT Career Preparation and Advanced Manufacturing Preparation. Mr. Trapp reviewed the Workforce Institute's grant in Silicon Valley Engineering Technology Pathways Initiative. He reviewed the accelerated Instructional Design and stated that the longer the basic skills sequence, the fewer students complete. The seventh point he reviewed was international education. He stated the report included the accreditation considerations: How does the EMP contribute to and draw upon college planning processes and plans? (Chapter 3) How does the EMP help describe whom each college serves and what the college provides? (Chapter 6) How does the EMP help address how well the college is doing? (Chapter 7) He stated that the colleges are doing a decent job in providing reasonable coverage of occupations with significant openings in the future and also in having well placed initiatives. He stated his opinion that the colleges will need additional classroom space.

Mr. Glen Wetzel read a statement to the Board which he requested by attached to the meeting minutes.
Mr. Daniel Reyes, community resident, expressed concern on behalf of the community that Evergreen Valley College is not providing acceptable service to the residents. He complained about the salary that would be going to the next Chancellor, and the over $250K in salary that is currently going to Vice Chancellor Smith. The Board made the decision to move the District Office to this new building, and it is difficult for community members to attend because there is no parking. He stated that these actions are an insult and reflect the lack of consideration the Board has towards its community; and they should be ashamed.

Trustee Cruz thanked the team for reviewing the educational development process. She stated that when we are looking at recruiting from high schools, we are looking at transfer level courses at our colleges. She inquired if they could be incorporated in the plans, i.e. institutional metrics; and basic aid financial opportunities could be named in a more intentional way in the document. Her other point was about higher education policy, particularly on federal level, such as College Promise. Will San Jose Promise be included in the report as this shows the alignment of the strategic priorities. Trustee Cruz stated she would like to see the Board’s ends policies also included. Mr. Trapp answered that Chapter 7 reports on the institutional learning outcomes of educational programs? There is some discussion of basic aid opportunities and dangers and resources to support the educational programs of the colleges. The College Promise was not included in the report except as in public discourse. In the chapter on key planning assumptions, it discussed the college strategic priorities being aligned with the district strategic priorities. Trustee Cruz stated she was talking about the IEPI. Trustee Nasol stated that the report addresses some facility needs, such as additional classrooms. He appreciated that inclusion since they are looking at the facilities master plans, and we need to look at how these two plans merge. President Ho announced that draft reports are available on the website. She inquired how the forums were advertised. Mr. Trapp answered that he left the scheduling of the campus forums in the capable hands of the college administrators. Each college did have a steering committee that Cambridge West worked with in the development of the plan. He reported that he would be receiving more information from the colleges this week so that by December 8 there would be a more completed plan for the Board to review.

M/S/C (Nasol/Mann) to delay the approval of the Evergreen Valley College and San Jose City College Educational Master Plans until the December 8 board meeting.

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

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

**F. CONSENT AGENDA**

1. Adoption of the Consent Agenda

Hearing no requests to pull any items, President Ho stated that the Consent Agenda was adopted by general consent.

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. Faculty Personnel-Adjunct/SJCC
The Board approved the faculty Faculty Personnel-Adjunct actions as submitted.

6. Classified Personnel Actions
The Board approved the Classified Personnel Actions as submitted.

7. 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.

8. Ratification of Contracts, Purchase Orders and Contract Revisions
The Board ratified the contracts, purchase orders and contract revisions for the period of September 10, 2015 through October 9, 2015 as noted in the attached documents.

9. Piggyback Dell Marketing, LLP Contract
The Board authorized the District to 'piggyback' on a contract with Dell Marketing, LLP.

10. Curriculum Recommendations for Evergreen Valley College
The Board approved the curriculum recommendations for new courses submitted by Evergreen Valley College.

G. MEASURE G BOND PROGRAMS CONSENT AGENDA

1. Adoption of the Measure G Bond Programs Consent Agenda
Hearing no requests to pull any items, President Ho stated that the Measure G Bond Programs Consent Agenda was adopted by general consent.

The Board approved Change Order No. 010 in the amount of $131,976 to C. Overaa & Company for the Automotive Technology Building Project #32111 at Evergreen Valley College.

3. Measure G-2010 Bond Program: Evergreen Valley College (EVC) South Campus Development Project #32107 – Precor Commercial Fitness Independent Contractor Agreement (ICA) Revision No. 001
The Board approved Revision No. 001 of the Independent Contractor Agreement (ICA) to Precor Commercial Fitness in the amount of $4,562 for the South Campus Development Project at Evergreen Valley College (EVC).

4. Measure G-2010 Bond Program: Evergreen Valley College South
Campus Development Project #32107 – Blach Construction Company Change Order No. 011

The Board approved Change Order No. 011 in the amount of $11,829.00 to Blach Construction Company for the South Campus Development Project #32107 at Evergreen Valley College.

5. Measure G-2010 Bond Program: San Jose City College (SJCC) Utilities Upgrade – Phase II Project #31110 – Lewis & Tibbitts Inc. - Change Order No. 001

The Board approved Change Order No. 001 in the amount of $85,624.00 to Lewis & Tibbitts Inc., for the Utilities Upgrade Phase II Project #31110 at SJCC.

6. Measure G-2010 Bond Program: San Jose City College (SJCC) GE HVAC Upgrades and Campus HVAC Controls Extension Project #31127 – Environmental System, Inc. Change Order No. 003

The Board approved Change Order No. 003 in the amount of $16,148 to Environmental Systems, Inc. for the GE HVAC Upgrades and Campus HVAC Controls Extension Project #31127 at SJCC.

7. Measure G-2010 Bond Program: San Jose City College, IT and Tech Equipment: MDF – UPS Replacement Project #31702, Design Agreement - Project Assignment Amendment (PAA) to the Master Agreement, PAA #SJCC-07 – Salas O’Brien.

The Board approved the award of an Agreement in the amount of $25,000.00 to Salas O’Brien, for Design Services, IT and Tech Equipment: MDF-UPS Replacement project #31702.

8. Measure G-2010 Bond Program: Network Switch Upgrade at San Jose City College - Revision No. 003

The Board approved Revision No. 003 to Dasher Technologies in the amount of $2,036.34 for the San Jose City College Network Upgrade.

9. Measure G-2010 Bond Program: Network Switch Upgrade at San Jose City College - Revision No. 004

The Board approved Revision No. 004 to Dasher Technologies in the amount of ($3,053.63) for the San Jose City College Network Upgrade.

10. Measure G-2010 Bond Program: SQL Conversion Project Management Services - Change Order No. 002 to CampusWorks

The Board approved Revision No. 002 to the CampusWorks ICA in the amount of $56,000 for User-Training, Testing and Programming services for the Colleague Conversion to MS SQL at the District Office.

H. ACTION AGENDA
1. Resolution Number 111015-1 Approving District Budget Transfers and Revisions

M/S/C (Nasol/Lease) 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, Ho, Lease, Mann, Nasol and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

2. Resolution No. 111015-2 in Honor of Native American Heritage Month

M/S/C (Lease/Cruz) to approve Resolution No. 111015-2 to designate November 2015 as Native American Heritage Month.

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

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

3. Resolution No. 111015-3 in Honor of Sikh American Awareness and Appreciation Month

M/S/C (Lease/Cruz) to approve Resolution No. 111015-3 to designate November 2015 as Sikh American Awareness and Appreciation Month.

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

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

4. Naming and Identification of lead college for the Joint SJECCD/MUSD Facility

Interim Chancellor Hendrickson stated that the desire to extend community college education into the Milpitas area is a long-term dream that is finally coming true. The action item presented is for the Governing Board to adopt a name for the facility and to identify a college for accreditation purposes. He stated that per the State Chancellor’s Office, the district is not allowed to call it a joint education center as we have in the past. We have developed an example of names the Board might consider, and are recommending calling the facility the San Jose-Evergreen Community College Extension, a partnership with the Milpitas Unified School District.

Trustee Nasol stated that maybe later on we would find a better name, but this name serves our purposes at this time. President Ho thanked the staff for clarifying with the State Chancellor’s Office what we could call the facility in Milpitas.

M/S/C (Mann/Cruz) to name the new joint use educational facility the San Jose-Evergreen Community College Extension, a partnership with the Milpitas Unified School District and also identify San Jose City College as the lead college for operations of the Extension.

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

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

5. MOU between the Silicon Valley Regional Interoperability Authority (SVRIA) and SJECCD

M/S/C (Lease/Mann) to approve the Memorandum of Understanding between the Silicon Valley Regional Interoperability Authority and the San Jose/Evergreen Community College District.

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

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

6. EVC and SJCC Educational Master Plan Final Report

This item was moved to Section E as Agenda Item E-6.

7. Measure G-2004 Bond Program: Bond List Revision

M/S/C (Nasol/Lease) to approve the revisions to the Measure G - 2004 bond list, as presented.

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

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

8. Measure G-2010 Bond Program: Bond List Revision No. 17

Vice Chancellor Smith confirmed that there were no substantial items for review as they would be brought as separate items to the Board. He reported that the program and project contingency changes because as buildings are being built, the need for reserves is less. These appropriations change to ensure dollars are made available to where they need to be. The cost of running the programs, such as the need of purchasing staff, was such an area where funds were needed.

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

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

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

I. INFORMATION AGENDA - PRESENTATIONS AND DISCUSSION


Dean Kishan Vujjeni stated how pleased he was to present the annual report of the Workforce Institute. Mr. Jeff Pallin, Dean, Workforce & Economic Development, provided an overview of the Workforce Institute staff.
Mr. Pallin showed a video of the Mission Impossible show, and stated that this represents the mission of the Workforce Institute...which is sometimes "Mission Impossible." The Workforce Institute does not submit the same programs to all its clients but rather delivers customized training and educational programs, many of which have to be researched and developed. He stated that his mission impossible is business development. Mr. Bill Dahl, Project Supervisor Corporate Services, wearing very rad sunglasses, talked about the difficulty other colleges find in trying to replicate the Workforce Institute's model elsewhere. The Institute's work has been recognized as a best practices model. Vice Chancellor Coen hosted a Regional Workforce and Economic Development Summit for the University of New Mexico and led a group of five community colleges in developing a Workforce and Economic Development Strategic Plan for their colleges. Mr. Dan Montoya, Project Supervisor Silicon Valley Engineering Tech Pathways, discussed the need to stay current on workforce trends, including real time workforce and training programs. Local labor market projections allow us to First cohort of Computer Use Support Specialists. The Workforce Institute has created alignment with regional efforts, such as working with the Silicon Valley Leadership Group and the Silicon Valley Chamber of Commerce. We have been asked to participate in workforce development related action teams. He reviewed an infographic of the evolution of Silicon Valley. Ms. Suzie Clark, Project Supervisor Job Readiness and Community Education, discussed aligning WI operations with federal regulations. The Workforce Investment Act of 1998 (WIA) was replaced by the WIOA in 2014, but the question remains about what skill competencies are needed for each industry. WI had a short time to develop and provide the WIOA clients with new training opportunities. She reviewed the 2015 PG&E PowerPathway and reported that 60% of program participants were actually employed by PG&E. Mr. Bill Dahl discussed his mission to present the WI to the local community as the preferred training resource whether it's public/private sector. WI engaged in outreach to get new business clients, and the message is that WI is the extension of the SJECCD to provide workforce training and development. What positions the WI different from other training resources is our ability to serve as a one-stop training resource. We have the ability to do integrated contracts in program management. Sometimes our expertise is the ability to find the expertise that is needed. He reviewed the new business proposals and contracts. Ms. Lynette Gray, Project Supervisor Strategic Initiatives and Grant Development, talked about a unified regional collaboration the WI led with other community colleges in our region. In the past every district competed for these funds and never received them. The California Career Pathways Trust is $250 million. The SVETP project has 15 community colleges doing a STEM core. Regionalism works; it listens and is founded on equity with a clear vision and clear project plan. The award of $13,173,153 was the largest award given to this district. Mr. Pallin reviewed how the WI aligns with the Board Endes Policies. He reviewed each policy and how WI programs address the policy. He thanked the Board very much for allowing the WI team to present at this meeting.

President Ho thanked the staff for the "Mission Impossible" presentation. Trustee lease thanked the team for tying the presentation to the ends policies. Trustee Cruz stated that the college she comes from is very jealous of the work done at the Workforce Institute. She learned about the work they are doing in specific areas. She encouraged them to keep creating those collaborations. Trustee Nasol stated the importance of creating those associations with local businesses. He looks forward to the Workforce Institute becoming self sustaining. President Ho inquired about other plans for future collaborations with opportunity youth program. Mr. Montoya answered the Workforce Institute is working with socio-economically challenged youth. We want to give those students the opportunity to have the STEM core experience and be ready to compete for the Engineering and IT jobs in the region. How can we expand the opportunity? Hopefully, we can be that bridge.

2. Diverse Business Outreach Update

Interim Chancellor Hendrickson stated the district is ongoing in its efforts to improve its business participation with women and minority owned businesses.

Vice Chancellor Smith introduced the participants in the diverse business outreach report. Mr. Anthony Oum, Assistant Director of Fiscal Services, reported that the report includes all vendors, including those that do not self-identify. He showed the graphs of vendors who volunteered to submit their BEC (Business Enterprise Certification) form to the district. He also included the Measure G-2004 and Measure G-2010 slides. Trustee Nasol inquired how we look at those vendors who did not provide the BEC form. Mr. Oum answered that as a district, we do not require vendors to fill out the form. Vendors may have various reasons for not filling out the form.

Mr. Sam Ho reviewed the recommendations made by L. Luster & Associates per their July 14, 2015 final report. We contracted out about $172 million in the last three years. He reported that there were five major
components with that contract: market research - identifying diverse small business, development and implementing the matrix, outreach to potential vendors, coaching and training for vendors to do business with our district, and reports to our district. L. Luster & Associates recommended a business tracking software. He stated they provided at least three recommendations to consider: The first recommendation was to strengthen the existing plan. We need to add a clear goal statement. The second recommendation was to institutionalize business outreach. We need to dedicate staff time to focus on making this effective. The third recommendation was to establish a comprehensive tracking system. We don't capture the demographics of second tier and third tier vendors. Vice Chancellor Smith stated that when we issued a $40 million contract and we fail to have a system to capture the subcontractors and that can be problematic for tracking our results. Mr. Ho stated that the next step is to update the plan.

Trustee Mann inquired about the variations of change of the various cycles. What is the story behind the FY2012-2013, FY2013-2014 and FY2014-2015? Mr. Ho answered it's by providing inconsistent definitions of small businesses per the LLA report, which stated different definitions for different businesses or entities. Trustee Mann stated concern that if we don't know what the "is" is how can the district know if it is improving in its goals to increase its business with small and minority businesses? Mr. Oum answered that it is a self-identifying process. Mr. Nasol thanked the efforts of staff but expressed concern about the percentage of small businesses for FY2013-14, the number of projects in terms of multimillion-dollar projects is low due to bonding issues. The problem is we are not helping them enough to meet the requirements of documents. We need to do more by helping them qualify for the pre-bid. He asked what kind of leadership is needed from the Board to get this district to a better place with women and minority businesses. We are not tracking the information from the subcontractors. Trustee Nasol asked if program managers could take the lead in that process. The charts indicate the results are getting worse. Trustee Lease thanked staff for the effort to review this issue in depth. We are the only district taking an extra look and making the extra effort. We should feel proud of that and take pride in our extra effort. We can just ignore the "other" because there are so many variables in the "small" and "other" categories; but there is a 5% increase in the women businesses, which is positive. Adding second and third tiers is critical. Trustee Cruz stated that we have been talking about this subject for a long, long time. She feels that at this point in time the needle is not moving in the direction we had hoped it would move, particularly in the past three years. We need to further the conversation as we are doing with the hiring of diverse faculty that will help take us from where we are to where we want to go. We need to establish a baseline. As a Board, we need to think about what kind of policy direction we need to provide to ensure we move in the direction that gives us a better picture. Vice Chancellor Smith reported on the excellent work Gilbane has done in reaching out to local businesses. But, unfortunately, we have not seen the results we would like to see. Student Trustee Harris stated that we cannot know whether or not the needle has moved until we can drill down to the second and third tiers. Trustee Nasol stated that Gilbane has the ability to track this out. You can put this work as part of the contract for them to provide the information on the subcontractors.


Vice Chancellor Smith presented on the first quarter budget report for FY2015/2016. He reported that the Governor is providing money in a one-time way. If that was put into the apportionment area, we would not see this money. Yesterday, Mr. Smith received new information that there was a 3.96% increase in property tax. However, the major driver is that Blue Cross is a 29.79% increase; and our district is such a small pool compared to other local districts who are part of a larger pool. He discussed the redirected $25K land lease to seed money and more to follow. He reviewed the categorical allocations. For the year finished, we drew from our fund balance and still ended out well enough. Mr. Smith reviewed the 10-year history of district property taxes. We are in an uptick cycle and expect good things. He also reported that we are at risk for the 50% law. We won't know how we are doing until the year is over, and this issue may require being addressed in the next fiscal year. Interim Chancellor Hendrickson stated that we are not concerned with the 50% law as much as hiring full-time faculty since that would benefit the colleges through participation in committees and other work on behalf of students. Vice Chancellor Smith ended the presentation by encouraging the Board to establish a rainy day fund.

Trustee Nasol thanked Vice Chancellor Smith for the excellent presentation. He heard that the robust economy will continue for the next few years. Trustee Mann thanked Mr. Smith for the good presentation. He asked that the slides should be listed as property tax and revenues. Trustee Lease stated that he appreciated the total cost of ownership number. Trustee Cruz stated that we have been talking about San Jose Promise and being mindful of the investments we are hoping to create. Let's be mindful of this when we are also
taking about the opportunities.

J. ORAL COMMUNICATIONS

1. Board of Trustees/Committee Chairs' Reports

SJCC Student Trustee Harris reported that the student government allocated dollars for 300 Thanksgiving Day dinners. The Board of Trustees is invited to attend the November 19 event in the Student Center, Room 205, at 5:00 p.m.

EVC Student Trustee Van Sambeek reported that yesterday the Fifth Annual Veterans Conversation Convention was held, which was open to the public and family of veterans where they shared their stories while sharing free pizza! She also reported that EVC is having a Thanksgiving fundraising event, and the profit will go to people in need in our community. In addition, she reported the campus forum for the Educational Master Plan was held yesterday at the Visual Arts building from 3-5 p.m. For the community, the educational master plan forum will be held on the 14th from 10:00 a.m. to 12:00 noon.

Trustee Nasol extended an invitation for the San Jose-Evergreen Valley College Extension groundbreaking ceremony on November 17. As chair of the Board Audit Committee, he reported that approval of the audit is scheduled for early next year. The district is now engaged in the RFP process to accept proposals for external auditors. It’s a good practice to put out the RFPs to see if there are other firms who are interested and able to do business with our district.

Trustee Cruz reported on the Board’s presentation at the ACCT Leadership Congress. We are on the roll sharing some of the good work we are doing here at our district. She also urged the Board, as Chair of the Self-Evaluation Survey, to please complete the survey. We want to have the data available for this process.

Trustee Lease reported that the team presented at ACCT for two days. This was the first national conference. It went extremely well, and some even asked us if we could go out to other states to present. He thank Mr. Sam Ho for his work in putting the presentation together.

President Ho also reported on the ACCT presentation and stated that if we take this show on the road this could be a revenue generating opportunity for the district. She reported on the Chancellor’s advisory breakfast, and thanked Mr. Sam Ho for his work in organizing the event. She reported on the members of the Chancellor’s screening committee and thanked Vice Chancellor Garcia and her team for the hard work they are doing to recruit the new Chancellor. Forums for the Chancellor finalists began today and will continue tomorrow and Thursday. She strongly encouraged everyone to attend. She also announced she is establishing a new ad hoc committee on board policy to review Chapters One and Two. Trustee Nasol and she will serve on this committee.

2. Chancellor’s Report

Interim Chancellor Hendrickson commended the board for this meeting which contained specific items for safety, funding, and the great presentation on how the district is carrying out its mission for regional developments and serving adult learners.

3. Presidents' Reports

EVC President Yong reported on the marketing trip to Asia. The two teams that visited several Asian countries have returned safely. We have received very positive feedback from high schools, colleges and universities regarding EVC as a potential destination for their students. We expect to begin serving their students for Fall 2016, and we look forward to these international students enriching our campus life and activities. President Yong also reported that Vice Mayor Rose Herrera recently visited EVC to receive a briefing on the Educational Master Plan and the Facilities Master Plan and also for information regarding great programs at EVC. Vice Mayor Herrera was informed of the Campus Forum on the EMP and FMP on Wednesday, November 11, from 3:00 - 5:00 p.m., and the Community Forum on Saturday, November 14, from 10:00 a.m. to noon. An email blast had already been sent out to all students notifying and inviting them to the campus forum. President
Yong announced that for FY2016-2017 EVC plans to recruit and hire 10 full-time tenured track faculty to augment its faculty ranks. The list includes the following: Counseling - Crisis and General, Computer Information Technology, Music, Physics, English, Computer Science, Business Information Modeling/Computer Aided Design/Surveying & Geomatics, Nursing, Counseling – Articulation, and Automotive Technology.

SJCC President Breland reported that he, Doriann Tran, VP Roland Montemayor, just returned from a whirlwind student recruitment tour through Indonesia, Thailand, Vietnam and China in support of our goal to expand our cultural enrichment and international presence, and enhance our position in the global marketplace. At every stop in the tour, the response of parents, prospective students and recruiting agents was enthusiastic. They are greatly impressed with San Jose City Colleges’ quality of instruction, small classroom size and proximity to many Fortune 500 multi-national companies. Silicon Valley is known world-wide as the center of technology innovation and SJCC offers educational opportunities and innovative programs in partnership with neighboring industry giants. He thanked everyone for making this college a premier international educational destination and thanked Doriann and Roland for representing us so well!

President Breland reported that the Men’s Basketball Tipoff Tournament is scheduled for November 5-7 in the SJCC Main Gym. Games are scheduled for Thursday and Friday at 2, 4 and 6 p.m. and Saturday at noon, 2 and 4 p.m. Schools participating include Lassen, Merritt, Monterey, Foothill and Riverside. Tickets are $6, $3 for senior citizens 55 and older, $3 for students and staff with current IDs and free for children under 10. It’s time to celebrate our 4th Annual International Education Week (November 16-20)! This worldwide event celebrates the benefits of international education and exchange! Scheduled Events for International Education Week: Monday, November 16: Language/Cultural Survival Session; Tuesday, November 17: Salzburg Panel Session; Wednesday, November 18: World Jeopardy Game; Thursday, November 19: International Street Food Festival & “Celebrate the World” Country Poster Fair. President Breland also reported on the Student Association Veterans Day Celebration, which was held today from 11 a.m. to 2 p.m. in the Student Center quad. Bay Area American Indian singer Michael Andrews and the American Legion Post 419 performed songs, marched in the American flag and explained the purpose behind the POW/MIA table. Barbecued hamburgers, hot dogs and other items were sold at the event.

4. Constituency Reports

Mr. Yancey stated that the Board added to the agenda a resolution to excuse a Trustee, who will get paid for not attending this meeting. He stated the need to have an agenda item already in place for those types of resolutions.

Mr. Narveson requested that oral reports be moved back to the beginning of the meeting. He asked the Board to notice that no one is sitting behind us in the audience to hear these reports.

K. BOARD MEETING EVALUATION

1. Board of Trustees to Discuss Board Meeting Performance

Trustee Nasol stated his concern about the negative comments made at the meeting by a member of the public. Trustee Cruz stated that we had the opportunity to hear presentations about how the programs we have in place to develop skills for our community and serving our colleges, and it is enlightening to see. It is great to see the work done from the ground up, and she is open to seeing more of that information.

Trustee Lease agreed with Trustee Nasol that he was troubled by some public comments made at the meeting. We have individuals who come to our meetings and express their opinions; however, we want to make sure no one is threatened by those comments. He also stated he really enjoyed the Workforce Institute presentation and all they are doing to advance the Board’s ends policies.

L. CONTINUATION OF CLOSED SESSION (If needed)

M. RECONVENE TO OPEN SESSION
1. Announcement of Action Taken in Closed Session

N. ADJOURNMENT

1. The meeting will be adjourned.

Lease/Nasol to adjourn the meeting at 9:54 p.m.

__________________________
John Hendrickson, Board Secretary

Attached to these minutes is Mr. Glen Wetzel's statement to the Board of Trustees.
Principle of Equal Public Education rights missing from Master Plans

The written goals of the proposed Master Plans appear to be missing the fundamental principle of State public education. Specifically: If the State government provides public education, it must be provided to all on equal terms.

In other words, the public education service and school facilities provided in a school district must be "basically" equal to the education service and school facilities provided in another school district. Such right appears to be a special "strict scrutiny" equal protection right under our State constitution. Please read, study and learn about State Supreme court decision "Butt vs. State of California."

"In sum, the California Constitution guarantees "basic" equality in public education, regardless of district residence. Because education is a fundamental interest in California, denials of basic educational equality on the basis of district residence are subject to strict scrutiny."


This agency has not been adhering to the principals of Equal Public Education. The district apparently serves a population of over 1 Million residents, yet provides far less academic degree programs, sports teams, extracurricular activities, facilities and facility land than a neighboring school district of 375K residents. The comparative disparity appears to echo elements of public school education discrimination against communities occurring in the 1950's.

<table>
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<tr>
<th>Level of Public Education Service Comparison 2015</th>
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<tr>
<td>School District</td>
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<tr>
<td>San Jose Evergreen (SJECCD)</td>
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<td>Foothill De-Anza (FHDA)</td>
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Given the amount of residents within the San Jose Evergreen Community College District boundary compared to the Foothill-De Anza Community College District, more facilities and programs are reeded in east San Jose to attain public education equality.

Many residents in this district must drive to the neighboring school district because of the unequal education service. Traveling great distances daily is a barrier of equal public education.

**Attendance to Foothill-De Anza Community College District 2015:**

Living in SJECCD (east San Jose): 9081
Living in FHDA: 8458

This local education agency is an agency of the State. In view of the public, each Trustee is responsible to assure that the policies, plans and staff are in compliance with State law. If the State Supreme court decision applies to this agency, then agency finance is not legal basis to deny equal State public education service to the residents.

A yes vote at this meeting to affirm the Master Plans as written is a clear communication that you do not believe in Equal State Public Education and are willing to defy the principles of the State Supreme court decision.

Please postpone adoption of any Master Plans until the principle of Equal Public Education is included within the goals of the plans and that the plans adhere to the goals.
Reference

San Jose Evergreen Community College District (SJECCD)
Residents served: 1 Million (approx)
College lands: 53 (SJCC) + 129AC (Evergreen) = 182AC
Evergreen Valley College (East San Jose)
29 Degree programs
1 sports program
SJCC (San Jose)
47 Degree programs
7 sports program
Total Degree programs: 76
Total Sports teams: 8

Foothill De-Anza Community College District (FHDA)
Residents served: 375K (approx)
College lands: 136AC (foothill) 101AC (De-Anza) = 237AC
De-Anza College (West Santa Clara Valley)
34 Degree programs
19 sports programs
1 Olympic size pool
Foothill College (West Santa Clara Valley)
82 Degree programs
13 sports programs
1 Olympic size pool
Total Degree programs: 136
Total Sports teams: 32

Reference:
http://www.evc.edu/AcademicAffairs/Documents/degrees-certificates.pdf
http://www.deanza.edu/counseling/pdf/degrees/degreechart.pdf
https://www.deanza.edu/athletics/
http://www.sjcc.edu/academic/degrees-certificate-employment/degrees-certificates
http://www.foothill.edu/programs/programs.php
http://www.foothill.edu/ath/index.php
http://www.sjcc.edu/athletics
http://www.foothill.edu/facilitiesrentals/athletics-po.php
http://www.deanza.edu/athletics/waterpolo/facilities.html

3. SJECCD Educational Master Plan for Evergreen Valley College

4. Students by District Residency attending Foothill-De Anza community colleges

Glen Wetzel
Member of the Public

11/2015
A. CALL MEETING TO ORDER

1. 8:30 a.m. - The Meeting will be called to order at the District Office Board Room, 40 South Market Street, San Jose, CA 95113.

   The meeting was called to order at 8:30 a.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

2. Information on Public Comments and Disability Access

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

M/S/C (Lease/Mann) to approve the Closed Session agenda as submitted.

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

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

1. Public Comments on the Closed Session Agenda

   There were no public comments.

D. CLOSED SESSION ITEMS FOR DISCUSSION

1. The Board will recess to consider the following items:

   The Board recessed to consider the following item:

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

E. RECONVENE INTO OPEN SESSION
1. Announcement of Reportable Action Taken in Closed Session
There were no reportable actions.

F. ADJOURNMENT

1. The meeting will be adjourned.
M/S/C (Cruz/Nguyen) to adjourn the meeting at 3:10 p.m.

John E. Hendrickson, Board Secretary
A. CALL MEETING TO ORDER

1. 5:00 p.m. - The Meeting will be called to order at the District Office Board Room, 40 South Market Street, San Jose, CA 95113 and 4011 Rain Flower Lane, N. Las Vegas, NV 89031.

The Meeting was Called to Order at 5:00 p.m.

Board Members present:
Ms. Mayra Cruz
Ms. Wendy Ho
Dr. Jeffrey Lease
Mr. Craig Mann
Mr. Rudy Nasol (participated via teleconference)
Ms. Huong Nguyen

Board members absent:
Mr. Scott Pham

2. Information on Public Comments and Disability Access

The above information was provided in the board agenda packet.

B. APPROVAL OF CLOSED SESSION

1. Adoption of Closed Session Agenda

M/S/C (Lease/Nguyen) to approve the Closed Session Agenda as submitted.

Roll call vote was as follows:
Trustee Cruz voted yes.
Trustee Ho voted yes.
Trustee Lease voted yes.
Trustee Mann voted yes.
Trustee Nasol voted yes.
Trustee Nguyen voted yes.

Advisory vote:
Trustee Van Sambeek.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

1. Public Comments on the Closed Session Agenda
D. CLOSED SESSION ITEMS FOR DISCUSSION

1. The Board will recess to consider the following items:

E. RECONVENE INTO OPEN SESSION

1. 5:30 p.m. - Pledge of Allegiance
President Ho led the Board and members of the audience into the Pledge of Allegiance to the Flag.
Student Trustee Cintia Diaz Van Sambeek joined the meeting.

2. Adoption of the Agenda
M/S/C (Lease/Mann) to adopt the agenda as submitted.
Roll call vote was as follows:
Trustee Cruz voted yes.
Trustee Ho voted yes.
Trustee Lease voted yes.
Trustee Mann voted yes.
Trustee Nasol voted yes.
Trustee Nguyen voted yes.

Advisory vote was as follows:
Trustee Van Sambeek voted yes.

3. Announcement of Reportable Action Taken in Closed Session
There were no reportable actions.

F. ACTION AGENDA

1. Action to hire Dr. Deborah Budd as Chancellor of the San Jose-Evergreen Community College District, pending adoption of contract at the next regularly scheduled meeting of the Board of Trustees.

Mr. David Yancey expressed his appreciation to the Board for picking this particular candidate. He stated the AFT will work in a positive, supportive and collaborative way with her for the benefit of the district. He stated, however, that some people were concerned we advocated too strongly for a particular candidate; and he wanted to allay those concerns as he expected the faculty to work well with Dr. Budd. Mr. Yancey expressed confusion about why this special meeting was being held on a Sunday evening. His concern is that we don't want to give groups outside this room a feeling that things are being done in a nefarious way. This Board is meeting on a Sunday to hire a new Chancellor and is doing so without a contract. How can you hire someone without a contract? Mr. Yancey expressed confusion about the purpose of the meeting.

M/S/C (Lease/Cruz) to approve the following resolution, which was read out at the meeting by President Ho.

Whereas, after a national search for its next Chancellor, the Board of Trustees of the San Jose/Evergreen Community College District selected Dr. Deborah Budd as the finalist among a field of excellent candidates;
and

Whereas, the Board and Dr. Budd have reached agreement on the terms of her employment; and

Whereas, the Board wishes to inform the public of this exciting step forward for the District as soon as possible, but the Brown Act requires that ratification of a chancellor employment contract must occur at a regular meeting of the legislative body, and the Board’s next regular meeting does not occur until December 8, 2015;

Therefore be it resolved that at this special meeting of the Board of Trustees, the District hereby hires Dr. Deborah Budd as Chancellor of the San Jose/Evergreen Community College District, effective January 25, 2016; and

Be it Further Resolved that the Board shall place a contract for employment between the District and Dr. Budd on the agenda of its next regularly schedule meeting on December 8, 2015, for consideration and ratification.

Trustee Mann expressed excitement that Dr. Budd would be joining our district. We came away with a good candidate. President Ho provided an answer to Mr. Yancey’s questions stating that Per Ed code the Board could not ratify the contract before the next regularly scheduled board meeting. Dr. Budd requested that the Board take a formal action to hire her. The Board also wanted to expedite this communication because people are curious about who we plan to hire. However, making the intention of the Board to hire her is a courtesy that the Board is extending to Dr. Budd.

Mr. Yancey expressed support for this decision, but stated the need for the Board to publish the reason why they had a board meeting on Sunday night. He requested the Board go public with this information in the announcement that would be sent out next week.

Trustee Lease agreed with the need to send out a message as soon as possible.

Trustee Nasol stated he believed that Dr. Budd was a very strong candidate, and she was a candidate for other districts. We have a tentative agreement and we need to ratify that on December 8, but this meeting was important to announce our intention and commitment to hiring her.

Student Trustee Van Sambeek stated Dr. Budd seemed so energetic and transparent when she presented to the college. She expressed excitement for having her as the new leader of the District.

Roll call vote was as follows:

Trustee Cruz voted yes.
Trustee Ho voted yes.
Trustee Lease voted yes.
Trustee Mann voted yes.
Trustee Nasol voted yes.
Trustee Nguyen voted yes.

Advisory vote was as follows:
Trustee Van Sambeek voted yes.

G. ADJOURNMENT

1. The meeting will be adjourned.

(Mann/Lease) to adjourn the meeting at 5:43 p.m.
John E. Hendrickson, Board Secretary
Governing Board Meeting Minutes (Tuesday, December 8, 2015)
Generated by Joy A Pace on Tuesday, January 5, 2016

A. CALL MEETING TO ORDER

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. Mayra Cruz
Ms. Wendy Ho
Dr. Jeffrey Lease (Joined meeting during Open Session Agenda Item H-4)
Mr. Craig Mann
Mr. Rudy Nasol
Ms. Huong Nguyen
Mr. Scott Pham

2. Information on Public Comments and Disability Access

Information was provided on Public Comments and Disability Access in the agenda packet.

B. APPROVAL OF CLOSED SESSION

1. Approval of Closed Session Agenda

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

Board vote was as follows:
Trustees Cruz, Ho, Mann, Nasol, Nguyen, and Pham voted yes.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

1. Public Comments on the Closed Session Agenda

There were no public comments.

D. CLOSED SESSION ITEMS FOR DISCUSSION

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

The Board recessed to discuss the following items:

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

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Employee Organization: AFT 6157

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Unrepresented Employees: M/S/C

E. RECONVENE INTO OPEN SESSION

1. 6:00 P.M. - Pledge of Allegiance

Student Trustees Harris and Diaz Van Sambeek joined the meeting.

President Ho led the Board and members of the audience into the Pledge of Allegiance to the Flag.

2. Adoption of the Agenda

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

Move Item H-1 Ratification of the Hire of the Chancellor and Approval of Contract Length and Salary to precede Item F-1 Adoption of the Consent Agenda.

Two corrections for Consent Agenda Item F-7 Classified Personnel Actions

Employment – New Hire – the monthly/annual salary for Kristen Ruano, College Curriculum Coordinator, has been corrected from $4991 to $5240.90/mos, and from $59,896 to $62,891 annual.

Working out of Class – the monthly/annual salary for Megan Crossfield, Program Coordinator, has been corrected from $4749 to $5289.17/mos., and from $56,996 to $63,470 annual.

Board vote was as follows:
Trustees Cruz, Ho, Mann, Nasol, Nguyen, and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

3. Governing Board Organization

Nominations for Board President:

Trustee Mann nominated Trustee Nasol to be Board President. Trustee Nasol accepted the nomination.

The nominations were Closed and Trustee Nasol was elected as Board President by acclamation.

Board vote was as follows:
Trustees Cruz, Ho, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

President Nasol presented a gavel plaque to outgoing Board President Ho. Trustee Ho thanked everyone for the work they've accomplished over the past year.
President Nasol thanked the Board for electing him as president and promised to be respectful of everyone. He looks forward to the work they will accomplish during the upcoming year.

Nominations for Board Vice President.

Trustee Cruz nominated Trustee Mann for the office of Vice President. Trustee Mann accepted the nomination.

The nominations were Closed and Trustee Mann was elected as Board Vice President by acclamation.

Board vote was as follows:
Trustees Cruz, Ho, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

Appointment of Secretary, Governing Board

President Nasol reappointed Interim Chancellor Hendrickson as Board Secretary.

Appointment of Board Representative to vote in election for members of the County Committee on School District Organization.

President Nasol reappointed Trustee Craig Mann to continue in this role.

4. Announcement of Reportable Action Taken in Closed Session

There were no reportable actions.

5. Public Comments on Matters not on the Agenda

Mr. Narveson congratulated President Nasol and Vice President Mann on their elections as Board President and Vice President. He stated that previously the constituency reports were not timed, and then they were timed for three minutes, and now the reports have been moved to the end of the meeting. He requested the three-minute time limit be lifted.

Mr. Covarrubias stated the constituency groups made comments about this issue before. He sees constituency reports as part of the Board's business. Rather than think of constituency reports as being outside the meeting, they should be considered an integral part of the Board's communication with the community. It is also an opportunity for the community to hear from our presidents about the day-to-day operations of the colleges.

Professor Tait Rafar, SJCC Adjunct Faculty, Physical Education and Athletics program, discussed the plight of the adapted PE program at SJCC, which has been removed from the new building. All master plans regarding kinesiology has included an adaptive Kinesiology program. This program has not been moved to Building 100. This continues to be a discussion, but this discussion has not included his constituency group. There is space available in the new Kinesiology building as well as two generic spaces. This would provide the best teaching environment for disabled students.

Ms. Barbara Hanfing thanked Jesus and Eric for their statements about constituency reports. This issue is not just about constituency reports. The Board has a responsibility to everyone that sits behind us. There were about 100 people behind us and by the time the reports came there were only two people left. It is important for board members as elected members of this community to let the community know what you are doing. She suggested the oral reports be moved back to the beginning of the meeting.

Ms. Bonnie Mace, Evergreen School District Board Member, also recommended Oral Communications be moved back to the beginning of the meeting.
6. Approval of Minutes for the November 10, 2015, Governing Board Meeting, November 14, 2015, Special Governing Board Meeting and the November 22, 2015, Special Governing Board Meeting

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

Board vote was as follows:
Trustees Cruz, Ho, Mann, Nasol, Nguyen, and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

7. Formerly Agenda Item H-1 - Ratification of the Hire of the Chancellor and Approval of Contract Length and Salary

M/S/C (Mann/Cruz) to ratify the hire of Dr. Deborah Budd as Chancellor for the period of January 25, 2016, through June 30, 2019, at an annual salary of $276,000.

Board vote was as follows:
Trustees Cruz, Ho, Mann, Nasol, Nguyen, and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Van Diaz Van Sambeek voted yes.

Dr. Budd stated how incredible an honor it is to serve as Chancellor. In her 28 years she has never had such an exciting position to look forward to. She looks forward to working with the teams to increase CSU/UC transfers for our students. She will work diligently with the Board to ensure that district resources are used to close the equity and achievement gaps. The district is located in the Silicon Valley and presents many unique opportunities for student success.

President Nasol expressed the need for the Board to appoint an Acting Chancellor during the ten-day period between when Dr. Hendrickson’s contract ends and the start of Dr. Budd’s contract.

F. CONSENT AGENDA

1. Adoption of the Consent Agenda

Hearing no requests to pull any items, President Nasol stated the Consent Agenda was adopted with the changes announced in Agenda Item E-3 by general consent.

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 Personnel-Adjunct/EVC actions as submitted.
5. Faculty Personnel-Adjunct/EVC/SBRPTC
The Board approved the Faculty Personnel-Adjunct/EVC/SBRPTC actions as submitted.

6. Supervisory-Confidential Personnel Actions
The Board approved the Supervisory-Confidential Personnel Actions as submitted.

7. Classified Personnel Actions
The Board approved the Classified Personnel Actions as revised in Agenda Item E-2.

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. Ratification of Contracts, Purchase Orders and Contract Revisions
The Board ratified the contracts, purchase orders and contract revisions for the period of October 10, 2015 through November 9, 2015 as noted in the attached documents.

10. Schedule of Governing Board Meeting Dates and Corresponding Deadlines for CY 2016
The Board approved the Schedule of Governing Board Meeting Dates and Corresponding Deadlines for CY 2016.

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

12. Curriculum Recommendations for San Jose City College
The Board approved the new course proposed by San Jose City College.

13. Acceptance of Grant funds from Yosemite Community College District, Child Development Consortium
The Board accepted and appropriated grant funds up to $10,000 from YCCD/CDTC for San Jose City College's Early Childhood Education students.

14. Amendment to the 2015-2016 Independent Contractor Agreement with Estrella Family Services
The Board approved the amendment to the Independent Contractors Agreement for Estrella Family Services during FY2015-2016 from $301,940 to $364,791, a net increase of $62,851.

15. Workforce Institute – Adult Education Block Grant
The Board accepted the Adult Education Block Grant (AEBG) 2015-2016 funding of $1,640,633, administered
by the Workforce Institute.

16. Evergreen Valley College Memorandum of Understanding with University of Danang
The Board approved the Memorandum of Understanding between Evergreen Valley College and University of Danang to work toward developing collaborative programs and fostering international cooperation.

17. California Community College Foster and Kinship Care Education Program’s Commercial Sexual Exploitation of Children (CSEC) Program Grant for Evergreen Valley College
The Board accepted grant funds in the amount of $3,750 for the California Community College Foster and Kinship Care Education Program’s Commercial Sexual Exploitation of Children (CSEC) Program.

18. Increase in Board Compensation
The Board increased its monthly compensation from $441 to $463 and Student Trustee monthly compensation from $221 to $231 effective January 1, 2016.

19. Faculty/Student Travel to Idaho - Men's Basketball Team
The Board approved out of state travel for SJCC Men's Basketball Team (12 students).

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

1. Adoption of the Measure G Bond Programs Consent Agenda
Hearing no requests to pull any items, President Nasol stated the Measure G Bond Programs Consent Agenda was adopted by general consent.

The Board approved the Independent Contractor Agreement (ICA) Revision No. 002 in the amount of $0 to Consolidated Engineering Laboratories (CEL) for Testing and Inspection Services for the Automotive Technology Building Project #32111 at Evergreen Valley College.

3. Measure G-2010 Bond Program: Evergreen Valley College Moving Services Project #32111 - Crossroads Relocation Services Independent Contractor Agreement (ICA)
The Board approved issuance of a contract to Crossroads Relocation Services in the amount of $50,000 for the Evergreen Valley College Autotech Moving Services Project (#32111).

4. Measure G-2010 Bond Program: San Jose City College (SJCC) GE HVAC Upgrades and Campus HVAC Controls Extension Project #31127 –
Environmental System, Inc. Change Order No. 004

The Board approved Change Order No. 004 in the amount of $7,252 to Environmental Systems, Inc. for the GE HVAC Upgrades and Campus HVAC Controls Extension Project #31127 at SJCC.

5. Measure G – 2010 Bond Program: San Jose City College (SJCC) GE HVAC Upgrade and Campus HVAC Controls Extension, Project #31127 - Salas O'Brien Revision No. 001 to a Project Assignment Amendment (PAA) SJCC -05.

The Board approved Revision No. 001 to Project Assignment Amendment (PAA) SJCC-05 in the amount of $22,400 to Salas O'Brien, for the GE HVAC Upgrades & Campus Wide Controls Extension, Project #31127 at SJCC.

6. Measure G Bond Program: Phase 2 - New District Office Network Installation and Migration from Old District Office - Revision No. 001

The Board approved Revision No. 001 to Dasher Technologies for extending the term of the Independent Contractor Agreement (ICA) from 6/30/15 to 9/30/15.

7. Measure G-2010 Bond Program: Project Management, Patching and Software Install at 40 S. Market St. - Revision No. 001

The Board approved Revision No. 001 to Dasher Technologies for extending the term of the Independent Contractor Agreement (ICA) from 6/30/15 to 7/31/15.

8. Measure G-2010 Bond Program: ERP Conversion Project - Revision No. 001

The Board approved Revision No. 001 to Dasher Technologies for extending the term of the Independent Contractor Agreement (ICA) from 6/30/14 to 8/31/15 and to reduce the cost by $2,730.82.

H. ACTION AGENDA

1. Ratification of the Hire of the Chancellor and Approval of Contract Length and Salary

This item was moved to the beginning of the agenda as Item Number E-7.

2. Resolution Number 120815-01 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, 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:
Trusted Cruz, Ho, Mann, Nasol, Nguyen, and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Van Diaz Van Sambeek voted yes.

3. Approval of the Educational Master Plan for Evergreen Valley College

M/S/C (Mann/Nguyen) to approve the Evergreen Valley College Educational Master Plan as presented.

Board vote was as follows:
Trustees Cruz, Ho, Mann, Nasol, Nguyen, and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris voted yes.
Student Trustee Diaz Van Sambeek voted no.

Ms. Bonnie Mace, Evergreen School District Board Member, requested the approval wait until the new Chancellor has come on Board with the district.

Mr. Daniel Reyes, community member, welcomed Dr. Budd; but mentioned she forgot to work with the community. The community is frustrated. Every time we have the chance to come here to the District Office, we see the dysfunction of the administrators. The Board is trying to present the future of the college for the next 5 to 10 years of the college, but you are not waiting until the new Chancellor comes on board. It’s the shame of each and every one of you until you show you are willing to listen to us. We will remember you when it comes time to vote for you in the upcoming election.

4. Approval of Educational Master Plan for San Jose City College

Trustee Lease joined the meeting.

M/SC (Mann/Nguyen) to approve the San Jose City College Educational Master Plan as presented.

Trustee Cruz stated this plan is very aspirational and thinks very much about the opportunity. She expressed appreciation for the teams and staff that were involved in developing this plan. There was a greater thoughtfulness to ensure we created a master plan that was informed by solid data.

Trustee Ho reminded the Board and members of the audience that the EMP is one set of documents used in its long-term planning. It is gratifying to see the alignment of the plans, including the student equity plans which are part of the puzzle to ensure our students are successful.

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

Advisory vote was as follows:
Student Trustees Harris voted yes.
Student Trustee Diaz Van Diaz Van Sambeek abstained.

5. Measure G-2010 Bond Program: Bond List Revision No. 18, Substantive Change

M/S/C (Mann/Pham) to approve the revisions to the Measure G - 2010 bond list, as presented. This revision represents a substantive change for the creation of a new project.

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 Van Diaz Van Sambeek voted yes.

Vice Chancellor Smith reported that the 2nd paragraph includes an outline of the substantive change. He
reported that money was taken from the districtwide technology budget and moved to the college technology refresh project. This item is brought in this manner per the Board’s request.

Trustee Ho thanked Vice Chancellor Smith for the update and level of detail. This is exactly the level of transparency we want to bring to the Board and members of the public.

President Nasol thanked staff for the measure of projects going on at the colleges. Thanks for the effort, and we hope these improvements continue in the future.

6. Measure G-2004/Measure G-2010 Citizens’ Bond Oversight Committee Appointments

M/S/C (Ho/Lease) appoint the following Citizens’ Bond Oversight Committee applicants to a second term: Johnny Lee, Community at Large, and Leo Cortez, Support Organization.

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 Diaz Van Sambeek voted yes.

7. 2015-2016 Student Equity Plan for Evergreen Valley College

Interim Chancellor Hendrickson reported that the deadline is December 18 for the plan to be submitted to the State Chancellor’s Office. The staff at Evergreen Valley College has made considerable changes to the plan. He requested that if the Board feels comfortable after the presentation to proceed to approve it. The plan would then be submitted to the state in time to meet the deadline. If not, the plan could be completed and brought to the Board for approval in January.

Ms. Angelina Duarte, EVC Interim Dean of Student Success, stated the important thing about these plans is they represent the basic form in community colleges. The SSSP (Student Success & Support Programs) is for everyone. We touch our students from the very beginning; from assessment through graduation. When there are achievement gaps, we look to address those issues. It is important that there needs to be linkages between these programs and they need to be anchored into the bedrock of the institution. When preparing these plans, we need to think about how they interact with each other.

EVC Adjunct Faculty Uyen Mai reported on linking services to support student achievement. She discussed the collaboration between our two colleges. Our goal as an institution. Five success indicators access, course completion, ESL and basic skills completion, degree and certificate completion and transfer. Ms. Duarte stated the importance of campus based research and thanked Vice Chancellor Hawley and her staff. For access, the students highlighted in red, which number less than .08 is something to be concerned about. The most under-represented students are white students. Diversity is about inclusion and balance. Students with disabilities and American Indians are also underrepresented groups. She reviewed the activities to address access and to put dollars to those activities. She reviewed course completion rates. We need to pay most attention to current or former foster youth, individuals with disabilities and veterans. She reviewed the activities to address course completion. Professor Mai reviewed the ESL and Basic Skills. Our goal is to work with those students greatly. There is no data now because they are emerging programs. Remedial English for individuals with disabilities is .18. Ms. Duarte stated that the longer it takes to get from basic skills to college level, the more those students drop out. A summer bridge program has been the most effective. Ms. Mai reviewed the data for the associate degree for completion. Ms. Duarte stated that students are grateful for the opportunities we make possible for them, and they state that every day.

Trustee Ho inquired where the dollar amounts listed on the indicators come from. Ms. Duarte answered the numbers were determined by the student success and equity committees. Trustee Ho stated that some of the activities were informed by the best practices in the field and inquired if students were a part of those committees. Ms. Duarte answered that students do serve on the committees, including serving as student ambassadors. She has a lot of experience, but the equity plan needs to come from the people who will implement it. Trustee Cruz expressed appreciation for the information. She stated that equity has two
dimensions; one relates to students and the other to the institution. Both of these pieces needs to be embedded into some of those activities. We think about the framework that led to the activities. Ms. Duarte answered that there was no infrastructure. The question is how we get the resources to the students, and that's what we have been focused on. This is the second year of this equity plan, and it takes time to get the resources to the plan. Now we have a lot of resources but no infrastructure. How do you get the money to where it belongs without having it sit there? The equity programs were silos and not working together. The development of this plan allowed for that conversation to take place. We want to tie the service learning to equity. Student Trustee Harris inquired about access for the white population, and if we know whether or not they going to another college. Ms. Duarte answered that's what we need to find out. Student Trustee Díaz Van Sambeek thanked Ms. Duarte for her presentation and stated that the book loans make a big difference for students. It's a great thing to bring this topic to the table.

M/S/C (Lease/Nguyen) to approve the 2015-2016 Student Equity Plan for Evergreen Valley College.

Board vote was as follows:
Trustees Ho, Lease, Mann, Nasol, Nguyen, and Pham voted yes.
Trustee Cruz voted no.

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.

8. 2015-2016 Student Equity Plan for San Jose City College

Mr. Roland Montemayor, SJCC Interim Vice President of Student Affairs, reported that the college had four forums for faculty and students to review this plan. He stated the importance of linking services to support student achievement, such as basic skills, categorical programs, student success and support programs, and student equity. He reviewed the activities for access, i.e. to establish and implement a strategic outreach plan that targets underrepresented groups with respect to the surrounding community, to increase the number of admitted Asian students, to establish the SJCC Guardian Program and ALMASS Dream Program Center to expand the number of Foster Youth and AB 540 students under the EOPS umbrella, and to develop marketing material geared towards the Asian community and staff development for workshops and training in student equity. Mr. Montemayor also reviewed the activities for course completion and reported the success indicators for course completion are not high. Some activities for ESL and basic skills include implementing a pre-summer bridge program that helps students who place in basic skills Math and English successfully transition to San Jose City College, planning and developing success strategies for math students using student equity data, planning and developing success strategies for remedial English and ESL, and improving the completion, transfer and degree rate for DSPS students. Mr. Montemayor also reviewed the degree and certificates and transfer rates and activities that would be implemented to increase those rates.

M/S/C (Mann/Pham) to approve the 2015-2016 Student Equity Plan for San Jose City College.

Trustee Ho stated that what she was able to review was very impressive. She really thinks its spectacular that we are using equity money to fund immunizations. Medical debt is the number one driver of bankruptcy in this country. That might be something we can provide to our whole student population. Mr. Montemayor stated that the ability to get free glasses also has made an impact for our students. Trustee Ho was also impressed by using equity dollars to fund the marketing piece. Trustee Nguyen stated her appreciation for the work that's being done. She inquired if for first time enrollment if the college looks at the half way point if those numbers change. Mr. Montemayor answered that we were looking at what would we be doing if we didn't have the equity dollars. President Breland thanked Interim Vice President Montemayor for putting a lot of work into this plan over the past few weeks and also throughout the year for doing this work. He thanked the team and Dr. Hawley's office in particular.

Board vote was as follows:
Trustees Cruz, Ho, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:
Student Trustees Harris and Diaz Van Sambeek voted yes.
I. INFORMATION AGENDA - DOCUMENTS PROVIDED

1. CY 2016 Board Calendar

Interim Chancellor Hendrickson stated this is a informational document which outlines board agenda topics for CY 2016.

J. INFORMATION AGENDA - PRESENTATIONS AND DISCUSSION

1. Request of a member of the public for the Board to consider district email addresses for Citizen Bond Oversight Committee members.

Interim Chancellor Hendrickson reported that the Ed Code allows a member of the public to place a matter on the board agenda when a topic is under the purview of the district. This is an information item only, and no action is required by the Board. The public member wanted this Board to direct the district to provide district email addresses for CBOC members. Mr. Hendrickson's response was that he would check with the members of the CBOC to see if they would like to give out their personal emails. President Nasol stated we need to contact the CBOC members to see if they want to be individually contacted by members of the public.

2. Presentation on Evergreen Valley College Facilities Master Plan

Interim Vice Chancellor Hendrickson reported the district knows the presenters very well due to the extensive time we have spent with them during the process of developing this plan. He stated that he is very happy with the work that has been, which will be presented at tonight's meeting. The first report is on the Evergreen Valley College Facilities Master Plan.

Mr. Brahmbhatt stated his appreciation for moving the presentation to the beginning of the meeting. The district is embarking on something new. He thanked the district for the opportunity of serving this district throughout this process. This project has been going on for 24 months. Mr. Larry Frapwell and Megan Gaunce presented on the facilities master plan. Mr. Frapwell reported that the details will change over time; but the framework, hopefully, remains in place. The two drivers of the educational master planning for both colleges was to create a framework of systems to support current and future growth and campus improvement: a roadmap bringing all projects together to serve one vision. It is called place-making. This process began in November of last year. We shared with the Board in April of last year a summary of findings. Mr. Frapwell reviewed the FMP objectives for Evergreen Valley College, such as improving EVC's front door and visibility to the community, improved vehicular access, increased parking, creation of a campus core with purposeful open space, integration of South Campus, improved pedestrian circulation, support for the Educational Master Plan/program of work, and creating a place for students that is uniquely Evergreen Valley College. Mr. Frapwell showed the new construction and renovations programs. Ms. Gaunce reviewed the projects included in the plan. Mr. Frapwell reviewed the assignable square footage and gross square footage. The total project cost is $212,430,761. The college may be able to get some state funding for some projects, which is currently projected at $30 million. Included in those projects are those that identify other site improvements, including access road and additional parking. Total program cost is $242.4 million. Mr. Brahmbhatt stated how the projects would sequenced so that EVC doesn't have to have any temporary housing at all during the construction/renovation process. He reviewed the total cost of ownership. It is a very comprehensive facilities master planning. Ms. Gaunce reviewed a diagram of a plan 30 years from now.

Trustee Nasol stated how impressed he was by the comprehensiveness of the report, especially the costs of maintaining the buildings. The buildings need attention for them to be places where our students can learn. Student Trustee Diaz Van Sambeek thanked them for the presentation. There are so many scary changes of the facilities. She expressed concern about limited space on the campus for more classrooms. President Nasol stated that this plan provides tools for us to talk to our community about future bonds.
3. Presentation on San Jose City College Facilities Master Plan

Mr. Larry Frapwell, Cambridge West, reported on the Facilities Master Plan objectives/goals for Evergreen Valley College. These objectives include improved vehicular access, balance/increase parking, create a campus core with purposeful open space, improve pedestrian circulation, support the Educational Master Plan/program of work and create a place for students that is uniquely San Jose City College. He also reviewed the 2030 vision, which includes improving access at Leigh Avenue and the creation of a four-way signal at Leigh and Kingman Avenues, Adaptive and PE/Cosmetology expansion, new Jaguar Center, GE/Administration Building Phase I, demolition of GE complex for a new campus drop off, South Parking Structure on campus road adjacent to Kingman Avenue. Meghan reviewed the projects. Mr. C.M. Brahmbhatt reviewed the Vision 2030 program sequence and reviewed the total cost of ownership. Ms. Megham Gaunce reviewed five different areas to consider beyond 2030.

Trustee Cruz stated how disappointed she was that the Child Development Center was not part of the 2030 plan. She also wanted to understand about how individuals and other members of the external community were able to review the plan. Have there been conversations with the community? Mr. Frapwell stated that Cambridge West has attended a number of facility and safety committee meetings as well as a couple of public forums. In response to their comments about the new road at Kingman, they are agreeable with that as long as we are not bifurcating the campus. There has been a number of conversations. At Leland there was resistance by the neighborhood. However, there is less resistance to this change at this point and time. President Nasol stated that at Kingman and South Bascom Avenues PG&E has easement sites, and he inquired if Cambridge West had conversations with them. Mr. Frapwell answered this is a concern which has not yet been addressed. Student Trustee Harris thanked the team for the Jaguar Center. SJCC Academic Senate President Covarrubias stated that student clubs have been lost but whatever moves forward with this idea, such as the quad, is a really good improvement. President Nasol stated that both campus master plans are evolving and are live documents. They are totally different from what they were five years ago.

4. Report from the Board Asset Management Committee

Trustee Lease, Chair, Board Asset Management Committee, distributed a memo to the Board from the Board Asset Management Committee. (This report is attached to these meeting minutes.) He read out the charge of the committee. The mission of this ad hoc committee is to involve the board in the Republic Project, which is now called the Montgomery Place. The committee will have periodic updates to the Board. In 2016 Republic will complete its in-reach, and the EIR and zoning will occur sometime in 2016.

EVC Academic Senate President Narveson inquired if the committee has posted its meetings. Trustee Lease answered no since this is an ad hoc committee and not a Brown Act standing committee. Trustee Cruz expressed concern that the constituency groups and members of the public need to be informed of these meetings so that they know what is happening with this particular ad hoc committee. Trustee Lease answered that this report shows the desire of the committee to be transparent with the public and district community. The committee may need to go to City Hall with Republic, and this is not something we can coordinate with others. There will be plenty of communication and trust that people are doing their individual jobs. Trustee Ho stated that she had reorganized the committees, and this was presented as an information item so that people would be clear on the charge and purpose of each committee. AFT 6157 President Yancey stated that "Asset Management" is not clear to the public. This memo has a lot of great information, but it is not clear to the public. This is the first time he is hearing this project is being called the Montgomery Project. He stated the criticism by constituents is sincere. Interim Vice Chancellor Hendrickson stated this Board has already taken action in public regarding their agreement with Republic. Student Trustee Díaz Van Sambeek reported that today Republic had an open forum with students. They are talking about apartments and other commercials buildings. As a student, this plan is scary. It is a concern as a student that there might be a swimming pool which students can't use. Student Trustee Harris stated how impressed he was by the project. Trustee Lease stated he was very happy Republic was sharing this information with students. As part of the plan, we had talked about apartments that students can afford and also have access to the swimming pool.

5. Presentation of The California School Employees Association, Chapter 363 Contract Reopener Proposal with San Jose Evergreen Community College District for 2015-2016
Vice Chancellor Garcia reported the CSEA and the district worked together to finalize the chapters that would be opened. After we work on the 2015-16 negotiations, the whole contract would need to be reviewed. This item is for information only but will come back to the Board for action and a public forum.

6. Presentation of the San Jose Evergreen Community College District Contract Reopener Proposal with The California School Employees Association, Chapter 363 for 2015-2016

Vice Chancellor Garcia reported that this is the district's proposal that would be brought to the Board for action as well as a public forum.

K. ORAL COMMUNICATIONS

1. Board of Trustees/Committee Chairs' Reports

Student Trustee Harris stated the students had a very successful Thanksgiving Dinner at the student center.

Student Trustee Diaz Van Sambeek reported on the annual hunger banquet held at EVC. She also requested that everyone wear somethig pink tomorrow for cancer awareness.

Trustee Pham reported that on Monday next week the Audit Committee will meet at the district office to review the audit findings.

Trustee Nguyen stated that some trustees attended the CCLC conference, and it had very good training sessions. She attended Brown Act workshops. She welcomed Dr. Budd to the team.

Trustee Lease reported that the Milpitas Groundbreaking Ceremony was so awesome, and it was nice that public officials also attended. The CCLC presentation on our governing board ends policies and making data driven decisions was very successful, and there is a lot of interest in what we are doing.

Trustee Cruz thanked Trustee Ho for her exceptional leadership over the past year. We had major policy pieces that occurred under Trustee Ho's leadership, including the 27 acres contract and the successful Chancellor search. Sharing the transformational journey presentation and all the different plans that were created this year has been a great experience. She reported on the Board Self-Evaluation committee, which met on November 30 to discuss a draft of the self-evaluation results. Some results include board relations with the Chancellor and the understanding Board roles. One area to address is the Board's training for understanding the data to advance student success. You will see more of this work in January. We hope to bring the draft of the self-evaluation for review and approval. And, hopefully, in February or March we could have a board retreat.

Trustee Mann thanked the Board for supporting him as vice president and also thanked Trustee Ho for keeping things under control during heated times.

Trustee Ho extended a warm welcome to Dr. Budd. SJCC presentation on community engagement. She thanked President Breland for making the SJCC presentation on community engagement available for the campus community. She also reported that she was appointed Vice Chair of API conference; and that is very exciting. She announced the Board Ad hoc committee on policy meets tomorrow to review Chapters 1 and 2. This past year had a lot of achievements as we fully implemented our ends policies and received monitoring reports, moved into this new District Office building, recruited and successfully hired our new Chancellor, and we broke ground on our new facility in Milpitas.

President Nasol reported on his attendance at the CCLC conference and heard from other Trustees about Board Governance affecting student success. He thanked Sam Ho for his involvement in putting together this presentation. They are very impressed by our global ends policies. He was also impressed with the presentation made by Keith Aytch and Lee Tran on cultural competency. We are recognizing the diversity of our state. He also attended the Milpitas groundbreaking ceremony, which is in his Area. He appreciated the Board for their confidence in him for serving as president over the next year.
2. Chancellor's Report

Interim Chancellor Hendrickson reported that at EVC the line that serves hot water leaked and failed. Some time back the need was recognized, but the temperature was colder inside than outside the building. Vice Chancellor Smith is working to move as quickly as the laws permit. We recently received bids, and that work will begin this coming week. The contractor will be bringing in a temporary solution this week. We should have everything replaced and fully fixed by early Spring.

We received notice about the possible shooter at the Regional Medical Center, but it did give us a chance to review our emergency broadcast system. We found a flaw in it and we might implement a change.

3. Presidents' Reports

EVC President Yong reported the EVC Soccer team made it to the finals of the State Championship on Sunday, but lost to Oxnard College. EVC ended up being the 2015 State Runner Up. This morning, he received a message from the Ventura Community College District that there is euphoria at Oxnard College, and they are celebrating in a big way. He reported that our team did extremely well, and our players demonstrated great skills, both in defensive and offensive tactics, and outstanding stamina. He acknowledged the work of Coach Silveria in successfully bringing the EVC team to the State finals. President Yong reported that Enrollment for Fall is up by 17% according to the latest data. For Winter and Spring, our enrollment, which is still early, is up by 11% as of today. We hope the trend continues. Based on the trend so far for the Winter Intersession, we are projecting 128 FTES for the 3 week intersession. President Yong reported that Sequoia classrooms are without heat. A hot water leak turned serious, and the hot water had to be turned off, resulting in no heat to the building. M&O has been working to bring heat back to the affected classrooms, and the goal is to temporarily bring heat back by Dec 14. The district has awarded the work to a contractor who will be working through the holidays to remedy the situation as quickly as possible. Last week, EVC celebrated the 50th Anniversary of the Voting Rights Act with a special symposium on the importance of this milestone in our nation's history. It was attended by a number of local leaders from churches, the Civil Rights Movement, our students, faculty and staff.

SJCC President Breland reported that there is a lot of good work being done at the college – faculty and staff are busy this time of the semester. We are engaged in preparations for the accreditation visit next year as well as engaged in discussions about how planning will continue to take place, in a collaborative, participatory manner moving forward. These efforts will be transformational for the college as we move into 2016 (our 95th year of existence). President Breland announced there is now a Veteran’s psychologist at SJCC. The Veterans Integration to Academic Leadership (VITAL) is a collaboration between the VA Medical Center and SJCC. A VITAL psychologist, Dr. Jennifer Gonzales, will be available for individual meetings with Veteran students on December 3rd and 10th from 8:00 – 1:00. Drop-in meetings are 15-30 minutes and appointments are 30-60 minutes. Please direct Veterans to the Veterans Resource Center, Student Center, SC-215, to schedule an appointment. President Breland announced that Art Dogs: is the title of the new show this month by San Jose City College’s advance art students. The student chose the title to reflect their wholehearted (dogged) pursuit of creative expression. This year’s group of 11 students displays a wide range of ideas and mediums, from social/political painting to photography with an audio component. Add to this a digitally animated story projection, ceramic sculpture and collage painting and you have a richly diverse show that displays the wide range of talent at SJCC. The show is up December 1st – 15th, and is open for viewing Monday – Thursday from 11:00 -3:00pm. The event is Free and all are welcome!

4. Constituency Reports

AFT President Yancey stated he would not provide a report since this item is still at the end of the meeting and the audience is empty.

MSCC representative Keith Aytch welcomed Dr. Budd to the district.

EVC Academic Senate President Narveson made the same comment as Mr. Yancey.
L. BOARD MEETING EVALUATION

1. Board of Trustees to Discuss Board Meeting Performance

Trustee Lease stated he heard a lot of reports that provided information on what is taking place at our colleges. Trustee Ho commended the Board for having a successful and respectful meeting. President Nasol stated that we need to engage our constituency groups more.

M. CONTINUATION OF CLOSED SESSION (If needed)

N. RECONVENE TO OPEN SESSION

1. Announcement of Action Taken in Closed Session

O. ADJOURNMENT

1. The meeting will be adjourned.

M/S/C (Lease/Mann) to adjourn the meeting at 10:03 p.m.

John E. Hendrickson, Board Secretary

The December 8, 2015, Memorandum to Board of Trustees from the Asset Management/Public Private Partnership Committee is attached to these meeting minutes.
MEMORANDUM

To: Board of Trustees

From: Asset Management/Public Private Partnership Committee

Re: Asset Management Committee status report on Surplus Property Development

Date: December 8, 2015

Background

Pursuant to appointment of the Board committees for 2015 by Board President, Wendy Ho, the Asset Management/Public Private Partnership Committee was formed and has recently been activated. The committee has considered its role and responsibilities as related to the overall development of Evergreen Valley College and the development of the adjacent 27 acre surplus property. The Committee has received material describing the planned development and has met with staff and representatives of Republic Urban Properties. The following Committee Charge was given at the date of formation of the Asset Management Committee.

To provide feedback, influence and guidance on matters associated with District resource development efforts through the establishment of public/private partnerships including but not limited to land development and district owned real estate.

The Committee is actively representing the interests of Evergreen Valley College and overall District benefits resulting from the surplus land development. Committee members will continue to interact with members of College and District staff, and assist Republic and the District in submitting an application to the City of San Jose for the development of the 27 acres (the project).

Mission of Asset Management Committee

To involve the Board of Trustees in the overall development process of the proposed Republic-Evergreen project known as "The Montgomery Place." Board and public involvement will include periodic reporting on the status of the project to the Board of Trustees. The committee will further assist the Chancellor, College President and designated staff along with Republic in the coordination of the City of San Jose planning process that would allow the re-zoning of the 27-acre project into a master planned, mixed-use community. The Committee will also work with all parties to ensure that community organizations, College faculty, students and staff are informed of future planning milestones related to the proposed project. The Committee will assist Republic in preparing and implementing a community outreach process within the District 8 neighborhood pursuant the City of San Jose municipal code for community outreach.

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Roles and Responsibilities – Asset Management Committee Members

1) Meet with the Chancellor and Vice Chancellor of Administrative Services and designated staff to discuss and deliberate on the proposed Republic project.
2) To report and update the Board of Trustees on all relevant activity of the proposed “The Montgomery Place” project.
3) Assist the Chancellor, Vice Chancellor of Administrative Services and Evergreen Valley College President in coordination with Republic on “in-reach” communication with Evergreen Valley College faculty, students and staff related to the planning and approval process of the proposed project.
4) As may be suggested by the Chancellor and in coordination with Republic, attend any and all meetings with the City of San Jose including its professional staff and elected officials.
5) Work in coordination with Republic on District 8 community outreach and provide overall Board guidance on stakeholder involvement for public meetings and workshops.
6) In coordination with the Chancellor’s Office and Republic, accommodate media requests that are related to the Republic project.

Overview of Republic’s “The Montgomery Place” Project

Republic in coordination with its consulting team, Canyon-Snow, has been working on an “in-reach” community affairs program designed to allow Canyon-Snow to work with key College stakeholders in an attempt to explain the overall development proposal as well as clarify any internal college issues related to the “who-what-when-where-&-why” of the proposed Republic project. In 2016, Republic will complete the in-reach community affairs portion, and begin the City of San Jose Planning Process which will include community outreach to the District 8 community.

It is the goal of Republic to process a General Plan Amendment and EIR sometime in 2016, and look for zoning approvals on or before 2018. Concurrent with this process, Republic and the District would enter a ground lease.

Public-Private Partnership

It will be critical for Republic, the District and the College to work together on all aspects of the proposed development which include the land planning, community outreach, government affairs and financing milestones. In particular, Republic and the District will need to demonstrate a “Signature Project” which will allow the City Council to approve a zoning change from “Public-Private” land use to some form of “mixed-use” zoning designation allowing Republic’s proposed commercial office/retail, housing and medical office uses.

For the San Jose Planning Department to process a General Plan Amendment and Zoning change, Republic and the District will need to demonstrate the following:

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1) The 27-acre Republic land plan is consistent with Evergreen Valley College’s long-term "Facilities Master Plan" which will assist and enhance the College to foster higher learning.

2) The creation of a new neighborhood/village which will assist with economic development and overall community benefit of the local community and provide an additional revenue source to improve access to college and student success for all residents of the San Jose Evergreen Community College District.

3) A fiscally sustainable project which contributes long term revenue through property, sale and employment tax to support local schools and community programs.

Conclusion

Over the next 18 months communication between Republic and the District will be paramount to the success of the proposed Republic project. While Republic will be the overall public face of the project, it will be vital for the District to also assume the role as Republic’s “partner” to ensure the overall San Jose political establishment recognizes not just the economic benefit to the City, but the overall educational benefit to Evergreen Valley College and all District students. Specifically, Republic and the District must mold the 27-acre project with the overall Educational Master Plan as one general project when processing the San Jose entitlements. While these are two entirely different entitlement pathways, both plans need each other to be successful.