Minutes of the
Governing Board Meeting
October 9, 2012

A. CALL MEETING TO ORDER

President Fuentes called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, October 9, 2012, at 4:30 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135.

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

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

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

Roll call vote was as follows:

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

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS
The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code Section 54956.9)
Potential action involving initiation of litigation.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.8)
Property: 40 South Market Street, San Jose, CA
District’s Negotiator(s): Mr. Jim Eller
Names of Negotiating Parties: Mr. Michael Speers
Under Negotiation: ( ) Price ( ) Terms of Payment ( X ) Both

E. RECONVENE INTO OPEN SESSION

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

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

Board Members Excused:
None

1. PLEDGE OF ALLEGIANCE

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

2. ADOPTION OF AGENDA

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

Roll Call vote was as follows:

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

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

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

There were no reportable actions.

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

The Board heard public comments from San Jose City College journalism students, Messrs. Steve Hill and Mark Sheppard, regarding their concerns about cancellation of journalism courses due to low enrollment.

President Fuentes stated the Board would not be able to discuss the item since it was not on the agenda; however, she asked administration to follow up as appropriate.

6. **APPROVAL OF THE SEPTEMBER 11, 2012, GOVERNING BOARD MEETING MINUTES**

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

Roll Call vote was as follows:

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

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

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

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

Roll Call vote was as follows:
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Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lind – aye
Trustee Lease - aye

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

2. **MANAGEMENT PERSONNEL ACTIONS**

The Board approved the Management Personnel Actions as submitted.

3. **FACULTY PERSONNEL ADJUNCT - EVC**

The Board approved the Faculty Personnel Action as submitted.

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

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

5. **CLASSIFIED PERSONNEL ACTIONS**

The Board approved the Classified Personnel Actions as submitted.

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

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

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

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

8. **DISTRICT BUDGET TRANSFERS AND REVISIONS**

The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, and authorizing the appropriation of the receipt of unanticipated revenues in certain programs.

9. **KONICA MINOLTA BUSINESS SOLUTIONS CONTRACT**

The Board awarded a contract for a period of five years to Konica Minolta Business Solutions for $217,440 or $.0163 per black and white copy and $.07 per color copy annually, whichever is greater.
10. **DESTRUCTION OF RECORDS – FISCAL SERVICES**

   The Board approved the destruction of records as listed per Section 7080.302 of the Retention and Destruction of Records under Board Policies.

11. **ECONOMIC AND WORKFORCE DEVELOPMENT GRANT**

   The Board accepted and appropriated the Economic and Workforce Development Grant in the amount of $172,500 for the period of July 1, 2012, to June 30, 2013.

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

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

13. **BIENNIAL REVIEW OF DISTRICT’S CONFLICT OF INTEREST CODE**

   The Board approved the District’s 2012 Conflict of Interest Code.

G. **ORAL COMMUNICATIONS**

   a. **Board of Trustees**

      Trustee Lease reported that he was participating via teleconference because he was attending the ACCT Leadership Congress in Washington, D.C. and planned to provide a report at the October 23 board meeting. The conference is focused on student success at community colleges, and it’s obvious that our district is way ahead of what other districts are doing. The RP Conference presentation by the district committee on student success was very well received. There was a lot of interest regarding our definition of student success. He thanked Mr. Sam Ho for organizing the details of the conference, and Student Trustees Casas and Sieu for their participation. It was their voices—the voice of students—that made the presentation a success.

      Student Trustee Casas reported on the great experience of attending the RP conference where he participated in the student success presentation. He also attended the Silicon Valley Asian Pacific American Democratic Club on October 5 where Trustee Tanaka received a Lifetime Achievement Award. He congratulated Trustee Tanaka on his amazing life and contributions to the community. Student Trustee Casas reported on SJCC student events, such as the Get Out the Vote event on October 4.

      Student Trustee Sieu reported there was a hold on all EVC officer appointments as applications are still being reviewed. He reported that Vice President Irma Archuleta is working to organize a workshop with UC to make it easier for students to transfer to UC colleges. He commended the EVC student newspaper for its focus on student issues. He reported that he and Mr. Casas attended a meeting at the VTA headquarters where they
discussed the possibility of implementing VTA here at the campuses. There is a huge need to have the buses come to the colleges more frequently. He hopes to get funding for students that will enable them to utilize the VTA ecopass.

b. Chancellor

Chancellor Cepeda reported on her participation in a roundtable on September 20, which was hosted by Google and conducted by Undersecretary Martha Kanter on the issue of workforce development and STEM occupations. On September 13 she attended a meeting of the Carmen Castellano Foundation launch event as this philanthropic organization shifts the reins of control to a new generation of philanthropists; namely, the Castellano siblings. On September 28 she attended her second Human Relations Award breakfast promoted by the County of Santa Clara Office of Human Relations. The keynote speech was given by Luis Valdez, who founded the El Teatro Campesino in 1965 documenting and committing to memory the struggle of the Great Delano Grape Strike in California, the Cesar Chavez UFW struggle and the birth of the Chicano Movement. On Friday, Chancellor Cepeda attended the Silicon Valley Asian Pacific Awards Dinner, in which Trustee Tanaka received the Norman Y Mineta Lifetime Achievement Award. She stated she was never more impressed and honored to learn about the lifetime achievements of Trustee Tanaka, his deep civic involvement and his own amazing journey as one of thousands of Japanese Americans who were interned during World War II. On September 27, Chancellor Cepeda also participated in the active shooter training at EVC. It was noted that while few, if any, students perish from fire and earthquakes, the great majority of student fatalities result from violence on campus. The training taught us about ALICE (Alert, Lockdown, Inform, Counter and Evacuate.) On September 23-25 Chancellor Cepeda participated in her first meeting of the Board of the American Council on Education in Washington D.C. She distributed a brochure from ACE that describes their leadership and advocacy role. On October 3, a representative panel of individuals from the Board’s Student Success Constituent Group presented at the Research and Planning Conference in Orange County, CA; and the presentation was a hit with standing room only.

Chancellor Cepeda stated that if time allows, she will ask Vice Chancellor Coen to provide a report on resource development as part of the Chancellor's report.

c. Presidents

EVC Vice President Henry Gee congratulated Chief Ray Aguirre for organizing the active shooter training. The training included personnel from outside the district, i.e. Eastside Union High School and a representative from the West Valley Police Department; and the training was conducted by members from the San Diego Police Department. All in all, it was a very important training event for the campus. Vice President Gee announced that the accreditation team site visit is scheduled for October 29 and 30. The final report is ready for signature, and the campus is preparing for the visit. Vice
President Gee expressed his pride in the women’s soccer team, which is first in the conference, and the men’s soccer team, which is second in the conference.

SJCC President Kavalier reported on Fall enrollment as of September 17. Headcount and FTS are down by 3%; section count is up by 4%. We anticipate a positive attendance rate. SJCC also participated in the active shooter training. It was an interesting experience as she and Vice Chancellor Coen tried to evacuate the building in high heels. President Kavalier congratulated Trustee Tanaka for receiving the very prestigious Lifetime Achievement Award from the Silicon Valley Asian Pacific American Democratic Club. The accreditation team site visit will be conducted on October 29 and 30. Dr. John Morton and Doug Roberts will participate in the visit. President Kavalier thanked the staff members and constituents groups who worked so hard in preparing the final accreditation follow up report.

d. Constituency Group Representatives

SJCC Associated Students Region IV Chuck Stevens reported on his attendance at the ACJJ conference and other activities of the ASB.

EVC Associate Students External VP Bekki Zarco reported on her participation in the active shooter training session and the importance of preparing students in case such a situation should actually take place on campus. She also reported on the November 2-4 ASB conference.

MSCC President Lauren McKee thanked Mr. Sam Ho and Dr. Tamela Hawley for their work in organizing the RP Conference on strengthening student success. She also reported the MSC group would be having a retreat on Friday, and the topic is civility.

EVC Academic Senate President Eric Narveson stated that although he didn’t attend the active shooter event due to a scheduled conflict, his brother was a victim of a workplace shooting as a first law enforcement responder. It’s important that if such an event ever happens, counseling must be provided to those affected. Mr. Narveson thanked the many people who contributed to the final accreditation follow up report, including Vice Presidents Keith Aytch and Henry Gee, faculty member R.J. Ruppenthal, SLO Coordinator Lynette Apen, and Lisa Kalinda who assisted in putting the documentation together. EVC is now interested in finding some kind of landscaping to put in the area where the temporary buildings have been removed. He suggested having a design contest for students.

SJCC Academic Senate Member Joseph King reported that the AS did approve the final accreditation report and expressed his interest in how the college would participate in following through with this report as it prepares for submission of the next report.
H.  ACTION AGENDA

1.  EVC ACCREDITATION FOLLOW UP REPORT 2012

EVC Vice President Gee stated that at the last board meeting, the draft report and its contents were reviewed with the Board. He stated the final accreditation report incorporates the changes requested at that meeting. He thanked the many people at EVC who helped put this report together, and it is now ready for signature.

M/S/C (Lind/Okamura) to approve the submission of Evergreen Valley College’s Follow-Up Report 2012 to the Accrediting Commission for Community and Junior Colleges.

Roll Call vote was as follows:

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

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

2.  SJCC ACCREDITATION FOLLOW UP REPORT 2012

SJCC President Kavalier also reported that the final accreditation follow up report was ready for signature and submission. She requested the Board approve the report.

M/S/C (Cruz/Lind) to approve the submission of San Jose City College’s Follow-Up Report 2012 to the Accrediting Commission for Community and Junior Colleges.

Roll Call vote was as follows:

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

Advisory votes:
Student Trustee Sieu – aye
Student Trustee Casas - aye
President Fuentes congratulated both colleges for the excellent reports, which reflected the hard work and talent of the faculty, staff, and students.

Chancellor Cepeda thanked the Board for keeping the accreditation work at the center of the board agendas. Dr. Barbara Beno talked with us during the RP Conference and stated how impressed she was with the work being done by our district.

3. DISTRICT TECHNOLOGY PLAN

Dr. Mike Russell, CampusWorks CISCO, reviewed the strategic planning approach and process used to develop the SJECCD Strategic Information Technology Plan. The effort included a 12 member Core Authoring Team and was a three-month process. This living document was the result of a lot of participation, and it’s expected this plan will be reviewed and edited on a continual basis. Dr. Russell stated the plan includes network, hardware, software, and data infrastructure, system and application software and IT governance and organizational structure. The document also outlines the alignment of mission, vision and strategic initiatives.

Trustee Cruz thanked Dr. Russell for the IT newsletter he provided, which was really helpful in understanding the IT direction for the district. This plan helps the Board address the accreditation concern about IT governance. She especially appreciated the shared principles that were outlined in the plan. Hopefully, this plan will allow the district to move forward. Congratulations to the many people involved in producing this document. Trustee Okamura stated the plan was very good in terms of providing baseline, but there could be even more specificity in the document. The definitions could be modernized so they are comparable with what’s used in the community. Also, the plan doesn’t include “what by when.” More bold goals are needed. We use too much paper at board meetings, and we need goals as to when the district goes paperless. What needs to happen culturally for us to make this happen? Students and faculty don’t care about the system, only that they can get the information and data they need. Also, there is a need to create a budget for maintaining state of the art technology over the years. Creating efficiencies in IT should reduce IT costs over time. President Fuentes expressed her interest in understanding how this plan would work for district staff members, who are being asked to do everything with less staff. How is this getting to the classroom? There are real technology needs in instruction. How are we tying it to best practices? Dr. Russell answered that the district needs to be flexible. We are running a service that is in-house, and it’s not 24 hours. Students do things after the Help Desk is closed. After hour work entails using extra contract hours. These details will need to be addressed.

Chancellor Cepeda stated this plan was written as a response to the accreditation concern and needed to be ready for approval by October 15. It is a baseline for moving forward. It will also provide a blueprint so we can spend our bond technology dollars in an adequate manner.

M/S/C (Okamura/Dhillon) to approve the District Technology Plan as submitted.

Roll Call vote was as follows:
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Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lind – aye
Trustee Lease - aye

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

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

Mr. Casey Michaelis, Senior Project Executive, Gilbane Building Company, provided an update on the outreach programs, technology projects planning, design standards, master schedule update, cash flow analysis, and monthly summary report. Mr. Scott Jewel, Program Manager, reported on the master facilities plan for San Jose City College and also provided an update on the Theatre and Vocational and Technology Building construction activities.

Vice Chancellor Smith read each resolution included in H-4, Section B.

M/S/C (Lind/Cruz) to approve:

Issuance of a fee payment to DSA in the amount of $199,520 for the South Campus Development at Evergreen Valley College.

Issuance of an ICA for professional services to support finalization of District Design Standards to HMC Architects in the amount of $245,000.

Issuance of a contract to Radiant Electric, Inc. in the amount of $1,585,000 for the Evergreen Valley College 21kV Electrical Upgrade Project.

Roll Call vote was as follows:

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

Advisory votes:
Student Trustee Sieu – aye
Student Trustee Casas – aye
5. MEASURE G-2004/MEASURE G-2010 CITIZEN’S BOND OVERSIGHT COMMITTEE APPOINTMENT

Vice Chancellor Smith stated the Citizen’s Bond Oversight Committee needed a student representative and recommended the Board approve the appointment of Mr. Michael Casas to serve as a student member of the committee.

M/S/C (Dhillon/Lease) to appoint Mr. Michael Casas as a Student Representative for the Measure G-2004/Measure G-2010 Citizen’s Bond Oversight Committee for a term of two years commencing October 9, 2012.

Roll Call vote was as follows:

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

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

6. MEMORANDUM OF UNDERSTANDING BETWEEN MILPITAS UNIFIED SCHOOL DISTRICT AND SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOR A JOINT-USE 21ST CENTURY EDUCATION SERVICES CENTER

Chancellor Cepeda reported the Board received the draft MOU as a first reading last month. The draft MOU was presented to the SJECCD and MUSD Boards by both herself and Superintendent Matsuoka. We are in the process of scheduling a signing ceremony at a joint board meeting on November 13. Chancellor Cepeda gave a presentation on the MAAS 2010 survey and reviewed the demographics and types of courses the Milpitas community is looking for. Trustee Lind stated the signing of this MOU will send a clear message to the Milpitas community that we are committed to the promises we have made to them. He stated he would be flying back from a business meeting so that he can participate in the joint signing ceremony.

M/S/C (Lind/Okamura) to approve the Memorandum of Understanding (MOU) to develop a Joint-Use 21st Century Education Center with Milpitas Unified School District.

Roll Call vote was as follows:

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

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

7. RESOLUTION IN SUPPORT OF NATIONAL HISPANIC HERITAGE MONTH

Chancellor Cepeda stated the district supports Congressional Law 100-402 which designates September 15 through October 15, 2012, as National Hispanic Heritage Month. Our district has scheduled many events and activities in support of the resolution.

M/S/C (Cruz/Dhillon) to approve Resolution No. 100912-2 in support of National Hispanic Heritage Month.

Roll Call vote was as follows:

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

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

8. RESOLUTION IN SUPPORT OF MEASURE D – INCREASE IN MINIMUM WAGE

Chancellor Cepeda stated the importance of the passage of Measure D as it supports the mission, vision and values statement of SJECCD. Trustee Lind stated that if this measure passes, it will dramatically change the lives of those who attend our colleges. We need to help on this campaign.

M/S/C (Lease/Okamura) to approve Resolution No. 100912-3 in support of Measure D – Increase in Minimum Wage.

Roll Call vote was as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lind – aye
Trustee Lease - aye
Advisory votes:
Student Trustee Sieu – aye
Student Trustee Casas - aye

I. INFORMATION AGENDA

As part of the Chancellor’s oral report, Vice Chancellor Coen provided a brief presentation on the district’s activities regarding resource development.

1. TECHNOLOGY UPDATE

Dr. Mike Russell, CampusWorks CISCO, thanked the Board for approving the District Technology Plan and the contract with Konica, which will address the reprographic needs of the district. Currently, the district has 49 different models of large copier/printer.s. Having a contract that provides equipment and service options with one vendor would incur cost savings as well as increase efficiencies in this area.

2. LEGISLATIVE UPDATE

Ms. Rosalie Ledesma, Executive Director of Governmental and External Relations, provided an update of the key legislation impacting community colleges that was signed by the Governor, including SB1456 Student Success Act and SB1539 Textbooks.

J. CONTINUATION OF CLOSED SESSION

No.

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

L. ADJOURNMENT

The meeting adjourned at 8:57 p.m.

Rita M. Cepeda, Secretary
Board of Trustees