A. CALL MEETING TO ORDER

President Cruz called the Regular Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, March 12, 2013, at 4:30 p.m. at the District Office Board Room, 4750 San Felipe Road, San Jose, CA 95135.

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

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

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

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

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

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

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

E. RECONVENE INTO OPEN SESSION

The public session was reconvened at 6:00 p.m.
Minutes of March 12, 2013, Governing Board Meeting

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Ms. Wendy Ho
Mr. Craig Mann
Mr. Rudy Nasol
Mr. Mike Casas
Mr. Shawn Sieu-Nguyen

Board Members Excused:
None

1. **PLEDGE OF ALLEGIANCE**

   Student Trustee Casas led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. **ADOPTION OF AGENDA**

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

   Corrections were made to the Consent Agenda.

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

   No reportable actions were taken in Closed Session.

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

   The Board heard a public comment from EVC Student Trustee Shawn Sieu-Nguyen, who spoke in honor of an EVC student and member of the Associated Student Board, Yesenia Garcia, who died due to a tragic accident. She was loved and respected by her fellow students, and was about to be married. He asked for a moment of silence at the meeting. President Cruz honored this request, and a moment of silence was held in honor of Yesenia Garcia.

   SJCC Student Dontica Hankins apologized to Lincoln High School, San Jose City College and the district for the incident that took place during the Thanksgiving Day football game at San Jose City College. He stated he learned from the incident and promised it would never happen again. Mr. Hankins was accompanied by Coach Carr at the podium.

5. **APPROVAL OF THE FEBRUARY 26, 2013, GOVERNING BOARD MEETING MINUTES**

   M/S/C (Lease/Nasol) to approve the above listed meeting minutes as amended:

   Trustee Ho made the following correction: On page 5 of the February 26 minutes,
"financial aid" was changed to "deferred action" in her report so that the sentence reads: "Congresswoman Lofgren is interested in conducting a workshop on one of our campuses about the deferred action application process.

Trustee Nasol requested an addition on Page 26, Item Number 3. He wanted the minutes to reflect that he had raised a question about the budget allocation for the Votech project.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

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

Item F-4, 2 – Per request of the employee, the separation date for Lynch, Beverly was changed from 06/30/13 to 05/31/13.

Item F-5, c – The location for Work Study Programs (WIN/CalWorks) Newhall, Melanie was corrected from SJCC to EVC.

2. FACULTY PERSONNEL ACTIONS – REGULAR

The Board approved the Faculty Personnel Actions as submitted.

3. MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management Personnel Actions as submitted.

4. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified Personnel Actions as amended.

5. HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS

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

6. RATIFICATION OF CONTRACTS AND PURCHASE ORDERS

The Board ratified the contracts and purchase orders for the period of December 10, 2012, through February 9, 2013.

7. CURRICULUM RECOMMENDATION FOR SAN JOSE CITY COLLEGE

The Board approved the new courses proposed by San Jose City College.
8. **MEMO OF UNDERSTANDING BETWEEN PUENTE PROJECT AND SAN JOSE CITY COLLEGE**

The Board approved the Memo of Understanding between the State Puente Project and San Jose City College.

9. **FINAL PAYMENT ON LATE INVOICE FOR EMERGENCY WORK DUE TO EVERGREEN VALLEY COLLEGE POWER OUTAGE**

The Board approved the final payment on a late invoice for the emergency work of Cupertino Electric, Inc. during the Evergreen Valley College power outage.

G. **ORAL COMMUNICATIONS**

a. **Board of Trustees**

SJCC Student Trustee Casas reported that SJCC and EVC students voted unanimously to approve the VTA Eco pass. He also reported that 70 students attended the March in March in Sacramento, which indicates the enthusiasm of our students. Student Trustee Casas attended legislative visits organized by Executive Director Rosalie Ledesma and visited Senator Jim Beall. He thanked the campus for the many activities it held in honor of Black History Month. Student Trustee Casas thanked Romero Jalomo for his dedication and contributions to the college.

EVC Student Trustee Sieu-Nguyen reported on the student vote regarding the VTA Eco pass. Seventy-two percent of students voted in favor of the student fee, and the remainder had no response. He stated the item would move forward to the Board of Trustees in time for the fee to be set up with Admissions and Records.

In response to Student Trustee Sieu-Nguyen’s report, Chancellor Cepeda stated that there is a timeline for the Board to approve student fees. In this case, it was the request of students to have this special transportation fee approved by the Board in time to have it implemented in the Fall. However, the district will need to review regulations for when and how this is to be implemented.

Trustee Nasol, Chair, Board Audit Committee, reported on the Board Audit Committee meeting held on March 7. He stated that Crowe Horwath provided the results of their review of expenses incurred by the Board of Trustees and Chancellor for the year ended June 30, 2012. For the second year in a row, their review did not find any discretionary expenses for the year ended June 30, 2012 that were for an improper business purpose or did not comply with Board approved administrative policies for Purchasing and Procurement Care Procedures or with the Board Policy for Travel. The committee also received information on the next audit cycle. Trustee Nasol stated the Board Audit Committee requested a very thorough and expanded audit of the bond projects.
Trustee Balbir Dhillon, Chair, Board Land Development Committee, reported that the committee will have its next meeting tomorrow, March 13. He stated the Board is receiving information about the 27 acres available to the district for sale and leasing purposes. He thanked the staff for their hard work in organizing the meetings and preparing the information.

President Mayra Cruz, Chair, Board Student Success Committee, announced that the next meeting will be held on Wednesday, April 10, 5:00 p.m. at the SJCC Technology Center. The committee continues to refine its metrics and is considering ways to establish the baseline. The discussion will continue on how to develop strategies for achieving student success and to review what the state is doing. We want to communicate with our legislators our concerns and the values we hold for our students. With that in mind, our district will develop our own legislation to get more student focus incorporated into our state laws. Also, our district has strong concerns about how we will tie our budget to student success goals and initiatives.

Trustee Ho reported on her attendance at the Community Dialogue on Comprehensive Immigration Reform event held at San José City College on Saturday, March 2. It was very exciting to see such a great gathering of folks coming together on an issue that affirms our district’s commitment to opportunity, equity and social justice.

President Cruz thanked President Kavalier and her staff for the work they did in hosting the March 2 immigration reform forum on the SJCC campus. It was a great opportunity to engage the community in our discussions on the actions we will take. At this meeting, the Board will be asked to approve a resolution in support of comprehensive immigration reform. Our district will take action by helping to draft the reform policy. A lot of information was shared at the forum that will now be distributed throughout the Bay Area. President Cruz also announced that at the next Foundation Board Meeting, scheduled for March 28, the Foundation Board will discuss having a joint meeting with the SJECCD Board. The Foundation Board is also planning a Bridge to the Future 2013 event for August, and further information will be provided as the details are finalized.

b.  Chancellor

Chancellor Cepeda reported on some key activities of the district, which were outlined in her Chancellor’s Report message sent to all district employees. In particular, she provided an overview of the Board Study Session on February 12, in which the Board discussed training and other tools that would enable them to perform better as trustees. She also reviewed the District Redesign and Restructuring project currently underway, the strategic planning process, and the work of the Civility Task Force and Student Success Committee.

c.  Presidents

EVC President Yong reported on the ALICE (Awareness, Lockdown, Inform, Counter and Evacuate) Train the Trainer workshop held on the EVC campus
on March 7 and 8. Other groups were also invited to participate, and the event was very well received. Three Bay Area news media were present to record the event.

SJCC Vice President Elaine Burns thanked Trustees Cruz, Fuentes and Ho for hosting and participating in the community forum on immigration reform that was held on the campus on March 2. It was a very powerful forum, and many participants left with an understanding of the next steps we all need to take. She also thanked SJCC student government for their participation in the Black History Month events.

d. **Constituency Group Representatives**

SJCC Associated Students Region IV Chuck Stevens reported on the work the senate is doing regarding the AS bylaws, which will be sent to the Board for approval at the next meeting.

MSCC President Lauren McKee congratulated Romero Jalomo for his promotion, although it is sad he is leaving the district. He thanked him for his contributions to the college and the hard work he did on behalf of MSC members.

SJCC Academic Senate President Heimler also thanked Romero Jalomo for his work on behalf of the college. He had the pleasure of working with him on the Achieving the Dream task force and other important initiatives on behalf of students. Dr. Jalomo is a true educator at heart, and it’s been a pleasure to work with him.

EVC Academic Senate President Eric Narveson also stated it was a pleasure working with Dr. Jalomo, and he will be greatly missed by the district. Mr. Narveson stated the campus is holding many events in support of Women’s History Month, and he encouraged everyone to review the college website to see which of these events they would like to attend. EVC continues its work on SLO’s and is looking for ways to institutionalize the SLO process. The Academic Senate is currently holding elections for faculty to serve one-year terms.

FA President David Yancey reported on the FA’s attendance at the March 2 immigration reform forum. The event was very impressive and is important for our students because we want to teach them how to become good citizens.

CSEA Vice President David Micetich reported on CSEA’s concerns that the district’s redistricting/restructuring plan announced by the Chancellor would be done in the right way. CSEA members want to be included in the process in a way they weren’t the last time the district reviewed positions that were targeted for layoff.
H. ACTION AGENDA

1. LIBRARY SYSTEM REFRESH

Dr. Mike Russell, CampusWorks, Inc., CISO stated the importance of the district updating its library system, which was purchased in 1994. The updated system will provide a new platform for the district to provide advanced services for students. This upgrade will be funded through bond money. Dr. Russell introduced members of the library staff to discuss the benefits the new upgrade would provide. Linda Meyer and Robert Wing, SJCC Librarians, Joseph King, SJCC Library Coordinator, and Lorena Mata, EVC Librarian, discussed how the new upgrade would allow students to better conduct research through enhanced search functions, pay fees remotely, and assist staff in streamlining its processes.

Trustee Lease stated the importance of these upgrades as it allows the district the ability to eliminate roadblocks for our students, which is in line with our commitment to student success and achievement.

M/S/C (Nasol/Casas) to approve a purchase of a library system refresh from Innovative Interfaces in the amount of $339,076.

2. MEASURE G-2010 BOND PROGRAM: CHANGE ORDER #001 WITH BHM CONSTRUCTION, INC. IN THE AMOUNT OF $15,490 FOR THE EVERGREEN VALLEY COLLEGE (EVC) INTERIM POLICE FACILITY & G-2010 OFFICES

Mr. Mark Miller, Gilbane Project Manager, reviewed the Change Order for the EVC Interim Police Facility and Measure G-2010 Project Offices. He reviewed the additional work required that would be covered by this change order.

M/S/C (Nasol/Dhillon) to approve Change Order #001 to BHM Construction, Inc., in the amount of $15,490 for the Evergreen Valley College Interim Police Facility & G-2010 Offices.

3. MEASURE G-2010 BOND PROGRAM: PROJECT ASSIGNMENT AMENDMENT (PAA) REVISION #002 WITH AEDIS ARCHITECTS IN THE AMOUNT OF $7,579 FOR THE EVERGREEN VALLEY COLLEGE (EVC) CENTRAL PLANT AND POLICE STATION RENOVATION

Mr. Mark Miller, Gilbane Project Manager, reviewed the contract amendment with Aedis Architect. As part of the permit approval process, the City of San Jose Police Department required the installation of a fire hydrant, fire access road and a temporary “hammerhead” turn-around for fire trucks that could be removed once the permanent fire lane is extended to the South Campus Development.

Trustee Nasol stated the importance of the district to work with public safety officials in terms of the location of fire hydrants and to ensure they have proper access to our buildings in case of an emergency.

M/S/C (Nasol/Lease) to approve PAA Revision #002 to Aedis Architects in the amount of $7,579 for the Evergreen Valley College (EVC) Central Plant and Police
Station Renovation, Project #32306.

4. **MEASURE G-2010 BOND PROGRAM: DESIGN SERVICES AGREEMENT WITH MARCY WONG DONN LOGAN ARCHITECTS FOR ARCHITECTURAL DESIGN & CONSTRUCTION PHASE ADMINISTRATION AT SAN JOSE CITY COLLEGE (SJCC) THEATER & VOCATIONAL TECHNOLOGY PROJECT**

Mr. Casey Michaelis, Sr. Project Executive, Gilbane Building Company, provided an overview of the contract with Marcy Wong Donn Logan Architects for the Theater and Vocational Technology Project at San Jose City College.

Trustee Nasol expressed concern that the agreement does not provide information on what the project looks like in terms of the schematic design or what the budget looks like. The Board deserves to see what the total budget is for this project. Also, it’s not clear what the timeline is for the construction of this facility and its impact on the rest of construction at the college. SJCC Academic Senate President Heimler commented that the Academic Senate was not adequately included in the decision-making process for this project. He expressed concern that the language of this contract is not in line with the language outlined in the bond and project list, i.e. changing the original bond language from theatre to a Media Arts Center and Vocational Technology Building. He stated that the college facilities planning and program review process was not followed by the campus. He also stated that the college facilities committee meetings and minutes of the meetings were not properly posted; therefore, faculty did not have enough opportunity to provide input. The Media Center does not support an existing educational program and vocational/technical faculty has been negatively impacted. He asked the Board to delay approval of this item until faculty was included in the process. Trustee Fuentes requested the item be tabled until President Kavalier and Vice President Nelson were present to answer the questions brought up at the meeting. She also stated the importance of hearing further information about what is happening at San José City College from the perspective of the Academic Senate. Chancellor Cepeda answered that it is clear the Board wants more information. What is not clear is an understanding of what would be enough information. In this case, it is clear the Board wants more information about the review process used at San José City College; and that information will be provided, but not in the context of comments made by an individual faculty member.

M/S (Nasol/Fuentes) to table the item until the next board meeting. Trustee Dhillon voted yes. Trustees Lease, Ho, Cruz and Mann voted no. Motion failed.

M/S/C (Lease/Mann) to approve the Agreement with Marcy Wong Donn Logan Architects for architectural design & construction phase administration at San Jose City College (SJCC) Theater & Vocational Technology Project. Trustees Fuentes, Nasol and Dhillon voted no. Motion passes.

Although the Board approved the item, President Cruz requested on behalf of the Board that answers to the questions asked at today’s meeting be provided on or before the April 9 meeting.
5. **MEASURE G-2010 BOND PROGRAM: PROJECT ASSIGNMENT AMENDMENT (PAA) SAN JOSE CITY COLLEGE (SJCC) – 01 JONI L. JANECKI ASSOCIATES FOR THE CAMPUS SITE IMPROVEMENTS, LANDSCAPE MASTER PLANNING AND PRE-DESIGN SERVICES**

M/S/C (Mann/Ho) to approve the Project Assignment Amendment with Joni L. Janecki Associates in the amount of $117,600 for the Campus Site Improvements Design Services at San Jose City College.

6. **DISTRICT BUDGET TRANSFERS AND REVISIONS – RESOLUTION NO. 31213-1**

M/S/C (Mann/Dhillon) 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.

7. **NATIONAL WOMEN’S HISTORY MONTH – RESOLUTION NO. 31213-2**

Chancellor Cepeda stated the colleges are hosting many events in support of Women’s History Month. She recommended the Board adopt this resolution in alignment with the district’s values of opportunity, equity and social justice.

M/S/C (Nasol/Fuentes) to adopt Resolution No. 31213-2 in support of March 2013 as National Women’s History Month.

8. **CITIZENSHIP FOR ASPIRING CITIZENS OF THE UNITED STATES – RESOLUTION NO. 31213-3**

Chancellor Cepeda stated this resolution reflects the district’s commitment to comprehensive immigration reform that was discussed during the March 2 forum at San Jose City College. She thanked the Faculty Association for their work in developing the resolution for the Board to approve. FA President Yancey stated his appreciation that the district is moving forward with this resolution now. If we don’t state it, our legislators will do what is convenient for them; and we want action now. FA Executive Director Hanfling requested that the approved resolution be sent out so other institutions will take similar action. President Cruz stated that there is imbedded action required by the district included in the resolution. It’s important to move forward with this work.

M/S/C (Dhillon/Ho) to adopt Resolution No. 31213-3 Citizenship for Aspiring Citizens of the United States.

I. **INFORMATION AGENDA**

1. **CAMPUSWORKS, INC. PRESENTATION**

Ms. Liz Murphy, CEO, CampusWorks, Inc., provided a progress report of CampusWorks activities since they began their work with the district. She reviewed the problems with the IT infrastructure that required immediate stabilization. The
backup systems were not operational, the phone system didn’t adequately support staff and the servers kept crashing. These critical issues required immediate action; and the CampusWorks team, led by Dr. Mike Russell, worked with the district ITSS team and college IT teams to address the infrastructure problems. Ms. Murphy reported the progress made in educating the IT Steering Group led the district to a path to sustainability. She reviewed a timeline for projects related to network and hardware infrastructure. She also reviewed the bond support for technology projects which impact student success, productivity and business continuity and infrastructure. Ms. Murphy reviewed critical steps to building a sustainable IT organization, including a review of peer institutions’ best practices, review of historical staffing of ITSS in the district, identification of critical IT positions needed in the next three years, knowledge transfer, training and the posting of open IT positions written in a way that reflects the current and future needs of the district. She also reviewed the CISO priorities and the progress to date, which included the development of a master technology plan.

Trustee Fuentes expressed her concerns related to IT staffing. ITSS has definitely suffered due to a lack of senior leadership and budget cuts that led to a reduction of support staff. Our district is located in the middle of the Silicon Valley, yet we have major staffing needs. Ms. Murphy agreed that the district was negatively impacted by not having a CIO. Also, as CampusWorks works with district IT staff on improving the infrastructure and updating IT systems, there will need to be adequate staff in place, who are properly trained to sustain that work. Trustee Dhillon stated that there should be some areas where the district can save money. Ms. Murphy answered that the district has already saved money through the district-wide proposal to replace printers and copiers. Chancellor Cepeda stated that it would be her responsibility to make recommendations to the Board as part of the restructuring and organizational redesign process. There are multiple competing priorities, but this is part of the work the Board has charged her to bring forward.

2. LEGISLATIVE UPDATE

Chancellor Cepeda reviewed a Federal Update/Legislation report that was compiled by Executive Director Rosalie Ledesma. Some issues she reported on included: the Obama administration’s 2014 Fiscal Budget delay until April, President Obama’s proposal to overhaul Accreditation, and the latest news on immigration reform.

3. STUDENT SUCCESS UPDATE

This update was provided during Board President Mayra Cruz’s report on the work of the Student Success Committee.

4. MEASURE G-2010 BOND PROGRAM: MEASURE G-2010 SUMMARY REPORT

Mr. Mark Miller, Gilbane Program Manager, reviewed the Measure G-2010 Summary Report.

5. MEASURE G-2010 BOND PROGRAM: FACILITY MASTER PLAN/MEASURE G-2010 PROGRESS REPORT AT EVERGREEN VALLEY COLLEGE
Mr. Mark Miller, Gilbane Program Manager, and EVC Vice President Henry Gee presented on Evergreen Valley College’s facility master plan and Measure G-2010 progress report. Projects reviewed included: Energy Efficiency Photovoltaic, Central Plant and Police Renovation, Interim Police Housing & Measure G-2010 Offices, South Campus Development, Automotive Technology, Engineering and Technology, Administrative/Student Support Services. They also reported on scheduled maintenance projects, such as 21kV Replacement Project, Gullo Student Center Exterior Renovation and Mechanical, Electrical and Plumbing Repairs & Upgrades.

Trustee Nasol inquired if the solar array project at EVC generated any savings so that the cost would eventually be paid back to the college. Mr. Miller answered that there is information, but he did not have that available for the meeting. Trustee Nasol also inquired about the delineation between Measure G-2004 and Measure G-2010 projects. He was informed projects couldn’t be co-linked between those two bonds. In particular, he inquired about the new Fitness Center as part of the South Campus development. Mr. Miller answered the Fitness Center was defunded in Measure G-2004. Trustee Nasol requested the Chancellor report back to the Board regarding his concerns that the district is shifting funds from one bond to another. Vice Chancellor Smith answered that the Board will be provided the project lists for their approval.

6. **MEASURE G-2010 BOND PROGRAM: SCHEMATIC DESIGN PRESENTATION FOR THE SOUTH CAMPUS DEVELOPMENT AT EVERGREEN VALLEY COLLEGE**

Representatives from HMC Architects, Mr. Ric Mangum, Principal, Ms. Donna Barry, Design Architect and Mr. Marco Blagojevic, Design Architect, provided a schematic design overview of the EVC South Campus Development Project.

Trustee Nasol expressed hope that the students, staff and faculty, and all end users are being consulted and that their input is being reflected in the schematic design. He also stated he would like to know how the Measure G-2004 renovation funds are being utilized. He is requesting to see how these funds are moving around between projects. EVC Academic Senate President Narveson stated that end users have been and continue to be consulted. There have been around eight to twelve meetings where this information has been provided, and this is the second time he has seen this presentation. The feeling is the end users are being asked to tell the architects what they want, and the work is beginning from that process.

7. **BOARD TRAINING AND DEVELOPMENT STUDY SESSIONS: SUMMARY AND OUTCOMES**

Chancellor Cepeda reviewed a draft Board Training and Development Program, which resulted from the requests made by Trustees at the February 12 Study Session. She asked Board members to review the draft plan and send her any additional requests and input so it could be presented to the Board for approval in April.

Chancellor Cepeda also reviewed a draft calendar of board meetings, which includes the topics, study sessions and important dates of interest to the Board of Trustees. Trustee Ho requested that special appreciation dates and months,
Minutes of March 12, 2013, Governing Board Meeting

including resolutions be added to that calendar.

J. CONTINUATION OF CLOSED SESSION

No.

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

L. ADJOURNMENT

M/S/C (Nasol/Dhillon) to adjourn the meeting at 10:40 p.m.

Rita M. Cepeda, Secretary
Board of Trustees