

**WEST VALLEY-MISSION  
COMMUNITY COLLEGE DISTRICT  
BOARD OF TRUSTEES MEETING**

**APRIL 15, 2004**

**West Valley College  
14000 Fruitvale Avenue, Saratoga, CA 95070**

|                  |                       |                    |
|------------------|-----------------------|--------------------|
| <b>5:30 p.m.</b> | <b>Public Session</b> | <b>Baltic Room</b> |
| <b>5:35 p.m.</b> | <b>Closed Session</b> | <b>Baltic Room</b> |
| <b>7:00 p.m.</b> | <b>Public Session</b> | <b>Board Room</b>  |

|            |   |             |
|------------|---|-------------|
| <b>1.0</b> | <b>CALL TO ORDER - PUBLIC SESSION</b>   | <b>Page</b> |
| 1.1        | Roll Call   | Oral        |
| <b>2.0</b> | <b>ADJOURN TO CLOSED SESSION</b>  |             |
|            | Conference with Labor Negotiator Pursuant to Government Code 54957.6  |             |
|            | - Provide direction to Dave Fishbaugh, negotiator, regarding negotiations with ACE  |             |
|            | - Provide direction to Sandi Dillon, negotiator, regarding negotiations with SEIU, Teamsters, POA, and unrepresented employees  |             |
|            | Public Employee Discipline/Dismissal/Release (Government Code 54957)  |             |
|            | Conference with Legal Counsel – Anticipated Litigation  |             |
|            | - Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9 (One case)  |             |
|            | Unlawful Discrimination Complaint Appeal Pursuant to Government Code 59338  |             |
| <b>3.0</b> | <b>RECONVENE PUBLIC SESSION</b>   |             |
| 3.1        | Pledge of Allegiance  | Oral        |
| 3.2        | Report of Closed Session Action   | Oral        |
| 3.3        | Approval of the Order of the Agenda   | (A) Oral    |
| 3.4        | Approval of Minutes of the March 10, 2004, Special Meeting and the March 18, 2004, Regular Meeting  | (A)         |
| 3.5        | Presentations/Recognitions  | (I) Oral    |
| 3.6        | Oral Communications From The Public<br>This portion of the meeting is reserved for persons desiring to address the Board on any matter <u>not</u> on the agenda. No action will be taken. | (I) Oral    |
| 3.7        | Written Communications From the Public  | (I)         |

**(A) = Action    (I) = Information**  
**\*In compliance with the Americans with Disabilities Act, individuals needing special accommodations should contact the Chancellor's Office at 408-741-2011 one week prior to the meeting date.**

- 3.8 Mission College Update (**Chong**) (I)
- 3.9 West Valley College Update (**Jensen**) (I)
- 3.10 Vice Chancellor's Report (**Lewis**) (I) Oral
- 3.11 Chancellor's Update (**Arterberry**) (I) Oral

**APPROVAL OF CONSENT AGENDA ACTION ITEMS** (A)

Action items will be acted upon in one motion unless they are removed from the Consent Agenda. Information items will not be discussed unless they are removed from the Consent Agenda.

**4.0 COLLEGES, PROGRAMS, AND SERVICES**

- 4.1 CONSIDER APPROVAL OF CURRICULUM CHANGES AT WEST VALLEY COLLEGE (A)  
 Recommendation: That the Board of Trustees approves the curriculum changes at West Valley College as presented.

**5.0 HUMAN RESOURCES**

- 5.1 PERSONNEL TRANSACTIONS TO BE ACTED UPON BY THE BOARD OF TRUSTEES (A)  
 Recommendation: That the Board of Trustees approve the following items.

**Changes**

- a. Change Position ID# 138210.
- b. Change Position ID# 138220.
- c. Jan Rumore, Human Resources, WVMCCD.

**Reassignments**

- a. Calvin Baker, Facilities, WVMCCD.
- b. Melissa De Los Reyes, Admissions & Records, Mission College.

**Internal Classified Administrative Appointments**

- a. Linda Francis, Administrative Services, WVMCCD.
- b. Fred Chow, Information Systems, WVMCCD.

**Internal Classified Appointments**

- a. Shoshana Paster, Child Development Center, Mission College.

**External Classified Appointment**

- a. Denise Prucey, Student Health Center, Mission College.

**Classified Administrative Resignation**

- a. Ingrid Thompson, Contract Education, Mission College.
- b. Corri Cooper, Staff Development, WVMCCD.

**Classified Leaves of Absence**

- a. Yalem Lakew, Campus Center, West Valley College.
- b. Richard M. Smith, Facilities, WVMCCD.

**Hourly Classified Ratifications**

Part-time, hourly student, and volunteer employees as listed on Exhibit A.

**Academic Banked Leave**

- a. Minda Kraines, Physical Education, Mission College.

**Academic Leaves of Absence**

- a. Julaine Rosner, Instructor, ESL, Mission College.
- b. Tina Golaw, Instructor, English, West Valley College.

**39-Month Reemployment List**

a. Cherleen Pearce, Instructor, English, West Valley College.

**Emergency Hire Ratifications**

Part-time academic "Emergency Hire" exceptions as listed in Exhibit B.

Part-time academic employees as listed in Exhibit B.

**6.0 BUSINESS AND FINANCE - CONSENT AGENDA**

6.1 REVIEW OF PURCHASE ORDER TRANSACTIONS (I)  
Education Code Section 81656 states that the Board of Trustees of a community college district review the purchases of the district.

6.2 REDEVELOPMENT CONSULTING SERVICES (I)  
This is an information item to inform the Board of the District's intent to research whether the District is getting the correct tax increment and pass through entitlements from Redevelopment Agency project areas in the District.

6.3 RATIFICATION OF VENDOR WARRANTS (A)  
Recommendation: That the Board of Trustees ratify vendor payments from January 1, 2004 through February 29, 2004, Datatel warrant numbers 68,181-70,893 totaling \$8,099,872.45.

**REGULAR ORDER OF AGENDA**

**COLLEGES, PROGRAMS, AND SERVICES**

**HUMAN RESOURCES**

5.2 TENURE - WEST VALLEY COLLEGE (A)  
Recommendation: That the Board of Trustees approve the following twelve (12) faculty members to be granted tenure effective in the 2004-2005 academic year: Robert Anthony, Heidi Brueckner, Janine Gerzanics, Tommy Gibson, Robert Lopez, Leslie Pano, Carol Pavan, Michelle Reed, Nancy Romer, Woo Shin, Susan Smith, and Peter Svensson.

5.3 PUBLIC HEARING ON SEIU, LOCAL 715, 2004-05 (A)  
NEGOTIATION PROPOSALS  
Recommendation: That the Board of Trustees conduct a public hearing on the proposals Articles 1-26 inviting public comment, close the hearing, and adopt the proposals.

5.4 ACCEPT THE DISTRICT 2004-05 NEGOTIATION (A)  
PROPOSALS AND SET A PUBLIC HEARING - TEAMSTERS  
(SUPERVISORS' UNIT)  
Recommendation: That the Board of Trustees accept the proposals and set a public hearing on May 6, 2004 to allow the public the opportunity to express itself in accordance with Government Code Section 3547.

5.5 RATIFICATION OF THE DISTRICT AND ASSOCIATION (A)  
OF COLLEGE EDUCATORS (ACE) 2002-2005 COLLECTIVE  
BARGAINING AGREEMENT  
Recommendation: That the Board of Trustees approve the proposal as presented at the April 15, 2004 Board of Trustees meeting.

**BUSINESS AND FINANCE**

6.4 2006-2010 FIVE-YEAR CONSTRUCTION PLAN (A)  
Recommendation: That the Board of Trustees approve the 2006-2010 Five Year Construction Plan for submittal to the State Chancellor's Office.

- 6.5 APPROVAL OF CHANGE ORDER PACKAGE NO. 6, FOR THE SCIENCE AND TECHNOLOGY COMPLEX PROJECT AT MISSION COLLEGE (A)  
 Recommendation: That the Board of Trustees approve Change Order Package No. 6 with Lathrop Construction Associates, totaling \$58,020, for the Science and Technology Complex project at Mission College. The revised contract amount with Lathrop Construction Associates is \$10,158,050.
- 6.6 APPROVAL OF CHANGE ORDER PACKAGE NO. 1, FOR THE ASTRONOMY LIGHTING PROJECT AT WEST VALLEY COLLEGE (A)  
 Recommendation: That the Board of Trustees approve Change Order Package No. 1, totaling \$8,334.67, with Moore Construction for the Astronomy Lighting Project at West Valley College. The revised contract amount with Moore Construction is \$221,334.67.
- 6.7 ACCEPT BASIC CONTRACT AS COMPLETE: BID #05-0203 WEST VALLEY COLLEGE, REPLACE ASTRONOMY LIGHTING (A)  
 Recommendation: That the Board of Trustees accept the basic contract with Moore Construction as complete and authorize the District to file a Notice of Completion.
- 6.8 AWARD OF BID FOR THE DISTRICT FINANCE BUILDING IMPROVEMENTS (A)  
 Recommendation: That the Board of Trustees approve Raphael Construction Co., as the low responsive bidder, award the bid in the amount of \$32,783, and reject all other bids.
- 6.9 HEALTH FEE INCREASE (A)  
 Recommendation: That the Board of Trustees approve a \$1 increase in Student Health Fees effective Summer 2004. New fees would be \$13 per semester and \$10 for summer session.
- 6.10 THE SANTA CLARA COUNTY CalWORKs INCENTIVE FUNDING JOB TRAINING AND PRE-JOB READINESS SERVICES PROJECT (A)  
 Recommendation: That the Board of Trustees approves the contract with the Santa Clara County Department of Social Services CalWORKs program to serve CalWORKs clients by providing two service components: short-term vocational training in demand occupations for learning disabled and slow learners, and pre-job readiness workshops for those clients who are on waiting lists for available services. This item was presented to the Board on March 4, 2004.
- 6.11 BOND COUNSEL AGREEMENT (A)  
 Recommendation: That the Board of Trustees accept the Bond Counsel Agreement proposed by Stradling Yocca Carlson & Rauth.
- 6.12 SELECTION OF BOND UNDERWRITER (A)  
 Recommendation: That the Board of Trustees approve an agreement with UBS Financial Services to provide financial advisory and bond underwriting services. The fee for these services will be 0.5% of the principal amount of any current interest bonds, plus 0.8% of the principal amount of any capital appreciation bonds, plus reimbursement of out of pocket expenses.

- 6.13 BUDGET ADJUSTMENTS (A)  
 Recommendation: That the Board of Trustees approve the budget adjustments as specified herein.
- 7.0 INFORMATION REPORTS**
- 7.1 PARTNERSHIP FOR EXCELLENCE (PFE) REPORT (I)
- 8.0 BOARD**
- 8.1 CALIFORNIA COMMUNITY COLLEGE TRUSTEES (CCCT) BOARD OF DIRECTORS NOMINATIONS – 2004 (A)  
 Recommendation: That the Board of Trustees support the recommendations of the Ad Hoc Board Committee for vacancies on the CCCT Board (herein); and further, that the Chancellor forward the votes to the Community College League office by April 25, 2004.
- 8.2 DISTRICT COMPLIANCE WITH TITLE 5 EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS/FACULTY DIVERSITY (I)  
 This item has been agendaized at the request of the Minority Advocacy Committee.
- 8.3 REVISION OF DISTRICT POLICY MANUAL – CHAPTER 6 (BUSINESS OPERATIONS) – SECOND READING (A)  
 Recommendation: The Chancellor recommends that the Board of Trustees reviews the changes to the fiscal policies included in Chapter 6, chooses the preferred language in “Review of Standards,” and approves the revisions to the District Policy Manual at the Second Reading.
- 8.4 REVISION OF DISTRICT POLICY MANUAL – CHAPTER 6 (BUSINESS OPERATIONS) – FIRST READING (A)  
 Recommendation: That the Board of Trustees discusses the changes to the District Audit policy included in Chapter 6 and recommends any changes in the First Reading, and approves the revisions to the District Policy Manual at the Second Reading.
- 8.5 RESOLUTION NO. 04041501 REGARDING TRUSTEE ABSENCE (A)  
 Recommendation: That the Board of Trustees adopt Resolution No. 04041501 excusing Student Trustee Gagan Singh from attending the March 4, 2004, Board meeting.
- 8.6 New Business – Trustees (I) Oral  
 The Trustees may report at this time on any item not appearing on the agenda.
- 8.7 New Business – Administration (I) Oral  
 The Administrators may report at this time on any item not appearing on the agenda.

**ADJOURNMENT**