

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

DECEMBER 7, 2006

**Mission College
3000 Mission College Boulevard, Santa Clara, CA 95054
Hospitality Management Dining Room**

**5:30 p.m. Public Session
A brief reception will follow the Oath of Office Ceremony
6:00 p.m. Closed Session
7:00 p.m. Public Session**

1.0 CALL TO ORDER - PUBLIC SESSION

- 1.1 Acceptance of the Certified Statement of Votes Cast at the General Election, Declaration of the Final Results of the Election, and the Oath of Office Ceremony (A) Oral

Trustees Jack Lucas and Buck Polk and Trustee-elect Don Cordero will be administered the Oath of Office.

2.0 ADJOURN TO CLOSED SESSION

Conference with Labor Negotiator Pursuant to Government Code 54957.6
- Provide direction to James Andrews/Deanna Mouser, negotiators, regarding negotiations with ACE, SEIU, Teamsters, and POA; and to Stan Arterberry regarding unrepresented groups.

Conference with Legal Counsel - Existing Litigation Pursuant to subdivision (a) of Government Code section 54956.9

- Case Number 105CV034762

3.0 RECONVENE PUBLIC SESSION

- 3.1 Roll Call Oral
- 3.2 Pledge of Allegiance Oral
- 3.3 Report of Closed Session Action Oral
- 3.4 Approval of the Order of the Agenda (A) Oral

(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.**

- 3.5 Election of 2007 Board Officers (A)
 Recommendation: That the Board of Trustees present nominations and elect a President and Vice Present, and appoint a Secretary for the 2007 calendar year; further, that a Trustee Representative to the Santa Clara County Committee on School District Organization also be elected.
- 3.6 Proposed 2007 Board Meeting Schedule (A)
 Recommendation: That the Board of Trustees approve the 2007 Board Meeting schedule as presented.
- 3.7 Approval of the Minutes of the November 16 Regular Meeting (A)
- 3.8 Presentations/Recognitions (I) Oral
- 3.9 Oral Communications from the Public (I) Oral
 This portion of the meeting is reserved for persons desiring to address the Board on any matter not on the agenda. No action will be taken.
- 3.10 Written Communications from the Public (I) Oral
- 3.11 Academic Senate Update (**Buendia-Bangle**) (**Cox**) (I) Oral
- 3.12 Classified Senate Update (**Ludwig**) (**Masury**) (I) Oral
- 3.13 Student Senate Update (**Montoya**) (**Schwabe**) (I) Oral
- 3.14 Mission College Update (**Robles**) (I) Oral
- 3.15 West Valley College Update (**Hartley**) (I) Oral
- 3.16 Vice Chancellor's Report (**Mahrt**) (I) Oral
- 3.17 Chancellor's Update (**Arterberry**) (I) Oral

APPROVAL OF CONSENT AGENDA ACTION ITEMS

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 - Consent Agenda

There are no items.

5.0 HUMAN RESOURCES - Consent Agenda

5.1 PERSONNEL TRANSACTIONS TO BE ACTED UPON BY THE BOARD OF TRUSTEES (A)

Recommendation: That the Board of Trustees approve the following items.

I. Position Action Request

- a. Approve position changes (Attachment A) for WVMCCD.

II. Appointments

Administrative

- a. Javier Castruita, Director, Facilities Construction and Maintenance, WVMCCD.

Supervisors

- b. Maritza Cantarero, Financial Aid Director, West Valley College.
- c. Jennifer Berry-Chan, International Student Services Coordinator, Mission College.
- d. Michelle Donohue, Director, Student Activities and Campus Center, West Valley College.

Classified

- e. Lisa Curiel, Child Development Center, Mission College.
- f. Cathy Aimonetti, Career Programs, West Valley College.

III. Out-of-Class Assignments

- a. Helen Phung, Career Resources Network, Mission College.
- b. Hai Nguyen, Facilities, WVMCCD.
- c. Ryan Macartney, Facilities, WVMCCD.
- d. Joseph Sampson, Facilities, WVMCCD.
- e. Scott Ludwig, Instructional Technology and Services, West Valley College..

IV. Extend Interim Out-of-Class Position

Helen Ostrander, Interim Coordinator, DSPS, Mission College.

V. Academic Retirement

- a. Thomas Gibson, Instructor, Photography, West Valley College.

VI. Academic Pre-Retirement Banked Leave

- a. Elizabeth Cogswell, Instructor, Health Occupations, Mission College.

Hourly Classified Ratifications

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

Associate Faculty

Emergency hires and other associate faculty as listed in Exhibit B.

6.0 BUSINESS AND FINANCE - Consent Agenda

6.1 RATIFICATION OF VENDOR WARRANTS (A)

Recommendation: That the Board of Trustees ratify vendor payments from September 1, 2006 through October 31, 2006; Datatel warrant numbers 125260-129851 totaling \$10,492,965.33.

REGULAR ORDER OF AGENDA

4.0 COLLEGES, PROGRAMS, AND SERVICES

There are no items.

5.0 HUMAN RESOURCES

5.2 RATIFICATION OF THE DISTRICT AND SERVICE EMPLOYEES (A)

INTERNATIONAL UNION (SEIU) (2005-2009) COLLECTIVE BARGAINING AGREEMENT

Recommendation: That the Board of Trustees approve the proposed collective bargaining agreement with SEIU as presented at the December 7, 2006 Board of Trustees meeting.

5.3 APPROVAL OF CONTRACT WITH DR. KIRK AVERY AND PROFESSIONAL PERSONNEL LEASING (PPL) (A)

Recommendation: That the Board of Trustees approve a contract with PPL in an amount not to exceed \$71,844.00 for Dr. Kirk Avery, Interim Vice President, Administrative Services, West Valley College; effective Nov. 21, 2006 up to or through May 10, 2007.

5.4 APPROVAL OF PROFESSIONAL GROWTH AND DEVELOPMENT SALARY INCREMENT AWARDS (A)

Recommendation: That the Board of Trustees award Professional Growth and Development (PG&D) increments to Daniel Guich, effective July 20, 2006, on the basis that the compliance report for him was submitted to the Committee prior to April 7, 2006.

6.0 BUSINESS AND FINANCE

6.2 2005-2006 CCSF311 ANNUAL REPORT (I)

The 311 Annual Financial and Budget Report is used by the State to record annual financial data for all districts. The purpose of the report is to 1) gather detailed financial data for the *Fiscal Data Abstract* report, 2) gather property tax information that is used to recalculate apportionment revenue for the fiscal year, 3) determine whether the District's Gann limit is in the acceptable range, 4) determine whether the District is in compliance with the Fifty Percent (50%) Law and 5) determine lottery proceeds received and how lottery funds were expended.

6.3 AWARD OF BID FOR THE MISSION COLLEGE SCIENCE AND TECHNOLOGY BUILDING ROOF - PAVERS (A)

Recommendation: That the Board of Trustees approve the low, responsible, responsive bidder, and reject all other bids. The bidders and their bids are as follows:

<u>Company</u>	<u>Base Bid</u>
Cramer Partitions	\$182,000
Fernandes & Sons General Contractors	\$215,878

6.4 ACCEPT TWO VTEA MINI-GRANTS TOTALING \$17,000 (A)

Recommendation: That the Board of Trustees accept two VTEA mini-grants, totaling \$17,000, awarded to Mission College from the Bay Area Community College Consortium (BACCC)

6.5 AWARD OF BID#5-0607 - WEST VALLEY COLLEGE INFORMATION SYSTEMS INTERIM HOUSING INCREMENT I (UNDERGROUND UTILITIES AND TRENCHING) (A)

Recommendation: That the Board of Trustees award Bid #5-0607 to the lowest responsible, responsive bidder and reject all other bids. The bid results are as follows:

<u>Company</u>	<u>Base Bid</u>
Swenson & Associates	\$1,074,000
Pacific Underground Construction, Inc.	\$1,177,520
Talus Construction	(bid not accepted-late)

6.6 CARRY-OVER BUDGET ADJUSTMENTS (A)

Recommendation: That the Board of Trustees approve the carry-over budget adjustments as specified herein.

6.7 WEST VALLEY COLLEGE CAMPBELL/SAN JOSE CENTER SUB-LEASE (A)

Recommendation: That the Board of Trustees authorize the administration to complete negotiations with the State Employment Development Department and the State Department of General Services to enter into a three-year sub-lease, pending counsel review, beginning in January 2007, of an approximately 4,330 square foot portion of the Campbell EDD Building, located at 2450 S. Bascom Avenue in San Jose, for the establishment of a West Valley College Campbell/San Jose Center.

- 6.8 FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM (I)
(FCMAT) FISCAL REVIEW REPORT
In August 2006, the District and FCMAT entered into a study agreement to provide a fiscal review of the District. A presentation on the Fiscal Review Report is being presented by a FCMAT representative.
- 7.0 **INFORMATION REPORTS**
- 7.1 ANNUAL DISTANCE LEARNING FISCAL AND STATISTICAL (I)
REPORTS FOR 2005-2006
- 8.0 **BOARD**
- 8.1 REVISION OF DISTRICT POLICY MANUAL - CHAPTER 3 (A)
(HUMAN RESOURCES) WORK AT OFF-SITE LOCATIONS POLICY
- SECOND READING
Recommendation: That the Board of Trustees approve the Second Reading of the Work at Off-site Locations Policy.
- 8.2 PROPOSAL TO INCREASE TRUSTEES' SALARIES (I)
This item is agendized at the request of Trustee Stampolis.
Section 72024 of the Education Code provides for raises for Community College Trustees.
- 8.3 RESOLUTION NO. 06120701 REGARDING TRUSTEE ABSENCE (A)
Recommendation: That the Board of Trustees adopt Resolution No. 0612-701 excusing Trustee Chris Constantin from attending the November 16, 2006, regular meeting.
- 8.4 New Business - Trustees (I) Oral
The Trustees may report at this time on any item not appearing on the agenda.
- 8.5 New Business - Administration (I) Oral
The Administrators may report at this time on any item not appearing on the agenda.

ADJOURNMENT TO FINANCING CORPORATION MEETING
(The agenda follows Page 35 of this packet.)