

**B O A R D O F T R U S T E E S
M E E T I N G**



AGENDA

WEST VALLEY COLLEGE

MARCH 19, 2019

B O A R D O F T R U S T E E S

Anne Kepner · *President*

Susan Fish · *Vice President*

Adrienne Grey

Randi Kinman

Jack Lucas

Robert Owens

Karl Watanabe

Roman Matera · *MC Student Trustee*

Kian Lechner · *WVC Student Trustee*

Patrick Schmitt · *Chancellor*

GUIDELINES FOR PUBLIC PARTICIPATION IN BOARD OF TRUSTEES MEETINGS

The following instructions are intended as a guide for members of the public who wish to address the Board of Trustees. These guidelines are in the interest of giving the Board a fair opportunity to hear a diversity of viewpoints.

1. Oral Communications from the Public (Items Not Listed on the Agenda)

You are asked to sign up at the beginning of the meeting, using the form provided at the entrance to the Board Room, but you are not required to do so. The completed form should be submitted to the Board Clerk. When you make your presentation, approach the podium, wait to be recognized by the President of the Board, and identify yourself and the topic you wish to discuss. Limit your presentation to three (3) minutes.

2. Public Discussion (Items Listed on the Agenda)

We welcome comments from the public specific to items that are part of the Board agenda for that meeting. In fairness to those who wish to speak and as a courtesy to those who have come to listen, we request that you adhere to the following guidelines. If you wish to speak, you are asked to provide a completed form to the Board Clerk, but you are not required to do so. When the Board President opens an item for discussion and calls for speakers, approach the podium, identify yourself, and limit your presentation to three (3) minutes. If you wish to give an opinion which has already been expressed by others, please do not be repetitive. The President may impose additional time limitations on any major discussions involving multiple speakers.

ADJOURNMENT TIME

Pursuant to District Policy, Regular Board meetings will be adjourned not later than 11:00 p.m. unless continued by a majority vote of the Board members present.

DOCUMENTS PROVIDED TO THE BOARD OF TRUSTEES

In accordance with the Ralph M. Brown Act, copies of the staff reports and other materials provided to the Board of Trustees in connection with this agenda are available in the Chancellor's Office, 14000 Fruitvale Avenue, Saratoga, CA, 95070, at the time they are distributed to the Board.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations should contact the Chancellor's Office at 408-741-2011. Notification 24 hours prior to the meeting will allow the District to make reasonable arrangements to ensure accessibility.

(A) = Action (I) = Information

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

TUESDAY, MARCH 19, 2019

West Valley College
14000 Fruitvale Avenue, Saratoga, CA 95070

6:00 p.m.	Public Session	Campus Center Club Room
6:01 p.m.	Closed Session	Campus Center Club Room
7:00 p.m.	Public Session	Board Room

1.0 CALL TO ORDER - PUBLIC SESSION

1.1 ROLL CALL Oral

1.2 ORAL COMMUNICATION FROM THE PUBLIC ON CLOSED SESSION AGENDA

Members of the audience may address the Board on any item listed on the Closed Session agenda. Comments will be limited to three (3) minutes per agenda item, with a total of fifteen (15) minutes of public comment on an item unless waived by the Board.

Oral

2.0 ADJOURN TO CLOSED SESSION

Pursuant to Government Code Section 54956.9(d), subd. (1): Consultation with Legal Counsel on Pending Litigation: One Matter. Title not disclosed to avoid jeopardizing the ability to conclude existing settlement negotiations to the District's advantage.

DIRECTION TO LABOR NEGOTIATORS (Pursuant to Government Code 54957.6) - Provide direction to Associate Vice Chancellor of Human Resources, Albert Moore, and Chancellor Patrick Schmitt, District-designated representatives, regarding negotiations with WVMFT/AFT Local 6554, WVMCEA, Teamsters, and POA; and to Chancellor Patrick Schmitt regarding unrepresented groups.

3.0 RECONVENE PUBLIC SESSION

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 THE MINUTES (A) 6

Minutes of the March 5, 2019, Board of Trustees Meeting
[Minutes Attachment](#)

3.5 PRESENTATIONS/RECOGNITIONS Oral

Educational and Student Services Presentation:
Accreditation and the Board's Role
Presenter: Dr. Leandra Martin

- 3.6 ORAL COMMUNICATIONS FROM THE PUBLIC
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.

Public comments on items on the agenda will be taken at the time the item is discussed by the Board.
- 3.7 WRITTEN COMMUNICATIONS FROM THE PUBLIC Oral
- 4.0 UNFINISHED BUSINESS- There is none.

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.

5.0 COLLEGE PROGRAMS AND SERVICES – Consent Agenda

- 5.1 CONSIDER APPROVAL OF CURRICULUM CHANGES AT WEST VALLEY COLLEGE (A) 12
Recommendation: That the Board of Trustees approve the curriculum changes at West Valley College as presented.
[5.1 CONSIDER APPROVAL OF CURRICULUM CHANGES AT WEST VALLEY COLLEGE](#)

6.0 HUMAN RESOURCES – Consent Agenda

- 6.1 PERSONNEL TRANSACTIONS TO BE ACTED UPON BY THE BOARD OF TRUSTEES (A) 21
Recommendation: That the Board of Trustees approve the listed items.
Appointment(s) Classified
Ricky Salinas, Senior HVAC Mechanic, Range 70, Facilities, WVMCCD, eff. 3.25.19.
Alberto Martinez, Maintenance Electrician, Range 67, Facilities, WVMCCD, eff. 3.25.19.
Transfer(s), Classified
Cherry Lou Escano, WVMCEA Unit, from Enrollment & Financial Services Advisor, Range 57, Admissions & Records, assigned to Mission College, to Enrollment & Financial Services Advisor, Range 57, Financial Aid, assigned to Mission College, eff. 3. 25.19.

7.0 BUSINESS AND FINANCE – Consent Agenda

- 7.1 APPROVAL OF SETTLEMENT AGREEMENT AGAINST THE DISTRICT – (A) 22
CANDELARIA JELINSKI AND MEREDITHE ODOM
Recommendation: That the Board of Trustees approve the Settlement Agreement and Release of Candelaria Jelinski and Meredith Odom claims.
[7.1 ADA settlement agreement](#)

REGULAR ORDER OF AGENDA

5.0 COLLEGE PROGRAMS AND SERVICES

- 5.2 ENDORSEMENT OF LUCIA MORENO FOR CALIFORNIA COMMUNITY COLLEGE CLASSIFIED EMPLOYEE OF THE YEAR AWARD (A) 24
Recommendation: That the Board of Trustees endorse Lucia Moreno, Recruitment Supervisor and Financial Aid Advisor at Mission College, as the West Valley-Mission Community College District nominee for the *Community College Classified Employee of the Year* award sponsored

by the Board of Governors, State Chancellor's Office, and Foundation for the California Community Colleges.

[5.2 ENDORSEMENT OF LUCIA MORENO FOR CALIFORNIA COMMUNITY COLLEGE CLASSIFIED EMPLOYEE OF THE YEAR AWARD](#)

6.0 HUMAN RESOURCES

- 6.2 WEST VALLEY-MISSION CLASSIFIED EMPLOYEE ASSOCIATION (WVMCEA) INITIAL PROPOSALS FOR REOPENER NEGOTIATIONS WITH WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT (I) 26
Recommendation: Government Code Section 3547 requires that all initial proposals in collective bargaining must be presented at a public meeting of the public school employer. The WVMCEA initial proposals to the District for reopener negotiations are being released as a public document.

[6.2 WVMCEA Initial Proposals](#)

- 6.3 WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT INITIAL PROPOSALS FOR REOPENER NEGOTIATIONS WITH THE WEST VALLEY-MISSION CLASSIFIED EMPLOYEE ASSOCIATION (WVMCEA) (I) 28
Recommendation: Government Code Section 3547 requires that all initial proposals in collective bargaining must be presented at a public meeting of the public school employer. The District's initial reopener proposals to the WVMCEA for negotiations are being released as a public document.

[6.3 WVMCCD Initial Proposals to WVMCEA](#)

7.0 BUSINESS AND FINANCE

- 7.2 CITIZENS' BOND OVERSIGHT COMMITTEE ANNUAL REPORT (A) 29
Recommendation: That the Board of Trustees accept the 2018 Citizens' Bond Oversight Committee (CBOC) Annual Report.

[7.2 Annual CBOC report](#)

- 7.3 GOVERNMENT CODE §4217.12 PUBLIC HEARING REGARDING ENERGY CONSERVATION FACILITIES ("ESA Project"); AND RESOLUTION NO. 19031901 RELATED TO SOLAR PHOTOVOLTAIC GENERATING SYSTEMS AT WEST VALLEY COLLEGE AND MISSION COLLEGE (A) 31

Recommendation: That the Board of Trustees Adopt Resolution No. 19031901 relating to the ESA Project; which:

- (1) Describes the ESA Project
- (2) Establishes that costs for District to make electrical power purchase from the public utility service will exceed the cost for electrical power generated by the ESA Project
- (3) Authorizes District staff to develop an Energy Service Agreement for implementing the ESA Project pursuant to

procedures authorized by Government Code §4217.10 et seq.
and for subsequent Board of Trustees review and approval.

[7.3 Solar project - SunPower](#)

[Attach. 7.3 Resolution Solar - SunPower](#)

8.0 BOARD - There are no items.

**9.0 INFORMATION REPORTS AND ITEMS FOR FUTURE
BOARD CONSIDERATION**

9.1 TRUSTEE COMMENTS

(I) Oral

10.0 CONTINUATION OF CLOSED SESSION, IF NECESSARY

11.0 RECONVENE PUBLIC SESSION

11.1 Report of Closed Session Action

Oral

ADJOURNMENT

UNAPPROVED MINUTES OF THE MARCH 5, 2019, BOARD OF TRUSTEES MEETING

ITEM 3.4
ACTION ITEM
MARCH 19, 2019
PREPARED BY: BRENDA ROGERS

1.0 CALL TO ORDER - PUBLIC SESSION

Public session was called to order at 6:00 p.m.

1.1 Roll Call

Present: Board President Anne Kepner, Adrienne Grey, Randi Kinman, Jack Lucas, Robert Owens, Karl Watanabe, and Chancellor Schmitt. Absent: Susan Fish. Student Trustees: Roman Matera and Kian Lechner (7:00)

1.2 Oral Communications from the Public on Closed Session Agenda – There were none.

2.0 ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 6:04 p.m. There was one agenda item:

DIRECTION TO LABOR NEGOTIATORS PURSUANT (Government Code 54957.6)

Provide direction to Associate Vice Chancellor of Human Resources, Albert Moore, and Chancellor Patrick Schmitt, District-designated representatives, regarding negotiations with WVMFT/AFT Local 6554, WVMCEA, Teamsters, and POA and to Chancellor Patrick Schmitt regarding unrepresented groups.

3.0 RECONVENE PUBLIC SESSION

Public Session reconvened at 7:00 p.m.

3.1 PLEDGE OF ALLEGIANCE

All present recited the *Pledge of Allegiance*.

3.2 REPORT OF CLOSED SESSION ACTION

Board President Kepner reported that no action was taken.

3.3 APPROVAL OF THE ORDER OF THE AGENDA

Action Taken:

It was M/S/P 6/0/1 (Owens/Lucas; Ayes: Grey, Kepner, Kinman, Watanabe, Owens, and Lucas; Nays: None; Absent: Fish,) to approve the order of the agenda. Student Trustees: Two yes votes

3.4 APPROVAL OF THE MINUTES

Action Taken:

The following corrections will be made:

Item 9.2, TRUSTEE COMMENTS, – “Former Trustee member Joy Atkins will be celebrating her 97th birthday on Friday, February 22.”

Student Trustee Kian Lechner’s name was misspelled in ‘Roll Call’ and ‘Trustee Comments’ and will be corrected.

The minutes will be changed to reflect that Trustee Kinman was absent.

It was M/S/P 6/0/1 (Lucas/Owens; Ayes: Grey, Kepner, Kinman, Watanabe, Lucas, and Owens; Nays: None; Absent: Fish) to approve the minutes of the February 19, 2019, Regular Meeting.

Student Trustees: Two yes votes

3.5 PRESENTATIONS AND RECOGNITIONS

EDUCATIONAL AND STUDENT SERVICES PRESENTATION

Brad Davis introduced Cade Story Yetto, Tim Kelly and Andy Kindon who then gave a presentation on the Study Abroad trip to Cambodia. The curriculum development and service-oriented hands-on skills to solve complex issues were prepared well in advance, then presented to the students at Doris Dillon Elementary School near Phnom Penh, Cambodia. All presenters agreed the experience was a great learning opportunity.

Tim Kelly shared his scrapbook of photos and documents, and he thanked the Board for supporting the Study Abroad Program. He has seen changes in the Society of Global Citizenship, which has worked with a local foundation attached to high schools in areas of English, Math, Art, etc. Andy Kinson thanked the Board for their support, adding that the WVC students were the leaders in planning over a four-month period. Planning included a great deal of research and collaborative learning, problem solving skills and flexibility. Cade Story Yetto thanked the faculty leaders, Tim Kelly and Andy Kindon.

The group showed an inspirational video produced by a 19 year old student videographer, Zach Hopp. (Zach has since moved to Reno, Nevada for employment in construction.) The group had brought laptop computers with five terabytes of instructional material and resources to give to Cambodian instructors at the Dirs Dillon School. The WVC students taught topics related to famine response, women's health empowerment and rainwater catchment systems (gutters, etc.) for each family of all students at the school. Student Ishi Prabhakar (ASG President) taught the students physical health and first aid.

Cade Story Yetto said a community redevelopment program in Nepal is being planned for next year's study abroad trip. The students would again be looking for support and to contact Cade for more information. Brad Davis congratulated all on the excellent presentation, the students' focus on a service initiative, which in turn enhances student perspective on the world.

3.6 ORAL COMMUNICATIONS FROM THE PUBLIC - There were none.

3.7 WRITTEN COMMUNICATIONS FROM THE PUBLIC - There were none..

4.0 UNFINISHED BUSINESS - There was none.

APPROVAL OF THE CONSENT AGENDA

Action Taken:

It was M/S/P 6/0/1 (Lucas/Matera; Ayes: Grey, Kepner, Lucas, Watanabe, Kinman, and Owens; Nays: None; Absent: Fish) to approve the Consent Agenda items as presented. Student Trustees: Two yes votes

Consent Agenda Items are attached to these minutes as Appendix A.

In commenting on the Planetarium Notice of Completion (NOC Item 7.2), Bob Owens asked when the Planetarium would be open. Patrick Schmitt replied that the new Planetarium would open in early Fall, 2019.

REGULAR ORDER OF AGENDA

5.0 COLLEGE PROGRAMS AND SERVICES

~~5.2 FIRST READING—CREATION OF BOARD POLICY AND ADMINISTRATIVE PROCEDURE 4022, HOURS AND UNITS AND REVISION OF RELATED BPs AND APs.~~ This item was eliminated from the agenda.

6.0 HUMAN RESOURCES

6.4 ADMINISTRATIVE PERSONNEL TRANSACTIONS TO BE ACTED UPON BY THE BOARD OF TRUSTEES.

1. Appointment Recommendations:

- a. Jamie Alonzo to be appointed Vice President, Instruction (Working title: Provost/Vice President, Academic Affairs), West Valley College.
- b. Matais Pouncil, Interim Vice President, Instruction (Working Title: Provost/Vice President for Academic Affairs), West Valley College, extend through April 7, 2019.:

Action Taken:

It was M/S/P 6/0/1 (Owens/Matera; Ayes: Gray, Kepner, Lucas, Owens, Kinman and Watanabe; Nays: None; Absent: Fish) to approve the administrative appointments as listed. Student Trustees: Two yes votes.

7.0 BUSINESS AND FINANCE - There were no items.

8.0 BOARD - There were no items.

9.0 INFORMATION REPORTS AND ITEMS FOR FUTURE BOARD CONSIDERATION

9.1 ACADEMIC SENATE UPDATE

Thais Winsome, MC Academic Senate President, announced there will be a faculty presentation on March 1 entitled "How Women Change the World." Also, on March 5, there will be a One Stop Shop priority registration and financial aid information and counseling so students can create their ed plans. This has been done with great success.

Gretchen Ehlers, WVC Academic Senate President, made the following announcements:

On March 6, the WVC African American Student Summit will be held from 9AM – 2PM. Students from local high schools will come to campus to learn about the various programs offered to promote their success. Gretchen recognized Umoga Counselor Philip Severe for organizing this event.

Gretchen commended the WVC Distance Education Committee, led by faculty members Janis Kea, Whitney Clay and Dean Ray Gamba, on the leadership role they are taking to improve distance education for students and professional development for faculty. Throughout the semester, they have held 15 workshops on using Canvas, the OEI teaching rubric, accessibility and other related subjects. They are working with the Senate to clarify expectations of Regular and Substantive Interaction in online classrooms.

On Wednesday, March 13, there will be Women in STEM Conference. This is being organized by faculty member Rachel Mastrapa and the Dean of Science and Math, Laura Hyatt.

9.2 CLASSIFIED SENATE UPDATE

Cheryl Massa, WVC Classified Senate President, announced the Cesar Chavez Day Celebration will be held on March 25 and added that Dr. Victoria Hindes has donated money to keep the tradition of the event going. Rebecca Cisneros Diaz coordinates the event, which is now in its eighth year.

Lori Hampton spoke for Thanh Do, MC Classified Senate President, saying the MCCS now has 17 members, and that Dat Nguyen is the new Vice President.

9.3 STUDENT SENATE UPDATE

Chantal Naugle, WVC Student Senate President, reported on a Student Club Fair held February 13, which was successful in obtaining new sign-ups and establishing new clubs. The Students Services for California Community Colleges (SSCCC) hosted local community colleges for one regional meeting to discuss initiating more environmentally sustainable practices, such as banning plastic bottles, similar to what DeAnza/Foothill has proposed. There will be an Open House event at WVC on March 16, with students leading the campus tours.

Diego Jimenez, MC Student Senate President, said women speakers will be featured on campus today. There will be an Open Forum on March 14 to showcase what is going on at Mission College. He said a new senator has been appointed and the Mission College Student Senate is gradually expanding.

9.4 WEST VALLEY COLLEGE UPDATE

Brad Davis, WVC President, congratulated Cheryl Massa on being hired as Executive Assistant to the Associate Vice Chancellor for Human Resources. He thanked Matais Pouncil for doing a great job as Interim Vice President, Academic Affairs, and Provost.

Mr. Davis announced that the 2018 female State Scholar-Athlete of the year is WVC student, Janelle McAfee, who was selected by the California Community College Athletic Association (CCCAA) and is the highest honor awarded to scholar-athletes among over 24,000 participants across the state.

President Davis also announced there will be a Women's STEM Conference on March 13 in the Campus Center. On March 15 is the theatre production of "A Hat Full of Rain" and a Disney concert. He noted that Disney music is not cheap and they will need to buy the rights to play the music. The well-attended and popular Persian New Year event, coordinated by Behin Noormanesh, was held in the WVC Event Center on Thursday, Feb. 28. Wellness at Work events continue throughout each month with high participation from faculty and staff.

9.5 MISSION COLLEGE UPDATE

Daniel Peck, MC President, spoke of the upcoming Classified Professional Development Day. He also mentioned that VPI Leandra Martin will be going to Imperial Valley College to participate in an accreditation visit. This Friday, March 8, there will be a Strategic Summit for Mission College to revise goals.

He announced that Monica Malasco, Career Education Counselor, has been selected as Associate Faculty of the Year. In addition, Coach Bobby Hill has achieved his 100th win and this year's basketball team made it into the playoffs. Faculty member Donnell McGee, known for his poetry, has had his poem "Hey You" published.

President Davis reported MC enrollment is consistent with last year. He thanked all staff, faculty and students for enduring the constant "thumping" of construction noise on campus.

With regard to Black History Month, MC will hold events around luncheon times. John Mosby will be a featured speaker, presenting information about Inreach opportunities with resume workshops and interview workshops.

There will also be a leadership summit for the Pilipino community. Free tax preparation services are being led by accounting students.

9.6 ASSOCIATE VICE CHANCELLOR OF HUMAN RESOURCES REPORT

Paul Williams, HR Professional, Development Coordinator, made the following announcements:

- Congratulations to Cheryl Massa, the new Executive Assistant to the Associate Vice Chancellor for Human Resources. HR staff is excited to have her on board.
- The remaining Training Programs hosted by District HR will include the following: (A printed summary was distributed.)
 - March 8, 22, 29: Management- in-training series (1-5pm) CHE 150
 - March 15: Exercising your management rights (1-4pm) MC-Gillmor 103.
 - March 22: Hiring Best Practices Screening Committee Training (9-12noon) WVC-CHE 150
 - March 29: Hiring Best Practices Screening Committee Training (1-4pm) MC-TAV 130
 - April 14: Diversity Uncovered (9-12noon) and (1-4pm) MC-TAV 130
 - April 18: Diversity Uncovered (9-12noon) WVC-Baltic Room
 - May 3: Preventing Harassment, Discrimination and Retaliation (1-4pm) WVC-Fox 120
 - May 9: Race and Ethnicity: Let's Talk About It! (9-12noon) WVC-Baltic Room
 - May 9: Communicating Across Gender Differences (1-4pm) WVC-Baltic Room
 - May 10: Race and Ethnicity: Let's Talk About It! (9-12noon) (1-4pm) MC-Gillmor 103
 - May 10: Communicating Across Gender Differences (1-4pm) MC-Gillmor 103

- June 19-20: Title IX Investigator Training (Mission College) TAV 13

- There will be training for staff as presenters serving on hiring committees.
- The Title IX Coordinator will be able to make online reports by students, which will be up in June.

9.7 VICE CHANCELLOR'S REPORT

Ed Maduli reported on the following items:

- The actuarial study has been fully funded and will be discussed at ABOC at the next meeting.
- Measure W – Ed will attend a meeting in New York on Thursday and Friday making presentations to Moody and Standard and Poor's, hoping to maintain the AAA bond rating.
- An agreement will come forward with Sun Power in May for solar panel installation in three phases. First, WVC installation, second, MC and WVC installations, and a third at MC. WVC will have 95% power generation, including storage batteries that will ensure a usage increase on those days needed. MC will have 75% power generation, moving forward to net zero carbon neutrality. The PLA (Project Labor Agreement) will make labor 20% more expensive.

9.8 CHANCELLOR'S REPORT

No report.

9.9 STANDING COMMITTEE REPORT

Audit and Budget Oversight Committee: Bob Owens reported that the District is fully funded for all retirees' health benefits and actuarials have been reviewed.

9.10 TRUSTEE COMMENTS

WVC Student Trustee Kian Lechner reported on that DESP staff are working to support students and there is a need for student note takers during classes.

Trustee Jack Lucas reported on a community outreach event on February 22, sponsored by Mrs. Porter, who hosted Senator Jim Beall's coffee gathering, discussing a bill being crafted in support of the K-12 education system.

MC Student Trustee Roman Matera spoke of a successful Women's Day event, which had a great turnout for participation. He spoke of the Diversity Week event being scaled down to Diversity Day, due to lack of capability by faculty to take on a whole week of events. A flyer will soon be available. The MC student government has hired a parliamentarian to write by-laws. The ASG will host a town hall meeting taking on the issue of homelessness. He noted the fiscal divide is getting wider. The ASG held a Growth Mindset workshop with a focus on constant improvement in mind, which had about 50 attendees, Roman said the ASG has now grown to include six directors and six senators.

ADJOURNMENT

The meeting was adjourned at 8:20 p.m.

APPENDIX A

Consent Agenda Items from the March 5, 2019, Meeting.

For the full text of each item, please see the agenda for that meeting.

- 5.0 COLLEGE PROGRAMS AND SERVICES – Consent Agenda**
- 5.1 CONSIDER APPROVAL OF CURRICULUM CHANGES AT WEST VALLEY COLLEGE
Recommendation: That the Board of Trustees approve the curriculum changes at West Valley College as presented.
- 6.0 HUMAN RESOURCES – Consent Agenda**
- 6.1 PERSONNEL TRANSACTIONS TO BE ACTED UPON BY THE BOARD OF TRUSTEES
Recommendation: That the Board of Trustees approve the listed items.
- 6.2 WEST VALLEY COLLEGE 2019-2020 REJUVENATION AND RETRAINING LEAVE
Recommendation: That the Board of Trustees approve the Rejuvenation and Retraining Leave for the listed faculty member.
- 6.3 CONSIDER APPROVAL OF 2019-2020 SABBATICAL LEAVE REQUESTS
Recommendation: That the Board of Trustees approve the proposed sabbatical leaves for the faculty members listed below.
- 7.0 BUSINESS AND FINANCE – Consent Agenda**
- 7.1 RATIFICATION OF VENDOR WARRANTS
Recommendation: That the Board of Trustees ratify vendor payments from October 1, 2018 through December 31, 2018; Banner warrant numbers 00316248-00317946 and !0001553 -!0001777** totaling \$21,353,400.19.
- 7.2 ACCEPT BASIC CONTRACT AS COMPLETE FOR THE BID #06-1617 PLANETARIUM-NEW BUILDING PROJECT AT WEST VALLEY COLLEGE
Recommendation: That the Board of Trustees accept the basic construction contract with BHM Construction Inc. for Bid #06-1617 for the Planetarium – New Building project at West Valley College as complete and authorize the District to file a Notice of Completion.
- 7.3 APPROVAL OF LEGAL SERVICES RELATED TO CONSTRUCTION AND PROCUREMENT MATTERS
Recommendation: That the Board of Trustees authorize the Administration to award Public Agency Law Group a five-year agreement effective March 6, 2019 and expiring March 5, 2024. The Agreement will be for issues related to construction and bidding, and general counsel matters.
- 7.4 FINANCIAL STATEMENTS AND BUDGET ADJUSTMENTS
Recommendation: That the Board of Trustees approve the financial statements and budget adjustments as specified for the period of October 1, 2018, through December 31, 2018 (Second Quarter). The summary of significant changes lists the Second Quarter’s cumulative budget transactions.
- 7.5 2018-19 CCFS 311 SECOND QUARTER FINANCIAL REPORT
Recommendation: That the Board of Trustees accept the 2018-19 Second Quarter Financial Report and authorize Fiscal Services staff to forward the CCFS-311Q Report to the California Community Colleges Chancellor’s Office (CCCCO).

ITEM 5.1
MARCH 19, 2019
ACTION ITEM
CONSENT AGENDA

PREPARED BY:
CHERYL MILLER, CHRIS DYER, MATAIS POUNCIL, LUIS PORTILLO AND DOONU
BARIFE

REVIEWED BY: BRADLEY DAVIS

APPROVED BY: PATRICK SCHMITT

**SUBJECT: CONSIDER APPROVAL OF CURRICULUM CHANGES AT WEST
VALLEY COLLEGE**

CHANCELLOR'S RECOMMENDATION:

That the Board of Trustees approve the curriculum changes at West Valley College as presented.

Funding Source/Fiscal Impact

The General Fund is the major funding source for the cost of instruction, which pertains to the offering of approved courses. These costs are offset, to varying degrees, by apportionment received for credit-based instruction and other associated fees.

Reference(s)

Curriculum development and approval is an ongoing activity overseen by the Academic Senate, and its subordinate Curriculum Committee, and the Office of Instruction. It is integrated into the West Valley College Program Review process. It is emphasized in many sections of Standard II of the Accreditation Standards of the Accrediting Commission for Community and Junior Colleges. Likewise, it is regulated through Title 5 and WVMCCD District Policies 4020 and 4025.

Background/Alternatives

As per District policy, the curriculum changes to programs and courses described herein have been considered and approved by the Curriculum Committee, the Articulation Officer, and the Academic Senate on February 11, 2019. Each of the curriculum changes and the foregoing approvals has been further reviewed by the Chief Instructional Officer, the College President, and the District Chancellor. The Office of Instruction further

certifies that the programs and courses described herein satisfy all applicable requirements of Title 5 and have also been submitted to the Associated Students Organization of West Valley College.

Coordination

Offerings have been coordinated between West Valley College and Mission College through a process of consultation.

Follow-up/Outcomes

Following Board approval of the curriculum changes, updates to catalogs and class schedules will be made, and campus marketing communication will reflect the changes, as appropriate.

SUMMARY OF CURRICULUM CHANGES – 03/19/2019**NEW CREDIT COURSES**

NONE

CREDIT COURSE REVISIONS

NONE

REQUISITE APPROVALS

NONE

DISTANCE EDUCATION

NONE

COURSE DEACTIVATIONS

WRKX302

NEW NON-CREDIT COURSES

NONE

NON-CREDIT COURSE REVISIONS

NONE

NEW PROGRAMS

Entrepreneurship, CERTIFICATE
 Finance/Accounting, CERTIFICATE

PROGRAM REVISIONS

Early Childhood Education, AS-T

COURSE DEACTIVATIONS

<u>COURSE ID</u>	<u>COURSE INFORMATION</u>	<u>EFF DATE</u>	
WRKX302	Course ID: WRKX302 Course Title: Occupational Work Experience	2019 Fall	This course is being deactivated because existing offerings have been narrowed down to two variable unit courses. Deactivation is effective Fall 2019.

NEW PROGRAMS

Entrepreneurship, CERT

The Entrepreneurship Certificate of Achievement requires the successful completion of 5 required core courses (15 units) and 4 required elective courses (12 units).

This program provides Career Technical Education opportunities in the areas of small business start-up and management, marketing, consumer behavior, and developing an entrepreneurial mindset. This certificate provides a specialized focus in creating a foundation for implementing product development and small business administration.

Upon completion of this program a student should be able to:

- Identify new offerings and business opportunities, analyze small business strategies, and evaluate rewards and risks of starting a new business venture.
- Demonstrate small business start-up skills specific to operating an enterprise that successfully competes in today's ever-changing marketplace.

Upon successful completion of this certificate, career opportunities exist in entrepreneurship, small business marketing, and product design and production in the field of small business start-ups.

Submission Rationale

- New Program

Effective 2019 Fall

This certificate program is being created upon recommendation of the Business, Accounting, & Real Estate Advisory Board. The labor market numbers show significant demand for individuals with innovative thinking, an entrepreneurial mindset, and small business start-up and management skills. The advisory board emphasized the need for these types of skills, particularly for a small business startup. This certificate is focused on providing these skills to meet job and career needs which is a goal of the Education & Facilities Master Plan and is aligned with Guided Pathways. It is unique compared to other community colleges and is patterned after CSUSJ's business degree program.

Complete 15 units from the following list:	15 units
BUSN028 - Business Law	3
AND	
BUSN062 - Business Mathematics	3
AND	
BUSN078 - Business Communication	3
AND	
BUSN051 - Introduction to Business	3
OR	
BUSN061 - Business, Government, and Society	3

AND	
BUSN024 - International Business Management	3
OR	
BUSN036 - Strategic Management	3
Complete the following 4 courses:	12 units
BUSN015 - The Entrepreneurial Mindset	3
AND	
BUSN054 - Small Business Start Up and Management	3
AND	
BUSN056 - Marketing Principles	3
AND	
BUSN005 - Introduction to Project Management	3

Recommended Sequence:

Fall, Year 1	9 units
BUSN061 or BUSN051	3
BUSN078	3
BUSN062	3
Spring, Year 1	9 units
BUSN028	3
BUSN024 or BUSN036	3
BUSN005	3
Fall, Year 2	9 units
BUSN054	3
BUSN056	3
BUSN015	3

Total Certificate Units: 27 units

Finance/Accounting, CERT

The Finance/Accounting Certificate of Achievement requires the successful completion of the required core courses (15 units) plus 3 additional required courses (12 units) for a total of 27 units.

This program provides Career Technical Education opportunities in the areas of finance, accounting, and bookkeeping for a small to medium size business. This certificate provides a specialized focus on learning accounting rules and standards, how to record the financial transactions of a business, financial statement preparation, and providing management financial information that enables management to plan for and control the business.

Emphasis is on learning Generally Accepted Accounting Principles, applying these principles to the recording of financial transactions and the preparation of financial statements, and providing management accurate and meaningful financial information that enables management to perform their function.

Upon completion of this program, a student should be able to:

-Demonstrate an understanding of the accounting cycle by identifying financial transactions for a business, recording those transactions in accordance with Generally Accepted Accounting Principles, and preparing end-of-period financial statements.

-Analyze the financial statements of the business, evaluate the financial health of the business, and communicate their overall assessment.

This certificate is designed for students who wish to pursue a career in bookkeeping, accounting, or auditing in a small to medium size business environment.

Submission Rationale

- New Program

Effective Fall 2019

This certificate program is being created upon recommendation of the Business, Accounting, & Real Estate Advisory Board. The labor market numbers show significant demand for individuals with accounting, bookkeeping, and financial skills. The advisory board emphasized the need for these types of skills, particularly for small business. This certificate is focused on providing these skills to meet job and career needs which is a goal of the Education & Facilities Master Plan and is aligned with Guided Pathways. It is a unique program compared to other community college programs and is patterned after CSUSJ's business degree program.

Complete 15 units from the following list:	15 units
BUSN028 - Business Law	3
AND	
BUSN062 - Business Mathematics	3
AND	
BUSN078 - Business Communication	3
AND	
BUSN051 - Introduction to Business	3
OR	
BUSN061 - Business, Government, and Society	3
AND	
BUSN024 - International Business Management	3
OR	
BUSN036 - Strategic Management	3

Complete the following 3 courses:	12 units
ACCT010 - Financial Accounting	5
AND	
ACCT060 - Accounting Fundamentals Quickbooks	4
AND	
BUSN046 - Excelling With Excel	3

Recommended Sequence:

Fall, Year 1	9 units
BUSN062	3
BUSN061 or BUSN051	3
BUSN078	3
Spring, Year 1	11 units
BUSN028	3
BUSN024 or BUSN036	3
ACCT010	5
Fall, Year 2	7 units
ACCT060	4
BUSN046	3

Total Certificate Units: 27 units

PROGRAM REVISIONS

Early Childhood Education, AS-T

The Associate in Science in Early Childhood Education for Transfer degree (AS-T in Early Childhood Education) is a 60 unit program which provides students the lower division coursework required for transfer to a CSU institution for the major in Child Development. Students completing the BA/BS in Child Development will be prepared to enter the fields of education, social welfare, parent education, child advocacy, counseling, and public health. Students who complete the Associate in Science in Early Childhood Education for Transfer degree (AS-T in Early Childhood Education) will be able to apply ethical guidelines and advocacy skills to maintain standards of high quality care and education for young children.

Students must complete the following requirements:

- 60 semester or 90 quarter CSU-transferable units
- the California State University-General Education-Breadth pattern (CSU GE-Breadth); OR the Intersegmental General Education Transfer Curriculum (IGETC) pattern.
- a minimum of 18 semester or 27 quarter units in the major or area of emphasis as determined by the community college district.
- obtainment of a minimum grade point average (GPA) of 2.0.
- earn a grade of C or better in all courses required for the major or area of emphasis.

Students are not required to complete the information competency requirements, PE requirements or cultural diversity requirements found in other degrees at the College.

After completing an A.S.-T in Early Childhood Education, a student will be able to:

- integrate an understanding of the needs, characteristics, and multiple influences on the development of children birth to age eight as it is related to high quality care and education of young children.
- design, implement, and evaluate environments and activities that support positive, developmental play and learning outcomes for all young children.
- develop strategies that promote partnerships between programs, teachers, families, and their communities.
- demonstrate ethical standards and professional behaviors that deepen understanding, knowledge and commitment to the Early Childhood profession.

Submission Rationale

- Change Program Sequence

Effective 2019 Fall

The Child Studies department is updating this degree to meet current Title 5 standards.

Early Childhood Education, AS-T

Required Core Courses:	24 units
CHST001 - Principles & Practices of Teaching Young Children	3
AND	
CHST002 - Child Growth and Development	3
AND	
CHST005 - Diversity - Childhood & Culture	3
AND	
CHST035 - Practicum in Early Childhood Education	3
AND	
CHST063 - Child, Family, and Community	3
AND	
CHST066 - Child Safety, Health and Nutrition	3
AND	
CHST080 - Introduction to Curriculum	3
AND	
CHST087 - Observation and Assessment	3

Recommended Sequence:

Fall, Year 1	9 units
CHST063	3
CHST002	3
CHST001	3
Spring, Year 1	9 units
CHST087	3
CHST080	3
CHST066	3
Fall, Year 2	6 units
CHST005	3
CHST035	3

Total Major Units: 24 units

PREPARED BY: SEAN MCGOWAN

REVIEWED BY: ALBERT M. MOORE

APPROVED BY: PATRICK SCHMITT

SUBJECT: PERSONNEL TRANSACTIONS TO BE ACTED UPON BY THE BOARD OF TRUSTEES

CHANCELLOR'S RECOMMENDATION:

That the Board of Trustees approve the listed items.

I. Appointment(s)

Classified

- a. Ricky Salinas, Senior HVAC Mechanic, WVMCEA Operations & Support Unit, Range 70 (\$6,265.50-\$8,264.42), Facilities Department, West Valley-Mission Community College District, 100% of full time, 12 months per year; effective March 25, 2019. Position ID# DC2017. Fund 110-General Fund.
- b. Alberto Martinez, Maintenance Electrician, WVMCEA Operations & Support Unit, Range 67 (\$5,875.17-\$7,739.58), Facilities Department, West Valley-Mission Community College District, 100% of full time, 12 months per year; effective March 25, 2019. Position ID# DC2004. Fund 110-General Fund (0.80) and Fund 139-Parking Fund (0.20).

II. Transfer(s)

Classified

- a. Cherry Lou Escano, WVMCEA Unit, from Enrollment & Financial Services Advisor, Range 57 (\$4,695.50-\$6,159.67), Admissions & Records, assigned to Mission College, 100% of full time, 12 months per year to Enrollment & Financial Services Advisor, Range 57 (\$4,695.50-\$6,159.67), Financial Aid, assigned to Mission College, 100% of full time, 12 months per year; effective March 25, 2019. From Position ID# MC1013 to Position ID# MC1036. Fund 110-General Fund.

ITEM 7.1
MARCH 19, 2019
ACTION ITEM
CONSENT AGENDA

PREPARED BY: MINA HERNANDEZ

REVIEWED BY: ED MADULI

APPROVED BY: PATRICK SCHMIDT

SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT AGAINST THE DISTRICT - CANDELARIA JELINSKI AND MEREDITHE ODOM

CHANCELLOR'S RECOMMENDATION:

That the Board of Trustees approve the Settlement Agreement and Release of Candelaria Jelinski and Meredith Odom claims.

Funding Source/Fiscal Impact

The District's monetary settlement is \$62,344.00 broken down as follows:

- o \$4,000.00 to each claimant
- o \$42,500.00 for claimants' attorneys' fees and costs
- o \$5,922 to each claimant for 18 months of Aira, a reading and sight assistant service, with 500 minutes of service

The settlement amount will be paid through the District's Unrestricted General Fund.

Reference(s)

Candelaria Jelinski and Meredith Odom alleged that the District violated the Americans with Disabilities Act (ADA), 42 U.S.C. § 12181, et seq., Section 504 of the Rehabilitation Act, 29 U.S.C. § 794, and related California statutes by offering online course content that allegedly did not fully comply with Cal Gov. Code §§ 7405(a) and 11135.

Background/Alternatives

On May 16, 2018, the District received a letter from TRE Legal Practice on behalf of Candelaria Jelinski and Meredith Odom regarding the above-referenced claim. The District submitted this claim to its Property & Liability Claims Administrator at Keenan wherein he assigned the claim to the law offices of Davis & Young. Counsel at Davis & Young have worked with TRE Legal Practice to quickly resolve this claim without having to file a lawsuit and have come to a settlement.

After considering the expense and uncertainty associated with litigation, the parties desire to fully, fairly, and finally settle all claims Candelaria Jelinski and Meredith Odom have or may have against the District and that desire manifests itself by concluding all pending and/or threatened litigation between the Parties. Thru its legal representation the parties of this claim now desire to resolve their differences and disputes between them in consideration of the following terms:

- Within 10 months, the District will:
 - Alter its Board Policies and Procedures related to developing internal controls to ensure that all Electronic Information Technology (EIT) used by students is accessible.
 - Update its procurement contract language requiring EIT vendors to: demonstrate accessibility, provide a designated contact person to expedite any complaints applicable with GOV §11135, and include an express vendor warranty that all procured or licensed EIT is accessible.
 - Require all course instructors to report to the District all EIT used for their courses to ensure compliance.
 - Provide coursed instructors training regarding the requirements.
 - Prohibit the use of any component of an EIT not conforming with accessibility guidelines.

Coordination

The Executive Director of General Services will coordinate this with the Joint Powers Authority and Third Party Administrator.

Follow-up/Outcome

Upon Board approval, the Settlement Agreement and Release will be executed with the claimants' law offices of TRE Legal Practice located at 4226 Castanos Street, Fremont, CA 94536.

PREPARED BY: DANIEL PECK

APPROVED BY: PATRICK SCHMITT

**SUBJECT: NOMINATION OF LUCIA MORENO FOR COMMUNITY COLLEGE
CLASSIFIED EMPLOYEE OF THE YEAR AWARD**

CHANCELLOR'S RECOMMENDATION:

That the Board of Trustees endorse Lucia Moreno, Recruitment Supervisor and Financial Aid Advisor at Mission College, as the West Valley-Mission Community College District nominee for the *Community College Classified Employee of the Year* award sponsored by the Board of Governors, State Chancellor's Office, and Foundation for the California Community Colleges.

Funding Source/Fiscal Impact

This endorsement carries with it no fiscal impact.

Reference(s)

Annually, the Board of Governors, State Chancellor's Office, and Foundation for the California Community Colleges solicit nominations for the *Community College Classified Employee of the Year* awards. Only one nominee may be submitted per district. Up to six awards are presented and the recipients are recognized at the May meeting of the Board of Governors. More information on this award may be obtained at the following link to the California Community Colleges Chancellor's Office website: [CCCCO Classified Employee of the Year](#).

Background Summary

Nominees are evaluated on their commitment to (1) the mission of community colleges, (2) professional ethics and standards, (3) serving the institution through participation in professional and/or community activities, and (4) serving as leaders beyond the local institution. Identification of a nominee rotates between each of the three district entities including District employees, Mission College, and West Valley College. For this year's nominee, Mission College opened the nomination process to all members within the college, and the final nominee was determined by a task force chaired by Classified Senate President, Thanh Do.

The West Valley-Mission Community College District is proud to nominate Lucia Moreno for the *California Community Colleges Classified Employee of the Year Award*. Lucia Moreno is an active college and community leader. In her role as Recruitment Supervisor, Lucia regularly provides financial aid and financial literacy presentations for students, families, and community organizations on and off-campus. Lucia has met with countless prospective and current students to complete their financial aid and scholarship applications—including Federal Financial Aid and the California Dream Act. Lucia serves as primary lead for all scholarship programs at the college, developing application timelines, organizing information campaigns, leading the review process, and implementing distribution of scholarships.

Most significantly, Lucia Moreno is committed to recruiting and supporting underrepresented students at Mission College. Lucia was active in the Hispanic Serving Institution (HSI) STEM Grant writing process and has been a recruitment lead for our Latinx population. Lucia co-founded the Undocumented Student Task Force and the UndocuAlly Trainings which have been instrumental in educating college administrators, faculty, and classified on how to best serve our undocumented and Dreamer students. Lucia is She is involved with multiple state and regional initiatives, including serving on the Cal-SOAP Consortium (California Student Opportunity and Access Program) where she was a lead in organizing the South Bay Cash for College Program.

Lucia Moreno is an outstanding exemplar of the high work ethos and dedication of Classified Professionals at Mission College and the West Valley Mission Community College District.

A \$500 cash award and plaque are presented to each recipient selected at the state level.

Coordination

Coordination of the nomination process occurred between the Mission College Office of the President, and Mission College Classified Senate. A nominations review task force, chaired by Classified Senate President Thanh Do, made the final recommendation which has been approved by the President of Mission College and is now submitted to the WVMCCD Board of Trustees for consideration.

Follow-up/Outcome

Following endorsement of this nominee by the Board, the nomination packet will be submitted to the Chancellor's Office by the March 25, 2019, deadline.

PREPARED BY: CHERYL MASSA

REVIEWED BY: ALBERT M. MOORE

APPROVED BY: PATRICK SCHMITT

**SUBJECT: WEST VALLEY-MISSION CLASSIFIED EMPLOYEE ASSOCIATION
(WVMCEA) INITIAL PROPOSALS FOR REOPENER
NEGOTIATIONS WITH WEST VALLEY-MISSION COMMUNITY
COLLEGE DISTRICT**

Government Code Section 3547 requires that all initial proposals in collective bargaining must be presented at a public meeting of the public school employer. This is known as “sunshining” the initial proposals. The WVMCEA initial proposals to the District for reopener negotiations are being released as a public document.

At the Board of Trustees’ meeting on May 7, 2019, the public, having had a reasonable time to inform itself regarding the provisions of the initial proposals, will have an opportunity to express itself regarding the proposals in the form of public comments. Having received the public comment, the Board will vote to “adopt” the initial proposals.

The articles to be reopened are:

Article 7 – Organizational Rights:

- Status of the law relative to members and non-members and recent changes to Government Code sections 3500 et. seq. and possible changes to release time.

Article 15 – Salaries and Compensation:

- Proposal for salary enhancement.
- Reserve the right to respond to any District proposals.

Article 16 – Health and Welfare Benefits:

- Proposal to address amount paid by District and other items.
- Reserve the right to respond to any District proposals.

Article 17 – Work Assignments and Hours:

- Address telecommuting and sabbatical leave.

PREPARED BY: CHERYL MASSA

REVIEWED BY: ALBERT M. MOORE

APPROVED BY: PATRICK SCHMITT

SUBJECT: WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT INITIAL PROPOSALS FOR REOPENER NEGOTIATIONS WITH THE WEST VALLEY-MISSION CLASSIFIED EMPLOYEE ASSOCIATION (WVMCEA)

Government Code Section 3547 requires that all initial proposals in collective bargaining must be presented at a public meeting of the public school employer. This is known as “sunshining” the initial proposals. The District’s initial reopener proposals to the WVMCEA for negotiations are being released as a public document.

At the Board of Trustees’ meeting on April 2, 2019, the public, having had a reasonable time to inform itself regarding the provisions of the initial proposals, will have an opportunity to express itself regarding the proposals in the form of public comments. Having received the public comment, the Board will vote to “adopt” the initial proposals.

The District endeavors to create a supportive and productive working environment that promotes the development of all employees and contributes to the educational excellence of our students. Articles open for negotiation that impact this goal include:

Article 15 - Salaries and Compensation:

- Proposal for a salary enhancement to be added to the salary schedule in 2019-20.

Article 16 - Health and Welfare:

- Review of coverages for health and welfare benefits.

Article 19 – Layoff and Reemployment:

- Proposal of changes to the Notice and Procedure, and provisions for categorically funded positions.

ITEM 7.2
MARCH 19, 2019
ACTION ITEM

PREPARED BY: CHRISTINA BOOTH

REVIEWED BY: ED MADULI

APPROVED BY: PATRICK SCHMITT

SUBJECT: CITIZENS' BOND OVERSIGHT COMMITTEE ANNUAL REPORT

CHANCELLOR'S RECOMMENDATION:

That the Board of Trustees accept the 2018 Citizens' Bond Oversight Committee (CBOC) Annual Report.

Funding Source/Fiscal Impact

There is no fiscal impact associated with this item.

Reference(s)

The Annual Report of the CBOC is required by law as stipulated in the language of Proposition 39-governed Measure C, which was passed by the voters June 5, 2012.

Background/Alternatives

On November 7, 2000, Proposition 39 (The Smaller Classes, Safer Schools & Financial Accountability Act) was approved by the voters, which allowed for a 55% majority vote for college districts to secure bonding for repair and upgrade of various campus structures and to support existing and new programs that are required of the district as part of its commitment to providing a college education at the community level.

Coordination

This report was prepared, reviewed and approved by the CBOC at its March 13, 2019 meeting. Committee members during this reporting period were:

Shirley Cantu (Taxpayer Organization)
Paul Cavagnolo (Community-at-Large)
Karen DiLullo (Business Organization)
Brigit Espinosa (Community-at-Large)
Michael Foulkes (District/College Support Organization)
Ron Jones (Senior Organization)
Vacant (Student Representative)

Follow-up/Outcome

Upon ratification by the Board, the CBOC Annual Report will be posted on the District's Web site and made available to the public in a manner that is consistent with current District Policy.

PREPARED BY: JAVIER CASTRUITA

REVIEWED BY: ED MADULI

APPROVED BY: PATRICK SCHMITT

SUBJECT: GOVERNMENT CODE §4217.12 PUBLIC HEARING REGARDING ENERGY CONSERVATION FACILITIES (“ESA PROJECT”); AND RESOLUTION NO. 19031901 RELATED TO SOLAR PHOTOVOLTAIC GENERATING SYSTEMS AT WEST VALLEY COLLEGE AND MISSION COLLEGE

CHANCELLOR’S RECOMMENDATION:

That the Board of Trustees Adopt Resolution No. 19031901 relating to the ESA Project; which:

- (1) Describes the ESA Project
- (2) Establishes that costs for District to make electrical power purchase from the public utility service will exceed the cost for electrical power generated by the ESA Project
- (3) Authorizes District staff to develop an Energy Service Agreement for implementing the ESA Project pursuant to procedures authorized by Government Code §4217.10 et seq. and for subsequent Board of Trustees review and approval.

Funding Source/Fiscal Impact

The funding for this project is through Measure W, line item DS – 04, Alternative Energy projects on the Project Priority List.

Reference(s)

Government Code §4217.12 authorizes the District to enter into energy service agreements to design, build and maintain energy conservation facilities such as the ESA Project on terms in the best interest of the District. Resolution No. ___ authorizes District staff to develop the terms of an Energy Services Agreement for the ESA Project pursuant to Government Code §4217.12. The Energy Services Agreement is subject to Board of Trustees review and approval.

Background/Alternates

In November, 2010, the Board of Trustees authorized development of solar generating power facilities at West Valley College and Mission College pursuant to Government

Code §4217.10 procedures. The solar generating facilities authorized in 2010 have been constructed and are operating to produce solar generating power. Anticipated energy costs savings have been realized by the 2010 solar generating facilities.

With the passage of Measure W and the overall reduction of the cost to implement solar power, the District has determined that it is an opportune time to further advance its sustainability policies with addition of solar photovoltaic power generating systems and energy storage systems at West Valley College and Mission College through the ESA Project.

ESA Project

Upon evaluation of costs, power production and other factors, District staff has determined that the ESA Project consisting of solar photovoltaic generating systems at West Valley College and Mission College along with energy storage systems with the following capacity provide the District with the best value:

West Valley College Storage System	2.94 MW Solar Photovoltaic and 1.0 MW Energy
Mission College Storage System	2.50 MW Solar Photovoltaic and 1.0 MW Energy

Analysis of the anticipated costs for District power purchases and the anticipated costs for implementing the ESA Project are summarized in Exhibit A hereto. The anticipated cost to the District for electrical energy services provided by the ESA Project are less than the anticipated marginal cost to the District of electrical costs in the absence of the ESA Project.

Coordination

This project includes work of the Executive Director of Facilities Maintenance, Operations and Construction; Executive Director of General Services; Vice Chancellor of Administrative Services; and West Valley College and Mission College Administration.

Follow-up/Outcome

Upon Board approval, District staff will develop an Energy Service Agreement for implementing the ESA Project pursuant to procedures authorized by Government Code §4217.10 et seq.

**Exhibit A: California Government Code Section 4217 Net Benefit Analysis for West Valley
Mission Community College District
5,437.9 kW Solar Electric Project at West Valley and Mission Colleges**

West Valley-Mission Community College District 25-Year Cost/Benefit Analysis							
System Specifications and Assumptions							
	Final System Size (kilowatts-DC)						5,437.9
	Solar and Storage Contract Investment						\$21,134,934
	Upfront O&M and Performance Guarantee Investment						\$2,195,454
	First-Year Solar Kilowatt- Hours (kWh) Generated						8,952,500
	Annual Rate of Solar Output Degradation						0.25%
	Average First-Year Utility Avoided Cost Value of Solar (\$/kWh)						\$0.093
	Combined First Year Utility Savings due to Storage (\$)						\$133,725
	Assumed Annual Rate of Utility Cost Escalation						3.00%
	Minimum Solar System Operating Period						25 Years
Operating Benefits and Costs During First 25 Years of Operation							
Year of Solar System Operation	Anticipated Benefit: Solar Avoided Utility Costs	Anticipated Benefit: Storage Avoided Utility Costs	Anticipated Benefit: Storage SGIP Utility Incentive	-	Cost: Energy Storage Operations & Maintenance	=	Anticipated Net Benefits to General Fund
2019	\$0	\$0	\$380,000		\$0		\$380,000
2020	\$292,418	\$85,030	\$456,000		\$8,472		\$824,975
2021	\$807,743	\$144,420	\$152,000		\$17,113		\$1,087,049
2022	\$942,800	\$148,752	\$152,000		\$17,456		\$1,226,097
2023	\$917,686	\$153,215	\$152,000		\$17,805		\$1,205,097
2024	\$942,854	\$157,811	\$152,000		\$18,161		\$1,234,504
2025	\$968,712	\$162,546	\$76,000		\$18,524		\$1,188,733
2026	\$995,279	\$167,422	\$0		\$18,895		\$1,143,806
2027	\$1,008,135	\$172,445	\$0		\$19,273		\$1,161,307
2028	\$1,035,783	\$177,618	\$0		\$19,658		\$1,193,743
2029	\$1,064,189	\$182,947	\$0		\$20,051		\$1,227,085
2030	\$1,093,375	\$188,435	\$0		\$20,452		\$1,261,358
2031	\$1,123,361	\$194,088	\$0		\$20,861		\$1,296,587
2032	\$1,154,169	\$199,911	\$0		\$21,278		\$1,332,801
2033	\$1,185,822	\$205,908	\$0		\$21,704		\$1,370,026
2034	\$1,218,343	\$212,085	\$0		\$22,138		\$1,408,290
2035	\$1,251,756	\$85,975	\$0		\$11,179		\$1,326,552
2036	\$1,286,085	\$0	\$0		\$0		\$1,286,085
2037	\$1,321,356	\$0	\$0		\$0		\$1,321,356
2038	\$1,357,595	\$0	\$0		\$0		\$1,357,595
2039	\$1,394,827	\$0	\$0		\$0		\$1,394,827
2040	\$1,433,080	\$0	\$0		\$0		\$1,433,080
2041	\$1,472,382	\$0	\$0		\$0		\$1,472,382
2042	\$1,512,762	\$0	\$0		\$0		\$1,512,762
2043	\$1,554,249	\$0	\$0		\$0		\$1,554,249
2044	\$1,596,875	\$0	\$0		\$0		\$1,596,875
2045	\$1,085,285	\$0	\$0		\$0		\$1,085,285
2046	\$193,855	\$0	\$0		\$0		\$193,855
Total	\$30,210,774	\$2,638,606	\$1,520,000		\$293,020		\$34,076,361
Anticipated 25-Year General Fund Benefits							\$34,076,361
- Upfront Solar System Cost							\$23,330,387
= Anticipated 25-Year Net Savings to District							\$10,745,974

RESOLUTION NO. 19031901

**FINDINGS RE: ENERGY CONSERVATION PROJECT
WEST VALLEY COLLEGE 2.94 MW SOLAR PHOTOVOLTAIC and 1.0 MW ENERGY
STORAGE
MISSION COLLEGE 2.50 MW SOLAR PHOTOVOLTAIC and 1.0 MW ENERGY STORAGE
(GOVERNMENT CODE §§4217.10 ET SEQ.)**

WHEREAS, Government Code §4217.10 et seq (“Section 4217”) authorizes local public agencies to develop energy conservation facilities for generation of electrical power through energy services contracts procured pursuant to the procedures established by Section 4217; the District is a local public agency as that term is defined in Government Code §4217.11(j).

WHEREAS, Section 4217 authorizes the District to enter into energy service contracts to provide electrical power service from energy conservation facilities if, at a regularly scheduled public hearing, the District determines that the anticipated cost for electrical energy generated by the energy conservation facility will be less than the anticipated marginal cost for electrical energy costs without the energy conservation facility.

WHEREAS, District Staff has evaluated energy conservation facilities that may be developed and operated at West Valley College and Mission College to meet electrical power requirements and to reduce on-going operational expenses for securing electrical power through PG&E and Silicon Valley Power.

WHEREAS, District Staff has concluded that energy conservation facilities consisting of solar photovoltaic electrical generating systems utilizing solar power installed in parking areas of the West Valley College and Mission College campuses, along with, battery storage equipment and related facilities/improvements (“the ESA Project”) provides the District with the most suitable energy conservation facility.

WHEREAS, District staff has determined that the ESA Project scope consisting of: (a) 2.94 MW Fixed Tilt Carport Solar Photovoltaic power generating system along with a 1.0 MW Energy Storage System at West Valley College; and (b) 2.50 MW Fixed tilt Carport Solar Photovoltaic power generating system along with a 1.0 MW Energy Storage System at Mission College provides the District with the best value when electrical power generation and installation costs are considered.

WHEREAS, on March 1, 2019, the District posted public notice at the West Valley College and the Mission College Campuses of the public hearing relating to the ESA Project.

NOW THEREFORE, the following Resolutions are adopted.

RESOLVED, that the Board of Trustees finds that the anticipated costs for electrical power generated by the ESA Project are less than the anticipated costs for purchase of electrical power if the ESA Project is not implemented.

FURTHER RESOLVED, that District staff is authorized to proceed to develop terms and conditions of an energy services agreement for implementation of the ESA Project in accordance with procedures authorized by Section 4217;

The foregoing Resolutions are adopted by the Board of Trustees of the West Valley-Mission Community College District at the regularly scheduled meeting of March 19, 2019, by the following vote:

AYES _____

NOES _____

ABSTAIN _____

President, Board of Trustees

