

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

AUGUST 7, 2008

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

6:00 p.m.	Public Session	Club Room
6:05 p.m.	Closed Session	Club Room
7:00 p.m.	Public Session	Board Room

1.0 CALL TO ORDER - PUBLIC SESSION

1.1 Roll Call Oral

2.0 ADJOURN TO CLOSED SESSION

Conference with Labor Negotiator (Government Code 54957.6)

- Provide direction to James Andrews, negotiator, regarding negotiations with ACE, SEIU, Teamsters, and POA, and 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 of the July 17, 2008, Regular Meeting (A) 1a

3.5 Presentations/Recognitions (I) Oral

3.6 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.

3.7 Written Communications from the Public (I) Oral

3.8 Academic Senate Update **(Bangle) (Kashima)** (I) Oral

3.9 Classified Senate Update **(Kinley) (Loi)** (I) Oral

3.10 Student Senate Update **(Brazeau) (Brubaker)** (I) Oral

3.11 Mission College Update **(Robles)** (I) Oral

3.12 West Valley College Update **(Hartley)** (I) 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.**

- 3.13 Vice Chancellor’s Report (I) Oral
- 3.14 Chancellor’s Update (Hendrickson) (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) 1

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

I. Position Action Request

- a. Approve position changes (Attachment A) for WVMCCD. 5

II. Appointment(s)

Academic

- a. Toni De George, Health Occupations, Mission College.
- b. Alma Garcia, Counselor, AVANZAR/MAPS Programs, Mission College.
- c. Alicia Cardenas, Counselor, EOPS, West Valley College.

Classified

- d. Barbara McMahon, Biological Sciences, Mission College.

III. Leave(s) of Absence

Classified

- a. Shirley Robinson, Admissions & Records, West Valley College.
- b. Sherry Montoya, President’s Office, West Valley College.
- c. Lynn Welker, Child Development Center, Mission College.
- d. Amy Brumgard, Career Programs, West Valley College.
- e. Lauren Johnson, Academic Senate, West Valley & Mission Colleges.

IV. Academic

- a. Chris Moyers, Sociology, Mission College.

V. Resignations

Administrative

- a. Susan Carreon, LVN to RN Program, Mission College.

Academic

- b. Rosalie Ledesma, ACCESS, Mission College.

Classified

- c. Christine Velasquez, Staff Development, WVMCCD.
- d. Leticia Lopez, Title V, Mission College.

VI. Correction to Previous Board Agenda

- a. Thuy Foot, Bay Area Environmental Training Center, Mission College.

VII. Academic Banked Leave

- a. Chris Moyers, Sociology, Mission College.
- b. Carmen Torres, English, West Valley College.

VIII. Academic Pre-Retirement Reduced Workload and Phase In Retirement

- a. Bill Proudfoot, Librarian, West Valley College.

Hourly Classified Ratifications

Part-time, hourly student, and volunteer employees, as listed in Exhibit A.	7
Associate Faculty	
Emergency hires and other associate faculty, as listed in Exhibit B.	10

6.0 BUSINESS AND FINANCE – Consent Agenda

6.1 RATIFICATION OF VENDOR WARRANTS	(I)	11
Recommendation: That the Board of Trustees ratify vendor payments from May 1, 2008 through June 30, 2008; Datatel warrant numbers 163780-166418, totaling \$10,725,199.05		
6.2 AGREEMENT WITH EAGLE FUSTAR TENNIS DEVELOPMENT FOR FACILITY USE	(A)	12
Recommendation: That the Board of Trustees authorize the administration to permit non-exclusive license use of the West Valley College tennis court facility to Eagle Fustar Tennis Development (permit holder/licensee) from August 30, 2008 through August 29, 2010, with the option to renew in accordance with the license to use contract and the California Education Code, Sections 82537 and 82542, and District Policy 6.24 on Facilities Use.		
6.3 AGREEMENT WITH MICHAEL JESSUP PLAYER CAPITAL FOR FACILITY USE	(A)	25
Recommendation: That the Board of Trustees authorize the administration to permit non-exclusive license use of the West Valley College tennis court facility to Michael Jessup Player Capital (permit holder/licensee) from August 8, 2008 through August 7, 2010, with the option to renew in accordance with the license to use contract and the California Education Code, Sections 82537 and 82542, and District Policy 6.24 on Facilities Use.		
6.4 AGREEMENT WITH PETER TAFARELLA FOR FACILITY USE	(A)	38
Recommendation: That the Board of Trustees authorize the administration to permit non-exclusive license use of the West Valley College tennis court facility to Peter Tafarella (permit holder/licensee) from August 8, 2008 through August 7, 2010, with the option to renew in accordance with the license to use contract and the California Education Code, Sections 82537 and 82542, and District Policy 6.24 on Facilities Use.		
6.5 AGREEMENT WITH LYNN “TEX” SWAIN FOR FACILITY USE	(A)	51
Recommendation: That the Board of Trustees authorize the administration to permit non-exclusive license use of the West Valley College tennis court facility to Lynn Tex Swain (permit holder/licensee) from August 30, 2008 through August 29, 2010, with the option to renew in accordance with the license to use contract and the California Education Code, Sections 82537 and 82542, and District Policy 6.24 on Facilities Use.		

REGULAR ORDER OF AGENDA

4.0 COLLEGES, PROGRAMS, AND SERVICES

4.1 REPORT BACK ON QUESTIONS REGARDING MISSION COLLEGE CURRICULUM AND DOCUMENTATION	(I)	63
At its June 19, 2008 meeting, some Board of Trustees (BOT) members had questions and concerns about the curriculum consent agenda items. The Mission College Academic Senate President and the Curriculum Chair agreed to return at a later meeting to respond to those questions.		

4.2	MISSION COLLEGE ACADEMIC SENATE RESOLUTION ON LAND CORPORATION FUNDING REQUEST Recommendation: The Mission College Academic Senate recommends that the Board of Trustees (BOT) make a recommendation to the Land Corporation to either fulfill or deny the request made in the Resolution.	(A)	64
5.0 HUMAN RESOURCES			
5.2	2008 - 2009 CLASSIFIED RETIREMENT Recommendation: That the Board of Trustees acknowledge the following classified retirement. Classified Retiree: a. Carole Cramer, Community Education, Mission College. <i>Length of Service: 19 years and 9 months.</i>	(A)	67
5.3	APPROVE EARLY RETIREMENT INCENTIVE PROGRAM AND ADOPT APPROPRIATE RESOLUTION (NO. 08080701) FOR THE CONFIDENTIAL EMPLOYEE UNIT Recommendation: That the Board of Trustees authorize the District to offer an early retirement incentive program for the Confidential Employee Unit for fiscal years 2008-09 and 2009-10, and adopt the necessary resolution (Resolution No. 08080701) for a Supplemental Employee Retirement Plan (SERP) for fiscal years 2008-09 and 2009-10.	(A)	68
5.4	APPROVAL OF CONTRACT WITH PROFESSIONAL PERSONNEL LEASING (PPL) FOR INTERIM VICE CHANCELLOR OF ADMINISTRATIVE SERVICES Recommendation: That the Board of Trustees approve a contract with PPL for Dr. Thomas Kesey as Interim Vice Chancellor of Administrative Services for West Valley-Mission Community College District for a five-month period beginning August 11, 2008 and ending on December 31, 2008.	(A)	73
6.0 BUSINESS AND FINANCE			
6.6	RESOLUTION NO. 08080702 AUTHORIZING THE APPOINTMENT OF PIPER JAFFRAY & COMPANY, AS INVESTMENT BANKER FOR BONDS Recommendation: That the Board of Trustees approve Resolution No. 08080702 and appoint Piper Jaffray & Company as investment banker for bonds, including Series A bonds.	(A)	74
6.7	AGREEMENT RENEWAL WITH THE CITY OF SANTA CLARA FOR JUSTICE TRAINING PROGRAM EDUCATIONAL CLASSES Recommendation: That the Board of Trustees authorize the administration to renew the existing agreement with the City of Santa Clara to provide educational classes for the Santa Clara Police Department for the period of August 8, 2008 through August 7, 2011.	(A)	78
7.0	INFORMATION REPORTS There are no reports.		

8.0 BOARD

- 8.1 APPROVAL AND EXECUTION OF AN ELECTRICAL EASEMENT BY AND BETWEEN THE DISTRICT AND THE CITY OF SANTA CLARA AS IT RELATES TO THE DISTRICT’S UNDERLYING FEE OWNERSHIP INTEREST, OBLIGATIONS AND RIGHTS UNDER ITS GROUND LEASE WITH THE MISSION-WEST VALLEY LAND CORPORATION AND ITS SUB-GROUND LEASE WITH THE ELLIS MIDDLEFIELD BUSINESS PARK, A CALIFORNIA LIMITED PARTNERSHIP (SOBRATO ENTITY) (A) 80

Recommendation: That the Board of Trustees authorize the Chancellor to execute an electrical easement in favor of the City of Santa Clara in the form provided herein.

- 8.2 ESTABLISHMENT OF INDEPENDENT POLICE OVERSIGHT BOARD – FIRST READING (A) 81

Trustee Constantin recommends that the Board of Trustees approve the Board Policy herein and move policy into second reading.

- 8.3 DISTRICT POLICIES 1.8.13 “ORDER OF BUSINESS,” 2.42 “MONITORING THE EXECUTION OF POLICY,” AND 3.4.5 “EMPLOYMENT APPROVAL” (A) 83

Trustee Stampolis has requested that the following three District Policies be agendaized for discussion, with possible action on Section 1.8.13, “Order of Business” only.

- 8.4 CHANGES TO DISTRICT POLICIES RELATED TO SMOKING (CHAPTER 2) AND FEES (MOVING TO CHAPTER 5 FROM CHAPTER 6) – SECOND READING (A) 84

Recommendation: That the Board of Trustees approve the revision of the District’s policies related to smoking and fees as approved at the First Reading.

- 8.5 NEW BUSINESS – TRUSTEES (I) Oral

ADJOURNMENT