

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

**TUESDAY, MAY 8, 2012
SPECIAL MEETING**

Mission College, 3000 Mission College Blvd., Santa Clara, CA

5:00 p.m.	Public Session	Campus Center 217
5:01 p.m.	Closed Session	Campus Center 217
7:00 p.m.	Public Session	Campus Center 219-220

1.0 CALL TO ORDER - PUBLIC SESSION

1.1 Roll Call Oral

1.2 Oral Communications 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

Provide direction to Todd Goluba, Esq., Associate Vice Chancellor of HR Brad Davis, and Chancellor John Hendrickson, District designated representatives, regarding negotiations with ACE, WVMCEA, Teamsters, and POA (Government Code 54957.6); and to John E. Hendrickson, Chancellor, regarding unrepresented groups.

Public Employee Employment: Chancellor

Public Employee Evaluation: Chancellor

Public Employee Employment: West Valley College President

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 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.

3.5 PRESENTATIONS/RECOGNITIONS (I/A) ORAL

A STUDY SESSION TO CONSIDER:

- o **PROMOTING LOCAL HIRING FOR FUTURE MAJOR BUILDING PROJECTS AND**
- o **PARTNERING TO DEVELOP CONSTRUCTION INDUSTRY EDUCATIONAL PATHWAYS.**

Possible action to direct staff to study the matter and prepare a recommendation for future Board consideration.

Presenter: Neil Struthers, CEO, Santa Clara & San Benito Counties Building & Construction Trades Council

6.0 HUMAN RESOURCES

**6.1 REDUCTION OR DISCONTINUANCE OF PARTICULAR KINDS OF SERVICE, (A) 1
FACULTY LAYOFF, 1 FTE**

That the Board of Trustees approve Resolution 12050801, reducing or discontinuing the particular kind of academic services identified therein for the 2012-2013 academic year and direct the Chancellor or designee to provide notice to employee of termination of his service effective June 30, 2012.

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

9.1 TRUSTEE COMMENTS (I) ORAL

ADJOURNMENT

PREPARED BY: TRACY JOHNSON

1.0 CALL TO ORDER - PUBLIC SESSION

Public session was called to order at 6:01 p.m.

1.1 Roll Call

Board President Adrienne Grey; Trustees Nick Heimlich, Jack Lucas, Bob Owens, Buck Polk, and Chris Stampolis, and Chancellor Patrick Schmitt. Trustee Chad Walsh was absent.
Student Trustees: Daniel Likins (7:00 p.m.) and David O'Shea (7:08 p.m.)

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 6:02 p.m. There were two agenda items:

Provide direction to Kevin Dale, Esq., Acting Director of Human Resources Operations Albert Moore, and Chancellor Patrick Schmitt, District designated representatives, regarding negotiations with ACE, WVMCEA, Teamsters, and POA (Government Code 54957.6); and to Chancellor Patrick Schmitt regarding unrepresented groups.

Public Employee Performance Evaluation (Government Code 54957)

- Title: Chancellor

3.0 RECONVENE PUBLIC SESSION

Public Session reconvened at 7:05 p.m.

3.1 Pledge of Allegiance

Board President Grey led all present in the Pledge of Allegiance.

3.2 Report of Closed Session Action

Board President Grey indicated that no action had been taken.

3.3 Approval of the Order of the Agenda

Action Taken:

It was M/S/P 6/0/1 (Owens/Stampolis) to approve the Order of the Agenda as presented.

Student Trustee: One yes vote; O'Shea not present.

3.4 Approval of the Minutes of the September 4, 2012, Regular Meeting of the Board of Trustees.

A discussion was held.

Action Taken:

It was M/S/P 6/0/1 (Stampolis/Owens) to approve the minutes of the September 4, 2012, Regular Meeting of the Board of Trustees, as presented.

Student Trustee: One yes vote; O'Shea not present.

3.5 Presentations/Recognitions

Educational and Student Services Presentation –

Ms. Stephanie Mendoza and Mr. Jeff Nelson provided the Board with information regarding Adaptive Physical Education at Mission College.

Adaptive PE is simply Physical Education adapted to meet the abilities of the people enrolled in the classes. All PE classes try to include the five health-related fitness components: muscular strength, muscular endurance, body composition, flexibility, and cardio-vascular endurance. The same things are taught in Adaptive PE, adapted to the ability of the individual student. In any semester, the program might serve students with multiple sclerosis, cerebral palsy, muscular dystrophy, strokes, traumatic brain injuries, and Downs Syndrome. Sometimes classes can run group activities, but often students work on an individual basis.

Fashion Design graduate Koi Suliannagate, who has been recognized by Vogue, Women's Wear, and the Council of Fashion Designers.

He informed the Board that WVC is a proud sponsor of the Santa Clara County Start-up Cup Business Model Competition. Andrew Davidage, a graduate of one of the College's Entrepreneurship Academies, is a finalist in this very prestigious competition.

The College is also sponsoring the California Community Colleges Chancellor's Office Sustainability Template training on September 21, 2012. Representatives from the Bay 10 colleges will meet at West Valley to discuss strategies for long-term sustainability planning, greenhouse gas reduction strategies, and how to prepare students for careers in the green economy.

Mr. Davis discussed the College's two-year Mental Health Initiative Grant in the amount of \$248,000. The college-wide effort made possible by this grant will provide assessment, intervention, community partnership, and peer-to-peer support resources to students.

9.6 ACTING DIRECTOR OF HUMAN RESOURCES OPERATIONS' REPORT

Acting Director of Human Resources Operations Albert Moore was not present because of a family emergency. There was no report.

9.7 VICE CHANCELLOR'S REPORT

Vice Chancellor of Administrative Services Ed Maduli discussed the successful sale of the first release of Measure C bonds. The bonds will enable the District to proceed with the process of updating and renovating College and District facilities. He said that an article mentioning the District's bond sale appeared in the Wall Street Journal.

9.8 CHANCELLOR'S REPORT

There was no report.

9.9 STANDING COMMITTEE REPORTS

Audit and Budget Oversight Committee

There was no report.

Legislative Committee

Committee member Jack Lucas reported that the Committee met earlier in the day and, as reported under Item 8.1 earlier in the meeting, voted to recommend to the Board a position of support for Proposition 30. The vote was two in favor and one abstention.

9.10 TRUSTEE COMMENTS AND ITEMS FOR FUTURE BOARD CONSIDERATION

Mr. Stampolis asked that Trustees contact him with any items they might have for the upcoming CCCT meeting. He also asked for an update at an upcoming meeting on the Project Labor Agreement discussions.

Student Trustee David O'Shea thanked the Board for its support of Proposition 30.

Board President Adrienne Grey noted that the last day to register to vote is October 22.

ADJOURNMENT

Board President Grey adjourned the meeting at 8:44 p.m.

UNAPPROVED MINUTES OF THE **OCTOBER 16, 2012** BOARD OF TRUSTEES MEETING

ITEM 3.4
ACTION ITEM
NOVEMBER 13, 2012

PREPARED BY: TRACY JOHNSON

1.0 CALL TO ORDER - PUBLIC SESSION

Public session was called to order at 6:01 p.m.

1.1 Roll Call

Board President Adrienne Grey; Trustees Nick Heimlich, Jack Lucas, Bob Owens, Buck Polk, Chris Stampolis, and Chad Walsh and Chancellor Patrick Schmitt.

Student Trustees: Daniel Likins (7:00 p.m.); David O'Shea absent

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 6:02 p.m. There was one agenda item:

Provide direction to Kevin Dale, Esq., Acting Director of Human Resources Operations Albert Moore, and Chancellor Patrick Schmitt, District-designated representatives, regarding negotiations with ACE, WVMCEA, Teamsters, and POA (Government Code 54957.6); and to Chancellor Patrick Schmitt regarding unrepresented groups.

3.0 RECONVENE PUBLIC SESSION

Public Session reconvened at 7:05 p.m.

3.1 Pledge of Allegiance

Board President Grey led all present in the Pledge of Allegiance.

3.2 Report of Closed Session Action

Board President Grey indicated that no action had been taken.

3.3 Approval of the Order of the Agenda

Action Taken:

It was M/S/P 7/0/0 (Heimlich/Owens) to approve the Order of the Agenda as presented.

Student Trustee: One yes vote

3.4 Approval of the Minutes of the October 2, 2012, Regular Meeting of the Board of Trustees

A discussion was held.

Executive Assistant to the Board of Trustees Tracy Johnson announced that the following sentence would be added to Page 6, under Approval of Minutes of the October 2, 2012, Board of Trustee Meeting:

'Trustee Chris Stampolis said that, under Trustee Comments on September 18, he had asked that an update on Project Labor Agreements return at 'an October meeting' rather than 'an upcoming meeting.'

Action Taken:

It was M/S/P 7/0/0 (Stampolis/Owens) to approve the minutes of the October 2, 2012, Regular Meeting of the Board of Trustees, with the above-mentioned change.

Student Trustee: One yes vote

3.5 Presentations/Recognitions

Educational and Student Services Presentation

West Valley College Library Department Chair Yanghee Kim and Librarian Betsy Sandford delivered a presentation entitled 'What's Happening in the Library' and provided updates on the library's Archives

WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES MEETING

Tuesday, November 13, 2012

Mission College
3000 Mission College Blvd., Santa Clara, CA 95054

6:00 p.m.	Public Session	Campus Center Room 219
6:01 p.m.	Closed Session	Campus Center Room 219
7:00 p.m.	Reception in recognition of outgoing Trustee Chris Stampolis and Mission College Student Trustee Daniel Likins	TAV-130
7:15 p.m.	Public Session	TAV-130

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

Provide direction to Kevin Dale, Esq., Acting Director of Human Resources Operations Albert Moore, and Chancellor Patrick Schmitt, District designated representatives, regarding negotiations with ACE, WVMCEA, Teamsters, and POA (Government Code 54957.6); and to Chancellor Patrick Schmitt regarding unrepresented groups.

DISCRIMINATION COMPLAINT APPEAL – Appeal to administrative determination regarding discrimination complaint under 5 CCR 59300 et seq.

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
Approval of the Minutes of the October 16, 2012, Meeting | (A) 8 |
| 3.5 | Presentations/Recognitions
<u>Educational and Student Services Presentation:</u>
Student Success Task Force Initiatives
Presenters: Penny Johnson and Rebecca Tran | 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.

an opportunity to express itself regarding the proposals in the form of public comments.

[6.6 INITIAL PROPOSALS IN RE-OPENER NEGOTIATIONS FOR SUPERVISORS ASSOCIATION \(TEAMSTERS, LOCAL 856\)](#)

7.0 BUSINESS AND FINANCE

7.4 FINANCIAL STATEMENTS AND BUDGET ADJUSTMENTS (A) 59

Recommendation: That the Board of Trustees approve the accompanying financial statements and budget adjustments as specified below for the period of July 1, 2012, through September 30, 2012 (First Quarter).

[7.4 1st Qtr. Budget adjustments and financials](#)

[Attach. 7.4 - 1st Qtr. Budget adjustments and financials](#)

7.5 2012-13 CCFS 311 FIRST QUARTER FINANCIAL REPORT (A) 75

Recommendation: That the Board of Trustees accept the 2012-13 First Quarter Financial Report and authorize Fiscal Services to forward the CCFS-311Q Report to the California Community Colleges Chancellor's Office (CCCCO).

[7.5 1st Qtr. 311 Report](#)

[Attach. 7.5 1st Qtr. 311 Report](#)

7.6 PROJECT LABOR AGREEMENTS (A) 79

Recommendation: That the Board of Trustees provide direction for Project Labor Agreements to increase local contractor utilization for the District's capital outlay program.

[7.6 PROJECT LABOR AGREEMENTS](#)

8.0 BOARD

8.1 APPROVAL OF A NONDISTURBANCE, RECOGNITION AND ATTORNMENT AGREEMENT BY AND BETWEEN THE WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT, A CALIFORNIA COMMUNITY COLLEGE DISTRICT, LAKHA PROPERTIES – SANTA CLARA, LLC, A WASHINGTON LIMITED LIABILITY COMPANY, AND WAL-MART STORES, INC., A DELAWARE CORPORATION (A) 81

Recommendation: That the Board of Trustees approve the agreement substantially as presented and authorize the Chancellor to execute same on behalf of the District.

[8.1 APPROVAL OF A NONDISTURBANCE, RECOGNITION AND ATTORNMENT AGREEMENT](#)

[8.1 NDRA](#)

8.2 BOARD OF TRUSTEES 2011-12 SELF-EVALUATION AND 2012-13 SELF-EVALUATION GOALS (A) 97

Recommendation: That the Board of Trustees concludes its 2011-12 self-evaluation by finalizing and approving its 2012-13 self-evaluation goals.

[8.2 BOARD OF TRUSTEES 2012-13 SELF-EVALUATION GOALS](#)

9.0 INFORMATION REPORTS AND ITEMS FOR FUTURE BOARD CONSIDERATION

PREPARED BY: ED MADULI

REVIEWED AND APPROVED BY: PATRICK SCHMITT

SUBJECT: PROJECT LABOR AGREEMENTS

CHANCELLOR'S RECOMMENDATION:

That the Board of Trustees provide direction for Project Labor Agreements to increase local contractor utilization for the District's capital outlay program.

Funding Source/Fiscal Impact

Project funding for the District's capital outlay program is through both Measure H and Measure C. The fiscal impact of Project Labor Agreements is unknown.

Reference(s)

At the May 8, 2012, Board of Trustees meeting, Neil Struthers, CEO, Santa Clara & San Benito Counties Building & Construction Trades Council, outlined the benefits of Project Labor Agreements. The Vice Chancellor, Administrative Services was directed to provide a study of Project Labor Agreements to the Board of Trustees before the end of calendar year 2012.

Background/Alternatives

The Vice Chancellor, Administrative Services is conducting a study of Project Labor Agreements for the Board of Trustees. The study will draw from recent research showing its benefits as well as its drawbacks. It will also include data from other community colleges that have entered into Project Labor Agreements or Project Stabilization Agreements. Project Labor Agreements may also be called Project Stabilization Agreements. The study will be presented to the Board on December 11, 2012.

The District is also using other strategies to increase local contractor participation in its construction projects. On March 16, 2006, The Board of Trustees passed a resolution to enact the bidding procedures under the Uniform Public Construction Cost Accounting Act. This allows the District to prequalify contractors for work up to \$187,500 for public works projects. Annually, the District solicits new contractors as well as recertifying contractors that are currently on the approved list. Through the years, this program has grown in size. The District currently has 102 contractors on the approved list. Ninety

are local contractors. For projects less than \$45,000, the District can negotiate work with any of the approved contractors who hold the appropriate California Contractor's License for the work being performed. For projects greater than \$45,000 and less than \$187,500, the District uses the informal bid process. This method is relatively fast as the District can advertise and open bids within 10 days. For the current fiscal year, the District has awarded \$565,195 to 54 local contractors within Santa Clara County.

Other strategies to increase local participation in the District's construction projects include alternative project delivery methods. These include multi-prime and lease/leaseback. In the multi-prime option, the District contracts directly with the trade contractors. The typical trade contractors include general trades, mechanical, plumbing, electrical, site work, and occasional specialties. The construction of the Information Technology Building at Mission College utilized the multi-prime option. More than 90% of the construction work was performed by local contractors. The total construction cost of this building was \$2.3 million.

Lease/lease back is another option. With this option, the District leases property (site) to the contractor for a nominal sum. The contractor agrees to construct the building on the site and lease it back to the District. After construction is complete, the facilities lease is terminated and the title to the building reverts back to the District. Under this option, the District can direct the contractor to a certain percentage of the contractor work going to local subcontractors. The District has not used this option.

Coordination

N/A

Follow-up/Outcome

The Vice Chancellor, Administrative Services will incorporate the Board's comments in the study of Project Labor Agreements, which will be presented to the Board at the December 11, 2012, Board of Trustees meeting.

UNAPPROVED MINUTES OF THE NOVEMBER 13, 2012, BOARD OF TRUSTEES MEETING

6.5 INITIAL PROPOSALS IN REOPENER NEGOTIATIONS FOR SUPERVISORS ASSOCIATION (TEAMSTERS LOCAL 856)

The District's initial proposals to the Supervisors Association for re-opener negotiations were released as public documents.

6.6 INITIAL PROPOSALS IN REOPENER NEGOTIATIONS FOR SUPERVISORS ASSOCIATION (TEAMSTERS LOCAL 856)

The Supervisors Association initial proposals to the District for re-opener negotiations were released as public documents.

7.0 BUSINESS AND FINANCE

7.4 FINANCIAL STATEMENTS AND BUDGET ADJUSTMENTS

A discussion was held

Action Taken:

It was M/S/P 6/0/1 (Lucas/Owens) to approve the financial statements and budget adjustments as specified for the period of July 1, 2012, through September 30, 2012 (First Quarter).

Student Trustee: One yes vote.

7.5 2012-13 CCFS 311 FIRST QUARTER FINANCIAL REPORT

A discussion was held.

Action Taken:

It was M/S/P 6/0/1 (Polk/Owens) to accept the 2012-13 First Quarter Financial Report and authorize Fiscal Services to forward the CCFS-311Q Report to the California Community Colleges Chancellor's Office (CCCCO).

Student Trustee: One yes vote.

7.6 PROJECT LABOR AGREEMENTS

A discussion was held.

Trustee Lucas moved to support the staff recommendation and that the Board encourage Mr. Maduli and staff to bring as much information as possible to the Board as part of the December 11, 2012, report.

A discussion was held.

Trustee Lucas withdrew his motion.

A discussion was held.

Action Taken:

It was M/S/P 5/1/1 (Grey/Stampolis; Heimlich voted no) to direct staff to pursue a Project Labor Agreement/Project Stabilization Agreement with the appropriate entity and that the District have the discretion to negotiate that agreement as it sees fit for the benefit of the District, and to bring that proposed contract back to the Board at a timely future date, by March 2013 or the soonest practicable date, in addition to proceeding with the report from the Vice Chancellor as planned.

Student Trustee: One nay vote.

8.0 BOARD

8.1 ~~APPROVAL OF A NONDISTURBANCE, RECOGNITION AND ATTORNMENT AGREEMENT BY AND BETWEEN THE WEST VALLEY MISSION COMMUNITY COLLEGE DISTRICT, A CALIFORNIA COMMUNITY COLLEGE DISTRICT, LAKHA PROPERTIES – SANTA CLARA, LLC, A WASHINGTON LIMITED LIABILITY COMPANY, AND WAL-MART STORES, INC., A DELAWARE CORPORATION~~

This item was moved forward in the agenda to follow Item 3.3 and it appears at that point in these minutes.

8.2 BOARD OF TRUSTEES 2011-12 SELF-EVALUATION AND 2012-13 SELF-EVALUATION GOALS

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

Tuesday, December 11, 2012

AMENDED AGENDA

West Valley College
14000 Fruitvale Avenue, Saratoga, CA 95070

(Trustee Heimlich may participate via phone from the Lobby of the Westin Golf Resort & Spa,
Playa Conchal, Cabo Velas, 2325150, Costa Rica)

5:00 p.m. Public Session Board Room
5:05 p.m. Closed Session Global Studies Room
7:00 p.m. Public Session Board Room

A brief reception for elected Trustees, Student Trustee, and outgoing Board officers will take
place in the Board Room Lobby during Item 3.7, Presentations/Recognitions.

1.0 CALL TO ORDER - PUBLIC SESSION

1.1 Roll Call Oral

1.2 Acceptance of Certificate of Election Results and Statement of Votes Cast at the
General Election, Declaration that the Totals are the Final Results of the
Election, and the Oath of Office Ceremony. (A) Oral

Trustees Adrienne Grey and Robert T. Owens, and Karl Watanabe will be
administered the Oath of Office and seated as members of the Board of Trustees.
Trustee Heimlich was administered the Oath of Office on December 4, 2012.

1.3 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

Student Discipline (Education Code Sections 66300, 72122, 76030, 76243(a)(1))
Recommended Expulsion of Student # 1731445.

Conference with Legal Counsel – Existing Litigation
Pursuant to subdivision (a) of Government Code Section 54956.9
City of San Jose v Matosantos, et al, Santa Clara Superior Ct No. 34-2012-80001327.

Provide direction to Kevin Dale, Esq., Acting Director of Human Resources Operations Albert
Moore, and Chancellor Patrick Schmitt, District designated representatives, regarding
negotiations with ACE, WVMCEA, Teamsters, and POA (Government Code 54957.6); and to
Chancellor Patrick Schmitt regarding unrepresented groups.

3.0 RECONVENE PUBLIC SESSION

3.1 Pledge of Allegiance 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.

5.0	COLLEGE PROGRAMS AND SERVICES		
5.3	ACCEPT DONATION TO WEST VALLEY COLLEGE That the Board of Trustees accept the Kirkorian Family pledged donation of \$50,000 and gift to name the Multipurpose Center in West Valley College Viking Grove. 5.3 WVC Donation Kirkorian 12-11-12	(A)	107
5.4	ACCEPT DONATION TO WEST VALLEY COLLEGE That the Board of Trustees accept a \$3.5 million gift from the Kvamme Foundation to West Valley College. 5.4 WVC Donation Kvamme 12-11-12	(A)	108
5.5	ADOPT RESOLUTION NO. 12121101 AUTHORIZING WEST VALLEY AND MISSION COLLEGES TO CREATE SUSTAINABILITY PLANS FOR THEIR COLLEGES USING THE TEMPLATE CREATED BY THE CALIFORNIA COMMUNITY COLLEGES CHANCELLOR'S OFFICE That the Board of Trustees adopt Resolution No. 12121101 authorizing West Valley and Mission Colleges to create sustainability plans for their colleges using the template created by Citrus College and the California Community Colleges Chancellor's Office. Sustainability Resolution 12121101 12-11-12	(A)	110
6.0	HUMAN RESOURCES		
6.2	PUBLIC OPPORTUNITY FOR COMMENT AND ADOPTION OF SUPERVISORS (TEAMSTERS, LOCAL 856) INITIAL PROPOSALS TO DISTRICT Recommendation: That the Board of Trustees hear public comment on the proposals, close the public comment period, and adopt the proposals. PUBLIC OPPORTUNITY FOR COMMENT AND ADOPTION OF SUPERVISORS (TEAMSTERS, LOCAL 856) INITIAL PROPOSALS TO DISTRICT	(A)	114
6.3	PUBLIC OPPORTUNITY FOR COMMENT AND ADOPTION OF DISTRICT INITIAL PROPOSALS TO SUPERVISORS ASSOCIATION (TEAMSTERS, LOCAL 856) Recommendation: That the Board of Trustees hear public comment on the proposals, close the public comment period, and adopt the proposals. PUBLIC OPPORTUNITY FOR COMMENT AND ADOPTION OF DISTRICT INITIAL PROPOSALS TO SUPERVISORS ASSOCIATION (TEAMSTERS, LOCAL 856)	(A)	116
7.0	BUSINESS AND FINANCE		
7.5	PROJECT LABOR AGREEMENTS Recommendation: That the Board of Trustees receive the study of Project Labor Agreements to increase local contractor utilization for the District's capital outlay program. 7.5 Project Labor Agreements	(I)	118

PREPARED BY: ED MADULI

REVIEWED AND APPROVED BY: PATRICK SCHMITT

SUBJECT: PROJECT LABOR AGREEMENTS

CHANCELLOR'S RECOMMENDATION:

That the Board of Trustees receive the study of Project Labor Agreements to increase local contractor utilization for the District's capital outlay program.

Funding Source/Fiscal Impact

Project funding for the District's capital outlay program is through both Measure H and Measure C. The fiscal impact of Project Labor Agreements is unknown.

Reference(s)

Project Labor Agreements were discussed at two previous Board meetings, May 8, 2012, and November 13, 2012.

Background/Alternatives

At the direction of the Board of Trustees, the Vice Chancellor of Administrative Services conducted a study of Project Labor Agreements. The study incorporates recent research showing its benefits as well as its drawbacks. It also includes data from other community colleges that have entered into Project Labor Agreements or Project Stabilization Agreements. Project Labor Agreements may also be called Project Stabilization Agreements.

The study also includes other strategies to increase local contractor participation in the District's capital outlay programs. Further, the study concludes with the experience with Measure H construction projects

Coordination

N/A

Follow-up/Outcome

No further action is required.

UNAPPROVED MINUTES OF THE **DECEMBER 11, 2012** BOARD OF TRUSTEES MEETING

ITEM 3.4
ACTION ITEM
JANUARY 15, 2013

PREPARED BY: TRACY JOHNSON

1.0 CALL TO ORDER - PUBLIC SESSION

Public session was called to order at 5:17 p.m.

1.1 Roll Call

Board President Adrienne Grey; Trustees Jack Lucas, Bob Owens, Buck Polk, Chad Walsh, and Karl Watanabe (Trustee Watanabe was seated at 5:25 p.m., following the Oath of Office Ceremony); and Chancellor Patrick Schmitt. Trustee Nick Heimlich, absent.
Student Trustee: Nelson Pham (7:00 p.m.)

1.2 Acceptance of Certified Statement of Votes Cast at the General Election, Declaration of the Final Results of the Election, and the Oath of Office Ceremony.

Action Taken:

It was M/S/P 6/0/1 (Owens/Lucas) to accept the Certificate of Election Results and the Statement of Votes Cast at the November 5, 2012, election, and declare the totals to be the final results of the election.
Student Trustee: Not present.

Re-elected Trustees Adrienne Grey and Robert T. Owens and newly-elected Trustee Karl Watanabe were administered the Oath of Office and were seated as members of the Board of Trustees. Re-elected Trustee Nick Heimlich was administered the Oath of Office on December 4, 2012.

1.2 Oral Communications from the Public on Closed Session Agenda

Former WVMCCD Trustee Chris Stampolis congratulated Trustees Grey, Heimlich, Owens, and Watanabe on their elections and re-elections. **Noting the item on the Regular Order of the Agenda regarding Project Labor Agreements, he encouraged the Board to support PLAs.**

2.0 ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 5:30 p.m. There were three agenda items:

Student Discipline (Education Code Sections 66300, 72122, 76030, 76243(a)(1))
Recommended Expulsion of Student # 1731445.

Conference with Legal Counsel – Existing Litigation
Pursuant to subdivision (a) of Government Code Section 54956.9
City of San Jose v Matosantos, et al, Santa Clara Superior Ct No. 34-2012-80001327.

Provide direction to Kevin Dale, Esq., Acting Director of Human Resources Operations Albert Moore, and Chancellor Patrick Schmitt, District designated representatives, regarding negotiations with ACE, WVMCEA, Teamsters, and POA (Government Code 54957.6); and to Chancellor Patrick Schmitt regarding unrepresented groups.

3.0 RECONVENE PUBLIC SESSION

Public Session reconvened at 7:15 p.m.

3.1 Pledge of Allegiance

Board President Grey led all present in the Pledge of Allegiance.

3.2 Report of Closed Session Action

Board President Grey reported that the Board had taken the following actions:

All members present voted to expel Student #1731445.

All members present voted to allow the District to agree to the stipulation to entry of judgment in Case No. 34-2012-80001327.

UNAPPROVED MINUTES OF THE **DECEMBER 11, 2012** BOARD OF TRUSTEES MEETING

A discussion was held. It was noted that the words 'and Mission College' should be removed from West Valley College's Sustainability Vision and Mission Statement.

Action Taken:

It was M/S/P 6/0/1 (Polk/Grey; Roll Call: Student Trustee, Aye; Grey, Aye; Heimlich, Absent; Lucas, Aye; Owens, Aye; Polk, Aye; Walsh, Aye; Watanabe, Aye) to adopt Resolution No. 12121101 authorizing West Valley and Mission Colleges to create sustainability plans for their colleges using the template created by Citrus College and the California Community Colleges Chancellor's Office, with the above-noted change.

6.0 HUMAN RESOURCES

6.2 PUBLIC OPPORTUNITY FOR COMMENT AND ADOPTION OF SUPERVISORS (TEAMSTERS, LOCAL 856) INITIAL PROPOSALS TO DISTRICT

At 8:30 p.m., Trustee Owens opened the public comment period.

There were no comments.

The comment period was closed at 8:30.

Action Taken:

It was M/S/P 6/0/1 (Polk/Grey) to adopt the Supervisors Association's initial proposals to the District.

Student Trustee: One yes vote.

6.3 PUBLIC OPPORTUNITY FOR COMMENT AND ADOPTION OF DISTRICT INITIAL OF PROPOSALS TO SUPERVISORS ASSOCIATION (TEAMSTERS, LOCAL 856)

At 8:31p.m., Trustee Owens opened the public comment period.

There were no comments.

The comment period was closed at 8:31.

Action Taken:

It was M/S/P 6/0/1 (Polk/Grey) to adopt the District's initial proposals to the Supervisors' Association.

Student Trustee: One yes vote.

7.0 BUSINESS AND FINANCE

7.5 PROJECT LABOR AGREEMENTS

This was an information item.

The Board of Trustees received a study of Project Labor Agreements.

A discussion was held.

8.0 BOARD – There were none.

9.0 INFORMATION REPORTS AND ITEMS FOR FUTURE BOARD CONSIDERATION

9.1 ACADEMIC SENATE UPDATE

Ms. Cathy Cox reported on behalf of Academic Senate President Dianne Dorian. She noted that the Senate had recently held its last meeting of a busy and successful semester, and that all the Senate's subcommittees had been extremely busy. She reported that the Academic Directions Committee had been working closely with the Marketing Program, which was in need of revitalization. After much work and deliberation, a meeting and public hearing was noticed, and it was decided to discontinue this program. A plan will be developed to fold courses showing viability into the Business program. Ms. Cox also noted that the Curriculum Committee will place an extremely large packet of curriculum to the January 15 Board meeting. She closed by thanking Mission College President Jones for her support.

West Valley College Academic Senate President Lance Shoemaker discussed the Senate's work in forming an Academic Directions Committee and said he expected some programs to be nominated to work with the Committee in the spring semester. He thanked John Hannigan for his work in implementing a substantive program review process, Cathy Cox for her assistance with curriculum matters, and Becky Perelli for her work in the area of student success. He closed by informing the Board that Eric Pape had been elected as the College's next Academic Senate President.

The Santa Clara Weekly

Santa Clara's Community Newspaper

Education Desk: Project Labor Agreements for Measure C Construction? West Valley-Mission Board Hears Arguments

By Carolyn Schuk

On Tuesday, December 11, West Valley-Mission Community College District (WVMCCCD) Board of Trustees held a public hearing on the pros and cons of having a Project Labor Agreement (PLA) on the \$350 million Measure C Construction Bond passed in June of 2012. No action was planned or taken on the issue.

Dec 26, 2012

"I have received voluminous, voluminous material on this topic," Board President Nick Heimlich noted drily. But that didn't deter several dozen people who had come out specifically to address the board on the subject from making their statements.

PLAs are pre-hire agreements with labor organizations establishing wage rates and benefits for all employees working on a specific project. These terms apply to all contractors and subcontractors bidding on the project, as well as anyone working on the project - union and non-union laborers alike. PLAs can include a variety of provisions that can range from blocking strikes to requiring all hiring to be done through union hiring halls.

Although PLAs have been commonplace in the U.S. for the last 80 years - Cape Canaveral, Disney World and the Trans-Alaska Pipeline were all constructed with PLAs in place, and Santa Clara's rapidly-rising 49ers stadium has a PLA. Over the the last 30 years, there has been a growing debate over PLAs.

Opponents say that PLAs reduce competition and local participation by cutting out small contractors - who would find it onerous to meet some of the contract terms - and, thus drive up construction costs.

Proponents say that PLAs benefit communities because they increase local hiring. This not only brings direct local economic benefits, but also supports a knowledgeable local workforce that increases project efficiency.

In November, the board asked West Valley-Mission district Vice Chancellor Ed Maduli for a report on the question. His analysis was that the research on the question is, as they say, clear as mud.

"There are studies on both sides of the fence," said Maduli, noting that a well-known National University study on PLAs underwritten by the California Association of Builders (www.thecostofplas.com) concluded PLAs added 15 percent to construction project cost, while a UCLA (www.irle.ucla.edu) study funded by an association of building trades contradicts that finding.

PLAs increase the participation of local contractors, according to Louise Auerholm, author of Working Partnerships' (www.wpusa.org) October 2012 policy brief, "Effect of Project Labor Agreements On Local Business Utilization In Santa Clara County, California."

Not true, says Northern California's Associated Builders and Contractors' (www.abccgc.org) Nicole Goering; countering with the example of a Contra Costa Community College District where, she said, PLAs reduced the number of potential bidders on a construction project from 17 to 6.

To find the right answer for the community college district, Maduli suggested a comparison project. Build two comparable projects, one with a PLA and the other without, and compare the results.

Maduli also honed in on another critical question that hasn't been clearly answered by the board: What's the public policy objective for the district of entering into a PLA?

"In our area we have five community college districts [using] PLAs...and they're happy with them," reported Maduli. "But the policy objective is clear...a construction careers agreement. Unfortunately for this district we do not have a construction technology program, nor are there plans to start one."

If the policy goal is local business participation, Maduli noted that the district is already using methods that foster that; including uniform cost accounting methodology (standardized costing that impedes cut-throat competition) and awarding multi-prime contracts (sequential contract awards for each phase of construction, depending on the specialties needed). "Both of those will increase the participation of local contractors."

Historically, the district has awarded \$565 million in contracts to 54 local contractors within Santa Clara county, reported Maduli. In recent construction at Mission College, over 90 percent of the spending has gone to local contractors.

All of this may be moot anyway, as at the board voted 5-1 at its November meeting to direct staff to negotiate a PLA for Measure C construction "as it sees fit for the benefit of the District." Heimlich voted against the item.

You can find Vice Chancellor Maduli's report on PLAs by visiting www.wvm.edu/group.aspx?id=36, selecting "Documents" from the right side menu, and "12.11.12 Board of Trustees Meeting."

UNAPPROVED MINUTES OF THE MARCH 19, 2013, BOARD OF TRUSTEES MEETING

9.6 ACTING DIRECTOR OF HUMAN RESOURCES OPERATIONS' REPORT

Acting Director of Human Resources Operations Albert Moore congratulated all faculty members whose contract renewals had been approved earlier on the agenda. He thanked the Board of Trustees for approving the promotional hires of internal employees. Mr. Moore noted the upcoming benefit open enrollment period taking place in April. There will be presentations on both campuses by SmartBen, the District's new benefits providers. He discussed the May 17 Retiree/Longevity Recognition Reception, which will be held in the new Campus Center at West Valley College. The planning committee for the event looks forward to alternating campuses for the annual event in order to showcase new and renovated facilities.

9.7 VICE CHANCELLOR'S REPORT

Vice Chancellor of Administrative Services Ed Maduli thanked Dianne Dorian and Lance Shoemaker, whose terms as Academic Senate Presidents end at the conclusion of the semester, for their work on the Revenue Allocation Model (RAM) Task Force. He noted that the RAM Task Force's work is coming to an end and the model will soon be reviewed and accepted by District Council.

He updated the Board on the continued exploration of Project Labor Agreements. He said that he has held two lengthy meetings with Neil Struthers of the Building Trades Council, and is meeting again with him on April 3 to try to craft an agreement that is acceptable to both parties.

9.8 CHANCELLOR'S REPORT

Chancellor Patrick Schmitt noted the excellent presentation on STEM earlier in the meeting, and also commented on all of the outstanding work highlighted during the updates and reports from the Senates and administrative staff. He praised the dedicated faculty, staff, and administrators at the Colleges and the District, and thanked them for the excellent work they do every day to support the success of the District's students.

9.9 STANDING COMMITTEE REPORTS

Audit and Budget Oversight Committee

There was no report.

Legislative Committee

Committee Chair Adrienne Grey reported that the committee had its first meeting of the year, revisited the charter, and plans to prepare and present some slight changes. She said the Committee members had a philosophical discussion regarding issues that it might take on in the future.

9.10 TRUSTEE COMMENTS AND ITEMS FOR FUTURE BOARD CONSIDERATION

Trustee Jack Lucas noted that the 50th anniversary of the District is upcoming and said that he would like to receive an update on planning for the celebration and what the Board can do to assist in the efforts.

Trustee Lucas and all Board members thanked Ms. Dorian and Mr. Shoemaker for their outstanding service as Academic Senate Presidents.

Trustee Polk thanked ACE President Rod Pavao for his remarks under 'Oral Communications.' He said he appreciated Mr. Pavao's measured, courteous tone. He congratulated Danny Nguyen and Kenneth Songco for the earlier STEM presentation.

Trustee Lucas thanked President Jones for the article on 'Silicon Valley Reads' that appeared in a previous Board Report. As a member of the 'Silicon Valley Reads' Advisory Board, he thanked Dr. Jones for hosting a meeting of the Advisory Board.

Trustee Owens discussed a report he had recently read regarding the dangers of concussions in athletics. He said that it is a serious topic that has not been treated seriously in the past. He expressed his interest in ensuring that those who participate in the Colleges' athletic programs have a safe environment. He encouraged the Presidents to read the article.

Board President Heimlich adjourned at the meeting at 8:44 p.m.

WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT
CITIZEN'S BOND OVERSIGHT COMMITTEE

Mission College, Board Room

Wednesday, June 12, 2013

5:30 pm

<u>Members Present</u>		
X	Shirley Cantu	Community-at-Large
X	Paul Cavagnolo	Senior Organization
X	Shane Patrick Connolly	Taxpayer Organization
	Betty Deal	Business Organization
	Ryan Hamilton	WVC Student Organization
	Frank Jewett	District/College Support Organization
	Gail Long	Community-at-Large
	Vacant	MC Student Organization
	Vacant	District/College Support Organization
<u>Support Staff</u>		
X	Christina Booth	Recorder
X	Javier Castruita	Director, Facilities
X	Chia-Chien Chen	Measure H Principal Accountant
X	Gaye Dabalos	Assistant Director, Facilities
	Bradley Davis	WVC Interim President
X	DeeDee Flauding	Gilbane Building Company
	Laurel Jones	MC President
X	Ed Maduli	Vice Chancellor, Administrative Services
X	Patrick Schmitt	Chancellor

UNAPPROVED MINUTES

1. Call to Order

The meeting was called to order at 5:38pm by the committee Chair, Shane Patrick Connolly.

2. Assess a Quorum (roll)

With three members present, a quorum was not achieved.

3. Introduction of New Members

The committee has two new members, Ms. Gail Long and Mr. Frank Jewett. Neither were in attendance.

4. Introduction of Guests

There was one guest in attendance, Mr. Bob Bush, Gilbane Building Company Project Executive.

5. Approval of the April 10, 2013, meeting minutes

This item was tabled due to lack of a quorum.

equipment had been purchased. Mr. Castruita indicated that he would follow-up and report back to the committee.

Mr. Castruita then reviewed the Measure C reports. He noted that the first report – Expenses by Project Phase – has a slightly different format than the Measure H report. The new format will show the amount of each bond sale when it is made, in addition to non-bond funds associated with each project. The format of the remaining reports will remain unchanged. Mr. Castruita asked committee members to review the format change and send any comments and/or approval of the change, via email, to Ms. Booth.

Ms. Cantu asked if, with the new technology in buildings, i.e. HVAC systems, fire alarms, security systems, etc., the District will need to hire more staff and/or provide additional training. Mr. Castruita replied that training on the new systems has been required, but currently no additional staff is needed. Additional staffing will be required when new buildings come on-line and the actual square footage has increased above the current baseline.

9. Public Comments (three minute limit per person)

There were none.

10. Committee Members' Comments

At the last meeting, CBOC members were informed that the Board would be considering a Project Labor Agreement (PLA) with the Santa Clara & San Benito Counties Building & Construction Trades Council. Mr. Connolly stated that a recent study he was involved with showed that Project Labor Agreements (PLA's) increased the cost of construction by 13 – 15%. He added that, as a taxpayer who voted to approve Measure C, he would not have done so if he knew that bond monies would be used to pay the South Bay Labor Council or building trades. He believes the use of bond monies towards a PLA is neither wise nor frugal. He indicated that he would attend the Board meeting, as a private citizen, when PLA's are discussed to express his opinion.

Meeting adjourned at 6:55pm.

PREPARED BY: ED MADULI

REVIEWED AND APPROVED BY: PATRICK SCHMITT

**SUBJECT: PROJECT LABOR AGREEMENT FOR WEST VALLEY-MISSION
COMMUNITY COLLEGE DISTRICT**

CHANCELLOR'S RECOMMENDATION:

That the Board of Trustees approve the Project Labor Agreement (PLA) between the West Valley-Mission Community College District and Santa Clara & San Benito Counties Building and Construction Trades Council (SCBTC).

Funding Source/Fiscal Impact

Project funding for the District's capital outlay program is through Measure C. The PLA applies only to one Measure C construction project. The fiscal impact of the PLA is unknown.

Reference(s)

PLA's were discussed at two previous Board meetings: May 8, 2012, and November 13, 2012. At the December 11, 2012 Board meeting, the Vice Chancellor presented a "Study of Project Labor Agreements." The study provided a perspective on the debate of costs relative to implementing a PLA for construction projects.

Background/Alternatives

At the direction of the Board of Trustees, the Vice Chancellor of Administrative Services drafted a proposed PLA with the SCBTC. That agreement was transmitted to Neil Struthers, CEO, SCBTC, on February 21, 2013. Subsequent meetings to discuss the proposed agreement were held on March 15, April 3, May 2, and July 1, 2013.

The District is recommending a PLA that restricts the agreement to a "pilot" project situated on the West Valley College campus. The "pilot" construction project is the renovation of the Applied Arts and Sciences Building. Construction is scheduled to start in January 2014. *There will be no other on-going construction projects at the West Valley campus during this time period.*

Coordination

The Vice Chancellor of Administrative Services and the CEO of the Santa Clara & San Benito Counties Building and Construction Trades Council reviewed the agreement. A final review was done by the District's legal counsel.

APPROVED MINUTES OF THE **AUGUST 20, 2013**, BOARD OF TRUSTEES MEETING

The program has a number of community partnerships, including Project Hire, VTA, the Goodwill, San Jose Vet Center / Mobile Vet Unit, the Palo Alto VA, and EDD – Job Services.

Ms. Walker introduced veteran student Michael Hutchinson, serving this year as Veterans Club President. He is studying computer network systems and plans to work in network administration. He spoke about the assistance provided by the Veterans Resource Center during his transition back to school.

A goal of the College is to be considered a veteran-friendly campus. Dr. Donohue-Mendoza and Ms. Walker are also consulting with San Jose State University to assist them in starting a Veterans Resource Center.

The presentation closed with a discussion of the program's goals to improve veteran student success, which include:

- A dedicated counselor
- VA Work study students
- Outreach
- Database to identify all Veteran students
- Progress reports

The Board of Trustees thanked Dr. Donohue-Mendoza, Ms. Walker, and Mr. Hutchinson for the excellent information provided.

3.6 Oral Communications from the Public

Mr. Mike Fox, Sr., distributed a letter he had written in November 2012 in support of a Project Labor Agreement (PLA), and urged the Board to support the PLA appearing later on the agenda. He thanked the Board for the opportunity to speak and for bringing a PLA forward for ratification.

ACE President Rod Pavao addressed the Board on the subject of attracting and retaining faculty. According to Mr. Pavao, total compensation for faculty at WVMCCD is the lowest in the state, affecting efforts to recruit and retain faculty. Noting that the District and ACE are going into mediation, he said he expects the District to ask for a 3.5% reduction in faculty salaries. He discussed the effect this would have on faculty in terms of retirement and buying-power.

3.7 Written Communications from the Public

Executive Assistant to the Board of Trustees Tracy Johnson indicated that communications in support of a Project Labor Agreement were received from Daniel Kiefer and Matt Brown, and communications in opposition to a Project Labor Agreement were received from Nicole Goering, Dick Johnson, and the Pacific Advocacy Group.

4.0 UNFINISHED BUSINESS - There were no items.

APPROVAL OF THE CONSENT AGENDA

Action Taken:

It was M/S/P 7/0/0 (Owens/Lucas) to approve the Consent Agenda items.

Student Trustees: Two yes votes.

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

REGULAR ORDER OF AGENDA

- 5.0 COLLEGE PROGRAMS AND SERVICES - None
- 6.0 HUMAN RESOURCES - None
- 7.0 BUSINESS AND FINANCE

APPROVED MINUTES OF THE **AUGUST 20, 2013**, BOARD OF TRUSTEES MEETING

7.11 APPROVE CHANGE ORDER 10 AGREEMENT WITH ROEBBELEN CONTRACTING, INC.

Action Taken:

It was M/S/P 7/0/0 (Owens/Lucas) to ratify the Change Order 10 Agreement for a \$1,322,675 decrease in the contract amount of Roebbelen Contracting for the Main Building Replacement Phase 1 Project at Mission College.
Student Trustees: Two yes votes.

7.12 **PROJECT LABOR AGREEMENT FOR WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT**

A discussion was held.

It was M/S (Grey/Owens)) to approve the Project Labor Agreement (PLA) between the West Valley-Mission Community College District and the Santa Clara & San Benito Counties Building and Construction Trades Council (SCSBTC).

A discussion was held.

On a priority motion, it was M/S/F 2/5/0 (Heimlich/Walsh; Grey, Lucas, Owens, Polk and Watanabe voted no) to table the item to a future meeting following the development of a set of metrics to evaluate and measure various aspects of the PLA pilot project.

Student Trustees: Two no votes.

A discussion was held.

Action Taken:

It was M/S/P 5/2/0 (Grey/Owens; Heimlich and Walsh voted no) to approve the Project Labor Agreement (PLA) between the West Valley-Mission Community College District and Santa Clara & San Benito Counties Building and Construction Trades Council (SCSBTC).

Student Trustees: Two yes votes.

8.0 **BOARD**

(At the Board meeting, action on the following item took place after Item 7.11, 'APPROVE CHANGE ORDER 10 AGREEMENT WITH ROEBBELEN CONTRACTING, INC.' The vote is recorded here for the sake of clarity.)

8.1 APPROVAL OF 2013-14 BOARD GOALS

A discussion was held.

Action Taken:

It was M/S/P 7/0/0 (Lucas/Polk) to approve the 2013-14 Board of Trustee Goals.

Student Trustees: Two yes votes.

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

9.1 ACADEMIC SENATE UPDATE

West Valley College Academic Senate President Eric Pape expressed his pleasure in being able to teach in the new Language Arts building and expressed his thanks to everyone who worked on the process. He indicated that, in the upcoming year, the Senate will examine the program review process and determine ways to make the process more 'user-friendly.' It will also explore possibilities to streamline the faculty hiring prioritization process in addition to participating in preparations for the upcoming accreditation process. He said that he looks forward to working with the Chancellor, the College President, and the Board of Trustees this year.

Mission College Academic Senate President Wael Abdeljabbar reported that the Mission College Senate will hold its first meeting on September 5. He said that he looks forward to participating in the upcoming orientation session for new faculty, and noted that Mission College has a very full Flex Day agenda. He said that he and other faculty are looking forward to the upcoming semester.

9.2 CLASSIFIED SENATE UPDATE

WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT
CITIZEN'S BOND OVERSIGHT COMMITTEE

West Valley College, Board Room

Wednesday, November 13, 2013

5:30 pm

<u>Members Present</u>		
	Shirley Cantu	Community-at-Large
X	Paul Cavagnolo	Senior Organization
X	Shane Patrick Connolly	Taxpayer Organization
	Betty Deal	Business Organization
X	Ryan Hamilton	WVC Student Organization
X	Frank Jewett	District/College Support Organization
	Gail Long	Community-at-Large
	Vacant	MC Student Organization
	Vacant	District/College Support Organization
<u>Support Staff</u>		
X	Christina Booth	Recorder
X	Javier Castruita	Director, Facilities
X	Gaye Dabalos	Assistant Director, Facilities
	Bradley Davis	WVC President
X	Cheryl Farnsworth	Bond Fiscal Manager
X	DeeDee Flauding	Gilbane Building Company
X	Ed Maduli	Vice Chancellor, Administrative Services
	Daniel Peck	Interim MC President
X	Patrick Schmitt	Chancellor

UNAPPROVED MINUTES

1. Call to Order

The meeting was called to order at 5:43pm by the committee Chair, Shane Patrick Connolly.

2. Assess a Quorum (roll)

With four members present, a quorum was not achieved.

3. Introduction of New Members

Mr. Frank Jewett was introduced to the committee.

4. Introduction of Guests

There were no guests in attendance.

5. Approval of the April 10, 2013, meeting minutes

This item was tabled due to lack of a quorum.

6. Approval of the June 12, 2013, meeting minutes

This item was tabled due to lack of a quorum.

7. Chancellor's Report

Chancellor Schmitt provided a brief update on construction activities and mentioned that enrollment at both campuses is down.

8. President's Report

The West Valley College President was not in attendance so no report was provided.

9. Construction Update

Ms. Dabalos reviewed the Project Progress Report for both Measure H and Measure C, and provided slide shows on the progress of projects. Ms. Dabalos noted that the new Mission College Main Building will reach substantial completion in December 2013 with occupancy in summer 2014. After seeing pictures of the new Main Building lobby, Mr. Connolly noted that the area appeared ideal as event space. Mr. Maduli stated that the new Main Building could be the first at the District to be certified LEED Gold. Features the building will boast include a geothermal water system, solar panels, skylights, and a garden roof for insulation. The energy savings provided by these features will be approximately 75 percent for air conditioning alone. Mr. Connolly asked if the garden roof will have designated maintenance staff. Ms. Dabalos indicated that the garden will consist of low maintenance grass and shrubs so it should not require much maintenance.

Mr. Maduli mentioned that the West Valley College Applied Arts and Sciences project will be completed using a Project Labor Agreement (PLA) with the Santa Clara & San Benito Counties Building & Construction Trades Council. Once the project has been completed, the Board of Trustees will review the process and outcome and determine if other projects will be eligible for PLA's. He then mentioned that the Mission College Main Building Phase II project will be constructed using a multi-prime schedule. Using a multi-prime schedule will allow District staff better control of timing for the project, which is needed as the construction of this building will impact the demolition of the old building. The multi-prime process will also improve use of local contractors.

Mr. Jewett asked about the life expectancy of the new buildings. Mr. Castruita responded that new buildings are seismically sound and should last 40-50 years if modernized after the first 25 years.

Ms. Flauding reviewed the Program Master Schedule for both Measure H and Measure C. She indicated that the West Valley College Applied Arts and Sciences Project, which was originally a Measure H project, will now be moved to the Measure C schedule.

Mr. Castruita reviewed the expense reports for Measure H and identified that the program is 88% complete. The featured project during the financial report review was the West Valley College Language Arts project. Mr. Castruita provided the reports for Measure C but did not review them as there are not many expenditures.



The Weekly Bulletin

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April 25, 2014

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Bid Date	Bid Time	Location	Plan Name / Scope of Work	Prebid Information	Engineers Estimate	# of Addenda	Plan #
5/22/2014	2:00 PM	Saratoga	NEW West Valley College Applied Arts & Sciences Renovation	MAND 4/28 @ 11AM at 14000 Fruit Ave, Saratoga	\$11500000		ONLINE
Div_02-demolition; Div_03-concrete; Div_05-structural steel framing, arch exposed structurally steel, structural metal stud framing, metal fabrications, pipe & tube railings; Div_06rough carpentry, modular wall systems, finish carpentry, arch wood casework, casework countertops, plastic paneling; Div_07-reroofing, fluid-applied waterproofing, thermal insulation, roof board insulation, built-up bituminous roofing, sheet metal flashing & trim, roof specialties, manufactured gutters & downspouts, roof accessories, intumescent fireproofing on wood, firestopping, fire resistive joint systems, joint sealers; Div_08-hollow metal doors & frames, aluminum doors & frames, interior aluminum doors, door frames & glazing frames, access doors & panels, automatic entrances, tubular skylights, door hardware, glazing, mirrors, plastic glazing; Div_09-non-structural metal framing, gypsum board, tiling, acoustical ceilings, linear wood ceilings, integrated ceiling assemblies, resilient flooring, static ocntrl flooring, tackable wall covering, tile carpeting, raised access flooring, wall coverings, paints & coatings, high-performance coatings, permanent non-sacrificial anti-graffiti coating; Div_10-visual display boards, tackable wall systems, visual display rails, signage, plastic toilet compartments, cubicles, wall & corner guards, toilet, nath & laundry accessories, AED, fire protection specialties, metal storage shelving, wall mounted stndards & shelving; Div_11-projection screens; Div_12-art hanging & display systems, window shades, entrance floor mats 7 frames, site furnishings; Div_21-automatic sprinkler; Div_22-plumbing; Div_23-HVAC, Div_26-electrical; Div_27-communications; Div_28-access control/security system, fire alarm system; Div_31-site clearing, grading, excavation, trenshing, fill, riprap; Div_32-landscape maintenance, aggregate base courses, asphalt paving, concrete paving, decomposed granite surfacing, painted pavement markings, arch site concrete, landscape irrigation, landscape grading, landscape work; div_33-utilities							

SUBCONTRACTORS LIST

Project **APPLIED ARTS & SCIENCES RENOVATION**
BID # 17-1314
 West Valley College

Name of Bidder: Gonsalves & Stronck Construction Company Inc.

Authorized Signature: 

(A) Licensed Name of Subcontractor	(B) Subcontractor Office, Mill or Shop Address	(C) Sub-contractor Trade or Portion of Work	(D) Subcontractor Contractors' License No.	(E) Subcontractor Proposed Sub-Bid Price [Submit within 24 hours of Bid Opening per Paragraph 10.1 of Instructions For Bidders]
Coastwide Environmental	201 Walker St. Watsonville, CA 95076	DEMOLITION	523560	\$423,000.
Coastwide Environmental	See Above	HAZMAT		See Demolition
O'Grady Grading & Paving	2513 Wyandotte St. Mt. View, CA 94043	EARTHWORK	201696	\$153,596.

Attach additional page(s) as required

SUBCONTRACTORS LIST

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O'Grady Paving	2513 Wyandotte St. Mt. View, CA 94043	AC PAVING	201696	See Earthwork
Vic Sotto, Inc.	844 Las Lomas Dr. Milpitas, CA 95035	LANDSCAPE & IRRIGATION	481917	\$152,250.
NO LISTING REQUIRED		SITE UTILITIES		

Attach additional page(s) as required

SUBCONTRACTORS LIST

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 West Valley College

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No Listing Required		MAINTENANCE OF CONCRETE		
Berkeley Cement	1200 Sixth St Berkeley, CA 94710	CONCRETE	290755	\$850,000.
See Concrete		CONCRETE REINFORCING		

Attach additional page(s) as required

SUBCONTRACTORS LIST

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BID # 17-1314
 West Valley College

Name of Bidder: Gonsalves & Stronck Construction Company Inc.

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See Concrete		SHOTCRETE		
No Listing Required		VAPOR EMISSION CONTROL		
No Listing Required		STRUCTURAL STEEL		

Attach additional page(s) as required

SUBCONTRACTORS LIST

Project **APPLIED ARTS & SCIENCES RENOVATION**
BID # 17-1314
 West Valley College

Name of Bidder: Gonsalves & Stronck Construction Company Inc.

Authorized Signature: 

(A) Licensed Name of Subcontractor	(B) Subcontractor Office, Mill or Shop Address	(C) Sub-contractor Trade or Portion of Work	(D) Subcontractor Contractors' License No.	(E) Subcontractor Proposed Sub-Bid Price [Submit within 24 hours of Bid Opening per Paragraph 10.1 of Instructions For Bidders]
SOS STEEL CO.	1160 Richard Ave Santa Clara, CA 95050	METAL FABRICATION	541879	\$150,000.
in2change/ Allmodular System	870 East Charlston Rd. #210 Palo Alto, CA 94303	MODULAR WALL SYSTEM	918072	\$97,500.
No Listing Required		FINISH CARPENTRY		

Attach additional page(s) as required

SUBCONTRACTORS LIST

Project **APPLIED ARTS & SCIENCES RENOVATION**
BID # 17-1314
 West Valley College

Name of Bidder: Gonsalves & Stronck Construction Company Inc.

Authorized Signature: 

(A) Licensed Name of Subcontractor	(B) Subcontractor Office, Mill or Shop Address	(C) Sub-contractor Trade or Portion of Work	(D) Subcontractor Contractors' License No.	(E) Subcontractor Proposed Sub-Bid Price [Submit within 24 hours of Bid Opening per Paragraph 10.1 of Instructions For Bidders]
Architectural Millworks Services	33 Dorman Ave. San Francisco, CA	ARCHITECTURAL CASEWORK	949071	\$184,699.
No Listing Required		INSULATION		
Andy's Roofing	2161 Adams Ave San Leandro, CA 94577	ROOFING	521860	\$122,706.

Attach additional page(s) as required

SUBCONTRACTORS LIST

Project **APPLIED ARTS & SCIENCES RENOVATION**
BID # 17-1314
 West Valley College

Name of Bidder: Gonsalves & Stronck Construction Company Inc.

Authorized Signature: 

(A) Licensed Name of Subcontractor	(B) Subcontractor Office, Mill or Shop Address	(C) Sub-contractor Trade or Portion of Work	(D) Subcontractor Contractors' License No.	(E) Subcontractor Proposed Sub-Bid Price <small>[Submit within 24 hours of Bid Opening per Paragraph 10.1 of Instructions For Bidders]</small>
See HVAC		SHEET METAL & FLASHING		
No Listing Required		INTUMESCENT FIREPROOFING		
No Listing Required		DOOR/FRAMES/ HARDWARE		

Attach additional page(s) as required

SUBCONTRACTORS LIST

Project **APPLIED ARTS & SCIENCES RENOVATION**
BID # 17-1314
 West Valley College

Name of Bidder: Gonsalves & Stronck Construction Company Inc.

Authorized Signature: 

(A) Licensed Name of Subcontractor	(B) Subcontractor Office, Mill or Shop Address	(C) Sub-contractor Trade or Portion of Work	(D) Subcontractor Contractors' License No.	(E) Subcontractor Proposed Sub-Bid Price [Submit within 24 hours of Bid Opening per Paragraph 10.1 of Instructions For Bidders]
AHC Glass Inc.	31054 San Antonio St. Hayward, CA 94544	STOREFRONTS & GLAZING	820416	\$802,000.
No Listing Required		TUBULAR SKYLIGHTS		
See Glazing		METAL FRAMED SKYLIGHTS		

Attach additional page(s) as required

SUBCONTRACTORS LIST

Project **APPLIED ARTS & SCIENCES RENOVATION**
BID # 17-1314
 West Valley College

Name of Bidder: Gonsalves & Stronck Construction Company Inc.

Authorized Signature: 

(A) Licensed Name of Subcontractor	(B) Subcontractor Office, Mill or Shop Address	(C) Sub-contractor Trade or Portion of Work	(D) Subcontractor Contractors' License No.	(E) Subcontractor Proposed Sub-Bid Price [Submit within 24 hours of Bid Opening per Paragraph 10.1 of Instructions For Bidders]
Allen Specilaties, Inc	1191 No. 5th St. San Jose, CA 95112	METAL FRAMING & GYPSBOARD	819488	\$905,000.
California Tile	1696 Rogers Ave. San Jose, CA 95112	TILING	439220	\$101,000.
t3 Inc.	42307 Osgood Rd., Ste. F Fremont, CA 94539	CEILINGS	805816	\$940,500.

Attach additional page(s) as required

SUBCONTRACTORS LIST

Project **APPLIED ARTS & SCIENCES RENOVATION**
BID # 17-1314
 West Valley College

Name of Bidder: Gonsalves & Stronck Construction Company Inc.

Authorized Signature: 

(A) Licensed Name of Subcontractor	(B) Subcontractor Office, Mill or Shop Address	(C) Sub-contractor Trade or Portion of Work	(D) Subcontractor Contractors' License No.	(E) Subcontractor Proposed Sub-Bid Price <small>[Submit within 24 hours of Bid Opening per Paragraph 10.1 of Instructions For Bidders]</small>
Harry L. Murphy	42 Bonaventura Dr. San Jose, CA 95134	FLOORING	145985	\$276,590.
One Work Place	2500 De La Cruz Blvd Santa Clara, CA 95050	RAISED ACCESS FLOORING	852389	\$97,953.
D & D Painting	P.O. Box 1149 Pleasanton, CA 94566	PAINTING	711509	\$145,500.

Attach additional page(s) as required

SUBCONTRACTORS LIST

Project **APPLIED ARTS & SCIENCES RENOVATION**
BID # 17-1314
 West Valley College

Name of Bidder: Gonsalves & Stronck Construction Company Inc.

Authorized Signature: 

(A) Licensed Name of Subcontractor	(B) Subcontractor Office, Mill or Shop Address	(C) Sub-contractor Trade or Portion of Work	(D) Subcontractor Contractors' License No.	(E) Subcontractor Proposed Sub-Bid Price [Submit within 24 hours of Bid Opening per Paragraph 10.1 of Instructions For Bidders]
No Listing Required		Signage		
No Listing Required		WINDOW SHADES		
Dreier Fire Protect.	8635 Starlight Lane Sebastopol, CA 95472	FIRE SPRINKLER	485246	\$152,700.

Attach additional page(s) as required

SUBCONTRACTORS LIST

Project **APPLIED ARTS & SCIENCES RENOVATION**
BID # 17-1314
 West Valley College

Name of Bidder: Gonsalves & Stronck Construction Company Inc.

Authorized Signature: 

(A) Licensed Name of Subcontractor	(B) Subcontractor Office, Mill or Shop Address	(C) Sub-contractor Trade or Portion of Work	(D) Subcontractor Contractors' License No.	(E) Subcontractor Proposed Sub-Bid Price <small>[Submit within 24 hours of Bid Opening per Paragraph 10.1 of Instructions For Bidders]</small>
See HVAC		PLUMBING		
Bay City Mechanical	543 So. 31st. St. Richmond, CA 94804	HVAC	645126	\$3,180,000.
Smith & Sons Elec.	44081 Grimmer Blvd Fremont, CA 94538	ELECTRICAL	437138	\$4,585,000.

Attach additional page(s) as required

SUBCONTRACTORS LIST

Project **APPLIED ARTS & SCIENCES RENOVATION**
BID # 17-1314
 West Valley College

Name of Bidder: Gonsalves & Stronck Construction Company Inc.

Authorized Signature: 

(A) Licensed Name of Subcontractor	(B) Subcontractor Office, Mill or Shop Address	(C) Sub-contractor Trade or Portion of Work	(D) Subcontractor Contractors' License No.	(E) Subcontractor Proposed Sub-Bid Price <small>[Submit within 24 hours of Bid Opening per Paragraph 10.1 of Instructions For Bidders]</small>
See Electric		AUDIO VISUAL		

Attach additional page(s) as required

APPROVED MINUTES OF THE JUNE 17, 2014, BOARD OF TRUSTEES MEETING

7.9 2014/2015 TENTATIVE BUDGET

Vice Chancellor Maduli presented and discussed the 2014/15 Tentative Budget.

Action Taken:

It was M/S/P 7/0/0 (Polk/Grey) to adopt the 2014/2015 Tentative Budget and set September 2, 2014, as the date for a public hearing and adoption of the Final Budget for 2014/2015.

Student Trustees: Two yes votes

4.0 UNFINISHED BUSINESS - There were no items.

APPROVAL OF THE CONSENT AGENDA

Amended items were distributed for the following:

- Item 6.1, PERSONNEL TRANSACTIONS
- Item 7.3, AWARD OF RFP #6-1314, DISTRICT WIDE HEATING VENTILATION AND AIR CONDITIONING (HVAC) MAINTENANCE AND REPAIR SERVICES
- Item 7.7, APPROVAL OF UPDATED MEASURE C PROJECT PRIORITY LIST

The amended items are attached to these minutes as part of Appendix A.

A discussion was held.

Board President Lucas pulled Item 7.2, Authorize Contract for Legal Services, and Item 7.4, Approval of Bid #17-1314, West Valley College Applied Arts & Sciences Renovation Project, for discussion and vote.

Action Taken:

It was M/S/P 7/0/0 (Owens/Heimlich) to approve the remainder of the Consent Agenda.

Student Trustees: Two yes votes

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

7.2 AUTHORIZE CONTRACT FOR LEGAL SERVICES

A discussion was held.

Action Taken:

It was M/S/P 6/1/0 (Walsh/Polk; Lucas voted no) to authorize the administration to enter into a three year agreement with Liebert Cassidy Whitmore in the amount of \$300,000 annually for three years, effective July 1, 2014.

Student Trustees: Two yes votes

7.4 APPROVAL OF BID #17-1314, WEST VALLEY COLLEGE APPLIED ARTS & SCIENCES RENOVATION PROJECT

A discussion was held.

Action Taken:

It was M/S/P 6/1/0 (Grey/Owens; Heimlich voted no) to approve the lowest responsive and responsible bid received from Gonsalves & Stronck Construction in the amount of \$18,661,000 and reject all other bids.

Student Trustees: One yes vote; Herr abstained

REGULAR ORDER OF AGENDA

5.0 COLLEGE PROGRAMS AND SERVICES

5.3 WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT (WVMCCD) BOARD ACCEPTANCE OF DONATION IN THE AMOUNT OF \$12,000 FROM THE SARATOGA ROTARY CLUB TO WEST VALLEY COLLEGE

A discussion was held.

APPROVED MINUTES OF THE JUNE 17, 2014, BOARD OF TRUSTEES MEETING

President Davis said that the College is at 94% of its planned enrollment goal thanks to strong summer enrollment. The College has embarked on a branding and marketing campaign in response to research showing lack of public awareness of the College. Ads focusing on faculty are being run and other efforts are planned.

Mr. Davis thanked Mr. Moore and Human Resources staff for a very successful round of faculty hiring. The recent recruitment process was one of the smoothest ever. There were pools of more than 300 candidates and the College has hired outstanding faculty members.

Mr. Davis acknowledged and thanked Ms. Inge Bond for the work she has done over the years for West Valley College. He also thanked Mr. Pat Fenton for his strong work on the College budget.

He discussed the construction projects beginning over the summer, including the corner signage project and the Applied Arts and Sciences building. He is disappointed at the increased cost estimates for the projects due to rising construction costs, but said that every way will be found to maximize funds.

He closed by discussing the College's plans to address the expected recommendations of the ACCJC. The College has already charted a course for dramatic improvements.

9.6 INTERIM ASSOCIATE VICE CHANCELLOR OF HUMAN RESOURCES' REPORT

Interim Associate Vice Chancellor of Human Resources Albert Moore thanked the Board for its actions earlier in the meeting to welcome new employees. A very busy recruitment season has led to the hiring of outstanding faculty and classified staff. He thanked HR staff for their strong work.

He closed by congratulating returning Student Trustee Melissa Medina and welcoming newly-elected Student Trustee Mercedes Herr.

9.7 VICE CHANCELLOR'S REPORT

There was no report.

9.8 CHANCELLOR'S REPORT

Chancellor Patrick Schmitt said he had no report.

9.9 STANDING COMMITTEE REPORTS

Audit and Budget Oversight Committee

Chair Chad Walsh said the Committee had met, reviewed and discussed the 2014-15 Tentative Budget, and recommended approval.

Legislative Committee

Chair Buck Polk said the Committee had met, reviewed and discussed SB 850 (Block), and recommended that the Board adopt a resolution in support of the measure.

9.10 TRUSTEE COMMENTS AND ITEMS FOR FUTURE BOARD CONSIDERATION

Mission College Student Trustee Mercedes Herr thanked everyone for their support. She is very excited to work with Board members and staff throughout the year.

Trustee Adrienne Grey indicated she will soon attend her first meeting as a member of the California Community College Trustee Board. She asked that anyone with issues for the CCCT Board to contact her.

Board President Lucas informed everyone that former Trustee Joy Atkins had suffered a fall and subsequently underwent surgery to prepare a broken hip. He encouraged all to send her their best wishes for a speedy recovery.

ADJOURNMENT

Board President Lucas adjourned the meeting at 9:50 p.m.

APPROVED MINUTES OF THE JUNE 17, 2014, BOARD OF TRUSTEES MEETING

APPENDIX A

CONSENT AGENDA ITEMS FROM THE JUNE 17, 2014, BOARD OF TRUSTEES MEETING

(For the full text of each item, please see the agenda packet for the June 17, 2014, 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 approves the curriculum changes at West Valley College as presented.

5.2 CONSIDER APPROVAL OF CURRICULUM CHANGES AT MISSION COLLEGE

Recommendation: That the Board of Trustees approves the curriculum changes at Mission College as presented.

6.0 HUMAN RESOURCES – Consent Agenda

**6.1 AN AMENDED ITEM WAS DISTRIBUTED AT THE MEETING AND IS ATTACHED BELOW
PERSONNEL TRANSACTIONS**

Recommendation: That the Board of Trustees approve the listed personnel transactions.

7.0 BUSINESS AND FINANCE – Consent Agenda

7.1 SANTA CLARA COUNTY TREASURY INVESTMENT PORTFOLIO STATUS

The Board will review the SCC Treasury investment portfolio status.

~~**7.2 AUTHORIZE CONTRACT FOR LEGAL SERVICES**~~

~~Recommendation: That the Board of Trustees authorize the administration to enter into a three year agreement with Liebert Cassidy Whitmore in the amount of \$300,000 annually for three years, effective July 1, 2014.~~

This item was removed from the Consent Agenda for discussion and action.

**7.3 AN AMENDED ITEM WAS DISTRIBUTED AT THE MEETING AND IS ATTACHED BELOW - AWARD
OF RFP #6-1314, DISTRICT WIDE HEATING VENTILATION AND AIR CONDITIONING (HVAC)
MAINTENANCE AND REPAIR SERVICES**

Recommendation: That the Board of Trustees approve the responsive and responsible bid of \$150,605 (first year cost) from **Environmental Systems, Inc. ACCO Engineered Systems** and reject all other bids. The agreement will be for a five-year term, effective July 1, 2014.

~~**7.4 APPROVAL OF BID #17-1314, WEST VALLEY COLLEGE APPLIED ARTS & SCIENCES RENOVATION
PROJECT**~~

~~Recommendation: That the Board of Trustees approve the lowest responsive and responsible bid received from Consalves & Strong Construction in the amount of \$18,661,000 and rejects all other bids.~~

This item was removed from the Consent Agenda for discussion and action.

**7.5 AWARD OF RFP #18-1314, INSPECTOR OF RECORD SERVICES FOR THE WEST VALLEY COLLEGE
APPLIED ARTS & SCIENCES RENOVATION PROJECT**

Recommendation: That the Board of Trustees authorize the administration to enter into a contract with Building Solutions 101 in the amount of \$130,536 for Inspector of Record services on the Applied Arts and Sciences Renovation project at West Valley College.

7.6 APPROVAL OF WVC UPDATED MEASURE H PROJECT PRIORITY LIST

Recommendation: That the Board of Trustees approve the updated and re-baseline of the West Valley College Measure H Project Priority List.

**7.7 AN AMENDED ITEM WAS DISTRIBUTED AT THE MEETING AND IS ATTACHED BELOW
APPROVAL OF UPDATED MEASURE C PROJECT PRIORITY LIST**

Recommendation: That the Board of Trustees approve the updated and re-baseline of the Measure C Project Priority List.

7.8 2016-2020 UPDATED FIVE-YEAR CONSTRUCTION PLAN

Recommendation: That the Board of Trustees approve the revisions to the 2016-2020 Five-Year Construction Plan for submittal to the California Community College State Chancellor's Office.

APPROVED MINUTES OF THE JUNE 17, 2014, BOARD OF TRUSTEES MEETING

MC-8 **Emerging** Technology ~~Institute~~ Building \$11,733,000

3. MC-5 **Technology Enhanced Building** ~~MT Portables Replacement Building~~. The budget for this project will be increased to cover technology enhancements for the project. The amount to be transferred is \$2,443,000. The funds will be transferred as follows:

MC-8 **Emerging** Technology ~~Institute~~ Building \$2,443,000

4. MC-8 **Emerging** Technology ~~Institute~~ Building. The budget for this project will be decreased and transferred to other projects listed above. This will move the project below the funded line on the Project Priority List. The decrease will be \$15,300,000 as follows:

MC-8 **Emerging** Technology ~~Institute~~ Building -\$15,300,000

West Valley College:

Budget changes were made to two projects:

1. WV-3 Applied Arts and Sciences Renovation. The budget for this project will be increased to cover escalation reflected on bids recently received for the project. The amount to be transferred is \$6,079,825. The funds will be transferred as follows:

WV-10 PE Department Building Renovation \$6,079,825

2. WV-10 PE Department Building Renovation. The budget for this project will be decreased and transferred to project listed above. The decrease will be \$6,079,825 as follows:

WV- 10 PE Department Building Renovation -\$6,079,825

District Services:

There were no changes to District Services projects.

Coordination

The Executive Director of Facilities, Construction and Maintenance; Director of Construction; and Gilbane Building Company have worked with the College and District administration in preparing this report.

Follow-up/Outcome

Upon Board approval, the Measure C Project Priority List will be implemented to allow the administration to move forward on approved projects.

**WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT
CITIZEN'S BOND OVERSIGHT COMMITTEE**

Mission College, Campus Center Room 219

Wednesday, September 14, 2016

5:30 pm

<u>Members Present</u>		
X	Shirley Cantu	Taxpayer Organization
X	Paul Cavagnolo (via phone)	Senior Organization
	Vacant	WVC/MC Student Organization
	Bill Hult	Community-at-Large
X	Frank Jewett – Chair	District/College Support Organization
X	Peter Kuo	Business Organization
	Gail Long – Vice Chair	Community-at-Large
<u>Support Staff</u>		
X	Christina Booth	Recorder
X	Javier Castruita	Executive Director, Facilities
X	Gaye Dabalos	Director, Construction
X	Cheryl Farnsworth Ryan	Bond Fiscal Manager
X	Ed Maduli	Vice Chancellor, Administrative Services
X	Glenn Rock	Gilbane Building Company
X	Patrick Schmitt	Chancellor
X	Shaik Sihabuddin	Gilbane Building Company

APPROVED MINUTES

1. Call to Order

The meeting was called to order at 5:40pm by committee chair Frank Jewett.

2. Assess a Quorum

With four members present, a quorum was achieved.

3. Introduction of Guests

There were two guests in attendance: Mr. Glenn Rock and Mr. Shaik Sihabuddin, both from Gilbane Building Company.

4. Approval of the March 9, 2016, meeting minutes

The March 9, 2016, meeting minutes were approved as presented. (Cantu/Cavagnolo)

5. Member attendance

Ms. Cantu expressed concern about frequently absent committee members and members who consistently arrive late to the meetings. She feels it is a disservice to the Board of Trustees when the committee cannot conduct business because there is no quorum. Individuals who apply to serve on the committee are aware of the meeting requirements and schedule and should make it a priority to attend the meetings and be on-time.

There was a discussion regarding attendance-by-phone to ensure a quorum. It was suggested that calling in to a meeting be made an option for members who are occasionally unable to be physically present. In those situations, it was suggested that at least three members confirm physical attendance before any other member is allowed to call in. Brown Act requirements for such situations will be researched and reported at the next meeting.

6. Chancellor's Report

Chancellor Schmitt reported that the new semester recently started and that attendance is down. He said the decrease in attendance is consistent with neighboring districts and that, generally speaking, when the economy is good, college attendance is down.

He also reported that the new Cilker building recently opened at West Valley College and that it is a well-designed building that will enhance students' learning experience. Mr. Jewett asked if any of the buildings have won design awards. The Chancellor responded that the District has been recognized for planning and sustainability and as a result has been a model for other Districts.

7. Construction Update

Due to technical difficulties, Ms. Dabalos was unable to present the Project Progress Report.

Mr. Castruita distributed and reviewed the June 21, 2016, changes to the Project Priority List. The changes included converting the WVC Fine Arts project from a new building to a building renovation, which netted a savings of approximately \$4.5 million that will be used to fund project – WV-14 Athletic Field Turf Restoration. There was also a transfer of \$150,000 from Program Contingency to increase the project budget for WV-12 – Vasona Creek Restoration. Mr. Jewett asked if changing the Fine Arts building project from new construction to renovation had anything to do with the decline in enrollment. He was informed that the decision was based on the need to fund additional projects. Mr. Jewett then asked if the decline in enrollment would impact other projects. He was informed that the decline in enrollment has no impact on current projects or needs. Mr. Jewett asked how higher construction costs are impacting current projects. Mr. Castruita replied that contingency funding is built into each project budget to cover unexpected increases, including cost escalation. Currently, there is no impact on current projects; however, there may be problems with future projects.

Mr. Castruita and Ms. Ryan reviewed the financial statements and highlighted the Mission College Wellness Center project. Mr. Jewett asked if the District would seek a Project Labor Agreement (PLA). Mr. Maduli replied that a PLA was utilized for the Applied Arts and Sciences Building at West Valley College. That project is now complete and there are currently no plans to utilize a PLA for future projects; PLA's ensure use of union contractors. Mr. Castruita stated that, even without a PLA, at least 80% of the

contractors used by the District are union. Chancellor Schmitt added that PLA's are no longer an issue because most unions are back at work due to the upswing in the economy and most projects are paying higher than union wages.

Ms. Cantu expressed her appreciation for the detailed reports.

8. Public Comments (three minute limit per person)

None.

9. Committee Members' Comments

None.

The next meeting is scheduled for Wednesday, December 14, 2016, at 5:30pm in the West Valley College Board Room.

Meeting adjourned at 6:45pm.

APPROVED MINUTES OF THE JULY 11, 2017 BOARD OF TRUSTEES MEETING

ITEM 3.4
ACTION ITEM
AUGUST 1, 2017
PREPARED BY: TRACY JOHNSON

1.0 CALL TO ORDER - PUBLIC SESSION

Public session was called to order at 6:04 p.m.

1.1 Roll Call

Present: Board President Adrienne Grey; Trustees Susan Fish, Anne Kepner, Randi Kinman, Jack Lucas, Bob Owens, and Chancellor Schmitt. Student Trustees: Robert Andrade and Lani Yoshimoto (7:00)
Absent: Trustee Karl Watanabe

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 were three agenda items:

CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957

i. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

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.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code 54957):
Chancellor

3.0 RECONVENE PUBLIC SESSION

Public Session reconvened at 7:15 p.m.

3.1 PLEDGE OF ALLEGIANCE

All present recited the *Pledge of Allegiance*.

3.2 REPORT OF CLOSED SESSION ACTION

Board President Adrienne Grey 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 (Kepner/Owens; Ayes: Fish, Grey, Kepner, Kinman, Lucas, Owens; Nays: None; Absent: Watanabe) to approve the order of the agenda with the removal of Item 8.1, Revision of Board Policy Manual. Student Trustees: Andrade, Aye; Yoshimoto, Abstain

3.4 APPROVAL OF THE MINUTES OF THE JUNE 6, 2017, REGULAR BOARD OF TRUSTEES MEETING,

Action Taken:

It was M/S/P 6/0/1 (Lucas/Owens; Ayes: Fish, Grey, Kepner, Kinman, Lucas, Owens; Nays: None; Absent: Watanabe) to approve the minutes of the June 6, 2017, Regular Board of Trustees meeting. Student Trustees: Two yes votes

3.5 PRESENTATIONS/RECOGNITIONS

There were none.

3.6 ORAL COMMUNICATIONS FROM THE PUBLIC

WVMFT, AFT Local 6554 President, Ann Marie Wasserbauer, introduced Ms. Jessica Beard as the new

Recommendation: That the Board of Trustees ratify vendor payments from January 1, 2017, through March 31, 2017; Banner warrant numbers 00302802-00304558 and !0000225-!0000369** totaling \$27,919,852.99.

7.3 Vendor Warrants

- 7.4 ACCEPT BASIC CONTRACT AS COMPLETE FOR BID # 9-1516 FOR THE LEARNING RESOURCE CENTER AT WEST VALLEY COLLEGE (A) 56

Recommendation: That the Board of Trustees accept the basic construction contract with Environmental Systems, Inc. for Bid #09-1516 for the Learning Resource Center at West Valley College as complete and authorize the District to file a Notice of Completion.

7.4 NOC LRC WVC - ESI

- 7.5 ACCEPT BASIC CONTRACT AS COMPLETE FOR BID #17-1314 APPLIED ARTS AND SCIENCE RENOVATION PROJECT AT WEST VALLEY COLLEGE

Recommendation: That the Board of Trustees accept the basic construction contract with Gonsalves and Stronck Construction Company for the Applied Arts and Science Renovation project at West Valley College as complete and authorize the District to file a Notice of Completion.

- 7.6 ACCEPT BASIC CONTRACT AS COMPLETE FOR BID #04-1617 ADMINISTRATION HIGH VOLTAGE CUTOVER AT WEST VALLEY COLLEGE

Recommendation: That the Board of Trustees accept the basic construction contract with Radiant Electric, Inc. for a high voltage cutover from the Admissions & Records and Counseling buildings to the Administration building at West Valley College as complete and authorize the District to file a Notice of Completion.

- 7.7 ACCEPT BASIC CONTRACT AS COMPLETE FOR BID #03-1617 STUDENT SERVICES HAZMAT ABATEMENT AT WEST VALLEY COLLEGE

Recommendation: That the Board of Trustees accept the basic construction contract with Bayview Environmental Services, Inc. for removal and disposal of all hazardous material at the Admission & Records, Counseling, Business, and Administration of Justice Buildings at West Valley College as complete and authorize the District to file a Notice of Completion.

- 7.8 HP NETWORK SWITCH EQUIPMENT CONTRACT RENEWAL

Recommendation: That the Board of Trustees authorize the administration to renew the HP Network Switch Equipment contract with Dasher Technologies for two additional years, through June 30, 2019.

- 7.9 ACQUISITION OF FURNITURE FOR MISSION COLLEGE MAIN BUILDING REPLACEMENT PHASE II PROJECT

Recommendation: That the Board of Trustees authorize the acquisition of office furniture from KI in the amount of \$378,205.66.

- 7.10 AQUISITION OF COMPUTER RELATED FURNITURE FROM NOVA SOLUTIONS FOR THE MISSION COLLEGE MAIN BUILDING REPLACEMENT PHASE II PROJECT

Recommendation: That the Board of Trustees authorize the acquisition of computer housing furniture and related products from Nova Solutions in the amount of \$231,787.34.

- 7.11 ACQUISITION OF FURNITURE FOR MISSION COLLEGE MAIN BUILDING REPLACEMENT PHASE II PROJECT

Recommendation: That the Board of Trustees authorize the acquisition of furniture from One Work Place in the amount of \$186,602.89.

- 7.12 ACQUISITION OF FURNITURE FOR MISSION COLLEGE MAIN BUILDING REPLACEMENT PHASE II PROJECT

Recommendation: That the Board of Trustees authorize the acquisition of furniture from Campbell Keller in the amount of \$1,159,000.

- 7.13 ACQUISITION OF NETWORK EQUIPMENT FOR MISSION COLLEGE MAIN BUILDING REPLACEMENT PHASE II PROJECT

Recommendation: That the Board of Trustees authorize the acquisition of HP and Aerohive network equipment and wireless solutions from Dasher Technologies in the amount of \$433,305.09.

7.13 MCMB Ph2 network equip - Dasher Tech.

- 7.14 AQUISITION OF COMPUTERS AND COMPUTER RELATED PRODUCTS FROM DELL COMPUTER FOR THE MISSION COLLEGE MAIN BUILDING REPLACEMENT PHASE II PROJECT

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

TUESDAY, AUGUST 01, 2017

West Valley College
14000 Fruitvale Avenue, Saratoga, CA 95070

6:00 p.m.	Public Session	Campus Center Global Education Room
6:01 p.m.	Closed Session	Campus Center Global Education 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

DIRECTION TO LABOR NEGOTIATORS

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 (Government Code 54957.6); 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 OF THE JUNE 27, 2017, SPECIAL MEETING
AND THE JULY 11, 2017, REGULAR MEETING (A) 13

3.5 PRESENTATIONS/RECOGNITIONS (I) Oral

Educational and Student Services Presentation:

Project Labor Agreement Update

Presenter: Vice Chancellor Ed Maduli

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.

UNAPPROVED MINUTES OF THE AUGUST 1, 2017, BOARD OF TRUSTEES MEETING

ITEM 3.4
ACTION ITEM
SEPTEMBER 5, 2017
PREPARED BY: TRACY JOHNSON

1.0 CALL TO ORDER - PUBLIC SESSION

Public session was called to order at 6:04 p.m.

1.1 Roll Call

Present: Board President Adrienne Grey; Trustees Susan Fish, Anne Kepner, Randi Kinman, Jack Lucas, Bob Owens, and Chancellor Schmitt. Student Trustees: Robert Andrade and Lani Yoshimoto (7:00)
Absent: Trustee Karl Watanabe

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 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

Public Session reconvened at 7:15 p.m.

3.1 PLEDGE OF ALLEGIANCE

All present recited the *Pledge of Allegiance*.

3.2 REPORT OF CLOSED SESSION ACTION

Board President Adrienne Grey 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: Fish, Grey, Kepner, Kinman, Lucas, Owens; Nays: None; Absent: Watanabe) to approve the order of the agenda.
Student Trustees: Two yes votes

3.4 APPROVAL OF THE MINUTES OF THE JUNE 27, 2017, SPECIAL MEETING AND THE JULY 11, 2017, REGULAR BOARD OF TRUSTEES MEETING.

Action Taken:

It was M/S/P 6/0/1 (Lucas/Owens; Ayes: Fish, Grey, Kepner, Kinman, Lucas, Owens; Nays: None; Absent: Watanabe) to approve the minutes of the June 27, 2017, Special Meeting and the July 11, 2017, Regular Board of Trustees meeting.
Student Trustees: Two yes votes

3.5 PRESENTATIONS/RECOGNITIONS

Project Labor Agreement Update

Vice Chancellor Ed Maduli and Mr. Bob Bush from Campus Dynamics provided an update regarding the District's Project Labor Agreement (PLA):

The Board of Trustees discussed Project Labor Agreements at the May 8 and November 13, 2012, Board meetings. At the December 11, 2012, Board meeting, the Vice Chancellor presented a study of Project Labor Agreements. Per direction of the Board, the Vice Chancellor drafted a proposed PLA with Santa Clara & San Benito Counties Building & Construction Trades Council (SCBTC). The proposal was sent to Neil Struthers,

CEO of SCBTC, on February 21, 2013. On August 20, 2013, the Board of Trustees approved a PLA pilot project study with SCBTC for the construction of the Applied Arts & Sciences Building at West Valley College.

To evaluate the efficacy of a PLA for the West Valley-Mission Community College District, stakeholders were identified, ample opportunities for discourse took place, metrics acceptable for all stakeholders were developed using both quantitative and qualitative instruments, and means were developed to overcome the challenges of a single-project pilot and account for variables that might skew results.

Mr. Maduli discussed the metrics, the variables and impacts, the project costs, local participation, the project schedule, and stakeholder surveys.

Evaluation and conclusions included:

- Many factors influenced project outcomes: regulatory factors, local governance, project-specific factors, and economic conditions
- Regional construction market conditions have had disproportionate impact on cost of this project
- Unknown conditions and owner-directed changes played a dominant role in schedule variance
- Local participation on this project was well within norms
- Stop Notices were minimal and workplace disruptions were non-existent –no impact on project schedule, cost, or job site harmony – unrelated lawsuit pending
- Minimal administrative overhead was evidenced for the District as result of PLA
- Stakeholder opinions regarding the PLA, its impact, and efficacy appear to be pre-established with little or no empirical basis
- No conclusive evidence that PLA had adverse or favorable impact on observable metrics for this Project

Board members asked questions and thanked Mr. Maduli for the information.

The entire presentation is attached as part of Appendix A.