



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

## **BOARD OF TRUSTEES**

**MINUTES**

**REGULAR MEETING**

**May 1, 2006**

### **CALL TO ORDER AND ROLL CALL**

President Betsy Bechtel declared a quorum was present and called the meeting to order at 5:00 p.m. in the District Board Room of the Foothill-De Anza Community College District, 12345 El Monte Road, Los Altos Hills, CA 94022.

#### **Trustees Present:**

Betsy Bechtel, President  
Hal Plotkin, Vice President  
Laura Casas Frier  
Bruce Swenson

#### **for Public Session**

Bridget Howe, Foothill College Student Trustee  
Maryam Noor, De Anza College Student Trustee

#### **Trustees Absent:**

Paul Fong

### **CLOSED SESSION**

The Board immediately adjourned into closed session in the Chancellor's Office with the individuals listed below to discuss:

#### **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9

Number of Potential Cases: 1

#### **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Initiation of litigation pursuant to subdivision (c) of Section 54956.9

Number of Potential Cases: 2

#### **Executive Administrators Present:**

Martha Kanter, Chancellor  
Mike Brandy, Vice Chancellor of Business Services  
Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity  
Bernadine Chuck Fong, President of Foothill College  
Brian Murphy, President of De Anza College

#### **Legal Counsel Present:**

John Shupe

**RE-CONVENE PUBLIC SESSION**

President Bechtel re-convened the public session at 6:02 p.m. in the District Board Room. She led the Board and those present in the Pledge of Allegiance. The following staff, press, students and members of the public were present:

<i>Staff:</i>	Renee Augenstein	Rich Hansen	Blanche Monary
	Bill Baldwin	Jeanine Hawk	Brian Murphy
	Karoll Baudoux	Diane Hawley	Frank Nunez
	Mike Brandy	Lydia Hearn	Jon O’Bergh
	Claudette Brero-Gow	Ken Horowitz	Maria Perezalonso
	Kim Chief Elk	Howard Irvin	Willie Pritchard
	John Cognetta	Rob Johnstone	Carmen Redmond
	Bernie Day	Martha Kanter	Shelley Schreiber
	Don Dorsey	Shirley Kawazoe	John Schulze
	Jane Enright	Marsha Kelly	Bernata Slater
	Bernadine Chuck Fong	Ron Levine	Daphne Small
	Marie Fox Ellison	Judy Miner	Marisa Spatafore
	Robert Griffin	Jackie Minns-Smith	Paul Starer
	Beth Grobman	Stephen Mallett	

*Press:* None

<i>Students:</i>	Martha Barragan	Anika Dodds	Valentino Lin
	Steph Bigley	David He	Catherine Scott
	Abbey Brown	Andrew Horng	Dan Sealana
	Anna Callahan	Andry Jong	Kazuma Seto
	Bernardo de Seabra	Siu Jun Tam	Brent von Forstmeyer
	Adrian Diaz	Ariella Lewis	

<i>Public:</i>	Natalia Jimenez	Terry Terman
	Stephen Pond	Sarah Wiehe

**REPORTING OUT FROM CLOSED SESSION**

President Bechtel reported that, in closed session at the meeting of March 6, 2006, the Board authorized the District to enter into settlement discussions with Enron regarding energy contract disputes from 2000-01. The lawsuit against Enron in bankruptcy court was a joint lawsuit combining the interests of 36 California community college districts, coordinated by the Community College League Electricity Buying Consortium. The lawsuit has been settled and approved by the bankruptcy court. As a result of this settlement, the District will be reimbursed \$179,564.18 for utility bills for which it was overcharged in 2000-01.

**APPROVAL OF MINUTES**

<b>M/S/C:</b>	Plotkin/Casas Frier
<b>Advisory vote:</b>	2 yes
<b>Board vote:</b>	unanimous
<b>Action:</b>	Approved the minutes of the April 3, 2006 meeting

## **AUDIT & FINANCE COMMITTEE REPORT**

Trustee Plotkin reported that the Audit & Finance Committee discussed the selection process for a bond underwriter for Measure C, should the measure be successful, and received updates regarding the audit process and the budget.

## **CORRESPONDENCE**

President Bechtel asked if there was any correspondence which should be brought to the Board's attention. There was none.

## **PUBLIC HEARING**

### **• Open Negotiations for 2006-2009 Agreement between the District and Teamsters, Local 287**

President Bechtel opened the public hearing. No members of the public wished to speak on the matter, so President Bechtel closed the public hearing.

## **HEARINGS: ITEMS NOT ON THE AGENDA**

### *Public*

Terry Terman spoke about the design for the De Anza Performance and Lecture Hall that was presented at the last meeting.

### *Students*

De Anza student Dan Sealana, representing the staff of *La Voz*, presented De Anza President Brian Murphy with a First Amendment Award that was awarded to Dr. Murphy by the Journalism Association of Community Colleges.

### *Staff*

Foothill instructor Ken Horowitz commented on the retirement of instructor Larry Rouse. Academic Senate Presidents Lydia Hearn and Paul Starer reported on the plenary session of the Statewide Academic Senate. Chancellor Martha Kanter announced that founding trustee Robert C. Smithwick would be honored at an event sponsored by Avenidas on May 21.

Foothill President Bernadine Chuck Fong shared information regarding Latino Heritage Month, the Brother-to-Brother Bridge Program, the year-end Hukilau Celebration for faculty and staff, a contest sponsored by the physics class, and her participation in a community college initiative with the Department of State to encourage international students to attend school in the United States. She also participated on a panel with President Bush and Governor Schwarzenegger.

In reference to May Day, De Anza President Brian Murphy commended the hundreds of faculty and staff who participated in events in support of immigrants. He noted that Latino Heritage Month has been combined with Asian/Pacific Islander Heritage Month at the college. He also reported that two students had received nursing excellence awards, and two dance students had been invited to join the Stanford jazz program.

De Anza Academic Senate President Lydia Hearn reported that a teaching conference was recently held at De Anza aimed at increasing student success, and she hoped it would become an annual

conference. Faculty Association President Rich Hansen acknowledged workers who demonstrated today for immigrant rights.

Trustees

Trustee Casas Frier acknowledged May Day and the hard work of immigrants. She reported on her attendance at Hispanics Organized for Political Equality (HOPE), a statewide Latina conference in Sacramento, and commended the articulate students who met with legislators. She also attended a film event at Foothill regarding World War II internment camps that was shown in conjunction with Asian-American Heritage Month.

Trustee Plotkin reported that gubernatorial candidate Steve Westly expressed interest in making the issue of public domain part of his campaign, using Foothill's Sofia program as a model. He announced that Hillel is sponsoring a national conference in June for Jewish college presidents and trustees, and he had been invited to make a presentation on public domain. He also reported that Assemblymember Ira Ruskin wants to convene a meeting on public domain during the summer.

President Bechtel reported that she attended an event sponsored by Assemblymember Ruskin at which Congresswoman Anna Eshoo spoke, and both legislators commended the role of community colleges.

**APPROVAL OF CONSENT CALENDAR**

President Bechtel removed Item 7, "Sale of Miscellaneous Surplus District Electronic Equipment," explaining that it had been postponed for a future date.

**M/S/C:** Plotkin/Casas Frier  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved / Ratified Items 1-6 and 8-10 of the Consent Calendar as follows:

**Item 1** — **Approved** RESOLUTION REGARDING TRUSTEE ABSENCE: PAUL FONG

**Item 2** — **Ratified** CONTRACTS AND AGREEMENTS

**Item 3** — **Re-Adopted** BOARD POLICY 9110.1 – NUMBER OF STUDENT TRUSTEES; TERM OF OFFICE; RIGHTS

**Item 4** — **Approved** CHILD DEVELOPMENT CONTRACT #CPKR-5679 AND RESOLUTION #2006-12

**Item 5** — **Approved** CONTRACT WITH CHILD DEVELOPMENT, INC. DBA CHOICES FOR CHILDREN

**Item 6** — **Approved** SALE OF MISCELLANEOUS SURPLUS DISTRICT EQUIPMENT AND FURNITURE  
Made a finding that the property does not exceed \$5,000 in value and authorized the Director of Purchasing Services to sell the items in accordance with Education Code 81452(a)

**Item 8** — **Approved** AMENDMENT TO COPIER RENTAL CONTRACT PURSUANT TO BID #883

**Item 9** — **Approved PERSONNEL ACTIONS:**

*Name:* **Judith Baker**  
*Position:* Director, Foothill Global Access  
*College:* Foothill  
*Division:* Distance and Mediated Learning  
*Action:* **Employment**  
*Effective Date:* May 22, 2006 # of Months: 12  
*Compensation:* Level I, Step 3 @ \$7,988.66 per month

*Name:* **Kathleen Burson**  
*Position:* Instructor  
*College:* De Anza  
*Division:* Social Sciences and Humanities  
*Action:* **Resignation for the Purposes of Retirement**  
*Effective Date:* May 1, 2006  
*Comments:* In accordance with Article 21 of the *Agreement* between the District and the Faculty Association

*Name:* **Bernadine Chuck Fong**  
*Position:* President  
*College:* Foothill  
*Action:* **Resignation for the Purposes of Retirement**  
*Effective Date:* June 30, 2006  
*Comments:* In accordance with Chapter XIII of the Administrators Handbook

*Name:* **Nicole Gray**  
*Position:* Instructor  
*College:* Foothill  
*Division:* Physical Sciences, Mathematics and Engineering  
*Action:* **Amend Unpaid Leave of Absence**  
*Effective Date:* April 10, 2006, 2006 – June 30, 2006  
*Comments:* Amends Board action of October 17, 2005 to allow for a one-class load of .1111 (156 hours) for the Math 230 program

*Name:* **Maribeth Hendrickson**  
*Position:* Instructor  
*College:* Foothill  
*Division:* Business and Social Sciences  
*Action:* **Resignation for the Purposes of Retirement**  
*Effective Date:* June 30, 2006  
*Comments:* In accordance with Article 19 of the *Agreement* between the District and the Faculty Association

*Name:* **Diana Lydgate**  
*Position:* Instructor  
*College:* Foothill  
*Division:* Business and Social Sciences  
*Action:* **Transfer to Learning Disabilities Specialist in Adaptive Learning and Disabled Services at De Anza College**  
*Effective Date:* September 21, 2006  
*Comments:* In accordance with Article 13 of the *Agreement* between the District and the Faculty Association

*Name:* **Lawrence D. Rouse**  
*Position:* Instructor  
*College:* Foothill  
*Division:* Business and Social Sciences  
*Action:* **Grant 30 days of Additional Sick Leave**  
*Action:* **Resignation for the Purposes of Retirement**  
*Effective Date:* May 31, 2006  
*Comments:* In accordance with Article 16.20.1 of the *Agreement* between the District and the Faculty Association

*Name:* **Danielle Stines**  
*Position:* PE Instructor/Softball Coach  
*College:* Foothill  
*Division:* Physical Education  
*Action:* **Employment**  
*Effective Date:* September 21, 2006 *# of Months:* 10  
*Compensation:* Column II, Step C@ \$5,572.21 per month

### **Item 10** — Approved HUMAN RESOURCES REPORT

### **Item 11**

#### APPROVAL OF DASB BUDGET, 2006-07

De Anza Associated Student Body (DASB) President Anna Callahan, along with DASB officers Bernardo de Seabra, David He and Kazuma Seto, presented the DASB Budget. De Anza Academic Senate President Lydia Hearn, De Anza President Brian Murphy and the Board all commended the students on the presentation.

**M/S/C:** Noor/Howe  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved The DASB Budget for 2006-07

### **Item 12**

#### APPROVAL OF ASFC BUDGET, 2006-07

Associated Students of Foothill College (ASFC) President Adrian Diaz, along with ASFC officers Valentino Lin, Ariella Lewis, Catherine Scott and Martha Barragan, presented the ASFC budget and responded to questions. President Bechtel asked about the difference between actual and projected

income, and Ms. Scott responded that the actual figures did not reflect monies that would be received at the end of the quarter. The Board commended the students on the presentation.

**M/S/C:** Howe/Noor  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved The ASFC Budget for 2006-07

### **Item 13**

#### REVIEW OF DRAFT 2006-07 BUDGET

Vice Chancellor of Business Services Mike Brandy provided a preliminary overview of the 2006-07 budget. He reviewed the major assumptions, which include full recovery of base enrollment; a 5.18% COLA; equalization funding in the amount of \$2.2 million; maintenance and operations growth funding in the amount of \$1.3 million; increased costs for health benefits; and increased utility costs. He noted that one-time funds would be used to cover the increased health benefits costs, but the Benefits Committee is looking into a better long-term solution. There was a discussion of the unfunded retiree benefits liability and the importance of working with employee groups on a solution. Vice Chancellor Brandy said a new actuarial study would be presented to the Board on June 5 and a recommendation regarding the liability would be presented on June 19.

### **Item 14**

#### PRESENTATION: PREPARING STUDENTS FOR UNIVERSITY TRANSFER

De Anza Vice President of Student Services Robert Griffin, Foothill Articulation Officer Bernie Day, De Anza Transfer Center Coordinator Shirley Kawazoe, De Anza Articulation Coordinator Renee Augenstein and De Anza Counseling Center Chair Howard Irvin provided a presentation on preparing students for university transfer. Among the issues and challenges the colleges face are difficulty in obtaining transfer data from independent and out-of-state universities; the difficulty in establishing articulation guarantees with highly selective universities; closing the transfer achievement gap for student populations with low transfer rates; providing adequate basic skills and transfer course offerings; the need for more uniformity and consistency in UC and CSU admission requirements; and the need for a community college voice in new UC/CSU admissions programs and in legislation and state curriculum initiatives. President Bechtel asked how long it is taking Foothill and De Anza transfer students to complete a baccalaureate degree compared to students who enroll directly in four-year institutions. Chancellor Martha Kanter responded that the available data indicates that transfer students are performing just as well as their native university counterparts, but that on average all undergraduates are taking longer than four years to earn a bachelor's degree.

### **Item 15**

#### AUTHORIZATION FOR NOTICE OF LAYOFF

SEIU Chapter Chair Shelley Schreiber urged the Board not to approve the layoff and spoke in favor of a mechanism to transfer laid-off employees into vacant positions. Vice Chancellor of Human Resources and Equal Opportunity Jane Enright noted that the employee, Jacquelyne Minns-Smith, could apply for vacant positions, and the District would work with her to place her in another short-term assignment for which she qualifies if one becomes available. Vice Chancellor Enright stressed the importance of adhering to Title V regulations regarding open recruitment for vacant positions. Responding to a question from Trustee Plotkin, Vice Chancellor Enright explained that,

according to legal counsel, this layoff action was probably not required since the Board had approved the original layoff back in 2004; however, Ms. Minns-Smith had been working in a variety of short-term assignments since that time, and with the absence of case law in such circumstances, reaffirming this layoff action seemed the best way to proceed.

Staff members Bill Baldwin, Diane Hawley, Stephen Mallett, Blanche Monary, and retired staff member Natalia Jimenez spoke in support of Ms. Minns-Smith, as did Faculty Association President Rich Hansen. President Bechtel acknowledged the heartfelt comments and said the Board is well aware of and concerned about the human cost of layoffs. Both she and Trustee Swenson spoke about honoring the SEIU contract and not creating an exception to the contract by transferring the individual into a vacant position. Trustee Plotkin spoke about the difficulty of the decision and the context in which the Board must make decisions about personnel recommendations. He said he would be amenable to establishing a mechanism to transfer laid-off individuals into vacant positions if it were deemed to be legal and negotiated as part of the contract.

**M/S/C:** Plotkin/Swenson  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Reaffirmed the layoff of Jacquelyne Minns-Smith and authorized District representatives to provide the employee with at least a 45-day notice of layoff in advance of June 30, 2006, the date when her current short-term assignment ends

## **Item 16**

### LAYOFF DUE TO LACK OF FUNDING

Vice Chancellor of Human Resources and Equal Opportunity Jane Enright requested the removal of the Occupational Training Institute (OTI) positions from the proposed action, explaining that temporary funding had been found. She said there still remains the need to eliminate the NSF grant position due to lack of funding, but noted that the employee has bumping rights. SEIU Chapter Chair Shelley Schreiber expressed pleasure at being able to work with Human Resources to find funding for the OTI positions.

**M/S/C:** Swenson/Plotkin  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved elimination of the position of Instructional Designer (National Science Foundation Grant/PWD) effective July 1, 2006, and authorized District representatives to provide a 45-day notice of layoff to the affected employee, Jane Ostrander

## **Item 17**

### MEASURE E CONSENT CALENDAR

**M/S/C:** Plotkin/Howe  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved / Ratified the Measure E Consent Calendar, A-V as follows:

- A.** *Title:* Change Order #25  
*Vendor:* S.J. Amoroso Construction  
*Agreement Date:* January 16, 2004  
*Campus:* De Anza College  
*Project No.:* 248  
*Project Name:* Kirsch Center for Environmental Studies  
*Amount:* \$(1,650)  
*For:* Miscellaneous construction changes including structural steel welds; miscellaneous credits  
*Action:* Ratification
- B.** *Title:* Change Order #27  
*Vendor:* West Coast Contractors  
*Agreement Date:* October 22, 2002  
*Campus:* De Anza College  
*Project No.:* 202  
*Project Name:* Science Center  
*Amount:* \$48,618  
*For:* Roof top ductwork & power to Phoenix valves  
*Action:* Ratification
- C.** *Title:* Change Order #2  
*Vendor:* Eco Energies Construction Company  
*Agreement Date:* June 16, 2005  
*Campus:* De Anza College  
*Project No.:* 248  
*Project Name:* Photovoltaic System at Kirsch Building  
*Amount:* \$2,322  
*For:* Provide roof conduit penetration for the Photovoltaic System  
*Action:* Ratification
- D.** *Title:* Revision #1 to PAA #D-02 (PO M671172)  
*Vendor:* Salas O'Brien Engineers, Inc.  
*Agreement Date:* November 7, 2005  
*Campus:* De Anza College  
*Project No.:* 268  
*Project Name:* A8 Building Modernization  
*Amount:* \$4,000  
*For:* Design three electrical panels at control room  
*Action:* Ratification

- E.** *Title:* Revision #3 to PO M048177  
*Vendor:* tBP/Architecture  
*Agreement Date:* November 7, 2000  
*Campus:* De Anza College  
*Project No.:* 229  
*Project Name:* Restroom Renovation  
*Amount:* \$4,600  
*For:* Increase reimbursable amount of \$5,700 for Project #229 in accordance with the terms of the agreement  
*Action:* Ratification
- F.** *Title:* Standard Form of Agreement  
*Vendor:* Consolidated Engineering Laboratories  
*Agreement Date:* April 14, 2006  
*Campus:* De Anza College  
*Project No.:* 226  
*Project Name:* Planetarium Renovation  
*Amount:* \$4,673  
*For:* Provide materials testing and inspection services  
*Action:* Ratification
- G.** *Title:* Standard Form of Agreement  
*Vendor:* Consolidated Engineering Laboratories  
*Agreement Date:* April 14, 2006  
*Campus:* De Anza College  
*Project No.:* 269  
*Project Name:* A9 Building Modernization  
*Amount:* \$5,063  
*For:* Provide materials testing and special inspection services  
*Action:* Ratification
- H.** *Title:* Revision #15 to PAA #19 (PO M249357)  
*Vendor:* Perkins + Will  
*Agreement Date:* November 7, 2001  
*Campus:* Foothill College  
*Project No.:* 171  
*Project Name:* Central Plant  
*Amount:* \$9,429  
*For:* Professional services to produce design drawings, specifications and construction administration for an exterior brick veneer and mechanical parapet screen at the central plant yard area  
*Action:* Ratification

- I.** *Title:* Change Order #26  
*Vendor:* Vitton Construction  
*Agreement Date:* December 14, 2004  
*Campus:* De Anza College  
*Project No.:* 224  
*Project Name:* S-Quad Modernization Phase I  
*Amount:* \$21,389  
*For:* Pinal project change order including items for plumbing, hardware, electrical and flooring  
*Action:* Ratification
- J.** *Title:* Change Order #9  
*Vendor:* S.J. Amoroso Construction  
*Agreement Date:* June 3, 2005  
*Campus:* Foothill College  
*Project No.:* 171  
*Project Name:* Central Plant  
*Amount:* \$43,437  
*For:* Various scope revisions including attachment and waterproofing detail for exterior wood furring strips, over excavation of loose soil at building foundation, and other minor revisions  
*Action:* Ratification
- K.** *Title:* Change Order #5  
*Vendor:* ESR Construction  
*Agreement Date:* June 27, 2005  
*Campus:* Foothill College  
*Project No.:* 414  
*Project Name:* Maintenance Buildings Seismic Replacement/Service Shops 1&2  
*Amount:* \$2,565  
*For:* Gas regulators installed on service shops 1 & 2  
*Action:* Ratification
- L.** *Title:* PAA #15  
*Vendor:* Allana Buick and Bers, Inc.  
*Agreement Date:* May 9, 2001  
*Campus:* Foothill College  
*Project No.:* 117  
*Project Name:* Administration Modernization  
*Amount:* \$27,400  
*For:* Construction monitoring services for roofing at Building 1900  
*Action:* Ratification

- M.** *Title:* Change Order #1  
*Vendor:* John Plane Construction Inc.  
*Agreement Date:* February 24, 2006  
*Campus:* Foothill College  
*Project No.:* 117  
*Project Name:* Administration Modernization  
*Amount:* (\$10,167)  
*For:* Re-route (12) 4” conduits from under slab to above attic and provide new exterior enclosure  
*Action:* Ratification
- N.** *Title:* Change Order #20  
*Vendor:* S.J. Amoroso Construction  
*Agreement Date:* February 24, 2005  
*Campus:* Foothill College  
*Project No.:* 152  
*Project Name:* Lower Campus Complex  
*Amount:* \$47,875  
*For:* Added PRV valve to reduce pressure to buildings 7100 & 7500; furnish and install temporary bypass loop for supply and return heating lines at JT8; added work to relocate water line connects to PHWD gate valve at turnaround sidewalk  
*Action:* Ratification
- O.** *Title:* Change Order #21  
*Vendor:* S.J. Amoroso Construction  
*Agreement Date:* February 24, 2005  
*Campus:* Foothill College  
*Project No.:* 152  
*Project Name:* Lower Campus Complex  
*Amount:* \$23,339  
*For:* Additional drill depth for 22 drilled piers at building 8100; relocation of water main near 8000 buildings; wall thickness change, added rebar, penetrations and miscellaneous architectural changes at grids 3, 1<sup>st</sup> floor, building 7100  
*Action:* Ratification
- P.** *Title:* Change Order #7  
*Vendor:* West Bay Builders  
*Agreement Date:* January 18, 2005  
*Campus:* Foothill College  
*Project No.:* 153  
*Project Name:* Campus Center  
*Amount:* \$20,848  
*For:* Structural revisions to the pedestrian bridges and steel support hangers for various glu-laminated beams at building 220  
*Action:* Ratification

- Q.** *Title:* Change Order #1  
*Vendor:* Hung Construction  
*Agreement Date:* June 14, 2005  
*Campus:* Foothill College  
*Project No.:* 168  
*Project Name:* Fine Arts I  
*Amount:* (\$7,500)  
*For:* Diminished value of scope of the project  
*Action:* Ratification
- R.** *Title:* PAA #D-13  
*Vendor:* Sandis Humber Jones  
*Agreement Date:* January 8, 2001  
*Campus:* De Anza College  
*Project No.:* 209  
*Project Name:* The Performance Hall  
*Amount:* \$6,500  
*For:* Provide topographic survey of project site  
*Action:* Ratification
- S.** *Title:* Revision #4 to PAA #02  
*Vendor:* Sugimura & Associates  
*Agreement Date:* February 11, 2002  
*Campus:* Foothill College  
*Project No.:* 115  
*Project Name:* Physical Education Renovation  
*Amount:* \$1,300  
*For:* Noise analysis for mechanical units to B/2600  
*Action:* Ratification
- T.** *Title:* Change Order #7  
*Vendor:* O.C. Jones & Sons, Inc.  
*Agreement Date:* February 17, 2005  
*Campus:* De Anza College  
*Project No.:* 234  
*Project Name:* Athletic Fields  
*Amount:* \$22,814  
*For:* Miscellaneous changes including relocating irrigation valves and irrigation line revisions  
*Action:* Ratification

- U. *Title:* Change Order #4  
*Vendor:* Aztec Consultants, Inc.  
*Agreement Date:* June 28, 2005  
*Campus:* Foothill College  
*Project No.:* 146  
*Project Name:* Fieldhouse & Restrooms  
*Amount:* \$24,606  
*For:* Restroom retaining wall modifications, fieldhouse moisture protection at building penetrations, attic and roof vent changes, and plumbing pipe reroute  
*Action:* Ratification
- V. *Title:* Change #2 to Agreement for Services  
*Vendor:* Ross Luthin Creative  
*Agreement Date:* December 14, 2004  
*Campus:* De Anza College  
*Project No.:* 239  
*Project Name:* Signage  
*Amount:* \$5,903  
*For:* Added services to manage signage for campus entries as a separate phase from the campus signage project  
*Action:* Ratification

### **Item 18**

AWARD OF CONTRACT PURSUANT TO BID #1027-234 — ATHLETIC FIELDS SCOREBOARDS, DE ANZA COLLEGE

- M/S/C:** Casas Frier/Noor  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Authorized the District Purchasing Director to award a contract not to exceed the amount of \$48,489 for the Base Bid Amount to the lowest responsible and responsive bidder, T.E. Schmidt & Sons, Inc.

### **Item 19**

REJECTION OF BID FOR BID #1030-208 — CAMPUS ENTRIES, DE ANZA COLLEGE

- M/S/C:** Swenson/Casas Frier  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Rejected the bid received pursuant to Bid #1030-208

### **Item 20**

CHANGE ORDER #22 TO AGREEMENT WITH S.J. AMOROSO CONSTRUCTION — LOWER CAMPUS COMPLEX, FOOTHILL COLLEGE

President Bechtel asked what projects would be deferred to accommodate the increased cost. Director of Construction Program Management Claudette Brero-Gow said the cost would be funded by project contingency. Executive Director of Facilities, Operations and Construction Management

John Schulze added that long-range projections show that the project will exceed budget, and that any additional costs will be funded from a combination of campus contingency, savings realized from other construction projects, and projects that will be scaled back or not started. Trustee Plotkin asked what could be learned from this experience. Executive Director Schulze explained that the location of the underground utility conduit was known, but not the precise depth, especially where it ascends the hill. Foothill President Bernadine Chuck Fong said it would have been difficult to anticipate this situation, but the new construction planned for the campus does not anticipate a further problem.

<b>M/S/C:</b>	Swenson/Plotkin
<b>Advisory vote:</b>	2 yes
<b>Board vote:</b>	unanimous
<b>Action:</b>	Approved Change Order #22 to the Agreement with S.J. Amoroso Construction in the amount of \$170,820

### **DATES TO REMEMBER**

May 15, 2006 — Regular Meeting  
June 5, 2006 — Regular Meeting

### **ADJOURNMENT**

President Bechtel adjourned the meeting at 9:34 p.m.

jco  
Approved: 5/15/06

---

Martha J. Kanter, Chancellor  
Secretary, Board of Trustees