



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

November 5, 2007

CALL TO ORDER AND ROLL CALL

President Hal Plotkin declared a quorum was present and called the meeting to order at 4:45 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:

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

for Public Session

Jordan Eldridge, De Anza College Student Trustee
Sarah Snow, Foothill College Student Trustee

CLOSED SESSION

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

CONFERENCE WITH LABOR NEGOTIATOR

District Negotiator: Jane Enright
Employee Organizations: All Represented and Unrepresented Groups

PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE

Executive Administrators Present:

Kim Chief Elk, Director of Human Resources
Andy Dunn, Vice Chancellor of Business Services
Martha Kanter, Chancellor
Judy Miner, President of Foothill College
Brian Murphy, President of De Anza College
Fred Sherman, Vice Chancellor of Technology

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Name of Case: Katz v. Foothill-De Anza Community College District

Executive Administrators Present:

Andy Dunn, Vice Chancellor of Business Services
Martha Kanter, Chancellor
Judy Miner, President of Foothill College
Brian Murphy, President of De Anza College
Fred Sherman, Vice Chancellor of Technology

Legal Counsel Present:

Sean Absher

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Name of Case: Marques v. Foothill-De Anza Community College District

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

(Significant exposure to litigation pursuant to subdivision (b) of Section 94956.9)

Number of Potential Cases: 1

Executive Administrators Present:

Andy Dunn, Vice Chancellor of Business Services

Martha Kanter, Chancellor

Marsha Kelly, Director of Risk Management

Judy Miner, President of Foothill College

Brian Murphy, President of De Anza College

Fred Sherman, Vice Chancellor of Technology

Legal Counsel Present:

John Shupe

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Name of Case: Foothill-De Anza Community College District v. Coast Side Associates

Name of Case: Foothill-De Anza Community College District v. Englehard Electric Company, Inc.

Executive Administrators Present:

Charles Allen, Executive Director of Facilities, Operations and Construction

Management

Andy Dunn, Vice Chancellor of Business Services

Martha Kanter, Chancellor

Judy Miner, President of Foothill College

Brian Murphy, President of De Anza College

Fred Sherman, Vice Chancellor of Technology

Legal Counsel Present:

Phil Jaret

RE-CONVENE PUBLIC SESSION

President Plotkin re-convened the public session at 6:17 p.m. in the District Board Room. He 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>	Charles Allen Tom Armstrong Shirley Barker Becky Bartindale Margaret Bdzil Caron Blinick Wayne Chenoweth Kim Chief Elk Pat Cornely J.R. Dorcak Kathleen Duncan Andy Dunn Marie Fox Ellison Dave Garrido Robert Griffin	Beth Grobman Rich Hansen Jeanine Hawk Kurt Hueg Donna Jones-Dulin Martha Kanter Marsha Kelly Ron Levine Mary-Jo Lomax Diana Martinez Martin Melia Judy Miner Brian Murphy Peter Murray Frank Nunez	Jon O’Bergh Karl Peter Julie Phillips Hector Quinonez Carmen Redmond Gillian Schultz Fred Sherman Stephanie Sherman Bernata Slater Marisa Spatafore Paul Starer Kristin Jensen Sullivan John Swensson Mona Voss Cheryl Woodward
<i>Press:</i>	None		
<i>Students:</i>	Steve Carleton Sarah Doty		
<i>Public:</i>	Sarah Doty Joseph Francis Carol Green Albert Jackson Mary Jackson	Mary Ann Malcolm M.G. Malcolm Pat Meneely Robert Meneely Beth Pourmand	Dean Pourmand Margo Sidener Edh Stanley Terry Terman Kathy Williams

REPORTING OUT FROM CLOSED SESSION

President Plotkin reported that the Board took the following actions in closed session:

- 1) Appointed a hearing officer in an employee discipline matter;
- 2) Approved settlement of a claim in the case of Marques v. Foothill-De Anza Community College District;
- 3) Approved settlement of a claim in the case of Foothill-De Anza Community College District v. Coast Side Associates; and
- 4) Approved settlement of a claim in the case of Foothill-De Anza Community College District v. Englehard Electric Company, Inc.

APPROVAL OF MINUTES

M/S/C:	Eldridge/Bechtel
Advisory vote:	2 yes
Board vote:	unanimous
Action:	Approved the minutes of the October 1, 2007 meeting
M/S/C:	Fong/Eldridge
Advisory vote:	2 yes
Board vote:	unanimous
Action:	Approved the minutes of the October 15, 2007 meeting

AUDIT & FINANCE COMMITTEE REPORT

Trustee Swenson reported that the Audit & Finance Committee reviewed the draft Audit of Year Ending June 30, 2006, and the external audit firm gave a positive report with no audit exceptions. He reported that the Committee also discussed operational reviews of Foothill cash handling and Measure C overhead, reviewed Measure E and C construction reports, and discussed changes to the Board policy governing Committee membership and operation.

CORRESPONDENCE

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

HEARINGS: ITEMS NOT ON THE AGENDA

Public/Students

Margo Sidener, President/CEO of Breathe California, presented a plaque commending the District for its efforts to implement a smoke-free campus and thanked in particular faculty and staff members Naomi Kitajima and Mary-Jo Lomax for leading the effort.

Staff

De Anza President Brian Murphy reported that the college's "A Night of Magic" fund-raising event was successful. He acknowledged journalism instructor Beth Grobman and students on the staff of La Voz for their exemplary work that resulted in several awards from the Journalism Association of Community Colleges. Lastly, he reported that he and Trustee Casas Frier attended the award event at which UC Berkeley's Center for the Built Environment presented the Building Livability Award for first place to the Kirsch Center for Environmental Studies. He acknowledged the efforts of Pat Cornely, Kristin Jensen-Sullivan, Donna Jones-Dulin, Julie Phillips, Stephanie Sherman and those students who were instrumental in conceiving the Kirsch Center building. Former student Sarah Doty commented that the project was a model of how faculty, students and administration could work together to carry out a great vision.

Foothill President Judy Miner reported that two successful events were recently held on campus: a child development conference organized by instructor Jeanne Thomas, and a software developers conference that instructor Mike Murphy helped organize with the support of Microsoft. Lastly, she reported that instructor Paul Davies won the international Masterworks Prize from ERMedia for his composition "Rhapsody for Piano and Orchestra."

Chancellor Martha Kanter presented the Board members with a copy of the DVD commemorating the District's 50th Anniversary. She reported that she attended the Rambus Innovation Awards event at the Krause Center for Innovation at which several high school students were honored. She also distributed an article from the Mountain View Voice regarding the Education Research Park at NASA, a collaboration among Foothill-De Anza, UC Santa Cruz, San Jose State University and NASA. Faculty Association President Rich Hansen reported that the Faculty Association hopes to arrange a fund-raising event for Proposition 92, the Community College Initiative.

Trustees

Student Trustee Snow thanked Foothill President Miner for listening to her concerns about keys and access by student government leaders to their offices in the Campus Center, and expressed her hope that a compromise can be reached. She reported that she attended a student lobbying conference and

hopes to involve more students in educating legislators about student needs. Student Trustee Eldridge reported that he also attended the conference. Trustee Fong reminded the Board of the forthcoming Community College League of California Annual Conference.

PUBLIC HEARING

Agreement between Foothill-De Anza Community College District and California School Employees Association (CSEA) and Its Chapter 96, for Unit A: January 1, 2007-December 31, 2009

President Plotkin opened the public hearing and asked if anyone wished to address the Board on the matter. No one wished to speak, and President Plotkin closed the public hearing.

APPROVAL OF CONSENT CALENDAR

At the request of Trustee Swenson, President Plotkin removed Item 5 from the Consent Calendar.

M/S/C: Bechtel/Eldridge
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified Items 1-4 and 6-8 of the Consent Calendar as follows:

Item 1 — **Ratified** CONTRACTS AND AGREEMENTS

Item 2 — **Approved** NEW CONTRACT FOR THE PERFORMING ARTS ALLIANCE – MAKTAB TARIGHAT OVEYSSI SHAHMAGHSUDI

Item 3 — **Approved** NORTH SANTA CLARA COUNTY TECH PREP CONSORTIUM PARTNER AGREEMENTS 2007-08

Item 4 — **Ratified** CONTRACT TITLED *CONSTELLATION NEWENERGY ELECTRICITY SERVICE AGREEMENT, COMMUNITY COLLEGE LEAGUE OF CALIFORNIA ELECTRIC CONSORTIUM*

Item 6 — **Approved** PERSONNEL ACTIONS:

Name: **Rose Myers**
Position: Vice President
College: Foothill College
Division: Student Development and Instruction
Action: **Temporary Salary Adjustment**
Effective Date: July 1, 2007 – June 30, 2008
Compensation: 5% Adjustment

Name: **Chien Shih**
Position: Director, Information Systems and Operations
College: Central Services
Division: Educational Technology Services
Action: **Second One Year Employment Contract**
Effective Date: November 27, 2007 – November 26, 2008 # of months: 12

Name: **Maria (Vicky) Criddle**
Position: Director, Foothill-De Anza Internship Program
College: Foothill College
Division: Faculty and Staff
Action: **Second One Year Employment Contract**
Effective Date: November 13, 2007 – November 12, 2008 # of months: 12

Item 7 — **Approved HUMAN RESOURCES REPORT**

Item 8 — **Approved PROFESSIONAL DEVELOPMENT LEAVE REPORT FOR KARL SCHAEFFER, DE ANZA COLLEGE**

President Plotkin asked if there were any objections to advancing Item 22 since members of the community were waiting in the audience to hear this discussion. There were no objections.

Item 22

FOOTHILL COLLEGE LOOP ROAD REALIGNMENT UPDATE

Executive Director of Facilities, Operations and Construction Management Charles Allen and Brian Shiles of WRNS Architects presented information to the Board regarding alternative site plans for the Science Building that would not require realignment of the road and may have less of an environmental impact. Foothill President Miner noted that the money earmarked for the Loop Road Realignment project could then be freed up to fund other projects. She also noted that the science faculty preferred the new plan. The Lower Campus Complex, once opened, is expected to have a positive impact on loop road traffic, so traffic and pedestrian patterns will be studied later in order to evaluate safety enhancement options. Trustee Bechtel reminded the college to include plans for bicycle traffic.

Some neighboring homeowners thanked President Miner and Foothill for listening to their concerns about the loop road realignment. Local resident Dean Pourmand spoke about establishing a campus where the location is easily accessible for students. Terry Terman expressed his pleasure about the new plan in respect to the needs of the observatory.

Item 5

AUTHORIZATION TO PURCHASE MICROSCOPES AND RELATED ACCESSORIES PURSUANT TO BID 1125

Trustee Swenson asked why four reputable firms submitted non-responsive bids. Director of Purchasing and Material Services Carmen Redmond responded that firms were allowed to substitute microscopes of equal capability, but upon faculty evaluation, those microscopes were determined in fact not to be equal. The firms were informed of this determination and given the opportunity to amend their bids, but none chose to do so.

M/S/C: Swenson/Fong
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to issue purchase orders in the amount of \$145,336.90 to Olympus America, Inc. pursuant to the prices, terms and conditions set forth in Bid 1125

Item 9

APPROVAL OF THREE-YEAR *AGREEMENT* BETWEEN THE DISTRICT AND CSEA

M/S/C: Eldridge/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the Three-Year *Agreement* with California School Employees Association (CSEA), Chapter 96, Unit A, January 1, 2007 through December 31, 2009, with specified re-openers each year

Item 10

APPROVAL OF 2007-08 COMPENSATION AGREEMENT FOR CSEA

M/S/C: Bechtel/Fong
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved terms and conditions of a compensation agreement for 2007-08 for California School Employees Association (CSEA), Chapter 96, Unit A as follows:

Article 5, Pay and Allowances

- 1) Salary adjustment of 5.53% (the state-provided COLA plus 1 per cent) on the salary schedule retroactive to July 1, 2007. The adjustment shall commence with the November 2007 pay period, which shall also include the retroactive pay.
- 2) An additional salary adjustment of 1% on the salary schedule contingent upon the District's ability to sustain the growth indicated in the Fall quarter through the academic year. Growth shall be to the level of state-established CAP or 2 percentage points, whichever is greater.
 - If growth is below the threshold stated above but is at least at 1%, fully funded, the salary adjustment shall be at least half of one percent on the salary schedule.
 - The salary adjustment shall be retroactive to July 1, 2007 and shall be paid in the June 2008 pay period, which shall also include the retroactive pay.
 - The parties acknowledge that the District is funding approximately 2.5% of the salary adjustment from one-time funds and further acknowledge that the District must, over a three-year period, identify on-going funds which may include state-allocated COLA to sustain the ongoing salary costs of this adjustment.

Article 8, Leaves and Article 16 Health and Welfare Benefits

The District shall increase the maximum earnings for Extended Sick Leave (Article 8.2.1) and for Long Term Disability Insurance (Article 16.8.1) from 66.66% of salary up to a maximum of \$4300 per month to 66.66% of salary up to a maximum of \$6000 per month.

Item 11

REVISED BOARD POLICY 4815, PUBLICATION OF INSTRUCTION MATERIALS

Item 12

REVISED BOARD POLICY 5020, INSTRUCTIONAL AND OTHER MATERIAL AND USE FEES

Since the policies were related, President Plotkin proposed that they be discussed in tandem. He distributed his response to the proposed revisions for Policy 4185, stating that the revised policy is unclear, unnecessarily complex and does not delineate the Board’s interests in terms of preserving faculty freedom to publish and receive fair compensation while protecting students from high education-related costs that are known to be an impediment to student success. He also expressed concern that the distinction “available elsewhere” is not specific enough and provides a loophole.

Trustee Bechtel said that she generally supports the points made by President Plotkin and supports the idea that students should be able to obtain the best materials at the least cost. Trustee Swenson also expressed general support for President Plotkin’s position and said he believes that the integrity of the District — that is, the ethical standard that faculty act in the best interests of students — is strained when faculty not only create the text but set the price and sell directly to students. He asked about enforcement of the policy, and Chancellor Kanter said that one proposal was a procedure to require a statement from faculty verifying cost. There was a discussion of enforcement language.

Foothill Academic Senate President Paul Starer noted that faculty are not in agreement on what the best practice should be and have not agreed to the proposed revisions to Policy 4185. He suggested that the Board hold a summit in which faculty and the Board can engage in a dialog about the issue. Student Trustee Snow suggested that students also be invited to participate and provide their input. Chancellor Kanter noted that there was consensus from the Chancellor’s Advisory Council regarding Policy 5020. President Plotkin, however, said that those revisions are also in conflict with the values he wishes the Board to promote, so further discussion is needed.

Item 13

NEW DEGREE OPTION IIN MANAGEMENT FOR EXISTING BUSINESS ADMINISTRATION PROGRAM, DE ANZA COLLEGE

- M/S/C:** Casas Frier/Eldridge
- Advisory vote:** 2 yes
- Board vote:** unanimous
- Action:** Approved the new degree option in Management for the existing Business Administration Program at De Anza College

Item 14

ENVIRONMENTAL COMPLIANCE ANNUAL UPDATE

Director of Environmental Health and Safety Mona Voss presented the annual Environmental Compliance update. She reported that there were 30 inspections and report filings by various agencies and no violations were discovered. She reviewed the District’s compliance on a number of previous issues and discussed ongoing training efforts. College presidents Miner and Murphy expressed appreciation for how helpful she has been to the colleges.

Item 15

ANNUAL RISK MANAGEMENT REPORT

Director of Risk Management Marsha Kelly reviewed training efforts to address OSHA requirements, injury and illness prevention, blood-borne pathogens, and cart safety. She noted several tools to prevent and control losses, including an anonymous call-in line to report problems and emergency operations exercises. She reviewed insurance coverage and noted that changes to the general liability coverage this year saved money. Lastly, she reviewed claims monitoring and costs.

Trustee Casas Frier asked about safety on the Foothill loop road, which led to a discussion about pedestrian bridges and ways to enhance pedestrian safety as part of Measure C. Ms. Kelly said she had not been involved in the discussion that led to the college's recommendation not to realign the loop road, but she noted that there have not been any claims related to the safety of the loop road while she has been Director of Risk Management.

Item 16

FIRST QUARTER REPORT

Vice Chancellor of Business Services Andy Dunn and Director of Budget Operations Bernata Slater presented the First Quarter Report. Vice Chancellor Dunn reported that the District expects to recover its enrollment growth. Typically, growth funds must be used to fund positions and staffing and, to a lesser extent, B budget increases, leaving very little discretionary money. The projected unrestricted ending balance is \$6.2 million, but salary settlements have not yet been negotiated. He alerted the Board to expect a \$10 million transfer on the December 3 agenda to keep Measure C-related projects going until the Measure C lawsuit is resolved.

Item 17

REVIEW OF FINANCIAL REPORT CCFS 311

Controller Hector Quinonez presented the CCFS 311 report that is filed annually with the State Chancellor's Office.

Item 18

FIRST QUARTER BUDGET TRANSFERS AND REVISIONS

M/S/C:	Bechtel/Casas Frier
Advisory vote:	2 yes
Board vote:	unanimous
Action:	Approved Resolution #2007-26 (Budget Transfers) and #2007-27 (Budget Revisions)

Item 19

MEASURE E CONSENT CALENDAR

Trustee Swenson said he continues to notice a large number of change orders resulting from design errors, and he hopes the District will pursue reimbursement. He also expressed hope that there will be a less number of such issues with Measure C projects.

M/S/C: Swenson/Snow
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified the Measure E Consent Calendar, A-G as follows:

- A. Title:** Final Change Order #20
Vendor: Hagensen Pacific Construction, Inc.
Agreement Date: October 17, 2006
Campus: De Anza
Project No.: 213
Project Name: Campus Center Renovation
Amount: \$15,585
For: Misc. construction changes including additional roofing, fire alarm connections, electrical outlets, and light fixture revisions. Revise Contract Completion Date to September 10, 2007, by addition of 47 non-compensable calendar days; the total change orders to date represent 14.67% against the original contract amount (funding is included in the current budget)
Action: Ratification
- B. Title:** Change Order #31
Vendor: West Bay Builders
Agreement Date: January 1, 2005
Campus: Foothill
Project No.: 153
Project Name: Campus Center
Amount: \$28,205
For: Structural modification roll-up doors at the cafeteria and coffee bar, delete specified roof drains from gutter and install custom gutter downspout fittings and miscellaneous architectural changes to meet user's requirement; this change order plus all previous change orders represent 9.51% above the base contract amount (funding for this change is within the current budget)
Action: Ratification
- C. Title:** Change Order #62
Vendor: SJ Amoroso Construction Co., Inc.
Agreement Date: February 24, 2005
Campus: Foothill
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$84,319
For: Miscellaneous architectural, civil, structural and electrical changes; this change order plus all previous change orders represent 8.16% above the base contract amount (funding for this change is within the current budget)
Action: Ratification

- D.** *Title:* Change Order #63
Vendor: SJ Amoroso Construction Co., Inc.
Agreement Date: February 24, 2005
Campus: Foothill
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$41,318
For: Miscellaneous architectural, civil, structural and electrical changes; this change order plus all previous change orders represent 8.25% above the base contract amount (funding for this change is within the current budget)
Action: Ratification
- E.** *Title:* PAA #15 – Revision #1 to PO#M672061
Vendor: Allana, Buick & Bers, Inc.
Agreement Date: March 14, 2006
Campus: Foothill
Project No.: 117
Project Name: Administration Renovation
Amount: \$5,410
For: Additional design services for structural dry rot assessment, gutter water testing services and roof hatch design, monitoring and follow-up of the above items during construction
Action: Ratification
- F.** *Title:* Change Order #6
Vendor: Joseph J. Albanese, Inc.
Agreement Date: July 25, 2006
Campus: De Anza
Project No.: 208
Project Name: Campus Entries
Amount: \$37,916
For: Construction changes that include: additional roadway striping and traffic signage for safety, thermo-plastic striping of crosswalks and bike lanes per City of Cupertino, settlement of an electrical scale issue and contractor’s discrepancy claim with the plans, and a Value Engineering credit for a more efficient routing of pathway lighting; the total change orders to date represent 3.43% against the original contract amount (funding is included in the current budget)
Action: Ratification
- G.** *Title:* Budget Transfer # 59
Campus: De Anza College
For: Budget Transfer DA #59 includes Program Contingency to Projects, reflecting a joint effort by De Anza College, District and Gilbane representatives to prioritize and plan the efforts required to complete the Measure E Program needs at De Anza College
Action: Ratification

Item 20

AUTHORIZATION TO AWARD CONTACT FOR BID 1127 – CAMPUS CENTER FLOOR REFINISHING, DE ANZA COLLEGE

M/S/C: Bechtel/Eldridge
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to award a contract in the amount of \$19,465 for the Base Bid Proposal Amount and Additive Alternate #1 to the lowest responsible and responsive bidder, Merit Floor Care

Item 21

BUDGET TRANSFER #FH-44

M/S/C: Bechtel/Swenson
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Budget Transfer #FH-44 affecting the Measure E Program Contingency

Item 23

MEASURE C CONSENT CALENDAR

M/S/C: Fong/Eldridge
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified the Measure C Consent Calendar, A-C as follows:

- A. Title:** Revision #1 to PO# G774025
Vendor: Allana, Buick & Bers
Agreement Date: November, 2, 2006
Campus: Foothill
Project No.: 766117
Project Name: Footbridge Repair & Roof Replacement
Amount: \$29,945
For: Construction administration/ additional design services for a) cost estimating, b) structural repair at the elevator, and c) incorporation of electrical design documents provided by a separate design professional
Action: Ratification

B. Title: Property Acquisition
Vendor: TBP Architecture, Inc.
Agreement Date: October 15, 2007
Campus: District
Project No.: 801
Project Name: Cubberly Site (Middlefield Center) Feasibility Study
Amount: \$30,000
For: District – Professional services for programming and planning for future development to support the Middlefield Campus; work includes preparation of site plans/options for building locations, pedestrian/vehicular access and parking requirements as well as conceptual floor plans for a maximum 2 story building at the Middlefield site; additional services may include site evaluation, infrastructure, building assessments and other related planning services for alternative sites identified by the District
Action: Ratification

C. Title: Change Order #5
Vendor: John Plane Construction
Agreement Date: December 19, 2006
Campus: De Anza
Project No.: 766271
Project Name: Forum Modernization
Amount: \$7,625
For: Construction changes include: high-strength grouting of existing raceways to provide structural support for new seating in Forums 1, 3, and 4; painting of exposed unpainted concrete wall and columns per college’s request; provide door stops and door sweeps to all exterior and interior doors missing from Door Schedule and HW Specifications; the total change orders to date represent 6.66% against the original contract amount (funding is included in the current budget)
Action: Ratification

Item 24

AUTHORIZATION TO AWARD CONTRACT FOR BID 1120 – BUILDING 5100 ROOF REPLACEMENT, FOOTHILL COLLEGE

Executive Director Allen confirmed that the wood shake material is compliant with fire codes. Trustee Bechtel asked staff to consider in the future a less expensive, more environmentally-sustainable product that is aesthetically comparable to wood shake. President Plotkin requested Executive Director Allen to bring back to the Board a roofing general plan that would address this issue. Trustee Bechtel requested that, on a regular basis, agenda items be submitted with more detailed description of the actual job and less emphasis on voluminous insurance paperwork such as was provided as backup for Item 24. Responding to a question from President Plotkin, Executive Director Allen said he expects this roofing replacement project to be completed in six months so it would not jeopardize a Project Stabilization Agreement, should one be put in place.

M/S/C: Bechtel/Swenson
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the Director of Purchasing Services to award a contract in the amount of \$259,870 to the lowest responsible and responsive bidder, Best Contracting Services, Inc.

Item 25

AUTHORIZATION TO AWARD CONTRACT FOR BID 1121 – PLANETARIUM SURROUND SOUND SYSTEM, DE ANZA COLLEGE

De Anza Dean of Community Education Caron Blinick explained that the budget was initially \$120,000 but was readjusted to \$85,000, which will require supplementation by community education funds.

M/S/C: Casas Frier/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the Director of Purchasing Services to award a contract in the amount of \$99,014.96 to the lowest responsible and responsive bidder, Sky-Skan, Inc.

Item 26

AUTHORIZATION TO AWARD CONTRACT FOR BID 1124 – FOOTHILL COLLEGE PIANO REPLACEMENT

Trustee Casas Frier commented on the large difference in cost between the price for new pianos and the price offered for used pianos. Trustee Swenson and Student Trustee Snow asked about the choice of manufacturers, and Director of Purchasing and Material Services Redmond explained how faculty selected pianos based on musical qualities and particular needs. She further explained that manufacturers strictly limit which dealers can sell in the District's service area.

M/S/C: Fong/Eldridge
Advisory vote: 2 yes
Board vote: 4 yes; 1 no (Casas Frier)
Action: Authorized the Director of Purchasing Services to do the following:

- 1) Award a contract in the amount of \$128,348.65 for the pianos listed in Category A and Category B to the lowest responsible and responsive bidder, Peninsula Piano Brokers;
- 2) Award a contract in the amount of \$153,724.87 for the pianos listed in Category C to the lowest responsible and responsive bidder, Sherman Clay and Company;
- 3) Sell eight upright and two grand pianos (TI#1-8, TI#11, TI#12) for \$11,900 to the highest bidder, Peninsula Piano Brokers; and
- 4) Sell two grand pianos (TI#9, TI#10) for \$18,000 to the highest bidder, Sherman Clay and Company.

Item 27

AGREEMENT FOR CONSULTANT SERVICES WITH ARCHITECTURAL RESOURCES GROUP AND PROJECT ASSIGNMENT AMENDMENT #2A — PROJECT #766213, EAST COTTAGE RENOVATION, DE ANZA COLLEGE

Item 28

AGREEMENT FOR CONSULTANT SERVICES WITH ARCHITECTURAL RESOURCES GROUP AND PROJECT ASSIGNMENT AMENDMENT #3A — PROJECT #766203, OLD BOOKSTORE CONVERSION, DE ANZA COLLEGE

Item 29

AGREEMENT FOR CONSULTANT SERVICES WITH NOLL & TAM ARCHITECTS — PROJECT #766205, SEMINAR RENOVATION, DE ANZA COLLEGE

President Plotkin proposed that Items 27, 28 and 29 be acted on as a group unless there were objections. There were no objections. Chancellor Kanter pointed out that LEED certification for renovations has not been discussed as part of an overall policy, but more discussion will occur as part of the Environmental Sustainability Plan in January.

- M/S/C:** Bechtel/Eldridge
- Advisory vote:** 2 yes
- Board vote:** unanimous
- Action:** Approved the following:
 - 1) PAA #2A to the Agreement with Architectural Resources Group up to the maximum amount of \$56,063
 - 2) PAA #3A to the Agreement with Architectural Resources Group up to the maximum amount of \$69,917
 - 3) Agreement with Noll & Tam Architects up to the maximum amount of \$35,000

Item 30

REVISION #1 TO AGREEMENT WITH SUGIMURA & ASSOCIATES, PO #G876084 — PROJECT #766101, FORUM, FOOTHILL COLLEGE

- M/S/C:** Fong/Snow
- Advisory vote:** 2 yes
- Board vote:** unanimous
- Action:** Approved Revision #1 to the Agreement with Sugimura & Associates in the amount of \$171,090

DATES TO REMEMBER

President Plotkin reported that he, Trustee Bechtel and Chancellor Kanter would review applications for the Citizens’ Bond Oversight Committee and forward their recommendations to the Board. He also announced that he would be nominating Trustee Swenson to serve as Board President. Chancellor Kanter announced that action on the Educational Information System (EIS) will be postponed to the January meeting, and Policies 4185 and 5020 will be scheduled for a future Board meeting.

- December 3, 2007 — Regular Meeting
- Holiday Reception
- Organization Meeting

Board Committee Appointments
Certification of Trustee Re-Appointment and Oath of Office
Financing Corporation
Audit Report
Quarterly Listing of District Investments
Appointments to Citizens Bond Oversight Committee
Delegation of Authority Resolutions
Resolution Authorizing Separate Bank Accts.
Open Source Report
AP 3410 – Destruction of Records
Project Stabilization Agreement

ADJOURNMENT

President Plotkin adjourned the meeting at 9:12 p.m.

jco
Approved: 12/3/07

Martha J. Kanter, Chancellor
Secretary, Board of Trustees