



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

## **BOARD OF TRUSTEES**

**MINUTES**

**REGULAR MEETING**

**September 10, 2007**

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

President Hal Plotkin declared a quorum was present and called the meeting to order at 4:30 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

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

Kim Chief Elk, Director of Human Resources  
Andy Dunn, Vice Chancellor of Business Services  
Jane Enright, former Vice Chancellor of Human Resources and Equal Opportunity  
(retired)  
Carol Green, Office of Human Resources and Equal Opportunity  
Martha Kanter, Chancellor  
Judy Miner, President of Foothill College  
Brian Murphy, President of De Anza College  
Fred Sherman, Vice Chancellor of Technology

At 5:05 p.m., President Hal Plotkin declared a recess for the 50<sup>th</sup> Anniversary Reception.

### **RE-CONVENE PUBLIC SESSION**

President Plotkin re-convened the public session at 6:04 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	Ron Levine	Shelley Schreiber
	Becky Bartindale	Jeff Meade	Fred Sherman
	Wayne Chenoweth	Judy Miner	Bernata Slater
	J.R. Dorcak	Brian Murphy	Marisa Spatafore
	Andy Dunn	Frank Nunez	Paul Starer
	Dave Garrido	Jon O’Bergh	
	Martha Kanter	Hector Quinonez	

*Press:* None

*Students:* Steve Carleton

<i>Public:</i>	Gary Berg	Carol Green	Dolores Sandoval
	Elly Besson	Jay Jackman	Robert C. Smithwick
	Gerald Besson	Ken Leal	Terry Terman
	Ray Crump	Mary Levine	
	Matthew Dutra	Mary Mason	

**Item 6**

**RESOLUTION ACKNOWLEDGING THE 50TH ANNIVERSARY OF THE FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT**

President Plotkin asked if there were any objections to advancing Item 6 on the agenda. Hearing no objections, he asked founding trustee Robert C. Smithwick to read the resolution acknowledging the District’s 50<sup>th</sup> Anniversary. Following the reading of the resolution, President Plotkin and Trustee Swenson presented former trustees Gerald Besson, Jay Jackman, Mary Levine, Mary Mason, Dolores Sandoval, and Dr. Smithwick with a 50<sup>th</sup> anniversary medallion in honor of their years of service to the District and invited them to make remarks.

**M/S/C:** Bechtel/Fong  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved Resolution #2007-22 Acknowledging the 50<sup>th</sup> Anniversary of the Foothill-De Anza Community College District

**REPORTING OUT FROM CLOSED SESSION**

President Plotkin reported that no action was taken in closed session.

**APPROVAL OF MINUTES**

**M/S/C:** Eldridge/Snow  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved the minutes of the August 27, 2007 meeting

**FOUNDATION BOARD REPORT**

Trustee Casas Frier reported that the Foothill Summer Gala successfully raised \$100,000 for the college, and preparations were underway for De Anza’s “A Night of Magic.”

**CORRESPONDENCE**

President Plotkin asked if there was any correspondence which should be brought to the Board’s attention. Trustee Swenson reported that he received an email from retired Foothill President Bernadine Chuck Fong regarding the original architectural and landscaping themes of the college, and he suggested this would be useful for architects to consider as they design new projects.

**HEARINGS: ITEMS NOT ON THE AGENDA**

*Public/Students*

Speaking in support of the “3% at 50” retirement plan for peace officers were Gary Berg of the Campbell Police Officers’ Association, Matthew Dutra of the Sheriff’s Department, and Ken Leal of the Mountain View Police Officers’ Association.

*Staff*

Office J.R. Dorcak shared letters of support from the Palo Alto Police Officers’ Association, Santa Clara Police Officers Association and Statewide University Police Association for the “3% at 50” retirement plan. SEIU Chapter Chair Shelley Schreiber spoke about support for classified staff leadership and expressed support for the “3% at 50” retirement plan for peace officers.

Foothill College President Judy Miner reported that the college held its annual leadership and team building retreat at Asilomar, in which Student Trustee Snow participated. She reminded everyone about the September 25 50<sup>th</sup> Anniversary Celebration and Grand Opening of the new buildings. Chancellor Martha Kanter reported that she received letters from San Jose Councilmember Nora Campos and Santa Clara University President Paul Locatelli congratulating the District on the occasion of its 50<sup>th</sup> anniversary. She noted that local high school district superintendents and boards of trustees have been invited to the Board’s October 1 meeting at which a discussion will be held on the Bridge from High School to College. Lastly, she presented 50<sup>th</sup> Anniversary certificates to the student trustees and medallions to each of the elected trustees.

*Trustees*

Trustee Casas Frier reported that she attended a meeting of the Advisory Council on Legislation and Finance, an advisory committee of the Community College League of California. She also reported that she attended a meeting of the Los Altos-Mountain View branch of the American Association of University Women at which Chancellor Kanter was the keynote speaker. Trustee Fong announced that he would be attending the upcoming meeting of the California Community College Trustees board. President Plotkin provided an update on AB 577, reporting that prospects for funding the bill in next year’s state budget look promising. He noted that he would not be able to attend the September 25 Grand Opening since he would be attending a conference on Open Educational Resources.

**APPROVAL OF CONSENT CALENDAR**

- M/S/C:** Bechtel/Swenson
- Advisory vote:** 2 yes
- Board vote:** unanimous
- Action:** Approved / Ratified Items 1-5 of the Consent Calendar as follows:

**Item 1** — **Ratified CONTRACTS AND AGREEMENTS**

**Item 2** — **Ratified** BOOKSTORE PURCHASES

**Item 3** — **Acknowledged** LISTING OF DISTRICT INVESTMENTS AS OF JUNE 30, 2007

**Item 4** — **Approved** PERSONNEL ACTIONS:

*Name:* **Shannon Hassett**  
*Position:* Psychology Instructor  
*College:* De Anza College  
*Division:* Social Science and Humanities  
*Action:* **Employment**  
*Effective Date:* September 20, 2007 # of months: 10  
*Compensation:* Column II, Step E @ \$6,263.93 per month

*Name:* **Marisa Spatafore**  
*Position:* Director, Marketing, Communication & Development  
*College:* De Anza College  
*Division:* President’s office  
*Action:* **Second One Year Employment Contract**  
*Effective Date:* October 1, 2007 to June 30, 2008 # of Months: 12

**Item 5** — **Approved** HUMAN RESOURCES REPORT

**Item 7**

ADOPTION OF 2007-08 BUDGET

Vice Chancellor of Business Services Andy Dunn noted that there were no changes to the budget or underlying revenue and expense assumptions as presented to the Board at its August 27, 2007 meeting. He said he would be attending a statewide budget workshop next week to learn how the recently signed budget affects community colleges, and any impact on the District’s budget will be reflected in the First Quarter Report. Trustee Casas Frier asked about the impact of water district increases, and Vice Chancellor Dunn said he would look into it.

**M/S/C:** Fong/Eldridge  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved the 2007-08 Budget

**Item 8**

MEASURE E CONSENT CALENDAR

Trustee Bechtel noticed that the change order percentage above the contract amount was not included for items A and B and asked staff to be sure to include the percentage in the future.

**M/S/C:** Bechtel/Casas Frier  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved / Ratified the Measure E Consent Calendar A-G as follows:

- A.** *Title:* Change Order #17  
*Vendor:* Hagensen Pacific Construction, Inc.  
*Agreement Date:* September 25, 2006  
*Campus:* De Anza College  
*Project No.:* 213  
*Project Name:* Campus Center Renovation  
*Amount:* \$57,152  
*For:* Miscellaneous construction changes including structural framing. HVAC work required to accommodate the roll up metal doors and additional cost associated with the unforeseen conditions of the patio lighting installation  
*Action:* Ratification
- B.** *Title:* Change Order #3  
*Vendor:* JMA Construction  
*Agreement Date:* September 20, 2005  
*Campus:* De Anza College  
*Project No.:* 229  
*Project Name:* Restroom Renovation  
*Amount:* \$14,692  
*For:* Miscellaneous construction changes including changing tile size, cleaning roof drain, and replacing rotted soffit  
*Action:* Ratification
- C.** *Title:* Revision #3 to PO # M555154  
*Vendor:* DES Architects & Engineers, Inc.  
*Agreement Date:* April 5, 2004  
*Campus:* De Anza College  
*Project No.:* 217  
*Project Name:* Forum Modernization  
*Amount:* \$10,000  
*For:* Additional design services associated with Forum due to additional scope items that the college and district requested after 100% CD; the additional scope included separation of Office 7 into two office spaces, new multimedia stations, replacement of all HVAC duct detectors, additional telecommunication design review I items, and replacing roof drains; ASR #3 was negotiated on 7/22/07 and settlement reached with the Design Team  
*Action:* Ratification

**D.** *Title:* Change Order #8  
*Vendor:* Trident Builders  
*Agreement Date:* June 17, 2005  
*Campus:* De Anza College  
*Project No.:* 275  
*Project Name:* S-Quad Phase II  
*Amount:* \$6,016  
*For:* Data cable repair and wire mold installation; the total change orders to date represent 2.77% against the original contract amount (funding is included in the current budget)  
*Action:* Ratification

**E.** *Title:* Budget Transfer #57  
*Campus:* De Anza College  
*Project No.:* 299  
*For:* Budget Transfer #57 includes Project to Project and Program Contingency to Project Transfers reflecting a joint effort by De Anza College, District and Gilbane representative to prioritize and plan the efforts required to complete the Measure E Program needs at De Anza College  
*Action:* Ratification

**F.** *Title:* Change Order #29  
*Vendor:* West Bay Builders  
*Agreement Date:* January 18, 2005  
*Campus:* Foothill College  
*Project No.:* 153  
*Project Name:* Campus Center  
*Amount:* \$78,724  
*For:* Install additional custom Glu-lam beam, hangers and brackets due to extreme angle and slope of the roof framing members per structural engineer at both buildings, increased electrical wire cost, install additional AC walkway and concrete panel on loop road per engineer clarification and install sneeze guard and swinging door at coffee bar to meet the codes; this change order plus all previous change orders represents 9.2% above the base contract amount (funding for this change is within the current budget)  
*Action:* Ratification

- G. Title:** Change Order #59  
**Vendor:** S. J. Amoroso Construction, Co., Inc.  
**Agreement Date:** February 24, 2005  
**Campus:** Foothill College  
**Project No.:** 152  
**Project Name:** Lower Campus Complex  
**Amount:** \$31,675  
**For:** Fire alarm, keying, hardware, and multiple architectural changes; this change order plus all previous change orders represents 7.64% above the base contract amount (funding for this change is within the current budget)  
**Action:** Ratification

### **Item 9**

AWARD OF CONTRACT PURSUANT TO BID 1119-416 — ADOBE CREEK OUTFALL REPAIR PROJECT

- M/S/C:** Eldridge/Snow  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Authorized the Director of Purchasing Services to award a contract in the amount of \$23,955 for the Base Bid Proposal Amount to the lowest responsible and responsive bidder, George Bianchi Construction, Inc.

### **Item 10**

AGREEMENT WITH WRNS STUDIO ARCHITECTS – PROJECT #766171, LOOP ROAD RE-ALIGNMENT AND PEDESTRIAN SAFETY IMPROVEMENT, FOOTHILL

- M/S/C:** Fong/Snow  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved Agreement with WRNS Studio Architects for a maximum amount of \$115,000 including reimbursable expenses

### **Item 11**

RENEWAL OF CONTRACT WITH GILBANE/MAAS COMPANY FOR MEASURE C PROGRAM AND CONSTRUCTION MANAGEMENT SERVICES, SEPTEMBER 28, 2007 TO DECEMBER 31, 2007

- M/S/C:** Bechtel/Swenson  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved contract renewal with Gilbane/Maas Company for the amount not to exceed \$890,793 including reimbursable expenses and a 5% contingency

### **DATES TO REMEMBER**

October 1, 2007 — Regular Meeting  
October 15, 2007 — Regular Meeting

**ADJOURNMENT**

President Plotkin adjourned the meeting at 7:00 p.m.

jco

Approved: 10/1/07

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Martha J. Kanter, Chancellor  
Secretary, Board of Trustees