



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
MINUTES
REGULAR MEETING
July 12, 2010

CALL TO ORDER

President Bruce Swenson declared a quorum was present and called the meeting to order at 6:03 p.m. He led those present in the Pledge of Allegiance.

Trustees Present:

Bruce Swenson, President
Pearl Cheng, Vice President
Joan Barram
Betsy Bechtel
Laura Casas Frier

For Public Session

Etienne Bowie, Foothill College Student Trustee
Thomasina Countess Russaw, De Anza College Student Trustee

REPORTING OUT FROM CLOSED SESSION

President Swenson reported that no action was taken in the closed session on June 23, 2010.

CORRESPONDENCE

There was none.

HEARINGS: ITEMS NOT ON THE AGENDA

Public

Terry Terman requested an update on the status of the NASA Research Park

Students

None

Staff

Foothill faculty member Ken Horowitz strongly urged the board to relocate the Middlefield campus.

Acting Foothill President Eloise Orrell reported that Foothill and De Anza have received a grant in the amount of \$1.25 million from EDD in partnership with NOVA for curriculum and program development in the solar industry.

President Brian Murphy thanked the board for attending the graduation ceremonies. He reported that De Anza students are hosting a coalition of Northern California students to plan activities in support of the community colleges budgets.

Chancellor Linda Thor introduced Kevin McElroy, incoming Vice Chancellor of Business Services, and his wife Gail. McElroy commented that he is looking forward to joining the district. President Swenson also extended a welcome to McElroy. Chancellor Thor reported that she would be meeting with legislators since they are now on recess. She and Trustee Barram have met with Senator Simitian and she and Trustee Casas Frier will be meeting with Assemblyman Ruskin. A meeting has also been scheduled with Senator Alquist.

Trustee Laura Casas Frier reported on two summer programs. The summer Math Program at Foothill was featured in the Mountain View Voice in which Dean of Student Affairs Pat Hyland was quoted. Due to budget reductions the program is not as robust as it has been in previous years. Casas Frier also visited the summer program at the Krause Center for Innovation where director Gay Krause offers technology training for teachers.

Trustee Joan Barram reported on the Foundation board meeting. The foundation received close to \$4 million in contributions last year. She also reported that when she and Chancellor Thor met with Senator Simitian, he expressed support for the district's pursuing a parcel tax in light of the state's financial situation. Trustee Barram attended the commencement ceremonies and found them very exciting and inspiring.

Trustee Betsy Bechtel concurred with Trustee Barram's comments about the commencement ceremonies. She also said that she spoke with Assemblyman Ira Ruskin who voiced support of a parcel tax for the district.

APPROVAL OF MINUTES

M/S/C: Barram/Bechtel
Advisory vote: 2
Board vote: 5
Action: **Approved** the minutes of June 7, 2010

M/S/C: Casas Frier/Cheng
Advisory vote: 2
Board vote: 5
Action: **Approved** the minutes of June 14, 2010

APPROVAL OF CONSENT CALENDAR

M/S/C: Cheng/Bowie
Advisory vote: 2
Board vote: 5
Action: **Approved** items 1-11 on the Consent Calendar

Item 1 - **Approved** BP 3217 Non-Smoking Areas

Item 2 - **Approved** Ratification of Contracts and Agreements

Item 3 - **Approved** Resolution Authorizing Child Care Agreement #CCTR-0326

Item 4 - **Approved** Resolution Authorizing Child Care Agreement #CSPP-0577

Item 5 - **Approved** Grant Agreement #1012-58: CDC-WORKs! Program

Item 6 - **Approved** International Travel Approval for the following:

Jacquelyn V. Reza, De Anza College Faculty
Karl Schaffer, De Anza College Faculty

Item 7 - **Approved** Sale of Surplus District Berkel Slicer
Made a finding that the property does not exceed \$5,000.00 in value and **authorized** the Director of Purchasing Services to sell the items in accordance with Education Code 81452(a).

Item 8 - **Approved** Sale of Surplus District X-Ray Viewbox
Made a finding that the property does not exceed \$5,000.00 in value and **authorized** the Director of Purchasing Services to sell the items in accordance with Education Code 81452(a).

Item 9 - **Approved** Sale of Miscellaneous Surplus Electronic Equipment
Made a finding that the property does not exceed \$5,000.00 in value and **authorized** the Director of Purchasing Services to sell the items in accordance with Education Code 81452(a).

Item 10 – **Approved** Human Resources Report

Item 11 - **Approved** Personnel Actions as follows:

Name: **Karen Alfsen**
Position: Instructor
Department: Language Arts
Division: Language Arts
College: Foothill College
Action: **Resignation for the purpose of retirement**
Effective Date: June 24, 2011

Name: **Danielle M. Altman**
Position: Instructor
Department: Athletics
Division: Physical Education
College: De Anza College
Action: **Employment**
Effective Date: September 1, 2010
Salary: Column II / Step D @ \$6391.18/month

of Months: 10

Name: **Jose Arenas**
Position: Instructor

Department: Fine Arts & Communication
Division: Fine Arts & Communication
College: Foothill College
Action: **Unpaid Leave**
Effective Date: September 1, 2010 through June 30, 2012

Name: **Rachelle A. Campbell**
Position: Instructor
Department: Radiologic Technology
Division: Biological & Health Sciences
Location: Foothill College
Action: **Employment correction from 11 months to 12 months**
Effective Date: September 1, 2010 # of Months: 12
Compensation: Column III / Step A @ \$5,827.63/month

Name: **Milissa M. Carey**
Position: Instructor
Department: Music
Division: Fine Arts & Communication
Location: Foothill College
Action: **Employment correction from 11 months to 10 months**
Effective Date: September 1, 2010 # of Months: 10
Compensation: Column III / Step E @ \$6954.74/month

Name: **Andy Dunn**
Position: Vice Chancellor
Department: Business Services
Division: Business Services
College: Central Services
Action: **Extension of Contract**
Effective Date: July 1, 2010 through August 15, 2010

Name: **Andy Dunn**
Position: Vice Chancellor
Department: Business Services
Division: Business Services
College: Central Services
Action: **Resignation**
Effective Date: August 15, 2010

Name: **Lisa Drake**
Position: Instructor
Department: Accounting
Division: Business & Social Sciences
Location: Foothill College
Action: **Employment correction from 11 months to 10 months**
Effective Date: September 1, 2010 # of Months: 10
Compensation: Column II / Step B @ \$5827.63/month

Name: **Mary Hawkins**
Position: Instructor
Department: Adaptive Learning
Division: Adaptive Learning Division & Disability Services
College: Foothill College
Action: **Resignation for the purpose of retirement under Article 20**
Effective Date: June 24, 2010

Name: **Mary L. Holland**
Position: Instructor
Department: Chemistry
Division: Physical Sciences, Math & Engineering
College: Foothill College
Action: **Employment**
Effective Date: September 1, 2010 # of Months: 10
Compensation: Column V, Step A @ \$6,391.18/month

Name: **Howard J. Irvin, Jr.**
Position: Dean
Department: Counseling and Matriculation
Division: Counseling and Matriculation
College: De Anza College
Action: Resignation
Effective Date: August 5, 2010

Name: **Kevin McElroy**
Position: Vice Chancellor
Department: Business Services
Division: Business Services
College: Central Services
Action: **Employment**
Effective Date: August 16, 2010 through June 30, 2011
Compensation: Range 12, Step C @ \$14,772.57/month

Name: **James McMahan**
Position: Director
Department: Safety & Security
Division: District Safety & Security
College: Central Services
Action: **Resignation**
Effective Date: June 30, 2010

Name: **Eloise Orrell**
Position: Interim Vice President
Department: Instruction & Institutional Research
Division: Instruction & Institutional Research
College: Foothill College
Action: **Resignation for the purpose of retirement**
Effective Date: June 30, 2011

Name: **John Walter Perry**
Position: Instructor
Department: Computer Information Systems
Division: Business/Computer Systems
College: De Anza College
Action: **Resignation for the purpose of retirement under Article 20**
Effective Date: June 24, 2011

Name: **Barbara Peurifoy**
Position: Instructor
Department: Nursing
Division: Biological, Health & Environmental Sciences
College: De Anza College
Action: **Resignation**
Effective Date: June 24, 2011

Name: **Tiffany Rush**
Position: Instructor
Department: Respiratory Therapy
Division: Biological & Health Sciences
Location: Foothill College
Action: **Employment correction from 11 months to 10 months**
Effective Date: September 1, 2010 # of Months: 10
Compensation: Column III / Step D @ \$6,672.96/month

Name: **Roseanne Sciacchitano**
Position: Project Manager
Department: Operation
Division: Operations
College: Central Services
Action: **Employment**
Effective Date: August 2, 2010 through June 30, 2011 # of Months: 12
Compensation: Level G, Step 1 @ \$7,078.49/month

Name: **Jennifer M. Sinclair**
Position: Instructor
Department: Mathematics
Division: Physical Sciences, Math & Engineering
Location: Foothill College
Action: **Employment correction from 11 months to 10 months**
Effective Date: September 1, 2010 # of Months: 10

Compensation: Column II / Step I @ \$7800.06/month

Name: **Frank Soler**
Position: Instructor
Department: Mathematics
Division: Physical Sciences, Math & Engineering
College: De Anza College
Action: **Resignation for the purpose of retirement under Article 19**
Effective Date: December 11, 2010

Name: **Randolph Splitter**
Position: Instructor
Department: English
Division: Language Arts
College: De Anza College
Action: **Resignation for the purpose of retirement under Article 20**
Effective Date: June 24, 2011

Name: **Phyllis Spragge**
Position: Interim Dean
Department: Biological & Health Sciences
Division: Biological & Health Sciences
College: Foothill College
Action: **Extension of Interim Assignment**
Effective Date: July 1, 2010 through August 31, 2010

Name: **Teresa A Zwack**
Position: Instructor
Department: Mathematics
Division: Physical Science, Math & Engineering
Location: Foothill College
Action: **Employment correction from 11 months to 10 months**
Effective Date: September 1, 2010 # of Months: 10
Compensation: Column II / Step I @ \$7800.06/month

Position: **Dean**
Department: Instruction
Division: Learning Resources
College: De Anza College
Action: **Approve New Classification**
Effective Date: July 13, 2010 # of Months: 12
Compensation: Level J
Comments: In accordance with Chapter XI of the Administrators Handbook

Position: **Director, Human Resources**
Department: Human Resources and Equal Opportunity
Division: Human Resources and Equal Opportunity
College: Central Services

Action: **Reclassify Position to Higher Level to reflect increased responsibilities**
Effective Date: August 1, 2010 # of Months: 12
Compensation: Level K
Comments: In accordance with Chapter XI of the Administrators Handbook

Position: **Dean**
Department: Workforce Development and Instruction
Division: Technology and Innovation
College: Foothill College
Action: **Reclassify position to Dean, Technology and Innovation to reflect increased responsibilities**
Effective Date: August 1, 2010 # of Months: 12
Compensation: Level J

Item 12
2009-10 Board Self-Evaluation

The Board discussed the summary of responses to the self-evaluation which is conducted yearly. Members of the board are pleased to be trustees and have a high regard for staff as well as each other. Suggestions for improvements included asking more questions about curriculum and student achievement. It was suggested that the board pursue community outreach. Trustee Bechtel complimented President Swenson on his summary and encouraged feedback from the public on the trustees’ performance.

Item 13
Legislative Goals for 2010-11

Chancellor Thor presented the legislative goals for 2010-11. Trustee Casas Frier suggested that in priority 9, the word “undocumented” be changed to “AB 540” and in priority 1, the words “and success” be added after “. . . providing access”.

M/S/C: Casas Frier/Bowie
Advisory vote: 2
Board vote: 5
Action: **Approved** the Legislative Goals for 2010-11 as amended

Item 14
2010-11 Board Priorities

For 2010-11 the board identified goals are:

- Keep focus on student access and success
- Ensure that district facilities are modern and effective learning/working spaces
- Maintain budget stability and seek alternative revenue sources
- Ensure that planning is integrated and progressing

Ongoing priorities include:

- Community relations and outreach
- Legislative advocacy
- Institutional research
- Pedagogical excellence
- Open educational resources
- Environmental scanning/workforce gap analysis
- Staffing
- Budget
- Participation in Trustee organizations

Regarding the priority regarding facilities, Trustee Casas Frier asked staff when the board could expect an update on NASA and if there is a deadline for opting out. Vice Chancellor Dunn said the district is financially committed through the end of the fiscal year. Executive Director Charles Allen said he would present an update at the next board meeting based on information from a recent telephone conference of the University Associates Board. The update would include timelines and new information related to the ground lease.

M/S/C: Bechtel/Cheng
Advisory vote: 2
Board vote: 5
Action: **Approved** the board priorities for 2010-11

Item 15

District-Wide Electricity Services

Executive Director of Facilities, Operations and Construction Management Charles Allen reported that we have been able to lock in very favorable rates for both the 2011 / 2012 and the 2012 / 2013 years at rates that are relatively small increases over the 2010 / 2011 year, but are still the lowest rates since July 2003. The rate for 2011 / 2012 will be \$62/megawatt hour and the rate for 2012 / 2013 will be \$65/megawatt hour. Ratification of the agreement would stabilize the district's electricity rates and enable more accurate budgeting.

M/S/C: Casas Frier/Bechtel
Advisory vote: 2
Board vote: 5
Action: **Ratified** the Fixed Price Solutions Pricing Schedule with Constellation NewEnergy, Inc. for electricity services for the period July, 2011 – July 2012 and for July 2012-July 2013

Item 16

Project 283 Combined Site Improvements, De Anza College

Project Authorization Amendment D-001 to Sandis Master Form of Agreement dated 07/12/10

M/S/C: Bechtel/Barram
Advisory vote: 2
Board vote: 5
Action: **Approved** Project Authorization Amendment D-001 with Sandis

Item 17

Measure C Consent

Item 17 C was removed by President Swenson and will be discussed in conjunction with items 20, 21, and 22.

M/S/C: Bechtel/Barram
Advisory vote: 2
Board vote: 5
Action: Approved items A, B, and D-K

Item 17 C

M/S/C: Swenson/Barram
Advisory vote: 2
Board vote: 5
Action: Approved S. J. Amoroso, Inc. - Change Order #13 – Seminar Building and Multicultural Center in the amount of \$118,930

Item 18

Project 203 - East Cottage & Baldwin Winery Project: Redesign of the East Cottage

While under renovation, the East Cottage collapsed. After conversations with the State Architect, it was determined that the building will be reconstructed exactly as it was originally, using the same foundation. The district will seek compensation for costs incurred for redesign, investigation, and reconstruction, and possibly for liquidated damages associated with delay of the project. The building was about 36% completed when it collapsed.

M/S/C: Bechtel/Casas Frier
Advisory vote: 2
Board vote: 5
Action: Approved the project authorization amendment with Architectural Resources Group for professional services to re-design and provide construction administration for the East Cottage reconstruction

Item 19

De Anza College, Measure C - Project 251 - Install Photovoltaic Arrays – Campus-wide Contract for Services: Photovoltaic Solar Energy Engineering Services, the Preparation of a Request for proposal Solicitation, and for Evaluation Services for the Installation of Photovoltaic Arrays Campus-wide

Executive Director Charles Allen said that the agreement with Newcomb Anderson McCormick includes engineering, energy production, and cost analysis of parking lot photovoltaic systems; evaluation of the Kirsch Center educational photovoltaic systems; RFQ for the Kirsch Center and parking lot project, and design-build proposal evaluation and selection support. The cost of this project is about \$8 million.

M/S/C: Cheng/Barram
Advisory vote: 2

Board vote: 5
Action: **Approved** the contract for services with Newcomb Anderson McCormick for Architect/engineering services for project 251

Item 20

Measure C Project List Revision with De Anza Budget Transfers #23 and #24

This item is a request to increase the budget from \$14.7 million by \$450,000 to \$15.1 million. As of the July 4 weekend, 4 out of 5 shut downs of the entire campus were completed. The shut down over the July 4 weekend completed the 12,000 volt primary inner campus distribution delivery system. The new transformers will service the new Mediated Learning Center and buildings in that area of the campus. Executive Director Allen anticipates completion of the project before Thanksgiving.

President Murphy complimented management and the companies for minimizing disruption to classes, especially during finals week.

President Swenson complimented Executive Director Allen and his team for the amount of progress being made on Measure C projects.

M/S/C: **Bechtel/Bowie**
Advisory vote: 2
Board vote: 5
Action: **Approved** the Bond Project List Revision with De Anza budget transfers #23 and #24

Item 21

Change Order #14 to SJ Amoroso, Inc. for Project 241 S2 and S6 Phase II Utility Master Plan

M/S/C: **Bowie/Barram**
Advisory vote: 2
Board vote: 5
Action: **Approved/Ratified** the revision for additional service items and modified the existing contract with S. J. Amoroso, Inc.

Item 22

Request for Authorization to Negotiate and Approve Change Orders in Excess of \$50,000

M/S/C: **Barram/Bowie**
Advisory vote: 2
Board vote: 5
Action: **Authorized** the Executive Director of Facilities, Operations and Construction Management to negotiate and approve construction change orders in excess of \$50,000, not to exceed \$107,000, prior to the next board meeting on August 2, 2010, at which time any such negotiations will be presented to the Board

Item 23

Accept a List of Electrical Subcontractors as Prequalified to Bid on the Foothill College Measure C Project #135-Utility Infrastructure Phase 1

M/S/C: Barram/Cheng
Advisory vote: 2
Board vote: 5
Action: **Made** a determination that CH Reynolds and Edward W. Scott Electrical Co. Inc. are not prequalified and accept the list of three (3) Electrical Subcontractors who met all of the prequalification requirements as the only electrical subcontractors who are “prequalified” to participate in the Foothill College Measure C Project #135-Utility Infrastructure Phase 1

Item 24

Accept a list of General Contractors as prequalified to bid on the Foothill College Measure C Project #135-Utility Infrastructure Phase 1

M/S/C: Casas Frier/Barram
Advisory vote: 2
Board vote: 5
Action: **Accepted** the list of five (5) General Contractors who met all of the prequalification requirements as the only General Contractors who are “prequalified” to participate in the Foothill College Measure C Project #135-Utility Infrastructure Phase 1

Item 25

Accept a List of General Contractors as Prequalified to Bid on the Foothill College Measure C Project #110-Renovation 6200, 6300, & 6500

M/S/C: Bechtel/Barram
Advisory vote: 2
Board vote: 5
Action: **Accepted** the list of nine (9) General Contractors who met all of the prequalification requirements as the only General Contractors who are “prequalified” to participate in the Foothill College Measure C Project #110-Renovation 6200, 6300, & 6500

Item 26

Authorize Use of Piggyback Contracts for Two Measure C Furniture Purchases

M/S/C: Bowie/Russaw
Advisory vote: 2
Board vote: 5
Action: **Authorized** the Director Purchasing Services to issue a purchase order for De Anza College faculty furniture at a cost of \$116,022.00 and a purchase order for Foothill College furniture at a cost of \$80,396.00 for the Language Arts 6400 building to Kruger International pursuant to the FCCC and CMAS contracts described above.

Item 27

Authorize Withdrawal of Bid for Bid #1266 ATC 112 Television Studio Equipment

M/S/C: Barram/Casas Frier

Advisory vote: 2


Board vote: 5

Action: **Accepted** VMI, Inc.'s request to withdraw its bid, and **authorized** the Director of Purchasing Services to call for new bids

Adjournment

President Swenson adjourned the meeting at 7:18 p.m.

Approved 8/2/10



Linda M. Thor, Ed.D., Chancellor and
Secretary to the Board of Trustees