



**FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
MINUTES
STUDY SESSION AND REGULAR MEETING
February 4, 2013**

Trustees Present:

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

For Public Session Only:

Vincent Mendoza, De Anza College Student Trustee
Antonia Zavala, Foothill College Student Trustee

STUDY SESSION

CALL TO ORDER

Board President Bechtel called the study session to order at 1:05 p.m. and led those present in the pledge of allegiance.

SS1. ENROLLMENT UPDATE AND ANALYSIS

Executive Director of Institutional Research and Planning Andrew LaManque presented information regarding enrollment trends from 2006-2007 to present. He noted that while demand for general education courses continues to be strong and there is an increase in enrollment in math and online courses, state workload reductions and changes to regulations regarding repeatability have had a substantial negative impact on efforts to restore enrollment to peak levels.

In response to President Bechtel's questions, Foothill College Vice President of Instruction Kimberlee Messina advised that the college is developing alternatives to meet the call for courses that now have limited repeatability. Trustee Swenson suggested that in order to avoid enrollment peaks and valleys, the district should develop programs that can be expanded and retracted, and trustee Barram stressed the importance of strengthening efforts to keep students from dropping classes given Governor Brown's proposal to base funding on course completion.

SS2. BUDGET UPDATE

Vice Chancellor of Business Services Kevin McElroy provided an update regarding the district's 2012-2013 budget, summarized Governor Brown's proposed 2013-2014 budget for California community colleges, and discussed the anticipated impact of the governor's proposals. He reported that the projected decline in the district's enrollment will not impact apportionment for 2012-2013, but is likely to reduce 2013-2014 funding by approximately \$3 million if nothing changes.

With regard to the governor's budget proposal, Vice Chancellor McElroy advised that \$196.9 million for increased apportionments is included, but it is unknown at this time how the funds will be allocated. Additionally, the proposal earmarks \$179 million to buy down deferrals; \$133.2 million to offset anticipated, but unrealized, redevelopment revenues; \$16.9 million for online education; \$300 million to absorb responsibility for adult education; and \$49.5 million for community college energy efficiency projects. However, the proposal also contains policy changes that could negatively impact funding and enrollment.

SS3. ADULT EDUCATION/APPRENTICESHIP

Vice President Messina advised that the governor's budget proposal includes moving some apprenticeship and adult education programs from high schools to community colleges, but the proposal is unlikely to be implemented quickly due to logistical complexities and funding challenges.

Director of Business and Education Partnerships Reginald Duhe and Senior Program Coordinator David Ellis shared information regarding the apprenticeship program currently operated by Foothill College, which is the second largest community college program in the state. They reported that the college provides apprenticeships in the electrical, plumbing, sound and communication, sheet metal, and ironwork fields to 1,877 unduplicated students at 18 external sites in 24 counties. In response to trustee Barram's question regarding success rates, Mr. Ellis advised that participants completing the program are awarded certificates. With regard to trustee Casas' inquiry, Vice President Messina advised that several of the state universities have bachelor's degree programs focusing on construction management, construction technology, and estimating.

With regard to adult education Vice President Messina advised that currently Foothill College offers noncredit programs in English as a Second Language (ESL), Mathematics, Parenting Education, Short Term Vocational and Workforce Preparation. She noted that the college is awaiting state approval of supplemental instruction programs in ESL and English that are open entry and open exit and provide students with free assistance on a drop-in basis.

SS4. BOARD LEGISLATIVE PRINCIPLES 2013

Chancellor Linda Thor explained that the annual adoption of legislative principles provides guidance to administrators in responding to requests for advocacy positions that often require a quick turnaround. She advised that the principles are intentionally broad, the state principles have been expanded and updated to address the governor's policy proposals, and the federal principles align the district with the priorities of the American Association of Community Colleges and the Association of Community College Trustees.

Trustee Casas suggested that state principle 7 regarding the governor's adult education proposal be revised to include a statement about advocating for adequate funding. She also asked that state legislative principle 13 be corrected to show the word "dream" in title case rather than all capital letters, that federal legislative principle 5 be clarified with the addition of the word "federal" prior to DREAM, and that a new state legislative principle be added to reflect the district's support of coordinated systems for assessing college readiness.

President Bechtel announced that approval of the modified 2013 legislative principles is included on the agenda for the regular meeting later in the evening.

SS5. MEASURE C UPDATE

A. Information Services and Systems: A Long-Term Delivery Strategy

Vice Chancellor of Technology Joseph Moreau recommended a hybrid model incorporating the modernization of current facilities, server virtualization, colocation, and cloud services to best serve the district's short- and long-term information services and systems needs. He commented that in developing the hybrid strategy, the need for modernized server facilities as well as challenges with funding, staffing, information security, disaster recovery, and sustainability were considered.

In response to a question from trustee Barram, Vice Chancellor Moreau expressed cautious optimism that budgeted resources would cover the implementation of the plan. The Board expressed support of Vice Chancellor Moreau's recommendations.

B. De Anza College – Measure C Project 251 – Photovoltaics Campuswide: Electric Vehicle Charging Stations Presentation

Executive Director of Facilities, Operations and Construction Management Charles Allen provided information and answered questions regarding the ten electric vehicle charging stations being provided at De Anza College in conjunction with the installation of the photovoltaic system in parking lots A and B. He noted that the infrastructure currently in place would allow the addition of ten additional stations, the cost to charge vehicles has been set at \$.55 per kilowatt hour in order to cover the district's costs in providing the service, and payment and monitoring of the charging process can be managed through smart phone applications.

C. Review/Discuss Draft Quitclaim Deed for Transfer of Property at the Former Onizuka Air Force Station

The governing board reviewed the draft Quitclaim Deed for transfer of 9.147 acres at the former Onizuka Air Force Station to the district at no cost. Legal counsel Mark Hennigh provided a qualified endorsement of the deed, acknowledging that the language is flawed like most federal government documents, but the price of the land and the verbal assurances received from the Department of Education outweigh concerns.

In response to questions from trustees Barram and Cheng, Executive Director Allen explained that the United States government is responsible for any further environmental remediation required on the property with the exception of the handling and removal of asbestos and lead paint.

Trustee Swenson expressed concern regarding the district's responsibility to provide a full day of educational programs at the site for 30 years or risk loss of the site and costs for returning the property to its original condition. Executive Director Allen acknowledged the potential for financial liability, but assured trustees that there is every indication that the site will be a success based on enrollment projections. Chancellor Thor read the following response from Barbara Shawyer of the Department of Education to the district's inquiry regarding the subject: "While there is some latitude because 30 years is a long time for programs to remain static, we would encourage FHDA to communicate anticipated changes (especially major ones) with the Department before they are implemented. As you know it is easier to set out on the correct path than it is to correct something already in place. Program changes are typically approved as long as they are eligible and continue to be delivered by FHDA. Please know that the Department wants FHDA to succeed on this property so we will work with you if a future change is required."

D. Schedule for Board Members to Tour Measure C Projects

Executive Director Allen proposed that the governing board tour Measure C projects at De Anza College on June 3, 2013, and at Foothill College on September 9, 2013. Chancellor Thor advised that the tours would begin at 3:00 p.m. and that the June 3, 2013, regular meeting of the Board of Trustees would be held at De Anza College following the tour.

REGULAR MEETING

CLOSED SESSION

The Board convened in closed session at 4:45 p.m. in the Chancellor’s Office to discuss:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Position Title: Chancellor

Executive Administrator Present:

Linda Thor, Chancellor

CONFERENCE WITH LABOR NEGOTIATOR

Executive Administrators Present:

Charles Allen, Executive Director, Facilities, Operations and Construction Management

Kevin McElroy, Vice Chancellor, Business Services

Kimberlee Messina, Vice President, Instruction, Foothill College

Joe Moreau, Vice Chancellor, Technology

Brian Murphy, President, De Anza College

Dorene Novotny, Vice Chancellor, Human Resources and Equal Opportunity

Linda Thor, Chancellor

CALL TO ORDER

President Bechtel called the regular meeting of the Board of Trustees to order at 6:00 p.m.

REPORTING OUT FROM CLOSED SESSION

President Bechtel announced that the Board of Trustees conducted Chancellor Thor’s mid-year performance review during closed session with very positive results. She advised that at Chancellor Thor’s request, no salary increase will be included in the contract extension to be considered at the March 4, 2013, regular meeting.

APPROVAL OF MINUTES

Trustee Casas asked that her name be reflected as Laura Casas, rather than Laura Casas Frier, in future meeting minutes.

M/S/C:	Barram/Cheng
Advisory vote:	2
Board vote:	5
Action:	Approved the minutes of the January 7, 2013, meeting.

HEARINGS: ITEMS NOT ON THE AGENDA

Staff

With regard to the enrollment information presented during the study session, Faculty Association member and Palo Alto resident Ken Horowitz suggested that rather than chasing enrollment, the governing board should focus on quality and development of district priorities.

Foothill College Academic Senate President Dolores Davison thanked Police Chief Ron Levine for discussing emergency procedures with faculty at the last Academic Senate meeting. She also shared an email message received from faculty member Elizabeth Barkley, who reported that she was introduced at the Kyoto International Conference on Teaching and Learning, where she is serving as a keynote speaker, as “having come from the most internationally known community college for teaching and learning.”

Foothill College Classified Senate President Erin Ortiz announced that Foothill College Transfer Coordinator Maureen Chenoweth will chair the upcoming California Community Colleges Classified Senate conference in Sacramento and also remarked that the Foothill College Classified Senate has completed its first program review. She spoke of plans to attend the upcoming Academic Senate for California Community Colleges' Accreditation Institute, which features Foothill College Academic Senate President Davison as chair and trustee Cheng as a presenter, and invited those present to attend a February 6, 2013, ceremony commemorating the 50th anniversary of Dr. Martin Luther King Jr.'s March on Washington, and the March 4, 2013, March in March in Sacramento.

De Anza College Academic Senate President Karen Chow announced that English faculty member Dave Denny has been honored with an artist laureate award from the Silicon Valley Arts Council and De Anza College plans to hold the 8th annual Partners in Learning conference on March 8, 2013, from 8:30 a.m. to 4:00 p.m.

Faculty Association President Richard Hansen reported that the California Community College Chancellor's Office Consultation Council will be reforming its Task Force on Accreditation with a charge to find ways to have fewer California community colleges end up on sanction.

De Anza College President Brian Murphy announced that the California Community College Athletic Association recognized the women's softball and water polo teams for exemplary academic achievement and that Associate Vice President of Instruction Rowena Tomameng has been honored with the Association for California Community College Administrators' Leadership Award for Administrative Excellence. President Murphy indicated that former student trustee Emily Kinner is working with California State University and University of California student leaders to reach agreement concerning support of an oil severance tax, which would be used as a revenue source for higher education. He commented that he has been working on a similar effort with the Chancellors and Presidents of the two systems.

Foothill College Vice President of Instruction and Institutional Research Kimberlee Messina advised that Foothill College President Judy Miner is attending a conference in India as a guest of the government in connection with India's efforts to open 200 community colleges. She invited trustees to attend the Physical Sciences and Engineering Center open house from 4:30 – 6:30 p.m. on February 26, 2013.

Chancellor Linda Thor made positive comments regarding the Foothill College Physics Show and read a letter from William David Smullin, who donated \$200 in honor of Board President Bechtel after hearing her speak at a Celebrity Forum reception. She announced that President Miner has been named one of the Silicon Valley Business Journal's 100 Women of Influence for 2013 and also has been honored by the Hillel of Silicon Valley with the Pillars of the Community award.

Board

Foothill College Student Trustee Antonia Zavala announced that Foothill College students voted to fund the Santa Clara Valley Transit Authority Eco Pass program with a mandatory student fee.

Trustee Joan Barram recounted the gratitude of teachers participating in the Krause Center for Innovation MERIT program, stated that the Physics Show was fabulous, and made positive comments regarding the Community College League of California's (CCLC) Annual Legislative Conference.

De Anza College Student Trustee Vincent Mendoza expressed thanks for the opportunity to attend the legislative conference.

Trustee Laura Casas thanked District Communications Coordinator Becky Bartindale for the excellent preparation materials provided in connection with recent legislative visits and also commended the colleges on their outreach efforts.

President Betsy Bechtel provided details regarding legislative visits coordinated in connection with the legislative conference and reported that contact with legislators will be key this year because there are 38 new Assembly members as well as 11 new members of the Higher Education Committee.

APPROVAL OF CONSENT CALENDAR

M/S/C: Casas/Zavala
Advisory vote: 2
Board vote: 5
Action: **Approved** items 1-11 on the Consent Calendar as follows:

Item 1 – **Ratified** contracts and agreements

Item 2 – **Ratified** board warrants greater than \$5,000 for November and December 2012

Item 3 – **Approved** the rate of \$129 per quarter unit and the capital outlay rate of \$15 per quarter unit for a total of \$144 per unit for all nonresident students for the 2013-2014 fiscal year

Item 4 - **Made** a finding that the surplus property does not exceed \$5,000 in value, and **authorized** the Interim Director of Purchasing Services to sell the items in accordance with Education Code 81452(a)

Item 5 - **Authorized** Gina Bailey, Interim Director of Purchasing Services, to sell the miscellaneous surplus electronic equipment items in accordance with Education Code 81450

Item 6 - **Made** a finding that the surplus furniture items are of insufficient value to defray the costs of arranging a sale and authorized the Interim Director of Purchasing Services to recycle the items or dispose of them in the local public dump

Item 7 – **Approved** the Human Resources Report

Item 8 – **Approved** the Foothill College Stand Alone Courses for the 2013-2014 Catalog

Item 9 - **Approved** the curriculum changes for the Foothill College 2013-2014 Catalog

Item 10 - **Approved** the Foothill College Anthropology Associate in Arts Transfer Degree (AA-T) Program

Item 11 – **Approved** the Foothill College Certificate of Achievement, Leadership & Service

Item 12

Board Legislative Principles 2013

President Bechtel noted that the proposed legislative principles were modified based on recommendations made during the study session.

M/S/C: Casas/Cheng
Advisory vote: 2
Board vote: 5
Action: **Approved** the Legislative Principles for 2013

Item 13

Fiscal Self Assessment

Vice Chancellor McElroy presented the fiscal self-assessment report for the governing board's information and confirmed that the report will be presented to the Audit and Finance Committee and forwarded to the California Community Colleges Chancellor's Office.

Item 14

Citizens' Bond Oversight Committee Annual Report

Citizens' Bond Oversight Committee (CBOC) Chair Dudley Anderson presented the committee's annual report. He reminded trustees that the committee's primary charge is to ensure that expenditures have been made in accordance with the purposes set forth in Measure C, noted that the report will be made published on the CBOC web site, and thanked fellow committee members and district staff for their work.

M/S/C: Swenson/Barram
Advisory vote: 2
Board vote: 5
Action: **Accepted** the Citizens' Bond Oversight Committee Annual Report

Item 15

Draft Quitclaim Deed for Transfer of Property at the Former Onizuka Air Force Station

M/S/C: Barram/Casas
Advisory vote: 2
Board vote: 5
Action: **Approved** the Quitclaim Deed and authorized the Chancellor to sign on behalf of the District upon receipt of the final executed document from the Department of Education

Item 16

Measure E Consent

M/S/C: Cheng/Barram
Advisory vote: 2
Board vote: 5
Action: **Ratified** the following Measure E Consent item:

Foothill College

- A) Cody Anderson Wasney Architects, Inc. – Revision #8 to Standard Agreement – District Office Building Renovation - \$23,540

Item 17

Measure C Consent

M/S/C: Cheng/Mendoza
Advisory vote: 2
Board vote: 5
Action: **Ratified/Approved** items on the Measure C Consent items as follows:

De Anza College

- A) Noll & Tam Architects - Revision #2 to Project Authorization Amendment #5B to Master Agreement - ATC - \$23,925
- B) OC Jones & Sons Inc. - Change Order #7 (Final) - Stadium and Track - \$79,979

- C) Stagecraft Industries, Inc. - Change Order #1 (Final Change Order) - Alterations to VPAC Hoist - \$2,500
- D) The Ratcliff Architects - Revision #18 to Standard Form of Agreement - Mediated Learning Center - \$50,000

Foothill College

- E) Allana Buick & Bers, Inc. - Revision #3 to Project Authorization Amendment #F-ABB-04 - Storage Building at Swimming Pool Area - \$0
- F) Robert A. Bothman, Inc. - Change Order #5 - Parking and Circulation Phase I - \$4,733
- G) Cal Pacific Construction - Change Order #1 - Building 2600 Structural and Acoustic Upgrades - \$0
- H) HMC Architects - Revision #6 to Project Authorization Amendment #F-HMC-#1B Modernization of Administration Building and General Classrooms \$0
- I) R. C. Benson & Sons, Inc. - Change Order #1 - Deck Repair & Window Replacement for the Japanese Cultural Center - \$10,717
- J) Taber Construction, Inc. - Change Order #10 - Central Campus Site Improvements - (\$10,286)
- K) WRNS Studio - Revision #10 to Project Authorization Amendment #F-WRNS-2B - Parking and Circulation - \$5,480

Item 18

Lease-Leaseback Construction Procurement Process for the De Anza College Measure C Project 239 – Flint Parking Garage Renovation

M/S/C: Barram/Mendoza

Advisory vote: 2

Board vote: 5

Action: **Approved** the initiation of a construction procurement process under the Lease-Leaseback provision of Education Code section 81335 for the Flint Parking Garage project subject to the subsequent Board approvals as noted

Item 19

Reject All Bids for Bid Document #1636-200F Revision 1 Scoreboard Replacement

Executive Director Allen explained in response to trustee Swenson’s question that it is likely that the bids exceeded the architect’s estimate because of a tight timeline that drove up construction costs.

M/S/C: Swenson/Zavala

Advisory vote: 2

Board vote: 5

Action: **Rejected** all bids for Bid Document #1636-200F Revision 1 Scoreboard Replacement in accordance with PCC 20651(b)

ADJOURNMENT

President Bechtel adjourned the meeting at 6:52 p.m.



Chancellor and Secretary to
the Board of Trustees