CALL TO ORDER AND ROLL CALL

President Hal Plotkin declared a quorum was present and called the meeting to order at 3:00 p.m. in Appreciation Hall at Foothill College, 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
Joseph Derflinger, De Anza College Student Trustee (arrived late)
Adrian Diaz, Foothill College Student Trustee

President Plotkin led the Board and those present in the Pledge of Allegiance. The following staff, press, students and members of the public were present:

Staff: Charles Allen Gina Bailey Becky Barthindale Mike Brandy Claudette Brero-Gow Cindy Castillo Jane Enright Christina Espinosa-Pieb Marie Fox Ellison Robert Griffin Jeanine Hawk Lydia Hearn Martha Kanter Marsha Kelly Judy Miner Brian Murphy Rose Myers Frank Nunez Jon O’Bergh Penny Patz Carmen Redmond Shelley Schreiber Fred Sherman Bernata Slater Marisa Spatafore Paul Starer

Press: None
Students: None
Public: Steve Aced Jonathan Baer Terry Terman Chris Wasney

APPROVAL OF MINUTES

President Plotkin pointed out that a copy of the third page of the March 12, 2007 draft minutes were distributed at each trustee’s seat since that page was missing from the agenda packet.
Foundational Board Report

Trustee Casas Frier reported that newly hired Foundation Associate Director Laura Woodworth was introduced to the Foundation Board at its recent meeting. She announced that the Foothill Summer Gala would be held July 29.

Correspondence

President Plotkin asked if there was any correspondence which should be brought to the Board’s attention. He noted that the Board had received communication from the public regarding project labor agreements.

Hearings: Items Not on the Agenda

Public
League of Women Voters representative Terry Terman noted that the Mountain View Voice published an article and two op-eds regarding the Board’s consideration of project labor agreements.

Students
There were no students who wished to address the Board on items not on the agenda.

Staff
Foothill Interim President Penny Patz distributed the President’s Monthly Report and two new college brochures. She announced that the college would be sponsoring a series of events throughout April in honor of Asian/Pacific Islander Heritage Month. She also reported that college and District administrative staff were holding meetings with the Town of Los Altos Hills to keep the town apprised of the revised facilities master plan, loop road plans and related matters. De Anza President Brian Murphy distributed the case statement for the planned Visual and Performing Arts Center.

Chancellor Martha Kanter noted that former trustee Pitch Johnson would be honored with Stanford University’s Golden Spike Award, and she announced that his family recently made a generous $500,000 gift for De Anza’s Visual and Performing Arts Center. She announced three upcoming events: a Legacy Circle luncheon sponsored by the Foundation on April 11, a forum for local legislators and community colleges on April 13, and a May 9 policy seminar on quality and affordability in California’s community colleges sponsored by the Community College Leadership Development Initiative and the District. She also reported that Jane Reed and King Lear, both formerly active in the Foothill-De Anza Foundation, will be honored by the Los Altos Community Foundation with John Gardner leadership awards.

At 3:15 p.m., De Anza student trustee Joseph Derflinger arrived.

Trustees
Trustee Casas Frier reported that she attended a meeting of the Foothill Commission at which a presentation was given on “Math My Way,” a program developed by several Foothill faculty
members to help students in need of basic math skills. She also reported that she attended a meeting with Assemblymember Ira Ruskin and students from the De Anza Environmental Studies program as well as an event sponsored by the Asian Pacific American Leadership Institute held in Cupertino.

Trustee Swenson reported that he attended the forum on Student Mental Health co-sponsored by the District on March 23. President Plotkin and Trustee Casas Frier reported that they also attended the forum. President Plotkin noted that he and Chancellor Kanter will attend on April 17 a legislative higher education hearing on AB 577, the bill sponsored by Assemblymember Ruskin to establish a pilot project in which Foothill-De Anza would be a statewide resource for open educational resources. He also reported that a retired Silicon Valley entrepreneur who recently developed an online geometry textbook had contacted him after noticing the District’s interest in open educational resources. Lastly, he reported that Chancellor Kanter and Director of De Anza’s High Tech Center Training Unit Carl Brown participated in a meeting sponsored by Rice University and the Hewlett Foundation at which they discussed the need to make open educational resources ADA-compliant across the nation.

**APPROVAL OF CONSENT CALENDAR**

President Plotkin noted a correction to Item 13, Personnel, in which Craig Norman’s division should be listed as Language Arts.

- **M/S/C:** Fong/Bechtel
- **Advisory vote:** 2 yes
- **Board vote:** unanimous
- **Action:** Approved / Ratified Items 1-15 of the Consent Calendar as follows:

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

  **Item 2** — Ratified **WIRE TRANSFERS GREATER THAN $5,000 FOR FEBRUARY 2007**

  **Item 3** — Approved **SALE OF MISCELLANEOUS DISTRICT SURPLUS ELECTRONIC EQUIPMENT**

  Made a finding that the District no longer needs the electronic equipment because it is obsolete and not suitable for school use and authorized the Director of Purchasing Services to sell the items in accordance with Education Code 81450(a)

  **Item 4** — Approved **SALE OF MISCELLANEOUS SURPLUS DISTRICT ATHLETIC EQUIPMENT**

  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 5** — Approved **SALE OF MISCELLANEOUS SURPLUS DISTRICT MICROWAVES, REFRIGERATORS AND WASHING MACHINE**

  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 6 — Approved Sale of Miscellaneous Surplus District Lab Equipment, X-Ray, Lightbox, Compressor, Ultrasound Machine, and Hospital Bed
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 7 — Approved Sale of Miscellaneous Surplus District Electric Kiln, Dry Heat Oven, and Mailing Machine
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 Agreement with Cupertino Union School District for Extended Year Summer Program 2007

Item 9 — Approved Agreement with Peninsula Haverah High Hebrew Program

Item 10 — Approved Agreement with San Jose Mercury News for Advertising Services in an Amount Not to Exceed $200,000

Item 11 — Approved Contracts for Celebrity Forum

Item 12 — Approved Student Salary Schedule Increase Effective January 1, 2008

<table>
<thead>
<tr>
<th>Step 1</th>
<th>Step 2</th>
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<tbody>
<tr>
<td>Level I</td>
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<tr>
<td>Level II</td>
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<tr>
<td>Level III</td>
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<tr>
<td>Level IV</td>
<td>14.00</td>
</tr>
</tbody>
</table>

Item 13 — Approved Personnel Actions:

Name: Daniel Atencio
Position: Head Football Coach/Physical Education Instructor
College: De Anza
Division: Physical Education and Athletics
Action: Employment
Effective Date: April 9, 2007
# of months: 10
Compensation: Column III Step E @ $6,528.43 per month

Name: Linda Choi
Position: ESL Instructor
College: De Anza
Division: Language Arts
Action: Employment
Effective Date: September 20, 2007
# of months: 10
Compensation: Column II Step I @ $7,321.94 per month
Name: Barak Goldman  
Position: Film/TV Screenwriting Instructor  
College: De Anza  
Division: Creative Arts  
Action: Employment  
Effective Date: September 20, 2007  
# of months: 10  
Compensation: Column IV Step A @ $5,734.92 per month

Name: Roger Letson  
Position: Instructor  
College: De Anza  
Division: Creative Arts  
Action: Resignation for the purpose of retirement  
Effective Date: June 30, 2007  
Comments: In accordance with Article 19 of the Agreement between the District and the Faculty Association

Name: Julie Madigan  
Position: Instructor  
College: De Anza  
Division: Language Arts  
Action: Adjustment of leave of absence to 67.5%  
Effective Date: April 9, 2007 - June 29, 2007

Name: Jose Menendez  
Position: Director  
College: De Anza  
Division: Printing Services  
Action: Approval of two-year contract at 100%  
Effective Date: July 1, 2007 - June 30, 2009  
Comments: Corrects Board action item of March 5, 2007

Name: Craig Norman  
Position: ESL Instructor  
College: De Anza  
Division: Language Arts  
Action: Employment  
Effective Date: September 20, 2007  
# of months: 10  
Compensation: Column V Step A @ $5,999.42 per month

Name: Fred Sherman  
Position: Vice Chancellor, Technology  
College: Central Services  
Division: Educational Technology Services  
Action: Second one-year employment contract  
Effective Date: July 1, 2007  
# of months: 12  
Comments: In accordance with Chapter 3 of the Administrator’s Handbook

Item 14 — Approved HUMAN RESOURCES REPORT
Item 15 — Approved Professional Development Leave Reports for the Following:
Katherine Adams, Susan Bruch, Catie Cadge-Moore, Beatrix J. Cashmore, 
Alicia, M. Cortez, Dave Denny, Jeffrey Forman, Beth Grobman, Meredith 
Heiser, Truly A. Hunter, Barbara Illowsky, Gloria Jean Klint, Scott Lankford, 
Kent Manske, Lisa Markus, Natalia Menendez, Rupinder Sekhon, Angel Sierra, 
Kristin Skager, Phyllis Spragge, William Turner, Sandra Watkins, Rita Wong

Item 16
CCCT Board of Directors Election

Trustee Bechtel, noting that there were ten incumbents but none of them represented Northern 
California, proposed that the Board cast a vote for Bill McMillin in place of incumbent Charles 
Hayden. Trustee Fong expressed his support for her proposal. President Plotkin instructed each 
trustee to mark his or her ballot and pass the ballots to the Board Secretary, who was asked to 
tabulate the results onto one ballot to be returned to the Community College League of California 
and report the results in future correspondence with the Board.

Item 17
Annual Review of Board Policy 9110.1: Number of Student Trustees; Term of Office; Rights

Chancellor Kanter proposed one change in Administrative Procedure 9110.1: rather than requiring 
that the student trustees meet with the college president prior to each regularly scheduled Board 
meeting, which can be difficult to arrange, that they communicate on a regular basis with the college 
president. Student trustees Derflinger and Diaz concurred. Trustee Bechtel pointed out the need to 
correct the paragraph numbering in section 1. No changes were proposed for the policy. Both the 
policy and revised administrative procedure will be presented for approval at the next meeting.

Item 18
First Review of the 2007-08 Operating Budget

Vice Chancellor of Business Services Mike Brandy presented preliminary information regarding the 
2007-08 operating budget. He noted that the District does not expect one-time dollars from the state 
this year, and growth is expected to be flat. If enrollment weakens further in spring quarter, the 
projections may need to be changed. At the moment, a positive difference of $2.6 million is 
projected between revenues and expenses.

Item 19
Award of Contract Pursuant to Bid #945-1072 — Campus Center Bookstore Fixtures, 
Foothill College

Director of Purchasing and Material Services Carmen Redmond explained that the bid protest from 
Bailly Showcase and Fixture Company had been evaluated and reviewed by legal counsel. Although 
Fon-Seca Cabinet and Fixture Company, as a sole proprietor without regular employees, does not 
have evidence of workers’ compensation insurance regularly on file with the state, it has been 
determined that, before proceeding with any work, Fon-Seca would be required to show the District 
evidence of such insurance. Ms. Redmond investigated the company’s references and is confident 
that Fon-Seca would be able to do a good job. For these reasons, she recommended that the Board 
deny the bid protest. Trustee Bechtel made a motion to approve Item 19, which Trustee Casas Frier
amended with the understanding that evidence of workers’ compensation insurance for Fon-Seca would be addressed according to the District’s usual practice.

**M/S/C:** Casas Frier/Diaz  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** 1) Denied the bid protest submitted by Bailly Showcase and Fixture Company, and  
2) Authorized the Director of Purchasing Services to award a contract in the amount of $178,770 for the Base Bid Proposal to the lowest responsible and responsive bidder, Fon-Seca Cabinet and Fixture Company, with the understanding that evidence of the company’s workers’ compensation insurance would be addressed according to the District’s usual practice

As two members of the public were waiting to address Item 23, President Plotkin, hearing no objections, advanced Item 23 on the agenda.

**Item 23**  
**Report on Tour of Historical Houses**

Friends of the Griffin House members Steve Aced and Jonathan Baer gave a report on the tour they organized of five restored historical houses. Accompanying them on the tour were Trustees Fong and Swenson; Vice Chancellor Brandy; Executive Director of Facilities, Operations and Construction Management Charles Allen; and a representative from the architectural firm Cody Anderson Wasney. Trustee Swenson shared his thoughts from the tour, pointing out how the restorations resulted in beautiful, iconic buildings, how employees enjoyed working in those places, and how such restoration maintains good community relations. He expressed concern about the expense and building requirements that would be involved in restoring the Griffin House, a situation that is not easily comparable to each of the five houses they visited. He stressed the importance of considering how maintenance would be more costly and complicated; how efficiently the space would meet the needs of whatever programs could be located in the building; and how the building is apart from the rest of the campus and might be moved to a more visible location.

Trustee Swenson also asked whether replacing so much of the building would result in a replica rather than an authentic historic house. Mr. Baer responded that using the same or “sympathetic” materials to replace deteriorated portions would not devalue the building’s historic aspect. Cody Anderson Wasney architect Chris Wasney discussed what kind of restoration is generally acceptable to the preservation community: e.g., reinforcement for earthquake stability, or new roofing and materials to provide water protection. He explained the difference between “adaptive re-use,” which would more accurately describe the kind of work expected for the Griffin House, and actual “restoration,” which has a different standard.

Trustee Fong shared his thoughts about the tour, echoing Trustee Swenson’s comment about beautiful, iconic buildings, but he also expressed concern about the cost. Responding to a question from Trustee Bechtel, Vice Chancellor Brandy said that the design charrette would include Mr. Aced and Mr. Baer, a representative from the State Historical Society, user representatives from various Central Services departments, and would be moderated by architects from Cody Anderson Wasney.
Chancellor Kanter asked how the absence of original interior materials would be addressed. Mr. Wasney explained that preservation work is primarily concerned with building exteriors. If evidence of the original interior (such as photographs) exists, it would be possible to try to match the evidence, but re-creating general period design, which he termed “false historicism,” is not permitted. He also discussed the conflicts and congruencies between sustainability and preservation.

President Plotkin thanked Mr. Aced and Mr. Baer for organizing the tour and said he is eager to consider the viability of preserving the Griffin House. League of Women Voters representative Terry Terman asked about the judicial decision in the Friends of the Griffin House v. Foothill-De Anza lawsuit. Vice Chancellor Brandy explained that the District was challenged on the adequacy of its CEQA analysis to justify demolition and therefore must go through a new CEQA process. If, at the end of the process, the District is interested in demolishing the building, then the matter must go back before the court.

**Item 20**

**MEASURE E CONSENT CALENDAR**

<table>
<thead>
<tr>
<th>M/S/C:</th>
<th>Fong/Derflinger</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advisory vote:</td>
<td>2 yes</td>
</tr>
<tr>
<td>Board vote:</td>
<td>unanimous</td>
</tr>
<tr>
<td>Action:</td>
<td>Approved / Ratified the Measure E Consent Calendar, A-K as follows:</td>
</tr>
</tbody>
</table>

A. **Title:** Revision #5 to PO #M251155  
   **Vendor:** Sandis Humber Jones  
   **Agreement Date:** May 28, 2002  
   **Campus:** De Anza College  
   **Project No.:** 208  
   **Project Name:** Campus Entries  
   **Amount:** $950  
   **For:** Additional design services for landscaping & irrigation as requested by the college  
   **Action:** Ratification

B. **Title:** Revision #1 to Project Assignment Amendment #F16  
   **Vendor:** Allana Buick + Bers  
   **Agreement Date:** June 6, 2006  
   **Campus:** Foothill College  
   **Project No.:** 133  
   **Project Name:** Sciences II  
   **Amount:** $3,079  
   **For:** Additional construction monitoring required for Buildings 5300 and 6100 due to delay of project completion date by the general contractor  
   **Action:** Ratification
C.  
**Title:** Independent Consultant Agreement (ICA)  
**Vendor:** Callander & Associates Landscape Architects, Inc.  
**Agreement Date:** March 1, 2007  
**Campus:** Foothill Campus  
**Project No.:** 120  
**Project Name:** Stadium  
**Amount:** $19,963  
**For:** Provide an existing conditions analysis of the Practice Field, design documents for scope schedule and cost to revise grades increase field slop), irrigation system and soil amendment program to promote long-term serviceability of planted materials; scope of work includes estimate of probable construction cost, to design meetings and construction administration  
**Action:** Ratification

D.  
**Title:** Revision #8 to Project Assignment Amendment #F1  
**Vendor:** DES Architects + Engineers, Inc.  
**Agreement Date:** May 19, 2004  
**Campus:** Foothill Campus  
**Project No.:** 117  
**Project Name:** Administration  
**Amount:** $8,790  
**For:** Cover design effort required to remove the existing HVAC unit from Administration building roof and install a new unit in an existing exterior electrical closet adjacent to the telecom room due to general contractor error. General contractor will be back charged this amount.  
**Action:** Ratification

E.  
**Title:** Change Order #3 – FINAL  
**Vendor:** Joseph J. Albanese  
**Agreement Date:** September 27, 2006  
**Campus:** Foothill College  
**Project No.:** 416  
**Project Name:** District Parking Lot  
**Amount:** ($1,882)  
**For:** Deductive change order for non-installation of one hose bib and associated plumbing materials and labor at the electric gate location; the general contractor did not install the plumbing and District maintenance has determined it is not required; this change order plus all previous change orders represents 1.9% above the base contract amount  
**Action:** Ratification
F.  **Title:** Change Order #11  
**Vendor:** O. C. Jones & Sons  
**Agreement Date:** November 18, 2004  
**Campus:** Foothill College  
**Project No.:** 120  
**Project Name:** Stadium  
**Amount:** $40,000  
**For:** Resolution of disputes and design deficiencies associated with the initial work of the Practice Field; this change order plus all previous change orders represents 16.8% above the base contract amount  
**Action:** Ratification

G.  **Title:** Change Order #47  
**Vendor:** S. J. Amoroso Construction Co., Inc.  
**Agreement Date:** February 24, 2005  
**Campus:** Foothill College  
**Project No.:** 152  
**Project Name:** Lower Campus Complex  
**Amount:** $71,596  
**For:** Miscellaneous plumbing changes, framing, structural modifications, added waterproofing, drain line for utility vault and handrails changes; this change order plus all previous change orders represents 5.7% above the base contract amount  
**Action:** Ratification

H.  **Title:** Project Assignment Amendment #F-01 to Agreement  
**Vendor:** The Tiburon Group, LLC  
**Agreement Date:** February 13, 2007  
**Campus:** Foothill College  
**Project No.:** 152  
**Project Name:** Lower Campus Complex  
**Amount:** $15,000  
**For:** Construction schedule review and analysis services  
**Action:** Ratification

I.  **Title:** Project Assignment Amendment #F-02 to Agreement  
**Vendor:** The Tiburon Group, LLC  
**Agreement Date:** February 13, 2007  
**Campus:** Foothill College  
**Project No.:** 153  
**Project Name:** Campus Center  
**Amount:** $15,000  
**For:** Construction schedule review and analysis services  
**Action:** Ratification
J. Title: Change Order #18  
Vendor: West Bay Builders  
Agreement Date: January 18, 2005  
Campus: Foothill College  
Project No.: 153  
Project Name: Campus Center  
Amount: $94,393  
For: Installing an acoustical ceiling in the bookstore to cover exposed piping and ductwork, installing a second layer of sheetrock at the second floor of both buildings to satisfy DSA comments, modifications to the structural steel mechanical platforms, a starter course of cedar shims along the roof gutters to accommodate structural steel straps, and miscellaneous electrical revisions; this change order plus all previous change orders represents 4.4% above the base contract amount  
Action: Ratification

K. Title: Change Order #8  
Vendor: Hagensen Pacific Construction, Inc.  
Agreement Date: September 21, 2006  
Campus: De Anza College  
Project No.: 213  
Project Name: Campus Center Renovation  
Amount: $9,237  
For: Miscellaneous construction changes including upper level fire rated rollup doors and ATM wiring location; the total change orders to date represents 5.97% against the original contract amount  
Action: Ratification

Item 21

List of General Contractors Pre-Qualified to Bid on the De Anza College Performance Hall Project (aka Visual and Performing Arts Center)

Trustee Bechtel asked about problems experienced with John Plane Construction Company on previous jobs. Vice Chancellor Brandy responded that the legally proscribed pre-qualification process explicitly sets forth the kind of information that can be considered, and the District’s past experience with a contractor is not one of the criteria. He emphasized that John Plane successfully met all of the criteria in the pre-qualification process. Director of Purchasing and Material Services Carmen Redmond added that there is a specific legal threshold and clear statutory process to disqualify a contractor on a particular bid. Director of Construction Program Management Claudette Brero-Gow confirmed that all of the contractors on the submitted list met the criteria of the reference checking.
M/S/C: Swenson/Derflinger
Advisory vote: 2 yes
Board vote: unanimous
Action: Accepted the following list of four general contractors who met all of the pre-qualification requirements as the only contractors who are “pre-qualified” to bid as prime contractors on the De Anza College Performance Hall (Visual and Performing Arts Center) project:

S. J. Amoroso Construction
John Plane Construction
Swenson & Associates
West Coast Contractors

Item 22
MEASURE C CONSENT CALENDAR

M/S/C: Bechtel/Casas Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: Ratified the Measure C Consent Calendar, item A as follows:

A. Title: Standard Form of Agreement
Vendor: Consolidated Engineering Laboratories
Agreement Date: March 21, 2007
Campus: De Anza College
Project No.: 766-263
Project Name: Swing Space Project
Amount: $4,197.25
For: Professional services related to construction material testing and special inspection services
Action: Ratification

DATES TO REMEMBER

April 30, 2007 — Audit & Finance Committee Meeting
April 30, 2007 — Regular Meeting

CLOSED SESSION

At 4:57 p.m., the Board adjourned into closed session in Room 1405 with the individuals listed below to discuss:

PUBLIC EMPLOYMENT
Position Title: President, Foothill College
Position Title: Vice Chancellor of Business Services
Position Title: Vice Chancellor of Human Resources and Equal Opportunity

Executive Administrators Present:
Martha Kanter, Chancellor
Rose Myers, Vice President of Student Development and Instruction, Foothill College
CONFERENCE WITH LABOR NEGOTIATOR

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

STUDENT DISCIPLINE

Student ID Number: 11207499

Executive Administrators Present:

Mike Brandy, Vice Chancellor of Business Services
Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity
Martha Kanter, Chancellor
Brian Murphy, President of De Anza College
Penny Patz, Interim President of Foothill College
Fred Sherman, Vice Chancellor of Technology

RE-CONVENE PUBLIC SESSION

President Plotkin re-convened the public session at 6:03 p.m. in Appreciation Hall. The following staff, press, students and members of the public were present:

Staff: Charles Allen Marie Fox Ellison Frank Nunez
Becky Bartindale Kurt Hueg Jon O’Bergh
Mike Brandy Martha Kanter Penny Patz
Claudette Breco-Gow Marsha Kelly Carmen Redmond
Jane Enright Judy Miner Fred Sherman
Christina Espinosa-Pieb Brian Murphy Marisa Spatafore

Press: Gene Hopkins

Students: Jordan Eldridge

Public: Danilo Acevedes Albert Eydam Carlos Lujan Rex Stevens
Enrique Anavello Nancy Ferguson Elfida Lujan Susie Sherar
Luis Arguello Don Fraser Rick Mangan Hugo Solis
Emilio Avila Richard Furtado Charles Marlin Willie Solis
Elias Barajas Adrian G. Adrian Martinez Warner Strang
Bernardo Barrera Josue Garcia James McCabe Neil Strathers
Carl Baumheckel Juan Garza Dennis Meakins Don Tallinia
Bill Becker Vic Giacalone Ben Navarro Terry Terman
Al Bonilla Nicole Goehring Connie Norlander Ken Treadwell
Ed Calonje Steve Havens Paul Oller Fred Vela
Rudy Carrasco John Perez Hernandez Mike Pence Sal Ventura
Chris Coatsworth Luis Herrog Dave Peterson Luke Vratny
Tad Coatsworth James Hewett Thomas Pond Jennifer Wootten
David Collins Fred Henry Zachary Posmoga Jerry Zamora
Steve Cowan Lam Hong Rick Radonick Gilbert Zapata
Keith De Filippis Don Kathka Ric Reyes Felipe Zepeda
Mario Delgado Jim Klingensmith Dave Rood
Don DeWitt Armando Lamas Bob Seaberg
Theresa Engquist Ozzie Lee David Segura
Orlin Erickson Robert Lomori Mario Sergara
**REPORTING OUT FROM CLOSED SESSION**

President Plotkin reported that the Board took action in closed session to expel a student.

**Item 24**

**EMPLOYMENT: PRESIDENT, Foothill College**

Chancellor Kanter shared background on Judy C. Miner and acknowledged the excellent work of the search committee chaired by Foothill Vice President Rose Myers.

- **M/S/C:** Swenson/Casas Frier
- **Advisory vote:** 2 yes
- **Board vote:** unanimous
- **Action:** Approved the employment of Judy C. Miner as President of Foothill College effective July 1, 2007 at an annual salary of $14,122.31 per month

Trustees Bechtel, Fong, Casas Frier, Plotkin, Swenson and Student Trustee Diaz each congratulated Dr. Miner. President Plotkin invited Dr. Miner to speak, and she shared a few words of appreciation.

**Item 25**

**PROJECT LABOR AGREEMENTS**

Vice Chancellor Brandy noted that the purpose of this agenda item was for members of the public to express their perceptions about project labor agreements and for the Board to provide direction to staff on how to proceed in preparation for the April 30 meeting. Neil Struthers, CEO of the Santa Clara and San Benito Counties Building and Construction Trades Council, presented information regarding project labor agreements (PLAs), speaking about their strengths and rebutting common criticisms.

Speaking in opposition to PLAs and characterizing them as non-competitive, discriminatory and too costly were Nicole Goehring, government affairs director for the Golden Gate Chapter of Associated Builders and Contractors; local contractor Connie Norlander; community member Keith Di Filippis; and Bill Becker, member of the Silicon Valley Taxpayers’ Association.

Speaking in support of PLAs were contractors Theresa Engquist (owner of Andy’s Roofing), Vic Giacalone (owner of Best Electrical Company), Armando Lamas (president of S.J. General Building Maintenance), Robert Lomori (owner of White Oak Plumbing), Jamie McCabe (president of J. McCabe Plumbing), Mike Pence, Tom Pond, Rick Radonich (president of Cal Coast Telecom), Ken Treadwell and Phil Yanez; Local 393 plumbers Bernardo Barrera, Karl Baumheckel, Ozzie Lee, Adrian Martinez, and Gilbert Zapata; retired Local 393 plumber Fred Hirsch; sheet metal worker Hugo Solis; Local 405 carpenters Susie Sherar, Rex Stevens and Jennifer Wooten; Juan Garza, formerly with the California Labor Commission and representing the Joint Electrical Industry Board of Santa Clara County; Josue Garcia of the Santa Clara and San Benito Counties Building and Construction Trades Council; and Fred Vela. They spoke about how PLAs ensure pension and health benefits for workers, support training for the apprenticeship programs, ensure quality of work, and level the playing field for contractors. Warner Strang, representing construction management company 3D/International, spoke of the positive experience of the County of Santa Clara with PLAs. Ric Reyes, bond program manager for the Eastside Union High School District, spoke about the district’s positive experience with PLAs.
Trustee Bechtel thanked all of the speakers. She said she had reviewed all of the materials and spoken with a contact in the construction field, and after hearing today’s testimony wished to support PLAs. She cited how they level the playing field, ensure quality, provide benefits for workers and prevent strikes. She said she would like to know more about how the Construction Careers apprenticeship program would work. Trustee Fong agreed with Trustee Bechtel’s comments, adding that he had spoken with contacts at local community colleges and learned about their positive experience with PLAs. Trustee Casas Frier thanked all of the speakers as well, saying she had reviewed the materials, listened to the testimony, and concluded that PLAs are worth supporting. She highlighted the importance of a qualified, educated workforce and echoed Trustee Bechtel’s interest in learning more information about the apprenticeship program. She asked what would happen if PLAs are so widespread that not enough workers are available. Mr. Struthers responded that there would not be a problem attracting sufficient workers because of the state’s strong wages and positive construction climate. Trustee Swenson expressed support for PLAs on large projects but questioned the advantage for small projects, adding that he is concerned about attracting enough bidders if there is an added burden on smaller bids. He noted that the study referenced by Mr. Struthers shows that PLAs are advantageous for projects sized in the range of $5-$10 million and larger. Mr. Struthers indicated that this would be a negotiable part of the agreement. Student Trustee Derflinger also thanked the speakers and indicated he would support PLAs as an investment in the community.

President Plotkin noted that the Board is clearly interested in entering into negotiations with the Building and Construction Trades Council to develop a project labor agreement. He then asked about the timeline and requested more information about how the apprenticeship program would operate. Responding to the question about a timeline, Vice Chancellor Brandy said that the District would develop a timeline showing the areas of focus for the negotiation process, which could be presented for Board action on April 30. Chancellor Kanter said she will obtain more information regarding the Construction Careers Program at San Jose City College and whether a similar program can be developed for the District. President Plotkin, referring to the differentiation between small and large projects, said it is important not to negotiate a project labor agreement that does not deliver all of the benefits of a project labor agreement.

**ADJOURNMENT**

President Plotkin adjourned the meeting at 8:20 p.m.

jco
Approved: 4/30/07

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Martha J. Kanter, Chancellor
Secretary, Board of Trustees