



**FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT  
BOARD OF TRUSTEES  
MINUTES  
REGULAR MEETING  
April 2, 2012**

**Trustees Present:**

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

**For Public Session Only:**

Emily Kinner, De Anza College Student Trustee  
Stephanie McGee, Foothill College Student Trustee

CLOSED SESSION

The Board convened in closed session at 5:00 p.m. in the Chancellor's Office to discuss:

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

**Executive Administrators Present:**

Charles Allen, Executive Director, Facilities, Operations and Construction Management  
Christina Espinosa-Pieb, Vice President, Instruction, De Anza College  
Kevin McElroy, Vice Chancellor, Business Services  
Judy Miner, President, Foothill College  
Dorene Novotny, Vice Chancellor, Human Resources and Equal Opportunity  
Fred Sherman, Vice Chancellor, Technology

CONFERENCE WITH PROPERTY NEGOTIATOR

Property: University Development Area; NASA Research Park, Moffett Field, CA  
Agency Negotiator: University Associates-Silicon Valley, LLC  
Negotiating Party: NASA Ames Research Center  
Under Negotiation: Ground Lease Price and Terms of Payment

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Fred Sherman, Vice Chancellor, Technology

**Others:**

John Shupe, General Counsel  
Gordon Ringold, CEO, UA-SV, LLC

CALL TO ORDER

President Barram called the meeting to order at 6:02 p.m. She led those present in the Pledge of Allegiance.

REPORTING OUT FROM CLOSED SESSION

President Barram reported that in closed session the Board took action to suspend a classified employee for 5 days.

**Item 1**

**Presentation Regarding Support of Cupertino Union School District Bond Measure**

Mr. Ben Liao addressed the board regarding Measure H, Cupertino Union School District's \$220,000,000 bond measure. If passed, Measure H would enable the school district to continue providing high quality education for local students. Mr. Liao asked for the board's endorsement of Measure H.

Trustees thanked Mr. Liao for his presentation and voiced support for the bond measure.

**M/S/C:** Bechtel/Casas Frier

**Advisory vote:** 2

**Board vote:** 5

**Action:** **Adopted** Resolution #2012-17 endorsing Measure H, Cupertino Union School District's bond measure that would enable the district to continue to provide high quality education for local students

**FOUNDATION BOARD REPORT**

Trustee Cheng reported on the March 21, 2012 Foundation Board of Directors meeting.

- Kathy Santora is chair of the strategic planning committee.
- There was a report on the number of grant submittals.
- The board development subcommittee has identified four to five candidates.
- A mailer was recently sent to 30,000 selected households in the district in an effort to build a new donor base.

**APPROVAL OF MINUTES**

**M/S/C:** Bechtel/Cheng

**Advisory vote:** 2

**Board vote:** 5

**Action:** **Approved** the minutes of March 5, 2012 and March 12, 2012.

**HEARINGS: ITEMS NOT ON THE AGENDA**

**Public**

Rich Copenhagen, student trustee from Peralta Community College District, congratulated the trustees on the ability to produce not only quality academics but also quality students who are involved in civic engagement. He commended student trustee Kinner saying that she is one of the single most influential and recognized students in the state. Mr. Copenhagen expressed appreciation for her work and thanked the board and administration for their support.

**Students**

There were no comments from students.

**Staff**

**Acting Chancellor Judy Miner**

- Reported on the first meeting of the Science Learning Institute's advisory board that consists of 12 members who are well known in the STEM arena. She acknowledged instructor Robert Cormia who presented at the meeting.

- Reported on a visit by the former Chilean Minister of Education who is interested in developing a community college system in Chile. She was referred to Foothill College during her visit to UC Berkeley.
- President Miner met with the CEO of Meridian International College and Vice Consul from the Philippines. Meridian International is a business, arts and technology college. The meeting was arranged by Gertrude Gregorio, retired dean of Adaptive Learning, whose goal was to establish a college in the Philippines in honor of her mother. The meeting was followed by a visit by the Consul General and two members of the Philippine congress who wanted to see the campus first hand. President Miner expressed hopes of future partnerships with Meridian International.

#### Acting De Anza President Christina Espinosa-Pieb

Vice President Espinosa-Pieb read an email from a former De Anza student that was prompted by news of the retirement of an inspirational instructor, William Nagel. The former student is now a news graphics designer for a bay area television station. He attributes his current position to Mr. Nagel and his classes.

#### De Anza Academic President Karen Chow

Reported that she and Foothill Academic President Dolores Davison attended the Area B academic senate meeting. President Chow will be presenting resolutions at the statewide plenary in April:

- Resolution in support of Assemblyman Paul Fong's Student Success Infrastructure Act, a bill that would provide some infrastructure support for recommendations in the Student Success Act.
- Resolution that critiques the Legislative Analysts Office analysis that identified cutting athletics as a way to save money in the community college system.

#### Board

##### Vice President Laura Casas Frier

Vice President Casas Frier reported on her trip to Washington, D.C. as part of a Silicon Valley delegation that met with congressmen, senators, homeland security, and White House staff to discuss the Dream Act, immigration issues and reform, and deportation issues.

##### Trustee Betsy Bechtel

Trustee Bechtel reported on the Silicon Valley Regional Economic Summit hosted by Silicon Valley Leadership Group and Marvell Semiconductor held on March 30 and was attended by Chancellor Thor, President Barram, Student Trustee Emily Kinner, and Vice President John Mummert. Trustee Bechtel expressed great pride when Student Trustee Kinner spoke very effectively on the importance of education.

##### De Anza Student Trustee Emily Kinner

- At the Regional Economic Summit she asked the community to invest in community colleges via internships and training, thus sending a message to the state and federal governments that students are worth the investment.
- Student Trustee Kinner is working with Susan Steckclair of American Association of University Women, to establish a branch of AAUW at De Anza. She thanked Trustee Bechtel for providing that connection.
- She was one of three students who addressed the Sacramento Bee editorial board on the "middle-class scholarship" introduced by Assembly Speaker John Perez. The article was published on March 28.
- Student Trustee Kinner will be testifying on April 11 on SB 1052 (Steinberg and Alquist) Public Postsecondary Education: California Open Education Resources Council.
- Lastly, Student Trustee Kinner attended the Cupertino Star Awards where former trustee and student trustee Dolly Sandoval was honored as citizen of the year.

##### Foothill Student Trustee Stephanie McGee

- Reported that the ASFC will be holding student government elections when spring quarter commences.

- Student Trustee McGee will be attending a CalWorks workshop that will focus on effectively navigating through the program while receiving benefits. She has also been asked to participate on a CalWorks workshop panel in Monterey.

**APPROVAL OF CONSENT CALENDAR**

**M/S/C:** Swenson/Cheng

**Advisory vote:** 2

**Board vote:** 5

**Action:** **Approved** Items 2 – 13 on the Consent Calendar as follows:

**Item 2** – **Approved/Ratified** Contracts and Agreements

**Item 3** – **Approved/Adopted** District Inter-Fund Borrowing Resolution #2012-15 authorizing temporary transfers between district accounts for fiscal year 2012-13

**Item 4** – **Ratified** Board Warrants Greater than \$5,000 for January and February 2012

**Item 5** – **Approved** Listing of District Investments as of December 31, 2011

**Item 6** – **Approved** Change Order #1 to Purchase Order # AA120747 for J.J.R. Construction, Inc.

**Item 7** – **Approved** Change Order #2 to Purchase Order # AA120747 for J.J.R. Construction, Inc.

**Item 8** – **Approved** the fixed price solutions pricing schedule with Constellation NewEnergy, Inc. for electricity services for the period July, 2013 – July, 2014 and for the period July, 2014- July, 2015

**Item 9** – **Approved** the extended performance period for engineering services provided by Salas O'Brien Engineers, Inc. for the purpose of designing and installing measures to reduce power usage at Foothill College

**Item 10** – **Approved** Recycle and Disposal of Unusable Surplus Furniture

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

**Item 11** – **Approved** Sale of Miscellaneous District Surplus Equipment and Furniture

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

**Item 12** – **Approved** Sale of Miscellaneous Surplus Electronic 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 13** – **Approved** the Human Resources Report

**Item 14**

**Resolution Authorizing Trustee Absence for Stephanie McGee**

**M/S/C:** Cheng/Casas Frier

**Advisory vote:** 1

**Board vote:** 5  
**Action:** **Adopted** Resolution #2012-16 authorizing Student Trustee Stephanie McGee's absence from the March 12, 2012 board meeting due to illness

**Item 15**

**Annual Review of Board Policy 9110.1 Number of Student Trustees; Term of Office; Rights**

Trustees reviewed the policy and made no changes.

**M/S/C:** Swenson/Kinner  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Re-adopted** Board Policy 9110.1

**Item 16**

**ACE Staff Development Leave**

**M/S/C:** Bechtel/Swenson  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Approved** the staff development leave request for an ACE employee for the 2012-13 academic year

**Item 17**

**CalPERS Health Benefits Plan Resolution to Participate Effective July 1, 2012**

**M/S/C:** Casas Frier/Cheng  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Adopted** Resolution 2012-18 enabling the district to participate in the CalPERS health benefits plans effective July 1, 2012

**Item 18**

**Measure E Consent**

**M/S/C:** Swenson/Casas Frier  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Approved** item A on the Measure E Consent Calendar as follows:  
  
**Central Services –**  
A) Budget Transfer #11

**Item 19**

**Measure C Consent**

Trustee Cheng requested Item 19.G be removed for clarification and separate action.

**M/S/C:** Bechtel/Kinner  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Approved** items A-F and H-P on the Measure E Consent Calendar as follows:

**De Anza College –**

- A) Architectural Resources Group – Revision #1 to Purchase Order #G979221/PAA-2C – Baldwin Winery & East Cottage - \$0
- B) California Commercial Pools, Inc. – Change Order #2 – Pool Tile and Plaster Replacement - \$38,365
- C) The Ratcliff Architects – Revision #15 to Agreement – Mediated Learning Center - \$10,200
- D) Simpson Gumpertz & Heger – Master Agreement – Flint Parking Structure Repairs - \$580,675
- E) Sundt Construction, Inc. – Change Order #11 – Mediated Learning Center - \$50,113
- F) Verde – Revision #3 to Agreement – Stadium & Track - \$20,000

**Foothill College –**

- ~~G) BSK Associates, Engineers & Laboratories – Change #2 to Agreement – Physical Sciences and Engineering Center - \$159,887.50~~
- H) Hathaway Dinwiddie Construction Company – Change Order #7 – Physical Sciences and Engineering Center - \$128,892
- I) Hathaway Dinwiddie Construction Company – Change Order #8 – Physical Sciences and Engineering Center - \$207,352
- J) Hoi’s Construction, Inc. – Change Order #2 – New Press Box - \$20,467
- K) Hometown Construction, Inc. – Change Order #4 – Krause Center for Innovation – HVAC Upgrades - \$7,451
- L) Ralph Larsen & Son, Inc. – Change Order #5 – Smithwick Theater - \$22,968
- M) WRNS Studio, LLP – Revision #4 to PAA F-WRNS-2B – Parking & Circulation - \$84,210
- N) WRNS Studio, LLP – Revision #7 to PAA F-WRNS-1B – Central Campus Site Improvements - \$3,240
- O) Budget Transfer #32 and District #13

**Purchasing –**

- P) Award a contract pursuant to Bid Document #1424-106 – Modernization of Building 5700 – Foothill College - \$179,123

**Item 19.G**

**BSK Associates, Engineers & Laboratories – Change #2 to Agreement – Physical Sciences and Engineering Center - \$159,887.50**

Executive Director Allen explained that \$159,887.50 in change order costs is attributed to additional testing and inspection services of structural concrete, field and shop welding, and reinforcing steel required due to retesting of failed work.

**M/S/C:** Cheng/Swenson  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** Approved Item 19.G

**Item 20**

**Authorization to Purchase Apple and Dell Computers**

**M/S/C:** Swenson/Kinner  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** Authorized the Director of Purchasing Services to issue purchase orders in excess of the legally mandated bid threshold, currently \$81,000.00, through June 30, 2013, for Dell and

Apple products pursuant to the WSCA Master Agreements B27158 with Apple and B27160

ADJOURNMENT

President Barram adjourned the meeting at 6:40 p.m.

Approved 5/7/12



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Chancellor and Secretary to  
the Board of Trustees