



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
MINUTES
REGULAR MEETING
April 4, 2011

CLOSED SESSION

The Board immediately adjourned into closed session with the individuals listed below to discuss:

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Executive Administrators Present:

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

CONFERENCE WITH LABOR NEGOTIATOR

District Negotiator: Dorene Novotny
Employee Organizations: All Represented and Unrepresented Groups

Executive Administrators Present:

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

CALL TO ORDER

President Pearl Cheng called the meeting to order at 6:15 p.m. She led those present in the Pledge of Allegiance.

Trustees Present:

Pearl Cheng, President
Joan Barram
Betsy Bechtel
Laura Casas Frier
Bruce Swenson
Etienne Bowie, Foothill College Student Trustee
Thomasina Countess Russaw, De Anza College Student Trustee

REPORTING OUT FROM CLOSED SESSION

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

CORRESPONDENCE

There was no correspondence.

HEARINGS: ITEMS NOT ON THE AGENDA

Public

Terry Terman acknowledged the budget situation and said that in an effort to save money, Santa Rosa Junior College is on a 4-day work week. President Cheng said that there would be an update on the district's budget.

Students

There were none.

Staff

Foothill President Judy Miner introduced Vice President of Instruction and Institutional Research Kimberlee Messina. Ms. Messina was formerly employed at Santa Rosa Junior College where she served as Dean of Science, Technology, Engineering and Mathematics. Ms. Messina also served 2 terms as academic senate president at Santa Rosa. Her employment with the district will begin on May 23, 2011. The board extended a warm welcome to Ms. Messina.

President Miner noted the news article about the Ice Age mammoth find in Monterey County. Foothill anthropology instructor Dr. Samuel Connell and some of his students are participating in the find. The bones will be brought back to Foothill's anthropology lab for cleaning.

Director of Institutional Research Andrew LaManque distributed copies of the Strategic Plan that was approved last May. He said the district metrics will be reviewed at the July 11 board meeting.

Chancellor Linda Thor said in light of recent budget developments district administrators are spending a great deal of time on local and statewide budget issues and on advocacy. De Anza President Brian Murphy is currently attending a CEO conference where they will be discussing the reductions required in an all-cuts budget. Dr. Thor will be traveling to Sacramento on April 5 with District Communications Coordinator Becky Bartindale and Student Trustee Thomasina Russaw to participate in the Joint Higher Education Advocacy Day. They, along with UCSC Chancellor George Blumenthal, UCSC Student Union Assembly legislative liaison Amanda Buchanan, SJSU President Don Kassing and others throughout the state will be meeting legislators to discuss the impact of the budget cuts, the need for more flexibility, and the need for a long-term plan for stability and reinvestment in higher education. She thanked Becky Bartindale who has served as the coordinator for the involvement of Silicon Valley higher education institutions.

Dr. Thor will be returning to Sacramento on Thursday, April 7, with Presidents Miner and Murphy to attend a CCLC CEO meeting to address budget issues. Part of the discussion will include a 5-year budget projection, enrollment management, fees, and financial aid, as well as enrollment priorities.

Lastly, Dr. Thor attended the Mountain View Chamber of Commerce's Athena Awards lunch held at the Foothill campus center. Three Foothill students and one De Anza student were among the recipients of \$1,500 scholarships. President Miner was the guest speaker at the lunch.

Trustees

Trustee Casas Frier reported that she attended State Senator Elaine Alquist's State Budget Forum on April 1. Speakers included Bill Lockyer, State Treasurer, and Diana Dooley, California Health

and Human Services Agency Director. Director Dooley spoke on health services as life saving budget items.

Trustee Casas Frier also represented the district at the League of Women Voters re-districting hearing. She reported that the district must have a plan for re-districting by February 2012.

In March Trustee Joan Barram represented the board at a League of Women Voters' event with other elected officials shared who shared information about their agencies. She felt it was a very useful, well-organized event.

De Anza Student Trustee Thomasina Russaw extended an invitation to attend and participate in the First Thursday open mic sessions sponsored by the Black Student Union at 5 p.m. in the Euphrat Museum. Ms. Russaw said April is National Poetry Month and she encouraged everyone to share his/her talents.

Foothill Student Trustee Etienne Bowie was one of 16 Foothill students who attended a Student Senate for California Community Colleges general assembly in Sacramento where the Foothill students presented a resolution for smoke-free campuses. Their resolution was debated but was not adopted. The student trustees have formed an organization, Student Trustees Association for California Community Colleges. One of the highlights of the event was brainstorming on how to help student trustees in other districts. Mr. Bowie said the student trustees from other districts looked to Foothill-De Anza trustees for support and ideas. He will be engaging in further discussions with them.

Student Trustee Bowie distributed a schedule of the month's activities celebrating Asian Pacific Islander Heritage Month. The opening activity was a fundraiser for victims of the recent earthquake and tsunami in Japan. Tee shirts were sold and raffle prizes were given. Both he and President Miner were speakers at the event.

APPROVAL OF MINUTES

M/S/C: Barram/Bechtel
Advisory vote: 2
Board vote: unanimous
Acton: **Approved** the minutes of February 7, 2011 as corrected

M/S/C: Casas Frier/Barram
Advisory vote: 2
Board vote: unanimous
Acton: **Approved** the minutes of March 7, 2011

FOUNDATION REPORT

Trustee Bruce Swenson reported on the Foundation Board of Directors meeting held on March 23.

The Major Gifts Subcommittee discussed their three significant contacts that have been made. Budgeting issues were discussed which included the difficulty in covering Foundation staff costs and salaries. Also discussed was the status of the Foundation executive director position. Dr. Thor was able to provide an update on the search saying that the Azzani Search Consultants have completed interviews with members of the Foundation Board, major donors, and other key individuals and have prepared a position

description. They are in the process of contacting potential applicants and expect to present 5-7 pre-screened applicants to the full committee at the end of April or the beginning of May.

APPROVAL OF CONSENT CALENDAR

Trustee Swenson removed items 11 and 12 for separate action.

M/S/C:	Casas Frier/Swenson
Advisory vote:	2
Board vote:	unanimous
Action:	Approved Items 1-10 on the Consent Calendar as follows:

- Item 1** - **Ratified** contracts and agreements
- Item 2** - **Approved** the agreement with Etudes, Inc. for the period 7/1/2011 through 6/30/2012 at a cost of \$144,000.
- Item 3** - **Approved** the contract renewal between Foothill-De Anza Community College District and Professional Personnel Leasing for services performed by Richard Henning for the period July 1, 2011 to June 30, 2012 in the amount of \$9,181/month with \$3,000 expense reimbursement for travel and \$1,000 for entertainment
- Item 4** - **Approved** the contract renewal between Foothill-De Anza Community College District and Professional Personnel Leasing for services performed by Gay Krause for the period July 1, 2011 to June 30, 2012 in the amount of \$6,425/month based on 11 months
- Item 5** - **Approved** the contract renewal between Foothill-De Anza Community College District and Stanford University for the Primary Care Associate Program for the period July 1, 2011 to June 30, 2013
- Item 6** - **Accepted** the listing of district investments as of December 31, 2010
- Item 7** - **Adopted** Resolution 2011-11 authorizing temporary transfers between district accounts for fiscal year 2011/2012
- Item 8** - **Approved** Donation of Surplus District Computers and Monitors to OTI
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 donate the items to the Foothill-De Anza Foundation
- Item 9** - **Approved** Donation of Surplus District Monitors and Projectors to North Salinas High School
Made a finding that the equipment is unsatisfactory for further use by the district and in accordance with Education Code 81450.5, **authorized** the Director of Purchasing Services to donate the monitors and projectors to the North Salinas High School
- Item 10** - **Approved** Public Auction of Surplus De Anza College Weight Equipment

Made a finding that the equipment is unsatisfactory for further use by the district and **authorized** the Director of Purchasing Services to conduct a public auction to transfer the property to the highest responsible bidder upon completion of the auction

Item 11 – Human Resources Report

In light of the current budget situation Trustee Swenson asked for justification of employment ratifications/approvals of the following positions on the Human Resources Report. Vice President Espinosa-Pieb, President Miner, and Vice Chancellor McElroy responded to Trustee Swenson’s inquiry.

Specialist/Instructor, High Tech Center Training and Instructor (2), Special Education and Applied Technology (DA)

The instructors work for the state chancellor’s office. They have one-year contracts that are funded by a 5-year grant. Because they are not on the tenure track, their contracts must be approved annually.

Teacher-in-Residence, Computers, Technology, and Information Systems (FH)

This is a Foundation-funded position at the Krause Center for Innovation.

Program Developer, Workforce Education (FH)

This is a grant-funded position.

Instructor, PSME (FH)

This position was added to address the growth in the chemistry department.

Technology Training Specialist, Foothill Global Access (FH)

This position is needed for distance learning and hybrid courses. Without the position the number of courses offered in distance learning would have to be reduced.

Senior Library Technician, Learning Resources (DA)

This position became vacant due to retirement. It is a full-time day position filled by an employee who was in a half-time evening position. The vacant half-time evening position will not be filled.

Payroll Technician II (CS)

This position became vacant when the employee was promoted to a position in Cashiering Services at De Anza.

M/S/C:	Swenson/Barram
Advisory vote:	2
Board vote:	unanimous
Action:	Approved the Human Resources Report

Item 12 – BP 4195 Political Activity

Trustee Swenson said that the policy as reworded did not address whether faculty members could actively campaign in their classrooms for candidates, partisan issues and ballot propositions. Trustee Swenson asked if such activity would then be acceptable. Chancellor Thor responded that Chancellor’s Advisory Council had discussed this at length. At that time language regarding conduct in the classroom was left in. Some members of the council pointed out that the original

language was, in some ways, in conflict with the new language. The committee felt that the last paragraph covered the academic freedom aspect of the policy while the remaining wording clearly states that instructors cannot advocate on district property during work time, and thus addresses the issue of advocating in the classroom.

Trustee Barram also felt the policy needed further clarification. Trustee Barram had recently heard from a parent whose student expressed surprise at the active advocating and campaigning that went on in one of his classes.

Trustee Casas Frier felt that faculty and students should be able to express objective and informative points of view and rather than advocating for or against an issue, faculty should be encouraged to have informative, open discussions of both pros and cons of that issue. Trustee Bechtel agreed that active campaigning should be avoided but discussions of pros and cons is acceptable. She asked for student trustee input. Student Trustee Bowie said he was not aware of any active campaigning in the classroom, but agreed that caution should be used when using district supplies or equipment. He did ask if politicians are allowed to distribute political material at the colleges. Trustees responded that that is acceptable.

After further discussion President Miner offered the following additional wording that clarified the issue of campaigning in the classroom and that trustees felt was acceptable.

“No district resources, including, but not limited to, employee time, funds, services, supplies or equipment. . .”

M/S/C:	Swenson/Bechtel
Advisory vote:	2
Board vote:	unanimous
Action:	Approved BP 4195 Political Activity as amended

Item 13

Re-adoption of BP 9110.1 Number of Student Trustees; Term of Office; Rights (1st Reading)

Trustees reviewed the policy and made no changes. The policy will be presented at the next board meeting for a second reading and re-adoption.

Item 14

BP 3315 Emergency Response Plan (New) (1st Reading)

Although the district and colleges do have emergency response plans, there is no board policy that requires the district to have such a plan.

Trustees reviewed the policy and made no changes. The policy will be presented at the next board meeting for a second reading and adoption.

Item 15

CCCT Board Election – 2011

Trustee Casas Frier, who currently sits on the CCCT Board, recommended candidates 4-11 that also included 3 incumbents. Trustee Casas Frier felt that having representation from our region would be advisable and recommended Greg Bonaccorsi from Ohlone.

Trustee Bechtel felt that Robert Jones from Los Rios appeared very qualified as well as Pauline Larwood from Kern

M/S/C: Swenson/Bechtel
Advisory vote: 2
Board vote: 4
Abstentions: 1 (Casas Frier)
Action: **Approved** casting votes for the 3 incumbents on the ballot and Stephen Castellanos, Nancy C. Chadwick, Robert Jones, Michael Davenport and Greg Bonaccorsi

Item 16

Adoption of Resolution Authorizing the Reduction in Classified Service

District administration requested authorization to eliminate and, where necessary, issue 45-day layoff notices to the following positions: Executive Director, Euphrat Museum and Senior Secretary, Counseling, both at De Anza, and the Program Coordinator I position in the NASA Ames Internship Program at Foothill. The district is no longer receiving funds from NASA Ames and Private Industry Internships Program to support the internship program.

Trustee Barram expressed sorrow at the elimination of the Executive Director, Euphrat Museum. She said the museum is a wonderful facility. She knows there are plans to keep it open and find ways to make it operable. She hopes the executive director will continue to stay involved with the museum.

M/S/C: Bechtel/Swenson
Advisory vote: 2
Board vote: unanimous
Action: **Adopted** Resolution 2011-13 authorizing the reduction in classified service and the issuance of 45-day notice of layoff to the affected employees

Item 17

Update on 2011-12 Budget Development

Vice Chancellor McElroy said that all indications from Sacramento are that it is unlikely that the temporary tax extensions will be on the June ballot. In light of that, district administrators have formulated a new scenario that represents what the district will have to cut in order to adjust to the projected reductions from the state. The district is now planning its 2011-12 budget based on a 20% reduction (16% workload reduction; 4% reduction due to loss of FTES based on P-1 numbers). The colleges are working diligently to recapture some of that lost enrollment. If they are successful there will be a smaller gap to fill next year and, hopefully, we will not be facing a budget reduction in addition to the projected 16%. Developing next year's budget under any of the scenarios will be the most challenging the district has ever seen. The cuts will be across the board, and staffing, programs, and services will be dramatically impacted. He stressed that with the magnitude of cuts it will be impossible to not affect the number of students that will be served. The number of students served, programs, and the district over all will be reduced by approximately 20%. The stability fund will be used to offset the cuts until the ultimate reduction plans are implemented. Vice Chancellor McElroy stated the stability fund will extend current spending levels through early to mid-spring of 2012 before funds are exhausted. Full implementation of the budget reduction plans will begin in January of 2012. Town hall meetings at the colleges and central services are being scheduled for late April and May to provide detailed information

to all parties and answer questions about the planned cuts. Vice Chancellor McElroy will update the board as budgets are developed and information becomes more concrete.

The Vice Chancellor confirmed that out of the total budget of \$182 million the colleges and central services are building a budget based on a \$30 million cut from 2010/11 funding levels.

Trustee Bechtel said that the district has certain operational obligations, such as computer maintenance, custodial services, and general service agreements that cannot be cut if we wish to maintain acceptable levels of operation and serve students. This is a huge deficit that everyone in the state is dealing with. She expressed hope that there will be more positive budget news and appreciation for how hard everyone is working to close the gap.

Trustee Casas Frier expressed the direness of the situation. There are some districts that are eliminating summer school or have used up their reserves. She asked what effect suspending Prop 98 would have on the district. Vice Chancellor McElroy said that the scenario district administrators are using to plan the 2011-12 budget is based on the suspension of Prop 98 funding. With the non-passage of the tax extension, all indications from Sacramento are that the community college system will be given an \$800 million cut. Trustee Casas Frier concurred with Vice Chancellor McElroy that using the worst case scenario in our planning is the prudent path to follow in that it is far more practical to pull back some of the reductions if we receive more positive information than to be forced to make more last minute cuts to the budget. At this point we are working with very soft numbers. A tentative budget will be presented in June and adjustments will be made when a state budget is passed after that.

Trustee Barram commented that the worst case scenario showing a \$20 million shortfall in addition to the \$10 million in workload reduction means there will be reductions in courses and students served in addition to huge cuts that have already been incorporated.

Vice Chancellor McElroy explained some of the specifics of the cuts: 1) the \$10 million workload reduction was taken from part-time instruction. Our base will be lower which translates to reduced funding and fewer sections/courses we can afford to offer to students.. 2) At the same time, we still have to allocate enough resources to offer the courses to meet the base that we are given. If we experience an additional shortfall in FTES, our base would be further reduced and therefore reduce revenue still more. An increase in productivity would help to mitigate the over all direct cost of instruction and allow the district to offer more sections and/or reduce the cuts on the non instructional side of the budget.

Trustee Barram said she is very proud that the district has been very conservative in the past. She expressed disappointment that the \$14 million stability fund which she assumed would ease the budget process for the next two difficult years still won't be enough and will be exhausted within the year because the fiscal situation is so much worse than we imagined. Vice Chancellor McElroy said that this will affect us in all areas – services, staff, faculty, students. The full-time faculty obligation will go down concurrent with the work load reduction, so the district will need to carefully evaluate the number of full time faculty maintained above the district's full time faculty obligation number as we go into the 2011-12 and 2012-13 fiscal years. We are looking at our entire institution and all operations to carefully evaluate where we are going to make these shifts.

Terry Terman asked if the 32 faculty granted tenure last month are in jeopardy of losing their positions. President Cheng and Vice Chancellor McElroy reiterated that **all** areas are being evaluated. They confirmed that having tenure does not mean that a person cannot be laid off. It will be contingent upon the over all plan developed at each college and what programs will be kept versus programs that may need to be eliminated.

President Cheng said that the scenario now being used to plan the budget is the correct path, sadly acknowledging that it will ultimately affect the students. Vice Chancellor McElroy said that later this evening Chancellor Thor will be sending out a district-wide budget update email message as a part of the ongoing communication campaign to all faculty, staff, and students.

Trustee Swenson expressed his preference that the district try to spread its reserves over at least two years, to mitigate the cuts across the board for a longer time frame in hopes the economic situation will improve.

Trustee Casas Frier suggested encouraging summer school enrollment as a way to increase FTES for the 2011-12 year to restore lost FTES in 2010-11. Vice Chancellor McElroy assured her that enrollment management is a top priority. The colleges have been meeting jointly in an effort to coordinate curriculum and programs.

FA President Rich Hansen asked if or when the Community College League of California recommendations for the worst case scenario changed, would the district also change its projections? Vice Chancellor McElroy said that those adjustments were made after the last revision but that it was unproductive for the district to realign its planning targets too frequently based on every new tentative scenario coming out of Sacramento. Mr. Hansen said that the League's revision of the worst case scenario is based on the Legislative Analyst Office (LAO) plan which has a much more dramatic fee increase, but if we are still using \$110 million it sounds like we are not using the LAO's projection. The \$110 million is based on a fee increase from \$26 to \$36/unit, but the LAO's projections were based on a fee increase of about \$60/unit or more. Vice Chancellor McElroy said they have not made a calculation with a \$60/unit fee since that is only a proposal at this time. The district is using the League's numbers based on the Governor's January budget proposal with the added factor of no temporary tax extension passed to augment state budget revenues.

Mr. Hansen cautioned the district to not "press the panic button" and when decisions are made, all possibilities are considered. The board has approved hiring 2 consultants at significant cost. He stressed that FA is not going to want to see a lot of frills while people are losing their jobs and services to students are being cut.

Vice Chancellor McElroy said that although new information is received regularly, calculations are based on scenarios recommended by the Chancellor's office. Chancellor Thor stressed that as people look at the League's projections, we have to include the 4% in enrollment decline that we are projecting.

Trustee Bechtel expressed appreciation for Mr. Hansen's comments and concerns and said that everything should be on the table. Trustee Bechtel also noted the district is in a better position than some others because it has been conservative and cautious in its spending and budget planning.

Item 18

Approval of Contract for Independent Audit Services for FY 2010/11

Vice Chancellor McElroy said district was able to successfully negotiate an agreement for auditing services with Vavrinek, Trine, Day & Co., LLP (VTD). VTD is able to meet the district's timelines. The agreement was reviewed by the district's legal counsel. The 5-year agreement is renewable annually.

Prefacing his motion to approve the agreement, Trustee Swenson commented on VTD's consideration of budget constraints by reducing their pricing by 10%. He said this is a step in the right direction and

having fixed costs will aid in the budgeting process. Vice Chancellor McElroy said Business Services staff have been asking contractors for renegotiated rates due to the budget situation.

M/S/C: Swenson/Barram
Advisory vote: 2
Board vote: unanimous
Action: **Approved** district administrative staff to enter into contracts with Vavrinek, Trine, Day & Co., LLP for auditing services

Item 19

Adoption of Resolution Authorizing the Issuance of a FY 2011-12 TRAN

Vice Chancellor McElroy asked for authorization to issue up to \$10 million in Tax Revenue Anticipation Notes. The district's TRAN would be combined with other districts for a June issuance. The district does not need to borrow money at this point. Adoption of the resolution would give the district authorization throughout next year to take that action if necessary. It has been about 15 years since the district's last issuance.

M/S/C: Bechtel/Swenson
Advisory vote: 2
Board vote: unanimous
Action: **Adopted** Resolution 2011-12 authorizing the borrowing of funds for fiscal year 2011-2012 and the issuance and sale of one or more series of 2011-2012 Tax and Revenue Anticipation Notes

Item 20

Award Lease-Leaseback Pre-construction Services Agreement for District Data Center Project

Director of Purchasing Carmen Redmond reviewed the selection process for the lease-leaseback pre-construction services agreement. The committee included representatives from ETS, Cody Anderson Wasney Architects, Gilbane MAAS, district facilities and purchasing. Using a number of determinants, the committee recommends awarding the pre-construction services agreement to Hensel Phelps Construction Company at a cost of up to \$93,400.

In response to Trustee Swenson's question regarding knowledge of Hensel Phelps, Executive Director Charles Allen said due diligence was done and this firm is in the same category as Hathaway Dinwiddie and Sundt who are working on the Mediated Learning Center and the PSEC projects. Hensel Phelps is the type of firm the district was hoping to attract for these large projects. Executive Director Allen said he was very pleased with Hensel Phelps. Director Redmond said thorough reference checks were made and litigation and safety records were reviewed. Bond Director Art Heinrich worked with Hensel Phelps when they built the Martin Luther King Library and said they are a first-rate company.

M/S/C: Swenson/Casas Frier
Advisory vote: 2
Board vote: unanimous
Action: **Authorized** Director of Purchase Services to finalize and award the Pre-construction Services Agreement to Hensel Phelps Construction Company

Item 21

Measure E Consent

M/S/C: **Bechtel/Barram**
Advisory vote: 2
Board vote: unanimous
Action: **Approved** Measure E Consent items as follows:

De Anza College -

- A) CMS Collaborative, Inc. – Professional Services Agreement – Combined Site Improvements – Phase I - \$30,500
- B) Smith Fause 7 McDonald, Inc. – Professional Services Agreement – Campus-wide Coax Replacement - \$46,446

Foothill College -

- C) Kuehne Construction – Change Order #2 – Campus Center Generator Room Airflow Redesign - \$0

Central Services –

- D) Cody Anderson Wasney Architects Inc. – Revision #3 to Standard Agreement – District Office Building Renovation - \$52,730

Item 22

Measure C Consent

The district awarded a design-build contract to SunPower to install photovoltaics. Newcomb Anderson McCormick will review the design documents submitted by SunPower and assist the district in assuring that SunPower meets the needs of the college in the operational aspects and technical requirements of the of the installation as well as provide oversight during the construction phase. Executive Director Allen said that design costs for this project are well within the typical range.

M/S/C: **Barram/Russaw**
Advisory vote: 2
Board vote: unanimous
Action: **Approved** Measure C Consent items as follows:

De Anza College –

- A) John Plane Construction, Inc. – Change Order #12 – Seminar Building and Multicultural Center – \$6,456
- B) Newcomb Anderson McCormick, Inc. – Consultant Services – Install Photovoltaic Arrays – Campus-wide (Lots A & B and Kirsch Center) - \$249,825 (hourly, not-to-exceed value)
- C) Noll & Tam Architects – Project Authorization Amendment D08 to Master Agreement – A9/PE6 HVAC Improvements - \$73,375
- D) Sundt Construction, Inc. – Preconstruction Services Agreement Amendment #2 – Mediated Learning Center – (\$42,601)

Foothill College –

- E) BSK Associates – Service Agreement for Testing & Special Inspection Services – Physical Sciences & Engineering Center - \$192,533
- F) Calstate – Change Order #3 – PE Lab Space Remodel - \$5,775
- G) Ratcliff Architects – Professional Services – Revision #9 – Physical Sciences & Engineering Center - \$23,985
- H) Zolman Construction and Development, Inc. – Change Order #4 – Renovation of Language Arts Classrooms, Buildings 6200, 6300 and 6500 - \$45,519

Item 23

Project #801: Property Acquisition Consulting Services

The board was asked to approve moving to Phase 2, Solicitation of Offers, with PPV consultants. Under Phase 2 PPV will continue on a 3-track approach for property acquisition for an education center.

1. Solicitation of Offers – issue a Request for Offers to brokers, developers, major corporations and landowners and evaluate responses
2. Cubberley Site – continue negotiations with the City of Palo Alto and Palo Alto Unified School District for acquisition of 8 acres of the Cubberley site
3. Onizuka Air Station – continue discussions with the City of Sunnyvale regarding possible acquisition of a portion of the Onizuka Air Station through public benefit conveyance

PPV will review and evaluate all options and make recommendations to the district.

Trustee Barram asked how this will be presented to the public when the district is cutting millions of dollars from its budget. Chancellor Thor said that the community must be informed that funds used for this project were specified in the Measure C General Obligation Bond language which the public passed and which cannot be used for operational costs. Also, finding a permanent home for the education center would save the district \$1 million a year it now pays to the City of Palo Alto for leasing the current Cubberley site and which does come out of operational funds. Trustee Swenson asked about the possibility of deferring the development of the site until the economy stabilizes. Chancellor Thor said that additional operational costs would be minimal since the current Middlefield Campus staff would transfer to the new site and enrollment projections for the new location are similar to what we have now at Middlefield. Trustee Swenson said the district may want to evaluate if money can be saved by deferring the development of the site. Vice Chancellor McElroy said it will be several years before the opening of a new education center and hopes the state will have recovered economically by then.

M/S/C:	Swenson/Bechtel
Advisory vote:	1
Board vote:	unanimous
Action:	Approved district administration to enter into agreement with Public Private Ventures (PPV) for Phase 2, Solicitation of Offers

Item 24

Project #801: Property Acquisition Planning and Design Consulting Services

tBP Architecture was approved to provide architectural and engineering planning and design services at both the Cubberley and Onizuka sites. The modification to their agreement is for a time extension of that agreement to December 31, 2011. To date, none of the \$65,000 originally negotiated for this project has been spent.

M/S/C: **Bechtel/Barram**
Advisory vote: 1
Board vote: unanimous
Action: **Approved** the time extension of the previously negotiated agreement with tBP Architecture to December 31, 2011

Item 25

Project #801: Property Acquisition Requests for Offers

The Request for Offers (RFO) to seek offers from brokers, developers and corporations to provide either land or buildings suitable for use as an education center and able to accommodate at least 50,000 gross square feet and ample parking as specified in the RFO.

M/S/C: **Bechtel/Casas Frier**
Advisory vote: 1
Board vote: unanimous
Action: **Approved** issuance of the request for offers from interested entities to provide either undeveloped land or developed land with buildings suitable for use and/or renovation as an education center

Item 26

Design Services for Foothill College Measure C Project #105

M/S/C: **Casas Frier/Barram**
Advisory vote: 1
Board vote: unanimous
Action: **Approved** the proposed Project Authorization Amendment with HMC Architects to provide full design services for Projects #105, #103, and #122 in the amount of \$693,000

Item 27

Revision 1 to Verde Design Inc's. Design Agreement for De Anza College Project 206 – Stadium and Track Renovation

Executive Director Allen said this is within the budget for this project.

Trustee Bechtel asked if construction has been scheduled around graduation. Associate Vice President Donna Jones-Dulin said De Anza graduation ceremonies will be held at either Fremont or Monta Vista High School.

M/S/C: **Swenson/Casas Frier**
Advisory vote: 2
Board vote: unanimous
Action: **Approved** Revision 1 to provide complete design and construction administration services for the De Anza College Stadium and Track

Renovation project for an additional amount of \$396,050 for a total amount of \$501,650

Item 28

Award a Contract Pursuant to Bid #1245-100E, Krause Center of Innovation – HVAC Upgrades at Foothill College

M/S/C: Casas Frier/ Barram
Advisory vote: 2
Board vote: unanimous
Action: **Approved** the withdrawal of RC Benson & Sons, Inc. bid and **authorized** the Director of Purchasing Services to award a contract pursuant to Bid #1245-100E, Krause Center of Innovation - HVAC Upgrades, in the amount of \$396,033 to Hometown Construction, Inc.

Item 29

Authorize Purchase of Backhoe Loader

M/S/C: Swenson/Bowie
Advisory vote: 2
Board vote: unanimous
Action: **Authorized** the Director of Purchasing Services to issue a purchase order pursuant to Bid #1337A to Pape Machinery in the amount of \$83,796.90

ADJOURNMENT

President Cheng adjourned the meeting at 7:50 p.m.

Approved 5/2/11