



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

May 7, 2007

CALL TO ORDER AND ROLL CALL

President Hal Plotkin declared a quorum was present and called the meeting to order at 5:30 p.m. in the District Board Room of the Foothill-De Anza Community College District, 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
Adrian Diaz, Foothill College Student Trustee

CLOSED SESSION

The Board immediately adjourned into closed session in the Chancellor's Office with the individuals listed below to discuss:

CONFERENCE WITH LABOR NEGOTIATOR

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

Executive Administrators Present:

Kim Chief Elk, Director of Human Resources
Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity
Robert Griffin, Vice President of Student Services, De Anza College
Martha Kanter, Chancellor
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 6:06 p.m. in the District Board Room. He led the Board and those present in the Pledge of Allegiance. The following staff, press, students and members of the public were present:

<i>Staff:</i>	Charles Allen	Ken Horowitz	Carmen Redmond
	Becky Bartindale	Martha Kanter	Shelley Schreiber
	Claudette Brero-Gow	Marsha Kelly	Fred Sherman

John Coggnetta
Don Dorsey
Jane Enright
Marie Fox Ellison
Dave Garrido
Robert Griffin
Lydia Hearn
Art Heinrich

Robin Latta-Lyssenko
Sharon Luciw
Faith Milonas
Judy Miner
Frank Nunez
Jon O'Bergh
Penny Patz
Sirisha Pingali

Bernata Slater
Daphne Small
Paul Starer
Laura Woodworth

Press: None

Students: Michelle Balazs
Janelle Bixler
Abbey Brown
Henry Chen
Karim Cheung
Anika Dodds

Annmarie Durrer
Jordan Eldridge
Dennis Mok
Carla Navarrete
Kelvin Ng
Azusa Nose

Sarah Snow
Eden Su
Tony Suen
David White
Sarah Wiehe

Public: Terry Terman

REPORTING OUT FROM CLOSED SESSION

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

CORRESPONDENCE

President Plotkin asked if there was any correspondence which should be brought to the Board's attention. There was none.

HEARINGS: ITEMS NOT ON THE AGENDA

Public/Students

There were no students or members of the public who wished to address the Board on items not on the agenda.

Staff

De Anza Vice President of Student Services Robert Griffin, representing President Brian Murphy, reported that Student Success Center Director Gregory Anderson was selected as a summer scholar by the Educational Testing Service to discuss innovative directions in assessment and learning tools. Vice President Griffin also reported that he attended San Jose State's 150th Anniversary with Chancellor Martha Kanter and a scholarship ceremony for Northern California gay/lesbian/bisexual/transgender high school students.

Foothill Instructor Ken Horowitz expressed interest in two future Board presentations and expressed concern about construction change orders. Foothill Interim President Penny Patz distributed a number of college brochures. She announced High School Senior Day which would occur on May 10 and the grand opening of the Campus Center and Lower Campus Complex on September 25.

Chancellor Kanter asked the Board to let her know of any special guests to include on the invitation list for District's 50th Anniversary events starting in Fall 2007. She reported that she and Trustee Casas Frier attended the Luis Valdez talk at Foothill, which was one of the Latino Heritage Month

events. She reported that she also attended the OICW Anniversary gala and gave a presentation on open educational resources (OER) with President Plotkin at the California Community College Trustees (CCCT) conference, at which over 40 colleges expressed interest in participating in an OER Consortium. She reminded the Board about the May 9 policy seminar, “Quality and Affordability in California’s Community Colleges.” Vice Chancellor of Human Resources and Equal Opportunity Jane Enright announced that she would be recommending the hiring of Christine Vo to fill the new position of Benefits Director at the next meeting.

Trustees

Trustee Casas Frier congratulated Trustee Fong for his election as second Vice President of CCCT. She announced a Challenge Team breakfast meeting on May 10 at which community leaders would discuss issues related to education and youth. She commended De Anza for its excellent forum on immigration. Trustee Fong commended President Plotkin and Chancellor Kanter for their OER presentation at the CCCT conference and reported that he moderated a workshop at the conference at which Sacramento State professor Nancy Shulock spoke. Trustee Bechtel said she attended the CCCT conference as well and would be presenting information from the conference to the Audit & Finance Committee. She announced a forum on Healthcare Reform in California for May 16 at the Mountain View Senior Center.

President Plotkin reported that he met with faculty at Lane Community College to discuss open educational resources. He thanked Chancellor Kanter for taking the lead in establishing a Community College OER Consortium and noted that many colleges, including Lane, expressed interest in the Consortium. He congratulated student trustees Derflinger and Diaz for their outstanding service on the Board during the past year and presented them with name blocks commemorating their service.

APPROVAL OF CONSENT CALENDAR

M/S/C: Fong/Derflinger
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified Items 1-6 of the Consent Calendar as follows:

Item 1 — **Approved** DONATION OF SURPLUS DISTRICT PERSONAL PROPERTY
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 Colleges Foundation

Item 2 — **Approved** SALE OF MISCELLANEOUS SURPLUS DISTRICT 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 3 — **Approved** SALE OF SURPLUS DISTRICT FEELER HIGH ACCURACY FCNC-100 CNC LATHE
Made a finding that the 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 4 — **Approved SALE OF SURPLUS DISTRICT COVEL SURFACE GRINDER**
Made a finding that the 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 5 — **Approved PERSONNEL ACTIONS:**

Name: **Judith Baker**
Position: Dean, Foothill Global Access
College: Foothill
Division: Distance and Mediated Learning
Action: **Second one-year employment contract**
Effective Date: May 22, 2007 to June 30, 2008 # of months: 12

Name: **Hua-Fu Liu**
Position: Chinese Mandarin Language Instructor
College: De Anza
Division: Intercultural/International Studies
Action: **Employment**
Effective Date: September 20, 2007 # of months: 10
Compensation: Column II, Step D @ \$5,999.42 per month

Name: **Theresa Ong**
Position: Learning Disabilities Specialist
College: Foothill
Division: Adaptive Learning
Action: **Employment**
Effective Date: July 1, 2007 # of months: 11
Compensation: Column III, Step B @ \$5,734.92 per month

Name: **Gillian Schultz**
Position: Biology Instructor
College: Foothill
Division: Biological and Health Sciences
Action: **Employment**
Effective Date: September 20, 2007 # of months: 10
Compensation: Column V, Step D @ \$6,792.94 per month

Name: **Angel Sierra**
Position: Counselor/Instructor
College: Foothill
Division: Counseling/Physical Sciences, Mathematics and Engineering
Action: **Resignation for the purpose of retirement**
Effective Date: June 29, 2007
Comments: In accordance with Article 19 of the *Agreement* between the District and the Faculty Association

Name: **Debbie Wagner**
Position: Medical Laboratory Technician Instructor/Program Director
College: De Anza
Division: Biological, Health and Environmental Sciences
Action: **Employment**
Effective Date: September 20, 2007 # of months: 10
Compensation: Column I, Step K @ \$7,586.45 per month

Name: **James Whearty**
Position: English Instructor
College: Foothill
Division: Language Arts
Action: **Resignation for the purpose of retirement**
Effective Date: April 30, 2007

Item 6 — Approved HUMAN RESOURCES REPORT

Item 7

APPROVAL OF 2007-08 DASB BUDGET

De Anza Vice President Griffin spoke of the valuable role of the De Anza Associated Student Body (DASB) and the conscientiousness with which DASB made its budget decisions. DASB President Tony Suen and officers Henry Chen, Azusa Nose, Eden Su and David White presented the 2007-08 Budget. Trustee Swenson asked about the ending balance. Mr. Suen and DASB Advisor John Cognetta confirmed that there is a 5% reserve. Trustee Swenson asked about the reduction in funding athletics playoffs. Mr. White responded that funding was increased for individual teams and the playoffs amount correspondingly reduced. Chancellor Kanter asked about funding for the Open Media Lab. Mr. White explained that the funding provided last year covered computer purchases, so no funding was needed for 2007-08 now that the purchases have been completed. Trustee Bechtel inquired about expenses for the Flea Market. Mr. White explained that expenses include funding for a full-time staff member to operate the Flea Market, as well as advertising, security and custodial costs. President Plotkin commended the students and encouraged those who will be active in DASB next year to continue funding those items that contribute to student success.

M/S/C: Casas Frier/Derflinger
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the 2007-08 DASB Budget

Item 8

APPROVAL OF 2007-08 ASFC BUDGET

Foothill Interim President Patz spoke about the excellent work of the students in preparing the budget. Associated Students of Foothill College (ASFC) President Abbey Brown and officers Anika Dodds, Dennis Mok and Kelvin Ng presented the 2007-08 ASFC Budget. Trustee Bechtel asked about costs related to production of the Owl Card. Ms. Brown responded that the budget funds a staff position, which is required under the agreement with the company that provides the Owl Card. Responding to a question from Trustee Swenson, Interim President Patz explained that the college decided this year to take over funding for two student activities positions that ASFC had agreed to fund a number of years ago when the college was considering personnel cuts. Foothill Academic

Senate President Paul Starer pointed out that the college had promised ASFC it would eventually resume funding those positions. Chancellor Kanter commended Ms. Brown for serving on the Chancellor's Advisory Council and commended ASFC for its role in funding the valuable heritage month events. President Plotkin complimented the students on their presentation.

M/S/C: Diaz/Derflinger
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the 2007-08 ASFC Budget

Item 9

AWARD OF CONTRACT PURSUANT TO BID #1095 — PURCHASE OF EXTERIOR LIGHT FIXTURES, DE ANZA COLLEGE

Director of Purchasing and Material Services Carmen Redmond and Director of Construction Program Management Claudette Brero-Gow responded to questions regarding the installation and location of the light fixtures. Responding to a question from Trustee Bechtel, staff confirmed that the fixtures were reviewed by the City of Cupertino. Chancellor Kanter added that faculty and staff participated in the selection of these fixtures to ensure a minimum of light pollution.

M/S/C: Bechtel/Fong
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to award a contract in the amount of \$187,254.37 for the Base Bid Proposal amount to the lowest responsible and responsive bidder, Independent Electric Supply, Inc.

Item 10

FOUNDATION ANNUAL REPORT, "THINK BIG"

Foundation Director Marie Fox Ellison introduced Foundation staff members Robin Latta-Lyssenکو and Laura Woodworth and presented the annual Foundation report. She highlighted that, during the past year, the Foundation received \$4.1 million in gifts, the Foundation Board and Commission members joined with other volunteers to help raise funds for the successful passage of Measure C, and the colleges held their most successful fundraising events ever. She noted plans to increase net assets to reach \$50 million by 2012. Trustee Bechtel commended Ms. Fox on the presentation and shared information on how to donate to the Legacy Circle. Trustee Swenson asked about using Chancellor's Circle funds to increase the Foundation's endowment. Ms. Fox and Chancellor Kanter discussed how major gifts are a good way to increase endowments, while the Chancellor's Circle funds are most useful for addressing unmet needs at the colleges. President Plotkin expressed his appreciation to Ms. Fox for her efforts.

Item 11

MEASURE E CONSENT CALENDAR

M/S/C: Fong/Derflinger
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified the Measure E Consent Calendar, A-E as follows:

- A.** *Title:* Change Order #9
Vendor: Coast Side Associates
Agreement Date: March 22, 2006
Campus: De Anza College
Project No.: 226
Project Name: Planetarium Renovation
Amount: \$7,472
For: Miscellaneous construction changes including electrical single line diagram revisions, and revised door hardware changes to accommodate DSA fire rating; the total change orders to date represent 10.73% against the original contract amount
Action: Ratification
- B.** *Title:* Change Order #20
Vendor: West Bay Builders
Agreement Date: January 18, 2005
Campus: Foothill College
Project No.: 153
Project Name: Campus Center
Amount: \$42,804
For: Upgrading the exterior wood doors to enhance their weather resistance, installing a traffic topping on the pedestrian bridges to waterproof those structures, constructing a mechanical plenum at the roof Bldg. 2200 for exhaust air ventilation and drilling vent holes in the bottom of exterior walls in order to vent the stud cavity; this change order plus all previous change orders represents 5.1% above the base contract amount
Action: Ratification
- C.** *Title:* Change Order #10
Vendor: Coast Side Associates
Agreement Date: March 22, 2006
Campus: De Anza College
Project No.: 226
Project Name: Planetarium Renovation
Amount: \$4,611
For: Miscellaneous construction changes including fire-rated smoke damper and full height enclosure shaft, deletion of receptacle at Line F-G- & 3-4, and Dome penetration close-ups due to demolished HVAC ducts; the total change orders to date represent 8.54% against the original contract amount
Action: Ratification

- D. Title:** Change Order #50
Vendor: S.J. Amoroso Construction, Inc.
Agreement Date: February 24, 2005
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$10,757
For: Miscellaneous architectural and site changes; the total change orders to date represent 11.09% against the original contract amount
Action: Ratification
- E. Title:** Change Order #11
Vendor: Hagensen Pacific Construction, Inc.
Agreement Date: September 21, 2006
Campus: De Anza College
Project No.: 213
Project Name: Campus Center Renovation
Amount: \$11,239
For: Miscellaneous construction changes including El Clemente room wall changes, Vendor Café utility chases, Upper Level staff restroom wall and soffit changes, and Kitchen draft stop demolition; this change order plus all previous change orders represents 5.96% above the base contract amount
Action: Ratification

Item 12

AWARD OF CONTRACT FOR FOOTBRIDGE REPAIRS AND ROOF REPLACEMENT, FOOTHILL COLLEGE

- M/S/C:** Bechtel/Swenson
Advisory vote: 2 yes
Board vote: unanimous
Action: 1) Waived the use of an incorrect bid form by Best Contracting Services, Inc. as a minor irregularity;
2) Denied the bid protest submitted by Aztec Consultants; and
3) Authorized the District Purchasing Director to award a contract in the amount of \$448,700 for the Base Bid Proposal amount to the lowest responsible and responsive bidder, Best Contracting Services, Inc.

Item 13

AUTHORIZATION TO PURCHASE NETWORK AND TELECOMMUNICATIONS EQUIPMENT PURSUANT TO STATE OF CALIFORNIA CALNET II CONTRACTS

Responding to a question from Trustee Bechtel, Vice Chancellor of Technology Fred Sherman explained that the scope of the purchase covers all network needs for the Foothill Campus Center and Lower Campus Complex. He also noted that the vendor is charging less than the maximum rate under the CALNET contract. President Plotkin expressed concern that previously purchased equipment would no longer be covered for maintenance and repairs. Vice Chancellor Sherman said the District is continuing to work on a settlement with Alcatel regarding their breach of contract. President Plotkin also expressed concern that state technology contracts are not always rigorously

negotiated to produce favorable contracts and said that, to ensure the most advantageous outcome, he prefers that the District's technology contracts in the future undergo a competitive bid process before consideration is given to piggybacking on state contracts.

M/S/C: Fong/Bechtel

Advisory vote: 2 yes

Board vote: unanimous

Action: Authorized the Director of Purchasing to place orders for equipment and services requested by Educational Technology Services not to exceed a cumulative total of \$800,000 with AT&T Global Services pursuant to the State of California CALNET II contracts

DATES TO REMEMBER

June 4, 2007 — Audit & Finance Committee

June 4, 2007 — Regular Meeting

ADJOURNMENT

President Plotkin adjourned the meeting at 7:55 p.m.

jco

Approved: 6/4/07

Martha J. Kanter, Chancellor
Secretary, Board of Trustees