



**FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT  
BOARD OF TRUSTEES  
MINUTES  
REGULAR MEETING  
June 18, 2012**

**Trustees Present:**

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

**For Public Session Only:**

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

**CLOSED SESSION**

The Board convened in closed session at 3:00 p.m. in the Chancellor's Office to discuss:

**CHANCELLOR'S EVALUATION PROCESS**

**CONFERENCE WITH LABOR NEGOTIATOR**

**Executive Administrators Present:**

Charles Allen, Executive Director, Facilities, Operations and Construction Management  
Kevin McElroy, Vice Chancellor, Business Services  
Judy Miner, President, Foothill College  
Brian Murphy, President, De Anza College  
Dorene Novotny, Vice Chancellor, Human Resources and Equal Opportunity  
Fred Sherman, Vice Chancellor, Technology  
Linda Thor, Chancellor

**CALL TO ORDER**

President Barram called the meeting to order at 6:05 p.m. She led those present in the Pledge of Allegiance.

**REPORTING OUT FROM CLOSED SESSION**

President Barram reported that the board took no action in closed session.

**HEARINGS: ITEMS NOT ON THE AGENDA**

*Public*

Wanda Lee, a fellow of the American Council on Education, reflected on her year at De Anza during which she was mentored by President Murphy and other senior administrators. During the year, Dr. Lee had the opportunity to visit over 25 institutions across the nation to study how colleges were dealing with reorganization due to budget cuts. She feels that De Anza's full participatory process involving faculty, staff, and students, and transparency is a model institution for the way it is dealing with the current budget issues. Dr. Lee complimented the Board of Trustees for its focus on policy and important issues and how to advance the colleges in a difficult economic climate.

President Murphy expressed his appreciation to San Francisco State University for funding Dr. Lee's salary through the year so she could spend that time at De Anza. He thanked Dr. Lee, a senior administrator at San

Francisco State University, for the time she spent at De Anza and for being a good colleague and friend through the year.

### Students

Julie Phillips, Morgan Family Chair in Environmental Studies, and students from the Wildlife Corridor Technician (WCT) Program presented the Board of Trustees with copies of “Safe Passage for Coyote Valley”, a 4-year endeavor to reconnect students with nature. Over 60 students have gone through the WCT Program since it was approved by the California State Chancellor’s Office in 2009. Current and former students related their experiences while working on the project and expressed how invaluable the program is. Ms. Phillips thanked President Murphy for his support of the students and the Environmental Studies Program. A copy of the publication will become part of the district’s official archives.

The trustees praised the group for their work on the Coyote Valley project and congratulated them on the completion of the publication.

### Staff

#### Chancellor Linda Thor

Chancellor Thor introduced her husband and her daughter who was visiting from Arizona. Chancellor Thor also introduced new Vice Chancellor of Technology Joe Moreau who began on June 11 and was attending his first board meeting.

Chancellor Thor acknowledged outgoing Vice Chancellor of Technology Fred Sherman who has worked in the community college system for 19 years, the last six years at Foothill-De Anza. During his tenure with the district, Dr. Sherman was responsible for the extensive redesign of the technology backbone of the district and for replacing much of the technology infrastructure; assisting in the planning for the new and remodeled buildings under Measure C; implemented the computer refresh program; and led the successful implementation of the Banner/ERP program. In addition, he was in charge of the strategic planning initiative in the district. He has always focused on the teaching and learning environment, earning widespread respect of everyone in the district. Chancellor Thor appreciated his loyalty as a team member and his problem solving skills.

Trustees commended and thanked Dr. Sherman for his work with the district and wished him a happy retirement.

Dr. Sherman said he has enjoyed working with everyone in the district, and one of the things that makes Foothill-De Anza so great is that everyone works collaboratively toward solving problems. He thanked the board for their support of the many projects over the years.

#### Foothill President Judy Miner

President Miner thanked Dr. Sherman for his leadership through the Banner/ERP conversion during difficult budget times. President Miner said it was a pleasure to have him as a friend and colleague.

President Miner reported that the early summer session has brought an additional 350 FTES, about \$750,000 above target. She said the Board will be receiving an invitation to the “Summer “Academies” taking place at the Central County Occupational Center in San Jose on July 19.

As a result of reorganization, three Foothill employees who otherwise would have been displaced, were hired into new positions:

- Teresa Ong, former counselor, was named the Director of Disabled Students and Veterans Services
- Julie Brown, formerly with Pass the Torch, will move to Admissions and Records
- Jean McCarron, formerly in Theatre Arts, will move to Instruction as a curriculum technician

#### De Anza President Brian Murphy

President Murphy thanked Dr. Sherman for his composure under stressful times and for his leadership in the search for and implementation of the new EIR system.

President Murphy thanked the trustees for their attendance at the end-of-the-year events. He alerted the board that Representative Mike Honda has nominated the Euphrat Museum of Art for the 2012 National Medal for Museum Service. The award honors museums that have made extraordinary contributions to their communities. President Murphy acknowledged the incredible work of Director Diana Argabrite at the Euphrat during a time some feared the museum would close.

### Board

#### Trustee Laura Casas Frier

Trustee Casas Frier noted that Jose Antonio Vargas, the adopted son of Dean of Student Affairs Pat Hyland, is featured on this week's cover of Time Magazine relative to President Obama's order to stop the deportation of undocumented youth.

Trustee Casas Frier attended a statewide trustees meeting where priority enrollment was discussed.

#### President Joan Barram

President Barram reported on her attendance at a presentation to the City of Mountain View's City Council as well as several year-end events, including Foothill's Transfer Grads celebration and Language Arts Division awards, and the De Anza Student Success and Retention celebration.

She also commented on a visit by a researcher from the Governor's Office of Planning and Research whose primary interests are sustainability and climate policy. They toured De Anza and met with Julie Phillips at the Kirsch Center. At Foothill, Dean Peter Murray and instructor Robert Cormia gave an excellent presentation on the Science Learning Center.

#### Student Trustee Vincent Mendoza

Student Trustee Mendoza reported that he is part of a group of students researching open source textbooks as a money saving way for students to access textbooks.

### APPROVAL OF CONSENT CALENDAR

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

**Advisory vote:** 2

**Board vote:** 5

**Action:**           **Approved** Items 1 – 7 on the Consent Calendar as follows:

**Item 1** – **Approved/Ratified** Contracts and Agreements

**Item 2** – **Approved** Gann Appropriation Limit

**Item 3** – **Approved** Telecommunications Link for the Disaster Recovery Site

**Item 4** – **Approved** Human Resources Report

**Item 5** – **Approved** Krause Center for Innovation: Contract for Strategy, Planning & Marketing

**Item 6** – **Approved** FY 2012-13 South Bay Regional Public Safety Training Consortium -Foothill College

**Item 7** – **Ratified** International Travel Approvals

**Item 8**

**Resolution Approving Trustee Absence**

**M/S/C:** Swenson/Cheng  
**Advisory vote:** 2  
**Board vote:** 4  
**Abstentions:** 1 (Casas Frier)  
**Action:** **Adopted** Resolution #2012-34 authorizing Trustee Laura Casas Frier's absence from the June 4, 2012 board meeting due to illness

**Item 9**

**Vice Chancellor Authorization to Implement Benefit Plan Alternatives**

**M/S/C:** Casas Frier/Bechtel  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Adopted** Resolution 2012-33 authorizing the Vice Chancellor of Human Resources to implement an alternative to coverage under CalPERS which may include a separate self-insured plan for selected individuals, individual coverage under a Medicare supplement or non-Medicare policy, or payment in lieu of District sponsored plan coverage

**Item 10**

**Approval of 2012-13 Tentative Budget**

Vice Chancellor of Business Services Kevin McElroy presented the 2012-13 Tentative Budget for approval.

Significant changes on the state level from the first reading on June 4, 2012, include:

- Language in the proposed governor's budget allows for backfill of all of the redevelopment agency money. For Foothill-De Anza, that would mean \$4 million that could be freed up and redistributed
- Recalculations of the state funding mechanism may raise the district's workload reduction from 6.2% to 7.3%, representing about \$1.5 million in lost revenue

Vice Chancellor McElroy highlighted the following points:

- The projected ending balance is \$27 million pending on actual expenditures and final FTES count
- \$10 million has been set aside for mandated 5% reserve
- \$1.5 million has been designated for district carryover obligations
- \$4 million has been set aside for the redevelopment agency risk factor
- \$2 million has been designated for enrollment stimulus

It is likely that the \$4 million set aside for the redevelopment agency risk factor can be transferred to the remaining \$6.6 million left for carryover. In addition, \$3 million has been set aside in the stability fund to offset any revenue shortfalls.

The Tentative Budget was developed assuming a worst-case scenario and projects a deficit of \$13.2 million at the end of FY 2012-13. If the governor's tax package does not pass in November, this scenario would have to be put in place, and the colleges and central services are working on plans to cover the difference between revenue and expenses. Cutbacks in sections and staffing could be implemented beginning January 2013.

Trustee Swenson pointed out the correlation between the decrease in the district's general fund revenue over the last five years by about \$30 million and the decrease in FTES during that same period by about 8,000. Although part of the drop in FTES was driven by new state regulations, he stressed that the decrease in FTES is the core issue for the district. Trustee Swenson commented that having an analysis of what triggered the loss of FTES would assist the district in its plan to recover those lost FTES or realize that the current numbers reflect a "new normal".

**M/S/C:** Swenson/Mendoza  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Approved** the Tentative Budget for 2012-13

**Item 11**

**Approval of 457(b) Deferred Compensation Plan Provider**

**M/S/C:** Casas Frier/Bechtel  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Approved** the selection of Employee Benefits Services Group 457(b) plan to replace the 457(b) plan currently offered by TDS and **authorized** the Vice Chancellor of Business Services to negotiate and enter into a contract with the Employee Benefits Services Group

**Item 12**

**Award a Contract Pursuant to Bid Document #1425-284, Stelling Parking Renovation, De Anza College**

**M/S/C:** Bechtel/Cheng  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Authorized** the Director of Purchasing Services to award a contract pursuant to bid document #1425-284 – Stelling Parking Renovations at De Anza College, in the aggregate amount of \$355,000 for the base bid amount plus alternate #1 to Ashron Construction and Restoration, Inc.

**Item 13**

**Rejection of All Bids for Bid #1348-420, District Office Building Renovation**

**M/S/C:** Casas Frier/Cheng  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Rejected** all bids received pursuant to bid number 1348-420, District Office Building Renovation

**Item 14**

**Measure C Consent**

**M/S/C:** Casas Frier/Cheng  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Approved** Items A – H on the Measure C Consent Calendar as follows:

**De Anza College –**

- A) Ecovation Group – Revision #002 to Agreement for Services – Environmental Studies Area - \$3,200
- B) Simpson Gumpertz & Heger Inc. – Revision #01 to Standard Form of Agreement – Flint Parking Structure Repairs - \$11,000

**Foothill College –**

- C) Cleary Consultants, Inc. – Geotechnical Investigation/Change #1 to Independent Contractor Agreement – Softball and Soccer Athletic Facility Improvements - \$0
- D) HMC Architects – Revision #5 to Project Authorization Amendment #F-HMC-#3A – Smithwick Theater - \$5,900

- E) HMC Architects – Revision #3 to Project Authorization Amendment – Modernization of Learning Support Center, Biology, and General Classrooms - \$20,500
- F) Hoi's Construction, Inc. – Change Order #4 – New Press Box - \$16,566
- G) Ralph Larsen & Son, Inc. – Change Order #8 – Smithwick Theater - \$54,096
- H) WRNS Studio, LLP – Revision #5 to Project Authorization Amendment #F-WRNS-2B – Parking & Circulation - \$9,290

**Item 15**

**Award a Contract Pursuant to Bid Document #1525-G261, Distance Learning Center Classroom Equipment**

**M/S/C:** Mendoza/Bechtel  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Authorized** the Director of Purchasing Services to award a contract pursuant to bid document #1525-G261, Distance Learning Classroom Equipment, in the amount of \$2540,000, to Signal Perfection LTD

**Item 16**

**Cancellation of Prequalification Questionnaire #1526, Technology Resources Group Studio Equipment**

**M/S/C:** Cheng/Swenson  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Authorized** the Director of Purchasing Services to cancel prequalification questionnaire #1526, TRG Studio Equipment

**Item 17**

**Rejection of All Bids for Bid #1471-274, Combined Site Improvements, Phase 2**

**M/S/C:** Zavala/Mendoza  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Rejected** all bids for bid #1471-274, Combined Site Improvements, Phase 2

**Item 18**

**Lease-Leaseback Construction Procurement Process, FH Library & Instructional Service Center (ISC)**

The procurement process for this project will be consistent with the process used for previously approved projects. The board will be requested to review and approve key decisions and actions in the procurement process.

**M/S/C:** Bechtel/Zavala  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Approved** the initiation of a construction procurement process under the Lease-Leaseback provision of Education Code Section 81335 for Measure C Project #121, Foothill College Library & ISC Renovation subject to subsequent board approvals

**Item 19**

**Taber Construction CO #1, Project #144, Central Campus Site Improvements - \$300,000**

**M/S/C:** Zavala/Mendoza  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Approved** Change Order #1 for Taber Construction, Inc. in the amount of \$300,000

ADJOURNMENT

President Barram adjourned the meeting at 7:40 p.m.

Approved 8/6/12

A handwritten signature in black ink, appearing to read "Linda M. Thor". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

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Chancellor and Secretary to  
the Board of Trustees