



**FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT  
BOARD OF TRUSTEES  
MINUTES  
REGULAR MEETING  
July 1, 2013**

**Trustees Present:**

Betsy Bechtel, President  
Joan Barram  
Pearl Cheng  
Laura Casas  
Bruce Swenson  
Anita Adams, De Anza College Student Trustee  
Alex Baker, Foothill College Student Trustee

**REGULAR MEETING**

**CALL TO ORDER / PUBLIC COMMENT ON CLOSED SESSION ITEMS ONLY**

President Bechtel called the regular meeting of the Board of Trustees to order at 5:30 p.m. in the District Board Room and asked if any members of the public wished to comment regarding closed session items. No members of the public were present, and the meeting was adjourned to closed session.

**CLOSED SESSION**

The Board convened in closed session at 5:30 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  
Kevin McElroy, Vice Chancellor, Business Services  
Judy Miner, President, Foothill College  
Joe Moreau, Vice Chancellor, Technology  
Brian Murphy, President, De Anza College  
Dorene Novotny, Vice Chancellor, Human Resources and Equal Opportunity  
Linda Thor, Chancellor

**CALL TO ORDER**

President Bechtel called the public session of the regular meeting of the Board of Trustees to order at 6:05 p.m. and led those present in the Pledge of Allegiance.

**REPORTING OUT FROM CLOSED SESSION**

President Bechtel announced that during closed session the Board of Trustees approved the dismissal of an employee in a classified Compliance and Benefits Assistant position.

APPROVAL OF MINUTES

<b>M/S/C:</b>	<b>Barram/Cheng</b>
<b>Advisory vote:</b>	2
<b>Board vote:</b>	5
<b>Action:</b>	<b>Approved</b> the minutes of the June 17, 2013, meeting

HEARINGS: ITEMS NOT ON THE AGENDA

*Staff*

Dental Hygiene instructor and Palo Alto resident Ken Horowitz expressed concerns about the increasing number of homeless people living near the Middlefield Campus and suggested that classes be moved to Foothill College or held online. He asked that the district provide shaded areas for students at future graduation ceremonies and spoke against the elimination of additional classified positions.

De Anza College President Brian Murphy and Foothill College President Judy Miner thanked trustees for attending the colleges’ graduation ceremonies and year-end events. In response to trustee Cheng’s question, the presidents indicated that Foothill College had 789 graduates this year and De Anza College awarded approximately 1,800 degrees and certificates.

*Board*

Trustee Bruce Swenson shared an email message from Citizens’ Bond Oversight Committee and Palo Alto Rotary Club member Robert Lancefield praising the district’s management of its construction bond funds and projects.

President Betsy Bechtel commended the colleges’ year-end celebrations and graduation ceremonies and asked that some thought be given to providing shade for attendees of future graduations.

FOUNDATION BOARD REPORT

Trustee Barram reported that at the Foundation Board of Directors meeting held June 26, 2013, Gay Krause donated \$1 million to support the Krause Center for Innovation scholar in residence position. Additionally, she advised that Kathleen Santora was elected Foundation Board president, Don Aoki was chosen as vice president, Lisa Elliot as secretary, and Martin Neiman as treasurer. Trustee Barram thanked Chancellor Thor for explaining to the Foundation directors the differences between auxiliary organization and nonprofit boards and noted that after hearing of the Foothill College Microcredit/Microfinance Club’s efforts to further education of students throughout the world, board members passed the hat to contribute \$330 to the club and the Finance Committee awarded an additional \$1,000.

APPROVAL OF CONSENT CALENDAR

Chancellor Thor requested that consent calendar item 2, Establish the District as a Direct Report Source that Reports Defined Benefit Contributions Directly to CalSTRS, be removed from consideration. Trustee Swenson asked that item 7, 2015-2019 Five Year Construction Plan (2015-16 First Funding Year), be removed from the consent calendar and considered separately.

<b>M/S/C:</b>	<b>Cheng/Barram</b>
<b>Advisory vote:</b>	2
<b>Board vote:</b>	5
<b>Action:</b>	<b>Approved</b> items 1, 3-6, and 8-14 on the Consent Calendar as follows:

**Item 1** - **Ratified** contracts and agreements

**Item 3** - **Approved** contract with Domus Aurea, Inc. for Flint Center facilities management and entertainment programming services for the period July 1, 2013, through June 30, 2017.

**Item 4** - **Adopted** resolution 2013-25 delegating authority to the Chancellor or the Vice Chancellor of Business Services to approve special events defined in board policy 3500 and to approve facilities rental contracts with private parties for special events subject to Board ratification

**Item 5** - **Adopted** resolution 2013-22 for Child Care Contract #CCTR-3281

**Item 6** - **Adopted** resolution 2013-21 for Child Care Contract #CSPP-3538

**Item 8** - **Approved** the Human Resources Report

**Item 9** - **Approved** the Foothill College Certificate of Achievement, CPA Examination Preparation

**Item 10** - **Approved** curriculum changes for the Foothill College 2013-2014 Catalog

**Item 11** - **Approved** Foothill College Stand Alone courses

**Item 12** – **Approved** Independent Contractor Agreement with Dr. Lisa Bowie in the amount of \$125,000

**Item 13** – **Approved** Independent Contractor Agreement with Wayne K. Miller in the amount of \$140,000

**Item 14** – **Approved** advertising contract with The Lamar Companies in the amount of \$113,750

**Item 7**

**2015-2019 Five-Year Construction Plan (2015-16 First Funding Year)**

In response to questions from trustee Swenson regarding the change in the district's projected annual enrollment growth reflected in the plan, Executive Director of Facilities, Operations, and Construction Management Charles Allen explained that the increase is due to a new forecasting model adopted by the California Community Colleges Chancellor's Office that takes into account population growth, participation rates, and the ratio of weekly student contact hours (WSCH) to full time equivalent students (FTES).

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

**Advisory vote:** 2

**Board vote:** 5

**Action:** **Approved** the 2015-2019 Five-Year Construction Plan

**Item 15**

**2013-2014 Board Priorities**

**M/S/C:** Swenson/Barram

**Advisory vote:** 2

**Board vote:** 5

**Action:** **Approved** 2013-2014 Board Priorities

**Item 16**

**2012-2013 Board Self-Evaluation**

Board President Bechtel reported that in addition to having each governing board member assess the Board’s performance, this year the Board also sought feedback from members of the Audit and Finance and Citizens’ Bond Oversight committees, Chancellor’s Cabinet, and Chancellor’s Advisory Council and the president of the Foothill-De Anza Foundation. Noting that the feedback was largely positive but there is always room for improvement, President Bechtel suggested that trustees pursue more community outreach and that the Board conduct a discussion of diversity issues. Trustee Cheng agreed that presentations to community groups are particularly important as the district evolves and makes programmatic changes. Trustee Casas remarked that although relationships with most of the district’s feeder schools are strong, ties with Palo Alto Unified School District could be strengthened. Student trustee Baker concurred and commented that better communication with high school counselors concerning the middle colleges and increased participation in the high schools’ college fairs would be beneficial. Trustee Swenson recommended that governing board members do a better job of coordinating attendance at the year-end celebrations so that there is at least one Board representative at most events.

**Item 17**

**Board Policy 6030 Credit by Examination – Revised (1<sup>st</sup> Reading)**

Chancellor Thor presented proposed revisions to the board policy concerning credit by examination and indicated that the revised policy would be presented for approval at the August 5, 2013, regular meeting. She advised in response to trustee questions that very few students seek credit by examination.

**Item 18**

**Board Policy 2305 Annual Organizational Meeting – Revised (1<sup>st</sup> Reading)**

Chancellor Thor presented proposed revisions to the board policy concerning the annual organizational meeting and indicated that the revised policy would be presented for approval at the August 5, 2013, regular meeting.

**Item 19**

**Resolution Authorizing the Reduction in Classified Service**

**M/S/C:** Barram/Cheng  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Authorized** the district to eliminate the classified positions

**Item 20**

**Resolution Authorizing Exception to the 180-day Wait Period for PERS/STRS Post-Retirement Reemployment: Susan Bloom, Financial Aid Coordinator**

**M/S/C:** Swenson/Casas  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Approved** the resolution authorizing exception for hiring under the 180-day wait period for PERS/STRS post-retirement reemployment for Susan Bloom

**Item 21**

**Measure E Consent**

Executive Director Allen clarified in response to trustee Swenson’s question that revisions to the renovation project were necessitated by the exterior condition of the District Office Building as well as changes to plans for the Data Center.

**M/S/C:** Barram/Swenson  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** Ratified Measure E Consent items as follows:

- A) Cody Anderson Wasney Architects, Inc. – Revision #10 to Standard Agreement – District Office Building Renovation - \$26,665

**Item 22**

**Gilbane Building Company – Addendum #15 to Agreement for Program and Construction Management Services – Measure E Bond Program - \$415,330**

**M/S/C:** Casas/Cheng  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** Approved addendum #15 to Agreement for Program and Construction Management Services with Gilbane Building Company

**Item 23**

**Measure C Consent**

**M/S/C:** Cheng/Adams  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** Ratified/Approved Measure C Consent items as follows:

**Central Services Measure C Consent**

- A) Lionakis - Change Order #1 - Property Acquisition - \$0
- B) Vista Environmental - Revision #3 - Property Acquisition - \$244,340

**De Anza College Measure C Consent**

- C) Sundt Construction - Prime Contract Change Order #4 - ATC - \$48,022
- D) Noll and Tam Architects - PAA #4-C to Master Agreement - Corporation Yard - \$0

**Foothill College Measure C Consent**

- E) Cal Pacific Construction - Change Order #4 - Building 2600 Structural and Acoustic Upgrades - \$13,902
- F) SJ Amoroso Construction - Change Order #1 for DRC Swing Space - Modernization of Learning Support Center, Biology, and General Classrooms- \$5,738
- G) Foothill College FF&E - Agilent Technologies, Inc. - Delivery/setup/training on instrumentation - \$54,196

**Item 24**

**Gilbane-MAAS – Measure C Design, Construction and Project Management Agreement for Services from July 1, 2013, through June 30, 2014 - \$2,612,912**

**M/S/C:** Swenson/Cheng  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Approved** the negotiated agreement for Measure C construction management services from Gilbane-MAAS

**Item 25**

**Gilbane-MAAS – Measure C Program Management Agreement for Services from July 1, 2013, through June 30, 2014 - \$1,241,980**

**M/S/C:** Barram/Swenson  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Approved** the negotiated agreement for Measure C program management services from Gilbane-MAAS

**Item 26**

**Authorization to Purchase Apple and Dell Computers in Excess of the Bid Threshold**

**M/S/C:** Casas/Swenson  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Authorized** the Interim Director of Purchasing Services to issue purchase orders for Apple and Dell products in excess of the legally mandated bid threshold through June 30, 2014, pursuant to Public Contract Code 20652

**Item 27**

**Authorization to Award Contract Pursuant to Bid 1627 for Multimedia Equipment and Installation**

**M/S/C:** Swenson/Barram  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Authorized** the Interim Director of Purchasing Services to execute an agreement not to exceed \$4.6 million in accordance with Bid 1627 contract prices, terms, and conditions for a three-year term with an option to renew provided that funds are available with the lowest responsible bidder, Signal Perfection Limited

**Item 28**

**Reject All Bids Received for Pool Storage Rooms Repairs at Foothill College, Bid #1590-118**

**M/S/C:** Swenson/Baker  
**Advisory vote:** 2  
**Board vote:** 5  
**Action:** **Rejected** the bid received for Bid #1590-118, Pool Storage Rooms Repairs at Foothill College

**Item 29**

**Reject All Bids Received for Environmental Studies Area at De Anza College, Bid #1646-229R**

**M/S/C:** Casas/Adams

**Advisory vote:** 2

**Board vote:** 5

**Action:** **Rejected** the bid received for Bid #1646-229R, Environmental Studies Area at De Anza College

**Item 30**

**Authorize Award of a Site Lease and a Facilities Lease to C. W. Driver for the Foothill-De Anza Educational Center in Sunnyvale, California (Measure C Project #801) and Accept the GMP in the Amount of \$3,744,150 for the Demolition Phase of the Project**

In response to President Bechtel's comments, Executive Director Allen indicated that the guaranteed maximum price fell far below projections in part because the bidders are maximizing salvage value of materials and equipment. He confirmed in reply to an inquiry from trustee Swenson that the remaining budget of \$22 million should cover costs of constructing the 50,000 square foot facility. President Miner noted in response to trustee Cheng's question that plans call for preservation of some of the site's existing features, including the memorial garden, murals, and vault doors.

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

**Advisory vote:** 2

**Board vote:** 5

**Action:** **Authorized** the Interim Director of Purchasing Services to award the Site Lease and the Facilities Lease to C. W. Driver and **accepted** the guaranteed maximum price in the amount of \$3,744,150 for the demolition phase of the project

**ADJOURNMENT**

President Bechtel adjourned the meeting at 7:13 p.m.



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Chancellor and Secretary to  
the Board of Trustees

Approved 8/5/13