



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

September 14, 2009

CALL TO ORDER AND ROLL CALL

President Betsy Bechtel declared a quorum was present and called the meeting to order at 5:00 p.m. in the District Board Room of the Foothill-De Anza Community College District, 12345 El Monte Road, Los Altos Hills, CA 94022. The following trustees staff, press, students and members of the public were present:

Trustees Present:

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

For Public Session

Isabelle Barrientos Vargas, De Anza College Student Trustee
Erica Anderson, Foothill College Student Trustee

CLOSED SESSION

At 5:00 p.m., the Board adjourned into closed session in the Chancellor's Office with the individuals listed below to discuss:

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
Mike Brandy, Interim Chancellor
Andy Dunn, Vice Chancellor of Business Services
Judy Miner, President of Foothill College
Brian Murphy, President of De Anza College
Dorene Novotny, Vice Chancellor of Human Resources and Equal Opportunity
Fred Sherman, Vice Chancellor of Technology

RE-CONVENE PUBLIC SESSION

President Bechtel re-convened the public session at 6:00 p.m. in the District Board Room. She 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	Christina Espinosa-Pieb	Blanche Monary
	Anne Argyriou	Letha Jeanpierre	Dorene Novotny
	Tom Armstrong	Donna Jones-Dulin	Frank Nunez
	Becky Bartindale	Rich Hansen	Fred Sherman
	Mike Brandy	Art Heinrich	Marisa Spatafore
	Dolores Davison	Marsha Kelly	Katie Townsend-Merino
	Andy Dunn	Ron Levine	Donna Toyohara
	Marie Fox Ellison	Judy Miner	

Students: Jose Romero

Public: Terry Terman

REPORTING OUT FROM CLOSED SESSION

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

CORRESPONDENCE

President Bechtel received an email from State Senator Joe Simitian announcing a Town Hall meeting on September 16 at 6:00 p.m. in the Cupertino Community Hall.

President Bechtel received a letter from ACCT indicating that the Board is allowed three votes at the upcoming ACCT Congress in October.

CHANCELLOR SEARCH COMMITTEE

President Bechtel reported that the Chancellor Search Committee will be reviewing applications after the deadline on September 21. The next meeting of the committee is on October 9.

HEARINGS: ITEMS NOT ON THE AGENDA

Staff

Interim Chancellor Brandy reported that he and the chancellors from West Valley-Mission Community College District and San Jose-Evergreen Community College District had an opportunity to meet with the KCBS editorial board in San Francisco. The meeting was an exchange of information about problems with access and what KCBS can do to help us. They shared ideas in terms of news stories that would highlight some of the challenges community colleges are facing. It was an exchange of ideas and demonstrated collegiality among colleagues. The visit was arranged by District Communications Coordinator Becky Bartindale and her counterparts at the other districts.

President Judy Miner reported on wait list numbers. Foothill College is at 96% of its targeted funded FTES. Faculty member Dolores Davison said that wait lists are not created for online courses and that currently there are approximately 2,600 students enrolled in online classes. Wait lists are not kept for allied health courses.

President Brian Murphy reported that De Anza's wait list exceeds 13,500.

President Bechtel asked for a report in October of how many students have been admitted to classes.

Trustees

Trustee Casas Frier was asked by the League of Women Voters to do an article on budget for their next newsletter. Casas Frier reported that she has been appointed Vice-Chair on the Community College League’s Advisory Committee on Legislation. One of the topics discussed at the meeting last week was the trouble community colleges are having preparing students for transfer to UC’s and CSU’s.

Casas Frier also reported that she and President Bechtel met with Interim Chancellor Brandy regarding NASA. In October there will be a session and an update on the environmental remediation efforts at NASA.

Trustee Barram expressed her appreciation and thanks to various district staff who have assisted her through the employment process.

APPROVAL OF CONSENT CALENDAR

M/S/C: Cheng /Casas Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: **Approved / Ratified** Items 1-4 on the Consent Calendar as follows:

Item 1 — **Ratified** CONTRACTS AND AGREEMENTS

Item 2 — **Acknowledged** LISTING OF DISTRICT INVESTMENTS AS OF JUNE 30, 2009

Item 3 — **Approved** PERSONNEL ACTIONS:

Name: **Randy Claros**
Position: Counselor
College: De Anza College
Division: Counseling
Action: **Employment**
Effective Date: September 17, 2009 # of months: 11
Compensation: Column II, Step A at \$5,545.86 / month

Name: **Jacquelyn V. Reza**
Position: Director, Professional and Organizational Development
College: De Anza College
Division: Academic Services
Action: **Employment**
Effective Date: September 17, 2009 # of months: 11
Compensation: Column V, Step M at \$9,772.51 / month

Item 4 — **Approved** the corrected HUMAN RESOURCES REPORT AS DISTRIBUTED

BOARD BUSINESS

Item 5

APPOINTMENT OF NEW MEMBER TO CHANCELLOR SEARCH COMMITTEE

With two trustees now on the Chancellor Search Committee, it was suggested that the board reconsider the committee membership so that only one trustee remains on the committee per the Board's initial intent. The subcommittee of trustees Bechtel and Swenson recommends community member Hsing Kung replace Trustee Barram on that committee. Mr. Kung is currently on the Foundation board and was formerly on the Euphrat Art Museum board.

M/S/C: Swenson/Cheng
Advisory vote: 2 yes
Board vote: unanimous
Action: **Appoint** Hsing Kung to the Chancellor Search Committee to replace Trustee Barram

Item 6

ADOPTION OF 2009-10 BUDGET

At its meeting on August 31, 2009, the board held a public hearing on the adoption of the 2009-10 budget. There were no changes made to the proposed budget.

M/S/C: Swenson/Cheng
Advisory vote: 2 yes
Board vote: unanimous
Action: **Adopted** the 2009-10 fiscal year budget as presented on August 31, 2009

Item 7

GRAND JURY REPORT

Interim Chancellor Brandy complimented Vice Chancellors Novotny and Dunn on their collaborative response to the Grand Jury's inquiries. Brandy pointed out that many of the findings did not apply to Foothill-De Anza, but rather the K-12 sector. There were some factual inaccuracies in some of their findings.

President Bechtel indicated one correction to the report and also complimented the respondents. Trustee Casas Frier also complimented the respondents, particularly on the response regarding the chancellor's salary.

Item 8

MEASURE C CONSENT CALENDAR

M/S/C: Barram/Casas Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: **Approved/Ratified** the Measure C Consent Calendar, A-F as follows:

- A.** *Title:* Revision #1 to Agreement for Services
Vendor: Cleary Consultants, Inc.
Agreement Date: May 18, 2009
Campus: De Anza College
Project No.: 766-261
Project Name: Mediated Learning Center – Site Preparation Package
Amount: \$12,000
For: Additional geotechnical testing & inspection services related to retaining wall backfill, AC grindings curve analysis and trench backfill.
Action: Ratification
- B.** *Title:* Change Order #3
Vendor: O. C. Jones & Sons, Inc.
Agreement Date: June 12, 2009
Campus: De Anza College
Project No.: 766-261
Project Name: Mediated Learning Center Site Preparation Package
Amount: \$35,000
For: Provide accelerated operations to allow occupancy of a portion of the project site (Campus Drive roadway) on 9/21/09.
- The total change orders to date represent 17.1% against the original contract amount. Funding is included in the current budget.
- Action:* Ratification
- C.** *Title:* Change Order #1
Vendor: Edward R. Bacon
Agreement Date: September 1, 2009
Campus: Foothill College
Project No.: 135A
Project Name: Utility & Technology Infrastructure – Medical Air Compressor
Amount: \$4,290
For: Roof penetration of Building 5100 to provide for air intake installation and relocation of intake due to existing conditions at the roof.
- The funding is included in the current budget.
- This change order plus all previous change orders represent 5.4% above the base contract amount. The funding for this change is within the current budget.
- Action:* Ratification
- D.** *Title:* Change Order #2
Vendor: Redwood Engineering Construction

Agreement Date: September 14, 2009
Campus: Foothill College
Project No.: 130
Project Name: Utility Lids – Phase II
Amount: \$7,000
For: New concrete slab, catch basin and associated piping adjacent to buildings #1700 & #1800, to replace unserviceable existing conditions. A bid alternate for this work as not accepted at time of bid due to high cost. A lower prices was negotiated to allow the work to go forward.

This change order plus all previous change orders represent 8.4% above the base contract amount. The funding for this change is within the current budget.

Action: Approval

- E.** *Title:* Change Order #8
Vendor: CRW Industries, Inc.
Agreement Date: June 2, 2009
Campus: Foothill College
Project No.: 101
Project Name: Forum Renovation
Amount: \$10,551
For: Duct modifications due to existing field condition; provision of lighting to exterior display cabinets not called for on the drawings; additional plumbing to janitor's closet due to field condition; modification to approved hand rails and guard rails to remedy code deficiency identified by Inspector of Record; modifications to smart classroom lighting control systems to properly control lighting.

This change order plus previous change orders represents 10.1% above the base contract amount. The funding for this change is within the current budget.

Action: Ratification

- F.** *Title:* Change Order #1
Vendor: Dream View Construction
Agreement Date: September 1, 2009
Campus: Foothill College
Project No.: 153
Project Name: Dental Hygiene Renovation
Amount: \$15,969
For: Re-work of dental station cabinet controls and fixtures due to user requests and design changes; added electrical circuit due to field condition; added work to coordinate with ETS teldata installation; no-cost time extension to complete changed scope. The funding is included in the

current budget.

This change order plus all previous change orders represent 10% above the base contract amount. The funding for this change is within the current budget.
Ratification

Action:

CLOSED SESSION

At 6:25 p.m., the Board adjourned into closed session in the Chancellor's Office with the individuals listed below to discuss:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION


Position Title: Chancellor

Executive Administrators Present:

Mike Brandy, Chancellor

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Approved: 10/5/09



Mike Brandy, Interim Chancellor
Secretary, Board of Trustees