



**FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
MINUTES
REGULAR MEETING
December 9, 2013**

Trustees Present:

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

For Public Session Only:

Anita Adams, De Anza College Student Trustee
Alex Baker, Foothill College Student Trustee

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 Foothill College Toyon 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 Foothill College Altos Room 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 meeting to order at 6:00 p.m. and led those present in the Pledge of Allegiance.

REPORTING OUT FROM CLOSED SESSION

President Bechtel reported that in closed session, the Board approved the suspension of an employee in a classified Video Systems Technician position.

APPROVAL OF MINUTES

Trustee Casas asked that her comments on page 3 of the November 4, 2013, Board of Trustees meeting minutes be revised to include a statement that Dr. Frain Rivera, a Stanford University medical doctor who started at De Anza College, now serves as a mentor in the college's Puente Project.

Motion/Second: Casas/Barram
Advisory vote in favor: Adams, Baker
Advisory vote opposed: None

Ayes: Barram, Bechtel, Casas, Cheng, Swenson
Nays: None
Abstentions: None
Action: **Approved** the minutes of November 4, 2013, meeting as revised

HEARINGS: ITEMS NOT ON THE AGENDA

Students

De Anza Associated Student Body President Stacie Rowe reported that the student organization is challenging the student employment changes that went into effect at the start of the fall quarter. Citing the Tutorial Center in particular, she indicated that the new eligibility limits are adversely impacting the most experienced tutors and the students they serve.

Staff

De Anza College Academic Senate President Mayra Cruz provided an overview of the senate's work during the fall quarter, which included professional development activities, advocacy, the development and implementation of work plans, and implementation of Senate Bill 1440.

Foothill College Classified Senate President Roberto Sias reported that the district's three classified senates have tentatively scheduled a joint retreat on May 16, 2014, at Foothill College.

De Anza College President Brian Murphy announced that Margaret Butcher has provided a \$1 million cash donation to establish the Audrey Edna Butcher Civil Liberties Education Initiative and Fund for the California History Center at De Anza College in honor of her mother, a founding member of the California History Center Foundation's Board of Trustees. He noted that, coincidentally, the Phi Theta Kappa chapter at De Anza College recently concluded three weeks of student video interviews regarding the 1947 United Nations Universal Declaration of Human Rights, which they will be presenting at a conference in June.

Foothill College President Judy Miner reported that Foothill College has been honored with the Campus of Integrity Award by the International Center for Academic Integrity. She thanked members of the Academic Integrity Subcommittee of the Foothill College Academic Senate, Patrick Morriss, Mary Thomas, Carolyn Holcroft, Young Hee Park Lee, John Fox, Eta Lin, Steve Batham, Jack Jacoby, and Pat Hyland, for their leadership in this area. President Miner also acknowledged Academic Senate Vice President and Curriculum Chair Isaac Escoto for doing a great job in moving the college forward in relation to associate degrees for transfer.

Chancellor Linda Thor advised that Iris Korol's recent Dim Sum and Doing Good luncheon, which raised \$4,175 for Foothill College, is an effective and simple fundraising model that trustees and others might want to emulate. She explained that each year Ms. Korol invites about 20 of her friends to a charity luncheon to benefit a specific organization.

Chancellor Thor also provided an update regarding the work of the California Community Colleges Chancellor's Office Baccalaureate Degree Study Group, mentioned an upcoming presentation to the Los Altos City Council by trustee Swenson, and made positive comments about Foothill College's second annual Internship Summit, which was held at De Anza College on December 4, 2013, and attracted over 100 members of the business, nonprofit, and academic communities.

Board

Trustee Pearl Cheng shared information from the recent Community College League of California (CCLC) Annual Convention and submitted a report of sessions attended for the record.

Trustee Joan Barram also submitted a record of workshops attended at the CCLC convention in connection with accreditation standards for board development.

President Betsy Bechtel made positive comments about the CCLC convention and mentioned that student trustee Anita Adams was also in attendance at the event.

ANNUAL ORGANIZATION MEETING

Election of Officers

President Bechtel called for nominations for Board President.

- Motion/Second:** Bechtel/Adams
- Advisory vote in favor:** Adams, Baker
- Advisory vote opposed:** None
- Ayes:** Barram, Bechtel, Casas, Cheng, Swenson
- Nays:** None
- Abstentions:** None
- Action:** **Elected** Trustee Bruce Swenson as Board President

Chancellor Thor presented outgoing President Bechtel with a certificate of appreciation and thanked her for service as Board President.

President Swenson called for nominations for Board Vice President.

- Motion/Second:** Bechtel/Barram
- Advisory vote in favor:** Adams, Baker
- Advisory vote opposed:** None
- Ayes:** Barram, Bechtel, Casas, Cheng, Swenson
- Nays:** None
- Abstentions:** None
- Action:** **Elected** Trustee Pearl Cheng as Board Vice President

Pursuant to Board Policy 9120, the Chancellor is designated Board Secretary.

Trustee Committee Appointments

President Swenson made the following committee appointments.

- Joan Barram, Chairperson, Audit & Finance Committee
- Betsy Bechtel, Member, Audit & Finance Committee
- Pearl Cheng, Member, Foothill-De Anza Colleges Foundation
- Laura Casas, Member, Foothill-De Anza Colleges Foundation

President Swenson announced that appointments to the Trustee Scholarship Interview Committee would be postponed until the January 13, 2014, meeting.

AUDIT & FINANCE COMMITTEE REPORT

Trustee Casas reported that at the recently held Audit & Finance Committee meeting, Measure E and Measure C project reports were reviewed, the district’s auditors presented the district and Measure C audit reports, and a summary of the November 4, 2013, discussion of the Board of Trustees regarding district general fund reserve levels was shared.

CALIFORNIA COMMUNITY COLLEGE TRUSTEES (CCCT) BOARD REPORT

Trustee Casas reported that the California Community College Trustees Board met during the recent CCLC convention and discussed the league’s advocacy training and Excellence in Trusteeship programs, a request for proposals for bank card merchant services, recommendations of the Task Force on the Future of the League, the status of redevelopment agency backfill funding, legislation, and the Little Hoover Commission’s higher education report.

APPROVAL OF CONSENT CALENDAR

President Swenson asked that item 11, Human Resources Report, be removed from the consent agenda and considered separately. Trustee Bechtel requested removal and separate consideration of item 15, Services Agreement with IntelliResponse Systems Inc. for “ASK FOOTHILL.”

Motion/Second: Bechtel/Cheng
Advisory vote in favor: Adams, Baker
Advisory vote opposed: None
Ayes: Barram, Bechtel, Casas, Cheng, Swenson
Nays: None
Abstentions: None
Action: **Approved** Items 1–10 and 12-14, and 16 on the Consent Calendar as follows:

Item 1 – **Adopted** revised board policy 2310 (formerly 9125) regarding regular meetings of the Board of Trustees

Item 2 – **Adopted** revised board policy 2315 (formerly 9127) concerning closed session meetings of the Board of Trustees

Item 3 – **Adopted** revised board policy 2320 (formerly 9126) regarding special and emergency meetings of the Board of Trustees

Item 4 – **Adopted** new board policy 2330 regarding quorum and voting

Item 5 – **Ratified** international travel

Item 6 – **Ratified** contracts and agreements

Item 7 – **Ratified** board warrants greater than \$5,000 for September and October 2013

Item 8 – **Adopted** delegation of authority resolutions 2013-36A – 2013-36I

Item 9 – **Authorized** the Director of Purchasing Services to sell the surplus electronic equipment items in accordance with Education Code 81450

Item 10 – **Awarded** a contract to OmniUpdate, Inc. pursuant to request for proposal #1670 – Web Content Management Services and **authorized** the Director of Purchasing Services to issue purchase orders to OmniUpdate, Inc. pursuant to the pricing provided

Item 12 – **Approved** Foothill College Associate in Arts in Philosophy for Transfer Degree (AA-T) program

Item 13 – **Approved** Foothill College stand alone courses

Item 14 – Approved Foothill College courses

Item 16 – Approved winter/spring 2014 Community Education/Short Courses

Item 11
Human Resources Report

In response to President Swenson’s questions regarding whether the new Foothill College full-time faculty positions are commensurate with enrollment, Vice Chancellor of Human Resources and Equal Opportunity Dorene Novotny explained that the positions are for high demand areas and that the district anticipates 20-25 faculty positions will become vacant through attrition. Vice Chancellor of Business Services Kevin McElroy advised that the new positions are the only ones currently under consideration but clarified that De Anza College may still determine that additional positions are needed. He also advised that the district is well above its faculty obligation number.

Motion/Second: Swenson/Barram
Advisory vote in favor: Adams, Baker
Advisory vote opposed: None
Ayes: Barram, Bechtel, Casas, Cheng, Swenson
Nays: None
Abstentions: None
Action: **Approved** the Human Resources Report

Item 15
Services Agreement with IntelliResponse Systems Inc. for “ASK FOOTHILL”

Trustee Bechtel indicated that she was impressed with “ASK FOOTHILL” and asked how it could be replicated at De Anza College. President Murphy advised that the college has evaluated the services offered by IntelliResponse Systems Inc. but is satisfied with the Google search engine currently in use.

Motion/Second: Bechtel/Casas
Advisory vote in favor: Adams, Baker
Advisory vote opposed: None
Ayes: Barram, Bechtel, Casas, Cheng, Swenson
Nays: None
Abstentions: None
Action: **Approved** the agreement with IntelliResponse Systems Inc.

Item 17
CCC Online Education Initiative Grant

Vice Chancellor of Technology Joe Moreau presented an overview of the \$16.9 million online education initiative (OEI) grant awarded to the district in partnership with Butte-Glenn Community College District (BGCCD). He advised that the OEI grant is intended to work in concert with the common assessment and student support initiative grants awarded to BGCCD to increase student access and success through online instruction statewide. In addition to the initial grant award, the district is eligible to receive \$10 million per year each July for the next four years. Vice Chancellor Moreau detailed the timeline and components of the grant, advising that the district will act as fiscal agent and be responsible for the academic areas, while BGCCD will manage the technical aspects of the project. A launch team will commence work on environmental scans and recruitment next week, town hall meetings are planned for both college campuses in January, and information meetings will be held throughout the state and online in early 2014.

In response to trustee Bechtel's question, Vice Chancellor Moreau indicated that the common assessment initiative and educational planning grants awarded to BGCCD will provide a statewide common platform for testing, universal assessment instruments, and an integrated online degree planning tool. Additionally, he advised in reply to questions from trustees Casas and Cheng that a 24/7 help desk will be provided to students in need of assistance and a unified student identifier will facilitate services to students across districts.

Motion/Second: Casas/Cheng
Advisory vote in favor: Adams, Baker
Advisory vote opposed: None
Ayes: Barram, Bechtel, Casas, Cheng, Swenson
Nays: None
Abstentions: None
Action: **Approved and accepted** the CCC Online Education Initiative grant

Item 18

Designation of Board Member to Vote in County Committee Election

Motion/Second: Bechtel/Barram
Advisory vote in favor: Adams, Baker
Advisory vote opposed: None
Ayes: Barram, Bechtel, Casas, Cheng, Swenson
Nays: None
Abstentions: None
Action: **Designated** President Swenson as the Board's voting representative for the 2014 County Committee on School District Organization election

Item 19

Modification to Citizens' Bond Oversight Committee Bylaws

Vice Chancellor McElroy advised that the proposed modification updates the bylaws to reflect a recent change to Education Code Section 15282 that allows members of a citizens' oversight committee to serve a maximum of three consecutive terms, rather than two.

Motion/Second: Barram/Casas
Advisory vote in favor: Adams, Baker
Advisory vote opposed: None
Ayes: Barram, Bechtel, Casas, Cheng, Swenson
Nays: None
Abstentions: None
Action: **Modified** the Measure C Citizens' Bond Oversight Committee Bylaws to allow members to serve for not more than three (3) consecutive terms

Item 20

Board Policy 2340 (formerly 9128) Agendas – Revised (First Reading)

Chancellor Thor clarified in response to trustee Barram's inquiry that the policy provision that allows members of the public to place matters related to district business on the agenda comes from the California Education Code.

Item 21

Board Policy 2345 (formerly 1130) Public Participation at Board Meetings – Revised (First Reading)

Referencing the portion of the policy that states “The Board shall provide opportunities for members of the general public to participate in the business of the Board,” Dental hygiene instructor Ken Horowitz urged trustees to explore ways to expand access, such as live streaming of Board meetings.

Trustee Barram asked that a reference to board policy 2355 regarding decorum be added to board policy 2345. She also suggested that the titles of BP 2340, 2350, and 2355 be revised to specify that the policies apply to meetings of the governing board.

Item 22

Board Policy 2350 Speakers – New (First Reading)

Item 23

Board Policy 2355 Decorum – New (First Reading)

Chancellor Thor advised that the new and revised policies would be presented for adoption at the January 13, 2014, meeting.

Item 24

Audit for the Year Ended June 30, 2013

Terri Montgomery of Vavrinek, Trine, Day & Company, LLP presented the district audit as of June 30, 2013. She explained that the firm issued a clean opinion of the district’s financial statements, no adjustments were needed to the Annual Financial and Budget Report, and the only finding was a compliance issue related to student notification timelines for financial aid repayment. She advised that due to a change in accounting standards, the manner in which interest is capitalized has changed, resulting in the restatement of prior year fund balances and the beginning net position of the district.

Item 25

Measure C Performance and Financial Audits

Ms. Montgomery presented the Measure C performance and financial audits. She reported that the auditors issued a clean opinion of the financial statements and verified that the district spent bond funds only on projects authorized by voters and set forth in the bond measure.

- Motion/Second:** Casas/Adams
- Advisory vote in favor:** Adams, Baker
- Advisory vote opposed:** None
- Ayes:** Barram, Bechtel, Casas, Cheng, Swenson
- Nays:** None
- Abstentions:** None
- Action:** **Accepted** the district audit report and Measure C performance and financial audit reports for the year ended June 30, 2013

Item 26

Resolution No. 2013-39 Authorizing Separate Bank Accounts

- Motion/Second:** Barram/Bechtel
- Advisory vote in favor:** Adams, Baker
- Advisory vote opposed:** None

Ayes: Barram, Bechtel, Casas, Cheng, Swenson
Nays: None
Abstentions: None
Action: **Adopted** resolution 2013-39 authorizing separate bank accounts.

Item 27

Measure E Consent

Motion/Second: Cheng/Baker
Advisory vote in favor: Adams, Baker
Advisory vote opposed: None
Ayes: Barram, Bechtel, Casas, Cheng, Swenson
Nays: None
Abstentions: None
Action: **Ratified/approved** Measure E consent items as follows:

Central Services Measure E Consent

- A) Cleary Consultants – Agreement for Services – District Office Building - \$9,000
- B) HP Inspections, Inc. – Agreement for Services – District Office Building Renovation - \$9,000

De Anza College Measure E Consent

- C) Measure E De Anza Budget Transfer #78

Item 28

Measure C Consent

Motion/Second: Bechtel/Cheng
Advisory vote in favor: Adams, Baker
Advisory vote opposed: None
Ayes: Barram, Bechtel, Casas, Cheng, Swenson
Nays: None
Abstentions: None
Action: **Ratified/approved** Measure C consent items as follows:

Central Services Measure C Consent

- A) Vlaming & Associates – Change Order #5 – Overhead Account - \$25,000
- B) ApplicationXtender Reports Management Add-on to Banner Documentation Management System - \$26,370

De Anza College Measure C Consent

- C) RC Benson & Sons, Inc. – Change Order #01 to Prime Contract – Pool Tile and Plaster Replacement (Scoreboard Replacement) - \$11,265
- D) Noll and Tam Architects – Change #01 to Standard Form of Agreement – Data Center - \$0.00 Time Extension Only
- E) Noll and Tam Architects – Revision #02 to PAA D09-B to Master Agreement – A8 - \$15,190
- F) Keller and Daseking Architects – Change #1 to Agreement for Services – Campus Wide Electronic Locks - \$31,480
- G) Quali-Con Enterprises, Inc. – Change #2 to Agreement for Services – Stadium and Track - \$0.00 Time Extension Only
- H) Verde Design – Revision #6 to Standard Form of Agreement – Stadium and Track – Time Extension Only - \$0.00
- I) Joni L Janecki & Associates Inc. – Project Authorization Amendment #1 to Master Agreement - \$57,750

- J) Best Contracting Services – Change Order #1 to Prime Contract – L2, L3, L6 Roofing Repairs – (\$707)
- K) Quali-Con Enterprise, Inc. – Change #1 to Agreement for Services – ATC - \$0.00 Time Extension Only
- L) Sandis – Revision #2 to PAA #D03 to Master Agreement – Combined Site Improvements Phase II - \$0.00 Time Extension Only
- M) Newcomb Anderson McCormick – Change #3 to Agreement for Services – Parking Lot A & B PV (Lots A & B and Kirsch PV's) - \$5,000

Foothill College Measure C Consent

- N) Environmental Construction Services – Change Order #1 – Modernization of Learning Support Center, Biology, and General Classrooms - \$2,750
- O) Liberty Contracting – Independent Contractor Agreement – Parking & Circulation Phase 2 - \$11,000
- P) Prodis Associates Architects – Revision #1 – Painting & Bird Remediation - \$1,200
- Q) Ratcliff Architects – Revision #4 – Library & ISC - \$8,400
- R) SJ Amoroso Construction – Change Order #7 – Modernization of Learning Support Center, Biology, and General Classrooms - \$123,008
- S) WRNS Studio – Revision #15 – Parking and Circulation, Phase 2 - \$36,150

Item 29

Measure C Project List Revision with Foothill Budget Transfer #42 and De Anza Budget Transfer #40

Motion/Second: Bechtel/Adams
Advisory vote in favor: Adams, Baker
Advisory vote opposed: None
Ayes: Barram, Bechtel, Casas, Cheng, Swenson
Nays: None
Abstentions: None
Action: **Approved** the Bond Project List Revisions with Foothill Budget Transfer #42 and De Anza Budget Transfer #40

ADJOURNMENT

President Swenson adjourned the meeting at 8:06 p.m.



Chancellor and Secretary to
the Board of Trustees

Approved 1/13/14