



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

July 6, 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.

Trustees Present:

Betsy Bechtel, President
Hal Plotkin, Vice President
Pearl Cheng
Laura Casas Frier
Bruce Swenson

for Public Session

Isabelle Barrientos Vargas, De Anza College Student Trustee

Trustees Absent:

Erica Anderson, 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: 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
Shirley Barker, Vice President of Educational Resources and Instruction, 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 Anne Argyriou Tom Armstrong Kathleen Austin Shirley Barker Becky Bartindale Mike Brandy Leo Contreras Robert Covington	Dolores Davison Andy Dunn Jane Enright Christina Espinosa-Pieb Rich Hansen Ken Horowitz Letha Jeanpierre Donna Jones-Dulin Marsha Kelly	Blanche Monary Brian Murphy Dorene Novotny Jon O’Bergh Carmen Redmond Fred Sherman Cynthia Smith Marisa Spatafore
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Press: None

Students: None

Public: Joan Barram
Loren Stein
Terry Terman

REPORTING OUT FROM CLOSED SESSION

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

APPROVAL OF MINUTES

President Bechtel pointed out one typographical error on page 9.

M/S/C: Cheng/Casas Frier
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved the minutes of the June 15, 2009 meeting as corrected

CORRESPONDENCE

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

CHANCELLOR SEARCH COMMITTEE REPORT

President Bechtel reported that the Committee has met twice and is on track.

PUBLIC HEARING

Open Negotiations for 2009-10 between the District and Teamsters Union Local 287

President Bechtel opened the public hearing. No members of the public wished to speak on the item. President Bechtel then closed the public hearing.

HEARINGS: ITEMS NOT ON THE AGENDA

Public / Students

No students or members of the public wished to address the Board regarding items not on the agenda.

Staff

Foothill instructor Ken Horowitz shared his perceptions about the trustees’ accomplishments during the past year. ACE President Blanche Monary reported that ACE members passed a constitution and elected a board. CSEA President Leo Contreras read a statement expressing his view that the collective bargaining agreement was being violated by plans to eliminate the head grounds gardener position at De Anza.

Foothill Vice President of Educational Resources and Instruction Shirley Barker, representing Foothill President Judy Miner, distributed a copy of a student-funded publication, “The Loop.” De Anza President Brian Murphy thanked the trustees for attending graduation ceremonies. Vice Chancellor of Technology Fred Sherman reported that the first two modules of the Banner Educational Information System (EIS) had been implemented on July 1. He acknowledged the hard work of the EIS team.

Trustees

Trustee Cheng thanked faculty and staff for all of the work that went into producing two successful graduation events. President Bechtel also commented on the excellent graduation events. She then read a Board commendation honoring Assistant to the Chancellor Jon O’Bergh upon the occasion of his retirement. Interim Chancellor Brandy read a statement from former Chancellor and now Under Secretary of Education Martha Kanter regarding Mr. O’Bergh.

APPROVAL OF CONSENT CALENDAR

President Bechtel noted that the employment action for Ronald W. Francis under Item 17 had been withdrawn from the agenda.

M/S/C: Plotkin/Casas Frier
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved / Ratified Items 1-19 of the Consent Calendar as follows:

- Item 1** — **Ratified** CONTRACTS AND AGREEMENTS
- Item 2** — **Approved** REPLACEMENT OF BOARD POLICIES 5560 AND 5561
- Item 3** — **Approved** APPOINTMENT OF INTERIM CHANCELLOR MIKE BRANDY AS BOARD SECRETARY
- Item 4** — **Approved** RESOLUTION #2009-15 IN SUPPORT OF SCA 6
- Item 5** — **Approved** RESOLUTION #2009-16 AUTHORIZING CHILD CARE CONTRACT #CCTR-9323
- Item 6** — **Approved** RESOLUTION #2009-17 AUTHORIZING CHILD CARE CONTRACT #CSPP-9587

Item 7 — **Approved** ADVERTISING CONTRACT WITH CBS OUTDOOR

Item 8 — **Approved** EXTENSION OF INDEPENDENT CONTRACTOR AGREEMENT WITH GREGORY BARATTINI

Item 9 — **Approved** STAND-ALONE Foothill College Courses: APPRENTICESHIP PIPE TRADES

Item 10 — **Approved** NON-CREDIT COURSE *NCEL 400: BRIDGE TO COLLEGE*

Item 11 — **Approved** FOOTHILL NON-CREDIT PROGRAM: JOB READINESS

Item 12 — **Approved** NEW FOOTHILL VITICULTURE PROGRAM AND CERTIFICATE OPTIONS

Item 13 — **Approved** NEW FOOTHILL CERTIFICATE PROGRAM IN POPULAR CULTRE

Item 14 — **Approved** NEW FOOTHILL CERTIFICATE OF ACHIEVEMENT IN LEADERSHIP AND SERVICE

Item 15 — **Approved** FOOTHILL CURRICULUM CHANGES FOR THE 2009-10 CATALOG

Item 16 — **Approved** SALE OF MISCELLANEOUS SURPLUS ELECTRONIC EQUIPMENT
Made a finding that the items do not exceed \$5,000 in value and authorized the Purchasing Services Director to sell the items in accordance with Education Code 81452(a)

Item 17 — **Approved** PERSONNEL ACTIONS:

Name: **Mark Anderson**
Position: Interim Dean
College: Foothill College
Division: Fine Arts & Communication
Action: **Employment**
Effective Date: July 1, 2009 through June 30, 2010
Compensation: Range J, Step 4 @ \$10,837.32/month

Name: **Patrick S. Bresnan**
Position: Faculty
College: De Anza College
Division: Social Sciences & Humanities
Action: **Resignation for the purpose of retirement under Article 19**
Effective Dates: June 26, 2009

Name: **Toni Forsyth**
Position: Faculty
College: De Anza College
Division: Language Arts
Action: **Resignation for the purpose of retirement**
Effective Dates: June 26, 2009

Name: **Lydia Hearn**
Position: Interim Associate Vice President
College: De Anza College
Division: Academic Services
Action: **Reemployment**
Effective Dates: July 1, 2009 through June 30, 2010

Name: **Letha Jeanpierre**
Position: Vice President
College: De Anza College
Division: Education Resources & College Operations
Action: **Extension of Interim Assignment from July 1, 2009 through July 6, 2009 and Employment as Vice President, Finance and College Services effective July 7, 2009**
Compensation: \$13,777.05/month

Name: **Martha Kanter**
Position: Chancellor
College: District
Division: Chancellor's Office
Action: **Resignation for the purpose of retirement**
Effective Dates: June 30, 2009

Name: **Duane Kubo**
Position: Dean
College: De Anza College
Division: Intercultural/International
Action: **Resignation for the purpose of retirement in accordance with Chapter 13 of the Administrative Handbook**
Effective Dates: June 30, 2010

Name: **Jack Lynch**
Position: Interim Dean
College: De Anza College
Division: Business/Computer Systems
Action: **Reemployment**
Effective Dates: July 1, 2009 through June 30, 2010

Name: **Rowena Tomaneng**
Position: Interim Dean
College: De Anza College
Division: Language Arts
Action: **Reemployment**
Effective Dates: July 1, 2009 through December 31, 2009

Position: Director, Statewide Economic and Workforce Development Initiative
College: Foothill
Division: Workforce Development and Instruction
Action: **Approve New Classification**
Effective Date: July 7, 2009
Compensation: Level H
Comments: In accordance with Chapter XI of the Administrators Handbook

Item 18 — **Approved** HUMAN RESOURCES REPORT

Item 19 — **Approved** ADMINISTRATOR CONTRACTS (SEE APPENDIX A)

Item 20

RESOLUTION HONORING TRUSTEE HAL PLOTKIN

M/S/C: Casas Frier/Cheng
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved Resolution Honoring Trustee Hal Plotkin

President Bechtel presented Trustee Plotkin with a resolution commending him for his years of service on the Board. Trustee Plotkin spoke and thanked the community for the opportunity to serve.

Item 21

TRUSTEE APPOINTMENT PROCESS

President Bechtel reviewed the proposed process, which includes an advertising and recruitment schedule. There was a discussion of Trustee Casas Frier's interest in completing an appointment in time for the new trustee to participate in the August 3 Board Study Session, but it was determined that this would not provide adequate time for the application process. Nonetheless, it was agreed that applicants should be encouraged to attend the study session. Terry Terman, speaking as a member of the community, said he would like to see each applicant's information posted online as applications are received so the public has the opportunity to know about the candidates who are applying. He also suggested a reception for the public to meet the applicants.

Trustee Swenson proposed as a guideline that trustees should select approximately four candidates each to interview from the pool of applicants. The other trustees supported his suggestion. The suggestion was also made to limit applications to four pages.

M/S/C: Swenson/Cheng
Advisory vote: 1 yes
Board vote: 4 yes; Casas Frier voted no
Action: Approved the Trustee Appointment Process

Item 22

CHANCELLOR PROFILE

Search liaison Jane Enright distributed a draft Chancellor Search brochure for the Board's information.

M/S/C:	Casas Frier/Plotkin
Advisory vote:	1 yes
Board vote:	unanimous
Action:	Approved the Chancellor Profile

Item 23

DISTRICT MISSION STATEMENT

The revised Mission Statement was presented for a first reading. There were no comments or suggestions for changes. The Mission Statement will be presented for approval at the August 3, 2009 meeting.

Item 24

2008-09 BOARD SELF-EVALUATION AND 2009-10 GOALS

The Board discussed the tabulated results of the self-evaluation. Trustee Casas Frier pointed out that the Board needs to give more attention to the goal of closing the achievement gap. President Bechtel expressed interest in seeing the Board work with the future chancellor and Foundation to support roles #10 (fundraising) and #11 (participation in campus activities) from the Board's Roles and Responsibilities. Trustee Casas Frier expressed interest in having the Board take an active role in efforts to restructure state funding for higher education. Trustee Swenson suggested working with the future chancellor to provide more detail for each goal along with a three-year or five-year plan for achieving each goal. Trustee Cheng suggested that future agenda items touch on each goal so the Board can see what progress is being made. President Bechtel suggested replacing the goal "Develop the District's Executive Leadership Team" with "Hire New Chancellor." She also said she would like more detail under "Implement the District's Environmental Sustainability Plan."

The Board expressed support for the following 2009-10 goals:

Board Priorities for 2009-10

- Close the Achievement Gap
Further strengthen the bridge to college from high school
Increase student retention and success, especially for underrepresented students
- Meet Students' Educational Needs
Increase growth while maintaining productivity
(Increase FTES from 0-2% with 535 productivity)
- Ensure Adequate On- and Off-Campus Facilities
Finish Measure E
Implement Measure C
- Implement the District's Environmental Sustainability Plan

- Balance Revenue and Expenses
Reduce structural imbalance
Achieve financially responsible compensation settlements
- Hire New Chancellor

Ongoing Priorities

- Neighborhood Outreach
- Legislative Goals
- Institutional Research
- Pedagogical Excellence
- Public Domain (Open Ed. Res.)
- Community Relations
- Workforce Gap Analysis
- Facilities Master Planning
- Staffing
- Budget
- Revenue Generation
- Greater Participation in Trustee Organizations
- Healthcare

Item 25

BUDGET UPDATE

Vice Chancellor of Business Services Andy Dunn and Interim Chancellor Mike Brandy provided an update on the budget. They reported that the state still has not been able to pass a budget to address the growing deficit, so there is a great deal of uncertainty regarding funding for community colleges. The District is planning for a 5% reduction in Full-Time Equivalent Faculty, and efforts are ongoing to avoid further full-time staff reductions for 2009-10.

Item 26

NASA RESEARCH PARK (NRP) UPDATE

Vice Chancellor Dunn provided an update and reported that University Associates is reviewing proposals from master developers. The hope is to have a master developer in place soon after January 1, 2010. There are several milestones at which the District would have the opportunity to withdraw from the limited liability corporation (LLC) if no viable proposals emerge or if the CEQA mitigation measures turn out to be too costly. Interim Chancellor Brandy noted that the Board will need to consider additional funding for the operation of the LLC at either the August 3 or 31 Board meeting.

Vice Chancellor Dunn reviewed the Foothill-De Anza share of the financing obligation, including changes resulting from the additional time required to keep the LLC in operation until a master developer is engaged. Trustee Swenson asked about collaborative academic planning with West Valley-Mission Community College District. Interim Chancellor Brandy explained that this refers to the curriculum envisioned for the site. Trustee Casas Frier asked about outside funding for the District's financial share. Mr. Brandy explained that University Associates has just recently been able to hire a firm to handle fundraising to address this matter. Responding to another question from Trustee Casas Frier, he said that the issue of what courses to offer at the NRP is separate from the District's efforts to establish official "Center" status. Trustee Casas Frier requested that an update be provided at the next meeting on long-term lease options for the Cubberly site. She also requested more detail about the precise location of housing at the NRP in light of the designation of Moffett Field as a superfund site. Lastly, she asked that the Board be apprised of the curricular focus for the NRP so it can be communicated to the public.

Trustee Casas Frier expressed concern about moving forward with the NRP at this time in the midst of a budget crisis. Trustee Plotkin said he hopes that the Board will find a way to support the vision of the NRP since it represents an enormous long-term opportunity for the District.

Item 27

2011-2015 FIVE YEAR CONSTRUCTION PLAN (2011-12 FIRST FUNDING YEAR)

Executive Director of Facilities, Operations and Construction Management Charles Allen reviewed the Five Year Construction Plan. He noted that, even with the planned Mediated Learning Center, De Anza still lacks sufficient lecture space. Lecture space at Foothill is on target, as is lab space at both colleges. He explained that the numbers showing Middlefield as overbuilt are misleading and reflect the unique situation of leasing that space.

Trustee Swenson wondered whether the District should re-think Measure C funding to address the inadequate amount of lecture space at De Anza since that kind of space is critical to the generation of WSCH. Executive Director Allen assured him that this will be evaluated in strategic planning discussions. Trustee Casas Frier asked whether the NRP portion can be removed until additional information is provided to the Board. Executive Director Allen and Interim Chancellor Brandy explained that the plan must be submitted at this time to the State Chancellor's Office, and it does not obligate the District to build. Omitting the NRP, however, would mean that the District would lose the opportunity to get that project in the queue until next year.

M/S/C: Swenson/Plotkin
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved the 2011-2015 Five Year Construction Plan (2011-12 First Funding Year)

Item 28

MEASURE E CONSENT CALENDAR

M/S/C: Plotkin/Swenson
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved / Ratified the Measure E Consent Calendar, A and B as follows:

- A. Title:** Construction Schedule Review and Analysis – Amendment #3
Vendor: The Tiburon Group, LLC
Agreement Date: June 11, 2009
Campus: Foothill College
Project No.: 153
Project Name: Campus Center
Amount: \$8,000
For: Additional schedule analysis in support of legal counsel including; dispute resolution services and expert witness testimony as requested. This change revises the contract completion date to July 31, 2009.
Action: Ratification

- B.** *Title:* Agreement for Services
Vendor: Ralph Osterling Consultants, Inc.
Agreement Date: July 6, 2009
Campus: De Anza College
Project No.: 765-278
Project Name: Master Landscape Phase II
Amount: \$52,125
For: Arborist services to support campus and landscape architect: survey, tag, and provide comprehensive evaluation and condition assessments on all designated campus trees (up to 2,000 trees); provide GPS documentation of trees; identify species; identify both graphically (plan drawings) and electronically (AutoCAD); provide reports and a list of suitable replacement trees. Work includes three project meetings. In addition to the initial tasks required to support design, arborist consultant services may be retained on an as-needed basis throughout the duration of this project. This may include technical specifications for tree protection and construction monitoring, further site observations, and inspections as needed.
Action: Approval

Item 29

MEASURE C CONSENT CALENDAR

- M/S/C:** Swenson/Cheng
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved / Ratified the Measure C Consent Calendar, A-M as follows:
- A.** *Title:* Change #1 to Agreement for Telecom Utility Assessment
Vendor: Salas O'Brien Engineers
Agreement Date: March 3, 2009
Campus: Foothill College
Project No.: 135
Project Name: Utility and Technology Infrastructure
Amount: \$3,000
For: Provide and install permanent metal identification tags to all telecommunications utility vaults and pillboxes. The funding for this change is within the current budget.
Action: Ratification

B. *Title:* PAA #F-HMC-3A
Vendor: HMC Architects
Agreement Date: June 3, 2009
Campus: Foothill College
Project No.: 120
Project Name: Smithwick Theatre
Amount: \$185,000
For: Agreement for design services for seismic upgrades and HVAC system and electrical upgrades for the new HVAC equipment. The scope of work was defined by a previous condition assessment that identified the potential seismic hazard. The seismic work facilitates the replacement of the HVAC system.

Action: Approval

C. *Title:* Change Order #4
Vendor: Rosendin Electric, Inc.
Agreement Date: November 3, 2008
Campus: Foothill College
Project No.: 161
Project Name: Fire Alarm Phase II
Amount: \$27,870
For:

- The contract drawings did not include the requirement to have the smoke duct detectors automatically shut down in case of a fire; therefore, the contractor had to install all duct shutdown devices inclusive of electrical and routing work.
- The District requested all Metal-Clad (MC) Cabling to be in conduit in the back stage area of the Theater Building (1000) in order to protect the cabling from possible damage due to back stage activities.
- Due to area conflict, a pull station was relocated in Building 1800.
- In order to conceal the Metal-Clad (MC) Cabling in Room 2602, where there is no attic space, wire mold was installed.

This change order plus all previous change orders represents 2.27% above the base contract amount.

Action: Ratification

- D.** *Title:* Change Order #1
Vendor: Victory Construction, Inc.
Agreement Date: April 6, 2009
Campus: Foothill College
Project No.: 111
Project Name: Modular Renovation
Amount: \$7,682
For:
- Removal and replacement of unforeseen dry rot damaged sub floor framing and insulation in the portable restroom building.
 - Reframing of existing front wall location and installation of kitchen cabinets in portable building 5998 to improve the layout and increase access.
 - Moving of doors and cabinets to District storage in order to salvage.
 - Time extension of eight (8) calendar days at no additional cost.
- This change order plus all previous change orders represent 8.54% above the base contract amount.
- Action:* Ratification

- E.** *Title:* Professional Service Agreement
Vendor: Arrow Fire Protection
Agreement Date: July 6, 2009
Campus: De Anza College
Project No.: 766-264
Project Name: Fire Alarm System Replacement Phase II
Amount: \$16,382
For:
- The contractor will provide testing of wet sprinkler systems at De Anza College in accordance with the requirement of California Health and Safety Code, NFPA 25 and Title 19, Division 1, Chapter 5, "Automatic Fire Extinguishing Systems." All work performed shall be in accordance to NFPA, California State and Cupertino Fire Department requirements and is guaranteed, insured and done by licensed personnel. Building locations for testing and inspection are: Flint Center Garage, Flint Center, Bldg. A1, Bldg. A3, Bldg. S2, Bldg. S3, Bldg. S4, Bldg. S6, Bldg. L2, Bldg. L5, Bldg. L8, Learning Center East, Learning Center West, ATC Building, Campus Center, Forum Building, PE 1 (Auxiliary Gym), PE 2 (Main Gym), PE 3 (Pool Equipment Room), PE 6 (Locker and Weight Room), Child Development Center, Planetarium, Kirsch Center, Student Community Services, Stelling Parking Structure, Science Center.
- Action:* Ratification

- F.** *Title:* Change Order to Professional Service Agreement
Vendor: Arrow Fire Protection
Agreement Date: July 6, 2009
Campus: De Anza College
Project No.: 766-264
Project Name: Fire Alarm system Replacement Phase II
Amount: \$3,600
For: The contractor will provide added work to provide the testing of wet sprinkler systems at De Anza College in accordance with the requirement of California Health and Safety Code, NFPA 25 and Title 19, Division 1, Chapter 5, "Automatic Fire Extinguishing Systems." All work performed shall be in accordance to NFPA, California State and Cupertino Fire Department requirements and is guaranteed, insured and done by licensed personnel. Added building locations for testing and inspection are: Bldg. A6, Bldg. A7, Bldg. S1, Bldg. S8, Bldg. E2, Bldg. E3, Bldg. L4, Administration Building, Campus Center, Old Bookstore (Baldwin Winery), PE 4 (Faculty Offices), PE Ticket Booth. Also, the size of the riser notified for Campus Center was changed from 4 inches to 6 inches.
Action: Ratification

- G.** *Title:* Structural Testing and Inspection Services
Vendor: HP Inspections, Inc.
Agreement Date: July 7, 2009
Campus: De Anza College
Project No.: 766-241
Project Name: S2-S6 Phase II Master Utility Plan Phase I
Amount: \$50,000, T & M – NTE
For: Work includes comprehensive structural testing and inspection services involved in S2-S6 Phase II Master Utility Plan Phase I project. The scope includes testing and inspection per DSA stamped and approved drawings and specifications, and DSA Form 103 – Statement of Structural Tests and Special Inspections. HP Inspections, Inc. to provide concrete reinforcing steel sampling and testing, epoxy installation, proof-load and/or torque testing, structural steel identification and inspection, and daily handwritten inspection reports and final project affidavit summarizing all inspections and tests performed.
Action: Ratification

- H.** *Title:* DSA Inspector and Documentation Services
Vendor: Quali-Con Enterprise, Inc.
Agreement Date: July 7, 2009
Campus: De Anza College
Project No.: 766-241
Project Name: S2-S6 Phase II Master Utility Plan Phase I
Amount: \$150,000, T & M - NTE
For: Work includes DSA inspection services involved in S2-S6 Phase II Master Utility Plan Phase I project. The scope includes observation and inspection per DSA stamped and approved drawings and specifications, and DSA Form 103 – Statement of Structural Tests and Special Inspections.
Action: Ratification
- I.** *Title:* Soils Engineering Services
Vendor: Cleary Consultants, Inc.
Agreement Date: July 7, 2009
Campus: De Anza College
Project No.: 766-241
Project Name: S2-S6 Phase II Master Utility Plan Phase I
Amount: \$25,000, T & M – NTE
For: Work includes comprehensive soil engineering services involved in S2-S6 Phase II Master Utility Plan Phase I project. The scope includes testing and inspection per DSA stamped and approved drawings and specifications, and DSA Form 103 – Statement of Structural Tests and Special Inspections. Scope also includes soil engineering observation and testing during all phases of the Site construction including: site grading, foundation installation, retaining wall installation, sub-grade preparation, base rock placement, pavement installation and utility trench backfilling. Reports will be generated and submitted with testing results and work site observations.
Action: Ratification

- J.** *Title:* Master Utility Plan Project Accounting
Vendor: Salas O'Brien Engineering, Inc.
Agreement Date: January 21, 2009
Campus: De Anza College
Project No.: From 766-200 to 766-241
Project Name: From Scheduled Maintenance to S2-S6 Phase II – Utility Master Plan Phase I
Amount: \$0
For: This item provides information associated with a cost transfer of \$154,640 associated with Professional Services to assess and evaluate utilities and infrastructure for the De Anza College present and future needs campus wide. Budget Transfer #8 funded Project 766-241 with a transfer from Project 766-200 Scheduled Maintenance in the amount of \$6,575,796. The services provided by Salas O'Brien Engineering were associated with Project 766-241 but initially charged to Project 200. Budget planning accounted for transferring costs after the services and payment were rendered, making it more cost effective to transfer the funds to the appropriate project.
Action: Approval
- K.** *Title:* Change Order #002
Vendor: Zolman Construction and Development, Inc.
Agreement Date: April 6, 2009
Campus: De Anza College
Project No.: 766-255
Project Name: Autotech Renovation
Amount: \$52,737
For: Miscellaneous change orders: substitute toilet fixtures; repair wall in room 12C, and 11D; provide uffer ground system; mechanical upgrades; re-route storm line to protect existing tree; add expansion joints in CMU wall; and provide water proofing membrane in restroom. The contract completion date of November 17, 2009 is unaltered by this change order.
The total change order amount/s to date represents 2.07% against the original contract amount. The funding is included in the current budget.
Action: Ratification
- L.** *Title:* Revision #2 to PAA #1-C to Master Agreement
Vendor: Noll & Tam Architects
Agreement Date: May 6, 2008
Campus: De Anza College
Project No.: 205
Project Name: Seminar Building & Multicultural Center
Amount: \$8,978
For: Additional compensation for the Architect and Engineers for the Seminar Building as a result of delaying the bidding and construction administration phases from 2009 to 2010.
Action: Ratification

- M. Title:** Revision #3 to PAA #2-C to Master Agreement
Vendor: Noll & Tam Architects
Agreement Date: May 6, 2008
Campus: De Anza College
Project No.: 205
Project Name: Seminar Building & Multicultural Center
Amount: \$12,025
For: Additional compensation for the Architect and Engineers for the Multicultural Center as a result of delaying the bidding and construction administration phases from 2009 to 2010.
Action: Ratification

Item 30

MEASURE C PROJECT LIST REVISION WITH FOOTHILL PROJECT CHANGE IN SCOPE AND DE ANZA BUDGET TRANSFER #16

Trustee Swenson asked why this bid came in over budget when bids for other projects are coming in below budget. Executive Director Allen explained that this was due to the nature of the work, with many different phases, more propensity for unforeseen conditions, and a higher risk for the contractor. Responding to a question from President Bechtel, he said that the postponed projects are of a lower priority than powering, heating and cooling buildings.

- M/S/C:** Swenson/Plotkin
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved Measure C Project List Revision with Foothill Project Change in Scope and De Anza Budget Transfer #16

Item 31

AUTHORIZATION TO AWARD A CONTRACT PURSUANT TO BID DOCUMENT 1189-241 — S2-S6 PHASE II, UTILITY MASTER PLAN PHASE I PROJECT, DE ANZA COLLEGE

- M/S/C:** Plotkin/Casas Frier
Advisory vote: 1 yes
Board vote: unanimous
Action: Authorize the Director of Purchasing Services to award a contract in the amount of \$9,397,000 to S.J. Amoroso Construction Co., Inc.

Item 32

AUTHORIZATION TO AWARD A CONTRACT PURSUANT TO BID DOCUMENT 1199 — FOOTHILL COLLEGE ULTRASOUND SYSTEM

- M/S/C:** Cheng/Plotkin
Advisory vote: 1 yes
Board vote: unanimous
Action: Authorize the Purchasing Services Supervisor to award a contract in accordance with Bid #1199 to GE Healthcare in the amount not to exceed \$167,403.00 plus all applicable sales taxes.

Item 33

AUTHORIZATION TO AWARD A CONTRACT PURSUANT TO BID DOCUMENT 1211-147/149 —
HORTICULTURE/VETERINARY/CHORUS HALL DEMOLITION PROJECT, Foothill College

M/S/C: Plotkin/Swenson
Advisory vote: 1 yes
Board vote: unanimous
Action: Authorize the Purchasing Services Supervisor to award a contract to Ferma Corporation for the base bid and alternates 1, 2, and 3 in the amount of \$199,400.

DATES TO REMEMBER

August 3, 2009 — Regular Meeting
August 20, 2009 — Special Meeting
August 31, 2009 — Regular Meeting

ADJOURNMENT

President Bechtel adjourned the meeting at 8:07 p.m.

dt

Approved: _____

Mike Brandy, Interim Chancellor
Secretary, Board of Trustees

Appendix A

**FOOTHILL - DE ANZA COMMUNITY COLLEGE DISTRICT
OFFICE OF HUMAN RESOURCE SERVICES
ADMINISTRATOR CONTRACTS
July 6, 2009**

EXTENDED CONTRACT THROUGH JUNE 30, 2010

NAME	TITLE	LOCATION	CATEGORY	CURRENT END DATE	NEW END DATE
ESPINOSA-PIEB, CHRISTINA G	VICE PRESIDENT, INSTRUCTION	DE ANZA	PROG	12/08/09	06/30/10
ORRELL, ELOISE	DIV DEAN, BIOL & HEALTH SCIENC	FOOTHILL	EDU	12/31/09	06/30/10
DAVIS VISAS, BRENDA ANN	DIR, FACILITIES & SPECIAL PROJ	FOOTHILL	PROG	01/01/10	06/30/10
TOWNSEND-MERINO, KATHERINE	VP, INSTRUCTION & INSTL RES	FOOTHILL	PROG	01/11/10	06/30/10
NOVOTNY, DORENE C	VC, HUMAN RESOURCES & EQUAL OP	CENTRAL SERVICES	PROG	02/10/10	06/30/10

Updated 6/25/09
C. Jral