



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT  
**BOARD OF TRUSTEES**  
DRAFT MINUTES  
**REGULAR MEETING**  
**March 1, 2010**

**CALL TO ORDER AND ROLL CALL**

President Bruce Swenson declared a quorum was present and called the meeting to order at 6:00 p.m. and led those present in the Pledge of Allegiance.

**Trustees Present:**

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

**For Public Session**

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

**Closed Session**

The Board immediately adjourned into closed session in the Chancellor's Office with the individuals listed below to discuss:

**STUDENT DISCIPLINE – EXPULSION**

Student ID: 11252361

**Executive Administrators Present:**

Judy Miner, President of Foothill College  
Brian Murphy, President of De Anza College  
Dorene Novotny, Vice Chancellor of Human Resources and Equal Opportunity  
Linda Thor, Chancellor

**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  
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  
Linda Thor, Chancellor

## REPORTING OUT FROM CLOSED SESSION

### Item 1

#### **Student Discipline**

President Swenson reported that in closed session the board considered whether to take disciplinary action against a Foothill College student. President Swenson then polled the board on whether to expel that student.

**M/S/C :** **Bechtel/Barram**

**Advisory vote:** 0

**Board vote:** unanimous

Trustee Bechtel voted in favor

Trustee Casas Frier voted in favor

Trustee Cheng voted in favor

Trustee Barram voted in favor

Trustee Swenson voted in favor

**Abstentions:** 2 (Anderson, Barrientos Vargas)

**Action:** **Expel** student ID 11252361 effective Spring Quarter 2010

## APPROVAL OF TENURED FACULTY FOR 2010-11

### Item 2

#### **Faculty Re-Employment as Tenured Faculty Members for 2010-11 and Subsequent Years**

Chancellor Thor said it was a great honor and privilege to be able to recommend that tenure be granted to 18 faculty members in the district for the academic year 2010-11 and beyond. College Presidents Murphy and Miner, along with Chancellor Thor and Board President Swenson, presented tenure certificates to the following faculty:

De Anza College: Michael Appio, Manufacturing and CNC Technology; Jason Damjanovic, Physical Education; Maria Delas, Disability Support Services; Harman Dhaliwal, Mathematics; Olga Libova, Nursing; Bertrand Lo, Mathematics; Mary Sullivan, Health Services; and Deborah Wagner, Medical Laboratory Technology. President Murphy noted that Ms. Libova was not able to attend the tenure ceremony because she was delivering a baby.

Foothill College: Anabel Arreola-Trigonis; Counseling; Jeffrey Bissell, Physical Education; Samuel Connell, Anthropology; Kay Jones, library; Bruce McLeod, Theater Arts; Simon Pennington, Art History; Andrew Ruble, Art/Ceramics; Brian Tapia, Philosophy; Glenn Violet, Business; and Russell Wong, Learning Disabilities.

**M/S/C :** **Bechtel/Cheng**

**Advisory vote:** 2

**Board vote:** unanimous

**Action:** **Approved** tenure for faculty as listed

### Item 3

#### **Update on Mountain View Los Altos High School District Articulation with Foothill-De Anza and Proposed June 2010 No Tax Rate Increase General Obligation Bond**

Julia Rosenberg from the Mountain View Los Altos High School District Board of Trustees reported on the district's general obligation bond measure on the June ballot. The bonds would enable construction of enough classrooms to accommodate the 900 additional students the district expects over the next decade. Ms. Rosenberg said the measure would extend the current tax rate for six years so it would not result in higher taxes for district residents. Superintendent Barry Groves thanked Foothill-De Anza for collaborating with his district on efforts such as dual enrollment, Middle College and professional development in mathematics.

#### **Item 4**

#### **Presentation of 100% Construction Document Phase Drawings – Measure C Project #160, Physical Sciences & Engineering Center at Foothill College**

Ratcliff architects principal Bill Blessing presented a "fly-through" of the final design drawings for Foothill's Physical Sciences and Engineering Center. The award-winning project consists of three buildings constructed around a large courtyard on the hillside that formerly housed horticulture and vet tech programs. Much of the discussion focused on steps being taken for pedestrian safety when crossing the Loop Road. A decision on whether to build a bridge crossing is still pending. On behalf of the board, President Bruce Swenson called it a "fantastic project" and thanked the campus participants for their leadership.

#### **APPROVAL OF MINUTES**

<b>M/S/C:</b>	<b>Cheng/Anderson</b>
<b>Advisory vote:</b>	2
<b>Board vote:</b>	unanimous
<b>Action:</b>	<b>Approved</b> the minutes of January 19, 2010 as corrected

<b>M/S/C:</b>	<b>Barrientos Vargas/Cheng</b>
<b>Advisory vote:</b>	2
<b>Board vote:</b>	unanimous
<b>Action:</b>	<b>Approved</b> the minutes of February 1, 2010

#### **HEARINGS: ITEMS NOT ON THE AGENDA**

##### **Public**

Terry Terman expressed the hope that more information regarding Foothill's partnership with Palo Alto University would be available on the district's website. President Swenson suggested to Mr. Terman that he speak with the college presidents after the meeting.

##### **Staff**

Multicultural Staff Association President Cynthia Kaufman read the MSA solidarity statement to the board. She urged the board to consider using part of the ending balance to save jobs and programs.

President Murphy reported that De Anza students had established a tent city in support of the student initiatives to fight back against the budget cuts. Informational activities will be held throughout the week. Buses leaving from De Anza will be going to San Francisco for a regional march with other colleges in the area. Other activities will be taking place on campus that day in support of those going to San Francisco. A statewide "March in March" will be taking place on the 22<sup>nd</sup> in Sacramento. Murphy expressed pride in the initiative taken by Foothill and De Anza students in statewide leadership roles in the organization of the two events.

Murphy reported his acceptance of an invitation from the Community College League to join the Commission on the Future of Student Success in the Community Colleges. The commission will be looking at statewide initiatives that draw attention to the particular roles California community colleges can play in President Obama's college completion agenda.

President Miner thanked trustee Casas Frier for attending the "Dare to be Digital" conference hosted by Foothill College and attended by about 250 girls in grades 7-10. The purpose of the conference was to encourage the girls to consider a career in computing. The keynote speaker was chair of Stanford University's department of computing. Miner also shared that Foothill had been granted an extension of a technical education grant in the amount of \$300,000 through December 31, 2010.

Chancellor Thor expressed appreciation for the warm welcome and support by all in her first two weeks with the district. She said she is experiencing first hand the well-deserved exemplary reputation of Foothill-De Anza.

Blanche Monary read a statement from ACE expressing dismay that administration has chosen to solve its budget crisis through classified layoffs. She invited the board to tour the colleges' programs and see first-hand the contributions that classified staff make to the district.

Rich Hansen reported that he attended a FACCC conference at which they received training in lobbying. He said they are partnering with the Student Senate on the March 22<sup>nd</sup> March in March activities.

Matais Pouncil, Foothill EOPS director expressed concern about the categorical flexibility item.

#### Trustees

Trustee Barrientos Vargas invited all to participate in the March in March activities.

Trustee Casas Frier expressed her appreciation and thanked the presidents for their comments on each faculty member receiving tenure. Casas Frier reported on her attendance and presentation at a Puente conference. She said the flexibility of funding for categorical programs is a statewide concern.

#### APPROVAL OF CONSENT CALENDAR

The following items were removed from the Consent Calendar:

**Item 8** - Categorical Program Flexibility (for discussion)

**Item 9** - Resolution Authorizing the Issuance of a FY 2010-11 TRANs (to be acted upon as a separate item)

**Item 10** - Ratification of B Warrants and Wire Transfers Greater than \$5,000 for December 2009 and January 2010 (for discussion)

**Item 13** - Approval of District Telecommunication and Multimedia Standards

**M/S/C:** Casas Frier/Barram

**Advisory vote:** 2

**Board vote:** unanimous

**Action:** **Approved** items 5-7; 11-12; and 14-19 on the Consent Calendar

**Item 5** – **Adopted** Board Policy 2620, Board Travel

**Item 6** - **Adopted** Board Policy 4176, International Travel

**Item 7** - **Accepted** the Annual Assessment of Fiscal Condition Report

**Item 11** - **Approved** the MOU with Central County Occupational Center

**Item 12** – **Approved** the MOU with North County Regional Occupation Program, Joint Powers Agency

**Item 14** - **Approved** Disposal of Surplus District Personal Property  
Made a finding that the items are of insufficient value to defray the costs of arranging a sale and authorized the Director of Purchasing Services to recycle or dispose of the items

**Item 15** - **Approved** Donation of Surplus Café Tables and Supplies  
Made a finding that the items are of insufficient value to defray the costs of arranging a sale and authorized the Director of Purchasing Services to donate the items to the Meals on Wheels Services

**Item 16** - **Approved** Donation of Two Surplus District Desks  
Made a finding that the items are of insufficient value to defray the costs of arranging a sale and authorized the Director of Purchasing Services to donate the items to the Meals on Wheels Services

**Item 17** - **Approved** Sale of Miscellaneous Surplus Electronic Equipment  
Made a finding that the property does not exceed \$5,0000.00 in value and authorized the Director of Purchasing Services to sell the items in accordance with Education Code 81452(a)

**Item 18** - **Approved** Human Resources Report

**Item 19** - **Approved** Personnel Actions as follows:

*Employee:* **Christine Chai**  
*Position:* Faculty  
*College:* De Anza  
*Division:* Language Arts  
*Action:* **33% Partial Unpaid Leave of absence**  
*Effective Date:* Spring quarter 2010

*Name:* **Juanita Cordero**  
*Position:* Faculty  
*College:* De Anza College  
*Division:* Social Sciences  
*Action:* **Correction: 30% load reduction as per Article 18 for the next ten years**  
*Effective Date:* AY 2010-2011

*Name:* **Kim Lane**  
*Position:* International Counselor/Special Programs Liaison  
*College:* Foothill College

*Division:* Counseling and Student Services  
*Action:* **40% Partial Unpaid Leave of absence**  
*Effective Date:* Spring 2010

*Employee:* **John W. Perry**  
*Position:* Faculty  
*College:* De Anza  
*Division:* Business & Computer Systems  
*Action:* **33% load reduction as per Article 18**  
*Effective Date:* AY 2010-2011

*Name:* **Ernie Schmidt**  
*Position:* Counselor  
*College:* Foothill College  
*Division:* Adaptive Learning Division & Disability Services  
*Action:* **35% Partial Unpaid Leave of absence**  
*Effective Date:* Spring 2010 – Spring 2011

*Name:* **Phyllis Spragge**  
*Position:* Interim Dean, Biology and Health Sciences  
*College:* Foothill College  
*Division:* Biology and Health Sciences  
*Action:* **Interim Assignment**  
*Effective Date:* March 2, 2010 through June 30, 2010  
*\*Compensation:* Range K, Step 2 @ \$10,293.31/month

**Item 8** - Categorical Program Flexibility

Foothill EOPS Director Matais Pouncil, speaking on behalf of EOPS programs statewide, and Faculty Association President Rich Hansen said there is widespread concern that providing relief from state mandates could be used in some districts in ways that hurt students. Campus Presidents Judy Miner and Brian Murphy said the intent at Foothill and De Anza is to provide as much support as possible for programs that serve the most vulnerable students. Any exercise of the "flexibility" provisions would come to the board for further discussion.

EOPS Director Pouncil expressed thanks to the board and the FHDA community for the support that the EOPS programs receive.

A Foothill EOPS student spoke highly of the program and attributes it to a turnaround in his life. He hopes someday to be able to give back to the program.

**M/S/C :** **Bechtel/Cheng**  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Adopted** the budget transfers to trigger the allowed categorical funding flexibility

**Item 9** – Resolution Authorizing the Issuance of a FY 2010-11 TRANS

<b>M/S/C :</b>	<b>Barram/Bechtel</b>
<b>Advisory vote:</b>	2
<b>Board vote:</b>	unanimous
<b>Action:</b>	<b>Adopted</b> Resolution 2010-04 authorizing the issuance of a 2010-2011 Tax Revenue and Anticipation Notes

In response to Trustee Casas Frier's concern about relying solely on the ratings to safeguard the district's investments, Vice Chancellor Dunn said that although the board is asked to adopt the resolution, the district would not be borrowing from the TRAN unless it were in a deficit position, at which time further communication would be brought to the board.

**Item 10** – Ratification of B Warrants and Wire Transfers Greater than \$5,000 for December 2009 and January 2010

In response to Trustee Casas Frier's concern about the payment to University Associates – Silicon Valley, Vice Chancellor Dunn explained that the payment was a ratification of a previous action taken by the board. Casas Frier asked that the board be updated on the total amount paid to the UA and the UA's developer.

In response to Trustee Casas Frier's question about the various payments to architects, Executive Director Allen explained that payments to architects average about 10% of the total project cost and that the payments are not unusual or unexpected considering the number of large Measure C projects currently underway.

<b>M/S/C:</b>	<b>Cheng/Barram</b>
<b>Advisory vote:</b>	2
<b>Board vote:</b>	4
<b>Noes:</b>	1 (Casas Frier opposed the payment to UA – Silicon Valley)
<b>Action:</b>	<b>Ratified</b> B Warrants and Wire Transfers Greater than \$5,000 for December 2009 and January 2010

**Item 20**

**California Community Colleges Classified Employees of the Year Nominee**

<b>M/S/C:</b>	<b>Casas Frier/Cheng</b>
<b>Advisory vote:</b>	2
<b>Board vote:</b>	unanimous
<b>Action:</b>	<b>Endorsed</b> the nomination of Foothill Senior Library Technician Art Hand for one of the California Community Colleges Classified Employees of the Year awards

In her comments about Mr. Hand, President Miner said he is the “quintessential example of professionalism and caring; a tireless, fearless advocate for his constituency as chief steward under both ACE and SEIU. He has always behaved with the utmost integrity. In such difficult times he has built bridges rather than creating divisiveness or polarization.”

Hand also expressed his appreciation for the compassionate leadership of former interim

chancellor Mike Brandy, who worked to protect jobs for as many people as possible for as long as possible. Brandy, he said, "served with apparent nobility of purpose that was inspiring."

**Item 21**

**Resolution Supporting Adequate State Funding for California Community Colleges**

<b>M/S/C:</b>	<b>Casas Frier/Barram</b>
<b>Advisory vote:</b>	2
<b>Board vote:</b>	unanimous
<b>Action:</b>	<b>Adopted</b> Resolution 2010-06 in support of adequate state funding for California Community Colleges.

At the request of Student Trustee Barrientos Vargas, the board was asked to adopt Resolution 2010-06. The resolution highlights the sharp decline in educational opportunity for California students resulting from more than \$840 million in state funding cuts to community colleges over the past 18 months.

**Item 22**

**Board Policy 6125, Grading**

It was determined that Board Policy 6125, Grading, needed to be examined relative to the length of time that a student has to challenge a grade. This section of the policy was extensively debated by the academic senates at Foothill and De Anza, and after lengthy debate, both senates agreed that a 3-year term for challenging grades would be acceptable. The change has been incorporated into the policy and was presented to the board for a 1<sup>st</sup> reading.

**Item 23**

**Public Hearing – Open Negotiations for 2010-2011 Between the District and CSEA, Chapter 96**

President Swenson opened the public hearing at 8:29. There were no comments. He then closed the public hearing at 8:31.

<b>M/S/C:</b>	<b>Barram/Bechtel</b>
<b>Advisory vote:</b>	2
<b>Board vote:</b>	unanimous
<b>Action:</b>	To open negotiations for 2010-2011 between the District and CSEA, Chapter 96

**Item 24**

**ACE Classified Staff Development Leaves**

Gina Bailey – August 30, 2010 through May 27, 2011  
Araceli Kaliagara – September 1, 2010 through June 30, 2011  
Erin Ortiz – September 1, 2010 through May 20, 2011

**Item 25**

**Confidential Staff Development Leave**

Patti Conens – September 1, 2010 through June 30, 2011

**Item 26**

## **Professional Development Leaves for 2010-2011**

Nicole Gray – F10, W11, S11

Rachel Mudge - F10, W11, S11

Board President Swenson said it is painful for trustees to be granting leaves when the district is preparing to layoff employees. He suggested that awarding leaves during difficult economic times be re-visted during negotiations. Faculty Association President Hansen said that only a small number of faculty and staff are granted leaves each year, therefore only a tiny percentage of employees would bear the brunt of trying to save the district money if leaves were eliminated in bad budget years.

Trustee Casas Frier asked for a comparison to other districts on the handling of leaves in difficult budget years.

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

**Advisory vote:** 2

**Board vote:** unanimous

**Action:** **Approved** Item 24, three (3) classified staff development leaves for the 2010-11 college year as presented

**Approved** Item 25, one (1) confidential staff development leave for the 2010-11 college year as presented

**Approved** Item 26, professional development leaves for the 2010-2011 academic year as presented

### **Item 27**

#### **Re-Employment of First-Year Faculty (Phase I) to Second-Year (Phase II) for the 2010-2011 Academic Year**

**M/S/C:** Bechtel/Cheng

**Advisory vote:** 2

**Board vote:** unanimous

**Action:** **Approved** the re-employment of the following first-year faculty (Phase I) to Second-Year (Phase II) as follows:

De Anza College: Robert Alexander, Ronald Francis, Cleve Freeman, Shagundee Kaur, Kevin Mello, Edmundo Norte, Jeffrey Schinski

Foothill College: Kathy DePaolo, Brenda Hanning

### **Item 28**

#### **Re-Employment of Second-Year Faculty (Phase II) to Phase III for the 2010-2011 and 2011-2012 Academic Years**

**M/S/C:** Barram/Cheng

**Advisory vote:** 2

**Board vote:** unanimous

**Action:** **Approved** the re-employment of the following second-year faculty (Phase II) to Phase III for the 2010-2011 and 2011-2012 Academic Years as follows:

De Anza College: Ilan Gasman, Esther Halwani, Mehrdad Khosravi, Iaroslav Kryliouk, Mark Larson, Christine Magnin, Ramachandran Subramaniam

Foothill College: Sarah De Los Santos, Isaac Escoto, Don Mac Neil, Erica Onugha, Young-Hee Park Lee, Judy Yamamoto

### **Item 29**

#### **Public Hearing – Adopt Certain Findings Related to Solar Services Agreement for Energy-Related Improvements to District Facilities with Chevron Energy Solutions, L.P.**

President Swenson opened the public hearing at 8:37.

In response to trustee Casas Frier's question asking if companies other than Chevron had been considered, Executive Director Allen said that the district will ask, and expects Chevron to agree to, competitively bidding out the key elements of the direct work associated with installation of the photovoltaics.

President Swenson closed the public hearing at 8:40.

<b>M/S/C:</b>	<b>Casas Frier/Bechtel</b>
<b>Advisory vote:</b>	2
<b>Board vote:</b>	unanimous
<b>Action:</b>	<b>Approved</b> Resolution 2010-05, Adopt Certain Findings related to Solar Services Agreement for Energy-Related Improvements to District Facilities with Chevron Energy Solutions, L.P.

### **Item 30**

#### **Agreement with Chevron Energy Solutions: Energy Services Contract and Installation of Photovoltaic Arrays at Foothill College (Measure C Project #154)**

<b>M/S/C:</b>	<b>Barram/Bechtel</b>
<b>Advisory vote:</b>	2
<b>Board vote:</b>	unanimous
<b>Action:</b>	<b>Authorized</b> the Executive Director of Facilities, Operation and Construction Management to negotiate and execute an Energy Services Contract with Chevron Energy Solutions for the provision of a 1,064-kilowatt photovoltaic array installation at Foothill College

### **Item 31**

#### **2009-10 Second Quarter Report**

The second quarter report was presented to the board for information. Vice Chancellor Dunn brought to the board's attention that the district is about 900 FTES over cap and suggested that the colleges may want to adjust their course offerings in the future. He also indicated to the board the projected unrestricted fund balance of \$2.4 million at June 30, 2010. Budget Director Slater said this is a slight improvement over earlier projections.

### **Item 32**

## Resolutions to Adopt Budget Revisions and Transfers

**M/S/C:** Anderson/Barrientos Vargas  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Adopted** the second quarter budget revisions and transfers as presented

### Item 33

#### Measure E Consent

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

- A.**    *Title:*                      Revision #2 to Agreement  
          *Vendor:*                Engineering Economics Inc.  
          *Agreement Date:*      November 6, 2006  
          *Campus:*                De Anza College  
          *Project No.:*            765-209  
          *Project Name:*        Visual & Performing Arts Center  
          *Amount*                  \$0  
          *For:*                    Extension of the agreement date through June 30, 2010. No additional funding is being added to the contract.  
          *Action:*                 Ratification
- B.**    *Title:*                      Revision #2  
          *Vendor:*                Quali-Con Enterprises  
          *Agreement Date:*      June 4, 2007  
          *Campus:*                De Anza College  
          *Project No.:*            765-209  
          *Project Name:*        Visual & Performing Arts Center  
          *Amount:*                  \$0  
          *For:*                    Correction of Board item submitted January 5, 2010. This item should have been presented to the Board as an item to be funded under Measure E not Measure C. Everything else for this item remains the same.  
          *Action:*                 Approval
- C.**    *Title:*                      Standard Form of Agreement  
          *Vendor:*                AEDIS Architecture & Planning, Inc.  
          *Agreement Date:*      March 1, 2010  
          *Campus:*                De Anza College  
          *Project No.:*            765-281  
          *Project Name:*        Acoustical Renovations  
          *Amount:*                  \$82,000  
          *For:*                    Complete architectural and engineering design services for two acoustical renovations projects for noise mitigation and to provide improved acoustics

for classrooms and an adjacent outdoor plaza.

Architect was selected based on their expertise and experience specializing in acoustical design and on an evaluation of fee proposals received from other architectural firms as requested by the District.

*Action:* Ratification

- D.**     *Title:*                 PAA #D09 Revision #3  
           *Vendor:*            Salas O’Brien Engineers, Inc.  
           *Agreement Date:*   February 11, 2010  
           *Campus:*            De Anza College  
           *Project No.:*        765-202  
           *Project Name:*     Science Center LEED Certification  
           *Amount:*            \$0  
           *For:*                Time Extension - Revise contract end date from December 31, 2008 to December 31, 2009. The contract value is not being changed with this revision. Time extension was necessary to complete services for accreditation as a LEED Certified project.  
           *Action:*             Ratification

- E.**     *Title:*                 PAA #D07 Revision #7  
           *Vendor:*            Salas O’Brien Engineers, Inc.  
           *Agreement Date:*   February 11, 2010  
           *Campus:*            De Anza College  
           *Project No.:*        765-276  
           *Project Name:*     Science Center HVAC  
           *Amount:*            \$0  
           *For:*                Time Extension - Revise contract end date from December 31, 2008 to June 30, 2010. The contract value is not being changed with this revision. Time extension required to complete engineered fire sprinkler drawings as required by DSA for project certification.  
           *Action:*             Ratification

### **Item 34**

#### **Measure C Consent Calendar**

**M/S/C:**                 **Swenson/Bechtel**  
**Advisory vote:**        2  
**Board vote:**           unanimous  
**Action:**               **Approved** the Measure C Consent Calendar, A-M, as follows:

- A.**     *Title:*                 Project Authorization Amendment #4-A to Master Agreement  
           *Vendor:*            Architectural Resources Group  
           *Agreement Date:*   November 6, 2007  
           *Campus:*            De Anza College

*Project No.:* 766-230  
*Project Name:* Sunken Garden  
*Amount:* \$42,963

*For:* The PAA for this project includes the following:  
Professional services for Site Assessment, Concept Development, and Schematic Design. Project includes review of current conditions, evaluation of required site improvements, and the development of a proposed scope of work for the Sunken Garden and Historic Corridor adjacent to the East Cottage, California History Center, Baldwin Winery and Flint Center. The Architect shall develop a comprehensive scope for the area designated and incorporate proposed renovations, restorations and proposed site improvements into a conceptual plan. The College will decide what scope items will be incorporated into the final design based on a set construction budget.

*Action:* Approval

**B.** *Title:* Revision #1 to PAA #2  
*Vendor:* Environmental Construction Services  
*Agreement Date:* September 9, 2008  
*Campus:* De Anza College  
*Project No.:* 766-205  
*Project Name:* Seminar Building & Multicultural Center  
*Amount:* \$0  
*For:* Schedule extension for construction monitoring services as a result of postponing the construction phase from 2009 to 2010.  
*Action:* Ratification

**C.** *Title:* Revision #1 to PAA #3  
*Vendor:* Enovity, Inc.  
*Agreement Date:* September 9, 2008  
*Campus:* De Anza College  
*Project No.:* 766-205  
*Project Name:* Seminar Building & Multicultural Center  
*Amount:* \$0  
*For:* Schedule extension for commissioning services for Seminar Building as a result of postponing the construction phase from 2009 to 2010.  
*Action:* Ratification

**D.** *Title:* Revision #1 to PAA #4  
*Vendor:* Enovity, Inc.  
*Agreement Date:* September 9, 2008  
*Campus:* De Anza College  
*Project No.:* 766-205  
*Project Name:* Seminar Building & Multicultural Center

- Amount:* \$0  
*For:* Schedule extension for commissioning services for Multicultural Center as a result of postponing the construction phase from 2009 to 2010.  
*Action:* Ratification
- E.** *Title:* Agreement for Services  
*Vendor:* HP Inspections Inc.  
*Agreement Date:* February 9, 2010  
*Campus:* De Anza College  
*Project No.:* 766-205  
*Project Name:* Seminar Building & Multicultural Center  
*Amount:* \$25,000  
  
*For:* DSA required special inspection and testing.  
*Action:* Approval
- F.** *Title:* Change Order #1  
*Vendor:* John Plane Construction, Inc.  
*Agreement Date:* November 16, 2009  
*Campus:* De Anza College  
*Project No.:* 766-203  
*Project Name:* Baldwin Winery and East Cottage Project  
*Amount:* \$23,836  
*For:* Miscellaneous Change Orders:  
Baldwin Winery: Removal and disposal of surplus furniture and food service items; Additional abatement  
  
East Cottage: Additional Abatement  
  
The total Change Orders to date represent 0.01% against the original contract amount. Funding is included in the current budget.  
*Action:* Approval
- G.** *Title:* Agreement for Services  
*Vendor:* Quali-Con Enterprise, Inc.  
*Agreement Date:* March 1, 2010  
*Campus:* De Anza College  
*Project No.:* 766-205  
*Project Name:* Seminar Building and Multicultural Center  
*Amount:* \$61,000  
*For:* Project inspection services as required by the Division of the State Architect.  
*Action:* Approval
- H.** *Title:* Change Order #6  
*Vendor:* S.J. Amoroso, Inc.

*Agreement Date:* July 10, 2009  
*Campus:* De Anza College  
*Project No.:* 766-241  
*Project Name:* S2-S6 Phase II – Utility Master Plan – Phase I  
*Amount:* \$35,548  
*For:* Miscellaneous change orders: Provide ADA Ramp at Cooling Tower Yard Parking, concrete removal at M6-SS next to Bldg E3, additional excavation for sanitary sewer line at M6-SS, hand dig due to unforeseen utilities at E11, provide truncated dome pad at cooling tower exit, provide removable bollards at TX7, additional excavation due to unforeseen utilities at E7 and M2

The total Change Orders to date represent 4.69 % against the original contract amount. Funding is included in the current budget.

*Action:* Approval

**I.** *Title:* Change Order #7  
*Vendor:* S.J. Amoroso, Inc.  
*Agreement Date:* July 10, 2009  
*Campus:* De Anza College  
*Project No.:* 766-241  
*Project Name:* S2-S6 Phase II – Utility master Plan – Phase I  
*Amount:* \$21,371  
*For:* Provide conduit for cable to Learning Center West.  
The total change orders to date represent 4.93% against the original contract amount. Funding is included in the current budget.  
*Action:* Approval

**J.** *Title:* Change Order #2  
*Vendor:* Tricon Construction, Inc.  
*Agreement Date:* November 2, 2009  
*Campus:* De Anza College  
*Project No.:* 766-200B  
*Project Name:* Pool Chlorination Systems  
*Amount:* \$5,090  
*For:* PCO #4: Slab thickness in the De Anza mechanical room was 14” instead of the expected 4” to 6.”  
This Change Order is 4.38% of the contract value.  
PCO #14: Non-compensable contract extension of 24 days. This Change Order is 0.00% of the contract value.

This Prime Contract Change Order is 4.38% of the contract value. The funding for this change is within the current budget.

Approval

*Action:*

- K.**     *Title:*                   PAA #D08  
           *Vendor:*           Allana Buick & Bers, Inc.  
           *Agreement Date:* March 2, 2010  
           *Campus:*         De Anza College  
           *Project No.:*     766-239  
           *Project Name:*   Refinish Exterior of Flint Center Parking Garage  
           *Amount:*         \$108,545  
           *For:*             Consultant will review and report on areas listed in the previous report dated June 22, 2009. Work also includes a comprehensive conditions assessment for the entire facility with updated findings and a new estimate. The updated report will identify stucco repair at the stair towers; review fire protection systems, emergency phones, elevators, and lighting; and, propose remedies to address the findings. The purpose of this enhanced assessment is to establish a basis of design for the development of design documents and to provide an updated estimate for repairs to the Flint Center Parking Garage based on current and newly discovered conditions.

*Action:*                   Approval

- L.**     *Title:*                   Change Order #1  
           *Vendor:*           Tricon Construction, Inc.  
           *Agreement Date:* November 2, 2009  
           *Campus:*         Foothill College  
           *Project No.:*     100  
           *Project Name:*   Pool Plaster and Chemical Systems  
           *Amount:*         \$36,383  
           *For:*             This change order provides adjustments of allowances for vessel rust spot and crack repairs. Architect directed changes are required for the equalizer line to comply with the VGB Act (suction entrapment) and changes in pipe, fittings, and valves for the pump/surge tank room from 8” to 10”. Field conditions of thicker deck slabs required a change to the contract value for core and demolition of existing stanchion replacement. The district directed change includes tile to cover deck cores for stanchion.

This change order represents 4.81% above the base contract amount. The funding for this change is within the current budget.

*Action:*                   Approval

- M.**     *Title:*                   Revision #2 to PAA #F-WRNS-#3A  
           *Vendor:*           WRNS Studio  
           *Agreement Date:* May 5, 2009  
           *Campus:*         Foothill College

*Project No.:* 134  
*Project Name:* Exterior Signage  
*Amount:* \$9,360  
*For:* Architectural design services to update and add 5 additional signs to the Foothill campus roadway signage specifications and standards, develop graphic standards for several miscellaneous signs, and provide additional construction administration services.

The funding for this change is within the current budget.

*Action:* Approval

**Item 35**

**Measure C Bond Project List Revision with Foothill Budget Transfer #19 and District Budget Transfer #09**

**M/S/C:** Casas Frier/Barram  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Approved** the Bond Project List Revision with Foothill Budget Transfer #19 and District Budget transfer #09

**Item 36**

**Change Order #5 to S.J. Amoroso, Inc. for Project 241 S2 and S6, Phase II, Utility Master Plan**

**M/S/C:** Bechtel/Swenson  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Approved** the revision for additional service items and modified the existing contract with S.J. Amoroso, Inc.

**Item 37**

**Recommendation to Authorize a Pre-Qualification Procedure for Measure C Project #110, Renovation of Language Arts General Classrooms (6201, 6300, 6500)**

**M/S/C:** Bechtel/Casas Frier  
**Advisory vote:** 2  
**Board vote:** unanimous  
**Action:** **Authorized** a prequalification procedure for Measure C project #110, Renovation of l20101, and **authorized** a modified prequalification process for those contractors who were already prequalified for project #104/103/112

**Item 38**

**Recommendation to Authorize a Pre-Qualification Procedure for Prime Contracts for Project #135, Utility Infrastructure Phase I (Measure C)**

**Item 39**

**Recommendation to Authorize a Pre-Qualification Procedure for Electrical Subcontractors for Project #135, Utility Infrastructure Phase I (Measure C)**

**M/S/C:** Bechtel/Barram

**Advisory vote:** 2

**Board vote:** unanimous

**Action:** **Approved** Items 38 and 39:

**Authorized** a pre-qualification procedure for Prime Contractors for Project #135, Utility Infrastructure Phase I (Measure C) in accordance with Public Contract Code, Section 20101

**Authorized** a pre-qualification procedure for Electrical Subcontractors for Project #135, Utility Infrastructure Phase I (Measure C) in accordance with Public Contract Code, Section 20101

**Item 40**

**Award a Contract Pursuant to Bid Document 1178-205, Seminar Building & Multicultural Center, De Anza College**

**M/S/C:** Casas Frier/Swenson

**Advisory vote:** 2

**Board vote:** unanimous

**Action:** **Authorized** the Director of Purchasing Services to award a contract pursuant to 1178-205, Seminar Building & Multicultural Center, in the amount of \$2,706,200 for the base bid amount plus Alternate #3 and Alternate #4 to John Plane Construction, Inc.

**Item 41**

**Award a Contract Pursuant to Bid Document 1233-273, Roof and Trellis Repair: PE1-2-6 and S7-8, De Anza College**

**M/S/C:** Bechtel/Anderson

**Advisory vote:** 2

**Board vote:** unanimous

**Action:** **Authorized** the Director of Purchasing Services to award a contract pursuant to Bid 1233-273, Roof and Trellis Repair: PE1-2-6 and S7-8, De Anza College, in the amount of \$1,242,000 to Petersen Dean Roofing and Solar Systems

**Item 42**

**Measure C Project/Construction Management Review**

In fall 2009 the Board authorized Executive Director Charles Allen to contract with MGT of America, Inc. to conduct a review of Measure C Project/Construction Management practices. Executive Director Allen presented MGT's findings and the district's draft response to the issues noted. This information was also shared with the Audit and Finance committee at their meeting earlier in the day. In the next 60 days the district will work closely with college staff as well as Gilbane Maas to identify specific actions to be taken to improve best practices. The response will include a timeline as well as identifying

managers for completing each task. When completed, the information will be shared with the board and Audit and Finance committee.

**Adjournment**

President Swenson adjourned the meeting at 9:10 p.m.

Approved: \_\_\_\_\_

\_\_\_\_\_  
Linda M. Thor, Chancellor  
Secretary, Board of Trustees