



**FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
DRAFT MINUTES
REGULAR MEETING
June 20, 2011**

Trustees Present:

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

For Public Session Only:

Stephanie McGee, Foothill College Student Trustee
Emily Kinner, De Anza College Student Trustee

CLOSED SESSION

The Board convened in closed session at 4:00 p.m. in the Don Bautista Room at De Anza College to discuss:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position: Chancellor

Executive Administrator Present:

Linda Thor, Chancellor

CALL TO ORDER

President Pearl Cheng called the meeting to order at 6:05 p.m. She led those present in the Pledge of Allegiance.

REPORTING OUT FROM CLOSED SESSION

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

ACKNOWLEDGEMENT OF TRUSTEE SCHOLARSHIP RECIPIENT

Trustee Swenson introduced Khalid Rasti, De Anza's Trustee Scholarship recipient, and presented him with a certificate of recognition.

Khalid graduated at the top of his high school class, but, due to financial circumstances, rather than cvollege, he entered the work force in order to help his family. Khalid worked in the real estate field for 6 years, but knew that he would have to continue his studies in order to achieve his educational goal of attending UC Berkeley's Haas School of Business with his goal to obtain a Bachelor's degree in Accounting. He entered De Anza in 2009 and has maintained a 4.0 GPA. His ultimate goal is to attain a Master's degree in business administration. Khalid is currently interning for an attorney who specializes in bankruptcy law. After completing his education he hopes to become a CFO of a major company or possibly start his own company. His inspiration has been his father who, after coming to the United States from Afghanistan where he was an Ambassador to India, started over, persevered, and completed his college education. Khalid said, "When I saw how determined he was to finish school — not once, but twice — it gave me the same motivation. I am so honored to have a father like that."

The trustees congratulated Mr. Rasti and wished him success in his studies.

Item 1

Presentation: De Anza College Self-Study

President Brian Murphy gave an overview of De Anza's accreditation process and timeline. The draft report was approved by the DA Academic Senate and will be presented to the College Council later in the week where it is anticipated that the report will be formally adopted.

De Anza's Mission Statement integrates the fundamental and core missions with the institutional core competencies that are linked to the Student Learning Outcomes (SLO). The standards teams leaders consist of faculty, classified, and administrators. President Murphy gave an overview of the timeline and accomplishments since the self-study report process began in 2007 with the establishment of the SLO timeline and appointment of a SLO coordinator. Work has continued over the past 4 years, culminating in the draft report reviewed tonight and the final document that will be presented to the board for acceptance on July 11. President Murphy acknowledged the work of Jim Haynes and Coleen Lee-Wheat on the six-year planning and assessment cycle chart. The chart reflects the level of integration that the commission seeks.

President Murphy highlighted some of the planning agendas:

Standard I. Institutional Mission and Effectiveness

- The mission statement will be reviewed and publicized on a regular basis and review of the statement will be integrated into the planning process. The college will implement the integrated planning process
- The college will provide the time and space for broad-based dialogue aimed at improving student learning
- The college attempts to be in a perpetual cycle of assessment, planning, and implementation

Standard II.A. Instructional Programs

- The SLO team will continue to refine its processes to assist faculty in efficiently and effectively documenting and assessing SLOs
- The college will continue to encourage professional growth in the area of assessment through the office of Staff and Organizational Development related activities
- Divisions will periodically review syllabi for consistency with appropriate standards, including content, methods and college policies
- Working with Foothill College, draft a joint policy on program discontinuance for discussion at both colleges. This has been brought up by the academic senates and Academic and Professional Matters committee because of the desire to coordinate on these matters, especially in difficult budget times

Standard II.B. Student Support Services

- The college will hire a director for the redefined Office of Equity, Social Justice and Multicultural Education
- The associate vice president of Instruction, the director of ICCE, the director of Equity, Social Justice and Multicultural Education, and the director of Staff and Organizational Development will collaborate with DASB to establish updated strategic plans focused on student access and engagement for their departments. The college is attempting to devise a planning process out of which we will be a stronger institution

Standard II.C. Library and Learning Support Services

- Facilitate an increase in fully online, partially online and hybrid course offerings through Distance Learning instructional design and training assistance

Standard III. Resources

- Explore opportunities to increase funding for the diversity programs on campus
- Explore opportunities to maximize staff development during times of constrained budget
- Continue to integrate the Information Technology Strategic Plan into campus planning and budgeting initiatives
- Work toward a centralized technology training plan

Standard IV. Leadership and Governance

- Continue review of governance and decision-making models. The task force has worked on this for several months and the college now has a new redefined governance handbook
- Improve understanding of the college's shared governance process by standardizing the governance website in presenting the roles, charges and responsibilities of each shared governance group
- Produce a governance e-Handbook describing governance groups and decision making processes in a standardized online format
- Explore release time and/or stipends for classified professional participation in leadership roles as a way of encouraging widespread participation in governance. This reflects a commitment by the college that classified professionals' participation is important in leadership roles

President Murphy thanked the Academic and Classified Senates for their work and especially acknowledged the work of the Marketing Department, Marisa Spatafore, Lois Jenkins, and Lori Susi, for their attention to detail, clarity, and precision in developing the self-study document. He also thanked Academic President Gregory Anderson, adding that De Anza is incredibly lucky to have experienced people work on such a task. President Murphy said that this has been a very difficult and complicated year for the colleges to simultaneously deal with difficult budget issues and the accreditation report.

President Murphy and Director of Institutional Research Andrew LaManque verified for Trustee Swenson that female and male students are almost equally represented. Director LaManque replied that the district does track that information occasionally, but they do not keep the numbers officially. National statistics indicate only about 43% of those attending college are males. Trustee Swenson would like to see the college begin tracking its student population by gender and be watchful of the number of male and female employees, noting that there are 9 male administrators compared to 17 female administrators. President Murphy commented that there is an ethic of diversity and attentiveness to equity in all of the search committees he has been involved with and that in all aspects of diversity, De Anza has the highest ethic of any institution he has encountered.

Trustee Barram was involved in the writing of Standard IV.B. She felt it was a very inclusive process and was impressed with the number of people involved and how much time, effort, and thought went into the process.

President Cheng thanked President Murphy for his presentation, the leadership at De Anza, and everyone who contributed to the self-study.

Item 2

Presentation: General Obligation Bond, Series C Issuance Closing Report

John Sheldon of Morgan Stanley underwriters presented a summary of the sale of \$184 million in district Measure C general obligation bonds. The Series C sale, which closed on June 9, was the third series the district has sold since voters passed Measure C in 2006.

Mr. Sheldon reported a highly successful sale. He said the district's credit ratings were the highest of any community college district in California – Aaa from Moody's Investors Service and AA from Standard & Poor's. Demand for the bonds was strong with \$347 million in initial orders for \$184 million in bonds. The final interest cost was 4.94%, the lowest of any issues to date, which compared favorably to the expected interest cost of 5.5%. The average tax rate for district property owners will be \$18.86 per \$100,000 of assessed value. Mr. Sheldon credited the positive outcome in large part to presentations to ratings analysts by Vice Chancellor Kevin McElroy and Budget Director Bernata Slater.

Bill Euphrat, municipal finance consultant, praised Morgan Stanley's marketing of the bonds and the rate they were able to get as well as district staff for bringing the bonds to market.

The board expressed thanks to Mr. Sheldon for his presentation and to Mr. Euphrat for his comments.

Item 3

Presentation: Concept Designs for Foothill College Parking and Circulation Projects

Vice President of Educational Resources Shirley Treanor and Bond Program Director Art Heinrich presented design concepts for improvements to traffic circulation and parking on the campus. Vice President Treanor acknowledged the district's project team, architect Wright Sherman from WRNS Studio, and Christine Carey, traffic consultant, from Fehr & Peers Transportation Consultants.

The project team developed a list of guiding principles and goals to take into consideration when developing their designs. First and foremost was the safety of pedestrians as well as bicycles and vehicles. Maintaining the integrity of the original campus was also important. The projects will improve vehicle, pedestrian, and bicycle safety; traffic congestion and efficiency; storm water management; and Loop Road lighting and signage. Installing electric vehicle charging stations is also part of the project.

Some improvements include:

Lot 1

- New entry/exit; close existing entry
- Reconfigure crosswalk
- Add traffic signal that will be triggered by a crosswalk button (this will reduce backup and reduce congestion by 20% in peak morning hours)
- Steps to the Smithwick Theatre will be improved and brought up to code
- Construction at the back of Lot 1 will allow vehicles to exit the campus without having to drive all around the Loop Road
- Improved bike lane through Lot 1

Lots 2 & 3

- Widen the PE access road; separate pedestrian pathway added
- Upgrade stairs to meet code
- Lighting upgrades
- Landscape buffer
- Pedestrian & vehicle circulation improvements
- Introduce landscape infiltration area along creek to catch runoff from parking lot

PSEC Threshold (at existing bus stop)

- Enhanced pedestrian plaza
- Larger, safer bus stop
- Safe waiting area at bus stop
- Regrade to improve sight lines for safety
- New traffic signal

Lots 5 & 6 – Phase 1

- Regrade Lot 6
- Improve/relocate driveways for safety
- Added accessible parking
- Stormwater management
- Improve lighting
- Infrastructure for future electric vehicles
-

Lots 5 & 6 – Phase 2

- Continue with same improvements as in Phase after the removal of portable trailers

Trustee Swenson asked how payment for charging electrical vehicles would be handled. Vice President Treanor said that has not yet been finalized.

Trustee Bechtel questioned the continuation of the bike path throughout the campus and asked if there will be bike parking at the lower campus, perhaps in Lot 7 or 8, for those who would not want to bike up the hill. Drawings indicate a gap between Lot 1 and the PE footbridge, where cyclists riding up the hill would share the road with vehicles. She asked if one of the two lanes between the district office and the campus center could be striped for bikes. President Miner said that traffic patterns could be monitored after the completion of the new entrance/exit and the redirection of traffic. Vice President Treanor said that the cost to have a full bike lane throughout the campus is very expensive and that they are seeking alternative funding sources for finishing the bike path through the campus.

Student Trustee Kinner agreed with Trustee Bechtel's comments regarding the bike path and would like to see the path be accessible and continuous throughout the campus. In response to her question about how well lit the bike paths are at night, Vice President Treanor said they will continue to have conversations about the lighting to ensure that the paths are safe. Student Trustee Kinner expressed appreciation for the plans made to promote alternative transportation with the vehicle charging stations and encourages recognition of biking as a form of alternative transportation. She asked how many bus stops are on campus and how close are the pedestrian stations to the stops. Director Heinrich said there are 3 bus stops. Vice President Treanor said that placement of the crosswalks and bridges has been the focus of several discussions, and even though they are in close proximity to the bus stops, safety was a major consideration. She added that those areas will be monitored closely. Lastly, Student Trustee Kinner said she was pleased to see the plans for the landscape buffer aligning the parking lot to prevent run off into the adjacent creek.

Student Trustee McGee asked if there would be sound activation at the crosswalks for visually handicapped students. Ms. Carey said it is now a requirement to have audible signal at crosswalks on campuses.

In response to Trustee Casas Frier's question, it was noted that there are no plans for photovoltaics in Lot 6.

Faculty Association President Rich Hansen expressed concern about the safety of the pedestrian crosswalk between the district office and the footbridge. President Minor said that installation of the new traffic signal near the entrance might change the acceleration pattern. This area that will be monitored.

He also expressed concern about the safety of riders waiting at the bus stop across from the new PSEC area as vehicles coming up that hill are pointing directly at the bus stop. Mr. Hansen also suggested that if a bike path is placed in that area, that it be made to accommodate pedestrians also.

Vice President Treanor said that alternations to designs would be discussed based upon trustees' comments and concerns.

CORRESPONDENCE

There was no correspondence.

HEARINGS: ITEMS NOT ON THE AGENDA

Public

Jan Rindfleisch, longtime executive director of the Euphrat Museum of Art who was facing layoff June 30, asked the board to support a budget plan based on community fund-raising to reinstate her as the museum's part-time executive director at 25 percent time for 2011-12. She said the budget proposal offers a way to provide the Euphrat with continuity while allowing orderly planning for the museum's future as she transitions to retirement. One way or another, she said, the museum will need a director. She invited trustees to attend the first in a series of benefit auctions and exhibitions that was scheduled for June 24.

President Cheng thanked Ms. Rindfleisch for her comments and service.

Mike Abkin, Israel Sanchez, Diana Argabrite, Director of the museum's arts & schools programs, and Steve Yamaguma, spoke in support of Jan Rindfleisch and the Euphrat Museum.

Terry Terman commented about the Loop Road project and AB 515.

Students

There were no comments from students.

Staff

Foothill Classified Staff President Gigi Gallagher announced that this is her last board meeting as she wraps up her term. She will be attending the California Classified Leadership Institute this weekend. Chris White will take over the presidency in July.

De Anza President Brian Murphy thanked outgoing Academic Senate President Gregory Anderson for his services during a very difficult year and acknowledged the work of the senate under Gregory's leadership. This is also Gregory's last meeting; Karen Chow will be taking over as Academic Senate President.

Foothill President Judy Miner extended thanks and appreciation to Gigi for her services and for stepping up in such difficult times. She has been very eloquent on behalf of the classified staff.

President Miner announced that UCLA has accepted 70 of Foothill's honor students. President Miner expressed pride in Foothill students, thanked the faculty who teach them, and the classified staff who support them. She also thanked Pat Hyland and Ashley Oropeza for organizing the "Relay for Life" in honor of Fine Arts Division Assistant Cindy Olsen and on behalf of all cancer survivors. President Miner applauded all faculty, staff, students, and administrators who participated on behalf of all cancer survivors.

Chancellor Thor has attended many of the end-of-year celebrations. She said regardless of the program or campus, 2 things have been very evident – faculty and staff are very dedicated to the success of the students and the students are very appreciative of their time and experience at the 2 colleges and are very grateful to everyone who has been involved. There are still many events this coming week that culminate in the graduation ceremonies on Friday night and Saturday. She encouraged attendance at as many events as possible because they validate all the work we do.

Trustees

Acting on a suggestion from faculty member Robert Stockwell, Student Trustee Kinner acknowledged the historic collaborative planning effort between De Anza's Instructional Planning and Budget and the Student Services and Finance teams. She also expressed appreciation to all campus teams for welcoming students and their input. She reported on recent student advocacy efforts, including a Student Action for Education (SAFE) bus trip to ask Stockton residents to encourage Assemblyman Bill Berryhill to support tax extensions, and a De Anza Restoring Education (DARE) "activist art show" that included a video of De Anza students explaining how they have been affected by budget cuts. She noted the recent award of \$9,000 to provide institutional aid for AB 540 students who are not eligible for state and federal grants and loans, an initiative led by the campus group IMASS (Integral Movement for AB 540 Student Success).

Trustee Bechtel reported on Foothill's upcoming July 31 Learning Curve bicycle circuit race around the Loop Road, which is expected to attract more than 400 riders. Proceeds from the event will be used for on-campus pedestrian/bike path from El Monte Road to the pedestrian bridge to create safer access to campus.

APPROVAL OF CONSENT CALENDAR

M/S/C:	Bechtel/Swenson
Advisory vote:	2
Board vote:	unanimous
Action:	Approved Items 4-13 on the Consent Calendar as follows:

Item 4 – **Approved** BP 3121 Standards of Ethical Conduct

Item 5 – **Approved/Ratified** Contracts and Agreements

Item 6 – **Approved** New Credit Courses for the Foothill College Catalog

Item 7 – **Approved** Changes to the De Anza College Catalog

Item 8 – **Approved** Associate Degree in Psychology for Transfer

Item 9 – **Approved** Associate Degree in Sociology for Transfer

Item 10 – **Approved** Associate Degrees in Communication Studies and Mathematics for Transfer and State Approval

Item 11 – **Approved** Stand Alone Courses

Item 12 – **Approved** 2011-12 Instructional Materials and Use Fees - DA

Item 13 – **Approved** Human Resources Report

Item 14

Resolution Authorizing Assessing a Mandatory Transportation Fee to De Anza College Students for the VTA Eco-Pass Program

Student Trustee Emily Kinner explained the benefits of the program. The Eco-Pass program makes public transportation more affordable for students. Normally, students pay around \$700/year out-of-pocket for VTA passes. The Eco-Pass program would give students access to the bus or light rail system for \$5/quarter for full-time students and \$4/quarter for part-time students.

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

Advisory vote: 2

Board vote: unanimous

Action: **Adopted** Resolution #2011-23 implementing a two-year mandatory transportation fee to students effective fall quarter 2011

Item 15

Approval of 2011-12 Tentative Budget

Vice Chancellor McElroy presented an overview of the 2011-12 tentative budget. The projected ending balance of \$34.7 million from 2010-11 will be used to maintain the district's mandated 5 percent reserves (\$9.4 million), provide designated and restricted carryover funds to the colleges and Central Services (about \$11.5 million), and preserve the stability fund (\$13.8 million).

The district projects a \$22.8 million deficit for 2011-12. It will close the gap between income and expenses – and hopefully delay the widespread elimination of full-time positions until 2012-13 – largely by using one-time funds, including \$10.7 million from the stability fund and a portion of college and Central Services carryover. The budget includes a planned workload reduction to part-time faculty effective July 1, 2011, which would lower expenses by about \$6.5 million and affect 100-200 part-time faculty members.

Vice Chancellor McElroy characterized 2011-12 as a “transition year” with the district exhausting much of its one-time funding to delay the elimination of as many full-time positions as possible until June 30, 2012. He acknowledged the outstanding work of Budget Director Bernata Slater in preparing the budget. A final budget will be presented to the board in September.

Trustee Swenson stressed the importance of regaining lost FTES and asked for more information about how the district is addressing declines in enrollment. President Miner said that De Anza's summer enrollment is up by 11% and Foothill's is up by 13% over last year.

Foothill dental hygiene instructor Ken Horowitz said elimination of so many part-time faculty positions will hurt students by reducing the number of classes available to them when they have few other options. He asked the board to consider other alternatives such as structural changes and executive and administrative salary reductions before approving the Tentative Budget.

M/S/C: Barram/Swenson
Advisory vote: 1
Board vote: unanimous
Abstain: 1 (Kinner)
Action: **Approved** the 2011-12 Tentative Budget

Item 16

Gann Appropriation Limit

M/S/C: Bechtel/McGee
Advisory vote: 2
Board vote: unanimous
Action: **Adopted** Resolution #2011-22 establishing the district's 2011-12 fiscal appropriation limit at \$229,163,762

Item 17

Measure E Consent

M/S/C: Bechtel/Barram
Advisory vote: 2
Board vote: unanimous
Action: **Approved** Measure E Consent Items as follows:

De Anza College –

- A) AEDIS Architecture & Planning, Inc. – Revision #1 to Agreement – ATC Central Plant Sound Attenuation - \$0

Central Services –

- B) Cody Anderson Wasney Architects Inc. – Revision #6 to Standard Agreement – Data Center “E” - \$114,344

Item 18

Addendum #13 to the Measure E Agreement for Program and Construction Management Services

Executive Director Allen explained that the extension of the Gilbane contract is for services related to Measure E projects at Foothill, De Anza, and the District as well as close-out activities for those projects.

M/S/C: Bechtel/Casas Frier
Advisory vote: 2
Board vote: unanimous
Action: **Approved** the one-year extension to the agreement with Gilbane Building Company for Measure E related projects and construction management

Item 19

Measure C Consent

M/S/C: Casas Frier/McGee
Advisory vote: 2
Board vote: unanimous
Action: **Approved** Measure C Consent Items as follows:

De Anza College –

- A) Allana Buick & Bers, Inc. – Revision #3 to PAA #D06 to Master Agreement – Repair Tile Roofs – Phase III – E2-E3 & Admin Building - \$3,250
- B) Consolidated Engineering Laboratories – Agreement for Services – Combined Site Improvements - \$14,207
- C) Cleary Consultants, Inc. – Revision #1 to Agreement for Services – Baldwin Winery & East cottage “Historic Renovation” - \$0
- D) John Plane Construction, Inc. – Change Order #10 – Baldwin Winery and East Cottage “Historic Renovation” - \$78,484
- E) John Plane construction, Inc. – final Change Order #14 – Seminar Building and Multicultural Center - \$68,004
- F) Noll & Tam Architects – Revision #1 to PAA #D007 to Master Agreement – A9/PE6 HVAC Improvements - \$20,600
- G) The Ratcliff Architects – Revision #10 to Agreement – Mediated Learning Center - \$19,200
- H) Sandis – PAA #D02 to Master Agreement – Combined Site Improvements - \$79,008
- I) Sundt Construction, Inc. – Change Order #2 – Mediated Learning Center - \$27,723
- J) Wasinger Inspection Services Inc. – Agreement for Services – Combined Site Improvements - \$16,100

Foothill College -

- K) Hathaway Dinwiddie – Change Order #1 – Physical Science and Engineering Center - \$81,247
- L) Taber Construction – Change Order #1 – Utilities Infrastructure Upgrades Phase I – (\$35,566)

Item 20

Public Hearing - Notice of Intent to Adopt a Mitigated Declaration (MND) for the Sunken Garden Portion of the Combined Site Improvements Project at De Anza College

President Cheng opened the public hearing at 8:45 p.m. There were no comments. She closed the public hearing at 8:46 p.m.

Item 21

Adopt a Mitigated Negative Declaration (MND) for the Sunken Garden Portion of the Combined Site Improvements Project at De Anza College

M/S/C: Bechtel/Barram
Advisory vote: 2
Board vote: unanimous
Action: **Adopted** Resolutions #2011-24 and #2011-25

Item 22

Award a Contract Pursuant to Prequalification and Bid Document 1347-274A, Combined Site Improvements, Phase 1 at De Anza College

M/S/C: **Bechtel/McGee**
Advisory vote: 2
Board vote: unanimous
Action: **Authorized** the Director of Purchasing Service to award a contract pursuant to Prequalification and Bid Document 1347-274A, Combined Site Improvements, Phase 1, in the amount of \$4,605,000 to Joseph J. Albanese, Inc.

Item 23

Addendum #01 to the Measure C Agreement for Construction Management Services

M/S/C: **Barram/Bechtel**
Advisory vote: 2
Board vote: unanimous
Action: **Approved** a one-year extension to the agreement with Gilbane-MAAS for Measure C construction management services

Item 24

Award a Contract for Bid Document 1206 to Provide, Install and Maintain Free Weights, Racks, and Weight Machines for the De Anza College Weight

M/S/C: **Barram/Bechtel**
Advisory vote: 2
Board vote: unanimous
Action: Accepted ProMaxima Fitness Mfg.'s withdrawal of its bid and **authorized** the Director of Purchasing Services to issue a purchase order to Life Fitness for Categories A and B in accordance with Bid #1206 in the amount of \$155,104.10

ADJOURNMENT

President Cheng adjourned the meeting at 8:51 p.m.