

Board of Trustees Agenda Item

Board Meeting Date: 1/23/12

Title of Item: Action Only Minutes

Background and Analysis:

The San Jose Mercury News recently ran an article about a statewide trend for cities to move toward action only minutes to reduce the amount of staff time to produce the document. The city of Mountain View recently opted to move in that direction, recording actions taken but not the discussions leading up to them. Included in this packet are minutes from some of the public entities that record minutes in this fashion – city councils of Atascadero; Los Altos; Mountain View; San Carlos; and San Luis Obispo. The city councils of East Palo Alto; Menlo Park; Morgan Hill; and San Jose also record action-only minutes.

Board Highlights which are issued shortly after the board meeting to all employees and are posted on the district's website, contain details of not only major actions, but also reports by the public, students, staff, and trustees. (See enclosed comparison of December 5, 2011 board minutes and Board Highlights)

Following is General Counsel John Shupe's response to an inquiry regarding the possibility of the district's moving toward action only minutes:

The two sources of law on this are the Brown Act and the meeting-related provisions of the Education Code that apply to community college districts.

Believe it or not the Brown Act does not squarely require our Board to create minutes of open sessions of regular meetings. The references to "minutes" in the Brown Act occur in connection with closed sessions and sessions called on an emergency basis.

The Education Code, on the other hand, has two sections which require the Board to keep minutes of its meetings. Both sections use language suggesting that minutes need only record official actions taken:

Section 72000(d)(4): "[T]he governing board of every community college district shall keep minutes of its meetings, and shall maintain a journal of its proceedings in which shall be recorded every official act taken."

Section 72121(a): "Minutes shall be taken at all of those meetings, recording all actions taken by the governing board."

Neither the Brown Act nor the Education Code require the Board to post audio tapes of its meetings on a web site for easy consumption by the public. Neither requires the Board to create a videotape of its meetings.

I think it's a fair reading of these laws to conclude that the obligation to create minutes is limited to a recording of official actions taken, particularly where there is an audio tape created, and which is made available for inspection for 30 days following the meeting in question (see Government Code section 54953.5), should someone be interested in finding out what was said by way of discussion.

Recommendation: For discussion/information

Submitted by: Linda Thor, ext. 6104
Additional contact names:
Is backup provided? Yes



Approved October 25, 2011

CITY OF ATASCADERO CITY COUNCIL

ACTION MINUTES

Tuesday, October 11, 2011

**City Hall
Council Chambers
6907 El Camino Real, Atascadero, California**

REGULAR SESSION – CALL TO ORDER: 6:00 P.M.

Mayor O'Malley called the meeting to order at 6:00 p.m. and Council Member Fonzi led the Pledge of Allegiance.

ROLL CALL:

Present: Council Members Clay, Fonzi, Mayor Pro Tem Kelley and Mayor O'Malley

Absent: Council Member Sturtevant

Others Present: City Clerk / Assistant to City Manager Marcia McClure Torgerson

Staff Present: City Manager Wade McKinney, Assistant City Manager Jim Lewis, Community Development Director Warren Frace, Public Works Director Russ Thompson, Community Services Director Brady Cherry, Acting Police Chief Steve Gesell, and City Attorney Brian Pierik.

APPROVAL OF AGENDA: Roll Call

MOTION: By Council Member Fonzi and seconded by Mayor Pro Tem Kelley to approve the agenda.

Motion passed 4:0 by a roll-call vote. (Sturtevant absent)

PRESENTATION:

- 1. Overview of "Savor the Central Coast" event, presented by Steve Martin, Marketing Consultant for the City of Atascadero**

Marketing Consultant Steve Martin gave a summary of the City's involvement in the Savor the Central Coast event, and shared videos of the event.

A. CONSENT CALENDAR:

- 1. Lake Park Sign and Frontage Improvement Project - Change Order for Design Fees**
 - Fiscal Impact: Approval of this recommendation will result in the expenditure of an additional \$6,900 in design fees from previously allocated funds for the Lake Park Sign and Frontage project.
 - Recommendations: Council:
 1. Authorize the City Manager to sign Change Order #3 for \$6,900 with Eikhof Design Group for additional engineering design work to reduce the scope and cost of the Lake Park Sign and Frontage project; and,
 2. Authorize the City Manager to approve any minor additional change orders up to \$3,000. [Public Works]

MOTION: By Mayor Pro Tem Kelley and seconded by Council Member Fonzi to approve the Consent Calendar.

Motion passed 4:0 by a roll-call vote. (Sturtevant absent)

UPDATES FROM THE CITY MANAGER:

City Manager Wade McKinney gave an update on projects and issues within the City.

COMMUNITY FORUM:

The following citizens spoke during Community Forum: Mike Casey, Charlotte Byrne, Lee Livick, Jennifer Adams, Sorrel Marks, Joan O'Keefe, Felicia Hammond, Morgan Marshall, Mike Brennler, and Steve Martin.

Mayor O'Malley closed the COMMUNITY FORUM period.

B. PUBLIC HEARINGS:

1. Amendment to Oak Grove II PLN 2099-0855 / CUP 2004-0130
Amendment - Affordable Housing Requirement Condition - 1225 El
Camino Real / Atalaya Street (Peoples' Self Help Housing)
 - Fiscal Impact: None.
 - Recommendation: Council adopt Draft Resolution A, modifying the Affordable Housing Requirement Condition of Oak Grove II (TTM 2004-0054 & CUP 2004-0130) to allow an exemption to the resale deed restriction requirement, provided that the entire project meets the alternative criteria for affordability, as specified in the revised Condition of Approval. [Community Development]

Community Development Director Warren Frace gave the staff report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: Sheryl Flores.

Mayor O'Malley closed the Public Comment period.

MOTION: By Council Member Fonzi and seconded by Council Member Clay to adopt Draft Resolution A, modifying the Affordable Housing Requirement Condition of Oak Grove II (TTM 2004-0054 & CUP 2004-0130) to allow an exemption to the resale deed restriction requirement, provided that the entire project meets the alternative criteria for affordability, as specified in the revised Condition of Approval.
***Motion passed 4:0 by a roll-call vote. (Sturtevant absent)
(Resolution No. 2011-067)***

2. Pending General Plan Amendment - Request for Authorization to
Process PLN 2009-1346 & PLN 2011-1413 - Halcon/Viejo Camino &
Alondra/Santa Barbara Road (Halcon Partners, LLC / Baron / Jordan)
 - Fiscal Impact: If the project is approved for processing, it should be required to be fiscally neutral so the added residential units fund their own on-site improvements and maintenance, as well as their fair share of off-site improvements and impacts to City emergency services.

- Recommendations: The Council may:
 1. Authorize staff to process both proposed General Plan Amendment applications, with neighborhood meeting and study session, by adopting Draft Resolution A; or,
 2. Direct staff to not process either project by adopting Draft Resolution B; or,
 3. Authorize staff to process only one of the two proposed General Plan Amendment applications, and direct staff not to process the other application; or,
 4. Direct staff to further analyze the proposed projects and report back to the Council before processing. [Community Development]

Community Development Director Warren Frace gave the staff report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: Maury Froman, Mike Bertaccini, Joan O'Keefe, Chris Leery, and John Buayen.

Mayor O'Malley closed the Public Comment period.

MOTION: By Council Member Clay and seconded by Mayor Pro Tem Kelley to authorize staff to process both proposed General Plan Amendment applications, with neighborhood meeting and study session, by adopting Draft Resolution A, which will include language stating that the applicants are aware that their projects will not be on a fast track.
Motion passed 4:0 by a roll-call vote. (Sturtevant absent)
(Resolution No. 2011-068)

C. MANAGEMENT REPORTS: None

COUNCIL ANNOUNCEMENTS AND REPORTS:

The City Council Members made brief announcements.

Also, Mayor Pro Tem Kelley gave a presentation summarizing the ICSC conference he attended with Assistant City Manager Jim Lewis in San Diego last month.

D. COMMITTEE REPORTS:

Mayor O'Malley

1. SLO Council of Governments (SLOCOG) – Will meet this week.

Mayor Pro Tem Kelley

1. Homeless Services Oversight Council – attended retreat last week. He continues to urge the Homeless Services Oversight Council to include the North County in their considerations.

Council Member Fonzi

1. City of Atascadero Design Review Committee – Meetings are currently being held weekly and are open to the public.
2. SLO Local Agency Formation Commission (LAFCo) – alternate – Meeting this Thursday to discuss Pismo Beach's sphere of influence.

E. INDIVIDUAL DETERMINATION AND / OR ACTION: None

F. ADJOURNMENT:

Mayor O'Malley adjourned the meeting at 8:37 p.m.

MINUTES PREPARED BY:

Marcia McClure Torgerson, C.M.C.
City Clerk / Assistant to the City Manager

MINUTES OF A JOINT STUDY SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS, HELD ON TUESDAY, OCTOBER 11, 2011, BEGINNING AT 5:00 P.M. AT LOS ALTOS CITY HALL, ONE NORTH SAN ANTONIO ROAD, LOS ALTOS, CALIFORNIA

ROLL CALL

PRESENT: Mayor Packard, Councilmembers Carpenter, Casas, Fishpaw and Satterlee
ABSENT: None

JOINT STUDY SESSION WITH TRAFFIC COMMISSION AND BICYCLE PEDESTRIAN ADVISORY COMMITTEE

ROLL CALL

PRESENT: Commissioners Crook, Davidson, Gallagher and Pasturel
Committee Members Ambiel, Brinsfield, Danz, Fenton, Ilavka and Sheppard
ABSENT: Commissioners Baer and Chiang

The City Council convened in open session at 5:00 p.m. for the purpose of conducting a Joint Study Session with the Traffic Commission and Bicycle Pedestrian Advisory Committee (BPAC) regarding the following matters:

1. Berkeley ITS Pedestrian Safety Assessment for Egan Junior High School
Recommendation to receive the Berkeley ITS Pedestrian Safety Assessment for Egan Junior High School and Traffic Commission report.

No action was taken. The City Council deferred action on the recommendations until completion of the Pedestrian Master Plan.

2. Evaluation of Traffic Commission and BPAC Performance
Recommendation to receive and consider the Traffic Commission recommendation regarding Traffic Commission and BPAC performance.

No action was taken. The Traffic Commission was tasked with identifying recommendations that were made and not acted upon by the City Council and report back to the City Council.

CLOSED SESSION ANNOUNCEMENT

Mayor Packard reported that no action was taken in the closed session meeting.

PLEDGE OF ALLEGIANCE

Girl Scouts from Brownie Troop 60075 led the pledge of allegiance to the flag.

PUBLIC COMMENTS

Brenda Taussig, Senior Field Representative for State Senator Joe Simitian, announced that Senator Simitian will be holding a Town Hall meeting in the Los Altos Council Chamber on October 18, 2011.

Bonnie Mace, Michelle Lindeman and Kevin Zwick invited participation in the Silicon Valley Turkey Trot on November 24, 2011.

Los Altos residents Kim Verity and Bill Bassett expressed concerns over proposed development on Chester Circle.

Nancy Dunaway, Los Altos Village Association Executive Director, reported that the downtown retail vacancy rate is around six percent.

CONSENT CALENDAR

Action: Upon a motion by Councilmember Casas, seconded by Councilmember Fishpaw, the Council unanimously approved the Consent Calendar, as follows:

1. Council Minutes

Approved the minutes of the September 27, 2011 study session and regular meeting.

2. Senior Commission Vision, Goals and Cost Analysis Timeline

Received the Senior Commission's Timeline Report.

3. Presentation of Logo and Schedule of Events

Received the report from the 60th Anniversary of Incorporation Planning Committee.

4. Resolution on Medical Marijuana Dispensaries (MMD's)

Adopted Resolution No. 2011-48 supporting the Cities Association of Santa Clara County Call for State and Federal Regulation of Medical Marijuana Dispensaries, as revised.

5. Historic Resource Designation Appeal Findings

Adopted Resolution No. 2011-47 certifying the City Council findings regarding the Historic Resource designation appeals.

DISCUSSION ITEMS

6. Loyola Bridge Widening

Engineering Services Manager Gustafson presented the report. County Traffic Engineer Masoud Akbarzadeh answered Council questions.

Public Comment:

Los Altos resident Bill Crook spoke in favor of Option B.

Tamara Logan and Ted Brown, residents of the unincorporated Santa Clara County area, spoke in favor of a wider bridge option.

Unincorporated County resident Lyle Hornback spoke in favor of leaving the bridge as it currently is, but modifying the sidewalks.

Peter McSweeney and Carol Commendatore spoke regarding traffic patterns in Loyola Corners.

Unincorporated County resident Dr. R. G. Stewart spoke in favor of doing something to improve safety around the bridge.

Action: Upon a motion by Councilmember Fishpaw, seconded by Mayor Pro Tem Carpenter, the Council unanimously approved indicating the City's preference is for Option B, with the suggestion for the design to include colored bicycle lanes and the best method for accommodating pedestrians, bicycles, handicap access and traffic calming measures.

7. Public Arts Commission

Deputy City Clerk Maginot presented the report.

Action: Upon a motion by Mayor Pro Tem Carpenter, seconded by Councilmember Casas, the Council unanimously approved the proposed Public Arts Commission charter and directed staff to draft an ordinance establishing the Commission and revising the Parks, Arts and Recreation Commission charter accordingly.

8. Valley Transportation Authority (VTA) El Camino Rapid Transit Project

Engineering Services Manager Gustafson presented the report. BPAC Chair Ambiel responded to Council questions.

Action: Upon a motion by Councilmember Satterlee, seconded by Councilmember Casas, the Council unanimously authorized the Mayor to send a letter encouraging the Cities of Palo Alto and Mountain View to adopt an option that replaces on-street parking with bike lanes if the mixed-flow alternative is selected and authorized the BPAC to reach out to the BPACs of Palo Alto and Mountain View.

9. Cable and Webcasting of Planning Commission, Architecture and Site Review Committee and Board of Adjustments Meetings

City Clerk Price presented the report.

Action: Upon a motion by Councilmember Casas, seconded by Mayor Pro Tem Carpenter, the Council unanimously directed staff to enter into discussions with Granicus and KMVT to initiate cable and webcasting of Planning Commission, Architecture and Site Review Committee and Board of Adjustments meetings.

In response to Councilmember Casas's question, City Manager Schmitz indicated that approval for funding will be requested during the mid-year budget review in January of 2012.

COUNCIL REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Council Reports:

Councilmember Satterlee reported that Los Altos hosted a meeting of the Stevens Creek Trail Joint Cities Working Team on September 19, 2011 and that the Team will meet again in January. She also reported that the northern cities representatives to the VTA PAC are rewriting the process for selection of the lone delegate to the VTA Board.

Councilmember Casas reported that he will be stepping down from the Santa Clara County Cities Association Executive Board in December. He also reported that Santa Clara University will host an Ethics Roundtable on redistricting on Friday, October 14, 2011 and that he will be attending the ABAG General Assembly as the representative for Los Altos. In addition, he announced the resignation of Margot Harrigan from the Los Altos School District Board and explained that the School District was accepting applications to fill the vacancy.

Councilmember Fishpaw reported that VTA will be hosting public outreach meetings in regards to the El Camino Real BRT project on October 18, 2011 at Santa Clara City Hall and October 20, 2011 at the Palo Alto Medical Foundation in Palo Alto. He also reported that he attended the Environmental Commission meeting on October 10, 2011 and that a Water-Efficient Landscape Design Class will be held at the Hillview Community Center on November 5, 2011.

Mayor Pro Tem Carpenter congratulated the Jennings Family on the placement of the Shoup House on the National Register of Historic Places. She also requested to see the agenda for the City Schools Subcommittee meeting on October 12, 2011.

Directions on Future Agenda Items:

At the request of Mayor Pro Tem Carpenter, the Council requested a future agenda item to discuss the Loyola Corners Streetscape Plan in the context of the County's bridge design.

At the suggestion of City Manager Schmitz, the Council requested a future agenda item to adjust the Commission and Committee Handbook to provide direction to Commission representatives to Council meetings to report back to their Commissions on the outcome of Council meetings.

ADJOURNMENT

Mayor Packard adjourned the meeting at 9:14 p.m in memory of Phyllis Semple, Los Altos resident and City of Los Altos Volunteer Coordinator for twenty four (24) years.

Ronald D. Packard, MAYOR

Jon Maginot, DEPUTY CITY CLERK

REGULAR MEETING – TUESDAY, DECEMBER 13, 2011
CITY HALL – 500 CASTRO STREET
4:30 P.M.—STUDY SESSION
6:00 P.M.—CLOSED SESSION
6:30 P.M.—REGULAR SESSION

4:30 P.M.—STUDY SESSION (HELD IN THE PLAZA CONFERENCE ROOM)

1. **CALL TO ORDER**
2. **ROLL CALL**—Councilmembers Abe-Koga, Bryant, Inks, Macias, Means, Vice Mayor Kasperzak and Mayor Siegel were present.
3. **STUDY SESSION**

The meeting was called to order at 4:32 p.m. with Mayor Siegel presiding.

3.1 VOTER SURVEY

Deputy City Manager Woodhouse presented an oral staff report and he, Charles Hester, Godbe Research Director of Business Development, City Manager Rich and City Attorney Quinn, responded to Council's questions.

SPEAKING FROM THE FLOOR WITH RECOMMENDATIONS AND EXPRESSING CONCERNS:

Don Letcher
Don Bahl
Joan MacDonald

**3.2 COMPREHENSIVE ANNUAL FINANCIAL REPORT AND OTHER
RELATED REPORTS FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

Director of Finance and Administrative Services Kong presented an oral staff report and she, and Cory A. Biggs, Maze & Associates Chief Executive Officer, responded to Council's questions.

**SPEAKING FROM THE FLOOR WITH RECOMMENDATIONS AND
EXPRESSING CONCERNS:**

Don Letcher

The Study Session concluded at 5:57 p.m.

6:00 P.M. — CLOSED SESSION (HELD IN THE COMMITTEE ROOM)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

At 6:05 p.m., an announcement was made by City Attorney Quinn, who described the item that Council would consider on the Closed Session agenda below.

2. CLOSED SESSION

2.1 Public Employee Performance Evaluation and Negotiation (§54957) — Titles:
City Attorney and City Clerk

2.2 Conference with Labor Negotiators (§54957.6) — Agency Designated
Representative: Assistant City Manager Melissa Stevenson Dile;
Unrepresented Employees: City Attorney and City Clerk

The Closed Session concluded at 6:17 p.m.

6:30 P.M.—REGULAR SESSION (HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m., with Mayor Siegel presiding.

2. PLEDGE OF ALLEGIANCE

John Igoe, Google Director of Design and Construction, led the Pledge of Allegiance.

3. ROLL CALL—Councilmembers Abe-Koga, Bryant, Inks, Macias, Means, Vice Mayor Kasperzak and Mayor Siegel were present.

4. CONSENT CALENDAR

The reading of the full text of all ordinances and resolutions on the agenda was waived by unanimous consent of the Council.

Item 4.10 was removed from the Consent Calendar.

Motion – M/S Kasperzak/Abe-Koga – Carried 7-0 – To approve the remaining items on the Consent Calendar.

4.1 APPROVAL OF MINUTES—Approve minutes for the City Council Special Meeting of November 29, 2011.

4.2 Ordinance No. 18.11—EICHLER NEIGHBORHOOD REZONING—Adopt AN ORDINANCE AMENDING THE ZONING MAP FOR 53 PARCELS LOCATED ON EICHLER DRIVE, EICHLER COURT, TROPHY DRIVE AND MIRAMONTE AVENUE FROM R1 (SINGLE-FAMILY RESIDENTIAL) TO R1-h1s (SINGLE-FAMILY RESIDENTIAL, SINGLE-STORY HEIGHT LIMITATION). (First Reading: 7-0)

4.3 ACCEPTING CITY OF MOUNTAIN VIEW COMPREHENSIVE ANNUAL FINANCIAL REPORT AND VARIOUS OTHER RELATED REPORTS

Accept, acknowledge and file the following financial and independent auditors' reports pertaining to Fiscal Year 2010-11:

- City of Mountain View Comprehensive Annual Financial Report and Independent Auditor's Report.
- Single Audit Report.
- Confirmation Report of Appropriations Limit Calculation.
- Bicycle/Pedestrian Projects.
- Memorandum on Internal Control and Required Communications from Independent Auditors.

These reports are not attached as they were distributed to Council with the Study Session report for the Study Session right before tonight's meeting. They are available for public review in the City Clerk's Office, the Library and the City's web site, www.mountainview.gov.

4.4 UNITED PENTECOSTAL CHURCH OF MOUNTAIN VIEW LEASE AMENDMENT – Authorize the City Manager to amend the lease between the City of Mountain View and United Pentecostal Church of Mountain View (Rock Church) for the property located at 263 Escuela Avenue to:

1. Extend the December 31, 2011 expiration date of the lease to April 30, 2012.
2. Provide for the opportunity of shared use of the facility during the extension term.

4.5 MAYFIELD AND WHITNEY PARKS – CREATE MIDYEAR CIP/APPROPRIATE DEVELOPMENT AGREEMENT FUNDS

1. Create a midyear CIP titled Mayfield and Whitney Parks Design.
2. Appropriate \$425,000 from the Development Agreement Funds received for 100 Mayfield Avenue to the new Mayfield and Whitney Parks Design project. (Five votes required)

4.6 LANDFILL MICROTURBINE REPLACEMENT, PROJECT 11-41 – APPROVE PLANS AND SPECIFICATIONS/AUTHORIZE BIDS

1. Approve plans and specifications for Landfill Microturbine Replacement, Project 11-41, and authorize staff to advertise the project for bids.
2. Authorize the City Manager or his designee to award the construction contract to the lowest responsible bidder if the bid is within the project budget.

4.7 MECHANICAL SYSTEM REPLACEMENT AT EAGLE AND RENGSTORFF POOLS, PROJECT 12-29

1. Approve plans and specifications for the Mechanical System Replacement at Eagle Pool, Project 12-29, and authorize staff to advertise the project for bids.
2. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.

4.8 AMENDMENT TO GROUND LEASE FOR CHARLESTON EAST AND RELATED INTEGRATION AGREEMENT – Authorize City Manager to execute amendments to the two Ground Leases for Charleston East and Related Integration Agreement.

4.9 REAPPOINTMENTS/APPOINTMENTS TO BOARD, COMMISSIONS AND COMMITTEES

1. **Resolution No. 17663** – Adopt A RESOLUTION APPOINTING RANDALL STOCK TO THE LIBRARY BOARD, to be read in title only, further reading waived;
2. **Resolution No. 17664** – Adopt A RESOLUTION REAPPOINTING TODD FERNANDEZ AND M. KATHERINE TRONTELL TO THE ENVIRONMENTAL PLANNING COMMISSION, to be read in title only, further reading waived;
3. **Resolution No. 17665** – Adopt A RESOLUTION APPOINTING HELEN WOLTER TO THE PARKS AND RECREATION COMMISSION, to be read in title only, further reading waived;
4. Approve by motion appointment of Marc Roddin to the Bicycle/Pedestrian Advisory Committee for the term January 1, 2012 to December 31, 2015;
5. Approve by motion reappointment of Ron Manabe to the Downtown Committee for the term January 1, 2012 to December 31, 2014;
6. Approve by motion reappointment of Roger Petersen and Linda Rosen and appointment of Nora Gonzalez de Beltran to the Senior Advisory Committee for the term January 1, 2012 to December 31, 2015; and
7. Approve by motion reappointment of Dina Cheyette and appointment of Janis Zinn to the Visual Arts Committee for the term January 1, 2012 to December 31, 2015.

Confirmation of the appointment of the neighborhood association's representative to the Downtown Committee for the term January 1, 2012 to December 31, 2012, as recommended by the Old Mountain View Neighborhood Association, will be considered at the January 10, 2012 Council meeting.

4.10 AUTHORIZATION TO ENTER INTO REIMBURSEMENT AGREEMENT WITH GOOGLE INC.

Community Development Director Tsuda responded to Council's questions.

Motion – M/S Kasperzak/Abe-Koga – Carried 6-1; Mayor Siegel no - To:

1. Authorize the City Manager to execute a multi-year Reimbursement Agreement (Agreement) with Google Inc. (Google);
 2. Authorize the addition of 1.0 Full-Time Equivalent (FTE) limited-term Senior Planner position for the Community Development Department and 0.5 FTE limited-term Senior Civil Engineer position for the Public Works Department;
 3. **Resolution No. 17666**—Adopt A RESOLUTION AUTHORIZING THE CITY MANAGER TO INCREASE APPROPRIATIONS FOR THE GOOGLE INC. REIMBURSEMENT AGREEMENT IN AN AMOUNT COMMENSURATE WITH ANY ADDITIONAL ANNUAL FUNDING RECEIVED FROM GOOGLE INC. PURSUANT TO THIS AGREEMENT, to be read in title only, further reading waived; and
 4. Appropriate up to \$225,000 received from Google pursuant to a Reimbursement Agreement related to City services for Google Planning Applications. (Five votes required).
5. **PUBLIC HEARINGS** – None.
6. **ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS**

Don Letcher expressed concerns that the City voters are losing control over the City and stated that the City Council should set policy and the City Manager should run the City. Mr. Letcher also expressed concerns with special zoning and fast tracking of permits. Mr. Letcher also expressed concerns with the budget, and suggested that the proposed second tier FY 2011/12 budget cuts be enacted now.

7. NEW BUSINESS

7.1 REQUEST FOR PROPOSAL – RECYCLABLE MATERIALS, ORGANICS MATERIALS AND SOLID WASTE COLLECTION SERVICES

Solid Waste Program Manager Topley presented an oral staff report and responded to Council's questions.

SPEAKING FROM THE FLOOR WITH RECOMMENDATIONS:

Emily Hanson, Zero Waste Energy Development Company

Motion – M/S Kasperzak/Inks – Carried 6-1; Councilmember Bryant no – To:

1. Approve the Draft Request for Proposal to be provided to Recology Mountain View (Recology) for Recyclable Materials, Organics Materials and Solid Waste Collection and Organics Processing Services; and 2. Authorize the City Manager to extend the time period granting Recology Mountain View the exclusive right to negotiate a new collection services agreement, from January 31, 2012 to April 30, 2012.

7.2 Resolution No. 17667 – SUSTAINABLE COMMUNITIES STRATEGY AND PRIORITY DEVELOPMENT AREAS

Principal Planner Alkire presented an oral staff report and he, and Director of Community Development Tsuda, responded to Council's questions.

Motion – M/S Inks/Bryant – Carried 5-2; Councilmember Macias, Mayor Siegel no – To adopt A RESOLUTION AUTHORIZING THE CITY OF MOUNTAIN VIEW'S APPLICATION FOR GROWTH OPPORTUNITY AREAS TO BE CONSIDERED PRIORITY DEVELOPMENT AREAS UNDER THE SUSTAINABLE COMMUNITIES STRATEGY PROCESS, to be read in title only, further reading waived.

7.3 GATEKEEPER REQUESTS

Councilmember Inks recused himself from acting on Items 7.3(1) and 7.3(5).

Zoning Administrator Gilli presented an oral staff report and he, Community Development Director Tsuda, City Attorney Quinn and City Manager Rich, responded to Council's questions.

**SPEAKING FROM THE FLOOR RESPONDING TO COUNCIL'S QUESTIONS
WITH PROJECT NO. 3:**

Robert Lee, William Hezmalhalch Architects Inc. Senior Principal of
Community Planning

Motion – M/S Kasperzak/Inks – Carried 7-0 – To: 1. Authorize the assignment of staff resources for consideration of a rezoning to allow an apartment project with a density of up to 65 units per acre at 865 and 881 El Camino Real East, and possibly the corner lot next to it if the property owner is able to acquire the property; and 2. Authorize the revision to a previously authorized Gatekeeper to include the properties at 100 and 190 Moffett Boulevard and 178 and 190 Stierlin Road for a residential development.

Motion – M/S Kasperzak/Inks – Carried 5-2; Councilmember Macias, Mayor Siegel no - To Authorize the assignment of staff resources for consideration of a rezoning and General Plan Amendment to allow a mixed-use development with a density of up to 17 units per acre at 248 East Middlefield Road.

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS WITH PROJECT NO. 5:

Marty Chiechi, Real Estate Broker. Mr. Chiechi also responded to Council's questions and provided project information.

Vincent Volente

Vernon Simon, Simon Printing. Mr. Simon also responded to Council's questions

Steve Davies

Joseph Balivelle

Yuri Freeland, Freeland Foods

John Inks

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:

Christine Bush

Joan MacDonald

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS WITH PROJECT NO. 1:

Don Bahl
Steve Rasmussen, Milk Pail Market

SPEAKING FROM THE FLOOR RESPONDING TO COUNCIL'S QUESTIONS ON
PROJECT No. 1

Mike Grehl, Merlone Geier Partners Vice President

Motion – M/S Abe-Koga/Macias – Carried 5-1-1; Councilmember Means no; Councilmember Inks recused – To send the Mora-Ortega Precise Plan to the Environmental Planning Commission for a noticed public hearing to consider and make a recommendation to Council on whether or not to extend the amortization period.

Motion – M/S Kasperzak/Means – Failed 3-3-1; Councilmembers Abe-Koga, Bryant, Mayor Seigel no; Councilmember Inks recused – To authorize the assignment of staff resources for consideration of a Precise Plan Amendment to allow a mixed-use development at 405 and 423 San Antonio Road.

Motion – M/S Abe-Koga/Siegel – Failed 2-4-1; Councilmembers Bryant, Macias, Means, Vice Mayor Kasperzak no; Councilmember Inks recused - To authorize the assignment of staff resources for consideration of a Precise Plan Amendment to allow a mixed-use development at 405 and 423 San Antonio Road with no residential.

Motion – M/S Bryant/Macias – Carried 4-2-1; Councilmembers Abe-Koga, Means no; Councilmember Inks recused - To authorize the assignment of staff resources for consideration of a Precise Plan Amendment to allow a mixed-use development at 405 and 423 San Antonio Road, with the focus of development on revenue-generated uses, such as entertainment, retail, hotel, office, and a limited amount of residential.

8. COUNCIL, STAFF/COMMITTEE REPORTS

Councilmembers expressed appreciation to Mayor Siegel for his service as Mayor over the past year.

Councilmember Abe-Koga presented information regarding the Valley Transit Authority's (VTA) meeting on Thursday. Councilmember Abe-Koga also stated that the VTA Board appointed Rob Fabela as General Counsel, and that she was reappointed to the Board for two years as the North/West City Group representative.

Councilmember Abe-Koga also reported that she attended the VTA El Camino Bus Rapid Transit (BRT) Policy Advisory meeting on Friday.

Councilmember Inks presented information on his attendance at the Moffett Field Restoration Advisory Board Hangar Subcommittee meeting.

Councilmember Macias reported on her attendance at the Santa Clara County Cities Association Holiday Meeting on December 15th, as well as the VTA El Camino Real BRT Policy Advisory meeting.

Councilmember Macias also reported on her attendance at the American Leadership Forum today regarding the Power of Connection.

Councilmember Abe-Koga presented information regarding the Mountain View Police and Fire Departments' Toy Drive.

9. CLOSED SESSION REPORT – None.

10. **ADJOURNMENT**

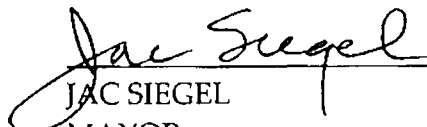
At 10:15 p.m., Council adjourned to the next Special Council Meeting to be held on Tuesday, January 3, 2012, at 6:30 p.m. in the Council Chambers, 500 Castro Street.

10A. Resolutions enacted at this meeting are on file in the Office of the City Clerk.

ATTEST:

APPROVED:

LORRIE BREWER, MMC
CITY CLERK



JAC SIEGEL
MAYOR

**San Carlos City Council/Redevelopment Agency Meeting
Council Chambers, City Hall, 600 Elm Street
September 26, 2011**

MINUTES

Present: Andy Klein, Mayor
 Bob Grassilli
 Matt Grocott
 Brad Lewis
 Randy Royce

Staff Present: Jeff Maltbie, City Manager
 Gregory J. Rubens, City Attorney
 Brian Moura, Assistant City Manager
 Al Savay, Community Development Director
 Doug Long, Parks and Recreation Director
 Rebecca Mendenhall, Administrative Services Dir.
 Janet Beaugh, Human Resources Manager
 Christine D. Boland, City Clerk

The regular meeting was called to order at 7:01 p.m. in Council Chambers.

1. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Klein.

2. CHANGES TO THE ORDER OF AGENDA

None.

3. REPORT FROM CLOSED SESSION

City Attorney Rubens reported that a closed session was held but no action was taken.

4. COUNCIL COMMUNICATIONS AND ANNOUNCEMENTS

Councilmember Grocott asked for Council consideration to discuss street sweeping, ICLEI and commented on the parking on Walnut Street.

Councilmember Royce reported on several traffic accidents and noted that there would be more police presence in town, especially in the school areas. He also noted that Peet's Coffee would be opening on October 3.

Mayor Klein announced that H. Frederick Koehler was appointed to the Arts & Culture Commission, that he cut the ribbon for the renovated Laureola Park, participated in the

swearing in ceremony of the new San Carlos Fire Department, and that the Villagers held a City Council Candidate forum on October 4 at the Museum.

5. PUBLIC COMMENT

Andre Carpiaux, Emeryville, discussed his stolen solar car.

6. APPROVAL OF CONSENT CALENDAR

ACTION:

M/S Bob Grassilli/Randy Royce moved approval of Consent Calendar items a, b, c, and d.

Vote: Motion Passed 5 – 0

Yes: Bob Grassilli, Matt Grocott, Andy Klein, Brad Lewis, Randy Royce

- a. Waived reading of all ordinances.
- b. Adopted minutes of September 12, 2011 meeting.
- c. Adopted minutes of September 12, 2011 special meeting.
- d. Authorized the City Manager to Execute a Lease Between the City of San Carlos and StarVista for Office Space on the Second Floor of the San Carlos Library

7. REPORTS TO COUNCIL

City Manager Maltbie responded to Council questions regarding an upcoming hearing on zoning and PG&E's gas line testing in San Carlos.

8. STUDY SESSION

a. East Side Connect Project Study Session

Planning Manager Nelson reported on work to date to engage the community on the East Side Connect project. Ms. Nelson discussed undergrounding in the area, making the area more friendly for pedestrian and bicyclists. Consultant Brian Fletcher of Callendar Associates was introduced who discussed the improvements to Old County Road, including creation of a bicycle boulevard, bike lanes, and pavement rehabilitation plans. Mr. Fletcher discussed the grant received and timeline for construction.

Mr. Fletcher fielded questions from the Council regarding details on the preliminary plans.

Public Comment

Steve Vonderlin, San Mateo, encouraged removal of the Union Pacific tracks on Old

County Road.

Dimitri Vandellos, San Carlos, expressed support for the project and expressed concerns regarding the pedestrian crossing at Holly Street.

Bonnie McClure, San Carlos, expressed support and provided comments on the preliminary design.

9. **PUBLIC HEARING**

- a. Consideration of an Appeal of Planning Commission approval of a Conditional Use Permit and Architectural Review permitting six new antennas collocating on the two existing antenna support structures at 260 Shelford Avenue (APN: 049-195-080). Recommended continuance to October 24, 2011.

Community Development Director Savay requested continuance of the public hearing to the October 24, 2011 City Council meeting.

ACTION:

M/S Bob Grassilli/Matt Grocott moved to approve continue the item to the October 24, 2011 City Council meeting.

Vote: Motion Passed 5 – 0

Yes: Bob Grassilli, Matt Grocott, Andy Klein, Brad Lewis, Randy Royce

10. **NEW BUSINESS**

- a. Consideration of Adopting a Resolution Authorizing the City Manager to Sign a Contract with Adrian Litman, Architectural Art & Design for the Purchase of Public Art.

Parks and Recreation Director Long provided a choice of art designs for the Laurel Street Park. Councilmembers discussed their preferences between the artwork “Balancing Act” by artist James Moore and “Laurel Wreath” by Adrian Litman and the fit for the park.

ACTION:

M/S Brad Lewis/Bob Grassilli moved to approve Resolution No. 2011-088, Authorizing the City Manager to Sign a Contract for the Purchase of Public Art Title “Balancing Act” Sculpted by James Moore.

Vote: Motion Passed 4 – 1

Yes: Bob Grassilli, Andy Klein, Brad Lewis, Randy Royce

No: Matt Grocott

- b. Consideration of introducing an Ordinance Amending San Carlos Municipal Code Section 10.32, Establishing No Overnight Parking (2:00 a.m. to 6:00 a.m.) and 2-hour Parking Limit Zone in Front of 75 - 125 Shoreway Road.

Community Development Director Savay outlined the need to establish no parking on Shoreway Road, as requested by the businesses along the subject road.

Public Comment

Bernadette Soabirou, Belmont, owner/manager, supported the proposed ordinance.

ACTION:

M/S Matt Grocott/Bob Grassilli moved to introduce Ordinance No. 1435, Amending San Carlos Municipal Code Section 10.32, Establishing No Overnight Parking (2:00 a.m. to 6:00 a.m.) and 2-hour Parking Limit Zone in Front of 75 - 125 Shoreway Road.

Vote: Motion Passed 5 – 0

Yes: Bob Grassilli, Matt Grocott, Andy Klein, Brad Lewis, Randy Royce

- c. San Carlos Fire Department:

Administrative Services Director Mendenhall outlined each of the actions associated with the new San Carlos Fire Department and answered questions of Council.

- i. Consideration of Adoption of Resolution Amending the San Carlos Fire Department Salary and Benefits Resolution Salary Appendix for the Belmont-San Carlos Fire Department (BSCFD) Employees Transitioning to the City of San Carlos Fire Department (SCFD)

ACTION:

M/S Bob Grassilli/Brad Lewis moved to adopt Resolution No. 2011-089, Amending the San Carlos Fire Department Salary and Benefits Resolution Salary Appendix for the Belmont-San Carlos Fire Department (BSCFD) Employees Transitioning to the City of San Carlos Fire Department (SCFD).

Vote: Motion Passed 5 – 0

Yes: Bob Grassilli, Matt Grocott, Andy Klein, Brad Lewis, Randy Royce

- ii. Consideration of Adoption of Resolution of Intention to Approve an Amendment To Contract Between the Board of Administration California Public Employees' Retirement System and the City Council of the City of San Carlos.

ACTION:

M/S Randy Royce/Brad Lewis moved to adopt Resolution No. 2011-090, Resolution of Intention to Approve an Amendment To Contract Between the Board of Administration California Public Employees' Retirement System and the City Council of the City of San Carlos.

Vote: Motion Passed 4 – 1

Yes: Matt Grocott, Andy Klein, Brad Lewis, Randy Royce

No: Bob Grassilli

- iii. Consideration of Introduction of an Ordinance Authorizing an Amendment to Contract between the Board of Administration California Public Employees' Retirement System and the City Council of the City of San Carlos (Fire Department)

ACTION:

M/S Randy Royce/Brad Lewis moved to introduce Ordinance No. 1436, Authorizing an Amendment to Contract between the Board of Administration California Public Employees' Retirement System and the City Council of the City of San Carlos (Fire Department).

Vote: Motion Passed 4 – 1

Yes: Matt Grocott, Andy Klein, Brad Lewis, Randy Royce

No: Bob Grassilli

- iv. Consideration of Adoption of a Resolution Electing to be Subject to Public Employees' Medical and Hospital Care Act only with Respect to Members of a Specific Employee Organization and Fixing the Employer's Contribution at an Amount at or an Amount Greater than Prescribed by Section 22892(B) of the Government Code.

ACTION:

M/S Brad Lewis/Bob Grassilli moved to adopt Resolution No. 2011-091, Electing to be Subject to Public Employees' Medical and Hospital Care Act only with Respect to Members of a Specific Employee Organization and Fixing the Employer's Contribution at an Amount at or an Amount Greater than Prescribed by Section 22892(B) of the Government Code.

Vote: Motion Passed 5 – 0

Yes: Bob Grassilli, Matt Grocott, Andy Klein, Brad Lewis, Randy Royce

- v. Consideration of Resolution Authorizing continuation of funding for the Belmont-San Carlos Fire Department after service termination.

ACTION:

M/S Bob Grassilli/Randy Royce moved to approve Resolution No.

2011-092, Authorizing continuation of Funding for the Belmont-San Carlos Fire Department after service termination.

Vote: Motion Passed 5 – 0

Yes: Bob Grassilli, Matt Grocott, Andy Klein, Brad Lewis, Randy Royce

- vi. Consideration of Resolution Approving Settlement Agreement and General Release of Claims Regarding Dissolution of the Belmont-San Carlos Fire Department Between the Agency and the American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME).

ACTION:

M/S Bob Grassilli/Matt Grocott moved to approve Resolution No. 2011-093, Approving Settlement Agreement and General Release of Claims Regarding Dissolution of the Belmont-San Carlos Fire Department Between the Agency and the American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME).

Vote: Motion Passed 5 – 0

Yes: Bob Grassilli, Matt Grocott, Andy Klein, Brad Lewis, Randy Royce

11. ADJOURNMENT

The meeting adjourned at 9:45 p.m.

CHRISTINE D. BOLAND
City Clerk

MINUTES
MEETING OF THE CITY COUNCIL
CITY OF SAN LUIS OBISPO
TUESDAY, NOVEMBER 15, 2011
990 PALM STREET
SAN LUIS OBISPO, CALIFORNIA

6:00 P.M. – SPECIAL MEETING – COUNCIL HEARING ROOM

ROLL CALL:

Council Members

Present: Council Members Dan Carpenter, Andrew Carter and Kathy Smith and Mayor Jan Marx

Vice Mayor John Ashbaugh was present for the CONFERENCE WITH LABOR NEGOTIATORS and CONFERENCE WITH LEGAL COUNSEL –Existing Litigation. Mr Ashbaugh was not present during the CONFERENCE REGARDING PROPERTY NEGOTIATIONS due to a conflict of interest.

City Staff

Present: Katie Lichtig, City Manager, Christine Dietrick, City Attorney, Michael Codron, Assistant City Manager, and Elaina Cano, City Clerk, were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

ANNOUNCEMENT OF CLOSED SESSION TOPICS

City Attorney Dietrick announced the following Closed Session topics.

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

Agency Negotiators:	Monica Irons, Katie Lichtig, Michael Codron, J. Christine Dietrick, Andrea S. Visveshwara
Employee Organizations:	San Luis Obispo City Employees' Association (SLOCEA), San Luis Obispo Police Officers' Association (POA), Police Staff Officers' Association (SLOPSOA), Fire Battalion Chiefs' Association and San Luis Obispo City Firefighters, Local 3523
Unrepresented Employees:	Confidential Employees, Unrepresented Management Employees

CONFERENCE REGARDING PROPERTY NEGOTIATIONS

Pursuant to Government Code § 54956.8

Property:	APN's 002-416-034 and 002-416-029
Negotiating Parties:	

City of San Luis Obispo:

Katie Lichtig, Michael Codron, J.
Christine Dietrick

San Luis Obispo Court Street, LLC
(aka San Luis Obispo Chinatown, LLC):

Tom Copeland, Suzanne Fryer, Mark
Rawson

Negotiations:

Direction as to terms of payment on
Option to Purchase Real Property
Agreement

CONFERENCE WITH LEGAL COUNSEL –Existing Litigation

Pursuant to Government Code § 54956.9

San Luis Obispo Police Officers Association v. City of San Luis Obispo

Public Employment Relations Board, Tracking No. 39381822U137

PUBLIC COMMENT ON CLOSED SESSION ITEMS

Mayor Marx called for public comments. None were forthcoming and the meeting adjourned to the Closed Session.

CLOSED SESSION REPORT

City Attorney Dietrick reported on the Closed Session at the commencement of the 7:00 p.m. Regular Meeting.

The Closed Session adjourned at 7:05 p.m.

7:00 P.M. – REGULAR MEETING – COUNCIL CHAMBER

Mayor Marx called the Regular Meeting to order at 7:07 p.m. All Council Members were present.

CLOSED SESSION REPORT

City Attorney Dietrick reported that Council met in Closed Session to discuss Labor Negotiations, Property Negotiations, and Existing Litigation as indicated above. No further reportable action was taken.

INTRODUCTIONS

City Manager Lichtig introduced the new Finance and Information Technology Director, Charles Bourbeau, and the new Community Development Director, Derek Johnson.

PRESENTATION

Chief of Police Linden and Sergeant Amoroso gave a presentation on City employee "Movember" efforts.

APPOINTMENT

A1. APPOINTMENT TO THE PARKS AND RECREATION COMMISSION.

ACTION: Moved by Carpenter/Ashbaugh to appoint Susan Updegrove to the Parks and Recreation Commission to fill an unscheduled vacancy with a term ending March 31, 2013; motion carried 5:0.

Moved by Carter/Smith to move Public Hearing Item 1 to the December 6, 2011, Council meeting.

PUBLIC COMMENT

Becky Jorgeson, San Luis Obispo, spoke about creating a "Dignity Village" in the City of San Luis Obispo and her concerns with the homeless population.

Cory Wilson, concurred with the prior speaker.

Steve Barasch, San Luis Obispo, spoke about his concerns regarding the Master Fee Schedule.

Gary Fowler, San Luis Obispo, commended Council for appointing Mr. Bourbeau and stated his concern regarding a sewer line under Nacimiento Lake.

By consensus, Council directed staff to create a follow-up memo regarding Mr. Fowler's concerns.

Donald E. Hedrick, San Luis Obispo, spoke about his concerns regarding homelessness.

Jody Frey, San Luis Obispo, spoke about her concerns regarding the outdoor smoking ban.

Will Powers, San Luis Obispo, spoke about his concerns regarding evaluations for City staff.

Lee Ferrero, Los Osos, spoke about National Alzheimer's Month.

Austin Perlak, spoke about his concerns regarding the maintenance in the downtown area.

Ivan Cliff, San Luis Obispo, stated his concern regarding the cost for downtown maintenance.

Council Member Smith explained that although HSOC have discussed safe parking lots, there have been no recent discussions regarding "Dignity Cities."

CONSENT AGENDA

Public Comment:

Paul Allen, San Luis Obispo, spoke in opposition to Item C2 staff's recommendation.

Jody Frey, San Luis Obispo, spoke about her concerns regarding Items C2, C3 and C5.

Council discussion ensued regarding Item C3. Parks and Recreation Director Stanwyck responded to Council's questions and concerns.

Council Member Carter clarified the Council compensation waiver requests.

C1. MINUTES.

ACTION: Moved by Ashbaugh/Carter to waive oral reading and approve as presented; motion carried 5:0.

C2. MID HIGUERA REHABILITATION, SPECIFICATION NO. 90073.

ACTION: Moved by Ashbaugh/Carter to: 1) Approve plans and specifications for the Mid Higuera Rehabilitation Project, Specification No. 90073; 2) Approve the transfer of \$27,500 from various Utilities Master accounts to the Mid Higuera Rehabilitation project account: \$16,500 from the Water Distribution System Improvements Master account and \$11,000 from the Collection System Improvements Master account; and 3) Authorize staff to advertise for bids and authorize the City Manager to award the contract if the lowest responsible bid is within the Engineer's Estimate of \$565,000; motion carried 5:0.

C3. APPROVAL OF PUBLIC ART FOR THE MEADOW PARK COMMUNITY GARDENS.

ACTION: Moved by Ashbaugh/Carter to: 1) As recommended by the Public Art Jury and the Architectural Review Commission (ARC), approve the public art piece entitled *Roots of Community* for the community gardens in Meadow Park; and 2) Authorize the City Manager to execute an agreement with the artist for \$65,000 for completion of the project; motion carried 5:0.

C4. REQUEST FOR PROPOSALS FOR CREDIT CARD CAPABLE PARKING METERS AND SERVICE CONTRACT, PROPOSAL NO. 91137.

ACTION: Moved by Ashbaugh/Carter to authorize staff to advertise Request for Proposals (RFP) for purchase and on-going service of 400 credit card capable parking meters, and authorize the City Manager to award the contract if the lowest responsible bid is within the 2011-12 budgeted amounts; motion carried 5:0.

C5. CITY COUNCIL COMPENSATION WAIVER REQUESTS.

ACTION: Moved by Ashbaugh/Carter to adopt Resolution No. 10314 (2011 Series): 1) Endorsing waivers by the Mayor and all Council Members receiving the benefit of the 8% employer paid member contribution (EPMC) paid by the City on behalf of the Mayor and participating Council Members to the Public Employees Retirement System (PERS); and 2) Endorsing monthly salary waiver requests by Council Members Ashbaugh, Carter and Smith, resulting in a reduction in monthly compensation from \$1,000 per month to \$949 per month, effective the first full payroll period in January 2012, through the remainder of the terms of office of each Council Member; motion carried 5:0.

PUBLIC HEARINGS

1. REVIEW OF AMENDMENTS TO MUNICIPAL CODE TITLE 17: ZONING REGULATIONS AND REVIEW OF AMENDMENTS TO THE ACCESS AND PARKING MANAGEMENT PLAN.

ACTION: Moved by Carter/Smith to move item Public Hearing Item 1 REVIEW OF AMENDMENTS TO MUNICIPAL CODE TITLE 17: ZONING REGULATIONS AND REVIEW OF AMENDMENTS TO THE ACCESS AND PARKING MANAGEMENT PLAN to the December 6, 2011, Council meeting.

BUSINESS ITEMS

2. DOWNTOWN MAINTENANCE AND BEAUTIFICATION, SPECIFICATION NO. 90979A.

Deputy Director of Public Works Lynch introduced this item, following which Senior Civil Engineer Fraser presented the agenda report and responded to Council questions.

Public Comments

David Brodie, San Luis Obispo, spoke in support of staff's recommendation.

Jody Frey, San Luis Obispo, spoke about her concerns regarding the cost of the project.

Deborah Cash, SLO Downtown Association Executive Director, spoke in support of staff's recommendation and responded to Council questions.

Courtney Kienow, SLO Chamber Commerce, spoke in support of staff's recommendation.

Donna Lewis, San Luis Obispo, spoke in support of staff's recommendation.

Paul Rys, San Luis Obispo, spoke about his concerns regarding the lack of lighting in the downtown area.

Donald E. Hedrick, San Luis Obispo, spoke about his concerns regarding the mission style sidewalks and the lack of lighting.

Will Powers, San Luis Obispo, spoke about his concerns regarding the Public Works Department staff.

---end of public comments---

Council recessed at 9:10 p.m. and reconvened at 9:20 p.m. with all members present.

Council discussion ensued during which they discussed the importance of additional lighting in the downtown, increased costs for the project, comparison of daytime/nighttime construction, and future funding for additional blocks.

Moved by Smith to cancel the project and reject all bids. Motion failed due to lack of a second.

Moved by Carter to reject bids and down-scale the project as stated in Alternative 1. Motion failed due to a lack of a second.

Moved by Ashbaugh/Marx to: 1) Award a contract to John Madonna Construction Co. of San Luis Obispo for the Base Bid in the amount of \$666,446.80 for construction of the Downtown Maintenance and Beautification Project, Specification No. 90979A; 2) Approve transfers in the amount of \$34,913 from the CIP Reserves account and \$19,000 from the CIP Completed Projects account to the project's construction account to support construction costs; and 3) Appropriate \$121,000 from the unreserved balance of the General Fund to the project's construction account to support construction costs; motion failed 2:3 (Carpenter/Carter/Smith opposed).

ACTION: Moved by Carpenter/Marx to accept bid, except liaison and attempt to backfill shortfall from downscaling/elimination of other approved CIP projects (3:2 Carter/Smith opposed).

3. UPDATE ON ALCOHOL OUTLET PUBLIC SAFETY STRATEGIES.

Chief of Police Linden and Community Development Deputy Director Davidson presented the agenda report and responded to Council questions.

Public Comments

Steve Tolley, Arroyo Grande Safe Night Life Association Coordinator, spoke in support of staff's recommendation and encouraged continued partnership with the City.

Barbara Lawrence, Morro Bay, stated that she would like to participate in the task force and mentioned other resources that may be available.

Deborah Cash, SLO Downtown Association, spoke about the importance of lighting in the downtown and spoke in support of staff's recommendation.

Mike Linn, SLO Safe Ride, spoke in support of staff's recommendation and of his concerns regarding the safety and security of the bar patrons and neighborhoods.

Hamish Marshall, WestPac, spoke in support of staff's recommendation.

Sandra Rowley, Residents for Quality Neighborhoods, spoke in support of the staff's recommendation with a stipulation that RQN is included as stakeholders and recommended Council not include the link to the Neighborhood Wellness Major City Goal.

Courtney Kienow, SLO Chamber of Commerce, spoke in support of staff's recommendation.

---end of public comments---

ACTION: Moved by Ashbaugh/Smith to endorse an action plan and regulatory approach to reduce public safety problems associated with alcohol outlets. (5:0).

Council expressed consensus to focus Neighborhood Services Specialists to neighborhood enhancement ordinance enforcement.


COUNCIL LIAISON REPORTS AND COMMUNICATIONS

Council Member Smith reported on her attendance at the Community Academy Graduation. Council discussion ensued regarding the mock City Council meeting of the Community Academy attendees where discussed the closure of the "Broad Street dog-leg" project. By consensus, Council requested that staff provide them with a memo of the history of the project.

Vice Mayor Ashbaugh announced that May 2012 will be the 60th celebration of City Hall.

Mayor Marx reported that she will be participating in the Police Chief interviews. Ms. Marx announced that there is a City of San Luis Obispo Open Space fund at the Community Foundation.

There being no further business to come before the City Council, Mayor Marx adjourned
the meeting on November 16, 2011, at 12:07 a.m.



Elaina Cano, CMC
City Clerk

APPROVED BY COUNCIL: 12/06/11



BOARD HIGHLIGHTS

Board of Trustees Betsy Bechtel • Pearl Cheng • Laura Casas Frier • Joan Barram • Bruce Swenson • Emily Kinner • Stephanie McGee

Board meeting of Dec. 5, 2011

THE HEADLINES

The Board of Trustees acted on:

- The election of new officers
- Financial and performance audits for the year ending June 30
- A new hire, extension of acting assignments and professional growth awards

Trustees heard about:

- Accomplishments of faculty, staff and students
- A grant for advancing cross-cultural communications
- A successful community event highlighting Foothill and De Anza

ANNUAL ORGANIZATIONAL MEETING

Election of officers: Trustees elected **Joan Barram** as president and **Laura Casa Frier** as vice president of the board. "This is an exciting and challenging time for community colleges," Barram said. "There is increasing recognition of the importance of community colleges and the transitions from high school to college and the workforce. I think we've done a good job at Foothill and De Anza in spite of budget cuts, and I love the student focus at both colleges."

Among her goals as president, Barram said, is "reaching out to our communities and school districts, making sure they know what's available at Foothill and De Anza and highlighting the successes our students are having in college and the workforce."

Board members commended outgoing president **Pearl Cheng** for her leadership throughout 2011. Chancellor **Linda Thor** also thanked her for exemplary service. "Despite the challenges," the chancellor said, "we have accomplished many things in the past year – reaffirmation of membership in the League for Innovation; completion of the process for reaffirmation of accreditation at both colleges by the Accrediting Commission for Community and Junior Colleges; identifying a permanent location for the district's education center; and maintaining financial stability in the face of significant budget cuts."

After being seated, President Barram made the following appointments: Trustee **Betsy Bechtel** will continue as chair of the district's Audit & Finance Committee; Trustee Casas Frier will join the Audit & Finance Committee; and Trustees **Bruce Swenson** and Cheng will serve on the Foothill-De Anza Foundation's Board of Directors and the committee that conducts interviews for the annual Trustee Scholarships.

INFORMATION AND ACTION ITEMS

Audits for 2010-11: Terri Montgomery from the accounting firm Vavrinek, Trine, Day & Co., the district's independent auditor, reported on the results of the audit for the year ending June 30, 2011, as well as Measure C performance and financial audits. The auditor issued a clean, unqualified opinion and identified no material weaknesses for all audited records, including financial records and compliance with state and federal laws. The Measure C audits also were clean and unqualified. The external auditor concluded that the Measure C financial statements fairly present the financial position of the Measure C general obligation bonds as of June 30, and that bond funds were spent as authorized by the voters in accordance with California Proposition 39.

The board voted to accept the audit reports. Vice Chancellor of Finance Kevin McElroy thanked Controller **Hector Quinonez** and his staff, as well as staff in financial, student services and instructional offices at the colleges, for their excellent work in preparing for the audit.

Annual environmental compliance report: The board accepted the annual environmental compliance report prepared by Director of Environmental Health & Safety **Mona Voss**. Trustees commended her for the report and her ongoing work.

De Anza food service: Trustees approved five-year contracts with Una Mas Mexican Grill and Hong Fu Gourmet Chinese restaurant to continue providing food service at De Anza College.

HUMAN RESOURCES & PERSONNEL

New hires: Trustees approved the hiring of **Susan Gutkind** as dean of the Physical Education and Human Performance Division at Foothill.

Transfer: Trustees ratified the transfer of **Akemi Ishikawa** to an administrative assistant position in Foothill Global Access.

Extension of acting assignments: The board approved the extension of the following acting assignments at Foothill College through March 31, 2012 – **John Mummert**, interim vice president of Workforce Education; **Denise Swett**, acting vice president of Student Services and Instruction; and **Glenn Violett**, acting dean of the Business & Social Sciences Division.

Professional growth awards: Trustees approved Professional Growth Awards for the following employees – at Foothill, **Shelly Bowers**, an assistant in Admissions & Records, and library technician **Barbara Harding**; and in Central Services, police Sgt. **Stan Cross**, and **Erwin Widiarta** and **Jerrick Woo** in ETS.

REPORTS & HEARING OF ITEMS NOT ON THE AGENDA

Student comments: De Anza Associated Students President **Arvind Ravichandran** reported that students are discussing recommendations of the statewide Student Success Task Force. He expressed appreciation for the level of student involvement in the budget discussions taking place at the college and updated the board on plans for Occupy De Anza for Education.

Staff comments: De Anza Academic Senate President **Karen Chow** reported on the accomplishments of several De Anza faculty members. She said music instructor **Dan Mitchell**, whose nature photography has been featured in Backpacker and the Yosemite Conservancy magazines, now has 170 large-print photographs on display in guest rooms at the historic Stovepipe Wells Lodge in Death Valley National Park. She noted that De Anza mathematics instructor **Barbara Illowsky** is one of six people to receive a national excellence-in-teaching award from the American Mathematical Association of Two-Year Colleges. The award recognizes teaching, ongoing professional development and leadership. She also congratulated those involved in De Anza's First Year Experience Program, which received honorable mention from the Academic Senate for California Community Colleges for being an exemplary program. She said it was one of three programs in the state to receive Senate recognition.

Presidents' comments: Foothill College President **Judy Miner** reported on visiting the Foothill Academic Senate with district Police Chief **Ron Levine** and Vice Chancellor **Kevin McElroy** to discuss the district's plan for handling civil disobedience and unrest on campus. She thanked Chief Levine for having an appropriate response plan. President Miner also noted that **Daniel Hardin**, a Foothill student recently featured in a San Jose Mercury News holiday Wish Book story, has received a laptop computer donated by **Gay Krause**, director of Foothill's Krause Center for Innovation.

De Anza President **Brian Murphy** commented that both colleges have received draft reports from their respective accreditation teams that are "very, very positive." He reported on a three-year grant awarded by The National Endowment for the Humanities to a partnership between the Association of American Colleges and the Democracy Commitment community college network, with leadership from De Anza. The grant will support a project that uses the humanities as a frame for cross-cultural communication and conversations about social justice. President Murphy reported that he has been invited to speak in January in Washington, D.C., to a summit organized by the American Commonwealth Partnership as it launches a year of advocacy to revitalize the civic purpose of higher education.

Chancellor's comments: Chancellor Thor reported that she has completed her work on U.S. Secretary of Education **Arne Duncan's** Committee on Measures of Student Success. She said she believes the committee has struck a good balance between further burdening colleges and finding measures that better represent the success of community colleges in carrying out their multi-faceted mission. The report now goes to Secretary Duncan for review and implementation.

At the invitation of Stanford education professor emeritus **Michael Kirst**, Chancellor Thor recently participated in a conference at Stanford about mapping a new agenda for research on broad-access (non-selective) educational institutions, including community colleges. Her role was to comment on the relevance and practicality of research proposals put forward by 45 participating social scientists from elite universities. She noted that it was an enlightening experience as she heard many misunderstandings and misconceptions about community colleges, and had an opportunity to correct some of them. At the same time, she said, she sees ways these researchers could potentially provide significant help to community colleges. The new research agenda is being funded by the Bill & Melinda Gates Foundation.

Trustees' comments: Trustee Casas Frier reported on attending the annual convention of the Community College League of California (CCLC) in San Jose along with Trustee Barram and De Anza Student Trustee **Emily Kinner**. She also reported that the CCLC

hopes to develop online courses for trustees on such topics as ethics, the role of the trustee and fiscal responsibility.

Trustee Swenson reported on attending a community event in Palo Alto, organized by Foothill-De Anza Foundation board member **Kathy Torgersen**, to inform community members about community colleges in general and Foothill-De Anza in particular. He said the chancellor's comments were well received and suggested using the event as a model for similar gatherings elsewhere in the community. Trustee Betchel commented on a recent opinion piece in the Palo Alto Weekly highlighting Foothill-De Anza that she co-authored with Palo Alto Unified School District board member **Barbara Klausner** (See http://www.paloaltoonline.com/weekly/story_print.php?story_id=15913)

De Anza Student Trustee Kinner invited attendance at an Open House being held Dec. 12 at the newly renovated East Cottage at De Anza. She commented on a panel discussion organized by De Anza's Academic and Classified senates to discuss recommendations of the Student Success Task Force. Trustee Kinner has spoken at a number of meetings regarding the task force's recommendations. She also commented on the successful Youth Voices United for Change conference held recently at De Anza for more than 300 high schools students. She noted that the Student Senate for the California Community Colleges is considering a resolution mandating district-level training for all student trustees.

NEXT MEETING

The next regularly scheduled meeting of the Board of Trustees is Monday, Jan. 9, 2012, at 6 p.m. in the district Board Room. Agendas generally are posted 72 hours in advance at: http://www.fhda.edu/about_us/board/agenda/. Please check the agenda to verify time and location of the meeting.

Board Highlights is designed to communicate board meeting news to faculty and staff across the district. This publication is not the official minutes. For more comprehensive information, you may consult the official minutes, which are available at http://www.fhda.edu/about_us/board/minutes after their approval at a subsequent board meeting. Please contact Becky Bartindale at bartindalebecky@fhda.edu or (650) 949-6107 with comments or questions about *Board Highlights*.



**FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
MINUTES
REGULAR MEETING
December 5, 2011**

Trustees Present:

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

For Public Session Only:

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

CLOSED SESSION

The Board convened in closed session at 2:00 p.m. in the Altos Room at Foothill College to discuss:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Subdivision (a) of Section 54956.9

Name of Case: West Bay Builders v. Foothill-De Anza Community College District
Case #106CV062422

Executive Administrators Present:

Charles Allen, Executive Director, Facilities, Operations and Construction Management
Kevin McElroy, Vice Chancellor, Business Services
Judy Miner, President, Foothill College
Brian Murphy, President, De Anza College
Dorene Novotny, Vice Chancellor, Human Resources and Equal Opportunity
Fred Sherman, Vice Chancellor, Technology
Linda Thor, Chancellor

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Executive Administrators Present:

Charles Allen, Executive Director, Facilities, Operations and Construction Management
Kevin McElroy, Vice Chancellor, Business Services
Judy Miner, President, Foothill College
Brian Murphy, President, De Anza College
Dorene Novotny, Vice Chancellor, Human Resources and Equal Opportunity
Fred Sherman, Vice Chancellor, Technology
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, Facilities, Operations and Construction Management
Kevin McElroy, Vice Chancellor, Business Services
Judy Miner, President, Foothill College
Brian Murphy, President, De Anza College
Dorene Novotny, Vice Chancellor, Human Resources and Equal Opportunity
Fred Sherman, Vice Chancellor, Technology
Linda Thor, Chancellor

Others:

Nancy Faville, Lockton

CALL TO ORDER

President Cheng called the meeting to order at 6:03 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.

ANNUAL ORGANIZATION MEETING

President Cheng stressed the importance of the presidency, stating that the role of the Board president is to be available to senior administrators, to serve, and be available to confer on and assist with decision making on matters presented to the board. She called for nominations for Board President and Vice President.

M/S/C:	Cheng/Swenson
Advisory vote:	2
Board vote:	unanimous
Action:	Elected Trustee Barram as Board President

M/S/C:	Cheng/Swenson
Advisory vote:	2 yes
Board vote:	unanimous
Action:	Elected Trustee Casas Frier as Board Vice President

In accordance with Board Policy 9120, the Chancellor is automatically designated Board Secretary.

The trustees expressed their appreciation to president Cheng for her leadership during the year.

Chancellor Thor presented outgoing president Cheng with a certificate of appreciation and thanked her for exemplary leadership through a very difficult year. Some of the major accomplishments during her tenure include the district's reaffirmation of its membership in the League for Innovation; successful completion of the reaffirmation of accreditation process with AACJC; finding a permanent location for the education center; maintaining financial stability during significant budget cuts; and major progress on two important Measure C projects – the PSEC and the Mediated Learning Center.

Chancellor Thor commended Trustee Cheng on the excellent questions she always asked and expressed appreciation for her steady and confident leadership. On a personal note, Chancellor Thor said she valued the fact that Trustee Cheng was always available to listen, advise, and counsel.

President Barram said that it is a privilege to be Board president in such challenging and exciting times for colleges in California as well as in the nation. There is a lot of attention on getting high school students through college and into the workforce. While budgets are shrinking and needs are increasing, President Barram feels the district has done a good job despite the ongoing fiscal challenges. She said the district will continue to emphasize the core mission of community colleges. She felt it was encouraging and reinforcing when the students at both colleges were recognized by the accreditation teams.

Among the things President Barram hopes to accomplish during her presidency are ensuring that staff, parents, and students in Foothill-De Anza's K-12 districts know what educational opportunities are available locally, and reaching out to the district's communities. She commended Trustee Bechtel who co-authored an article in a recent issue of Palo Alto Online that highlighted students from Palo Alto who attended either Foothill or De Anza and were successful in their future college careers and the work world. President Barram thanked everyone for being a part of the district.

Committee Appointments

President Barram made the following committee appointments.

Betsy Bechtel, Chairperson, Audit & Finance Committee
Laura Casas Frier, Member, Audit & Finance Committee
Pearl Cheng, Member, Foothill-De Anza Colleges Foundation
Bruce Swenson, Member, Foothill-De Anza Colleges Foundation
Pearl Cheng, Member, Trustee Scholarship Interview Committee
Bruce Swenson, Member, Trustee Scholarship Interview Committee

AUDIT & FINANCE COMMITTEE REPORT

Trustee Bechtel reported on the Audit & Finance Committee meeting held on December 1, 2011.

- The committee reviewed Measure E and Measure C projects and the district's annual 311 financial report
- Vavrinek, Trine and Day, the district's external auditor presented the Measure E performance audit and the district's annual financial report for the year ended June 30, 2011. The committee accepted both reports.
- Vice Chancellor of Business Services Kevin McElroy presented the 1st Quarter End Report

Trustee Bechtel said the committee, composed of 2 trustees and 4 public members, is very engaged, and the public members ask meaningful questions.

APPROVAL OF MINUTES

M/S/C: Casas Frier/Cheng
Advisory vote: 2
Board vote: unanimous
Action: **Approved** the minutes of November 7, 2011 as corrected

CORRESPONDENCE

There was no correspondence to report.

HEARINGS: ITEMS NOT ON THE AGENDA

Public

Terry Terman suggested the district respond to an editorial by Gary Hart that appeared in the December 4, 2011, San Jose Mercury News. The editorial stated, "Research has documented that only three in 10 community college students complete a certificate, two-year degree, or transfer to a four-year college within six years." President Barram also thought a response regarding Foothill-De Anza's matriculation rate would be appropriate.

Students

DASB President Arvind Ravichandran congratulated President Barram on her new role and thanked Trustee Cheng for her service and for taking the initiative to lead the district in such difficult times the past year. President Ravichandran updated the board on DASB's November activities.

- The students have formed a task force to discuss the Student Success Task Force recommendations. He commended Academic Senate President Karen Chow for taking leadership in developing a draft response to the recommendations
- The students are organizing an Occupy De Anza in support of faculty and against the budget cuts. "Occupation for Education" will be educating students on the aspects of the budget cuts.

In closing, President Ravichandran wished everyone a happy holiday.

Staff

De Anza Academic Senate President Karen Chow reported that photographs of Death Valley taken by music instructor Dan Mitchell have been installed in guest rooms at historic Stovepipe Wells Lodge in Death Valley National Park. His photographs have been featured in two Bay Area exhibits and have been published in Backpacker and Yosemite Conservancy magazines. President Chow shared that the American Mathematical Association of Two Year Colleges honored math chair Barbara Illowsky with their Teaching Excellence award, which is given every two years. Adding to the honor was the fact that this year the association received the most nominations ever. Lastly, President Chow said she received a call from the Statewide Academic Senate congratulating De Anza's First Year Experience student success program for receiving honorable mention as an exemplary program. This was a high honor because of the unprecedented number of programs that were submitted for the award. The program will be recognized at the December Board of Governors meeting.

President Chow thanked the board for their hard work during the year and for the opportunity to share campus news. She especially thanked Trustee Cheng for her leadership through the accreditation process.

President Judy Miner reported that she, District Police Chief Ron Levine, and Vice Chancellor of Business Services Kevin McElroy were invited to attend an Academic Senate meeting to address how the district would handle civic unrest on the campuses. She thanked Chief Levine for attending the meeting and answering procedural questions. President Miner informed the board that Dan Hardin, an EOPS student mentioned in a San Jose Mercury News Wish Book article, has been provided a laptop computer from Gay Krause, Director of the Krause Center for Innovation.

President Brian Murphy reported that both colleges received their draft accreditation reports that were extremely positive. The colleges were asked to make corrections of fact in the reports. President Murphy commended the student leadership for working closely with faculty, staff and administration, and the district police department on the logistics of the upcoming Occupy De Anza event. He announced that De Anza has been selected to be part of a consortium receiving an NEH grant that will focus on bridging cultures at community colleges. The program will consist of 1½ years of conversations on cross-cultural communication and social justice issues. Lastly, President Murphy announced that he received an invitation to speak at the White House in January. The White House will be convening a year-long project, "American Commonwealth Partnership", in an effort to revitalize the civic purposes of higher education.

Chancellor Thor commented on the uniqueness of having both college presidents and the chancellor being invited to the White House. She announced completion of her work on Arne Duncan's Committee on Measures of Student Success. She said the final recommendations are reasonable and she was able to join the other committee members in unanimously approving the report. It now goes to Secretary Duncan for review and implementation.

At the invitation of Michael Kirst, Chancellor Thor participated in a conference at Stanford on mapping a new research agenda on broad access institution. Chancellor Thor said she was the sole practitioner among some 45 social scientists from elite universities who are committing to study community colleges along with other non-selective higher education institutions. During the conference she heard many misunderstandings and misconceptions about community colleges, but also saw the potential for some significant help from the well-known researchers. The initiative is being funded by the Bill & Melinda Gates Foundation.

Board

Trustee Casas Frier reported attending the CCLC Annual Convention in November that was also attended by Chancellor Thor, Trustee Barram, and Student Trustee Kinner.

Trustee Casas Frier gave a CCCT update from the meeting on November 17.

- BOG will take formal action on the Student Success Task Force recommendations in February; the final draft will be presented to the Legislature in March.
- An advisory committee on education was formed with the goal of providing trustees with education and leadership development through new online courses. The first courses will be Introduction to Fiscal Responsibility and The Ethics and Role as a Trustee. The courses will be available in early 2012.

- Federal update – Failure of the super committee to reach a bipartisan agreement could result in reductions in federal funding to community colleges

Trustee Swenson attended a community seminar organized by Foundation board member Kathy Torgerson and Foothill commissioner Elaine Anderson. Community members were invited to learn about the state of community colleges in the state and the nation from Chancellor Thor and Michael Kirst, Emeritus Professor of Education and Business Administration at Stanford University. Chancellor Thor addressed enrollment and funding issues community colleges are facing. Trustee Swenson said that many of the guests were stunned at the scale of the district's organization and its level of funding as well as the range of programs the colleges offer. He expressed hopes that similar events could be held in the future to inform the communities about the district, as well as to broaden our outreach for community members to be involved in our institutions.

Trustee Bechtel thanked and commended District communications director Becky Bartindale who contributed significantly to the article in terms of information and editing. Other trustees joined in thanking Ms. Bartindale for her work on the article.

Student trustee Kinner congratulated President Barram on her new role and thanked Trustee Cheng for her work the past year. Trustee Kinner extended an invitation to the opening of the East Cottage on December 12. The cottage will be the new home for the Institute of Community and Civic Engagement.

- At the Student Senate of California Community Colleges (SSCCC) fall general assembly, delegates passed resolution to pursue a mandate that each California community college district provide training for student trustees
- Student Trustee Kinner served with Faculty Association Rich Hansen on a panel at De Anza discussing the student success task force
- She attended the Student Success Task Force meeting in Sacramento and spoke at the Oakland hearing. She will be attending the upcoming Board of Governors meeting when the final draft will be presented
- Student Trustee Kinner acknowledged two students newly appointed to the Board of Governors; one from the College of Alameda and one from Sacramento City College. Both are actively engaged in the SSTF
- She attended a CCLC convention breakout session related to basic skills and was able to provide information on the success of De Anza's Math Performance Success Program
- The Youth Voices United for Change conference was attended by more than 300 high school students who learned about civic engagement, leadership and empowerment as well as tools needed to attend college
- She commended DASB president Ravichandran for his leadership on Occupy for Education and the support of administration and faculty on that event
- Student Trustee Kinner was the keynote speaker on De Anza activism at a Mobilize.org conference where she highlighted successful activism movements in our district
- She commended President Ravichandran for his reminder at student senate meetings to extend gratitude to faculty, staff, and administration for the work they are doing. She said students are very grateful for the opportunity to participate in the shared governance process
- Lastly, she attended a statewide academic senate meeting where the conversation centered on the Student Success Task Force

APPROVAL OF CONSENT CALENDAR

M/S/C: Bechtel/Cheng

Advisory vote: 2

Board vote: unanimous

Action: **Approved** Items 1 - 16 on the Consent Calendar as follows:

Item 1 – **Approved/Ratified** Contracts and Agreements

Item 2 – **Ratified** Board Warrants Greater than \$5,000 for October, 2011

Item 3 – **Ratified** Bookstore Purchases

Item 4 – **Adopted** Resolution #2011-33 Authorizing Separate Bank Accounts

Item 5 – **Adopted** Delegation of Contracting Authority Resolutions

Item 6 – **Approved** Environmental Compliance Annual Update

Item 7 – **Authorized** the Director of Purchasing Services to sign five-year contracts with MTM Enterprise LLC and Hong Fu Gourmet Chinese Restaurant pursuant to RFP's 1367-Re-Bid and 1369-Re-Bid

Item 8 – **Authorized** the Director of Purchasing Services to award a contract in the amount of \$85,000.00 in accordance with Bid #1402 to Rodan Builders, Inc.

Item 9 – **Authorized** the District's Purchasing Services Director to extend the District's existing contract with Turbo Data Systems, Inc. for parking citation process services for one additional year at an estimated cost of \$85,000

Item 10 – **Approved** Recycle and Disposal of Surplus Furniture

Item 11 – **Approved** Sale of Miscellaneous District Surplus Property

Item 12 – **Approved** Sale of Surplus Vehicles

Item 13 – **Approved/Ratified** Human Resources Reports

Item 14 – **Approved** Foothill & De Anza Colleges Impact – Community Education Short Courses for Winter 2012

Item 15 – **Approved** Stand Alone Courses for Foothill College

Item 16 – **Approved** New Non-Credit Courses for Foothill College

Item 17

Approve Changes to the Administrators Handbook

M/S/C: Swenson/Cheng

Advisory vote: 2

Board vote: unanimous

Action: **Approved** changes and updates to the Administrators' Handbook as submitted

Item 18

Audit for Year Ended June 30, 2011

M/S/C: Bechtel/Casas Frier

Advisory vote: 2

Board vote: unanimous

Action: **Accepted** the audit for the year ended June 30, 2011

Item 19

Measure C Performance and Financial Audits

M/S/C: Bechtel/Casas Frier

Advisory vote: 2

Board vote: unanimous

Action: **Accepted** the Measure C Performance and Financial audits for the year ended June 30, 2011

Item 20

Measure E Consent

M/S/C: **Swenson/McGee**

Advisory vote: 2

Board vote: unanimous

Action: **Approved** the Measure E Consent Calendar as follows:

De Anza College -

- A) Sandis Engineers – Revision #2 to Project Authorization Amendment #D01 – Combined Site Improvements - \$0

Item 21

Measure C Consent

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

Advisory vote: 2

Board vote: unanimous

Action: **Approved** items A-G on the Measure C Consent Calendar as follows:

De Anza College –

- A) QualiCon Enterprise, Inc. – Revision #1 to Agreement for Services – Lots A & B and Kirsch PVs - \$8,500
- B) Ratcliff Architects – Revision #12 to Agreement – Mediated Learning Center - \$64,260
- C) Sundt Construction, Inc. – Change Order #06 – Mediated Learning Center - \$29,354Valhalla Builders – Change Order #03 – Campus Center Renovation Phase II - \$7,990
- D) Verde – Revision #2 to Agreement – Stadium and Track Improvements - \$27,973

Foothill College –

- E) Ratcliff Architects – Change #13 to Agreement for Services – Physical Sciences and Engineering Center - \$10,870
- F) Taber Construction – Change Order #6 – Utilities Infrastructure Upgrades Phase I - \$17,343

Central Services -

- G) RBF Consulting - Environmental Consulting Services – Foothill College/Education Center at Onizuka Air Force Station - \$57,590

Item 22

Cancel Prequalification #1373-236D, De Anza College Tile Roof Repair Project

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

Advisory vote: 2

Board vote: unanimous

Action: **Cancelled** prequalification #1373-236D for the De Anza College Measure C L1 & L8, Tile Roof Repair project

Item 23

Accept a List of General Contractors as Prequalified to Bid on De Anza Project #206, Stadium and Track

M/S/C: Swenson/Casas Frier

Advisory vote: 2

Board vote: unanimous

Action: **Accepted** the list of three (3) General Contractors who met all of the prequalification requirements as the only General Contractors who are “prequalified” to participate in the De Anza College Measure C Project #206 – Stadium & Track

ADJOURNMENT

President Barram adjourned the meeting at 7:02 p.m.

Approved 1/9/2012



Chancellor and Secretary to
the Board of Trustees