



**FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
DRAFT MINUTES
REGULAR MEETING
August 6, 2012**

Trustees Present:

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

For Public Session Only:

Vincent Mendoza, De Anza College Student Trustee
Antonia Zavala, Foothill College Student Trustee

CLOSED SESSION

The Board convened in closed session at 4:00 p.m. in the Chancellor's Office to discuss:

CONFERENCE WITH LABOR NEGOTIATOR

Executive Administrators Present:

Charles Allen, Executive Director, Facilities, Operations and Construction Management
Kevin McElroy, Vice Chancellor, Business Services
Joe Moreau, Vice Chancellor, Technology
Judy Miner President, Foothill College
Christina Espinosa-Pieb, Acting President, De Anza College
Dorene Novotny, Vice Chancellor, Human Resources and Equal Opportunity
Linda Thor, Chancellor

CALL TO ORDER

President Barram called the meeting to order at 6:06 p.m. She led those present in the Pledge of Allegiance.

REPORTING OUT FROM CLOSED SESSION

President Barram reported that the board took no action in closed session.

APPROVAL OF MINUTES

M/S/C: **Bechtel/Cheng**
Advisory vote: 2
Board vote: 5
Action: **Approved** the minutes of June 4, 2012; June 18, 2012; and July 2, 2012

HEARINGS: ITEMS NOT ON THE AGENDA

Public

Terry Terman requested guidance from the district regarding state tax initiatives on the November ballot. He suggested the board formulate a recommendation for voters. Mr. Terman also feels that K-12 budgets would suffer if the high-speed rail initiative passes. He expressed concerns of the possible closure of City College of San Francisco due to the AACJC's accreditation report. Chancellor Thor and President Barram responded that the district will take a position on the tax initiatives.

Trustee Casas Frier, who is a member of the California Community College Trustee board, said that the state board has endorsed the governor's tax initiative, Prop 30, but abstained on Prop 32, the Molly Munger initiative.

In reference to the status of City College of San Francisco, Foothill President Judy Miner said that as a resident of San Francisco, she received a letter from City College's interim president stating that she and the board of trustees have every intention of keeping the college open and will respond to the 14 points of the recommendations.

Students

There were no comments from students.

Staff

Acting De Anza President Christina Espinosa-Pieb

Vice President Espinosa Pieb reported that programs have begun moving into the Media and Learning Center and will be ready for classes in the fall. She extended an invitation to trustees and staff to the Summer Bridge Foster Youth luncheon on August 8. Vice President Espinosa-Pieb also reported that math instructor Barbara Illowsky has been selected by the state Chancellor's Office to serve as Basic Skills Initiative coordinator for the state during 2012-13. Lastly, she announced that De Anza is one of four colleges in the nation to receive a grant from the Asian American and Native American Pacific Islander scholarship fund. The grant will enable De Anza to offer 50 scholarships ranging from \$2,000 - \$5,000 to qualified students.

Foothill College President Judy Miner

President Miner thanked Trustee Casas Frier for attending the open house of the Summer Academies. The academies give graduating high school students an opportunity to explore career options while earning a certificate and earning college credits. The program had a 100% completion rate.

Chancellor Linda Thor

Chancellor Thor thanked the board for granting her the time to take a trip to her home country. She also thanked President Miner for serving as acting chancellor during that time.

Chancellor Thor said that the presentations to local city councils and school districts continue. The next presentation is to the Mountain View-Los Altos High School District board on August 13 at 7 p.m.

Faculty Association President Rich Hansen

President Hansen said that the faculty are concerned about the uncooperative way the Accrediting Commission acts toward colleges that are facing problems. He added that the statewide Consultation Council is considering asking the state chancellor's office to reinstate a task force to address concerns about the Accrediting Commission.

Board

Foothill Student Trustee Antonia Zavala

Student Trustee Zavala announced that De Anza students have designated the week of October 10 as Political Action Week. College hour events will include voter registration and voter awareness, and local legislators have also been invited to speak in support of Prop 30. Students are planning to be involved in the November election process. She announced that student council orientation has been scheduled for early September 6-7.

Lastly, Student Trustee Zavala announced that a De Anza student was the recipient of a scholarship from the Bay Area Gardeners Association.

De Anza Student Trustee Vincent Mendoza

Student Trustee Mendoza attended a meeting of the Student Senate for California Community Colleges where Rich Copenhagen, former student trustee at Peralta Community College District, was elected president. Student Trustee Mendoza expressed his appreciation and thanks to the board for their support of student trustees. He said the students are also planning to participate in the November election process in support of Prop 30.

APPROVAL OF CONSENT CALENDAR

Items 3, 5, and 7 were removed for separate discussion and action.

M/S/C: Cheng/Swenson

Advisory vote: 2

Board vote: 5

Action: Approved items 1, 2, 4-6, and 8 – 23 on the Consent Calendar as follows:

Item 1 – Approved BP 9140 Benefits for Trustees

Item 2 – Approved BP 9200 Conflict of Interest

Item 4 – Ratified Board Warrants Greater than \$5,000 for May and June 2012

Item 6 – Adopted Resolution Authorizing Child Care Agreement #CSPP-2555

Item 8 – Approved Retainer Agreement for Legal Services with Jaret & Jaret

Item 9 – Approved Recycle and Dispose of Unusable Surplus Furniture

Item 10 – Approved Sale of Miscellaneous District Surplus Equipment

Item 11 – Approved Sale of Miscellaneous Surplus Electronic Equipment

Item 12 – Approved Sale of Surplus Vehicles

Item 13 – Approved Appointment of Chief Negotiators

Item 14 – Approved Human Resources Report

Item 15 – Approved Community Education/Short Courses – Foothill and De Anza Colleges

Item 16 – Approved Training Project Alternative and Renewable Fuel and Vehicle Technology Program Partnership with Green Transportation Workforce Development

Item 17 – Approved Advertising Contract with the Lamar Companies

Item 18 – Approved Associate in Arts Degree in English for Transfer

Item 19 – Approved Associate in Arts Degree in History for Transfer

Item 20 – Approved Associate in Science Degree in Mathematics for Transfer

Item 21 – Approved Independent Contractor Agreement Extension with Gregory Barattini

Item 22 – Approved Professional Achievement Awards – Foothill College

Item 3

Ratification of Contract and Agreements

President Miner responded to Trustee Casas Frier's inquiry that the payment to James Moore for a sculpture to be installed in the PSEC courtyard was funded through donations.

Item 5

Ratification of Wire Transfers Greater than \$5,000 for April, May, and June 2012

Foundation Executive Director Sheryl Alexander responded to Trustee Casas Frier's inquiry that the \$2,158,308.84 transfer to the Foundation's investment advisor, Sanford C. Bernstein & Co., LLC, was a bequest received by the Foundation.

Item 7

2014-2018 Five-Year Construction Plan

Executive Director Allen responded to Trustee Bechtel's question regarding the Capacity-Load Ratio Summary included in the report. He clarified that it is better to have more space available rather than to constrain enrollment due to lack of space.

M/S/C: Bechtel/Cheng
Advisory vote: 2
Board vote: 5
Action: Approved Consent Items 3, 5, and 7

Item 23

Board Priorities

A draft of the board's 2012-13 priorities was presented on July 2, 2012. Trustees suggested additions that have been incorporated into the final version. There were no additional changes.

M/S/C: Cheng/Bechtel
Advisory vote: 2
Board vote: 5
Action: Approved the 2012-13 Board Priorities as amended

Item 24

Board Calendar for 2013

At Trustee Bechtel's request, trustees agreed to move the May 6, 2013 meeting to May 13.

M/S/C: Bechtel/Swenson
Advisory vote: 2
Board vote: 5
Action: Approved the 2013 Board Calendar as revised

Item 25

BP 3225 Campus Security and Access (Rev.) (1st Reading)

Trustees reviewed both the board policy and administrative procedure pertaining to campus security and access. Trustee Bechtel suggested that a portion of the deleted wording be reinstated.

The policy will be presented on August 27 for a 2nd reading and approval.

Item 26

Agreement between Foothill-De Anza Community College District and the Association of Classified Employees (ACE), November 1, 2011 through October 31, 2014

M/S/C: Casas Frier/Swenson
Advisory vote: 2
Board vote: 5

Action: **Approved** the Agreement with the Association of Classified Employees (ACE) for the period November 1, 2011 through October 31, 2014

Item 27

Establish Procedures and Criteria for the De Anza College Campus Digital Television Subscription Services Competitive Sealed Proposal Process

Acting President Espinosa-Pieb explained that the digital televisions are used in the campus center and Kirsch Center. Staff would ensure that the final agreement would allow for a stabilized monthly fee not to exceed \$300. Measure E funds have been set aside and will be used for the infrastructure.

Staff responded to addition questions from the trustees.

M/S/C: **Swenson/Zavala**
Advisory vote: 2
Board vote: 5
Action: **Approved** the recommended competitive sealed proposal procedures and criteria for the selection of a digital television subscription services provider pursuant to RFP #1585

Item 28

Measure C Consent

M/S/C: **Bechtel/Casas Frier**
Advisory vote: 2
Board vote: 5
Action: **Approved** items A – O on the Measure C Consent Calendar as follows:

De Anza College –

- A) Arch-Pac, Inc. – Revision #1 to Project Authorization Amendment #D01 – Pool Tile and Plaster Renovation - \$48,418
- B) Arch-Pac, Inc. – Revision #2 to Project Authorization Amendment #D01 – Furniture and Equipment - \$32,680
- C) Joseph J. Albanese Inc. – Change Order #7 – Combined Site Improvements Phase I - \$75,938
- D) Newcomb Anderson McCormick – Change #1 to Agreement – Lots A & B and Kirsch PVs - \$10,500
- E) Noll & Tam Architects – Project Authorization Amendment #D09-B to Master Agreement – A-8 - \$171,138
- F) Sundt Construction, Inc. – Change Order #16 – Media & Learning Center - \$186,929

Foothill College –

- G) Allana Buick & Bers, Inc. – Revision #1 to Project Authorization Amendment F-ABB-04 – Storage Building at Swimming Pool - \$11,915
- H) Robert A. Bothman, Inc. – Change Order #1 – Parking and Circulation Phase I - \$51,184
- I) Cleary Consultants, Inc. – Agreement for Services – Parking and Circulation - \$175,000
- J) Ratcliff – Revision #17 to Agreement – Physical Sciences and Engineering Center - \$35,018
- K) Rolf Jensen & Associates, Inc. – Agreement for Design Professional Services – Fire Alarm Systems Replacement Phase III - \$85,000
- L) Taber construction, Inc. – Change Order #2 – Central Campus Site Improvements - \$3,338
- M) WRNS Studio, LLP – Revision #6 to Project Authorization Amendment F-WRNS-2B – Parking and Circulation - \$57,990

- N) WRNS Studio, LLP – Change of Name and Assignment of Contract – Various Projects - \$0

Central Services –

- O) Vlaming and Associates – Change #3 to Agreement for Services – Overhead Account - \$0

Item 29

Presentation – Fine Arts Scene Shop and Print Shop and Plant Services Facility

Bond Director, Foothill College, Art Heinrich presented plans for Project #115, the Fine Arts Scene Shop and Project 173, Print Shop and Plant Services Facility.

The new Fine Arts scene shop will be located behind the Smithwick Theatre and will house approximately 1700 sq. ft. of shop space in addition to offices, studios, storage space, and restrooms. The design will be architecturally similar to that of the Smithwick Theatre.

The new print shop and plant services building will replace aged modular buildings and will be in the same vicinity. The new building will provide storage space for electric carts and waste and recycling operations away from the main campus. Architecturally, the building will be continuous with the PSEC and field house that are located in the same area.

Bond Director Heinrich responded to trustees' questions.

M/S/C: Casas Frier/Cheng

Advisory vote: 2

Board vote: 5

Action: **Approved** the designs presented to allow detailed design to proceed on the Fine Arts Scene Shop and Print Shop and Plant Services Facility projects

Item 30

Award a Lease-Leaseback Preconstruction Services Agreement for the De Anza ATC Renovation Project

M/S/C: Mendoza/Casas Frier

Advisory vote: 2

Board vote: 5

Action: **Authorized** the Director of Purchasing Services to finalize and award the Preconstruction Services Agreement for the De Anza College Advanced Technology Center Renovation Project to Sundt Construction, Inc.

Item 31

Request for Authorization to Negotiate and Approve Change Orders in Excess of \$50,000 for Unforeseen Conditions – FH Project #144 Central Campus Site Improvements

M/S/C: Swenson/Zavala

Advisory vote: 2

Board vote: 5

Action: In order to mitigate project schedule impacts likely resulting in additional costs, the board **approved** one-time authorization for the Executive Director of Facilities, Operations and Construction Management to approve the construction change order amount not to exceed \$100,000

Item 32

Physical Sciences & Engineering Center Change Order #11 - \$264,305

M/S/C: Bechtel/Zavala

Advisory vote: 2

Board vote: 5

Action: **Approved** PSEC Change Order #11 for Hathaway Dinwiddie Construction Company in the amount of \$264,305

Item 32

Physical Sciences & Engineering Center Change Order #11 - \$264,305

M/S/C: Bechtel/Zavala

Advisory vote: 2

Board vote: 5

Action: **Approved** PSEC Change Order #11 for Hathaway Dinwiddie Construction Company in the amount of \$264,305

Item 33

Agreement for Consultant Services with Ratcliff Architects - \$1,327,226

President Miner envisions the transformation of the Foothill library into a learning resource center. Plans include centralizing tutoring and support services for efficiency reasons. President Miner would like to have both permanent and rotating exhibits reflecting the different heritage months and the interests of the college's various communities exhibited in the centrally located learning center. Some of the contents of the current Chinese Heritage Room would be preserved and displayed in the new learning resource center, and the room would be transformed into a flexible space that is more conducive to teaching and learning activities.

M/S/C: Casas Frier/Mendoza

Advisory vote: 2

Board vote: 5

Action: **Approved** the agreement for consultant services with Ratcliff Architects for Measure C Project #121, Foothill College Library & ISC, in the amount of \$1,327,226

ADJOURNMENT

President Barram adjourned the meeting at 7:37 p.m.