



# BOARD OF TRUSTEES

Foothill-De Anza Community College District  
12345 El Monte Road  
Los Altos Hills, CA 94022

*For information and disability access to materials, call 650-949-6100.  
Requests for accommodation should be made no later than one business day  
prior to meeting. Meetings are held in a location accessible to the disabled.*

**April 5, 2010**

Closed Session: 4:00 p.m.  
**De Anza College**  
21250 Stevens Creek Blvd.  
Cupertino, CA 95014  
Hinson Campus Center  
Don Bautista Room

**Public Session: 6:00 p.m.**  
**De Anza College**  
21250 Stevens Creek Blvd.  
Cupertino, CA 95014  
Hinson Campus Center  
Conference Room A

*Members of the public who wish to comment on items or address the Board may do so  
by completing a request form prior to the start of the meeting and are limited to five minutes each.*

## AGENDA Regular Meeting

### CALL TO ORDER & ROLL CALL

### ADJOURN TO CLOSED SESSION

### Closed Session — 4:00 p.m.

### PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

### STUDENT DISCIPLINE — EXPULSION

- Student ID: 11195482 (FH)
- Student ID: 11304272 (FH)
- Student ID: 11320022 (DA)
- Student ID: 11350308 (DA)

### CONFERENCE WITH LABOR NEGOTIATOR

- District Negotiator: Dorene Novotny
- Employee Organizations: All Represented and Unrepresented Groups

### Public Session — 6:00 p.m.

### REPORTING OUT FROM CLOSED SESSION

### INFORMATION

- |    |                                                                                                        |        |
|----|--------------------------------------------------------------------------------------------------------|--------|
| 1. | Student Discipline, Student ID: 11195482 ( <b>Miner x7201</b> ) ( <i>See Public Memo for backup</i> )  | ACTION |
| 2. | Student Discipline, Student ID: 11304272 ( <b>Miner x7201</b> ) ( <i>See Public Memo for backup</i> )  | ACTION |
| 3. | Student Discipline, Student ID: 11320022 ( <b>Murphy x8706</b> ) ( <i>See Public Memo for backup</i> ) | ACTON  |

4. Student Discipline, Student ID: 11350308 (**Murphy x8706**) (*See Public Memo for backup*) **ACTION**

APPROVAL OF MINUTES

March 1, 2010

March 8, 2010

**ACTION**

CORRESPONDENCE

**INFORMATION**

HEARINGS: ITEMS NOT ON THE AGENDA

**INFORMATION**

*The Board does not take action or respond to items not on the agenda.*

— Public

— Students

— Staff

— Board

5. Presentation by Fremont Union High School District Superintendent Polly M. Bove (**Thor x6104**) (*See Public Memo for backup*) **INFORMATION**
6. [Layoffs Due to Lack of Funds/Lack of Work](#) (**Chief Elk x6109, Brandy x6106**) **ACTION**
7. [2010 Report on Open Educational Resources](#) (**Baker x7749**) **INFORMATION**
8. 2011 Accreditation Update (**Hueg x7645**) (*See Public Memo for backup*) **INFORMATION**

APPROVAL OF CONSENT CALENDAR

**ACTION**

9. [Resolution Regarding Trustee Absence for Student Trustee Erica Anderson](#) (**Thor x6104**)
10. [Board Policy 6125, Grading \(2<sup>nd</sup> Reading\)](#) (**Thor x6104**)
11. [International Travel Approval](#) (**Murphy x8706**)
12. [Ratification of Wire Transfers Greater than \\$5,000 for July 2009-February 2010](#) (**Dunn x6201**)
13. [Ratification of Contracts and Agreements](#) (**Dunn x6201**)
14. [Listing of District Investments as of December 31, 2009](#) (**Dunn x6201**)
15. [Approval of Instructional Materials and Use Fees for 2010-11](#) (**Dunn x6201**)
16. [Approval of New Courses Beginning Spring 2010 Quarter](#) (**Orrell x7209**)
17. [Approval of Stand Alone Courses](#) (**Orrell x7209**)
18. [Disposal of Surplus Refrigerated Salt Water Aquarium](#) (**Redmond x6166**)
19. [Donation of Surplus District Computers to OTI](#) (**Redmond x6166**)

20. [Sale of Surplus District Air Compressor \(Redmond x6166\)](#)
21. [Sale of Miscellaneous Surplus Electronic Equipment \(Redmond x6166\)](#)
22. [Professional Development Leave Reports \(Novotny x6211\)](#)
23. [Human Resources Report \(Novotny x6211\)](#)
24. [Personnel Actions as Follows: \(Novotny x6211\)](#)

Resignation – Joy Crevier, Foothill Faculty  
Correction: Reduction in Load – Juanita Cordero, De Anza Faculty  
Employment – Gaeir Dietrich, De Anza Director  
Resignation for Purpose of Retirement – Linda DiNucci, Foothill Faculty  
Employment – LeeAnn Emanuel – Foothill Faculty/Counselor, 11 months  
Employment – John Fox – Foothill Faculty, 10 months  
50% Unpaid Leave of Absence – Kara Giannetto, Foothill Faculty  
Revision: 55% Reduction in Load – Reginald Hamer, De Anza Faculty  
Resignation for Purpose of Retirement – Reginald Hamer, De Anza Faculty  
Resignation for Purpose of Retirement – Ebenezer Hunter, De Anza Faculty  
Resignation for Purpose of Retirement – Judy Mowrey, De Anza Faculty  
Resignation for Purpose of Retirement – Leonis Osterdock, Foothill Faculty  
Employment – Benjamin Stefonik – Foothill Faculty, 10 months  
Resignation for Purpose of Retirement – Leland Van Fossen, De Anza Faculty  
Revision: 33% Reduction in Load – Sandi Watkins, Foothill Faculty

#### BOARD BUSINESS

25. [California Community Colleges Trustees Board Election \(Thor x6106\)](#) **ACTION**

#### HUMAN RESOURCES/PERSONNEL

##### PUBLIC HEARING

26. Open Negotiations for 2010-2011 between the District and CSEA, Chapter 96 **ACTION**  
(Novotny x6211) (*See Public Memo for backup*)

#### BUSINESS AND FINANCE

27. [Approve Contract with Polling Company \(Dunn x6201\)](#) **ACTION**
28. [Discussion of Middlefield Education Center Site \(Dunn x6201\)](#) **INFORMATION**

FACILITIES

29. MEASURE E CONSENT

**ACTION**

Aggregate amount for these items is \$72,470

***De Anza College –***

- A) Salas O’Brien – Revision #1 to PAA #D03 – Science Center Fire Sprinklers - \$6,925
- B) Budget Transfer #72
- C) Allana Buick Bers, Inc. – Revision #1 to PAA #D20 – PE Shower Repairs - \$7,575

***Foothill College –***

- A) Cody Anderson Wasney Architects, Inc. – Revision #1 to PAA #F-CAW – New ETS/Data Center Building - \$57,970

MEASURE E PROJECTS

30. Award a Contract Pursuant to Bid Document 1247-153 Emergency Generator Remote Fueling Station – Foothill College (Redmond x6166) **ACTION**

31. Award a Contract Pursuant to Bid Document 1256-277.A, Kirsch Door Replacement Project – De Anza College (Redmond x6166) **ACTION**

32. MEASURE C CONSENT

The aggregate amount of these items is: \$209,045 **ACTION**

***De Anza College –***

- A) Cleary Consultants, Inc. – Agreement for Services – S2-S6 Phase II – Utility Master Plan Phase I - \$25,000
- B) Environmental Construction Services, Inc. – Revision #1 to PAA #3 – Baldwin Winery & East Cottage “Historic” Project - \$0
- C) Environmental Construction Services Inc. – Revision #1 to PAA #4 – Baldwin Winery & East Cottage “Historic” Project - \$0
- D) Enovity, Inc. – Revision #1 to PAA #1 – Baldwin Winery & East Cottage “Historic” Project - \$0
- E) Enovity, Inc. – Revision 32 to PAA #2 – Baldwin Winery & East Cottage “Historic” Project - \$0
- F) John Plane Construction, Inc. – Change Order #2 – Baldwin Winery 7 East Cottage “Historic” Project - \$6,810
- G) Noll & Tam – Revision #1 to AA #4C – Corporation Yard - \$19,670
- H) Sandis Inc. – Revision #1 to PAA #1 – Secured Bicycle Storage for Students - \$3,500
- I) Tricon Construction, Inc. – Prime Contract Change Order #3 – Pool Chlorination Systems - \$6,115

Foothill phone numbers are 650-949-xxxx — De Anza phone numbers are 408-864-xxxx

***Foothill College –***

- J) Cogent Energy, Inc. – PAA #F-COGENT-#3 – Utility and Technology Infrastructure Upgrades - \$61,770
- K) HMC Architects – Change Order #1 – Campus Wide Building System & Infrastructure Repairs/Upgrades - \$0
- L) Tricon construction, Inc. – Change Order #4 – Pool Plaster and Chemical Systems - \$7,838
- M) WRNS Studio – Revision #1 to PAA #F-WRNS-#1B – Central Campus Site Improvements - \$52,350
- N) WRNS Studio – PAA #F-WRNS-#4A – Parking & Circulation \$19,500
- O) Zolman Construction and Development, Inc. – Change Order #1 – Modernization of Administration Building and General Classrooms - \$7,392

MEASURE C PROJECTS

- |     |                                                                                                                                                   |                    |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 33. | <a href="#">Measure C Project List Revision and De Anza Budget Transfer #20 (Allen x6150)</a>                                                     | <b>ACTION</b>      |
| 34. | <a href="#">Project Authorization Amendment #F-WRNS-2B with WRNS Studio Architects: Parking and Circulation at Foothill College (Allen x6150)</a> | <b>ACTION</b>      |
| 35. | <a href="#">Sustainability Plan (Allen x6150)</a>                                                                                                 | <b>INFORMATION</b> |
| 36. | <a href="#">Measure C Project/Construction Management Review (Allen x6150)</a>                                                                    | <b>INFORMATION</b> |

ADJOURNMENT

DATES TO REMEMBER / FUTURE AGENDA ITEMS

- May 3, 2010 - Regular Meeting
- June 3, 2010 - Audit & Finance
- June 7, 2010 - Regular Meeting (at De Anza)
- June 15, 2010 - CBOC
- June 21, 2010 - Regular meeting (at Foothill)

**FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT**

**Office of the Chancellor**

TO: Members of the Board of Trustees

FROM: Linda M. Thor, Chancellor

DATE: March 31, 2010

RE: Public Session — **April 5, 2010**

**1. Student Discipline**

Request for student expulsion for student (SID #11195482) due to violation of Student Code of Conduct.

President Judy Miner recommends **expulsion** of student #11195482.

**2. Student Discipline**

Request for student expulsion for student (SID #1304272) due to violation of Student Code of Conduct.

President Judy Miner recommends **expulsion** of student #11304272.

**3. Student Discipline**

Board approval is requested to expel student #11320022 according to Education Code 76030 (expelling a student for good cause).

Included for the Board's review are copies of the file in the Student Development office and the documents the Disciplinary Hearing Committee used to make their recommendation that student #11320022 be expelled from enrollment or attending any classes, programs or activities the Foothill-De Anza Community College District.

President Brian Murphy recommends **expulsion** of student #11320022.

**4. Student Discipline**

Board approval is requested to expel student #11350308 according to Education Code 76030 (expelling a student for good cause).

Included for the Board's review are copies of the file in the Student Development office and the documents the Disciplinary Hearing Committee used to make their recommendation that student #11350308 be expelled from enrollment or attending any classes, programs or activities the Foothill-De Anza Community College District.

President Brian Murphy recommends **expulsion** of student #11350308.

## **5. Presentation by Fremont Union High School District**

Superintendent Polly M. Bove will present the State of the Fremont Union High School District.

District challenges include:

- \* Renewing the parcel tax that generates revenue of about \$5.2 million per year before it expires in 2011:
- \* Maintaining highly qualified teachers and support staff with a budget that projects very minimal property tax growth for the next three years;
- \* Continuing implementation of the 2008 Bond Program, which includes constructing/renovating of classrooms and science labs, constructing a solar electricity system, replacing and upgrading technology, repairing aging infrastructure, modernizing tracks and fields and other facilities improvements.

## **6. Layoff Due to Lack of Funds/Lack of Work**

The budget projected for the 2009-2010 fiscal year presented significant fiscal challenges for the District. The District relied upon several strategies to reduce expenditures. The budget reductions were in place by August 2009.

1. \$6.7 million in operating expenses were eliminated
  - 68 filled and vacant positions were eliminated from the general fund budget. The filled positions (35) were funded through the use of escrowed funds.
  - Funding for 16 positions was reduced or reassigned to alternative funding sources i.e., Categorical Programs (Fund 121), Self-Sustaining (Fund 115) and/or Measure C (Fund 400).
  - 4 positions were restructured/reorganized due to retirements
  - \$312,655 was reduced from "B" budgets.
  - \$200,000 was reduced in faculty reassigned time funding.
2. \$2.6 million reduction in part-time faculty costs due to workload reduction of 5%.

After the above reductions were implemented, there remained a \$3.8 million structural deficit being supported by one-time reserves.

An early assessment of the 2010-11 budget identified three areas of concern:

- \$3.8 million unresolved structural deficit
- \$7.9 million in State cuts to Categorical programs
- Projected \$4.3 million increase to expenses due to step and column advancements, and increased benefit expenses.

Due to the benefit concessions made by all employee groups, a revision of the estimated 2010-11 deficit determined the following:

- Projected expenses will exceed revenue by \$4.1
- State cuts to categorical funding amount to \$6.5

Without additional cost reductions, the total projected deficit for 2010-11 is \$10.6. Therefore, in January 2010, budget cuts were made to address the projected deficit:

- Where possible, reduce B budget
- Where possible, redirect salaries to bond program, categorical programs and self-sustaining funds where legally and fiscally possible
- Re-organize services and departments to recognize loss of revenues
- Eliminate 34 filled and vacant positions from the general fund and categorical budgets. 27 filled positions will be funded through the use of escrowed funds (**Escrow II**).

The current District budget strategy focuses on the following:

#### Cost Saving Measures

- Photovoltaic installations at Foothill College in the summer of 2010 where there is an anticipated annual savings of \$250,000 upon project completion. Future plans include a similar size project at De Anza College in the summer of 2011.

#### Use of Fund Balance and Reserves

##### General Fund

- Maintain 5% reserves (\$10.3 million)
- Restrict district-wide carryover for EIS implementation, union negotiated items and election costs (\$1.6 million)
- Restrict portion of Stability Funding for Escrow II (\$2 million)
- Maintain any remaining Stability Funding for potential State cuts (\$6.4 million)

##### Internal Service Fund/Benefit Fund

- Maintain \$2 million operating reserve
- Reserve \$500,000 for negotiated post-97 Health benefit Reserve for FA and ACE
- Restrict \$273,000 for Extended Sick Leave and Vacation Payout Reserve
- Maintain any remaining unrestricted funding for rate stabilization (goal amount \$5 million)

#### New Revenue Generation

- Conduct a feasibility assessment of a parcel tax
- Create a stronger grants office to secure potential additional state, local and federal funding
- Foundation Board to increase activity in light of fiscal crisis

Whereas the District has determined that it has a budget deficit the following classified positions will be eliminated for lack of funds/lack of work effective June 30, 2010:

#### #1

Administrative Assistant I

Counseling

De Anza

Administrative Assistant I	Adaptive Learning	Foothill
Division Administrative Assistant	Language Arts	De Anza
Instructional Associate	Business/Computer Systems	De Anza
Instructional Associate	Language Arts	Foothill
Instructional Associate	Language Arts	Foothill
Instructional Associate	Social Sciences	De Anza
Instructional Associate	Social Sciences	De Anza
Instructional Associate	Travel Careers	Foothill
Program Coordinator I	Krause Center for Innovation	Foothill
Program Coordinator II	EOPS	De Anza
Program Coordinator II	Career Center	De Anza
Head Grounds Gardener	College Services	De Anza

Therefore, effective June 30, 2010 the following classified employees are subject to layoff for lack of funds/lack of work:

**#2**

Francisca Ramirez Moya	Administrative Assistant I	De Anza
Bhavi Patel	Administrative Assistant I	Foothill
Mary Ann Washington	Division Administrative Assistant	De Anza
Diana Morrow	Instructional Associate	De Anza
Rose Maestas-Hoohuli	Instructional Associate	Foothill
Nancy Gill	Instructional Associate	Foothill
Frances Frazer	Instructional Associate	De Anza
Gregory Knittel	Instructional Associate	De Anza
Gulay Gur	Instructional Associate	Foothill
Willie Frieson	Program Coordinator I	Foothill
Griselda Sigala-Aguilar	Program Coordinator II	De Anza
Cynthia Lister	Program Coordinator II	De Anza
Robert Covington	Head Grounds Gardener	De Anza

WHEREAS the employees listed in #2 above may exercise “bumping rights” into other classified positions in accordance with the Education Code and their respective collective bargaining *Agreements* with the District, the following employees may be subject to layoff:

**#3**

Craig Gawlick	Administrative Assistant I	Foothill
Phong Lam	Division Administrative Assistant	De Anza
Paul Zuniga	Instructional Associate	Foothill
Ann Leever	Instructional Associate	De Anza
Priscilla Davis	Instructional Associate	De Anza
Julie Riggins	Instructional Associate	Foothill
Wilbert Hollins	Instructional Associate	Foothill
Vida Ajdarian-Fard	Instructional Associate	De Anza
Sandra Cardoza	Library Services Technician, Senior	De Anza
Mai Dam	Program Coordinator I	De Anza



Readiness Teaching Assistant II	Language Arts	De Anza
Readiness Teaching Assistant II	Language Arts	De Anza
Readiness Teaching Assistant II	Language Arts	De Anza

Therefore, effective June 30, 2010 the following classified employees are subject to layoff: for lack of funds/lack of work:

**#5**

Roger Quimby	Adaptive Learning Assistant II	Foothill
Charlene Wonpat	Adaptive Learning Assistant II	Foothill
Suzanne Yamada	Administrative Assistant I	Foothill
Jan Rindfleisch	Executive Director, Museum	De Anza
Alerie Flandez	Instructional Associate	De Anza
Jacqueline Kritzer	Instructional Associate	De Anza
Norman Landes	Instructional Associate	Foothill
Renato Tuazon	Instructional Associate	De Anza
Judith Gilford	Language Arts Lab Assistant	Foothill
Chris Engstrume	Parking Officer	Central Services
Sandra Blackborow	Tutorial Center Associate	De Anza
Shani Armstrong	Readiness Teaching Assistant I	De Anza
Richard Claeys	Readiness Teaching Assistant I	De Anza
Jane Derosa	Readiness Teaching Assistant I	De Anza
Andrea Guido	Readiness Teaching Assistant I	De Anza
Jenifer Jafari-Farahani	Readiness Teaching Assistant I	De Anza
Ho Lee	Readiness Teaching Assistant I	De Anza
Andrew Leung	Readiness Teaching Assistant I	De Anza
Marilyn Levy	Readiness Teaching Assistant I	De Anza
Jean Merkhofer	Readiness Teaching Assistant I	De Anza
Flannery Norton Quinn	Readiness Teaching Assistant I	De Anza
Jerome Sheahan	Readiness Teaching Assistant I	De Anza
Kanako Suda	Readiness Teaching Assistant I	De Anza
Joan Williamson	Readiness Teaching Assistant I	De Anza
Bettina Brockmann	Readiness Teaching Assistant II	De Anza
John Cortland	Readiness Teaching Assistant II	De Anza
Terry Eden	Readiness Teaching Assistant II	De Anza
Sorena Faravashi	Readiness Teaching Assistant II	De Anza
Kennedy Gomez	Readiness Teaching Assistant II	De Anza
Harold Griffin	Readiness Teaching Assistant II	De Anza
David Grunwald	Readiness Teaching Assistant II	De Anza
Christine Johnson	Readiness Teaching Assistant II	De Anza
Roshini Joseph	Readiness Teaching Assistant II	De Anza
Dawn Kaltenbach	Readiness Teaching Assistant II	De Anza
Yuan Kuo	Readiness Teaching Assistant II	De Anza
Anjana Mehta	Readiness Teaching Assistant II	De Anza
Miki Melton	Readiness Teaching Assistant II	De Anza
Mahsa Modirzadeh	Readiness Teaching Assistant II	De Anza
Ronald Orlando	Readiness Teaching Assistant II	De Anza

Julie Sanders	Readiness Teaching Assistant II	De Anza
Vipinchandra Shah	Readiness Teaching Assistant II	De Anza
Christine Zercher	Readiness Teaching Assistant II	De Anza

And, the following classified position will be subject to a 50% reduction in contract effective June 30, 2010:

**#6**  
Special Events Coordinator    Student Development    De Anza

Therefore, effective July 1, 2010 the following classified employee are subject to a 50% reduction in contract for lack of funds/lack of work:

**#7**  
Casey Dick    Special Events Coordinator    De Anza

Vice Chancellor of Human Resources and Equal Opportunity Dorene Novotny recommends the board **eliminate** the positions listed in #1 and #4 and that the Board **reduce** the positions listed in #6.

In accordance with Education Code sections 88117 and 88127, Article 11 of the *Agreement* between the District and Association of Classified Employees (ACE) and Article 9 of the *Agreement* between the District and CSEA, Chapter 96, Unit, the Board is requested to **authorize** District representatives to provide all employees listed in #2, #3, #5, and #7 above with forty-five (45) day notices of layoff.

## 7. 2010 Report on Open Educational Resources

On December 6, 2004, the Board approved Policy 6141 Public Domain which states: *“The Foothill-De Anza Community College District supports the creation, use, accessibility, and ongoing maintenance of public domain-based learning materials in accordance with established curriculum standards for educational purposes of the District, using the commonly accepted legal definition of public domain materials...The Chancellor will provide periodic reports, not less than annually, to the Board that detail the progress made toward accomplishing the goals delineated by this policy.”*

Adoptions of open textbooks by over a dozen faculty at De Anza College and Foothill College have resulted significant savings for students each quarter. In January 2010, the California Community Colleges System Office authorized Foothill College to manage the OER Center for California to provide community colleges around the state with the information, methods, and instructional materials to establish open education resources centers on their campuses, as mandated by A.B. 2261. The Community College Open Textbook Collaborative is a two-year, \$1.5 million grant-funded project managed by Foothill College to provide training for faculty to adopt open resources, peer reviews of open textbooks, an online professional network, support for authors opening their resources, and other services. In 2007, the Foothill-De Anza Community College District launched the Community College Consortium for Open Educational Resources which has grown to a current membership of over 150 colleges.

**8. 2011 Accreditation Update**

Accreditation Liaison Officers Kurt Hueg, Director of Marketing, Public Relations & Design Services (FH) and Marisa Spatafore, Director, Marketing & Communications (DA), have collaborated on the planning process for the 2011 accreditation site visit. Mr. Hueg will present an update on that process.

**9. Resolution Regarding Trustee Absence for Student Trustee Erica Anderson**

Student Trustee Erica Anderson was unable to attend the regular Board meeting on March 8, 2010 due to illness. The Board may grant such an absence if it is due to a hardship deemed acceptable by the Board. As stated in Education Code 72425(5)-d:

A member may be paid for any meeting when absent if the board by resolution duly adopted and included in its minutes finds that at the time of the meeting he or she is performing services outside the meeting for the community college district, he or she was ill or on jury duty, or the absence was due to a hardship deemed acceptable by the board. The compensation shall be a charge against the funds of the district.

Included for adoption by the Board is a resolution verifying the fact of the absence which is required by Education Code Section 72425.

Chancellor Linda Thor recommends **approval** of the resolution.

**10. Board Policy 6125, Grading (2<sup>nd</sup> Reading)**

Board Policy 6125, Grading was presented to the Board on 3/1/10 for a first reading after review and approval by the Chancellor's Advisory Council.

The policy is being presented to the Board for a second reading.

Chancellor Linda Thor recommends **approval** of Board Policy 6125 as submitted.

**11. International Travel Approval**

In conjunction with District board Policy 4176, board approval is requested for international travel on behalf of two De Anza college faculty members.

Li Wei Sun has requested travel to Taiwan to attend an Early Childhood Education seminar in Taiwan the week of March 26, 2010.

Mike Engle has requested travel to Vietnam from April 10-25 to consult with Dong An Technical University in the area of MCNC, Manufacturing and Computer-Aided Numerical Control Technologies.

De Anza President Brian Murphy recommends **approval**.

**12. Ratification of Wire Transfers Greater than \$5,000 for July 2009 – February 2010**

Attached for Board ratification are wire transfers greater than \$5,000 for July 2009 through February 2010. These were inadvertently omitted from the B Warrants and wire transfers submitted to the Board on August 3, 2009, November 2, 2009, and March 1, 2010.

Vice Chancellor of Business Services Andy Dunn recommends **ratification**.

**13. Ratification of Contracts and Agreements**

Presented to the Board for ratification is the list of contracts and agreements signed by the Vice Chancellor, Business Services. It is the intention of Business Services to present such a list each month.

This procedure is in response to a review of Ed Code requirements and the revised Board Policy Section 3000.

Vice Chancellor of Business Services Andy Dunn recommends **ratification**.

**14. Listing of District Investments as of December 31, 2009**

Provisions with SB 564 require local agencies to report all external investments on a quarterly basis. In accordance with the aforementioned requirement, attached is a listing of the District's investments as of December 31, 2009.

The District invested its cash, \$250,986,492.11 on December 31, 2009, in the County's Commingled Investments Pool. As of December 31, 2009, the current yield on the commingled investments pool was 1.06%. As a comparison for the same time period, the yield on a two-year Treasury Note was 0.97%; the yield on a 6-month Treasury Bill was 0.18%; and the Local Agency Investment Fund (LAIF) was 0.57%.

In addition, the County Treasury held various securities totaling \$66,742.362.19 for Measure C Project Fund. The yield of the securities ranges from 3.25% to 7.25% with maturity date ranges from January 1, 2010 to March 15, 2012.

**15. Approval of Instructional Materials and Use Fees for 2010-11**

Education Code section 76365, and the Title 5 implementing regulations (59400-59408), allow districts to require students to provide various types of instructional materials and enables districts to sell such materials to students who wish to purchase the required materials from the district. Generally speaking, there are strict limitations on charging a required "instructional materials fee."

The law provides that students can only be required to provide materials which are of continuing value to the student outside of the classroom setting.

The State Chancellor's Office has determined that such materials include, but are not limited to textbooks, tools, equipment, clothing, and those materials which are necessary for a student's vocational training and employment.

The regulations further provide that "instructional and other materials" means tangible personal property that is owned or primarily controlled by the student and has been expanded to include electronic data that the student may access during the class and store for personal use after the class in a manner comparable to the use available during the class.

Vice Chancellor of Business Services Andy Dunn recommends **approval** of the fees associated with the referenced listing of courses under the authority of Education Code Section 76365.

**16. Approval of New Courses Beginning Spring 2010 Quarter**

Foothill seeks board approval for the addition of the attached courses to the 2009-10 Foothill College Catalog.

These courses have been approved through the established Foothill curriculum process for the 2009-10 year.

Foothill administration recommends **approval** of these additional courses.

**17. Approval of Stand Alone Courses**

Foothill seeks board approval for the Stand Alone Courses. Per Title 5 direction, every course that is not part of a State approved degree or certificate or is not part of the Foothill General Education requirements is required to have completed an application to substantiate its appropriateness to our mission, prove that it has met Foothill's curriculum standards and that it is compliant with regard to enrollment restrictions and accreditation standards.

These courses have completed Curriculum Committee applications and have been approved through the established Foothill curriculum process.

Foothill administration recommends **approval** of these additional courses.

Vice Chancellor of Business Services Andy Dunn recommends **approval** of the fees associated with the referenced listing of courses under the authority of Education Code Section 76365.

**18. Disposal of Surplus Refrigerated Salt Water Aquarium**

The District owns 1 refrigerated salt-water aquarium that is in non-working condition and of no further use to the District. District staff estimates the resale value to be zero.

California Education Code 81452(c) provides that if the governing board, by a unanimous vote of those members present, finds that the property, is of insufficient value

to defray the costs of arranging a sale, the property may be disposed of in the local public dump on order of any employee of the District empowered for that purpose by the board.

District Staff will dismantle the items and recycle or dispose of the components appropriately.

Director of Purchasing and Material Services recommends the board make a finding that the items are of insufficient value to defray the costs of arranging a sale and **authorize** the Director of Purchasing Services to recycle or dispose of the items in the local public dump.

**19. Donation of Surplus District Computers to OTI**

The District has 22 computers that have been replaced with new equipment. The used equipment is unsatisfactory for further use by the District. Educational Technology Services (ETS) estimates that each computer has a value of \$40.00. Therefore, the estimated aggregate value is \$880.00.

The De Anza College Occupational Training Institute evaluated this equipment and found it acceptable for refurbishment and donation to students as scholarships. Therefore, it is recommended that the computers be donated to the Foothill-De Anza Foundation, which is a tax-exempt public benefit corporation under Section 501c(3) of the Internal Revenue Service Code.

California Education Code 81452(c) provides that if the governing board, by a unanimous vote of those members present, finds that the property, is of insufficient value to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the board.

Director of Purchasing and Material Services recommends the board make a finding that the items are of insufficient value to defray the costs of arranging a sale and **authorize** the Director of Purchasing Services to donate the items to the Foothill-De Anza Foundation.

**20. Sale of Surplus District Air Compressor**

The District has one air compressor that has been determined by the Plant Services Department to be of no further use to the District. The estimated aggregate market value of the air compressor is \$250.00.

California Education Code 81452(a) provides that if the governing board by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed in value the sum of five thousand dollars (\$5,000.00), the property may be sold by any employee of the District empowered for that purpose by the board.

Purchasing Services plans to post a notice on Bid Net and call for competitive bids on the Public Surplus website. Proceeds will be deposited to the District General Fund.

Director of Purchasing and Material Services recommends the board make a finding that the property does not exceed \$5,000.00 in value and **authorize** the Director of Purchasing Services to sell the items in accordance with Education Code 81452(a).

## **21. Sale of Miscellaneous Surplus Electronic Equipment**

The District has fourteen pallets of computers, monitors, printers, and miscellaneous electronic equipment (See attached Surplus Forms, 16 pages). The Districts Educational Technology Services Department (ETS) staff has determined that the items are obsolete and of no further use to the District. De Anza College Occupational Training Institute and the De Anza Associated Student Body have also found them to be unsuitable for further use. In accordance with the Electronic Waste Recycling Act these items are considered electronic waste and may be sold only to authorized State of California Cathode Ray Tube (CRT) material handlers, collectors and recyclers. The estimated aggregate market value of this electronic equipment is less than \$5,000.00.

California Education Code 81452(a) provides that if the governing board by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed in value the sum of five thousand dollars (\$5,000.00), the property may be sold by any employee of the District empowered for that purpose by the board.

Purchasing Services plans to post a notice on Bid Net and call for competitive bids from companies that are authorized State of California CRT material handlers, collectors and recyclers. Proceeds will be deposited to the District's general fund.

Director of Purchasing and Material Services Carmen Redmond recommends the board make a finding that the property does not exceed \$5,000.00 in value and **authorize** the Director of Purchasing Services to sell the items in accordance with Education Code 81452(a).

## **22. Professional Development Leave Reports**

In accordance with Article 17.16 and 17.17 of the *Agreement* between the District and the Faculty Association, the Professional Development Leave Committee has reviewed and approved Professional Development Leave Reports from the faculty employees listed on the attached memo who successfully met the objectives of their leaves. The Board is requested to accept the reports and is encouraged to read the reports which are available for review in the Human Resources office.

Chair of the Professional Development Leave Committee Dorene Novotny, recommends **acceptance** of the reports.

## **23. Human Resources Report**

The Human Resources report is presented for Board Approval. The report reflects the personnel actions in the following categories: new hires, new positions, promotions, reassignments, reclassifications, separations, 39 month re-employment, permanent contract changes, professional growth awards, service recognition awards and longevity awards.

Vice Chancellor of Human Resources and Equal Opportunity Dorene Novotny recommends approval.

**24. Personnel Actions as Follows:**

*Name:* **Joy Crevier**  
*Position:* Instructor  
*College:* Foothill College  
*Division:* Physical Sciences, Math & Engineering  
*Action:* **Resignation**  
*Effective Date:* March 31, 2010

*Name:* **Juanita Cordero**  
*Position:* Instructor  
*College:* De Anza College  
*Division:* Social Sciences  
*Action:* **Correction: 20% load reduction per Article 18**  
*Effective Date:* AY 2010-2011

*Name:* **Gaeir Dietrich**  
*Position:* Director  
*College:* De Anza College  
*Division:* Special Education, High Tech Center Training Unit  
*Action:* **Employment**  
*Effective Date:* April 6, 2010 through June 30, 2011  
*\* Compensation:* Range H, Step 8 @ \$9,878.61/month

*Name:* **Linda DiNucci**  
*Position:* Instructor  
*College:* Foothill College  
*Division:* Adaptive Learning Division & Disability Services  
*Action:* **Resignation for the purpose of retirement**  
*Effective Date:* June 25, 2010

*Name:* **LeeAnn Emanuel**  
*Position:* Instructor/Counselor  
*College:* Foothill College  
*Division:* Counseling  
*Action:* **Employment**  
*Effective Date:* August 1, 2010  
*\* Compensation:* Column III, Step I @ \$8,081.85/month

*\* # of Months:* 11

*Name:* **John Fox**  
*Position:* Instructor  
*College:* Foothill College  
*Division:* Business & Social Sciences  
*Action:* **Employment**  
*Effective Date:* September 16, 2010  
*\* Compensation:* Column II, Step A @ \$5,545.86/month

*\* of Months:* 10

*Name:* **Kara Giannetto**  
*Position:* Instructor  
*College:* Foothill College  
*Division:* Physical Education & Human Performance  
*Action:* **50% unpaid leave of absence per Article 16**  
*Effective Date:* AY 2010-2011 and 2011-2012

*Name:* **Reginald Hamer**  
*Position:* Instructor  
*College:* De Anza College  
*Division:* Physical Science, Math & Engineering  
*Action:* **Revision: 55% load reduction per Article 18**  
*Effective Date:* Spring 2010

*Name:* **Reginald Hamer**  
*Position:* Instructor  
*College:* De Anza College  
*Division:* Physical Science, Math & Engineering  
*Action:* **Resignation for purpose of retirement under Article 19**  
*Effective Date:* June 25, 2010

*Name:* **Ebenezer Hunter**  
*Position:* Instructor  
*College:* De Anza College  
*Division:* Intercultural/International Studies  
*Action:* **Resignation for purpose of retirement under Article 19**  
*Effective Date:* June 25, 2010

*Name:* **Judy Mowrey**  
*Position:* Instructor  
*College:* De Anza College  
*Division:* Library Services  
*Action:* **Resignation for purpose of retirement under Article 19**  
*Effective Date:* June 25, 2010

*Name:* **Leonis (Le Ann) Osterdock**  
*Position:* Instructor / Program Director  
*College:* Foothill College  
*Division:* Biological & Health Sciences  
*Action:* **Resignation for purpose of retirement under Article 19**  
*Effective Date:* June 25, 2010

*Name:* **Benjamin Stefonik**  
*Position:* Instructor  
*College:* Foothill College  
*Division:* Business & Social Sciences  
*Action:* **Employment**  
*Effective Date:* September 16, 2010

\* # of Months: 10

\* *Compensation:* Column II, Step B @ \$5,827.63/month

*Name:* **Leland Van Fossen**  
*Position:* Instructor  
*College:* De Anza College  
*Division:* Biological, Health & Environmental Sciences  
*Action:* **Resignation for purpose of retirement**  
*Effective Date:* June 25, 2010

*Name:* **Sandi Watkins**  
*Position:* Instructor  
*College:* Foothill College  
*Division:* Computers, Technology & Information Systems  
*Action:* **Revision: 33% load reduction as per Article 18**  
*Effective Date:* AY 2010 - 2011

Vice Chancellor of Human Resources and Equal Opportunity Dorene Novotny recommends **approval**.

## **25. California Community Colleges Trustees Board Election**

The Board is entitled to submit its vote as a body to elect seven community college trustees to the California Community College Trustees (CCCT) Board of Directors. The list of 10 candidates who have been nominated for the CCCT Board of Directors is attached. Each community college district board has one vote for each of the seven vacancies. Only one vote may be cast for any nominee or write-in candidate. Information provided by various candidates and the statements of candidacy were earlier sent to the Board.

Following past practice at Foothill-De Anza, the Board President will introduce the topic for discussion, then request each elected trustee to mark the attached ballot and pass it to the recording secretary, who will tabulate the results onto one official ballot and submit it to the CCCT Office by the deadline of April 26. The student trustees may cast advisory votes to be used to resolve any ties that result in more than seven candidates being selected. A copy of the tabulated ballot will be distributed to the elected trustees in the weekly Board mail for their information.

Trustees are permitted to vote for any number up to seven, but not more than once per candidate. Each elected trustee is asked to vote for up to seven candidates.

## **26. Public Hearing – Open Negotiations for 2010-2011 between the District and CSEA, Chapter 96**

In accordance with Government Code section 3547, the Foothill-De Anza Community College District and CSEA, Chapter 96 propose to reopen negotiations on the current Agreement (January 1, 2010 through December 31, 2012). The District proposes changes to Article 5, Article 11 and Article 12.

Both parties reserve the right to add, alter, or delete any of the above proposed articles.

This Public Hearing affords members of the public the opportunity to express themselves regarding this matter.

**27. Approve Contract for Polling Company**

The Board has debated the merits of a parcel tax for the district over the course of the last year on several different occasions. Most recently, at their February 1 meeting, the Board authorized the district to solicit proposals from polling companies to examine the feasibility of a parcel tax. Subsequent to this meeting, the district prepared and distributed RFP No. 1257 for Campaign Consultation and Survey Services.

In response to the RFP, the district received proposals from five firms:

- ✓ EMC Research, Inc,
- ✓ Fairbanks, Maslin, Maulin, Metz & Associates
- ✓ TBWB Strategies
- ✓ Tramutola LLC
- ✓ Tulchin Research

A subcommittee of the Board consisting of Trustees Bechtel and Cheng, along with Linda Thor, Andy Dunn and Mike Brandy screened the proposals and interviewed three firms on March 9, 2010. The firms interviewed were EMC Research, Inc.; Fairbanks, Maslin, Maulin, Metz & Associates; and TBWB Strategies. Based on the results of these interviews, the committee recommends that a contract be awarded to TBWB Strategies to conduct a feasibility poll for a potential parcel tax. Depending on variables such as sample size and survey length, the cost for these services will range from \$26,850.00 to \$36,830.00. These costs will be paid from one time carry over dollars in Central Services.

Godbe Research, who conducted the recent polling in the San Mateo Community College District for parcel tax and bond feasibility studies, will be a subcontractor to TBWB Strategies. The contract fee, as noted above, is largely driven by the actual polling activities.

The project director from TBWB Strategies will be Charles Heath who was the campaign manager for the two successful Measure E and Measure C bond programs in our District. Both Godbe and TBWB Strategies have extensive recent experience in our area with K-12 parcel tax and bond programs reflecting a wealth of knowledge about local voting trends. The TBWB/Godbe response to the District proposal is available in the Office of the Chancellor for review. The proposed Agreement for Services with TBWB Strategies is attached for the Board's review and approval.

Vice Chancellor of Business Services, Andy Dunn recommends the board **authorize** the Vice Chancellor of Business Services execute the attached Agreement for Services with TBWB Strategies for a feasibility study of a parcel tax at a cost not to exceed \$37,000.

**28. Discussion of Middlefield Education Center Site**

The attached memo from Vice Chancellor Dunn to Chancellor Thor is presented to provide background information for Board of Trustees at their meeting of April 5, 2010.

**29. Measure E Consent**

Aggregate amount for these items is \$72,470

**De Anza College –**

- A) Salas O’Brien – Revision #1 to PAA #D03 – Science Center Fire Sprinklers - \$6,925
- B) Budget Transfer #72
- C) Allana Buick Bers, Inc. – Revision #1 to PAA #D20 – PE Shower Repairs - \$7,575

**Foothill College –**

- D) Cody Anderson Wasney Architects, Inc. – Revision #1 to PAA #F-CAW – New ETS/Data Center Building - \$57,970

Charles Allen, Executive Director of Facilities, Operations, and Construction Management, Tom Armstrong, Director, Bond Program Management, De Anza College, recommend that Measure E consent items be **ratified/approved** by the Board of Trustees.

**30. Award a Contract Pursuant to Bid Document 1247-153 Emergency Generator Remote Fueling Station – Foothill College**

The project provides for the installation of a Pryco fuel fill station, steel piping, and leak detection system to achieve a complete and operable remote fueling station for the Campus Center 300kW emergency power generator as directed by the Santa Clara County Fire Marshal’s office. The scope of work also includes modifications to the exhaust duct and modifications to the electrical power and controls wiring that operates the remote fuel station and leak detection systems. Some minor removal and replacement of exterior cedar wood siding is also required. Salas O’Brien Engineers, Inc. prepared the contract documents. A complete set of all bid documents are on file in the Purchasing Services Department.

Bid 1247-153 was legally advertised on January 12 and January 19, 2010. The “Invitation to Bid” was also sent to nine (9) builder’s exchanges, and advertised in the Daily Pacific Builder, as well as posted on “BidNet” at [www.govbids.com](http://www.govbids.com). Bids were publicly opened and read on February 18, 2010 at 2 p.m. in Purchasing Services. Eight (8) contractors submitted bids. Bid results are below:

**BID RESULTS**

<b>General Contractors</b>	<b>Base Bid Proposal Amount</b>
B Bros Construction, Inc.	\$41,000
<b><i>R. C. Benson &amp; Sons, Inc.</i></b>	<b><i>\$54,500</i></b>
Rumex Construction Corporation	\$55,540
Coulter Construction, Inc.	\$57,296
West Star Environmental	\$58,000
Beals Martin, Inc.	\$62,495
Kuehne Construction	\$63,559

Rodan Builders, Inc.	\$86,000
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On February 19, 2010, the apparent low bidder B Bros Construction, Inc. sent a letter to the District asking to be relieved of its bid in accordance with the Public Contract Code due to a mistake in preparing its bid price. Pursuant to Public Contract Code Section 5103, the Board of Trustees may grant relief to a bidder who claims a mistake within the 5 day written notice period provided that the mistake makes the bid materially different than what it was intended it to be, and that the mistake was made in filling out the bid and not due to error in judgment or to carelessness in inspecting the site of the work, or in reading the plans or specifications. The mistake was material and made the bid \$11,575 lower than what B Bros Construction, Inc. intended it to be (see attached letters of 2/18/10, 2/19/10, and 3/5/10).

Therefore, R. C. Benson & Sons, Inc. is the lowest responsive and responsible bidder. They have successfully completed many public works projects including an infrastructure upgrade and renovation project at Westmont High School and a variety of small jobs for the District’s Facilities Department. Additionally, they successfully completed a recent project at Stanford Hospital. The bid price of \$54,500 submitted by R. C. Benson & Sons, Inc. is well within the construction estimate of \$60,000. The project will be funded through Measure E.

Director of Purchasing and Material Services Carmen Redmond recommends the board relieve B Bros Construction Inc. of its bid due to a mistake pursuant to PCC 5103 and **authorize** the Director of Purchasing and Material Services to award a contract pursuant to Bid 1247-153 Emergency Generator Remote Fueling Station - Foothill College in the amount of \$54,500 to R. C. Benson & Sons, Inc.

**31. Award a Contract Pursuant to Bid Document 1256-277.A, Kirsch Door Replacement Project - De Anza College**

The project provides the complete removal & replacement of three sets of exterior doors located at the Kirsch Center for Environmental Studies Building, including new hardware, finishes, and associated electrical work. The purpose of the project is to improve building security. AEDIS Architecture and Planning, Inc. prepared the contract documents. A complete set of all bid documents are on file in the Purchasing Services Department.

Bid 1256-277.A was legally advertised on February 19 and February 26, 2010. The “Invitation to Bid” was also sent to nine (9) builder’s exchanges, and advertised in the Daily Pacific Builder, as well as posted on “BidNet” at [www.govbids.com](http://www.govbids.com). Bids were publicly opened and read on March 19, 2010 at 2 p.m. in Purchasing Services. Eight (8) contractors submitted bids. Bid results are below:

**BID RESULTS**

<b>General Contractors</b>	<b>Base Bid Propo Amount</b>
<i>R. C. Benson &amp; Sons, Inc.</i>	<i>\$54,862</i>
Automatic Door Systems, Inc.	\$56,275

BCI Builders Inc.	\$66,000
Hough Construction Co., Inc.	\$71,900
ABG Group, dba Home Line Inc.	\$79,662
Kuehne Construction	\$84,590
B-Side, Inc.	\$91,596
John Plane Construction, Inc.	\$94,000

R. C. Benson & Sons, Inc. is the lowest responsive and responsible bidder. They have successfully completed many public works projects including an infrastructure upgrade and renovation project at Westmont High School and a variety of small jobs for the District's Facilities Department. Additionally, they successfully completed a recent project at Stanford Hospital. The bid price of \$54,500 submitted by R. C. Benson & Sons, Inc. is well within the construction estimate of \$60,000. The project will be funded through Measure E.

Director of Purchasing and Material Services Carmen Redmond recommends the board **authorize** the Director of Purchasing and Material Services to award a contract pursuant to Bid 1256-277.A, Kirsch Door Replacement project at De Anza College in the amount of \$54,862 to R. C. Benson & Sons, Inc.

**32. Measure C Consent**

Aggregate amount of these items is \$209,045.

**De Anza College –**

- A) Cleary Consultants, Inc. – Agreement for Services – S2-S6 Phase II – Utility Master Plan Phase I - \$25,000
- B) Environmental Construction Services, Inc. – Revision #1 to PAA #3 – Bladwin Winery & East Cottage “Historic” Project - \$0
- C) Environmental Construction Services Inc. – Revision #1 to PAA #4 – Bladwin Winery & East Cottage “Historic” Project - \$0
- D) Enovity, Inc. – Revision #1 to PAA #1 – Baldwin Winery & East Cottage “Historic” Project - \$0
- E) Enovity, Inc. – Revision 32 to PAA #2 – Baldwin Winery & East Cottage “Historic” Project - \$0
- F) John Plane Construction, Inc. – Change Order #2 – Baldwin Winery 7 East Cottage “Historic” Project - \$6,810
- G) Noll & Tam – Revision #1 to AA #4C – Corporation Yard - \$19,670
- H) Sandis Inc. – Revision #1 to PAA #1 – Secured Bicycle Storage for Students - \$3,500
- I) Tricon Construction, Inc. – Prime Contract Change Order #3 – Pool Chlorination Systems - \$6,115

**Foothill College –**

- J) Cogent Energy, Inc. – PAA #F-COGENT-#3 – Utility and Technology Infrastructure Upgrades - \$61,770
- K) HMC Architects – Change Order #1 – Campus Wide Building System & Infrastructure Repairs/Upgrades - \$0

- L) Tricon construction, Inc. – Change Order #4 – Pool Plaster and Chemical Systems - \$7,838
- M) WRNS Studio – Revision #1 to PAA #F-WRNS-#1B – Central Campus Site Improvements - \$52,350
- N) WRNS Studio – PAA #F-WRNS-#4A – Parking & Circulation \$19,500
- O) Zolman Construction and Development, Inc. – Change Order #1 – Modernization of Administration Building and General Classrooms - \$7,392

Charles Allen, Executive Director of Facilities, Operations, and Construction Management, Tom Armstrong, Director, Bond Program Management, De Anza College, and Art Heinrich, Bond Program Management, Foothill College, recommends that Measure C consent item(s) be **ratified/approved** by the Board of Trustees.

**33. Measure C Project List Revision and De Anza Budget Transfer #20.**

This revision to the Measure C Project List is required to more effectively manage multiple projects as follows:

- To ensure proper coordination, and to gain efficiency and economy of scale, the project management team has determined to consolidate several smaller projects into one new large Site Improvement project. The proposed new Measure C project will be: **#274 Combined Site Improvements**. The scope and budget of the following smaller projects will be consolidated into this new project:
  - #210 Asphalt Walks
  - #219 Irrigation Branches
  - #220 Landscaping Phase II
  - #221 Campus Exterior Lighting Phase II
  - #233 Slip Line Storm Drain Main Lines
  - #235 Repair Stone Pavers in Court Yards
  - #250 ADA Transition Plan
- Bid savings from Project #205 Seminar Building & Multicultural Center are being reallocated to augment budgets in the following projects:
  - #211 L-Quad Seating: to fund an increase in the estimated cost at completion due to construction sequencing to avoid class schedule interruptions
  - #217 Secured Bicycle Storage for Students: for redesign fees for modifying the bike racks, lockers, and fencing designs, and, to fund an increase in the estimated cost at completion by making these changes
  - #251 Install Photovoltaic Arrays - Campus Wide: to fund future PV installations at Lots A & B

Executive Director of Facilities, Operations and Construction Management recommends that the Board approve the bond Project List Revision and De Anza Budget Transfer #20.

**34. Project Authorization Amendment #F-WRNS-2B with WRNS Studio architects: Parking and Circulation at Foothill College (Measure C Project # 162)**

This Project Authorization Amendment #F-WRNS-2B with architects WRNS Studio provides for complete design services related to the Parking and Circulation projects at Foothill College. This PAA authorizes WRNS to develop complete construction bid documents, obtain DSA approvals, respond to bidder's questions, and provide

construction administration services for the parking and circulation projects. These projects provide for improved pedestrian and vehicular circulation and safety along the loop road, parking lot entrances, and pedestrian crossings. The projects also provide for additional ADA accessible parking. The fee of \$643,307.00 is within the project budget.

Executive Director of Facilities, Operations and Construction Management Charles Allen recommends that the Board **approve** Project Authorization Amendment #F-WRNS-2B with WRNS Studio.

### **35. Sustainability Plan**

The Sustainability Plan is an integral part of the District Strategic Plan. The Sustainability Plan also supports Board Policy 3214, Environmentally Sustainable Practices which sets forth the District's commitment to good stewardship of the environment and to reducing the District's dependence on non-renewable energy sources. Key elements of the Sustainability Plan include:

- ✓ Reference to other key documents related to Environmentally Sustainable Practices
  - Administrative Procedure 3214, Guidelines for Administering Environmentally Sustainable Practices
  - AB 32; Californian Global Warming Solutions Act
  - American College & University Presidents' Climate Act
  - Foothill and De Anza College Sustainability Management Plans
- ✓ A District wide Sustainability Team
- ✓ A clear statement of long term goals
- ✓ Short term actions that identify key annual sustainability goals as well as lead and support responsibilities for each
- ✓ A Communications Plan that includes
  - Routine reporting to the campus community
  - Annual reporting to the Board of Trustees

Comments and feedback on the plan are requested from the Board. Upon receipt and incorporation of comments and feedback from the Board, the plan will be presented at a subsequent meeting for approval.

### **36. Measure C Project/Construction Management Review**

In response to a review of Measure C Project/Construction Management practices that was conducted by MGT of America, Inc / WLC Architects and Construction Services, our Project/Construction Management consultant, Gilbane\_Maas joint venture, along with District staff has begun preparation of a plan of action to improve best practices in areas where weaknesses were identified in the review. This agenda item is intended to provide the Board with an interim update on progress to date.

Key elements of the plan are as follows

- ✓ Assignment of leads to facilitate the development and implementation of the actions needed to respond to the different items in the report where we have opportunities to strengthen our best practices. Assigned leads will be responsible for coordination and collaboration with all stakeholders as required.
- ✓ The plan will include what we are going to do, when it is going to be done, and who has the lead to develop the consensus needed to ensure success.
- ✓ Actions that define success will be clearly stated.
- ✓ Priority will be given to those items expected to provide the highest payback in terms of increases in effective management of the program/projects at the least cost.
- ✓ Initial focus will be given to those things that can be done easily and quickly.

Attached is an update of specific actions taken to date to respond to the report.