

Members present:

Laura Casas, President
Pearl Cheng
Peter Landsberger
Bruce Swenson
Gilbert Wong

For public session only:

Courtney Cooper, Foothill College Student Trustee

Absent:

Elias Kamal, De Anza College Student Trustee

REGULAR MEETING - CALL TO ORDER

Board of Trustees President Laura Casas called the meeting to order at 5:00 p.m. in the Toyon Room and asked if anyone present wished to comment on closed session items. Hearing no response, the governing board adjourned to closed session.

ADJOURN TO CLOSED SESSION

The governing board adjourned to closed session at 5:00 p.m. in the Altos Room to discuss:

CONFERENCE WITH LABOR NEGOTIATOR District Negotiator: Dorene Novotny Employee Organizations: All Represented and Unrepresented Groups (Pursuant to Government Code Section 54957.6)

Executive administrators present:

Joe Moreau, Vice Chancellor, Technology
Brian Murphy, President, De Anza College
Thuy Nguyen, President, Foothill College
Dorene Novotny, Vice Chancellor, Human Resources and Equal Opportunity

PUBLIC SESSION

President Casas called the regular meeting to order at 6:07 p.m. and led the Board and audience in the Pledge of Allegiance.

REPORTING OUT FROM CLOSED SESSION

President Casas announced that no reportable action was taken during closed session.

APPROVAL OF MINUTES

Minutes of the April 3, 2017, Regular Meeting of the Board of Trustees

Action: Approved the draft minutes of the April 3, 2017, Board of Trustees regular meeting.

Motion by Gilbert Wong, second by Courtney Cooper

Advisory vote in favor: Courtney Cooper

Final Resolution: Motion carries

Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong

Absent: Elias Kamal

HEARINGS: ITEMS NOT ON THE AGENDA

Students

De Anza College students Eddie Cisneros and Shaida Biglari spoke about the De Anza College bike program and asked that the district work to improve safety for bicyclists in and around campus with better signage and shared road indicators.

Staff

Foothill College President Thuy Nguyen shared information regarding the experiences of nine students who were selected to attend the March for Science in Washington, D.C. through an essay contest. She stated that the students, who will be giving a presentation to the college community about what they learned during the event, were interviewed by National Geographic and Dan Rather's Facebook channel during the march. She also praised Vice President of Student Services Denise Swett and her team for the UndocuAlly event held on campus, which involved discussions of what could be done collectively to protect undocumented students by representatives from 18 colleges. President Nguyen commented that enrollment for the second spring, which is being held in lieu of early summer, is pretty strong so far and increased marketing efforts are underway.

On behalf of Chancellor Judy Miner, President Nguyen read a letter to student trustee Courtney Cooper on the occasion of her final Board of Trustees meeting. In the letter, Chancellor Miner commended student trustee Cooper's advocacy efforts and stated that it has been a privilege to work with her. President Nguyen concurred with and added to Chancellor Miner's praise of student trustee Cooper.

De Anza College President Brian Murphy expressed appreciation to the administrators, faculty, and staff members who volunteered for the recent Student and Parent Open House. He reported that the college's new outreach video has had 9,000 views since it was posted two weeks ago, the Women's Badminton team was named Coast conference co-champions, the Women's Tennis team was defeated in the finals, and Higher Education for AB540 Students (HEFAS) program leaders Brenda Pantoja and Itzel Sanchez were awarded \$25,000 TheDream.US scholarships.

Board

Board President Casas presented a gift to outgoing student trustee Cooper in recognition of her year of service, remarking that she is a star and a great leader who embodies all that community colleges offer. President Casas reported that she was given the honor of welcoming California Community Colleges Chancellor Eloy Oakley at a Puente Project reception.

Trustee Pearl Cheng congratulated Chancellor Miner and the faculty and staff who participated in the equity-focused Spring Convocation discussion with author Tim Wise. She expressed hope that the self-reflection and dialogue would continue and that the district would continue to stay focused on putting changes in place to meet the needs of all students.

Trustee Gilbert Wong congratulated President Nguyen and former De Anza College Associate Vice President of Instruction Rowena Tomaneng, who now serves as Berkeley City College President, on receiving the Asian Pacific Americans in Higher Education (APAHE) President's Award for 2017.

Student trustee Cooper reported that student elections are underway and candidates' videotaped statements are available on The Script, Foothill College's student news website. She introduced student trustee candidates Choihou Leong and Chinwe Idika from the audience and commented that the college will be in great hands with either candidate. Student trustee Cooper praised Associated Students of Foothill College (ASFC) President Ramiel Petros' work to increase participation in the elections, noting that a MacBook is being raffled off as an incentive to vote, and spoke about well-intentioned but potentially detrimental legislation ASFC has opposed that would require clinical interns to be paid minimum wage.

Student trustee Cooper thanked governing board members for being welcoming and related a personal story of how Foothill College has helped to empower her to help the students who follow. She reminded everyone that the way in which students are welcomed and greeted makes a difference.

BOARD REPORTS

California Community Colleges Trustees Board Report

President Casas reported a report of the California Community Colleges Trustees (CCCT) Board meeting held April 27, 2017. She stated that the Community College League of California (CCLC) opposes Assembly Bill 387, which is the bill related to paying minimum wage to clinical interns that student trustee Cooper referenced, and has taken a watch position on Senate Bill 54, which would prohibit California police agencies from sharing information with immigration enforcement officials. President Casas advised that the CCLC's federal priorities are securing year-round Pell Grants and protecting the Deferred Action for Childhood Arrivals program and its state priority is to have increased base funding included in the budget. She reported that the CCCT and Chief Executive Officers of the California Community Colleges boards voted to oppose California State University's decision to add intermediate algebra as a separate course requirement for several associate degrees for transfer because studies have shown that it is not needed and it has a negative impact on equity.

APPROVAL OF CONSENT CALENDAR

Action: Approved consent calendar items 1-14 as follows:

1. Ratified contracts and agreements.
2. Ratified contracts and agreements for Measure C.
3. Approved Change Order # 2 to the agreement for services with Verde Design in connection with the Flint Parking Structure Repairs project.
4. Ratified Board Warrants greater than \$5,000 for February and March 2017.
5. Authorized the Director of Purchasing Services to arrange for the sale, donation, recycle, or disposal of the surplus in accordance with the procedures set forth in Education Code sections 81450-81452.
6. Made a finding that the property does not exceed \$5,000.00 in value and authorized the Purchasing Services Department to sell the items in accordance with Education Code 81452(a).
7. Approved the Human Resources Report.
8. Approved the Foothill College revised Mission Statement.
9. Approved Foothill College curriculum updates for the 2017-18 catalog.
10. Approved the international recruiting contract with Gregory Barattini.
11. Approved the international recruiting contract with George Beers.
12. Approved the international recruiting contract with Xiaolong (Andy) Yang.
13. Approved renewal of the 2017-2018 County of Santa Clara Social Services CalWORKS Liaison and Work Study contract.
14. Approved renewal of the HOPE Lease Agreement for 2017-2018.

Motion by Peter Landsberger, second by Courtney Cooper

Advisory vote in favor: Courtney Cooper

Final Resolution: Motion carries

Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong

Absent: Elias Kamal

BOARD BUSINESS

15. 2017-2018 De Anza Associated Student Body (DASB) Budget

2016-2017 De Anza Associated Student Body (DASB) Finance Chair Jennifer Tanko and 2017-2018 DASB Finance Chair Amande Nguyen Le presented the 2017-2018 DASB budget. They explained that revenue has decreased due to reduced enrollment and declining participation in the flea market. Senate costs and special allocations have been reduced as a result, but the budget continues to support Inter Club Council; the Office of Equity, Social Justice and Multicultural Education's programs; Tutorial Center and Math Performance Success; athletics; field trips; and travel expenses for advocacy and leadership conferences.

President Casas thanked the DASB for contributing funding to many programs needed for student success and recommended that students explore moving the flea market to a different day in order to reduce competition with the San Jose flea market. Trustee Wong encouraged the DASB to keep the flea market on the first Saturday of the month while increasing marketing efforts.

Action: Approved the De Anza Associated Student Body Budget for 2017-2018.

Motion by Gilbert Wong, second by Courtney Cooper

Advisory vote in favor: Courtney Cooper

Final Resolution: Motion carries

Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong

Absent: Elias Kamal

16. Associated Students of Foothill College Budget 2017-2018

Associated Students of Foothill College (ASFC) President Ramiel Petros, Vice President of Finance John Fakukakis, and budget analysts Camron Tarassoly, Ronnie Miller, and Juelle Persad presented the 2017-2018 ASFC budget. They projected a decline in OwlCard sales revenue due to lower enrollment and spoke of plans to gradually spend down the fund balance. With regard to expenses, they reported redirecting leadership stipends to scholarships for students who evidence exceptional leadership and increasing funds for year-end celebrations, attendance at conferences, a Library textbook reserve program at the Sunnyvale Center, computer rental program, community service projects, and the student news website, The Script.

ASFC President Petros explained that funds for attending statewide and national advocacy and training conferences have been increased for 2017-2018 and reported that the college's \$10,000 Civic Impact grant was used to register students to vote, publicize elections, and hold events related to politics. In response to a question from trustee Landsberger, Director of Student Activities Daphne Small advised that the Civic Impact grant is in its first year and may be extended and expanded to include community services. She noted that Foothill College was one of 25 schools selected to receive the grant and accounted for 10 percent of the new voter registrations.

Board President Casas, trustees Swenson and Cheng, and student trustee Cooper complimented the students on a professional presentation. President Nguyen thanked ASFC President Petros for his incredible leadership.

Action: Approved the Associated Students of Foothill College 2017-18 budget.

Motion by Courtney Cooper, second by Gilbert Wong

Advisory vote in favor: Courtney Cooper

Final Resolution: Motion carries

Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong
Absent: Elias Kamal

17. Annual Review of Board Policy 2015 Student Members (Second Reading)

Action: Adopted revised board policy 2015 Student Members.
Motion by Bruce Swenson, second by Pearl Cheng
Advisory vote in favor: Courtney Cooper
Final Resolution: Motion carries
Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong
Absent: Elias Kamal

18. Resolution Proclaiming May 21-27, 2017, Classified Staff Appreciation Week

Action: Adopted the resolution proclaiming May 21-27, 2017, Classified Staff Appreciation Week.
Motion by Gilbert Wong, second by Peter Landsberger
Advisory vote in favor: Courtney Cooper
Final Resolution: Motion carries
Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong
Absent: Elias Kamal

19. Board Policy 2432 Acting Chancellor in Absence of Chancellor (First Reading)

President Casas suggested that the first sentence of the second to the last paragraph of the policy be revised to read, "In the absence of all of the administrators listed above, the line of authority shall be the highest ranking administrator at Foothill College, ~~then~~ or De Anza College." President Murphy explained that administrators at Foothill College are listed first because of physical proximity.

20. Board Policy 5300 (formerly 5600) Student Equity (First Reading)

Trustees reviewed the proposed changes to the student equity policy.

BUSINESS SERVICES/FINANCE

21. Bloom Energy Partnership Presentation

Adam Colling and Jamie Funk of Bloom Energy presented a proposal for the installation of on-site power generation systems at Foothill and De Anza colleges that would use fuel cell technology. Mr. Colling reported that the Bloom system would offset electricity purchases from Pacific Gas and Electric/Constellation, provide a potential savings to the district of \$2.4 million over 15 years, and decrease the district's carbon emissions by 22 percent.

In response to questions from trustee Landsberger, Mr. Colling clarified that the cost of the natural gas used in the system is included in the price comparison on slide 8 of the presentation.

Trustee Landsberger questioned whether Silicon Valley Clean Energy (SVCE) might provide lower prices than Bloom Energy over time and asked that a cost comparison with SVCE's 100 percent renewable option be prepared. Executive Director of Facilities and Operations Steve Kitchen explained that the district is currently paying rates lower than those that SVCE would charge, and Mr. Colling pointed out that the 15-year contract with Bloom Energy includes predictable costs that would allow the district to budget more accurately.

With regard to questions from President Casas and trustees Landsberger, Swenson, and Wong regarding disposition of the equipment at the end of the contract, Mr. Colling advised that the district would have an option to buy or return the equipment or extend and renegotiate the contract. He stated that if a choice was made to return the equipment, it would be removed by Bloom Energy at no charge. He also pointed out that the system would be upgraded as technology improves at no extra cost during the term of the contract.

Mr. Funk advised in response to questions from trustee Cheng that Bloom Energy began business in 2002, but there were several years of research and development, and commercial sales did not commence on a large scale until 2008. He reported that the company's financing model does not include federal or state subsidies, most of its contracts are written for a 15-year term, and it is currently working with approximately 10 other public organizations.

With regard to trustees' safety concerns, Mr. Funk explained that the modules are solid-state devices that will not explode even if hit by a car, the noise level produced is approximately 65 decibels at six feet, there is no smell to the modules, and they are not hot to the touch.

Trustee Swenson expressed concern about the district being locked into the contract for 15 years when technology is changing so rapidly. He asked Mr. Colling and Mr. Funk to respond to a California Public Utilities Commission staff recommendation against Bloom Energy receiving energy subsidies because its fuel cells emit too much CO2 and cost more than they are worth compared to alternate technologies. Mr. Funk and Mr. Colling explained that it was a largely a political issue and the California Air Resources Board vigorously disagrees with the assessment. Trustee Swenson asked that trustees be given a copy of the California Air Resources Board assessment.

With regard to trustee Swenson's question concerning backup options, Executive Director Kitchen explained that the district would continue to use Constellation for some of its energy needs and could always increase the amount it uses.

Trustee Wong voiced concern about safety and noise considerations due to the proposed locations of the modules. He asked that trustees be provided information comparing the Bloom Energy proposal to the consortium that the cities are putting together and also asked that a tour of Bloom Energy be provided for interested trustees. Mr. Funk explained that Bloom Energy's solution does not work for all applications. For example, the modules make too much energy for a single family home or a Starbucks.

Trustee Swenson asked that another information item, rather than an action item, be included on the next meeting agenda that includes more detail and an analysis of Bloom Energy's proposal by the district's new energy manager.

HUMAN RESOURCES

22. Resolution Authorizing the Reduction of Classified Service

Action: Adopted resolution 2017-09 eliminating the classified position and authorizing the district to provide the affected employee with a sixty-day notice of layoff.
Motion by Peter Landsberger, second by Pearl Cheng
Advisory vote in favor: Courtney Cooper
Final Resolution: Motion carries
Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong
Absent: Elias Kamal

23. Resolution Authorizing the Reduction of Administrative Service

Action: Adopted resolution 2017-10 eliminating the administrative position and authorizing the district to provide the affected employee with notice of layoff.
Motion by Pearl Cheng, second by Bruce Swenson
Advisory vote in favor: Courtney Cooper

Final Resolution: Motion carries
Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong
Absent: Elias Kamal

FACILITIES

24. Enovity - Agreement for Services - Technical Assistant Proposition 39 - \$156,314.00

Action: Approved the agreement for services with Enovity.
Motion by Bruce Swenson, second by Gilbert Wong
Advisory vote in favor: Courtney Cooper
Final Resolution: Motion carries
Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong
Absent: Elias Kamal

25. Authorize award of a contract pursuant to Bid Document #1776 Wing B Reroof at Child Development Center

In response to a question from trustee Cheng, Executive Director Kitchen advised that the budget for the project exceeds the estimate and would cover change orders.

Action: Authorized Purchasing Services to award a contract to Stronger Building Services pursuant to Bid Document #1776 in the aggregate amount of \$740,000.
Motion by Pearl Cheng, second by Courtney Cooper
Advisory vote in favor: Courtney Cooper
Final Resolution: Motion carries
Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong
Absent: Elias Kamal

MEASURE C PROJECTS

26. Measure C Revision #02 Gilbane/MAAS Standard Form of Agreement

Action: Approved Revision #02 to the Gilbane/MAAS standard form of agreement.
Motion by Gilbert Wong, second by Bruce Swenson
Advisory vote in favor: Courtney Cooper
Final Resolution: Motion carries
Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong
Absent: Elias Kamal

27. Measure C Project List Revision with De Anza Budget Transfer #63

Action: Approved the Measure C project list revision with De Anza budget transfer #63.
Motion by Peter Landsberger, second by Pearl Cheng
Advisory vote in favor: Courtney Cooper
Final Resolution: Motion carries
Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong
Absent: Elias Kamal

28. Authorize the purchase of Apple computer equipment, services and peripherals in excess of the bid threshold

Action: Made a finding that it is in the best interest of the District to issue purchase orders to Apple Inc. for computer products, services and related items in excess of the legally mandated bid threshold pursuant to Public Contract Code 20652 under the Glendale Unified School District Bid Number P-13 13/14 through the term of the contract.
Motion by Gilbert Wong, second by Courtney Cooper
Advisory vote in favor: Courtney Cooper
Final Resolution: Motion carries
Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong
Absent: Elias Kamal

29. Award a contract pursuant to Bid Document #1766R-276: Campus Exterior Lighting Phase III at De Anza College

Action: Authorized the Director of Purchasing Services to award a contract pursuant to Bid #1766R-276: Campus Exterior Lighting Phase III in the amount of \$972,679 to Integra Construction Services, Inc.
Motion by Bruce Swenson, second by Courtney Cooper
Advisory vote in favor: Courtney Cooper
Final Resolution: Motion carries
Aye: Laura Casas, Pearl Cheng, Peter Landsberger, Bruce Swenson, Gilbert Wong
Absent: Courtney Cooper

ADJOURNMENT

President Casas adjourned the meeting in memory of former faculty member Vicki Jennings at 8:05 p.m.

Approved 6/12/17