

**Minutes of the Organizational and Regular Meeting of the Board of Trustees
Monday, December 12, 2022**

Members present:

Patrick Ahrens, President
Laura Casas
Pearl Cheng
Peter Landsberger
Gilbert Wong

For public session only:

Chamu Palaniappan, Foothill College student trustee
Pierce Tao, De Anza College student trustee

REGULAR MEETING

Board of Trustees President Patrick Ahrens called the regular meeting of the Board of Trustees to order at 5:15 p.m. in the Board Room and asked if anyone present wished to comment regarding the closed session agenda item. Hearing no reply, the governing board adjourned to closed session.

ADJOURN TO CLOSED SESSION

The governing board adjourned to closed session at 5:19 p.m. in the Human Resources Conference Room to address the following:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9 of Government Code section (One case).

Executive administrators present:

Judy Miner, Chancellor
Susan Cheu, Vice Chancellor, Business Services
Jory Hadsell, Vice Chancellor, Technology
Ray Quan, Vice Chancellor, Human Resources and Equal Opportunity
Lloyd Holmes, President De Anza College
Bernadine Fong, Interim President Foothill College

Others present:

Eugene B. Elliot, Bertrand Fox Elliot Osman & Wenzel
Corey C. Wilson, Bertrand Fox Elliot Osman & Wenzel

REGULAR MEETING - PUBLIC SESSION

Board President Ahrens called the public session of the regular meeting to order at 6:01 p.m. in the Board Room and led trustees and the audience in the Pledge of Allegiance.

REPORTING OUT FROM CLOSED SESSION

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

SWEARING IN CEREMONY AND SEATING OF NEW TRUSTEES

Appointment of Unopposed Qualified Candidates in the November 2022 Election to the Governing Board Pursuant to Education Code Sections 5326-5328.5

Action: The Board appointed Patrick Ahrens to Trustee Area No. 2 and Pearl Cheng to Trustee Area No. 4 to serve a four-year term on the Board of Trustees.

Motion by Gilbert Wong, second by Laura Casas

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

OATH OF OFFICE

Chancellor Miner administered the oath of office to continuing trustee Pearl Cheng as she begins her service to Trustee Area No. 4. and trustee Patrick Ahrens as he begins his service to Trustee Area No. 2. The November 8, 2022 election was the first election where the governing board members were elected by voters from two of five trustee areas.

Pearl Cheng expressed that she was humble and grateful to continue her service as Trustee for Trustee Area No. 4, and will represent the community she serves.

APPROVAL OF MINUTES

Minutes of the November 7, 2022, Regular Meeting of the Board of Trustees

Action: Approved the draft minutes of the November 7, 2022, regular Board of Trustees meeting.

Motion by Laura Casas, second by Gilbert Wong

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

SPECIAL RECOGNITION

Foothill College Approved for a Baccalaureate Degree in Respiratory Care

Interim Foothill College President Bernadine Fong introduced Nancy Cheung, the Dean of Health Sciences and Horticulture and others and recognized them for their efforts in the recently approved 4-year Baccalaureate Degree in Respiratory Care.

HEARINGS: ITEMS NOT ON THE AGENDA

Karen Del Compare gave her account of the Pfizer vaccine and warned others of its harmful side effects. She described how those who have been boosted, have still contracted Covid-19.

Ken Yew spoke out against the Covid-19 vaccine and stated the study had concluded that vaccines should not be mandated as it does not stop the spread of the virus and requested the district to eliminate the required vaccine.

Jeffrey Lundy, Tim Shively, Joe Martinka, Manas Avadhanam, Maya Lewis, Isabel Caballeno Teixeira, Tahoe Poe, Rosemary (AKA: Dimpay Tinani), William Gardner, Andrew Siegler, Justin Fry, Marco Marquez, Julie Hughes, Allyson Moore, Alyssa, Jessica Perine, Andrew Duong, Winston Ling, Amara Lin, Jojo Weller, Mari Tapia, Celine Nghiem, Emily Datta, Hanjie Chen, Kaliopeta Aloua, Emma, André Sabrana, Kaitlyn Khov, Veronica Lin, and Janet Shaw expressed their appreciation and gratitude for the Arts programs at De Anza College and strongly urged the Board of Trustees to not demolish the existing Arts Quad until a more suitable location and funding for the Arts Quad could be identified.

President Ahrens announced that the governing board received twelve written comments regarding the De Anza College Arts Quad. The comments were distributed to trustees and attached to the public meeting agenda as part of the permanent meeting record.

Board President Ahrens requested a recess at 7:12 p.m. and called the organizational and regular meeting back to order at 7:23 p.m.

ANNUAL ORGANIZATIONAL MEETING

Election of Officers

Board vice president Laura Casas nominated the current board president Patrick Ahrens to continue to serve as the board president for 2023.

Action: Elected trustee Ahrens to serve as president of the governing board until the organizational meeting in December 2023.

Motion by Laura Casas, second by Pearl Cheng

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

Trustee Cheng nominated the current board vice president Laura Casas to continue to serve as the board vice president until the organizational meeting in December 2023.

Action: Elected trustee Casas to serve as vice president of the governing board until the organizational meeting in December 2023.

Motion by Pearl Cheng, second by Patrick Ahrens

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

Action: Board President Patrick Ahrens appointed Chancellor Miner as secretary.

Motion by Patrick Ahrens, second by Peter Landsberger

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

Designation of Board Member to Vote in County Committee Election

Action: Designated Gilbert Wong to serve as voting representative in the 2023 County Committee on School District Organization election.

Motion by Gilbert Wong, second by Patrick Ahrens

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

Trustee Committee Appointments

President Ahrens announced the trustee committee appointments will remain the same as 2022 for the 2023 calendar year:

Gilbert Wong, Chairperson, Audit & Finance Committee

Peter Landsberger, Member, Audit & Finance Committee

Laura Casas, Member, Foothill-De Anza Colleges Foundation

Pearl Cheng, Member, Foothill-De Anza Colleges Foundation

Peter Landsberger, Member, Trustee Scholarship Interview Committee

Laura Casas, Member, Trustee Scholarship Interview Committee

AUDIT REPORTS

1. Audit for the Year Ended June 30, 2022

Heather McGee, the signing director of CliftonLarsonAllen, LLP (CLA), the district's external auditor, presented an overview of the district audit report, stating that the auditor issued a clean, unmodified opinion, made no audit adjustments, and found no corrected or uncorrected financial statement misstatements. She advised that there was one finding related to state compliance regarding contact hours specifically, the census reporting data at Foothill College. She also noted there was one reoccurring finding related to federal compliance regarding student enrollment data to National Student Loan Database Student (NSLDS).

Heather reported that CLA has submitted a draft of the audit report due to the extensive federal student financial aid and HEERF testing that is currently ongoing. She mentioned that CLA is rebuilding their team as they too have been affected by the great resignation and will continue their work to finalize the year end audit reports by January 2023. Vice Chancellor Cheu noted that if any significant changes were made to the report, that they would be brought back to the Board of Trustees in January, otherwise this is the near final form of the audit reports.

Trustee Peter Landsberger commended the quality work of the district's accounting staff. He thanked Executive Director, Fiscal Services Raquel Puentes-Griffith and Vice Chancellor, Business Services Susan Cheu for their leadership and appreciated the work performed by the two of them and their teams to keep our district in compliance.

Action: Accepted the audit report for the year ended June 30, 2022.

Motion by Laura Casas, second by Pearl Cheng

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

2. Measure C and Measure G Financial and Performance Audits for the Year Ended June 30, 2022

Heather McGee, the signing director of CliftonLarsonAllen, LLP (CLA), the district's external auditor, presented an overview of the Measure C and Measure G financial and performance audits required by Proposition 39. She reported that the auditors had issued a clean, unmodified opinion with no adjustments and no findings. She mentioned the Measure C and G reports for the year ended June 30, 2022 are final and will have no further adjustments to these reports.

Action: Accepted the Measure C and Measure G financial and performance audit reports for the year ended June 30, 2022.

Motion by Pearl Cheng, second by Peter Landsberger

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

APPROVAL OF CONSENT CALENDAR

Action: Approved consent calendar items 3-12 as follows:

3. Ratified contracts and agreements as presented.

4. Ratified Contracts and Agreements for Measure G as presented.

5. Ratification of Board Warrants Greater than \$5,000 for October through November 2022

6. Approved the Human Resources Report.

7. Approved the Occupational Training Institute (OTI) Student Internship Agreement with Synopsys Inc 2023 for De Anza College.

8. Waived parking lot rental fees at De Anza College for parking lot A on the following Saturdays: January 21, 2023, April 22, 2023, September 9, 2023, and November 18, 2023 for the Cupertino's Environmental Recycling Day and Shredding Events held in conjunction with the City of Cupertino and Recology from 8:00 a.m. to 12:00 p.m.

9. Authorized the De Anza College Director, College Operations 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.

10. Approved the Foothill College curriculum and/or program updates for the 2022-23 and 2023-24 catalogs.

11. Approved the Revised Award of Bid #1862R, Water Treatment Program Services Districtwide

12. Authorized the Executive Director, Facilities and Operations 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.

Motion by Pearl Cheng, second by Peter Landsberger

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

BOARD BUSINESS

13. Reimagining Initiative Update

Anu Khanna, the Senior Advisor to the Chancellor for Reimagining Foothill-De Anza Community College District gave a presentation to the Board of Trustees to update them regarding the work she has performed over the last six months related to the Reimagining Initiative. She announced that she wanted to create some consistencies surrounding the Budget Allocation Model, the District Enrollment Management, and the Business Processes Alignment to gain efficiencies (e.g., one application for both Foothill College and De Anza College, establish clear and consistent onboarding and off-boarding procedures across all employee groups).

Trustee Cheng appreciated the work that Anu Khanna and Chancellor Miner have done. She highlighted that strong, reputable and committed institutions do this type of inward look at their organizations and applauded them for doing so to create processes improvements and innovation to maintain our solid reputation.

Chancellor Miner described the work that Anu Khanna has done in a short amount of time as a gift. She also thanked all the people who were candid and willing to share their feedback with Anu Khanna. Chancellor Miner noted that she appreciated the enthusiasm across the faculty, classified, and administration across the two colleges for the willingness to collaborate to gain efficiencies and possibly centralization at the district office. She reminded the board that supporting leadership and professional development of our academic senate leaders, union leaders when they take over a new leadership assignment or constituency is important. Chancellor Miner thanked Anu Khanna for her work in tackling these various matters and for the Boards support of the Reimagining Initiative.

Trustee Landsberger stated that this is an important initiative and described the reimagining initiative as being important in shaping the work of our new Chancellor. Furthermore, he stated Anu Khanna is absolutely the right person for this assignment and has confidence as the principal facilitator. Trustee Landsberger stated he was anxious and runs the risk of focusing on the trees and losing sight of the forest (e.g., the COLA allocation part of the Budget Allocation Model). He reiterated that he appreciated the tangible and achievable aspects of Anu's work and recommended we look at productivity and program viability before developing the District Enrollment

Management Committee.

Trustee Casas described Anu Khanna as very eloquent in her findings and is very interested in application improvements and is looking forward to the conclusion of this report.

Trustee Wong echoed what all the trustees said and what Chancellor Miner said. He applauded Anu for the outreach she has done.

Student Trustee Chamu Palaniappan stated Anu's presentation was very thorough and she too looked forward to one application system and thanked Anu Khanna for the time she spoke to Pierce and herself.

Trustee Ahrens echoed Trustee Landsberger's comments and does agree that Anu is the most capable person in this position. He noted that he liked the focus on the Budget Allocation Model, the "B" Budgets and the District Enrollment Management Committee. He encouraged the district to move away from custom processes and streamline the processes across the two campuses for students to have a better experience.

14. Appointment of One Trustee to serve as the Board Liaison for Accreditation

Board President Ahrens requested a volunteer to serve as the board liaison for accreditation. Trustee Wong requested to serve as the Board Liaison to the colleges' Standard IV teams during the institutional self-evaluation report process for the Accrediting Commission for Community and Junior Colleges (ACCJC).

Action: Board President appointed Gilbert Wong to serve as the Board Liaison to the colleges' Standard IV teams during the institutional self-evaluation report process for the Accrediting Commission for Community and Junior Colleges (ACCJC).

Motion by Gilbert Wong, second by Laura Casas

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

15. Approval of Chancellor Search Profile and Ratification of Change to Search Committee Membership

Trustee Landsberger, as chair of the Chancellor Search Committee thanked and acknowledged Paula Norsell for writing the Chancellor's Search Profile and thanked Anu Khanna for holding numerous listening sessions to gather further input to prioritize the list of desired attributes, opportunities and challenges, etc. for the Chancellor's Search Profile. The search committee will begin the recruitment process to find the next Chancellor during calendar year 2023.

Trustee Landsberger acknowledged the search committee's thoughtful work and commitment. Trustee Landsberger also thanked Trustee Cheng, as the two of them reviewed proposals and interviewed search firms in order to identify the search firm that could further assist with the national search.

Trustee Wong acknowledged the work of the committee and believed the committee to be well represented with various constituency groups. He stated that committee chair Peter Landsberger did an excellent job of running the shared governance meeting and listened to everyone's needs in order to reach consensus and that members were able to express their candid views.

Trustee Cheng stated this Chancellor's Search Profile is a very comprehensive document and she noted that had focused on the opportunities and challenges portion when she reviewed the profile. Trustee Cheng inquired if the section regarding the funding models on page 11 of the profile was reviewed by Vice Chancellor Cheu. Vice Chancellor Cheu responded yes, that she had reviewed those sections of the search profile.

Action: Approved the search profile and ratify the change to the search committee membership.

Motion by Gilbert Wong, second by Laura Casas

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

Search committee chair Landsberger announced that Trustee Wong resigned from the search committee over the weekend and that the board president needed to appoint another trustee to serve before the next scheduled meeting in February.

Action: Board President appointed Pearl Cheng to the Chancellor's Search Committee by Board Chair to replace Trustee Wong.

Motion by Laura Casas, second by Patrick Ahrens

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

16. De Anza College - 2022-25 Student Equity and Achievement Plan

Board President Ahrens congratulated Alicia Cortez, the Dean of Equity and Engagement and De Anza College on her recent election to Gavilan College's Board of Trustees serving Trustee Area No. 2. Alicia Cortez thanked Board President Ahrens and gave an update to our Board regarding the De Anza College Student Equity Plan.

Alicia Cortez thanked De Anza College's Institutional Researcher's Mallory Newell and Lisa Ly as they pulled the data for this report. She announced that this plan was in alignment with the Education Master Plan with the college as was requested by the State Chancellor's Office.

Trustee Landsberger noted that both plans from each colleges need more wrap around services, embedded counselors, etc. all of which he sees as being responsive to the board priorities. Trustee Landsberger asked how are the colleges going to ensure that the Equity and Achievement Plan are going to be integrated in the Budget Allocation Model and all the other shared governance processes.

Alicia Cortez replied that is the million dollar question.

President Holmes added that De Anza College is developing a new budgeting process. De Anza College President Holmes said the program allocation committee must look at all request and that equity needs, must be at the forefront of all decisions. President Holmes said that the new program allocation committee will go live in January

2023.

Trustee Casas noted that she received a report that shows there are improvements and asked if the improvements are continuing to trend in this manner. Alicia Cortez said they are currently tracking and monitoring the improvements and that Brandon Bailey has developed an Equity Plan web page where anyone can view all their recent reports to the state and their reimagining plan on their web page.

Trustee Ahrens echoed his colleagues' points and mentioned the need for dis-aggregating data and requested the colleges to focus on dis-aggregated data and bring that data to the Board.

Trustee Wong also echoed Trustee Ahrens request for dis-aggregated data as well.

Action: Board has received the summary of the De Anza College - 2022-25 Student Equity and Achievement Plan and acknowledged its submittal to the State Chancellor's Office.

Motion by Peter Landsberger, second by Gilbert Wong

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

17. Foothill College - 2022-25 Student Equity and Achievement Plan

Ajani Byrd, the Dean of Institutional Equity, Inclusion, and Diversity gave a comprehensive presentation to the Board on the Foothill College - 2022-25 Student Equity and Achievement Plan. He highlighted issues 3, 10, and 6.

Student Trustee Chamu Palaniappan thanked Ajani Byrd and his team for following through with the Student Equity and Achievement Plan.

Vice President Casas appreciated that Foothill College admitted to under-utilizing resources and is looking forward to improvements.

Trustee Cheng echoed Trustee Casas (e.g., friction-point and appreciated the intentions of coming up with improvement action plans).

Action: Board has received the summary of the Foothill College - 2022-25 Student Equity and Achievement Plan and acknowledged its submittal to the State Chancellor's Office.

Motion by Peter Landsberger, second by Gilbert Wong

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

18. Measure G General Obligation Bond Program Planning Update

Erik Woodbury commented and wanted to remind the Board of Trustees that the intent of the ballot language surrounding Measure G according to Resolution No. 2019-36 that was brought before the Board members on November 25, 2019 was to construct, renovate, acquire, and equip educational facilities. He encouraged the Board of Trustees to ask how the current agenda items and future agenda items will positively impact, improve and advance the educational mission of the colleges and district concerning the Measure G bond program as the oversight body of the district to carry out the original resolution.

Executive Director, Facilities and Operations Joel Cadiz stated that the Bond Program Master Schedule is a living document that Gilbane Building Company continues to make monthly updates.

He stated that currently there are four (4) Request for Proposals (RFPs)/Request for Qualifications (RFQs):

RFP for Utility Master Plan, RFP for Architect and Engineering Design Services for the Flint Center Demolition and Utility Relocation, RFP for Architect and Engineering Design Services for the possible feasibility Arts Relocation, and an RFP for the Engineering firms to prepare a feasibility study in a phased approach to electrify all three sites (Foothill College, De Anza College, and the Sunnyvale Education Center).

He reported that De Anza College is currently in the planning and design phase on the following five (5) projects:

Project No. 509 De Anza Event Center and Utility Relocation

He reported that AMS has completed interviews with District stakeholders and is currently conducting interviews with the Board of Trustees. The information from these interviews and other information will feed the market analysis.

Project No. 202 New Services for Students Building

He reported that LPAS will present one final costing analysis during the week of December 12 to senior staff and will guide the decision making in how to proceed with the relocation of the Arts Quad.

Project No. 201 Upgrade Fire Alarms and Suppression Systems

He reported that Jensen Hughes, the District's fire alarm consultant has completed their assessment and are preparing for the next phase of the work which is to identify the locations where we will need to install new fiber cables to support the new fire alarm system so that the panels can talk to the main panel in the police substation.

Project No. 204 Convert Existing Facility to Beach Volleyball

He reported that De Anza College has requested several alternates to be added to the project. He noted that Verde Design presented the alternates and the college accepted them to be included in the design. Funding source for these alternates are currently being reviewed. Once the funding source has been identified, a bond list revision will be prepared and brought before the Board.

Project No. 212 Modernize Building Interior and Exteriors

He reported a kickoff meeting was being scheduled with the architects to refine the scope. He noted the project will be phased starting with a project to renovate toilet rooms in Buildings S2, S6 and L5 and the Architect's contract will be presented to the Board later this evening (see agenda item no. 21).

He reported that Foothill College is currently in the planning and design phase on the following seven (7) projects:

Project No. 104 Renovate Football Stadium East Bleachers

He reported this project will be submitted to the Division of State Architect (DSA) and the goal is to submit by the end of December 2022.

Project No. 106 Improve ADA Pathways to Outdoor Classroom

He reported this project will be submitted to the Division of State Architect (DSA) and the goal is to submit by the end of December 2022.

Project No. 100 Upgrade Restrooms to All Gender

He reported this project will be submitted to the Division of State Architect (DSA) and the goal is to submit by the end of December 2022.

Project No. 115 Pool and Physical Educational Facilities Improvements

He reported the kickoff meeting was held with the Architects, Athletics Department, the architects. The scope is being defined with multiple options and preliminary cost estimates being prepared.

Project No. 506 Renovate Carriage House

He reported the drawings will be submitted to the Town of Los Altos Hills. We have had a preliminary meeting with the town, and they indicated that a Historic Landmark Alteration permit will need to be pulled, and the project will be reviewed by the Historic Commission, Planning Department and the Town Council.

Project No. 510 Structural Upgrade Griffin House

He reported the board wanted to know what it will take to remove the Griffin House from the historic register. We are doing the research and will come back in January with our findings.

Project No. 802 Sunnyvale Ed Center HVAC System Replacement and Classroom Renovations (funded by Measure C funds)

He reported the kickoff meeting with architect was held at the Sunnyvale Education Center and the architect is scheduling a visit to the Foothill College campus to gain a better understanding of the needs of the following three (3) programs: Respiratory Therapy, Radiology Technology, and the Pharmacy Technology and how they function within their current spaces.

Tim Shively, representing the faculty association asked does the Creative Arts need to be torn down, or could it be refurbished instead or possibly have the new Services for Students Building could be placed there instead to promote a sense of community.

Joel Cadiz, the Executive Director, Facilities and Operations responded they are considering/exploring various options at this time surrounding several footprints and/or plots of land and that nothing has yet to be decided or determined for the Creative Arts buildings (known as the Arts Quad) at De Anza College. He also mentioned that they are exploring whether the Creative Arts and the new Services for Students Building could cohabitate.

Board President Ahrens reminded everyone for a second time that no decisions have been made, and no plans have been approved regarding the Creative Arts buildings at De Anza College.

Chancellor Miner requested that a study session will be conducted on March 6 regarding all the Measure G projects, and where the Board will be informed of the preliminary results of the Market Analysis performed by the AMS consultants. She reminded the Board that there will be flexible space identified in the De Anza Event Center for the following activities (e.g., community space, student services space, performances, rehearsals, music, dance, poetry slams, and other student activities, etc.).

Vice Chancellor Cheu noted that the results from the Market Analysis will most likely be very preliminary on March 6 as the full analysis will not be completed until late February or March and will most likely be available for full review until April 2023.

President Lloyd Holmes reported that on December 19 cost estimates/analysis are going to be reported to his Senior staff to build the De Anza Events Center, the New Services for Students Building and he will be meeting with the Creative Arts division in January 2023. He also mentioned that the additional information about costs and the market analysis will be shared with the community, faculty and staff when available.

Trustee Ahrens reiterated that no decision has been made and that more planning is occurring on the Measure G projects with the administration in regard to the De Anza Event Center, and the Creative Arts buildings (known as the Arts Quad). Furthermore, Trustee Ahrens reminded the Board members that the Board has oversight authority, and that no decision has been made and the notion that the Creative Arts building is going to be removed/demolished has been misplaced, misguided, misinformed and is unfounded. Once again, he reminded everyone that we were at the beginning of the planning stages when it comes to the bond projects and we need to follow the process by which the Board has oversight and no actions have been taken at this time for the Creative Arts buildings.

Trustee Landsberger reminded the Board that their governing body role is oversight and that the Creative Arts buildings, and New Services for Students Building has yet to be brought before the board for action and went on to caution the De Anza College administration to identify a plan to fund the project, before bringing any action item to the Board for consideration.

Trustee Casas asked what it would cost to add an additional story to the New Services for Students Building. Joel Cadiz replied they can certainly explore that option and perform a cost analysis for that idea.

Trustee Wong echoed Trustee Landsberger's sentiment about the board's oversight and appreciated all the public comments received this evening.

Cheryl Balm inquired whether a decision by the Board that some sort of De Anza Event Center will be built.

Chancellor Miner responded that she had been operating under the direction of the Board to close and replace the existing Flint Center as the costs to refurbish it would be too exorbitant and to take down the Flint Center and put up another building that could meet the needs of our larger community, as well as our instructional and student services spaces on campus. Chancellor Miner reminded the audience that there was so much support in the community for the De Anza Event Center and that went to the polls and voted for the Measure G Bond Program.

Trustee Landsberger reminded the audience that the broad directive to replace the Flint Center was to meet the student services and instructional needs at De Anza, that there be space to promote civic use, and at the extent possible, the facility be a revenue generating source.

Cree Prince, a De Anza College student expressed her interest in the Board and the Measure G projects and wanted to know how to voice her concerns about the Measure G bond projects at De Anza College.

Trustees Landsberger and Board President Ahrens encouraged Cree Prince to reach out to President Holmes or his designee to ask questions about the Measure G Bond projects.

Amy Huang, the De Anza Student Government President responded that the public comments occurred due to miscommunication, and she reported that she is working with Senior Administrators at De Anza College to attend the next open forum and encourages all students to attend.

Stanley Saraos, the California School Employees Association (CSEA) President described that presently only four classrooms at the Sunnyvale Education Center have air conditioning and how will that effect the programs migrating to the Sunnyvale Education Center.

Vice Chancellor Cheu responded that air conditioning and classroom renovations at the Sunnyvale Education Center will address the three program needs with the scope of work identified in the Measure C Project No. 802 Sunnyvale Ed Center HVAC System Replacement and Classroom Renovations.

19. Community College League of California Seeking Nominations for Membership on the California Community College Trustees Board

Trustees reviewed the Community College League of California Seeking Nominations for Membership on the California Community College Trustees Board and had no questions or comments.

20. Sustainability Action Plan (First Reading)

Vice Chancellor Cheu congratulated everyone who served on the Environmental and Sustainability Advisory Committee (ESAC) on the tremendous amount of work they have performed on this Sustainability Action Plan. Executive Director, Facilities and Operations Joel Cadiz described the seven (7) goals and objectives and noted the success of the objectives is related to the behaviors of people, funding, and the staff that support the technology. Joel Cadiz stated that of the 50 projects on the Board Approved Master Project list, 39 of the Measure G Projects have a sustainability component to them.

Trustee Cheng requested that the Energy and Sustainability Advisory Committee (ESAC) reach out and recruit Jeff Byron as a community member to serve on the advisory committee.

BUSINESS SERVICES/FINANCE

21. Award of Contract, RFP #1893 Architectural Design Services - Upgrades and Modernization of Various Restrooms in Buildings S2, S6 & L5 at De Anza College

Action: Authorized the Director of Purchasing, Contracts & Risk Management to negotiate and execute a Master Agreement with Noll & Tam Architects for architectural design services, for an initial five-year term; and authorized the Vice Chancellor of Business Services to execute the first Project Assignment Amendment for upgrades and modernization to various restrooms (Buildings S2, S6 & L5) at De Anza College, with a maximum compensation not-to-exceed amount of \$161,350.

Motion by Peter Landsberger, second by Pearl Cheng

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

22. Public Agency Cooperative Agreement (“CollegeBuys”) for Purchase of Various Products and Services from Axon Enterprise Inc.

Action: Made a finding that it is in the best interest of the District to leverage and utilize the new Foundation for California Community Colleges Master Services Agreement with Axon Enterprise Inc. for the purchase of law enforcement body worn cameras, accessories, cloud-based storage, software and related services; and authorized the Director of Purchasing, Contracts & Risk Management to: a. execute a Master Services and Purchasing Agreement for Agency as required to participate pursuant to the Master Services Agreement; and b. issue purchase orders for products and services under the pricing, terms and conditions obtained by the Foundation for California Community Colleges Master Services Agreement No. 00006206 with Axon Enterprise Inc. in excess of the legally mandated applicable bid thresholds, as may be required to take advantage of the volume price discounts for as long as the Agreement is valid.

Motion by Pearl Cheng, second by Peter Landsberger

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

23. Award of Contract, RFP #1894 Americans with Disabilities Act (ADA) Evaluation and Transition Plan

Action: Authorized the Director of Purchasing, Contracts & Risk Management to negotiate and execute a Master Design Professional Services Agreement with Disability Access Consultants, LLC; and authorized the Vice Chancellor, Business Services to execute the first Project Assignment Amendment for the ADA Evaluation and Transition Plan, with a maximum compensation not-to-exceed amount of \$176,800.

Motion by Pearl Cheng, second by Peter Landsberger

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

24. Resolution No. 2022-33 Authorizing Separate Bank Accounts

Vice Chancellor of Business Services Susan Cheu recommends adoption of resolution 2022-33.

Action: Adopted resolution 2022-33 authorizing separate bank accounts.

Motion by Pearl Cheng, second by Chamu Palaniappan

Advisory vote in favor: Chamu Palaniappan, Pierce Tao
Final resolution: Motion carries
Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

25. 2022 Annual Risk Management Report

Vice Chancellor Cheu complimented Maria Contreras-Tanori and Gina Bailey and said they did a great job on the 2022 Annual Risk Management Report.

Trustee Landsberger asked questions about the Cybersecurity Issues.

Chancellor Miner cautioned that we must be vague in our responses to ensure security and recommended that we add this item to a future closed session agenda to discuss in greater detail.

26. Listing of District Investments as of September 30, 2022

Trustees reviewed the listing of investments and had no questions or comments.

27. Amendment / Change Order #3 to the Student Health Services Agreement with Instant Urgent Care to Extend the Term (Foothill College)

Action: Authorized the Director of Purchasing, Contracts & Risk Management to negotiate and execute Amendment/Change Order #3 to extend the Agreement with Instant Urgent Care to provide on-going and uninterrupted student health services, for an additional two-year term through December 31, 2024, with a not-to-exceed incremental compensation amount of \$1,224,000.

Motion by Laura Casas, second by Pearl Cheng

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

MEASURE C PROJECTS

28. Measure C Project List Revisions: Project Budget Transfer

Susan Cheu, the Vice Chancellor of Business Services recommends that the Board approve Measure C Bond List Revisions as presented.

Motion by Peter Landsberger, second by Pearl Cheng

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

29. Revised Award of Bid #1890, Architectural Design Services – Sunnyvale Education Center HVAC System Replacement and Classroom Renovation

Action: Authorized the Director of Purchasing, Contracts & Risk Management to negotiate and execute a Master Agreement with tBP/Architecture, Inc. for architectural design services, for an initial five-year term; and 2. Authorized the Vice Chancellor, Business Services to execute the first Project Assignment Amendment for the Sunnyvale Education Center HVAC System Replacement and Classroom Renovation project, with a maximum compensation not-to-exceed amount of \$1,393,901.

Motion by Gilbert Wong, second by Peter Landsberger

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

HUMAN RESOURCES

30. Temporary Employee Assignment (TEA) Salary Schedule

Action: Approved the Temporary Employee Assignment (TEA) Salary Schedule as presented.

Motion by Laura Casas, second by Pearl Cheng

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

31. Faculty Association (FA) Salary Schedules 2022-2023 COLA 5.56% effective July 1, 2022

Action: Approved the Faculty Association (FA) Salary Schedules 2022-2023 COLA 5.56% effective July 1, 2022 as presented.

Motion by Gilbert Wong, second by Laura Casas

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

32. Association of Classified Employees Tentative Agreement Article 9 & Article 23

Action: Approved the Association of Classified Employees Tentative Agreement Article 9 & Article 23 as presented.

Motion by Laura Casas, second by Peter Landsberger

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

TECHNOLOGY/CALIFORNIA VIRTUAL CAMPUS-ONLINE EDUCATION INITIATIVE

33. Public Agency Cooperative Agreement (“CollegeBuys”) with Ellucian Company L.P. for Purchase of Enterprise Resource Planning (ERP) and Various Student Information Systems (SIS) Software and Related Services

Action: Made a finding that it is in the best interest of the District to leverage and utilize the Foundation for California Community Colleges (FCCC) CollegeBuys Cooperative Agreement with Ellucian Company L.P. (“Ellucian”) for the purchase of ERP and various SIS software and related services; and 2. Authorized the Director of Purchasing, Contracts & Risk Management or designee, to: a. Execute necessary agreements and/or ordering documents with Ellucian for 1) ERP software, cloud hosting, maintenance and support services, and Software-as-a-Service subscriptions, and 2) CampusLogic software, cloud hosting, maintenance and support services, both under the pricing, terms and conditions obtained through the FCCC Agreement #0000-4497 as may be required; and b. Issue Purchase orders in excess of the legally mandated applicable bid thresholds for as long as the Agreement is valid; and 3. Execute an extension agreement with Ellucian to the existing ERP Agreement for continued services through February 28, 2023.

Advisory vote in favor: Chamu Palaniappan, Pierce Tao

Final resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong

REPORTS

Leadership Reports

Foothill College Academic Senate President Voltaire Villanueva mentioned that their governance committees are regularly reviewing their mission statement and they recently completed their equity plan and are actively reviewing course outlines.

De Anza College Academic Senate President Cheryl Balm congratulated Trustee Ahrens and Trustee Cheng on their reelection to the Board. She went on to congratulate both Board President Ahrens and Board Vice President Casas on their continued leadership roles in 2023. She also requested a plan and a budget for the Creative Arts building. She announced that De Anza College Academic Senate passed a resolution for Iranian women and President Holmes supported this resolution in solidarity.

California School Employees Association (CSEA) President Stanley Saraos held their California School Employees Association (CSEA) holiday party last week and will invite the Board next year. He thanked Scott Olsen and Elaine Kuo as he received lots of advice from the two of them in his new constituency leadership role.

Association of Classified Employees (ACE) President Scott Olsen is pleased that he has received the membership list and Human Resources has met with the Association of Classified Employees (ACE) leadership regarding the masking policy. He expressed thanks for the Payroll department, Educational Technology Services (ETS), and the Human Resources department and the Board of Trustees.

De Anza College Classified Senate President Sarah Wallace De Anza Classified Senate President echoed Cheryl Balm's sentiment congratulating Trustee Cheng and Trustee Ahrens on their recent election. She thanked Chancellor Miner for her donation for the holiday gathering for the De Anza Classified Senate holiday gathering as well.

Board Reports

Foothill College student trustee Palaniappan reported she attended a drumming circle and Friends Giving, and retirement planning. She announced the student body of the Associated Students of Foothill College (ASFC) had lunch with the three Foothill College President finalists and held their inaugural Hackathon over three days in November 2022.

Trustee Wong reported he was nominated by the Audit and Finance Committee members to serve on the Request for Proposal (RFP) committee to search for a new external audit firm.

De Anza College student trustee Tao reported that De Anza Student Government (DASG) recently approved a resolution at their November 23 meeting recommending an amendment to Section 6.40 in the “Parking and Traffic Regulations” of the Foothill-De Anza Community College District Police Department to allow for a person to ride or propel roller-skates, roller blades, any motorized or non-motorized skateboard, hoverboards, or similar devices upon a walkway, roadway, or grounds of the District.

Foothill-De Anza Foundation Board of Directors Report

Vice President Casas reported the Foundation held a Town Hall and honored Robin Latta for her years of service to the Foundation.

ADJOURNMENT

President Ahrens adjourned the meeting at 10:22 p.m.

Approved 1/9/23



Judy C. Miner

Secretary to the Board of Trustees