

FOOTHILL-DE ANZA COMMUNITY
COLLEGE DISTRICT

MINUTES
NOVEMBER 19, 2001

The Board of Trustees of the Foothill-De Anza Community College District held its regular meeting on Monday, November 19, 2001. At 6:00 p.m. President P. Fong declared a quorum was present and commenced the regular meeting in the Chancellor's Office of the District Administration Building, Foothill-De Anza Community College District, 12345 El Monte Rd., Los Altos Hills, CA 94022. The Board adjourned to Closed Session and President P. Fong reconvened the Public Meeting at 7 p.m. in the Board Room of the District Administration Building. He led the Board and those present in the Pledge of Allegiance.

PUBLIC SESSION

The roll call indicated the following members were present:

ROLL CALL

- Paul Fong, President
- Sandy Hay, Vice President
- Mary Mason
- Judith Moss
- Dolores Sandoval
- Les Leonardo, De Anza Student Trustee

The following were also present:

- | | | |
|--------|---------------------|-----------------|
| Staff: | Catherine Bauknight | Larry Bloom |
| | Leo Chavez | Jane Enright |
| | Bernadine Fong | Ken Horowitz |
| | Martha Kanter | Jim Keller |
| | Marsha Kelly | Karen Lemes |
| | Sharon Luciw | Faith Milonas |
| | Pamela Parker | Kathy Plum |
| | Larry Rouse | Claudette Weber |

Press: Clyde Noel, **Los Altos Town Crier**

Students: Nikhil Bobb Michael Kwan

Public: John Assunto, Gilbane

President P. Fong reported that no action was taken in Closed Session.

NO ACTION TAKEN
IN CLOSED SESSION

President P. Fong informed the Board that he had received a letter from Foothill Director of Student Activities Daphne Small stating that on Thursday, November 8, 2001, Foothill College Campus council vacated the position of Foothill Student Trustee, Louis Robinson.

FOOTHILL STUDENT
TRUSTEE SEAT
VACATED

Foothill President B. Fong introduced Associated Students of Foothill College President Michael Kwan who had agreed to fill in as an interim Foothill Student Trustee until a permanent

replacement has been selected. President P. Fong stated that since temporarily filling the vacant position of Student Trustee was not on the agenda, he believed that it was not appropriate to seat Mr. Kwan at this time.

President P. Fong asked if there were any additions or corrections to the minutes of the regular meeting of November 5, 2001. The minutes were approved as drafted.

APPROVAL OF
MINUTES OF
NOVEMBER 5, 2001

President P. Fong asked if there was any correspondence which should be brought to the Board's attention. There was no correspondence.

CORRESPONDENCE

Trustee Mason gave a report from the Audit and Finance Committee meeting that occurred earlier in the afternoon.

AUDIT AND
FINANCE
COMMITTEE
REPORT

President P. Fong asked if there were any trustees, staff, students or members of the public who wished to address the Board on matters not on the agenda.

HEARINGS

Trustee Moss commented on the recent incident of a fire alarm being activated at Flint Center during a Celebrity Forum program. She stated her concerns relating to the lack of communication to the Flint audience of the nature of the alarm after it apparently was determined to be a false alarm.

She added that her concerns included the preparedness of the Flint ushers and staff in responding to an emergency and/or disaster. She stated that she would like a full report at a subsequent Board meeting on exactly what happened in this particular incident and on a disaster preparedness plan for Flint Center.

Chancellor Chavez stated that a report will be forthcoming.

Trustees P. Fong and Mason reported on their recent attendance at the Community College League of California Conference.

De Anza President Martha Kanter noted several upcoming dates for De Anza Events including November 21, 2001, the De Anza Associated Student Body Thanksgiving luncheon for all who wish to come; November 28, 2001, a ground-breaking at the De Anza Child Development Center; December 1, 2001, the Night of Magic; and December 5, 2001, Holiday Party.

Foothill President Bernadine Fong distributed copies of recent issues of **The Heights** and reminded the Board that many upcoming Foothill events were listed. She also invited all to Foothill's Holiday Party planned for December 7, 2001.

Faculty Association President Faith Milonas stated that she wanted to notify the Board that faculty overwhelmingly supports FA's rejection of the Board's latest salary offer.

Foothill Dental Hygiene Instructor Ken Horowitz distributed several documents to the Board relating to Foothill's Center for Innovation projected costs for renovation.

President P. Fong asked if any items should be removed from the Consent Calendar. Item 2 was removed. It was M/S/C (Mason/Sandoval) (advisory vote - 1 yes) to take action as recommended on Items 1 – 9, excluding Item 2, of the Consent Calendar as follows:

CONSENT
CALENDAR

Item 1, Recommended the Sale of Surplus District Personal Property consisting of eleven vehicles and one trailer be handled as follows:

- a) the Board declare the vehicles surplus to the District's needs;
- b) the eight qualifying vehicles be sold to the Bay Area Air Quality Management Buy Back Program in accordance with California Education Code Section 81452 (a);
- c) the remaining three vehicles and the trailer be sold in accordance with California Education Code Sections 81450 or 81452 (a).

Item 3, Approved the Network Annual Maintenance contract with Alcatel in the amount of \$176,00 per year and authorized the District Purchasing Manager to issue a purchase order for a maintenance contract for calendar year 2002 at \$176,000.

Item 4, Approved the funding plan for the Tele-communications and Technology Infrastructure Plan (TTIP)

Item 5, Ratified the 3-year maintenance agreement with SCT Software & Resource Management Corp. as follows:

Year One Cost (FY 2001/2002)	\$153,300.60
Year two Cost (FY 2002/2003)	\$165,564.65
Year Three Cost (FY 2003/2004)	\$178,809.82

Item 6, Ratified a list of contracts, agreements, and independent contractor agreements signed by Vice Chancellor Keller.

Item 7, Approved in accordance with Chapter III of the Administrators Handbook approved by the Board of Trustees on August 19, 1996, an extension of the administrative contract as listed:

PERSONNEL

Employee: Robin Moore
Position: Director, Legal Affairs, Compliance and Training
College: Central Services
Division: Human Resources
Action: Extend Employment Contract
Effective Date: December 1, 2001 – June 30, 2002
Note: Extension of second one-year contract in Accordance with Administrators Handbook Chapter III

Item 8, Approved the actions reflected in the Human Resources Report dated November 19, 2001.

Item 9, Approved the Foothill-De Anza Colleges Short Courses Schedule for Winter 2002.

Item 2, Recycling of Surplus Computer Equipment, was addressed by Trustee Sandoval who thanked the Manager of District Material and Purchasing Carmen Redmond and her staff for making sure that the District utilizes all the methods possible in disposing of electric waste in an earth friendly way.

APPROVED
RECYCLING OF
SURPLUS
COMPUTER
EQUIPMENT

It was M/S/C (Sandoval/Hay) (advisory vote – 1 yes) to recycle surplus computer equipment as follows:

- a) the Board declare the equipment listed on the attached “End of Life Computer Equipment Inventory” dated November 2, 2001 to be surplus to the District’s needs;
- b) the equipment be sold to Network Generators, Inc. for 10% of its net salvage value.

Item 10, Procedure for Selection of Trustee to Fill Board Vacancy, was addressed by Chancellor Chavez. He reviewed Education Code Section 5090-5095 relating to Vacancies on School District Governing Boards or Community College District Boards.

DISCUSSED
PROCEDURE FOR
SELECTION OF
TRUSTEE TO FILL
VACANT SEAT

Following a lengthy discussion on the advantages or disadvantages of making a provisional appointment or calling a special election to fill a vacancy, it was M/S/C (Mason/Hay; Sandoval abstained from voting) (advisory vote – 1 yes) to instruct the Chancellor to prepare a recommendation for the next Board meeting on a process for filling the Board vacancy by making a provisional appointment.

Item 11, Letter of Intent for Foothill-De Anza at NASA/Ames Park, was addressed by Chancellor Chavez. President B. Fong and Kanter and Consultant Mal Leal provided the Board with background information, a 10 to 15 year plan, and a proposal for a center at the NASA Ames Research Center.

APPROVED LETTER
OF INTENT WITH
NASA AMES

Following discussion, it was M/S/C (Sandoval/Mason) (advisory vote – 1 yes) to approve a Letter of Intent for Foothill-De Anza at NASA/Ames Park. Members of the Board asked that a status report on the Letter of Intent be brought back to the Board before the end of the academic year.

Item 12, First Quarter Financial Report, 2001-2002, was addressed by Vice Chancellor of Business Services Jim Keller, who gave an overview of the report for the Board's information. Questions and discussion followed.

FIRST QUARTER
FINANCIAL REPORT
PRESENTED FOR
INFORMATION

Item 13, Resolutions to Adopt Budget Revisions and Transfers, were addressed by Mr. Keller. It was (M/S/C) (Mason/Hay) (advisory vote – 1 yes) to adopt the resolutions as stated.

ADOPTED BUDGET
REVISIONS AND
TRANSFERS

President P. Fong asked if any items should be removed from the Measure E Consent Calendar. No items were removed.

MEASURE E
CONSENT
CALENDAR

It was M/S/C (Hay/Mason) (advisory vote – 1 yes) to take action on Items 14 through 17 as follows:

Item 14, Ratified a contract awarded for professional services to Signet Testing Labs, Inc. for the sum of \$13,741 plus reimbursables, not-to-exceed \$4,000, to provide on-site testing and inspecting services required for the De Anza College Child Development Center project.

Item 15, Ratified Change Order #1 to Ebert Corp. for the fixed and lump sum of \$8,374 for Project #243, Water Valve Replacement Project.

Item 16, Ratified Change Order to Hagensen Pacific Construction for the fixed and lump sum of \$5,039 for Project #101: Center For Innovation.

Item 17, Ratified Change Order #1 to Nutek Construction Co. for Foothill Project #140 – Swing Space Site Work and Utilities for the fixed and lump sum of \$5,195.

Item 18, Approval of Foothill Amendment No. F-3 to the Agreement for Consultant Services between Foothill-De Anza Community College District and Impact Sciences, Inc., was addressed by President P. Fong. It was M/S/C (Mason/Leonardo) (advisory vote – 1 yes) to approve additional services from Impact Sciences, Inc., associated with revisions to the Environmental Impact Report due to the Monta Vista Fault and the associated Revised Master Plan, including preparation of a statement of overriding considerations for the staff house for the EIR at Foothill College for a total of \$29,135.

APPROVED
CONSULTANT
SERVICES WITH
IMPACT SCIENCES
FOR Foothill EIR

Item 19, Approval of Amendment No. 19 to the Agreement between Foothill-De Anza Community College District and Perkins & Will for Architectural Design Services for Project #102, Sciences and Student Services Complex, was addressed by President P. Fong. It was M/S/C (Mason/Hay) (advisory vote – 1 yes) to approve the amendment as follows: Perkins & Will Amendment No. 19 for services listed above for a lump sum of \$2,719,274 plus a not-to-exceed fee of \$125,000 for reimbursable expenses.

APPROVED
AMENDMENT NO. 19
WITH PERKINS &
WILLS

The Board’s attention was called to the following dates to remember:

DATES TO
REMEMBER

- December 3, 2001 Annual Holiday Reception
 Annual Organization Meeting &
 Financial Corporation
- January 7, 2001 Regular Board Meeting
- January 28, 2001 Special Board Meeting

President P. Fong adjourned the meeting at 9 p.m.

ADJOURNMENT

Leo E. Chavez, Chancellor and
Secretary of the Board of Trustees

cmb
Minutes Approved:
December 3, 2001