

FOOTHILL-DE ANZA COMMUNITY
COLLEGE DISTRICT

MINUTES
September 10, 2001

The Board of Trustees of the Foothill-De Anza Community College District held its regular meeting on Monday, September 10, 2001. At 6 p.m. President P. Fong declared a quorum was present and commenced the regular meeting in the Carriage House Conference Room, Foothill-De Anza Community College District, 12345 El Monte Rd., Los Altos Hills, CA 94022. The Board adjourned to Closed Session and reconvened the Public Meeting at 7 p.m. in the Board Room of the District Administration Building. President P. Fong 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
Louis Robinson, Foothill Student Trustee

The following were also present:

Staff:	Catherine Bauknight	Mike Brandy
	Leo Chavez	Jane Enright
	Bernadine Fong	Robert Griffin
	Alan Harvey	Richard Hansen
	Martha Kanter	Jim Keller
	Marsha Kelly	Karen Lemes
	Larry Rouse	John Schulze
	Claudette Weber	

Press: None

Students: None

Public: Jennifer Farnham, Gilbane
Pat Millar, Audit and Finance Committee Member
Eric Millar

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

NO ACTION TAKEN
IN CLOSED
SESSION

President P. Fong asked if there were any additions or corrections to the minutes of the regular meeting of August 27, 2001. The minutes were approved as drafted.

APPROVAL OF
MINUTES OF
AUGUST 27, 2001

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

CORRESPONDENCE

HEARINGS

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.

Trustee Mary Mason asked when a report on the Foundation would be brought to the Board. Chancellor Chavez responded that reports from the Audit and Finance Committee and the Foundation will be agendaized under Board Business at the regular Board meetings immediately following their respective meetings.

De Anza President Martha Kanter distributed copies of two new brochures: *Distance Learning Student Handbook for Fall 2001*, and *A Monterey Odyssey, CEO Academy, October 10, 2001*.

De Anza Student Trustee Les Leonardo announced that the De Anza Associated Student Body is starting a “book swap coop” this fall which should prove to be an economical way for students to keep college expenses down by exchanging books with other students.

Chancellor Chavez noted the passing on August 29, 2001, of Nancy Mason, a long-time friend of Foothill-De Anza and loyal supporter of the “Friends of Griffin House.”

President P. Fong asked if any items should be removed from the Consent Calendar. No items were removed. It was M/S/C (Mason/Hay) (advisory vote - 2 yes) to take action as recommended on Items 1 – 5 of the Consent Calendar as follows:

CONSENT
CALENDAR

Item 1, Approved a Contract to Hershey Business Systems in the amount of \$230,370 for the development of Phase III of Computerized Analysis of Transcripts System (CATS) Project—Student Success Network—FSS Grant.

Item 2, Ratified a list of contracts, agreements, and independent contractor agreements signed by Vice Chancellor Keller.

Item 3, Approved/Ratified Personnel Actions as Follows:

PERSONNEL

Employee: **Al Dominguez**
Position: Interim Director/Counselor for STARS
College: De Anza College
Division: Counseling
Action: **Temporary Full-Time Replacement**
Compensation: Column II, Step A - \$4,419.52/month plus 5% stipend
Effective Date: September 20, 2001 – June 28, 2002
#/Months: 10

Employee: **Charles Elder**
Position: Instructor and Athletic Director
College: De Anza College
Division: Physical Education and Athletics
Action: **50% Reassignment to Athletic Director
Increase from 10 months to 11 months**

Compensation: Column V, Step M @ \$7,769.06/month plus
10% stipend
Effective Date: August 1, 2001

Employee: **Kathy Kesten**
Position: Health Services Coordinator
College: De Anza College
Division: Counseling
Action: **Resignation**
Effective Date: September 28, 2001

Employee: **Frances Lathers**
Position: Learning Disabilities Specialist
College: De Anza College
Division: Educational Diagnostic Center
Action: **Employment**
Effective Date: September 20, 2001 *#/Months:* 10
Compensation: Column II, Step E @ \$5,319.73/month

Employee: **Debra Lew**
Position: International Student Counselor
College: Foothill
Division: Counseling and Student Services
Action: **Employment**
Effective Date: September 20, 2001 *#/Months:* 11
Compensation: Column 4, Step I @ \$6,650.10/month

Employee: **D. Sharon Miller**
Position: Instructor, Humanities
College: De Anza College
Division: Humanities and Social Science
Action: **Extended Leave of Absence in accordance
with Article 16.23.1 of the Agreement
between the District and the Faculty
Association**
Effective Date: September 20, 2001 – June 28, 2002

Employee: **Shirley Myers**
Position: Instructor, English
College: De Anza College
Division: Language Arts
Action: **Temporary Full-Time Contract
Replacement**
Effective Date: September 20, 2001 – June 28, 2002
#/Months: 10
Compensation: Column II, Step I @ \$6,209.54/month
Note: Employment is in accordance with Education
Code Section 87481

Employee: **Marion Winters**
Position: Interim Diversity Coordinator
College: De Anza College
Division: Academic Services

Action: **Temporary Full-Time Replacement**
Effective Date: September 20, 2001 – June 28, 2002
#/Months: 10
Compensation: Column V, Step M @ \$7,769.06/month plus 10% stipend

Item 4, Approved the actions reflected in the Human Resources Report dated September 10, 2001.

Item 5, Approved one additional Professional Development Leave for Faculty Member Paula Wade.

Item 6, Revised Board Policy 9128, Public Participation, was addressed by Chancellor Chavez. He noted that this revised policy was being presented for a second reading and adoption.

ADOPTED REVISED
BOARD POLICY
9128, PUBLIC
PARTICIPATION

Chancellor Chavez also noted that at many meetings the Board has spent a great deal of time on the “hearings” from staff, students and the public which in some cases jeopardized the time needed to address important items on the agenda. He added that the Board is attempting to find a balance between encouraging full public participation and conducting its meetings in an orderly and timely fashion.

He emphasized that staff and students are encouraged to use the participatory governance process set up by the colleges to air their concerns and obtain answers to questions rather than bringing to the Board an issue that is being discussed for the first time.

Faculty President Rich Hansen asked if *Revised Board Policy 9128, Public Participation*, related to students and staff as well as the public. Chancellor Chavez responded that it addressed the **public** and a brochure containing “guidelines” for the policy is being prepared for distribution. It was M/S/C (Mason/Hay) (advisory vote - 2 yes) to approve *Revised Board Policy 9128, Public Participation*.

Item 7, Establishment of a Practice of Changing External Auditors Every 4 years, was addressed by Trustee Moss. She explained that she believes that it is important to review a contract with an auditing firm after several years and evaluate its service. She noted that this issue did not come up because of any dissatisfaction with the present external auditors.

ESTABLISHMENT
OF PRACTICE FOR
CHANGING
EXTERNAL
AUDITORS

Audit and Finance Committee Member Pat Millar supported Trustee Moss’ views and stated that she believes that an audit firm should be selected through the bid process.

Following a lengthy discussion, the Board directed the Chancellor to prepare a resolution outlining a procedure for reviewing the present audit firm including instructions to agendaize an item addressing the evaluation and renewal and/or termination of the contract with the present audit firm at a regular Board meeting one year prior to the expiration of the audit firm’s contract.

Chancellor Chavez stated that he would prepare the resolution as requested and bring it to the October 1 Board meeting.

Item 8, Adoption of 2001-2002 Budget, was addressed by Vice Chancellor Jim Keller. Manager of Budget Operations Kathy Blackwood distributed copies of fourteen specific pages of the budget which have been revised and explained the implications of the revisions. These revisions related to “unrealized gain” in Funds 14 and 76 and are directed by GASB 31.

ADOPTION OF 2001-2002 BUDGET

It was M/S/C (Hay/Sandoval) (advisory vote - 2 yes) to adopt the 2001-2002 Foothill-De Anza Community College District Budget.

Item 9, Discussion of Measure E Planning Efforts, was addressed by President P. Fong. A detailed overview of the Measure E planning efforts to date for both campuses and the District buildings was presented for the Board’s information. Foothill Vice President of Educational Resources and Instruction Alan Harvey, De Anza Vice President of Finance and College Services Mike Brandy and Director of Operations, Facilities and Construction Management John Schulze were the presenters. Questions and discussion followed.

DISCUSSION OF MEASURE E PLANNING EFFORTS

President P. Fong asked if any items should be removed from the Measure E Consent Calendar. No items were removed. Director Schulze responded to questions on Item 11, relating to language in the master contract with Sandis Humber Jones, and Item 13, relating to location of the motor control center for the De Anza swimming pool and the use of pool covers.

MEASURE E CONSENT CALENDAR

It was M/S/C (Sandoval/Mason) (advisory vote – 2 yes) to take action on Items 10 through 15 as follows:

Item 10, Ratified Addendum Two, an Extension of the contract between the District and Gilbane Building Company titled AGREEMENT FOR PROGRAM MANAGEMENT SERVICES for the four-month period of July 2001 through October 2001.

Item 11, Awarded Project Assignment Amendment D05 to Sandis Humber Jones for the fixed and lump sum of \$52,575 plus an allowance of \$2,500 for reimbursable expenses to provide engineering services that include the development of documents for construction and construction administration of the De Anza College Science Center, Project No. 202.

Item 12, Approved Amendment No. 18 to the Agreement Between Foothill-De Anza Community College District and Perkins & Will for an additional scope of work for the completion of the Foothill Campus Master Plan, based on a lump sum amount with a not-to-exceed price and reimbursables for a total of \$78,975.

Item 13, Awarded a contract for professional services to Toft Wolff Farrow for the fixed and lump sum of \$23,000 plus an allowance of \$1,150 for reimbursable expenses for the Motor Control Center Relation at De Anza College.

Item 14, Awarded a contract for professional services to Fields & Associates for the fixed and lump sum of \$59,000 plus an allowance of \$5,000 for reimbursable expenses for professional services required for the renovation of the De Anza College Swimming Pools – Project #257.

Item 15, Approved the RETAINER AGREEMENT for legal services to WONG & SUAREZ, Attorneys at Law, to provide legal services required for advice and litigation as construction counsel in matters involving Measure E construction and other construction related issues. The fees authorized by this agreement are limited to \$20,000 per matter.

Item 16, Ratification of Memorandum of Understanding Regarding Foothill Child Development Center Faculty, was addressed by Vice Chancellor of Human Resources Jane Enright. It was M/S/C (Mason/Hay) (advisory vote - 2 yes) to ratify a Memorandum of Understanding between the District and the Faculty Association in order to facilitate the assignment of faculty affected by the closure of the Foothill College Child Development Center.

RATIFICATION OF
MOU REGARDING
FOOTHILL CHILD
DEVELOPMENT
CENTER FACULTY

Item 17, Ratification of Memorandum of Understanding Regarding Paid Office Hours for Part-Time Faculty, was addressed by Vice Chancellor of Human Resources Jane Enright. It was M/S/C (Mason/Hay) (advisory vote - 2 yes) to ratify a Memorandum of Understanding between the District and the Faculty Association to modify the Paid Office Hour Program for Part-Time Faculty. The additional cost to the District for 2001-02 is estimated to be \$105,000.

RATIFICATION OF
MOU REGARDING
PAID OFFICE
HOURS FOR PART-
TIME FACULTY

Faculty Association President Hansen thanked the Board for moving so quickly on Item 17 so that the modified Paid Office Hour Program for Part-Time Faculty can be implemented in the fall quarter.

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

DATES TO
REMEMBER

- October 1, 2001 Regular Board Meeting
 Foothill Recognition Award
- October 15, 2001 Regular Board Meeting

President P. Fong adjourned the meeting at 9:20 p.m.

ADJOURNMENT

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

cmb
Minutes Approved:
October 1, 2001

