

**FOOTHILL-DE ANZA  
COMMUNITY COLLEGE DISTRICT**

**MINUTES  
December 2, 2002**

The Board of Trustees of the Foothill-De Anza Community College District held a regular meeting on Monday, December 2, 2002. At 7:00 p.m., President Hay declared a quorum was present and commenced the meeting in the Chancellor's Office of the Foothill-De Anza Community College District, 12345 El Monte Road, Los Altos Hills, CA 94022. President Hay led the Board and those present in the Pledge of Allegiance.

PUBLIC SESSION

The roll call indicated the following members were present:

ROLL CALL

Sandy Hay, President  
Mary Mason, Vice President  
Paul Fong  
Andrea Leiderman  
Judith Moss  
Sarah Wiehe, Foothill College Student Trustee

The following were also present:

Staff:	Larry Bloom	Mike Brandy
	Leo Chavez	Will Coursey
	Jane Enright	Bernadine Fong
	Robert Griffin	Alan Harvey
	Ken Horowitz	Barbara Illowsky
	Martha Kanter	Marsha Kelly
	Faith Milonas	Jon O'Bergh
	Willie Pritchard	Hector Quiñonez
	Larry Rouse	John Schulze
	Marisa Spatafore	Claudette Weber

Press: Clyde Noel, Los Altos *Town Crier*

Students: None

Public: Michael Jansch, Associated Students, San Jose City College  
Tom Perry-Smith, Perry-Smith & Company

President Hay announced that the Election of Board Officers was to be conducted by written ballots. Each trustee prepared a ballot for the Office of President. The ballots were collected and read aloud as follows: Paul Fong voted for Mary Mason for President; Sandy Hay voted for Mary Mason for President; Andrea Leiderman voted for Mary Mason for President; Mary Mason voted for Mary Mason for President; Judith Moss voted for Mary Mason for President; and Sarah Wiehe gave an advisory vote for Mary Mason for President.

ANNUAL  
ORGANIZATION  
MEETING

Each trustee prepared a ballot for the Office of Vice President. The ballots were collected and read aloud as follows: Paul Fong voted for Judith Moss for Vice President; Sandy Hay voted for Judith Moss for Vice President; Andrea Leiderman abstained; Mary Mason voted for Judith Moss for Vice President; Judith Moss voted for Judith Moss for Vice President; and Sarah Wiehe gave an advisory vote for Judith Moss for Vice President. Trustee Leiderman explained that she abstained because she did not know whether there was a protocol suggesting a particular individual for the position. Having heard the Board's full support for Judith Moss, Trustee Leiderman said she wished to cast her vote for Moss as well. It was M/S/C (Leiderman/Fong) (advisory vote – 1 yes) by a unanimous vote to elect Judith Moss as Vice President.

The election of the Secretary was deferred to the next meeting so the Board can consider whether to change existing Board Policy concerning the appointment of the Chancellor as Secretary.

Newly-elected President Mason assumed the Board chair. It was M/S/C (Moss/Hay) (advisory vote – 1 yes) to adopt the proposed calendar of meetings for 2003. President Mason requested to postpone committee appointments to the next meeting so Board members could be polled about their interest in serving. She noted that she is an elected representative to the County Committee on School District Organization and would be willing to serve as representative of the Board.

President Mason asked if there were any additions or corrections to the minutes of the regular meeting of November 18, 2002. The minutes were approved as drafted.

APPROVED  
NOVEMBER 18, 2002  
MINUTES

President Mason asked if there were any correspondence which should be brought to the Board's attention. Trustee Hay mentioned e-mail messages from faculty concerning plus/minus grading. President Mason mentioned that she had received e-mail messages from students as well.

CORRESPONDENCE

Trustee Fong gave a report on the recent Foundation meeting.

FOUNDATION REPORT

President Mason 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 requested that Institutional Research provide demographics on student enrollment in courses, aggregated in a meaningful fashion such as all English classes, all Math classes, etc. Chancellor Chavez responded that this could be an enormous task, but he would explore the possibility.

Trustee Hay reported that he attended a Phi Theta Kappa induction ceremony. Trustee Leiderman reported that she visited Foothill earlier in the day for a tour of the campus. President Mason conveyed greetings from former student trustee Malcolm Harvey, who recently underwent a kidney transplant.

President Mason presented Trustee Hay with a gavel plaque in appreciation for serving as president of the Board. She then presented Chancellor Chavez with a resolution in appreciation for his leadership.

De Anza President Kanter distributed an Honors Celebration brochure and read a quote from Student Trustee Stewart. She also invited the Board to the annual holiday party. Foothill President Fong distributed a bilingual outreach brochure for the Hispanic community. She invited the Board to the Martin Luther King, Jr. lunch in January and a no-host lunch for former student trustee Malcolm Harvey on December 6.

Foothill Academic Senate President Larry Rouse reported that Gavilan College is in its third semester of plus/minus grading. Instructor Ken Horowitz spoke about the state budget crisis. Michael Jansch, representing the associated students of San Jose City College, spoke on several issues. He noted that the associated student body supports plus/minus grading at his college as long as it is uniformly implemented.

President Hay asked if any item should be removed from the Consent Calendar. At the request of Instructor Ken Horowitz, Trustee Moss asked that Item 9 be removed from the Consent Calendar. Trustee Hay requested that Item 12 also be removed. It was M/S/C (Fong/Hay) (advisory vote – 1 yes) by a unanimous vote to take action as recommended on items 1-8, 10 and 11 as follows:

APPROVAL OF  
CONSENT CALENDAR

**Item 1**, adopted Resolution Pursuant to Education Code Section 72425 Regarding Board Member Leiderman's Absence from the Board Meeting of August 26, 2002.

**Item 2**, adopted Resolution Pursuant to Education Code Section 72425 Regarding Board Member Stewart's Absence from the Board Meeting of November 4, 2002.

**Item 3**, approved Foothill-De Anza Overseas Study Program.

**Item 4**, approved Agreement with Mountain View-Los Altos High School District.

**Item 5**, ratified Contracts and Agreements.

**Item 6**, adopted Resolution Authorizing Separate Bank Accounts.

**Item 7**, adopted Delegation of Authority Resolutions.

**Item 8**, approved District Investments as of September 30, 2002.

**Item 10**, approved Personnel Actions as follows:

PERSONNEL

*Name:* **Lois Callahan**  
*Position:* Interim Chancellor  
*College:* District  
*Division:* Chancellor's Office  
*Action:* **Employment**  
*Effective Date:* January 6, 2003 – June 30, 2003  
*Compensation:* \$14,256.00/per mo.

*Name:* **David Coleman**  
*Position:* Counselor  
*College:* De Anza  
*Division:* Counseling  
*Action:* **Five additional Personal Leave Days**  
*Effective Date:* 2001-02 Academic Year  
*Comments:* In accordance with Article 16.1 of the *Agreement* between the District and the Faculty Association

*Name:* **Donna Jones-Dulin**  
*Position:* Director, College Services  
*College:* De Anza  
*Division:* College Services  
*Action:* **Extend Employment Contract**  
*Effective Date:* January 2, 2003 – June 30, 2003  
*Comments:* Extension of second one-year contract in accordance with Chapter III of the Administrators Handbook

*Name:* **Fortunato Macadangdang**  
*Position:* Counselor  
*College:* Foothill  
*Division:* Extended Opportunity Programs and Services (EOP&S)  
*Action:* **Retirement under Article 19, Retirement Incentive Program**  
*Effective Date:* December 14, 2002  
*Comments:* Administrative staff recommends waiver of submission deadline per Article 19.2 of the *Agreement* between the District and the Faculty Association

*Name:* **Robin Moore**  
*Position:* Director, Legal Affairs, Compliance and Training  
*College:* Central Services  
*Division:* Human Resources  
*Action:* **Accept Resignation**  
*Effective Date:* December 5, 2002

*Name:* **Mary Roberts Pape**  
*Position:* Instructor  
*College:* De Anza  
*Division:* Business/Computer Systems  
*Action:* **Unpaid Leave of Absence**  
*Effective Date:* January 6, 2003 – December 12, 2003  
*Comments:* In accordance with Article 16.28 of the *Agreement* between the District and the Faculty Association

*Position:* **Police Sergeant**  
*College:* District  
*Division:* College Police and Safety Services  
*Action:* **Approve new Supervisor position**  
*Compensation:* N-56 @ \$4,327.27/per mo.  
*Effective Date:* December 3, 2002

**Item 11**, approved Human Resources Report.

**Item 9**, Revised Board Policy 3217, “Non-Smoking Areas,” was addressed by Instructor Ken Horowitz, who spoke in support of the policy. It was M/S/C (Hay/Fong) (advisory vote – 1 yes) by a unanimous vote to approve Revised Board Policy 3217.

APPROVED REVISED  
BOARD POLICY 3217,  
“NON-SMOKING  
AREAS”

**Item 12**, Approve Employment Contracts, was addressed by Trustee Hay, who explained that he supported the contracts but wanted everyone to know that, especially in the current budget environment, all salary proposals are open for questioning. It was M/S/C (Hay/Moss) (advisory vote – 1 yes) by a unanimous vote to approve the following employment contracts:

APPROVED  
EMPLOYMENT  
CONTRACTS FOR  
PRESIDENTS

**Bernadine C. Fong**, President, Foothill College effective July 1, 2002 to June 30, 2005. Annual salary of \$150,051, which includes a 5% retention incentive effective July 1, 2002. The President shall also receive the same salary adjustment granted to administrators for 2002-03 if any. Effective July 1 of the eleventh year of service the auto allowance granted to the President shall become part of the President’s base salary. Effective July 1 of the sixteenth year of service the professional expense allowance granted to the President shall become part of the President’s base salary.

**Martha J. Kanter**, President, De Anza College effective July 1, 2002 to June 30, 2005. Annual salary of \$150,051, which includes a 5% retention incentive effective July 1, 2002. The President shall also receive the same salary adjustment granted to administrators for 2002-03 if any. Effective July 1 of the eleventh year of service the auto allowance granted to the President shall become part of the President's base salary. Effective July 1 of the sixteenth year of service the professional expense allowance granted to the President shall become part of the President's base salary.

**Item 13**, Annual Audit Report for the Year Ended June 30, 2002, was addressed by Internal Auditor Will Coursey, who thanked the team from Perry-Smith & Company and recognized staff who participated in the audit. Acting Vice Chancellor of Business Services Mike Brandy and Tom Perry-Smith presented the audit, noting that it had been reviewed by the Audit & Finance Committee. Mr. Perry-Smith said the report gets "an A+."

ACCEPTED ANNUAL  
AUDIT

The Board reacted favorably to Mr. Perry-Smith's offer to present a workshop on the audit in its new format, perhaps in March once the Interim Chancellor and new Vice Chancellor of Business Services are on board. It was M/S/C (Hay/Fong) (advisory vote – 1 yes) by a unanimous vote to accept the Audit Report for the Year Ended June 30, 2002.

**Item 14**, Addendum to Foothill College Accreditation Midterm Report, was addressed by Foothill President Bernadine Fong. It was M/S/C (Leiderman/Wiehe) (advisory vote – 1 yes) by a unanimous vote to approve the Addendum to Foothill College Accreditation Midterm Report.

APPROVED  
ADDENDUM TO  
FOOTHILL MIDTERM  
REPORT

**Item 15**, Chancellor Search and Charge, was addressed by Vice Chancellor of Human Resources and Equal Opportunity Jane Enright, who noted that open forums are scheduled for December 9 to provide faculty and staff an opportunity to provide input on desired characteristics for a chancellor. Trustee Leiderman asked that these open forums also be promoted to the larger district community.

APPROVED  
CHANCELLOR SEARCH  
COMMITTEE AND  
CHARGE

Trustee Moss expressed concern about the appearance of a conflict of interest for a community member on the search committee who works in the office of Assemblyman Joe Simitian. Trustee Leiderman requested to see all applications that the Search Committee reviews, although Vice Chancellor Enright pointed out that this would be an unorthodox procedure given how search committees operate in the District. President Mason noted that the search committee serves at the Board's request as an extension of the Board, and the Board has final responsibility and authority to hire the chancellor.

Trustee Moss requested that the Board review the search process and chancellor profile, and Trustee Leiderman requested to see the timeline at the next meeting. It was M/S/C (Hay/Leiderman) (advisory vote – 1 yes) by a vote of 4 “aye” and 1 “no” (Moss voted “no”) to approve the Chancellor Search Committee. It was M/S/C (Moss/Hay) (advisory vote – 1 yes) by a unanimous vote to approve the Charge to the Chancellor Search Committee incorporating the “Guiding Principles.”

President Hay asked if any item should be removed from **Item 16**, Measure E Consent Calendar. No items were removed. It was M/S/C (Hay/Wiehe) (advisory vote – 1 yes) by a unanimous vote to approve Item 16 A-G as follows:

APPROVED MEASURE  
E CONSENT  
CALENDAR

- A.** *Title:* Addendum D05  
*Vendor:* Cleary Consultants, Inc.  
*Agreement Date:* 01/15/01  
*Campus:* De Anza  
*Project No.:* 765-202  
*Project Name:* Science Center  
*Amount:* \$8,400  
*For:* Soils engineering services for construction of the De Anza campus Science Center  
*Action:* Ratification
- B.** *Title:* Construction Change Order #2  
*Vendor:* ICC General Construction  
*Agreement Date:* 07/22/02  
*Campus:* De Anza  
*Project No.:* 765-249  
*Project Name:* OTI Relocation Project  
*Amount:* \$18,933  
*For:* Bulletin #1, delete sanitary sewer line, relocate water line to Staff House, provide data connections  
*Action:* Ratification
- C.** *Title:* Purchase Order Revision #1  
*Vendor:* Mobile Modular Management Corporations, Inc.  
*Agreement Date:* 09/04/01 for building lease at De Anza campus  
*Campus:* De Anza  
*Project No.:* 765-502  
*Project Name:* Gilbane Trailer Modifications  
*Amount:* \$1,359  
*For:* Additional site leveling  
*Action:* Ratification

- D.**    *Title:*                    PAA D01 Revision #5  
*Vendor:*                    tBP Architecture, Inc.  
*Agreement Date:*        02/08/01  
*Campus:*                    De Anza  
*Project No.:*                765-203  
*Project Name:*            Student & Community Services Building  
*Amount:*                    \$10,080  
*For:*                        Services to perform an additional cost estimate on  
   the 100% DD documents  
*Action:*                     Ratification
  
- E.**    *Title:*                    Oak Tree Relocation  
*Vendor:*                    Valley Crest Tree Company  
*Agreement Date:*        08/28/02  
*Campus:*                    De Anza  
*Project No.:*                765-202  
*Project Name:*            Science Center  
*Amount:*                    \$13,100  
*For:*                        Relocation of two (2) existing oak trees. One of  
   them was relocated to the Flint Center and the other  
   was relocated behind the new CDC building.  
*Action:*                     Ratification
  
- F.**    *Title:*                    Contractor Change Order #2  
*Vendor:*                    Tinney Construction  
*Agreement Date:*        05/30/02  
*Campus:*                    Foothill  
*Project No.:*                101  
*Project Name:*            Krause Center for Innovation  
*Amount:*                    \$1,111  
*For:*                        Adding workstations at small serpentine tables,  
   deleting privacy panels on serpentine tables and  
   other miscellaneous millwork  
*Action:*                     Ratification
  
- G.**    *Title:*                    Contractor Change Order #9  
*Vendor:*                    Tinney Construction  
*Agreement Date:*        01/15/02  
*Campus:*                    Foothill  
*Project No.:*                142  
*Project Name:*            The Bricks  
*Amount:*                    \$6,240  
*For:*                        Additional services for drywall, electrical, and  
   demolishing the duct bank at 6700  
*Action:*                     Ratification

**Item 17**, Project Assignment Amendment #25 to Agreement with Perkins & Will – Chiller Consolidation and Campus Chilled Water Loop System, Phase I, Planning Study – was addressed by Director of Facilities, Operations and Construction Management John Schulze. It was M/S/C (Moss/Fong) (advisory vote – 1 yes) by a unanimous vote to approve PAA #25 to Agreement with Perkins & Will in the lump sum amount of \$28,602.

APPROVED PAA #25  
TO AGREEMENT WITH  
PERKINS & WILL

**Item 18**, Agreement with Netcor Design Systems – Voice/Data and Audio/Visual Design and Construction Administration for Foothill Projects #142, #152, #109, #115 and #119 – was addressed by Director of Facilities, Operations and Construction Management John Schulze. It was M/S/C (Hay/Fong) (advisory vote – 1 yes) by a unanimous vote to approve the Agreement with Netcor Design Systems in the amount of \$176,055, plus \$8,803 for miscellaneous expenses.

APPROVED  
AGREEMENT WITH  
NETCOR DESIGN  
SYSTEMS

**Item 19**, Contract with DES Architects + Engineers – Professional Architectural Design Services for De Anza Renovations to P.E. Quad Buildings – was addressed by Director of Facilities, Operations and Construction Management John Schulze.. It was M/S/C (Fong/Wiehe) (advisory vote – 1 yes) by a unanimous vote to approve the Contract with DES Architects + Engineers in the fixed and lump sum amount of \$569,200, including reimbursables.

APPROVED CONTRACT  
WITH DES  
ARCHITECTS +  
ENGINEERS

**Item 20**, Addendum #D03 to Agreement with Signet Testing Labs, Inc. – Testing and Inspection Services for De Anza Science Center – was addressed by Director of Facilities, Operations and Construction Management John Schulze. It was M/S/C (Hay/Moss) (advisory vote – 1 yes) by a unanimous vote to approve Addendum #D03 to Agreement with Signet Testing Labs, Inc. in the amount of \$89,438 including reimbursables.

APPROVED  
ADDENDUM #D03 TO  
AGREEMENT WITH  
SIGNET TESTING LABS,  
INC.

The Board’s attention was called to the following date to remember:  
January 6, 2003 — Regular Board Meeting

DATES TO REMEMBER

The meeting was adjourned at 8:17 p.m.

ADJOURNMENT

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Lois A. Callahan, Interim Chancellor and  
Secretary of the Board of Trustees

jco  
Minutes Approved: 1/6/03