

The Board of Trustees of the Foothill-De Anza Community College District held its regular meeting on Monday, January 7, 2002. At 6:30 p.m. President Hay declared a quorum was present and commenced the regular meeting in the Board Room 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 in the Chancellor's Office and President Hay reconvened the Public Meeting at 7 p.m. in the Board Room. 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

Sandy Hay, President  
Mary Mason, Vice President  
Paul Fong  
Judith Moss  
Les Leonardo, De Anza College Student Trustee  
Sarah Wiehe, Foothill College Student Trustee

The following were also present:

Staff:	Catherine Bauknight	Mike Brandy
	Leo Chavez	Klaus Dehn
	Jane Enright	Bernadine Fong
	Allen Frische	Ken Horowitz
	Martha Kanter	Jim Keller
	Marsha Kelly	Marilyn Larsen
	Faith Milonas	Bill Patterson
	Kris Paulsen	Julie Phillips
	Kathy Plum	Carmen Redmond
	Larry Rouse	John Schulze
	Stephanie Sherman	Claudette Weber
Students:	Michael Kwan	
Public:	John Assunto, Gilbane	
	Betsy Bechtel	
	Steven Pond, Gilbane	
	Sharon Sarris	
Press:	None	

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

NO ACTION TAKEN  
IN CLOSED  
SESSION

President Hay presented a gavel plaque to Paul Fong in appreciation of his outstanding leadership as the 2001 Board President.

P.FONG  
PRESENTED GAVEL  
PLAQUE

Chancellor Chavez introduced a new student trustee representing Foothill College, Sarah Wiehe. He administered the Oath of Office to Ms. Wiehe. President Hay congratulated Ms. Wiehe on behalf of the Board and invited her to be seated at the Board table.

FOOTHILL  
STUDENT TRUSTEE  
WIEHE TOOK OATH  
OF OFFICE

President Hay asked if there were any additions or corrections to the minutes of the meeting of December 3, 2001. The minutes were approved as drafted.

APPROVAL OF  
MINUTES OF  
DECEMBER 3, 2001

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

CORRESPONDENCE

President Hay 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 acknowledged Instructor Dolores Peterson for her efforts in emphasizing humanities in a recent article she wrote.

Academic Senate President Larry Rouse noted an interesting article in the **Palo Alto Daily News** featuring De Anza's **La Voz** newspaper and discussing journalism in general in the two- and four-year colleges. Dr. Rouse added that the **Foothill Sentinel** is up and running and will be publishing the newspaper bi-weekly.

De Anza President Martha Kanter noted that she had distributed an article, "Playrooms, Hodgepodes, Soulless Monsters: Why I Can't Imagine Having a Better Job." written by De Anza Instructor John Lovas and published by the Modern Language Association.

President Hay asked if any items should be removed from the Consent Calendar. No items were removed. It was M/S/C (Mason/Fong) (advisory vote - 2 yes) to take action as recommended on Items 1 – 9 of the Consent Calendar as follows:

CONSENT  
CALENDAR

Item 1, Approved the FY 02 Public Safety Training Consortium Contract by which De Anza College is purchasing 90 FTES for a total of \$172,472.

Item 2, Denied a claim for wrongful termination from a probationary employee who was dismissed.

Item 3, Accepted the fact that Fujitsu Business Communication Systems has substantially and satisfactorily completed the contracted work for a new telephone and voice mail system and authorized District staff to file a Notice of Completion with Santa Clara County.

Item 4, Authorized the District's Manager of Material and Purchasing Services to issue purchase orders to Nextel for wireless communication services in accordance with State of California Master Agreement 5-00-70-15.

Item 5, Approved an addendum to contract for professional services with WorldBuild Technologies Inc., dated April 4, 2001 in the amount of \$9,505.

Item 6, Ratified the list of contracts, agreements, and independent contractors' agreements dated January 7, 2002.

Item 7, Approved/Ratified Personnel Actions as Follows:

*Employee:* **Marguerite Abel**  
*Position:* Temporary Full-Time Contract Replacement  
Nursing Instructor  
*College:* De Anza  
*Division:* Biological and Health Sciences  
*Action:* **Employment**  
*Effective Dates:* January 7, 2002 # of months: 10  
*Compensation:* Column II, Step E - \$5,319.73/month

*Employee:* **Klaus Dehn**  
*Position:* Director, Campus Center  
*College:* De Anza  
*Action:* **Retirement**  
*Effective Date:* February 1, 2002  
*Note:* Correction to earlier submittal date of  
January 21, 2002

*Employee:* **Judith Johnson**  
*Position:* Instructor  
*College:* De Anza  
*Division:* Business and Computer Science  
*Action:* **Reduction in Contract to 88.1%**  
*Effective Date:* September 23, 2002  
*Note:* In accordance with Article 18, Reduced  
Workload Program, of the Agreement between  
the District and FA

*Employee:* **Todd Petersen**  
*Position:* Men's Basketball Coach/PE Instructor  
*College:* Foothill  
*Division:* Physical Education and Human Performance  
*Action:* **Resignation**  
*Effective Date:* July 1, 2002

*Employee:* **Janet Redd**  
*Position:* Librarian  
*College:* De Anza  
*Division:* Library Services  
*Action:* **Resignation for the purpose of retirement**  
*Effective Dates:* September 1, 2001

*Employee:* **Michael Sullivan**  
*Position:* Instructor  
*College:* De Anza  
*Division:* Social Science Division  
*Action:* **Reduction in Contract to 80%**  
*Effective Date:* September 23, 2002  
*Note:* In accordance with Article 18, Reduced Workload Program, of the Agreement between the District and FA

Item 8, Approved the actions reflected in the Human Resources Report dated January 7, 2002.

Item 9, Approved Administrative Training/Retraining Stipends recommended by the Administrative Leave Committee in accordance with Chapter X of the Administrators Handbook for Letha L. Jeanpierre in the amount of \$1,435; and Marilyn Williams in the amount of \$900.

Item 10, Chancellor’s Recognition Award, was addressed by Chancellor Chavez. He introduced Klaus Dehn, Director of the De Anza Campus Center, and commented on some of the many contributions that Dr. Dehn has made to De Anza College and the District over the past 24 years. Chancellor Chavez presented the Chancellor’s Recognition Award to Dr. Dehn, and thanked him for his loyal service. Members of the Board and De Anza President Kanter congratulated Dr. Dehn and wished him well in retirement.

CHANCELLOR’S  
RECOGNITION  
AWARD TO DEHN  
AND PAULSEN

Vice Chancellor of Human Resources Jane Enright introduced Kris Paulsen, Human Resources Technician from Central Services, and commented on the excellent service she has given to Human Resources over a number of years. Chancellor Chavez congratulated Ms. Paulsen and presented the Chancellor’s Recognition Award to her. Members of the Board joined many of Ms. Paulsen’s colleagues who were in attendance in congratulating her on receiving the award.

Item 11, Board Committee Assignments, was addressed by President Hay who made the following committee appointments:

BOARD COMMITTEE  
APPOINTMENTS

- Chair, Audit and Finance Committee            Mary Mason
- Member, Audit and Finance Committee        Judith Moss
- Representative, Foundation Board             Sandy Hay
- Representative, Foundation Board             vacant

Item 12, Board Appointment Process, was addressed by Chancellor Chavez. He presented an outline of an appointment process that he and President Hay had drafted including 1) an advertising plan; 2) an orientation meeting for prospective candidates planned for January 16 at 3 p.m.; 3) guidelines for a written application; and 4) dates for completing the process.

APPROVED  
TRUSTEE  
APPOINTMENT  
PROCESS

It was M/S/C (Mason/Leonardo) (advisory vote – 2 yes) to adopt the appointment process as follows: 1) advertise for the position starting January 8, 2002; 2) set 5 p.m., January 28, 2002, as the deadline for receipt of applications; 3) agendize the appointment process on the February 4, 2002, Board agenda for

further discussion of paper screening process; 4) set February 14 and 15, 2002, as dates for interviews; and 5) schedule a special Board meeting for 3 p.m. on February 19, 2002 to make the trustee appointment.

Item 13, District Self Assessment for the Partnership for Excellence, was addressed by Foothill Vice President of Instruction and Institutional Research Bill Patterson who gave an overview of the document and explained that the California Community Colleges Board of Governors and State Chancellor ask each district to assess its progress toward Partnership for Excellence goals by examining its 1999-2000 outcomes. De Anza Director of Budget and Personnel Services Allen Frische joined Dr. Patterson in responding to questions from the Board.

DISTRICT SELF  
ASSESSMENT FOR  
PFE PRESENTED  
FOR BOARD'S  
INFORMATION

It was M/S/C (Mason/Moss) (advisory vote – 2 yes) to accept the District Self Assessment for the Partnership for Excellence.

Item 14, Report of Business Activity with Disabled Veterans, Minority and Women-Owned Businesses, was addressed for the Board's information by Manager of Materials and Purchasing Services Carmen Redmond who gave an overview of the report and responded to several questions.

REPORT OF  
BUSINESS  
ACTIVITY WITH  
DISABLED  
VETERANS,  
MINORITY AND  
WOMEN-OWNED  
BUSINESSES  
PRESENTED FOR  
BOARD'S  
INFORMATION

Item 15, Overview of Measure E Progress and Budget Processes, was addressed for the Board's information by Director of Facilities, Operations & Construction Management John Schulze. Director Schulze covered a number of items including: 1) Work in Progress at De Anza; 2) Work in Progress at Foothill; 3) Staffing; 4) Project Budgets; 5) Design Phase—Consultants; 6) Other Consultants; 7) Approval Process; 8) Measure E Consent Calendar and a proposed format for agendaing items; 9) the Major Capital Construction Review Committee and proposed revisions to Administrative Procedures (AP) 3213, *Implementing Procedures for the Control of Major and Minor Construction Projects*, relating to Board Policy 3213, *Control of Major Construction Project Costs and Approval of Construction Change Orders*.

OVERVIEW OF  
MEASURE E  
PROGRESS  
PRESENTED FOR  
THE BOARD'S  
INFORMATION

Director Schulze noted that the Major Capital Construction Review Committee which was organized to implement AP 3213 has proved not to be effective due to problem areas including meeting scheduling, attendance of committee members and the large volume of work. He stated that he is proposing changes in the committee structure and revisions to AP 3213, highlights of which include: 1) each campus has own committee; 2) committees meet as needed; 3) budget control still primary focus of committees; 4) committees insure that projects at end of schedule are funded; 5) committees oversee budget transfers and approve discretionary changes. Questions and discussion followed.

Item 16, Presentation on Leadership in Energy & Environmental Design (LEED) was addressed by Director Schulze who explained for the Board's information the value of obtaining LEED certification for the proposed new buildings at De Anza College.

LEED  
PRESENTATION  
FOR THE BOARD'S  
INFORMATION

He covered background information on the U.S. Green Building Council, the District Sustainability Committee and the outcomes of a workshop held in April 2001 on the Sustainable Development Plan.

Director Schulze was joined by De Anza Vice President of Finance and College Services Mike Brandy, Dean of Biological and Health Sciences Stephanie Sherman and staff members from De Anza's Environmental Studies Area in discussing further the benefits of LEED certification in conjunction with the construction of "green buildings," why the rating is important and why the cost of certification is necessary.

Following a very lengthy discussion, it was M/S/C (Fong/Mason) (advisory vote – 2 yes) to approve Item 17, Additional Services for Anshen + Allen for Project #202- De Anza Science Center for LEED Certification in the amount of \$88,680 plus reimbursable expenses estimated at \$8,000.

APPROVED  
ADDITIONAL  
SERVICES FROM  
ANSHEN + ALLEN  
FOR LEED  
CERTIFICATION

Item 18, Bid Document Number 873-104 Fine Arts Phase I, Foothill College, was addressed by Manager of Materials and Purchasing Services Carmen Redmond who gave a brief overview of the item explaining the rationale surrounding the bid protest letter submitted to the District by NuTek Construction, Inc.

REJECTED BID  
PROTEST LETTER  
FROM NUTEK AND  
AWARDED A  
CONTRACT TO  
ARCON CORP.

It was M/S/C (Mason/Fong) (advisory vote – 2 yes) to: 1) Reject the Bid Protest letter submitted by NuTek Construction, Inc.; and 2) Award a contract for the Base Bid Number 873-104, Fine Arts Phase I, Foothill College, to the lowest responsible bidder, Arcon Construction Corporation, for \$855,000, which is well under the construction budget estimate.

Item 19, Bid Document Number 874-142, The Bricks, Buildings 3000, 4100, 5200, 6000, 6700, Foothill College, was addressed by Manager of Materials and Purchasing Services Redmond. It was M/S/C (Mason/ Leonardo) (advisory vote – 2 yes) to award a contract for the Base Bid Number 874-142 to the lowest responsible bidder, Tinney Construction Corporation, for \$3,279,000.

AWARDED  
CONTRACT TO  
TINNEY  
CONSTRUCTION

Item 20, Ratification of Revision #2 to Project Assignment Amendment (PAA) #D01 to tBP/Architecture for Design of De Anza Student and Community Services Building (Project #203) was addressed by Director Schulze. It was M/S/C (Mason/ Fong) (advisory vote – 2 yes) to ratify Revision #2 to PAA #D01 in the deductive amount of \$122,436.

RATIFIED  
REVISION #2 TO  
PAA #D01 tBP

Item 21, Contract for Professional Services to Ellerbe Beckett for Flint Center Seating Replacement and Audio Enhancement Project, was addressed by Director Schulze. It was M/S/C (Mason/ Fong) (advisory vote – 2 yes) to award a contract for professional services to Ellerbe Beckett for the "Not To Exceed" cost of \$88,700.

AWARDED  
CONTRACT FOR  
SERVICES TO  
ELLERBE BECKETT  
FOR FLINT CENTER  
RENOVATION

Item 22, Amendment No. 20 to Agreement with Perkins & Will for Architectural Design Services for Project #153, Campus Center, was addressed by Director Schulze. It was M/S/C (Fong/Mason) (advisory vote – 2 yes) to approve the amendment as follows: Perkins & Will Amendment No. 20 for services listed above for a lump sum of \$351,619.

APPROVED  
AMENDMENT NO.  
20 WITH PERKINS  
& WILL FOR  
PROJECT #153,  
CAMPUS CENTER

President Hay asked if any items should be removed from the Measure E Consent Calendar. No items were removed. It was M/S/C (Mason/Moss) (advisory vote – 1 yes) to take action on Items 23 through 30 as follows:

APPROVED  
MEASURE E  
CONSENT  
CALENDAR

Item 23, Approved a Master Agreement for Interior Space Design Service to HLW Architects.

Item 24, Awarded a contract for professional architectural services for renovations and minor new building projects and additions at Foothill College to Sugimura & Associates Architects.

Item 25, Ratified Revision 5 (\$671.25) to the Standard Agreement dated September 21, 2000, with Cleary Consultants which provides supplemental geotechnical engineering analysis required for retaining wall design at the De Anza Science Center (Project #202).

Item 26, Ratified Revision #1, Project Assignment Amendment #D06 (Purchase Order M048179) to tBP/Architecture for revised scope of services and fees for the design of the E-2 Renovation at De Anza Community College (Project #215) for the fixed and lump sum amount of \$10,000.

Item 27, Ratified Change Order #1 to Gen-Con Construction for Project #249, Mobile Village, De Anza College, for the fixed and lump sum of \$18,842.

Item 28, Awarded a contract for professional services to Cleary Consultants, Inc., for the De Anza College Child Development Center for the fixed and lump sum of \$6,650 plus \$665 for reimbursable expenses.

Item 29, Ratified Change Order #2 to Nutek Construction Co., for Foothill Project #140, Swing Space Site Work & Utilities, to prepare site work and utilities for modular buildings at Foothill for the fixed and lump sum of \$16,244.

Item 30, Ratified Addendum No. F-4 to the agreement for consultant services with Allana-Lippart as follows: Professional Peer Review and Construction Monitoring Services for the Business & Social Science Project at Foothill College for \$19,380.

Item 31, Approve Employment Contracts, was addressed by Vice Chancellor of Human Resources Jane Enright. It was M/S/C (Mason/Fong) (advisory vote 1 – yes) to approve the following contracts:

APPROVED  
EMPLOYMENT  
CONTRACTS FOR  
CHANCELLOR,  
PRESIDENTS, VICE  
CHANCELLORS

Leo E. Chavez, Chancellor, effective July 1, 2001 to June 30, 2005. Annual salary of \$176,270 which includes a 4% increase to the Chancellor's 2000-2001 salary. The Chancellor shall also receive a 1% one-time salary adjustment of \$1,645 for 2001-02 only.



