

The Board of Trustees of the Foothill-De Anza Community College District held its regular meeting on Monday, June 17, 2002. At 7 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. 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  
Andrea Leiderman  
Judith Moss  
Deanna Stewart, De Anza College Student Trustee  
Sarah Wiehe, Foothill College Student Trustee

The following were also present:

Staff:	Catherine Bauknight	Kathy Blackwood
	Larry Bloom	Mike Brandy
	Leo Chavez	Jane Enright
	Bernadine Fong	Robert Griffin
	Alan Harvey	Alex Hochstraser
	Jim Keller	Faith Milonas
	Kathy Plum	Willie Pritchard
	Carmen Redmond	Larry Rouse
	John Schulze	Marisa Spatafore
	Claudette Weber	

Students: Melecia Navarro

Public: Doug Aikens, Attorney at Law  
Steven Nelson  
Arlyn Purcell, Impact Sciences  
Mark Spencer, DKS Associates

Press: None

President Hay asked if there were any additions or corrections to the minutes of the regular meeting of June 3, 2002 and the special meeting of June 7, 2002. The minutes were approved as drafted.

APPROVED  
MINUTES OF JUNE  
3 & 7, 2002

President Hay noted that there had been no meeting of the Foundation Board since the last report was given.

NO FOUNDATION  
BOARD REPORT

President Hay asked if there was any correspondence which should be brought to the Board's attention.

CORRESPONDENCE

Trustee Mason noted that she had received a letter from Assemblymember Elaine Alquist announcing a hearing on the *Joint Committee to Develop the Master Plan for Education*, planned for June 21, 2002. President Hay stated he would be going.

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

Trustees P. Fong and Leiderman reported on their attendance at the Association of Community College Trustees Conference in Las Vegas.

President Hay reported that he had attended the graduation ceremony for the students completing the NASA Ames program. He also attended the Puente Program Recognition Awards.

Foothill Student Trustee Wiehe reported that she attended the Foothill Faculty and Staff Celebration on June 7, 2002.

De Anza President Martha Kanter distributed an article recognizing the De Anza Child Care Center by the Cupertino Rotary Club and also noted that the Child Care Center recently held an alumni day celebration and many "older" children who had spent time at the center attended. President Kanter added that former President of South Viet Nam Nguyen Cao Ky recently spoke at De Anza and hosted a book signing after his speech.

President of De Anza Academic Senate Kathy Plum noted that this was her last Board meeting as President of De Anza Academic Senate. She further noted that De Anza Instructor Paul Setziol will be taking over as the new De Anza Academic Senate President.

Foothill President Bernadine Fong invited the Board to a reception on Wednesday afternoon honoring Foothill's Transfer Students. She distributed a letter written by Foothill Vice President Alan Harvey in response to an editorial which contained inaccurate information recently published in the *Sentinel*.

Faculty Association President Faith Milonas announced the recipients of the 2002 Faculty Association Scholarships.

De Anza Associated Student Body (DASB) President Melecia Navarro addressed the Board with concerns relating to the "Smart Card." She was followed by several other students who stated their reasons for recommending that the "Smart Card" not be continued.

President Hay asked if any items should be removed from the Consent Calendar. Item 1 was removed. Director of Business Services Jim Keller made a clarification on Item 2. He noted that the recommendation for action should state: *Vice Chancellor of Business Services Jim Keller recommends that the Board adopt the resolution establishing the 2002-2003 appropriation limit at \$195,358,271.*

CONSENT  
CALENDAR

It was M/S/C (Mason/Wiehe) (advisory vote – 2 yes) to take action as recommended on Items 2–6 of the Consent Calendar as follows:

Item 2, Adopted a Resolution establishing the 2002-03 Appropriation Limit at \$195,358,271.

Item 3, Ratified the list of contracts, agreements and independent contractors.

Item 4, Approved/Ratified personnel actions as follows:

*Name:* **John Bostic**  
*Position:* Director, Financial Aid  
*College:* Foothill  
*Action:* Reclassify position from Level F to Level G  
*Compensation:* Level G/Step 5 @\$6,918.46/month  
*Effective Date:* July 1, 2002  
*Comments:* In accordance with Chapter XI of the Administrators Handbook

*Name:* **Falk Cammin**  
*Position:* ESL Instructor  
*College:* Foothill  
*Division:* Language Arts  
*Action:* Unpaid leave of absence  
*Effective Dates:* Spring Quarter 2003 and Fall Quarter 2003  
*Comments:* In accordance with Article 16.28 of the District/FA Agreement

*Name:* **Cindy Castillo**  
*Position:* Director, Financial Aid  
*College:* De Anza  
*Action:* Reclassify position from Level F to Level G  
*Effective Date:* July 1, 2002  
*Compensation:* Level G/Step 8 @ \$7,412.57/month  
*Comments:* In accordance with Chapter XI of the Administrators Handbook

*Name:* **Christine Chai**  
*Position:* ESL Instructor  
*College:* De Anza  
*Division:* Language Arts  
*Action:* Employment # of Months: 10  
*Effective Dates:* September 19, 2002 - June 27, 2003  
*Compensation:* Column II, Step E @ \$5,532.52/month

*Name:* **Mary Koskovich**  
*Position:* EMT/Paramedic Instructor/Program Director  
*College:* Foothill  
*Division:* Biological & Health Sciences  
*Action:* Employment # of Months: 10  
*Effective Date:* September 19, 2002 – June 27, 2003  
*Compensation:* Column I, Step C @ \$4,832.62/month

*Name:* **Charles Lee**  
*Position:* ESL Instructor  
*College:* De Anza  
*Division:* Language Arts  
*Action:* Employment # of Months: 10  
*Effective Date:* September 19, 2002 - June 27, 2003  
*Compensation:* Column III, Step I @ \$6,688.79/month

*Name:* **Maria Marin**  
*Position:* ESL Instructor  
*College:* De Anza  
*Division:* Language Arts  
*Action:* Employment # of Months: 10  
*Effective Dates:* September 19, 2002 – June 27, 2003  
*Compensation:* Column II, Step C @ \$5,058.09/month

*Name:* **Marilyn McDonald**  
*Position:* Archivist  
*College:* Foothill  
*Division:* Instruction and Institutional Research  
*Action:* Reduction in contract from 12 to 10 months  
*Effective Date:* July 1, 2002

*Name:* **Robin Moore**  
*Position:* Director, Legal Affairs, Compliance and Training  
*College:* Central Services  
*Action:* Reclassify position from Level G to Level H  
*Effective Date:* July 1, 2002  
*Compensation:* Level H/Step 8 @\$8,099.37/month  
*Comments:* In accordance with Chapter XI of the Administrators Handbook

*Name:* **Pat Quarato**  
*Position:* Instructor, Physical Therapist Assistant Program  
*College:* De Anza  
*Division:* Biological and Health Sciences  
*Action:* Unpaid Leave of Absence  
*Effective Date:* Academic Year 2002-2003 (September 19 – June 27, 2003)  
*Comments:* In accordance with Article 16.28 of the District/FA Agreement

*Name:* **Vivian Sinou**  
*Position:* Dean, Distance and Mediated Learning  
*College:* Foothill  
*Division:* International and Distance Learning  
*Action:* Reclassify position from Level I to Level J  
*Effective Date:* July 1, 2002  
*Compensation:* Level J/Step 4 @ \$8,715.58/month  
*Comments:* In accordance with Chapter XI of the Administrators Handbook

*Name:* **Richard Sommerfield**  
*Position:* Physics Instructor  
*College:* Foothill  
*Division:* Physical Sciences, Mathematics & Engineering  
*Action:* Retirement  
*Effective Dates:* June 30, 2002  
*Conditions:* Amends Board action taken on 7/16/00 approving Retirement under Retirement Incentive Program, Article 19 of the District/ FA *Agreement*

Item 5, Approved the actions reflected in the Human Resources Report dated June 17, 2002.

Item 6, Approved an Exemplary Achievement Award of \$7,500 for each of the following administrators:

**Chuck Lindauer**, Dean, Computers, Technology and Information Systems, Foothill  
**Elizabeth Zoltan**, Dean, Business and Social Sciences, Foothill  
**Caron Blinick**, Dean, Community Education and Older Adult Studies, De Anza  
**Judy Miner**, Vice President, Instruction, De Anza  
**Kathy Blackwood**, Director, Budget Operations, Central Services

Item 1, Authorization to Purchase Dell Computer Equipment, was addressed by District Purchasing Services Manager Carmen Redmond who explained that because of a question raised by Trustee Moss, the recommendation for authorization to purchase Dell Computer Equipment was amended to include a purchase limit of \$100,000.

AUTHORIZED  
PURCHASE OF DELL  
COMPUTER  
EQUIPMENT

It was M/S/C (Moss/Mason) (advisory vote – 2 yes) to authorize the District Purchasing Manager to place orders in excess of the legally mandated bid threshold, currently \$58,900, up to a limit of \$100,000 for District standard Dell Computer equipment under the competitively bid WSCA Master Price Agreement #92-00151 throughout the term of the agreement.

President Hay addressed Item 7, Innovator of the Year Award 2001-02, and invited De Anza Vice President of Student Services Robert Griffin to introduce the award. Dr. Griffin presented the Innovator of the Year Award 2001-02 to Vivian Sinou, Dean, Distance and Mediated Learning at Foothill College, for her work with Easy To Use Education Software (ETUDES), which has positioned Foothill College in a statewide leadership role for online instruction.

INNOVATOR OF  
THE YEAR

Item 8, Request for the Certification of the Environmental Impact Report (EIR) for the De Anza Campus and Measure E Building Program and Adoption of the Corresponding Resolutions, was addressed by De Anza Vice President of Finance Services Mike Brandy. He gave an overview of the EIR process. Doug Aiken, District legal counsel, and Arlyn Percel, representing Impact Sciences, responded to questions from the Board. Mark Spencer, traffic consultant from DKS Associates, responded to questions relating to traffic issues.

APPROVED EIR,  
DE ANZA

It was M/S/C (Mason/Fong) (advisory vote – 2 yes) to adopt:

**Resolution A: A Resolution of the Board of Trustees of the Foothill-De Anza Community College District Certifying the Final Environmental Impact Report (“EIR”) for the De Anza College Facilities Master Plan;**

**Resolution B: A Resolution of the Board of Trustees of the Foothill-De Anza Community College District Making Certain Findings Regarding Environmental Effects and Making Certain Statements of Overriding Considerations Regarding Approval of the De Anza College Facilities Master Plan;**

**Resolution C: A Resolution of the Board of Trustees of the Foothill-De Anza Community College District Approving the De Anza College Facilities Master Plan.**

Item 9, Tentative Budget for 2002-03, was addressed by Vice Chancellor of Business Services Jim Keller. Budget Officer Kathy Blackwood and Vice Chancellor Keller presented an overview of the tentative budget, given the limited amount of information available from the State at this time.

APPROVED  
TENTATIVE  
BUDGET

Following questions and discussion, it was M/S/C (Mason/Wiehe) (advisory vote – 2 yes) to approve the Tentative Budget for 2002-03.

Item 10, Measure E Consent Calendar, was addressed by President Hay. It was M/S/C (Leiderman/Fong) (advisory vote – 2 yes) to approve/ratify Items 10 A – E as follows:

APPROVED  
MEASURE E  
CONSENT  
CALENDAR

**A**

*Title:* Construction Change Order No. 2  
*Vendor:* Facility Systems Mechanical  
*Agreement Date:* 12/14/01  
*Campus:* De Anza  
*Project No.:* M864  
*Project Name:* Boiler Replacement Project: Phase II  
*Amount:* \$2,588  
*For:* Upsizing the (2) air separators from 4” to 5” capacity and downsizing the header pipes at the Flint Center skid BPS-2 from 5” to 4”  
*Action Requested:* Ratification

**B**

*Title:* Change Order No. 4  
*Vendor:* Arcon Construction  
*Agreement Date:* 1/14/02  
*Campus:* Foothill  
*Project No.:* 104  
*Project Name:* Fine Arts Phase I  
*Amount:* \$18,026  
*For:* Electrical changes in buildings 1600, 1700 & 1800  
*Action Requested:* Ratification

**C**

*Title:* Project Assignment Amendment  
*Vendor:* Cleary Consultants  
*Agreement Date:* 7/18/00  
*Campus:* Foothill  
*Project No.:* 135  
*Project Name:* Parking Lots 2 & 3  
*Amount:* Not to Exceed \$8,400  
*For:* Soil engineering observation and testing during construction  
*Action Requested:* Ratification

**D**

*Title:* Independent Contractor Agreement  
*Vendor:* Electrical Group, Inc.  
*Agreement Date:* 12/15/01  
*Campus:* Foothill  
*Project No.:* 140  
*Project Name:* Temporary Facilities  
*Amount:* \$14,950  
*For:* Voice/data services including conduit run into Gilbane's modular building, provide IDF to accommodate Gilbane voice/data and add a 2" nipple to the 400 amp panel to provide power to the Gilbane modular building  
*Action Requested:* Ratification

**E**

*Title:* Independent Contractor Agreement  
*Vendor:* Nutek Construction Company  
*Agreement Date:* 12/15/01  
*Campus:* Foothill  
*Project No.:* 140  
*Project Name:* Temporary Facilities  
*Amount:* \$15,000  
*For:* Provide utilities and building pad for the Gilbane modular building  
*Action Requested:* Ratification

Item 11, Bid Document 892-152, South Slope Site Clearing, Foothill College, was addressed by District Purchasing Services Manager Redmond who gave an overview of the bid and responded to questions from the Board. Trustee Leiderman requested that on subsequent agendas the budgeted amount for individual bids be included in the narrative when the bid is brought forth for Board consideration. It was M/S/C (Fong/Mason) (advisory vote – 2 yes) to award a contract for the base bid to the lowest responsible bidder, Iconco, Inc., for the bid price of \$113,417.

APPROVED BID  
DOCUMENT 892-  
152, SOUTH SLOPE  
SITE CLEARING,  
FOOTHILL

Item 12, Bid Document Number 895-257, Swimming Facilities Renovations, De Anza College, was address by District Purchasing Services Manager Redmond. She noted that two bidders responded to the invitation to bid, Pool Scene, Inc., and Chegwin Construction, Inc. Ms. Redmond further noted that District staff determined Pool Scene, Inc., to be the lowest responsible bidder; however, Chegwin Construction, Inc., filed a bid protest citing a violation of the Public Contract Code if the District accepted Pool Scene's bid. She

APPROVED BID  
DOCUMENT  
NUMBER 895-257,  
SWIMMING  
FACILITIES,  
DE ANZA

added that District legal counsel has recommended denial of the bid protest from Chegwin construction and acceptance of Pool Scene's bid.

It was M/S/C (Leiderman/Mason) (advisory vote – 2 yes) to deny the bid protest for Bid Document Number 895-257, Swimming Facilities Renovations, De Anza College, from Chegwin Construction, Inc., and award a contract for the Base Bid to the lowest responsible bidder, Pool, Scene, Inc., for the bid price of \$1,251,000.

Item 13, Approval of Project Assignment Amendment #5 to Agreement with Sugimura & Associates Architects which covers work relating to Architectural Design Services for District Project Numbers 401, 403 and 404, was addressed by Director of Facilities, Operations, and Construction Management John Schulze.

APPROVED PAA #5  
SUGIMURA AND  
ASSOCIATES

Mountain View Citizen Steven Nelson addressed the Board with his concerns relating to the lack of a Child Care Center on the Foothill Campus and the fact that there are no immediate plans to provide child care at Foothill. Mr. Nelson advocates postponing the approval of Projects 401, 403 and 404 and requested the Board to reconsider plans for building a new Child Care Center.

It was M/S/C (Mason/Fong) (advisory vote – 2 yes) to approve the Project Assignment Amendment #5 to the Agreement between Foothill-De Anza Community College District and Sugimura & Associates for professional services as listed for a lump sum amount of \$582,063.

Item 14, *Revised Administrative Procedures: Investigation and Resolution of Complaints Regarding Harassment and Discrimination*, and Item 15, *Revised Full-Time Faculty Employment Policy and Hiring Procedures; Revised Part-Time Faculty Employment Policy and Hiring Procedures*, were presented as first readings by Vice Chancellor of Human Resources Jane Enright. She noted that these revisions are being brought forth pursuant to California Code of Regulations, Title 5, Section 59300 et seq., and Education Code 87360.

REVISED HUMAN  
RESOURCES  
PROCEDURES  
FIRST READINGS

Academic Senate President Larry Rouse addressed the Board with his concerns relating to the Academic Senates' role in drafting the procedures outlined in Items 14 and 15 and their implementation. Following discussion, Vice Chancellor Enright noted that the *Revised Procedures* would be brought back to the next Board meeting for a second reading and adoption.

Item 16, Authorize Division of Retirement System for the Purpose of Medicare Coverage, was addressed by Vice Chancellor Enright. It was M/S/C (Mason/Fong) (advisory vote – 2 yes) to adopt a Resolution Authorizing Division of Retirement System for the Purpose of Medicare Coverage.

AUTHORIZED  
DIVISION OF  
RETIREMENT  
SYSTEM FOR THE  
PURPOSE OF  
MEDICARE  
COVERAGE

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

DATES TO  
REMEMBER

July 11 and 12, 2002 Board Workshops  
July 15, 2002 Regular Board Meeting

The public meeting adjourned at 9:25 p.m.

ADJOURNMENT

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

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Approved: