

The Board of Trustees of the Foothill-De Anza Community College District held its regular meeting on Monday, May 6, 2002. At 5:45 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 7:03 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  
Andrea Leiderman  
Judith Moss  
Les Leonardo, De Anza College Student Trustee  
Sarah Wiehe, Foothill College Student Trustee

The following were also present:

Staff:	Karoll Baudoux	Larry Bloom
	Leo Chavez	John Cognetta
	Will Coursey	Don Dorsey
	Jane Enright	Bernadine Fong
	Robert Griffin	Alan Harvey
	Ken Horowitz	Jim Keller
	Marsha Kelly	Faith Milonas
	Jon O'Bergh	Pam Parker
	Willie Pritchard	Carmen Redmond
	Larry Rouse	Dennis Shannakian
	Daphne Small	Marisa Spatafore
	Claudette Weber	
Students:	Jawad Aghamiri	Nida Asghar
	Nikhil Babb	Rafael Beyer
	Josh Bismanovsky	Yan Chen
	Peter Codden	Fiona Cua
	Shirin Darbani	Edmund Ha
	Erum Haider	Silviana Karnadi
	Christina Kwan	Michael Kwan
	Max Li	Klaka Limcaco
	Niel Parek	Krupa Patel
	Vivienne Po-chi Lau	Anjuna Rose
	James Rowan	Amber Sanford
	Christina Schrunz	Sarah Slocum
	Deanna Stewart	Andrea Sturzu
	Francis Tao	Rodolfo Vazquez

Public: Jennifer Farnham, Gilbane  
Stephen Pond, Gilbane  
Nick Seirup, Perkins & Will  
John Sheldon, Morgan-Stanley

Press: none

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

NO ACTION IN  
CLOSED SESSION

President Hay asked if there were any additions or corrections to the minutes of the meeting of April 15, 2002. The minutes were approved as drafted.

APPROVED  
MINUTES OF APRIL  
15, 2002

Trustee Fong provided a brief report on the April 23 Foundation Board meeting.

FOUNDATION  
BOARD REPORT

President Hay asked if there was any correspondence which should be brought to the Board's attention. He noted that Board members received a letter from the Santa Clara and San Benito Counties Building and Construction Trades Council advocating continuance of the pre-qualification requirement for *Construction Bid Proposal 881 — Science Center Complex, De Anza*.

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 Mason reported that she attended an excellent CCCT Conference with trustees Fong and Leiderman; the state budget continues to be everyone's overriding concern.

Trustee Leiderman also said that the CCCT Conference was excellent. She reported that she attended the Santa Clara County School Boards Association reception, as well as the Bay 10 Trustees dinner, which she attended with trustee Mason. Foothill-De Anza is scheduled to host the Fall dinner for the Bay 10 Trustees.

Student trustee Leonardo reported on a successful May Day celebration hosted by DASB. He noted that there will be a conference on May 24 at De Anza for Asian/Pacific Islander Heritage Month.

Trustee Fong reported on his attendance at four conferences: ACCT, APAHE, CCCT, and the Committee of 100. He spoke at each gathering on the subject of Asian Americans in Higher Education; a particular concern is the low number of individuals from Asian or Pacific Islander backgrounds relative to the population in CEO positions in higher education.

President Hay reported that he spoke at the Latino Heritage Month kick-off event at Foothill.

De Anza Vice President of Student Services Robert Griffin noted that he was sitting in for President Kanter, who was attending the Cupertino City Council meeting to discuss De Anza's Environmental Impact Report. He called to the Board's attention a study titled "A New Look at the California Community Colleges: Keeping the Promise Alive for Students of Color and Immigrants," in which De Anza participated. He reported on the success of the college's new "add on-line" capability. He noted that Mark Sherby is a co-recipient of the David R. Pierce Technology Award. Finally, he noted that De Anza is #1 in transfers among California community colleges.

Foothill President Bernadine Fong reported that the Kindercominata event exceeded expectations. She noted that the Marketing Department has received 8 awards for their publications.

Foothill Academic Senate President Larry Rouse announced that trustee Leiderman has been invited to attend the next Joint Senate meeting on May 13, and he hopes to have one trustee attend each of the future Joint Senate meetings. He also reported that he and De Anza instructor Barbara Illowsky have joined in a Learning Community teaching project that involves cross-college collaboration.

Foothill student James Rowan shared comments and compliments from legislators concerning the participation of Foothill students at the recent Lobby Day in Sacramento.

President Hay asked if any items should be removed from the Consent Calendar. No items were removed. It was M/S/C (Mason/Moss) (advisory vote – 2 yes) to take action as recommended on Items 1–11 of the Consent Calendar as follows:

CONSENT  
CALENDAR

Item 1, Approved trustee travel for Andrea Leiderman to attend the Association of Community College Trustees Combined Regional Seminar, June 9–12, 2002 in Las Vegas, Nevada.

Item 2, Approved 2002-03 Performing Arts Alliance contracts.

Item 3, Approved NASA/Ames Internship Program Budget and proposal to extend the 2001-02 grant to a multi-year contract ending on June 30, 2006.

Item 4, Approved discontinuation of Contract GCAM – 1013 for services at the closed Foothill Child Development Center site.

Item 5, Denied a claim against the district filed by Ana Torres.

Item 6, Awarded a contract for Bid Proposal Number 882, Three-Year Contract for Printing and Mailing Schedule of Classes, De Anza College, to Trend Offset Printing.

Item 7, Awarded a contract for Bid Proposal Number 884, Purchase and Installation of Radiology Technology Training Equipment, Foothill College, to Diagnostic Imaging, Inc. for \$120,866.54.

Item 8, Ratified the list of contracts, agreements and independent contractors.

Item 9, Approved/Ratified personnel actions as follows:

*Name:* David "Scott" Hertler  
*Position:* Head Baseball Coach/Physical Education Instructor  
*College:* De Anza  
*Division:* Physical Education  
*Action:* Employment # of Months: 10  
*Effective Date:* September 19, 2002 – June 27, 2003  
*Compensation:* Column II, Step E — \$5,532.52/month

*Name:* Vicki Jennings  
*Position:* Biology Instructor  
*College:* De Anza  
*Division:* Biology and Health Sciences  
*Action:* Employment # of Months: 10  
*Effective Date:* September 19, 2002 – June 27, 2003  
*Compensation:* Column II, Step G — \$5,992.50/month

*Name:* Lois Ritter  
*Position:* Biology and Health Instructor  
*College:* De Anza  
*Division:* Biological and Health Sciences  
*Action:* Employment # of Months: 10  
*Effective Date:* September 19, 2002 – June 27, 2003  
*Compensation:* Column III, Step H — \$6,457.92/month

*Name:* Elaine Rotty  
*Position:* Instructor, Human Performance  
*College:* Foothill  
*Action:* Reduction of contract to 50%  
*Effective Date:* September 20, 2001 through June 28, 2002  
*Remarks:* In accordance with Article 18, Reduced Workload Program of the District/FA Agreement  
*Action:* Amend Retirement request of February 4, 2002 (withdrawal of Article 19 request)  
*Effective Date:* June 28, 2002  
*Remarks:* Retirement in accordance with Article 20, Early Notice Incentive of the District/FA Agreement

*Name:* Lisa Schultheis  
*Position:* Biology Instructor  
*College:* Foothill  
*Division:* Biological and Health Sciences  
*Action:* Employment # of Months: 10  
*Effective Date:* September 19, 2002 – June 27, 2003  
*Compensation:* Column 5, Step A — \$5,294.41/month

*Name:* Liane Sharp-Fuccio  
*Position:* Child Development Center Teacher  
*College:* De Anza  
*Division:* Child Development & Education  
*Action:* Resignation  
*Effective Date:* March 27, 2002

*Name:* Kristen Sullivan  
*Position:* Biology and Environmental Studies Instructor  
*College:* De Anza  
*Division:* Biology and Health Sciences  
*Action:* Employment # of Months: 10  
*Effective Date:* September 19, 2002 – June 27, 2003  
*Compensation:* Column III, Step G — \$6,216.17/month

*Name:* Ann Wright  
*Position:* Biology Instructor  
*College:* De Anza  
*Division:* Biology and Health Sciences  
*Action:* Employment # of Months: 10  
*Effective Date:* September 19, 2002 – June 27, 2003  
*Compensation:* Column V, Step D — \$5,992.50/month

Item 10, Approved the actions reflected in the Human Resources Report dated May 6, 2002.

Item 11, Approved 2002-03 Administrative Training/Retraining Stipends for Letha Jeanpierre, James Keller and Hector Quinonez.

Item 12, 2002-03 De Anza Associated Student Body Budget and Associated Students of Foothill College Budget, commenced with a presentation by Foothill students. ASFC officers Michael Kwan, President; Sarah Slocum, Vice President of Finance; Krupa Patel, Budget Commissioner; and Nida Asghar, Fundraising Coordinator, presented the ASFC budget. Trustee Moss commented on the similarity between the 2001-02 and 2002-03 budgets and asked whether ASFC expects to spend its budget by the end of the fiscal year. Mr. Kwan explained that many of the funded activities will occur during Spring Quarter, and ASFC expects to spend its budget. Trustee Mason inquired about the rationale for 10% reserves; Mr. Kwan explained that this percentage is the traditional choice, and some items are funded from unallocated reserves. Trustee Mason referenced the portion of the budget which mentions the expectation that the district will eventually assume full responsibility for funding the Intramural Program Coordinator position, and she reminded Mr. Kwan that the district was facing difficult budget decisions due to the state economy.

APPROVED ASFC  
AND DASB  
BUDGETS

All of the trustees commended the Foothill student body government members on their presentation. It was M/S/C (Mason/Wiehe) (advisory vote – 2 yes) to approve the ASFC 2002-03 Budget.

DASB President Shirin Darbani and Vice President of Budget and Finance Rafael Beyer presented the DASB Budget. The trustees each commended the De Anza student body government members on their presentation. De Anza Vice President Griffin congratulated students at both colleges for their impressive work. It was M/S/C (Moss/Mason) (advisory vote – 2 yes) to approve the DASB 2002-03 Budget.

Item 13, Presentation by Architect Perkins & Will of the Schematic Design Progress for Project 153—Campus Center Buildings on the Foothill College Campus, was addressed by Foothill Vice President of Educational Resources & Instruction Alan Harvey. He introduced Perkins & Will architect Nick Seirup, who presented the schematic design and answered questions from the trustees. It was M/S/C (Leiderman/Mason) (advisory vote – 2 yes) to approve the general concept in the schematic design for Project 153, Foothill Campus Center Buildings.

APPROVED  
CONCEPTUAL  
DESIGN FOR  
FOOTHILL CAMPUS  
CENTER

Trustee Leiderman needed to leave the meeting early and excused herself at this time.

Item 14, Global Studies Degree and Certificate Programs, was addressed by Foothill President Fong. She explained the need to approve these programs ahead of the annual approval of new courses because of the requirement for State Chancellor’s Office approval in this case. Trustee Moss asked if there was anything unusual about the programs, and President B. Fong answered that, although they are unique, there is nothing unusual to her knowledge that would raise questions. It was M/S/C (Mason/Wiehe) (advisory vote – 2 yes) to approve the Global Studies Degree and Certificate Programs.

APPROVED GLOBAL  
STUDIES DEGREE  
AND CERTIFICATE  
PROGRAMS

Item 15, Resolution Proclaiming May 20-25, 2002 Classified Staff Recognition Week, was addressed by Chancellor Leo Chavez. It was M/S/C (Mason/Fong) (advisory vote – 2 yes) to approve the resolution proclaiming May 20-25 “Classified Staff Recognition Week.”

APPROVED  
RESOLUTION  
DECLARING  
CLASSIFIED STAFF  
RECOGNITION  
WEEK

Item 16, Resolution to Refinance General Obligation Bonds, was addressed by Vice Chancellor of Business Services Jim Keller, who introduced John Sheldon from the bond counsel firm Morgan-Stanley. They addressed questions from the trustees, explaining that \$70 million is the amount that is not “callable” and can be refinanced. Trustee Moss asked if there is any reason not to approve the resolution, and Mr. Sheldon responded that it makes good sense to refinance any time the district can determine that the benefits outweigh the financial and staff-time costs. Trustees Mason and Fong asked about the district’s bond rating. Mr. Sheldon explained that the district has been reaffirmed at level AA by Standard & Poor’s, the highest rating currently given any California school district due to the state economy.

ADOPTED  
RESOLUTION TO  
REFINANCE  
GENERAL  
OBLIGATION  
BONDS

Trustee Mason complimented staff on their efforts to remain aware of opportunities to save money whenever possible. It was M/S/C (Fong/Mason) (advisory vote – 2 yes) to adopt the Resolution to Refinance General Obligation Bonds.

Item 17, Renaming the Center for Innovation, was addressed by Foothill President Fong. It was M/S/C (Mason/Wiehe) (advisory vote – 2 yes) to approve renaming the facility “The Krause Center for Innovation at Foothill College.” President B. Fong announced plans for a September 14 Open House to celebrate the official opening of the Center.

APPROVED  
RENAMING THE  
CENTER FOR  
INNOVATION

Item 18, Bid Proposal Number 890-412 Flint Center Seating, was addressed by Purchasing Manager Carmen Redmond, who reported that four bids had been submitted. She presented the results as follows:

AWARDED BID TO  
MARCHETTI  
CONSTRUCTION  
FOR FLINT CENTER  
SEATING

	<u>Base Bid</u>	<u>Alternate Bid #1</u> (new seating, Mezzanine)	<u>Total</u>
<i>Lowest Bidder:</i>			
Coastside Associates	\$828,680	\$154,825	\$983,505
<i>Second Lowest Bidder:</i>			
Marchetti Construction	\$938,471	\$162,036	\$1,100,507

Ms. Redmond reported that Coastside has withdrawn its bid due to a clerical error, and therefore she recommended that the Board accept the bid from Marchetti Construction, which was within budget. Trustee Moss asked what would happen if the Board did not accept the bid. Construction Program Manager Claudette Weber addressed the urgency of the situation due to the small window of opportunity whereby construction would not interfere with scheduled events at Flint Center. Not taking action now would entail waiting another year, with cost increases likely. It was confirmed that there will be a penalty if the construction company does not complete the work on time. It was M/S/C (Mason/Fong) (advisory vote – 2 yes) to award a contract for the base bid amount of \$938,471 and alternate bid #1 amount of \$162,036 to Marchetti Construction for a total of \$1,100,507.

Item 19, Bid Document Number 891-101VD, Center for Innovation — Voice and Data Cabling, Foothill College, was addressed by Purchasing Manager Redmond. It was M/S/C (Fong/Wiehe) (advisory vote – 2 yes) to award a contract for the bid amount of \$76,767 to Walker Communications.

AWARDED BID TO  
WALKER  
COMMUNICATIONS  
FOR CENTER FOR  
INNOVATION V/D  
CABLING

Item 20, Pre-Qualification Results for General Contractors for Bid Proposal 881, Science Center Complex, De Anza College, was addressed by Purchasing Manager Redmond and Construction Program Manager Weber. Ms. Redmond reported that Internal Auditor Will Coursey verified that a significant difference exists between audited and non-audited financial statements. She is neutral concerning the two options presented to the Board, but the Gilbane Company prefers a pre-qualification process for specialized construction projects such as this.

ACCEPTED LIST OF  
PRE-QUALIFIED  
CONTRACTORS FOR  
SCIENCE CENTER  
COMPLEX PROJECT

Responding to a question from President Hay, Ms. Weber said she does not believe there would be a likelihood of better bids without pre-qualification, and she is satisfied with the contractors listed as meeting the district’s construction needs for this project. She added that the number of contractors — eight — represents a strong field. Responding to a question from trustee Moss, she confirmed that the district still has the option to reject all bids if they are above budget.

It was M/S/C (Moss/Mason) (advisory vote – 2 yes) to accept the list of eight (8) General Contractors who met all of the pre-qualification requirements as the only contractors who are “pre-qualified” to bid as Prime Contractors on the Science Center Complex, De Anza College.

President Hay asked if any items should be removed from Item 21, the Measure E Consent Calendar. Trustee Fong questioned whether change orders for very small amounts such as Item #21-A need Board approval; Construction Program Manager Weber responded that it is necessary in this case because it is part of a larger \$800,000 contract. No items were removed. It was M/S/C (Mason/Fong) (advisory vote – 2 yes) to take action on Item 21-A, B, C, D, E, F, G, H and I as follows:

APPROVED  
MEASURE E  
CONSENT  
CALENDAR

**A**

*Title:* Change Order No. 1  
*Vendor:* Arcon Construction, Inc.  
*Agreement Date:* 1/14/02  
*Campus:* Foothill College  
*Project No.:* 104  
*Project Name:* Fine Arts Phase 1  
*Amount:* \$632  
*For:* Approximately 80 SF of asbestos tile found after cabinets were removed in room 1601.  
*Action Requested:* Board Ratification

**B**

*Title:* Change Order No. 2  
*Vendor:* Arcon Construction, Inc.  
*Agreement Date:* 1/14/02  
*Campus:* Foothill College  
*Project No.:* 104  
*Project Name:* Fine Arts Phase I  
*Amount:* \$18,836  
*For:* Additional work for duct Silencers, ducting for return air at HVAC units, Lower lead time for AHU units & asbestos removal.  
*Action Requested:* Board Approval

**C**

*Title:* Change Order No. 2  
*Vendor:* Tinney Construction Corporation  
*Contract Date:* 1/15/02  
*Campus:* Foothill College  
*Project No.:* 142  
*Project Name:* The Bricks  
*Amount:* \$23,564  
*For:* Additional services including replacing the ceiling and all plumbing work in 6000; demo existing V/D cable in 5200, 6000; complete V/D work for 5200, 6000; hook up boiler control circuits to existing transformer; demo of items on roof, Credit on (6) FCU's modify sprinkler system in 5200, Bulletins 1, 2 & 4, and Bulletin 6.  
*Action Requested:* Board Ratification

**D**

*Title:* Construction Change Order No. 4  
*Vendor:* McCrary Construction Company  
*Agreement Date:* 8/23/01  
*Campus:* De Anza  
*Project No.:* 206  
*Project Name:* Child Development Center  
*Amount:* -\$55,871  
*For:* Deepen interior footing, step footings, drain pipe diameter reduction, mount power meter module, rotate exposed post and provide post bucket, increase joists, exploratory digging, additional data and power ports, and value engineering credits.  
*Action Requested:* Board Ratification for a credit of \$55,871

**E**

*Title:* Amendment #2, Consultant Services  
*Vendor:* HLW Architects, Inc.  
*Agreement Date:* January 7, 2002  
*Campus:* De Anza  
*Project No.:* N/A  
*Project Name:* Space Design Services for the District's Assigned Projects  
*Amount:* \$8,925  
*For:* Interior space design for classroom chairs, office furniture standards, and alterations to shared reception area.  
*Action Requested:* Board Approval

**F**

*Title:* Change Order #1  
*Vendor:* Facility Systems Mechanical  
*Agreement Date:* 11/15/01  
*Campus:* De Anza  
*Project No.:* M864  
*Project Name:* Boiler Replacement Project-Phase II  
*Amount:* \$10,950  
*For:* HVAC controls work and Louver Credit  
*Action Requested:* Board Ratification

**G**

*Title:* Change Order #1 and 2  
*Vendor:* Rushford Construction Company, Inc.  
*Agreement Date:* 7/18/01  
*Campus:* De Anza  
*Project No.:* 204  
*Project Name:* Faculty Office Renovations  
*Amount:* \$11,252  
*For:* Multiple construction changes  
*Action Requested:* Board Ratification for CO #1: \$832 and CO #2: \$10,420

**H**

*Title:* IC Agreement  
*Vendor:* DES Architects + Engineers  
*Agreement Date:* March 12, 2002  
*Campus:* De Anza  
*Project No.:* 219  
*Project Name:* PE Quad  
*Amount:* \$20,000  
*For:* Programming for PE Quad Project  
*Action Requested:* Board Ratification

**I**

*Title* Agreement for Services  
*Vendor:* Encon Engineering  
*Agreement Date:* March 8, 2002  
*Campus:* De Anza College  
*Project No.:* N/A  
*Project Name:* Upgrade Electrical at Flint Center Elevators  
*Amount:* Not to Exceed \$18,400  
*For:* Preparation of plans and specifications of mechanical, electrical, and five alarm work required to support the elevator and elevator machine room upgrades for two passenger and one freight elevator at Flint Center.  
*Action Requested:* Board Ratification

The Board's attention was called to the following dates to remember:  
 May 20, 2002 Regular Meeting at De Anza College

DATES TO  
 REMEMBER

The public meeting adjourned at 9:03 p.m.

ADJOURNMENT

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

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 Approved: May 20, 2002