

**FOOTHILL-DE ANZA  
COMMUNITY COLLEGE DISTRICT**

**MINUTES  
November 4, 2002**

The Board of Trustees of the Foothill-De Anza Community College District held a regular meeting on Monday, November 4, 2002. At 5:00 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. The Board immediately adjourned into closed session and re-convened the public session at 8:00 p.m. in the District Board Room. 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:	Mike Brandy	Leo Chavez
	Jane Enright	Bernadine Fong
	Ken Horowitz	Marty Kahn
	Martha Kanter	Karen Lemes
	Faith Milonas	Jon O'Bergh
	Willie Pritchard	Carmen Redmond
	Larry Rouse	Javier Rueda
	John Schulze	Paul Setziol
	Marisa Spatafore	

Press: Clyde Noel, Los Altos *Town Crier*

Students: Kristy Williams, Foothill *Sentinel*

Public: Jack Bessire, PPL  
Shelli Herman, Gary Kaplan & Associates  
Narcisa Polonio, ACCT

President Hay reported that the Board would reconvene into closed session on Wednesday, November 6 at 5:00 p.m.

REPORTING OUT FROM  
CLOSED SESSION

President Hay asked if there were any additions or corrections to the minutes of the regular meeting of October 21, 2002 and the special meeting of October 28, 2002. The minutes were approved as drafted.

APPROVED OCTOBER  
21 AND 28, 2002  
MINUTES

President Hay asked if there were any correspondence which should be brought to the Board's attention. Trustee Moss shared a letter from the International Brotherhood of Electrical Workers regarding the union's request to abide by the law and asked the chancellor to discuss it with staff.

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. Trustee Leiderman reported that she attended the Santa Clara County School Board's biannual dinner as well as the Faculty Association meeting at Asilomar. Trustee Fong reported that he attended a Silicon Valley Manufacturing Association luncheon. Student Trustee Wiehe reported that she attended the CalSACC Conference in San Francisco and the Foothill Leadership Retreat. De Anza President Kanter invited the Board to attend the college's 35<sup>th</sup> anniversary events.

HEARINGS

Item 1, Presentations and Interviews of Chancellor Search Firms, was addressed by President Hay. Trustee Fong disclosed that he serves in a voluntary capacity on the Board of Directors for the Association of Community College Trustees (ACCT). Narcisa Polonio from ACCT made a presentation and responded to questions from the trustees. She was followed by Shelli Herman of Gary Kaplan & Associates, who made a presentation and responded to questions. Jack Bessire of Professional Personnel Leasing made the final presentation and responded to questions.

SELECTED ACCT TO  
CONDUCT  
CHANCELLOR SEARCH

Following a discussion about the three firms, it was M/S/C (Mason/Fong) (advisory vote – 1 no) by a vote of three in favor (Fong, Hay, and Mason) and two opposed (Leiderman and Moss) to authorize Vice Chancellor of Human Resources and Equal Opportunity Jane Enright to enter into negotiations with ACCT for its services to conduct the search for a new chancellor.

President Hay asked if any item should be removed from the Consent Calendar. It was M/S/C (Mason/Wiehe) (advisory vote – 1 yes) by a unanimous vote to take action as recommended on items 2-11 as follows:

APPROVAL OF  
CONSENT CALENDAR

Item 2, approved Trustee Travel Authorization for Paul Fong, Andrea Leiderman, Mary Mason, Deanna Stewart and Sarah Wiehe to attend the CCLC Convention;

Item 3, approved Ratification of Contracts and Agreements;

Item 4, approved Ratification of B Warrants Greater than \$10,000 for April-June 2002;

Item 5, declared the listed equipment to be surplus and approved Sale of Surplus District Personal Property to Pan Pacific Commercial Supply for recycling at a price equal to 10% of its net salvage value;

Item 6, approved Sale of Surplus TV Station Equipment;

Item 7, approved Space Act Agreement — NASA/Ames Research Center;

Item 8, awarded Bid #906, Trade-In and Purchase of Broadcast Television Audio/Video Router, to Utah Scientific, Inc. in the amount of \$78,146.75;

Item 9, approved Administrative Hiring Policy and Classified Hiring Policy;

Item 10, approved Personnel Actions as follows:

PERSONNEL

*Name:* Marly Bergerud  
*Position:* Vice President, Workforce Technology & Economic Development  
*College:* De Anza  
*Division:* Workforce Technology & Economic Development  
*Action:* Employment Contract  
*Effective Date:* November 1, 2002 – October 31, 2003  
*Comments:* Second one-year contract in accordance with Administrators Handbook, Chapter III

Item 11, approved Human Resources Report dated November 4, 2002.

President Hay asked if any item should be removed from Item 12, Measure E Consent Calendar. No items were removed. It was M/S/C (Fong/Mason) (advisory vote – 1 yes) by a unanimous vote to approve Item 12 A-N as follows:

APPROVAL OF  
MEASURE E CONSENT  
CALENDAR

- A.** *Title:* ICA Agreement
- Vendor:* Harry Murphy, Inc.
- Agreement Date:* October 14, 2002
- Campus:* Foothill College
- Project No.:* 104
- Project Name:* Fine Arts Phase I
- Amount:* \$5,800
- For:* Building 1700 carpet replacement
- Action:* Ratification

- B.** *Title:* Revision #2 to PO #M249314  
*Vendor:* Cleary Consultants, Inc.  
*Agreement Date:* July 18, 2000  
*Campus:* Foothill College  
*Project No.:* 135  
*Project Name:* Parking Lots 2 and 3  
*Amount:* \$3,705  
*For:* Additional services for soils engineering, construction observation and testing  
*Action:* Ratification
- C.** *Title:* Revision #3 to PO #M249308  
*Vendor:* Cleary Consultants, Inc.  
*Agreement Date:* July 18, 2000  
*Campus:* Foothill College  
*Project No.:* 152  
*Project Name:* Science and Student Services Complex  
*Amount:* \$4,410  
*For:* Additional soils engineering investigation and foundation design services related to the new site location for the Ornamental Horticulture Department Outbuildings at this complex  
*Action:* Ratification
- D.** *Title:* Agreement for Professional Services  
*Vendor:* Netcor Design Systems, Inc.  
*Agreement Date:* October 9, 2002  
*Campus:* Foothill College  
*Project No.:* 110  
*Project Name:* Sciences Phase I  
*Amount:* \$19,154  
*For:* Professional voice/data, telecommunications, and audio/visual design and contract administration services  
*Action:* Ratification
- E.** *Title:* Change Order #8  
*Vendor:* Tinney Construction  
*Agreement Date:* January 15, 2002  
*Campus:* Foothill College  
*Project No.:* 142  
*Project Name:* The Bricks  
*Amount:* \$12,799  
*For:* Additional services for electrical, fire alarm and roof work  
*Action:* Ratification

- F.** *Title:* Change Order #4  
*Vendor:* Coast Side Associates  
*Agreement Date:* April 24, 2002  
*Campus:* De Anza College  
*Project No.:* 205  
*Project Name:* "L" Quad Modernization  
*Amount:* \$2,483  
*For:* Overtime work associated with the "L" Quad Modernization  
*Action:* Ratification
- G.** *Title:* Change Order #4  
*Vendor:* Facility Systems Mechanical  
*Agreement Date:* December 14, 2001  
*Campus:* De Anza College  
*Project No.:* 864  
*Project Name:* Boiler Replacement Project Phase II  
*Amount:* -\$12,745 – credit  
*For:* Repairs to the Flint Center boiler room and charges for shareholder meeting disruption  
*Action:* Ratification
- H.** *Title:* Revision #1 to PO #H249879  
*Vendor:* Howard Fields and Associates  
*Agreement Date:* August 23, 2001  
*Campus:* De Anza College  
*Project No.:* 257  
*Project Name:* Pool Repair Project  
*Amount:* \$2,500  
*For:* Additional services required for the design of the shotcrete surge tanks and pool floor  
*Action:* Ratification
- I.** *Title:* Change Order #1  
*Vendor:* HRB Construction  
*Agreement Date:* April 29, 2002  
*Campus:* De Anza College  
*Project No.:* 211  
*Project Name:* "A" Quad Renovation (Building A5 and A7)  
*Amount:* \$2,536  
*For:* Ten items of change including mechanical, electrical, and finishes work  
*Action:* Ratification

- J.** *Title:* Change Order #3  
*Vendor:* Adacon Construction  
*Agreement Date:* April 29, 2002  
*Campus:* De Anza College  
*Project No.:* 215  
*Project Name:* "E-2" Renovation  
*Amount:* \$5,502  
*For:* Seven items of change including mechanical, electrical, and paint work  
*Action:* Ratification
- K.** *Title:* Change Order #1  
*Vendor:* ICC General Contractors, Inc.  
*Agreement Date:* July 22, 2002  
*Campus:* De Anza College  
*Project No.:* 249  
*Project Name:* Modular Village Expansion/OTI  
*Amount:* \$14,799  
*For:* Two items of changes: new carpet, foundation blocking  
*Action:* Ratification
- L.** *Title:* Change Order #8  
*Vendor:* McCrary Construction Company  
*Agreement Date:* August 23, 2001  
*Campus:* De Anza College  
*Project No.:* 206  
*Project Name:* Child Development Center  
*Amount:* \$42,065  
*For:* Infant play area with fencing and a rubber play surface  
*Action:* Ratification
- M.** *Title:* Change Order #9  
*Vendor:* McCrary Construction Company  
*Agreement Date:* August 23, 2001  
*Campus:* De Anza College  
*Project No.:* 206  
*Project Name:* Child Development Center  
*Amount:* \$6,362  
*For:* Redwood cants on roof, ridge board on roof, shear plywood on bathroom walls  
*Action:* Ratification

- N. *Title:* Revision #1 to Addendum #1 of the Agreement
- Vendor:* Encon
- Agreement Date:* April 15, 2002
- Campus:* De Anza College
- Project No.:* 240
- Project Name:* Fire Alarm Panel Upgrades
- Amount:* \$3,600
- For:* Provide design and construction administration services
- Action:* Ratification

Item 13, Change Order #1, Revision #1 to P.O. #H250409, Agreement with General Counsel Associates, LLP, was addressed by Director of Facilities, Operations and Construction Management John Schulze. It was M/S/C (Moss/Mason) (advisory vote – 1 yes) by a unanimous vote to approve Revision #1 to the Agreement with General Counsel Associates, LLP, in the amount of \$40,000.

APPROVED REVISION  
#1 TO AGREEMENT  
WITH GENERAL  
COUNSEL ASSOCIATES

Item 14, Layoff Due to Lack of Funding, was addressed by Vice Chancellor of Human Resources and Equal Opportunity Jane Enright. It was M/S/C (Moss/Mason) (advisory vote – 1 yes) by a unanimous vote to approve the layoff due to lack of funding, effective December 31, 2002, of the following employees and provide them 30-day notice of layoff, in accordance with Education Code Sections 88117 and 88127 and Article 11 of the Agreement between the District and Local 715, SEIU, Unit 1:

APPROVED LAYOFF  
DUE TO LACK OF  
FUNDING

- Tu Pham, Employment Training Advisor
- Judy Tran, Employment Training Advisor
- Norma Landa, Employment Training Advisor
- Louis Vasquez, Employment Training Advisor
- Maura Guzman, Employment Training Advisor
- Ronnie Jones, OTI Services Coordinator

The Board’s attention was called to the following dates to remember:  
November 6, 2002 — Resumption of Closed Session  
November 18, 2002 — Audit & Finance Committee meeting  
November 18, 2002 — Regular Board meeting

DATES TO REMEMBER

The meeting was adjourned at 9:35 p.m.

ADJOURNMENT

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