



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

WORKSHOP AND REGULAR MEETING

August 25, 2003

CALL TO ORDER AND ROLL CALL

President Mary Mason declared a quorum was present and called the meeting to order at 3:00 p.m. in the Board Room at Northern Trust, 270 Third Street, Los Altos, CA 94022.

Trustees Present:

Mary Mason, President
Judith Moss, Vice President
Paul Fong
Sandy Hay
Andrea Leiderman

for Public Session

Sarah Wiehe, Foothill College Student Trustee

CLOSED SESSION

The Board immediately adjourned into closed session with the individuals listed below to discuss:

CONFERENCE WITH LABOR NEGOTIATOR

District Negotiator: Jane Enright
Employee Organizations: All Represented and Unrepresented Groups

Executive Administrators Present:

Martha Kanter, Chancellor
Mike Brandy, Vice Chancellor of Business Services
Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity
Rose Myers, Vice President of Student Development and Instruction, Foothill College
Judy Miner, Interim President, De Anza College

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position: Chancellor

Executive Administrator Present:

Martha Kanter, Chancellor

RE-CONVENE PUBLIC SESSION

REPORTING OUT FROM CLOSED SESSION

Following a brief recess, President Mason re-convened the public session at 4:13 p.m. and reported that no action was taken in closed session. The following staff, press, students and members of the public were present:

<i>Staff:</i>	Kathy Blackwood	Letha Jeanpierre	Jon O’Bergh
	Mike Brandy	Martha Kanter	Willie Pritchard
	Jane Enright	Judy Miner	John Schulze
	Christina Espinosa-Pieb	Rose Myers	Marisa Spatafore
<i>Public:</i>	Betsy Bechtel	Hal Plotkin	Terry Terman

WORKSHOP

INFRASTRUCTURE OPPORTUNITIES AND CHALLENGES FACING THE DISTRICT

Vice Chancellor of Business Services Mike Brandy, Executive Director of Facilities, Operations and Construction Management John Schulze, and Vice Chancellor of Technology Willie Pritchard presented an overview of facilities, equipment and technology. Executive Director Schulze noted that most of the major construction projects are still ahead. The Foothill projects are dependent on \$12.6 million in future bond funding. He estimated that 30 new facilities and maintenance positions will be needed by 2010 at a cost of \$2.6 million for staffing and operating costs to service the additional space being constructed on the campuses.

Mr. Schulze discussed fire and liability issues associated with the Griffin House. He reviewed unsuccessful community efforts over the past 20 years to raise money to renovate the building and noted that it would be more than twice as expensive to renovate the Griffin House as it would be to build a new building. He remarked that the building has lost much of its architectural detail and its historical value is likely diminished as a result. Efforts are underway to explore removing the property from the Register of Historical Places.

Vice Chancellor Pritchard reviewed technology budget issues in the context of “Total Cost of Ownership,” a philosophy which recognizes that the actual cost of equipment extends beyond just the initial purchase price to include maintenance, software, training and support. He estimated that total technology needs over the next few years will total \$18-19 million. He reported that there are over 4,000 desktop computers throughout the District, and it is critical to maintain current systems, especially in labs and classrooms. An aging inventory — older than three years — means more breakdowns and software that has moved beyond the capabilities of the hardware. He noted that \$5.9 million in technology-related equipment will be needed by 2007 for new Measure E buildings, as well as technical and instructional staff support.

Mr. Pritchard explained that the District’s information system does not support the needs of current users, and the system cannot be used for direct analysis of student learning. While there are some points of vulnerability, the system is not in immediate danger of a catastrophic crash. The District has the option of continuing to add functionality in the short term, or replacing the system over 3-5 years at an estimated cost of \$10 million. Finally, responding to a questions from Trustee Moss, he noted that the Technology Strategic Plan will be updated this academic year.

Vice Chancellor Brandy noted that the District is exploring options to raise revenues through a bond to cover equipment costs and/or a parcel tax. The Board will need to make a decision this spring about proceeding with a new bond.

At 5:45 p.m., President Mason adjourned the workshop and announced a recess for dinner.

REGULAR MEETING: CALL TO ORDER AND ROLL CALL

President Mary Mason reconvened the meeting at 7:00 p.m. in the District Board Room of the Foothill-De Anza Community College District, 12345 El Monte Road, Los Altos Hills, CA 94022. She led the Board and those present in the Pledge of Allegiance. She announced that Trustee Leiderman had to leave due to another obligation.

Trustees Present:

Mary Mason, President
Judith Moss, Vice President
Paul Fong
Sandy Hay

for Public Session

Sarah Wiehe, Foothill College Student Trustee

<i>Staff:</i>	Silvia Bichler	Martha Kanter	Jon O’Bergh
	Kathy Blackwood	Marsha Kelly	Willie Pritchard
	Mike Brandy	Aleksandra Kuna	Javier Rueda
	Ed Dunn	Ron Levine	John Schulze
	Jane Enright	Judy Miner	Marisa Spatafore
	Christina Espinosa-Pieb	Dan Mitchell	Claudette Weber
	Letha Jeanpierre	Rose Myers	

Press: Clyde Noel, Los Altos *Town Crier*

Students: none

<i>Public:</i>	Betsy Bechtel	Cecilia Kuna	Stephen Pond
	Jim Klingensmith	Hal Plotkin	Terry Terman

APPROVAL OF MINUTES

Trustee Moss and Student Trustee Wiehe noted two corrections for the minutes of the July 21, 2003 meeting. The corrected minutes of the July 21, 2003 meeting and draft minutes of the August 4, 2003 meeting were approved.

FOUNDATION BOARD REPORT

Trustee Fong asked Foundation Board President Betsy Bechtel to provide a brief report from the recent Foundation meeting. She reported that an event for donors and community leaders to honor Chancellor Kanter was being organized for September 30 at the home of the Fenwicks.

CORRESPONDENCE

President Mason asked if there was any correspondence which should be brought to the Board’s attention. She noted a request from the Association of Community College Trustees (ACCT) to designate a voting member for the organization’s September 17 meeting. She proposed that Paul Fong be designated as a voting member representing Foothill-De Anza since he is on the ACCT Board and will be attending the meeting. There were no objections to her suggestion.

HEARINGS: ITEMS NOT ON THE AGENDA

Trustees

Trustee Fong announced the inauguration of Chancellor Kanter for November 19. Student Trustee Wiehe reported that she attended the Student Trustee Workshop in Sacramento.

Staff

De Anza Interim President Judy Miner reported that instructor Michael Chang has been appointed as a Congressional Fellow in Congressman Mike Honda's office. She also distributed the new college catalog and lauded the efforts of Marketing, Reprographics and the Bookstore to print a low-cost catalog without sacrificing quality. Chancellor Kanter queried the trustees on their availability for a September 22 meeting to handle some Measure E items. The date was acceptable to all, so she announced that there would be a Board meeting on September 22 at 7:00 p.m. She also reported that the Hewlett Foundation met with her to discuss the feasibility of developing open courseware for all community colleges, similar in design to MIT OpenCourseWare.

Vice Chancellor of Technology Willie Pritchard reported that the District was selected as one of five colleges nationwide to implement new Oracle portal software. Director of District Safety and Security Ed Dunn introduced two recent hires, sergeant Ron Levine and officer Alexandra Kuna, and noted that the police department at Foothill-De Anza is one of the finest departments he has known. President Mason wished him well in his upcoming retirement.

Students / Public

There were no students or members of the public who wished to address the Board on matters not on the agenda.

PUBLIC HEARING

REQUEST TO OPEN NEGOTIATIONS, FOOTHILL-DE ANZA AND CALIFORNIA SCHOOLS EMPLOYEE ASSOCIATION (CSEA)

President Mason opened the public hearing. No members from the public wished to speak. President Mason then closed the public hearing.

APPROVAL OF CONSENT CALENDAR

Regarding Item 7 (Human Resources Report), SEIU Chapter Chair Javier Rueda wished to point out how important it is for the Board to ensure that short-time employment is not for work that was performed by employees who have been laid off. Vice Chancellor of Human Resources and Equal Opportunity Jane Enright clarified that the District is not hiring short-term employees to perform such work, and she further noted that the District continues to offer short-term jobs to workers who have been laid off. Trustee Moss noted that she had contacted Vice Chancellor Enright and received clarification that, although the period of time listed spans a year for some short-term employment in the Report, the employees are only being hired for portions of each quarter, not the entire year.

M/S/C: Fong/Wiehe
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved / Ratified Items 1-9 of the Consent Calendar as follows:

Item 1 — **Ratified** CONTRACTS AND AGREEMENTS

Item 2 — **Ratified** B WARRANTS AND CHECKS GREATER THAN \$5,000 FOR JUNE AND JULY

Item 3 — **Approved** AGREEMENT WITH CHEVRON ENERGY SOLUTIONS IN THE AMOUNT OF \$34,320

Item 4 — **Approved** AGREEMENT WITH CHEMICAL HEALTH AND SAFE ENVIRONMENT (DBA C.H.A.S.E.) FOR THE SUM NOT TO EXCEED \$50,000

Item 5 — **Approved** FOOTHILL-DE ANZA OVERSEAS STUDY PROGRAM

Item 6 — **Approved** PERSONNEL ACTIONS:

Name: **Elyse Barnett**
Position: Instructor
College: Foothill
Division: Business and Social Sciences
Action: **Approve Extended Leave**
Effective Date: September 18, 2003
Comments: The extension of this leave shall not be more than 39 months, in accordance with Article 16.23.1 of the *Agreement* between the District and the Faculty Association, and Education Code Section 87789.

Name: **Carol George**
Position: Counselor
College: Foothill
Division: Counseling
Action: **Partial Unpaid Leave of Absence of 50%**
Effective Date: September 18, 2003 through June 25, 2004

Name: **Letha Jeanpierre**
Position: Interim Vice President, Finance and College Services
College: De Anza
Division: Finance and College Services
Action: **Ratify Employment as Interim Vice President**
Effective Date: August 1, 2003 through December 31, 2003
Compensation Level M/Step 5 @ \$10,538.97 per month

Position: Director, California Virtual Campus (CVC)
College: Central Services
Division: ETS
Action: **Reinstate Grant-Funded Administrator Position**
Effective Date: August 26, 2003 through June 30, 2004
Comments: Grant-Funding Renewed

Name: **Martha Mills**
Position: Director, California Virtual Campus (CVC)
College: Central Services
Division: ETS
Action: **Reinstate Employee to Grant-Funded Administrator Position**
Effective Date: August 26, 2003 through June 30, 2004
Compensation: Level I/Step 5 @ \$8,472.78 per month
Comments: Grant-Funded Contract Administrator assignment.

Name: **Mary Roberts Pape**
Position: Instructor
College: De Anza
Division: Business and Computer Systems
Action: **Approve Extended Unpaid Leave of Absence**
Effective Date: January 5, 2004 through March 26, 2004
Comments: In accordance with Article 16.28 of the *Agreement* between the District and the Faculty Association.

Name: **Hector Quinonez**
Position: Controller
College: Central Services
Division: Business Services
Action: **Approve Administrative Leave**
Effective Date: January 1, 2004 through June 30, 2004
Comments: Administrative Leave is to complete Master's Degree in Educational Administration at Santa Clara University. This leave shall be taken in accordance with Chapter VII, Section M. of the Administrators Handbook.

Name: **Debra Wagner**
Position: Medical Laboratory Technician Coordinator/Instructor
College: De Anza
Division: Biology and Health Sciences
Action: **Approve Employment**
Effective Date: September 2, 2003 through June 25, 2004
Compensation: Column I, Step H - \$6,112.35/mo. # of Months: 12
Comments: In accordance with the provisions of Education Code Section 87470.

Name: **Elizabeth Zoltan**
Position: Division Dean
College: Foothill
Division: Business and Social Sciences
Action: **Accept Resignation**
Effective Date: August 8, 2003

Item 7 — **Approved** HUMAN RESOURCES REPORT

Item 8 — **Approved** INCREASE TO A 2003-04 FACULTY TRAINING/RETRAINING STIPEND FOR LAWRENCE MILLER IN THE AMOUNT OF \$5,000

Item 9 — **Approved** APPOINTMENT OF CHIEF NEGOTIATORS FOR 2003-04:
Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity
Greg Parman, Director of Human Resources

Item 10

PUBLIC HEARING ON 2003-04 BUDGET

Vice Chancellor of Business Services Mike Brandy presented the 2003-04 Budget and distributed a narrative description. He explained that the District is not anticipating a mid-year deficit factor from the state. He noted that the operating deficit is \$7.6 million, which is being covered by the 2002-03 ending balance, but the problem will need to be addressed in 2003-04, without the benefit of the methods to balance the budget that were used in 2002-03. He reported that the District's strong management and fiscal performance has resulted in another bond rating increase by both Moody's and Standard & Poor's, which will save the taxpayers money.

President Mason pointed out the Board's philosophy that benefits are part of the total compensation package, and the Budget shows no compensation contingency (since there is no COLA), which creates a dichotomy when the Budget includes a line item for medical benefits. SEIU Chapter Chair Javier Rueda asked about including information on potential revenue sources. These suggestions will be incorporated into the Budget when it is presented for approval in two weeks.

Item 11

APPROVAL OF NEW SOCIOLOGY, SOCIAL WELFARE DEGREE

Trustee Moss asked if any programs would be cut because of this new program. Foothill Vice President of Student Development and Instruction responded that they would not.

M/S/C:	Hay/Fong
Advisory vote:	1 yes
Board vote:	unanimous
Action:	Approved New Sociology, Social Welfare Degree at Foothill College

Item 12

REVISED BOARD POLICY 2212, "ACTING CHANCELLOR IN ABSENCE OF CHANCELLOR"

The revised policy was presented as a first reading. Chancellor Kanter noted a suggestion from Trustee Leiderman to strike the first part of the last sentence, "During the period of such appointment," since there is no appointment.

Item 13

REVISED BOARD POLICY 4145, "BOARD ADVISED OF EVALUATIONS"

The revised policy was presented as a first reading.

Item 14

MEASURE E CONSENT CALENDAR

Trustee Moss asked if there were any items of particular importance to the Board. Executive Director of Facilities, Operations and Construction Management John Schulze highlighted Item V and budget transfers X, Y and Z.

M/S/C: Hay/Wiehe
Advisory vote: 1 yes
Board vote: unanimous
Action: Approved / Ratified the Measure E Consent Calendar, A-Z as follows:

- A.** *Title:* Project Assignment Amendment #F-29
Vendor: Sandis Humber Jones
Agreement Date: January 8, 2002
Campus: Foothill College
Project No.: 110
Project Name: Sciences Phase I
Amount: \$8,000
For: Civil engineering services for Chilled Water Utility Plan
Action: Ratification
- B.** *Title:* Addendum #F-3
Vendor: Signet Testing Labs, Inc.
Agreement Date: December 3, 2001
Campus: Foothill College
Project No.: 119
Project Name: Fine Arts Phase II
Amount: \$15,195
For: Material testing and inspection services for building 1200 addition.
Action: Ratification
- C.** *Title:* Independent Contractor Agreement
Vendor: Harry L. Murphy, Inc.
Agreement Date: not applicable
Campus: Foothill College
Project No.: 109
Project Name: Business and Social Sciences
Amount: \$9,350
For: Carpet replacement for rooms 3101, 3102, 3103, and 3104.
Action: Ratification

- D.** *Title:* Independent Contractor Agreement
Vendor: Y & D Cabinet Shop
Agreement Date: not applicable
Campus: Foothill College
Project No.: 109
Project Name: Business and Social Sciences
Amount: \$6,860
For: Resurface existing tack boards for buildings 3100, 3200, and 3300.
Action: Ratification
- E.** *Title:* Contractor Change Order #14
Vendor: Tinney Construction Inc.
Agreement Date: January 15, 2002
Campus: Foothill College
Project No.: 142
Project Name: The Bricks
Amount: <\$5,645>
For: A credit for fireproofing and adding t-bar ceiling and purchase of three FCU's.
Action: Ratification
- F.** *Title:* Addendum #F-14
Vendor: Environmental Construction Services, Inc.
Agreement Date: June 5, 2001
Campus: Foothill College
Project No.: 133
Project Name: Sciences Phase II
Amount: \$5,855
For: Asbestos consulting services for buildings 5000, 5300, and 6100
Action: Ratification
- G.** *Title:* Addendum #F-15
Vendor: Environmental Construction Services, Inc.
Agreement Date: June 5, 2001
Campus: Foothill College
Project No.: 113
Project Name: CTIS
Amount: \$2,610
For: Asbestos consulting services for buildings 4200 and 4300.
Action: Ratification

- H.** *Title:* Revision #1 to Project Assignment Amendment #F-24
Vendor: Sandis Humber Jones
Agreement Date: June 27, 2002
Campus: Foothill College
Project No.: 120
Project Name: Stadium & Athletic Field
Amount: \$4,900
For: Additional engineering services studying drainage and slope erosion adjacent to stadium and coordinating with Town of Los Altos Hills to remedy the issues.
Action: Ratification
- I.** *Title:* Independent Contractor Agreement
Vendor: Salas O'Brien
Agreement Date: July 16, 2003
Campus: Foothill College
Project No.: 117
Project Name: Administration and Science
Amount: \$19,373
For: Comprehensive mechanical system assessment of buildings 1000, 1900, 3500, 3600, and 5000.
Action: Ratification
- J.** *Title:* Project Assignment Amendment #36
Vendor: Cleary Consultants
Agreement Date: July 18, 2000
Campus: Foothill College
Project No.: 159
Project Name: KCI Entry/Loop Road Crossing
Amount: \$1,750
For: Geotechnical consultation services.
Action: Ratification
- K.** *Title:* Contractor Change Order #7
Vendor: Arcon Construction
Agreement Date: January 14, 2002
Campus: Foothill College
Project No.: 104
Project Name: Fine Arts Phase I
Amount: <\$3,734>
For: Credit: final contract negotiation agreement.
Action: Ratification

- L.** *Title:* Addendum #F-37
Vendor: Cleary Consultants
Agreement Date: July 18, 2000
Campus: Foothill College
Project No.: 161
Project Name: KCI Landscape
Amount: \$2,100
For: Soil engineering observation and testing during construction
Action: Ratification
- M.** *Title:* Independent Contractor Agreement
Vendor: Rinne & Peterson
Agreement Date: August 25, 2003
Campus: De Anza College
Project No.: 765-241
Project Name: Utility Vault Cover Replacement
Amount: \$5,500
For: Structural design and construction administration.
Action: Ratification
- N.** *Title:* Revision #4 to Purchase Order #M048176
Vendor: tBP/Architecture
Agreement Date: February 8, 2001
Campus: De Anza College
Project No.: 765-205
Project Name: L-Quad Renovations
Amount: \$2,800
For: Additional services associated with termite damage and structural design
Action: Ratification
- O.** *Title:* Soil Engineering Observation
Vendor: Cleary Consultants, Inc.
Agreement Date: January 15, 2001
Campus: De Anza College
Project No.: 765-262
Project Name: Parking Lots A & B
Amount: \$11,550
For: Observation and testing of soils during construction.
Action: Ratification
- P.** *Title:* Construction Change Order #2
Vendor: Tinney Construction
Agreement Date: March 5, 2003
Campus: De Anza College
Project No.: 259
Project Name: Child Development Center – Wing B
Amount: \$934
For: Electrical, framing, and other miscellaneous modifications.
Action: Ratification

- Q.** *Title:* Change Order #10
Vendor: Coast Side Associates
Agreement Date: April 24, 2002
Campus: De Anza College
Project No.: 765-205
Project Name: “L” Quad Modernization
Amount: \$42,169
For: Revisions to exterior door thresholds.
Action: Ratification
- R.** *Title:* Change Order #1
Vendor: Pacific West Sound
Agreement Date: July 10, 2003
Campus: De Anza College
Project No.: 765-412
Project Name: Flint AV Upgrades
Amount: \$23,707
For: Upgrade 16 amplifiers. Add networking devices, angle sensor, and laser system.
Action: Ratification
- S.** *Title:* Project Assignment Amendment #D08
Vendor: Allana Lippert, Inc.
Agreement Date: July 16, 2003
Campus: De Anza College
Project No.: 765-203
Project Name: Student and Community Services
Amount: \$41,580
For: Provide peer review and monitoring services
Action: Ratification
- T.** *Title:* Project Assignment Amendment #D09
Vendor: Allana Lippert, Inc.
Agreement Date: July 7, 2003
Campus: De Anza College
Project No.: 765-248
Project Name: Kirsch Center for Environmental Studies
Amount: \$34,880
For: Construction administration and monitoring services.
Action: Ratification

- U.** *Title:* Project Assignment Amendment #D10
Vendor: Allana Lippert, Inc.
Agreement Date: July 17, 2003
Campus: De Anza College
Project No.: 765-267
Project Name: A-Quad Phase II
Amount: \$8,000
For: Construction administration and monitoring services.
Action: Ratification
- V.** *Title:* Contractor Change Order #1
Vendor: Jensen Corporation Landscape Contractor
Agreement Date: August 11, 2003
Campus: Foothill College
Project No.: 161
Project Name: KCI Landscape
Amount: <\$68,800>
For: Credit for Earthwork: -\$ 2,473.00
Credit for Paving: -\$ 13,445.00
Credit for Irrigation: -\$ 9,619.00
Credit for Planting: -\$ 38,500.00
Credit for Lighting: -\$ 725.00
Credit for Misc. Work -\$ 4,038.00
TOTAL -\$ 68,800.00
Action: Ratification
- W.** *Title:* Change Order #4
Vendor: West Coast Contractors
Agreement Date: October 22, 2002
Campus: De Anza College
Project No.: 765-202
Project Name: Science Center
Amount: \$49,198
For: Revisions to structural steel as required by Department of State Architect, HVAC revisions and other miscellaneous architectural changes.
Action: Ratification
- X.** Approved Budget Transfer DIST #01 totaling \$490,886
- Y.** Ratified Budget Transfer #FHC 08/25/03-01 totaling \$9,472,625
- Z.** Approved Budget Transfers DA #19, DA #20 and DA #21 totaling \$6,087,132

Item 15

ACCEPTANCE OF LIST OF GENERAL CONTRACTORS AS PREQUALIFIED TO BID ON LOT C PARKING STRUCTURE AND IMPROVEMENTS, DE ANZA COLLEGE

Trustee Fong asked about the requirement for public works experience, and Construction Program Manager Claudette Weber responded. President Mason inquired whether there was sufficient time for appeals to be filed, and Ms. Weber responded that there was, but no appeals were filed.

- M/S/C:** Hay/Moss
- Advisory vote:** 1 yes
- Board vote:** unanimous
- Action:**
 - 1) Approved the list of eight general contractors who met all of the prequalified requirements as the only contractors who are “prequalified” to bid as prime contractors on the Lot C Parking Structure and Improvements project at De Anza;
 - 2) Determined that Rudolph & Sletten is disqualified

Item 16

APPROVAL OF CHANGE ORDER #5 TO WEST COAST CONTRACTORS TO UPGRADE DE ANZA S2 BOILER PLANT CAPACITY

- M/S/C:** Moss/Hay
- Advisory vote:** 1 yes
- Board vote:** unanimous
- Action:** Approved Change Order #5 to West Coast Contractors to Upgrade De Anza S2 Boiler Plant Capacity in the amount of \$120,077

DATES TO REMEMBER

- September 8, 2003 — Regular Meeting
- September 22, 2003 — Regular Meeting
- November 19, 2003 — Chancellor Inauguration

ADJOURNMENT

President Mason adjourned the meeting at 8:00 p.m.

jco
Approved: 9/8/03

Martha J. Kanter, Chancellor
Secretary, Board of Trustees