



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

June 2, 2003

CALL TO ORDER AND ROLL CALL

President Mary Mason declared a quorum was present and called the meeting to order at 5:45 p.m. in the ISC Conference Room of Foothill College, 12345 El Monte Road, Los Altos Hills, CA 94022.

Trustees Present:

Mary Mason, President
Judith Moss, Vice President
Paul Fong
Sandy Hay
Andrea Leiderman
Adam Welch, De Anza College Student Trustee (public session)
Sarah Wiehe, Foothill College Student Trustee (public session)

CLOSED SESSION

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

CONFERENCE WITH LABOR NEGOTIATOR — pursuant to section 54957.6

Designated Representative: Lois Callahan
Unrepresented Employee: Chancellor

Executive Administrator Present:

Lois Callahan, Interim Chancellor

At 6:30 p.m., the Board was joined in 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:

Mike Brandy, Acting Vice Chancellor of Business Services
Lois Callahan, Interim Chancellor
Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity
Bernadine Fong, President of Foothill College
Martha Kanter, President of De Anza College

RE-CONVENE PUBLIC SESSION

President Mason re-convened the public session at 7:08 p.m. in Foothill Library Room 3525. She led the Board and those present in the Pledge of Allegiance. The following staff, press, students and members of the public were present:

<i>Staff:</i>	Bob Barr	Martha Kanter	Willie Pritchard
	Larry Bloom	Marsha Kelly	Carmen Redmond
	Mike Brandy	Catherine Kornegay	Larry Rouse
	Janet Brynolffson	Faith Milonas	Javier Rueda
	Lois Callahan	Judy Miner	John Schulze
	Jane Enright	Cara Miyasaki	Valerie Sermon
	Bernadine Fong	John Mummert	Paul Setziol
	Robert Griffin	Rose Myers	Vivian Sinou
	Alan Harvey	Jon O’Bergh	Marisa Spatafore
	Kurt Hueg	Bill Patterson	Phyllis Spragge
	Warren Hurd	Penny Patz	Karen Webb
	Raj Jesudason	Mary Ann Pavic	Claudette Weber

Press: Clyde Noel, Los Altos *Town Crier*

Students: Beth “Red” Hollingshead Kristy Williams, Foothill *Sentinel*
Todd Nagengast, Foothill *Sentinel*

Public: Hal Plotkin

REPORTING OUT FROM CLOSED SESSION

President Mason reported that no action was taken in closed session.

SWEARING IN OF STUDENT TRUSTEES

Interim Chancellor Lois Callahan administered the oath of office to student trustees Adam Welch and Sarah Wiehe.

Item 1

FOOTHILL STATE OF THE COLLEGE PRESENTATION

Foothill President Bernadine Fong, Dean of Mediated Learning Vivian Sinou, and instructors Catherine Kornegay, Cara Miyasaki and Phyllis Spragge presented the State of the College Report and responded to questions from the trustees. The trustees thanked the presenters for an excellent report.

APPROVAL OF MINUTES

The minutes of the May 19, 2003 meeting were approved as drafted.

FOUNDATION BOARD REPORT

Trustee Moss provided an update on the most recent meeting of the Foundation Board of Directors and noted that the Foundation is working on plans to be self-supporting, to restructure the Board, and to work with financial advisors to promote the benefits of donations.

CORRESPONDENCE

President Mason asked if there were any correspondence which should be brought to the Board’s attention. Trustee Hay referred to the letter from the Adobe Creek Watershed Group seeking a letter of support for a grant application. The Board directed Interim Chancellor Callahan to respond to the Group, explaining that the District generally supports flood control efforts, but since this project does not directly relate to college property, the Board cannot speak to the specific merits of the project.

HEARINGS: ITEMS NOT ON THE AGENDA

Trustees

De Anza Student Trustee Welch noted that there were students present who wished to address the Board on the matter of staff layoffs.

Staff

De Anza President Martha Kanter clarified that the Retirees Ceremony on June 24 is 1:30-3:00 p.m. She reported that she and Dean of Child Development and Education Kathleen Burson met with assembly members Leiber and Diaz, who strongly support the college and the Child Development Center. Lastly, she read a statement from the publication “Cupertino Scene” thanking De Anza speech students for their community service.

Students / Public

De Anza student Beth “Red” Hollingshead read a statement on behalf of Students for Justice demanding a reversal of classified staff layoffs, cutting and consolidating management, meeting the demands of the MSA petition on diversity and equity, and listening to the voice of students.

PUBLIC HEARING

President Mason opened the hearing on the Compensation Settlement between the District and Faculty Association, noting a correction that the settlement was for the period 2002-03. No one from the public wished to speak on the matter. President Mason closed the hearing.

APPROVAL OF CONSENT CALENDAR

Acting Vice Chancellor of Business Services Mike Brandy announced a correction for Item #2: the amount of the 12-month PPL contract for the Krause Center for Innovation should be \$70,675.

M/S/C: Fong/Hay
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified Items 2-6 of the Consent Calendar as follows:

Item 2 — **Ratified** CONTRACTS AND AGREEMENTS with the correction noted above

Item 3 — **Ratified** CONTRACT EDUCATION AGREEMENTS SIGNED IN APRIL 2003

Item 4 — **Approved** PERFORMING ARTS ALLIANCE CONTRACTS, JULY-DECEMBER 2003

Item 5 — **Approved/Ratified** PERSONNEL ACTIONS:

Name: **Mary Drye Bell**
Position: French Instructor
College: Foothill College
Division: Language Arts
Action: **Reduction In Contract to 66%**
Effective Date: September 18, 2003
Comments: In accordance with Article 18, Reduced Workload Program of the *Agreement* between the District and the Faculty Association.

Name: **Allen Frische**
Position: Director, Budget and Personnel
College: De Anza
Division: Finance and College Services
Action: **Extension of Temporary Reassignment of Duties**
Effective Date: July 1, 2003 through July 31, 2003
Compensation: 5% adjustment
Comments: In accordance with Chapter III of the Administrators Handbook.

Name: **Mike Gervasoni**
Position: Instructor
College: De Anza College
Division: Physical Education and Athletics
Action: **Retirement**
Effective Date: June 27, 2003

Name: **Donna Jones-Dulin**
Position: Director, College Services
College: De Anza
Division: Finance and College Services
Action: **Extension of Temporary Reassignment of Duties**
Effective Date: July 1, 2003 through July 31, 2003
Compensation: 5% adjustment
Comments: In accordance with Chapter III of the Administrators Handbook.

Name: **Chuck Lindauer**
Position: Dean
College: Foothill College
Division: Computers, Technology and Information Systems
Action: **Temporary Reassignment of Duties**
Effective Date: May 12, 2003 through June 30, 2003
Compensation: 5% adjustment
Comments: In accordance with Chapter III of the Administrators Handbook.

Name: **Mike McHargue**
Position: Counselor
College: Foothill College
Division: Counseling and Student Support
Action: **Retirement**
Effective Date: June 28, 2003
Comments: In accordance with Article 19, Retirement Incentive Program of the *Agreement* between the District and the Faculty Association.

Name: **Carol Wilson**
Position: Instructor
College: De Anza College
Division: Business and Computer Systems
Action: **Retirement**
Effective Date: June 28, 2003
Comments: In accordance with Article 19, Retirement Incentive Program of the *Agreement* between the District and the Faculty Association.

Item 6 — Approved HUMAN RESOURCES REPORT

Item 7

AGREEMENT WITH KSD INC. – CAMPUS CENTER, FOOTHILL PROJECT #153

M/S/C: Hay/Moss
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Agreement with kSD Inc. for the lump sum amount of \$23,970

Item 8

MEASURE E CONSENT CALENDAR

M/S/C: Moss/Wiehe
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified the Measure E Consent Calendar, A-C, as follows:

- A. *Title:* Addendum #F-34
Vendor: Cleary Consultants
Agreement Date: January 15, 2001
Campus: Foothill College
Project No.: 134
Project Name: Site Entry and Parking Lots 1, 7 and 8
Amount: \$5,145
For: Geotechnical Investigations of soils conditions for entry road and parking lots
Action: Ratification

- B.** *Title:* Construction Change Order #1
Vendor: ELCOR Electric
Agreement Date: October 29, 2002
Campus: De Anza College
Project No.: 147
Project Name: “MCC” Relocation (Motor Control Center)
Amount: \$7,273
For: Four items of change: motor feeds, Co-Gen conduit, additional coring, shut down
Action: Ratification
- C.** *Title:* Construction Change Order #14
Vendor: McCrary Construction Company
Agreement Date: August 23, 2001
Campus: De Anza College
Project No.: 206
Project Name: Child Development Center
Amount: \$1,596
For: Minor changes in Wing A; revision of completion date
Action: Ratification

Item 9

PREQUALIFICATION PROCESS FOR CERTAIN UPCOMING MEASURE E PROJECTS

Director of Purchasing and Material Services Carmen Redmond addressed Item 9 and responded to questions. Interim Chancellor Callahan clarified that prequalification is helpful for large projects and provides a level of protection. Ms. Redmond clarified that it is possible that the same contractor could prequalify for all five projects, but each project’s needs will be customized for that particular project. She also explained that when contractors realize that they are not likely to qualify, they tend not to complete an application for prequalification.

- M/S/C:** Hay/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the implementation of a prequalification procedure for the upcoming Measure E projects listed below, following the guidelines as set forth by the Department of Industrial Relations and Public Contract Code section 20101:
- | | |
|------------------|---|
| Project #203-DAC | Student & Community Services Building |
| Project #207-DAC | Parking Deck (garage) |
| Project #248-DAC | Kirsch Center for Environmental Studies |
| Project #152-FHC | Lower Campus Complex |
| Project #153-FHC | Campus Center |

Item 10

AUTHORIZATION OF CONTRACT AWARD PURSUANT TO BID 912-262, PARKING LOTS A AND B AND STELLING RECONFIGURATION, DE ANZA

Director of Purchasing and Material Services Carmen Redmond addressed Item 10 and responded to a question, explaining that the District has apparently not used the firm Top Grade Construction before.

M/S/C: Moss/Welch
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the Director of Purchasing and Material Services to award a contract for the Base Bid to the lowest responsive bidder, Top Grade Construction, Inc., for the price of \$1,697,796

Item 11

AGREEMENT WITH DES ARCHITECTS + ENGINEERS – FLINT CENTER PARKING STRUCTURE

Director of Facilities, Operations and Construction Management John Schulze addressed Item 11 and responded to a question, explaining that the exterior surface of the concrete is coming off in certain places.

M/S/C: Hay/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the Agreement with DES Architects + Engineers, along with Addendum #1, for the Flint Center Parking Structure project for a contract price not to exceed \$30,000 including reimbursables

Item 12

AGREEMENT WITH DES ARCHITECTS + ENGINEERS – S-QUAD, DE ANZA PROJECT #DA224

M/S/C: Wiehe/Fong
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the Agreement with DES Architects + Engineers for De Anza Project #DA224, S-Quad Renovations, for the lump sum amount of \$765,900

Item 13

APPROVAL OF ONE ADDITIONAL PROFESSIONAL DEVELOPMENT LEAVE

M/S/C: Fong/Moss
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved one additional Professional Development Leave, for faculty member Lawrence Miller

Item 14

COMPENSATION SETTLEMENT BETWEEN FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT AND FACULTY ASSOCIATION FOR 2002-03

Vice Chancellor of Human Resources and Equal Opportunity Jane Enright addressed Item 14. President Mason stated that she has grave concerns and hopes that great effort will be made to restructure benefits in order to keep the District solvent. She further commented that she would have preferred a firm deadline for an agreement to be reached. Trustee Hay echoed this sentiment and commented that he will be incredibly disappointed if the issue is not resolved by Fall Quarter. Vice Chancellor Enright and Faculty Association (FA) President Faith Milonas stated their belief that the commitment to reach a compromise is there. SEIU Chapter Chair Javier Rueda noted that other bargaining units are affected by whatever the District and FA work out. Vice Chancellor Enright noted that all bargaining units would participate in reaching a settlement on the issue of benefits.

M/S/C: Moss/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the compensation settlement with the Faculty Association for 2002-03 which includes the following:

1. A salary adjustment of 2 percent (State COLA) on all salary schedules, Appendices A, B, B.1, C, E, G effective July 1, 2002;
2. An adjustment in paid medical benefits to include increased and additional co-pays;
3. FA and the District acknowledge that 1) the rising cost of medical benefits poses a significant financial challenge for the District and 2) the funding of medical benefits constitutes one among many competing demands on District resources. Therefore, the parties agree to undertake a study and determine appropriate action to address the challenge of balancing the high cost of benefits and maintaining a quality medical benefit plan into the future. Beginning in July, the parties agree to meet collaboratively to gather and analyze data on benefit costs and the impact on district resources. If necessary, these meetings will continue in Fall quarter with the mutual goal of formulating a medical benefits restructuring plan that will be forwarded to the negotiation table and can be put into effect as early as possible in 2003-04. The parties agree that all employee groups will be invited and encouraged to appoint representatives to participate in these discussions.

DATES TO REMEMBER

June 16, 2003 — Regular Meeting
July 7, 2003 — Regular Meeting

ADJOURNMENT

President Mason adjourned the meeting at 8:48 p.m.

jco
Approved: 6/16/03

Lois A. Callahan, Interim Chancellor
Secretary, Board of Trustees