



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

November 17, 2003

CALL TO ORDER AND ROLL CALL

President Mary Mason declared a quorum was present and called the meeting to order at 6:30 p.m. in the District Board Room of the Foothill-De Anza Community College District, 12345 El Monte Road, Los Altos Hills, CA 94022.

Trustees Present:

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

for Public Session

Adam Welch, De Anza College Student Trustee
Sarah Wiehe, Foothill College Student Trustee

CLOSED SESSION

The Board immediately adjourned into closed session in the Chancellor's Office 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
Bernadine Chuck Fong, President of Foothill College
Judy Miner, Interim President of De Anza College

RE-CONVENE PUBLIC SESSION

President Mason re-convened the public session at 7:04 p.m. in the District Board Room. 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>	Renee Augenstein	Ken Horowitz	Dan Mitchell
	Bob Barr	Letha Jeanpierre	Rose Myers
	Silvia Bichler	Penny Johnson	Jon O'Bergh
	Kathy Blackwood	Donna Jones-Dulin	Bill Patterson
	Mike Brandy	Martha Kanter	Willie Pritchard
	Jane Enright	Shirley Kawazoe	Carmen Redmond
	Christina Espinosa-Pieb	Marsha Kelly	John Schulze
	Bernadine Chuck Fong	Andrew LaManque	Marisa Spatafore
	Robert Griffin	Karen Lemes	Claudette Weber
	Rich Hansen	Judy Miner	

Press: Clyde Noel, Los Altos *Town Crier*

Students: None

<i>Public:</i>	Betsy Bechtel	Jim Jackson	Jim Klingensmith
	Laura Casas Frier	Phil Jarret	Kendra McIntyre

REPORTING OUT FROM CLOSED SESSION

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

APPROVAL OF MINUTES

The minutes of the November 3, 2003 meeting were approved as drafted.

AUDIT & FINANCE COMMITTEE REPORT

Trustee Hay reported on the meeting that was held earlier in the day and noted that, due to the size of the agenda, a follow-up meeting was scheduled for December 1 to discuss some items in more depth.

CORRESPONDENCE

President Mason asked if there was any correspondence which should be brought to the Board's attention. There was none.

HEARINGS: ITEMS NOT ON THE AGENDA

Trustees

Student Trustee Welch reported that he attended the Region IV meeting of CalSACC. Student Trustee Wiehe read a statement from students who were attending the reception for the new governor, part of an ongoing effort to maintain the visibility of community college students and their needs. Trustee Fong congratulated Betsy Bechtel, Andrea Leiderman and Hal Plotkin on their successful election as trustees. He also reminded those present about the Chancellor's Inauguration on November 19, and reported on his attendance at the CCLC Conference in Oakland. Trustee Leiderman reported on her attendance at the De Anza "Night of Magic" fundraiser.

Staff

Chancellor Martha Kanter announced that a trustee orientation for the three recently-elected trustees would be held on November 24. She also announced the Board's Annual Holiday Reception on

December 1, at which retiring trustees Mason and Moss would be honored; the swearing-in ceremony and Board Meeting on December 15; and a Board retreat on January 9. She acknowledged a letter from a couple who were interested in working with the city of Los Altos Hills and the District to move the Griffin House to another site. Lastly, she shared an article on cutting edge partnerships at the NASA/Ames Research Center.

De Anza Interim President Judy Miner reported on the successful “Night of Magic” fundraiser and distributed the Winter Schedule of Classes. Foothill President Bernadine Chuck Fong reported that the college’s Summer Gala succeeded in raising funds for a variety of programs. Faculty Association President Rich Hansen thanked retiring trustees Mason and Moss for their years of service on the Board and congratulated the recently-elected trustees. Foothill Instructor Ken Horowitz addressed the Board with comments regarding the Measure E Project reporting format.

Students / Public

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

APPROVAL OF CONSENT CALENDAR

In light of efforts to support the De Anza Print Shop, Faculty Association President Rich Hansen drew attention to a \$33,000 payment for Trend Offset Printing on the list of B Warrants. The Board requested staff to investigate whether this work could have been done in-house and send a written response to the Board.

M/S/C: Fong/Wiehe
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified Items 1-6 of the Consent Calendar as follows:

Item 1 — **Ratified** CONTRACTS AND AGREEMENTS

Item 2 — **Ratified** B WARRANTS

Item 3 — **Acknowledged** LISTING OF DISTRICT INVESTMENTS AS OF SEPTEMBER 30, 2003

Item 4 — **Approved** SERVICE AGREEMENT BETWEEN LOS ALTOS GARBAGE COMPANY, STEVENS CREEK DISPOSAL & RECYCLING COMPANY, NORCAL WASTE SYSTEMS, INC.

Two-month renewal of agreement with the District from October 1, 2003 through November 30, 2003

Item 5 — **Approved** AWARD OF BID 931: EVEN EXCHANGE OF SURPLUS AUTOMOTIVE TECHNOLOGY EQUIPMENT

Authorized the even exchange with Dan Smith Southwest Equipment

Item 6 — **Approved** HUMAN RESOURCES REPORT

Item 7

PRESENTATION ON GENERAL EDUCATION AND TRANSFER

Foothill Vice President of Instruction and Institutional Research Bill Patterson, Foothill Vice President of Student Development & Instruction Rose Myers, Foothill Dean of Counseling & Student Services Penny Johnson, De Anza Coordinator of Articulation & Transfer Services Renee Augenstein and College Researcher Andrew LaManque presented an overview of the types of activities in which the colleges engage to ensure that students are able to transfer, and highlighted several major issues concerning transfer. Trustee Leiderman said that one of the issues to address is a broader articulation arrangement with CSU and UC that supplants separate agreements with each institution.

Item 8

EXTEND PARTIAL REINSTATEMENT OF CHILD DEVELOPMENT CENTER TEACHER POSITIONS

M/S/C: Hay/Fong
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved an extension of the 75% employment contracts through June 25, 2004 for the following Child Development Center Teachers:

Corinne Cleaveland	Cynthia Kessler
Linda Conroy	Gloria Klint
Adele Cruz (currently on unpaid leave)	Ann Lee-Yen
Joy Duremdes	Esther Pon-Lew
Paula Garcia	Wendy Smith
Ruth Jones	Deborah Zavodnick

Item 9

REINSTATEMENT OF POSITION REDUCTIONS IN EOPS

M/S/C: Fong/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved an increase in the contracts for individuals listed from 11 months to 12 months effective immediately:

Lily Greene, Academic Advisor
Erika Guevara, Administrative Assistant I
Chuong Le, EOPS Services Coordinator
Virginia Marquez, EOPS Specialist, Senior
Francisca Ramirez Moya, Office Assistant
Griselda Sigala-Aguilar, Program Coordinator
George Robles, EOPS Supervisor

Item 10

SALE OF INTEREST IN GEORGE M. SAMADUROFF TRUST

Jim Jackson, Director of Planned Giving for the Foundation, responded to questions from the trustees. Foothill President Bernadine Chuck Fong clarified that the funds will be treated as an endowment.

M/S/C: Hay/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized sale of interest in George M. Samaduroff Trust

Item 11

2003-04 FIRST QUARTER REPORT

Vice Chancellor of Business Services Mike Brandy presented the report and noted that it had been reviewed by the Audit & Finance Committee. He stated that a report on the Flint Center will be given in January and commented that a downturn in the entertainment market has affected the Center's operation. Regarding different numbers in the Gilbane Measure E Report and the Capital Project Summary in the First Quarter Report, Mr. Brandy explained that the numbers reflect a difference between when invoices are entered into Gilbane's system and when they are processed by the District. He emphasized that the figures are reconciled at the end of each month.

Item 12

RESOLUTION TO ADOPT BUDGET REVISIONS AND TRANSFERS

M/S/C: Moss/Welch
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Resolution #2003-20 "Budget Revisions" and Resolution #2003-21 "Budget Transfers"

Item 13

ISSUANCE OF PURCHASE ORDERS FOR NEXTEL CELLULAR SERVICES, RADIO SERVICES, EQUIPMENT AND REPAIRS

M/S/C: Moss/Fong
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to award purchase orders to Nextel and Star Cellular based upon State of California Master Agreement 12-00115 contract pricing or less in an aggregate amount not to exceed \$160,000 per fiscal year, and authorized the sale of old Nextel phones to Nextel for recycling purposes; this authorization will expire on June 30, 2004

Item 14

MEASURE E CONSENT CALENDAR

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

- A.** *Title:* Revision # 3 to PO A046928 (Addendum to EIR)
Vendor: DKS
Agreement Date: September 19, 2000
Campus: De Anza
Project No.: 207
Project Name: Lot C Improvements & Parking Structure
Amount: \$2,000
For: Traffic analysis to support EIR addendum
Action: Ratification
- B.** *Title:* PAA #D12
Vendor: Allana Lippert, Inc.
Agreement Date: October 31, 2003
Campus: De Anza
Project No.: 248
Project Name: Kirsch Center for Environmental Studies
Amount: \$4,880
For: Drafting and design services for a built up roof system
Action: Ratification
- C.** *Title:* Construction Change Order #8
Vendor: West Coast Contractors
Agreement Date: October 22, 2002
Campus: De Anza
Project No.: 202
Project Name: Science Center
Amount: \$48,827
For: Miscellaneous construction changes which include exterior utilities and lockset changes
Action: Ratification
- D.** *Title:* PAA #D01 Revision #6
Vendor: tBP / Architecture, Inc.
Agreement Date: February 8, 2001
Campus: De Anza
Project No.: 203
Project Name: Student Community Services Building
Amount: \$52,500
For: Furniture design/space planning services
Action: Approval

- E.** *Title:* Construction Change Order #2
Vendor: Otis Elevator Company
Agreement Date: November 4, 2002
Campus: De Anza
Project No.: 408
Project Name: Flint Center Elevator Upgrade
Amount: \$3,041.18
For: Labor and material to install handrail in freight elevator and Repair/Replace safeties on stage lift
Action: Ratification
- F.** *Title:* Addendum #F-39
Vendor: Cleary Consultants, Inc.
Agreement Date: July 18, 2000
Campus: Foothill
Project No.: 155
Project Name: Parking Lots 5 & 6
Amount: \$6,000
For: Geotechnical Investigation Services
Action: Ratification

Item 15

AWARD OF CONTRACT PURSUANT TO BID 915-203 — STUDENT & COMMUNITY SERVICES BUILDING, DE ANZA

Director of Purchasing and Material Services Carmen Redmond distributed additional information concerning the bid protest. She reported that she had received further clarification and additional assurances from the contractor, which was reviewed by legal counsel, and the recommendation still stands to deny the bid protest. Trustee Leiderman asked about the legality of the contractor changing the listing of a supplier who was not acceptable to one that was, and Ms. Redmond responded that this was legally acceptable after the bid protest and did not invalidate the bid.

- M/S/C:** Hay/Fong
Advisory vote: 2 yes
Board vote: unanimous
Action: Rejected the bid protest submitted by West Coast Contractors, Inc. and authorized the District Purchasing Director to award a contract for the Base Bid to the lowest responsive bidder, Hensel Phelps Construction Company, in the amount of \$10,729,000

Item 16

AWARD OF CONTRACT PURSUANT TO BID 922-207 — LOT C IMPROVEMENTS AND PARKING STRUCTURE, DE ANZA

Community member Kendra McIntyre distributed a petition from the homeowners association on South Stelling and expressed her opinion that the EIR misrepresents the effect of traffic, pollution and noise on the neighborhood, especially if the VTA transit center is eventually funded and built. At this point, Trustee Moss needed to leave the meeting early and departed. Student Trustee Welch asked about a venue to address misconceptions about Measure E projects such as the claim that the

terminology “school facilities” in the Measure’s original bond language does not cover parking structures. De Anza Interim Vice President of Finance and College Services Letha Jeanpierre clarified that the college is working with neighbors to bring them in to consult with arborists and address concerns, and she reported that most seem satisfied with these efforts.

M/S/C: Hay/Wiehe
Advisory vote: 2 yes
Board vote: unanimous (Moss was not present)
Action: Authorized the District Purchasing Director to award a contract for the Base Bid and Additive Alternate #1 in the aggregate amount of \$9,212,000 to the lowest responsive bidder, S. J. Amoroso Construction Company, Inc.

Item 17

CHANGE ORDER #1 TO S. J. AMOROSO CONSTRUCTION FOR ADDITIONAL WORK ASSOCIATED WITH SPECIMEN TREES, DE ANZA

M/S/C: Hay/Welch
Advisory vote: 2 yes
Board vote: unanimous (Moss was not present)
Action: Approved Change Order #1 for additional work associated with specimen trees at De Anza to S. J. Amoroso Construction Company, Inc. in the amount of \$114,336

DATES TO REMEMBER

November 19, 2003 — Chancellor’s Inauguration
December 1, 2003 — Regular Meeting and Holiday Party
December 15, 2003 — Special Meeting and Swearing-In of Recently-Elected Trustees

ADJOURNMENT

President Mason adjourned the meeting at 9:20 p.m.

jco
Approved: 12/15/03

Martha J. Kanter, Chancellor
Secretary, Board of Trustees