



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

October 20, 2003

CALL TO ORDER AND ROLL CALL

President Mary Mason declared a quorum was present and called the meeting to order at 5:30 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 individual listed below to discuss:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position: Chancellor

Executive Administrator Present:

Martha Kanter, Chancellor

The Board was then joined by the individuals listed below to discuss:

CONFERENCE WITH LABOR NEGOTIATOR

District Negotiator: Jane Enright

Employee Organizations: All Represented and Unrepresented Groups

HEARINGS — STUDENT COMPLAINT

Executive Administrators Present:

Martha Kanter, Chancellor

Mike Brandy, Vice Chancellor of Business Services

Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity

Bill Patterson, Vice President of Instruction and Institutional Research of Foothill College

Judy Miner, Interim President of De Anza College

RE-CONVENE PUBLIC SESSION

President Mason re-convened the public session at 7:00 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>	Kathy Blackwood	Donna Jones-Dulin	Ben Rodriguez
	Mike Brandy	Martha Kanter	Javier Rueda
	Jane Enright	Marsha Kelly	John Schulze
	Christina Espinosa-Pieb	Judy Miner	Marisa Spatafore
	Pippa Gibson	Dan Mitchell	Paul Starer
	Rich Hansen	Jon O’Bergh	Claudette Weber
	Ken Horowitz	Bill Patterson	
	Letha Jeanpierre	Willie Pritchard	

Press: None

Students: None

<i>Public:</i>	Doug Aikens	Jim Klingensmith	Nakul Sharma
	Jim Arnold	Kendra McIntyre	Terry Terman
	Betsy Bechtel	Lloyd McIntyre	Lisa Wong
	Jim Bullock	Greg Parker	Doris Yeh
	David Forsyth	Hal Plotkin	
	Patricia Jeffrey	Nancy Rogers	

REPORTING OUT FROM CLOSED SESSION

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

APPROVAL OF MINUTES

The minutes of the October 6, 2003 meeting were approved as drafted.

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

Trustee Moss pointed out that voicemail numbers for the trustees are not linked to a phone unit that displays when a message is received, so it is not the quickest way to contact them if a matter needs prompt attention. Student Trustee Wiehe reported that she attended the Community College League of California’s Advisory Committee on Education Services conference.

Staff

Chancellor Martha Kanter noted she would be away during the November 3 meeting and Foothill President Bernadine Chuck Fong would be acting chancellor. She also reported on her attendance at the CEO Board meeting of the California Community Colleges and League for Innovation Fall Board

Meeting. She announced an upcoming Hearing on the Status of Public Higher Education in California to be hosted at De Anza, and the upcoming Innovations conference in San Francisco which the District is co-hosting. De Anza Interim President Judy Miner announced that De Anza instructor Barbara Illowsky was appointed to the Statewide Academic Senate’s Basic Skills Advisory Committee, and instructor John Lovas won the prestigious Nina Theiss Award for outstanding contributions to the teaching of English. Another noteworthy achievement included the State Chancellor’s Office approval of the Child Development Early Intervention Special Education certificate and praise of its curriculum as an exemplary statewide model.

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

Item #3 was removed in order that a faculty member could address the item.

M/S/C: Hay/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified Items 1, 2 and 4 of the Consent Calendar as follows:

Item 1 — **Ratified** CONTRACTS AND AGREEMENTS

Item 2 — **Ratified** B WARRANTS

Item 4 — **Approved** HUMAN RESOURCES REPORT

Item 3

PERSONNEL ACTIONS

Foothill instructor Ken Horowitz raised a question about the temporary assignment of Dean Stephanie Sherman, and trustees discussed the compensation of additional duties taken on by administrators. Vice Chancellor of Human Resources and Equal Opportunity Jane Enright noted that the proposed compensation adhered to the Administrators Handbook, which the Board has always honored with the same force in practice as agreements with the bargaining units.

M/S/C: Hay/Fong
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Personnel Actions as follows:

Name: Maribeth Hendrickson
Position: Instructor
College: Foothill
Division: Business and Social Science
Action: Approve Partial Unpaid Leave of Absence
Effective Date: September 22, 2003 through December 12, 2003
Comments: In accordance with Article 16 of the *Agreement* between the District and FA.

Name: **George Rice**
Position: Instructor
College: De Anza
Division: Business and Computer Systems
Action: **Retirement**
Effective Date: October 7, 2003
Comments: In accordance with Article 19 of the *Agreement* between the District and FA.

Name: **Stephanie Sherman**
Position: Dean
College: De Anza
Division: Biology and Health Sciences
Action: **Temporary Assignment of Additional Duties**
Effective Date: 2003-2004 Academic Year
Compensation: 5% adjustment to \$9,801.17/per month
Comments: In accordance with Chapter III of the Administrators Handbook.

Item 5

STAFF REPORT REGARDING CONCERNS RAISED BY RESIDENTS ON STELLING AVENUE

Cupertino residents Jim Arnold, Mike Bullock, Kendra McIntyre, Lloyd McIntyre, Nakul Sharma, Lisa Wong and Doris Yeh addressed the Board with their concerns about the construction of the De Anza parking structure and its impact on traffic, safety, aesthetics, air quality, light, wind and noise. Mr. McIntyre outlined a number of proposals to mitigate these effects that included minimizing the cutting of trees, maintaining berms, replacing trees with grown trees, reconfiguring the parking structure to be farther back from Stelling Road, limiting use of the structure to hours before 9 p.m., adding water often to reduce dust during construction, fining contractors who start before the appointed time of 7 a.m., and moving the tennis courts back from Stelling Road.

Vice Chancellor of Business Services Mike Brandy presented his report responding to the various concerns. He discussed the factors that make additional parking at the college necessary, and the decision-making processes that occurred in designing and approving the parking garage, including a focus on safety issues and community dialogues. He went on to describe De Anza's extensive efforts to preserve landscaping, including replacing every tree removed during construction, which exceeds the requirements of the Environmental Impact Report. Brandy further noted that neighbors may contact the Gilbane construction manager Jim Klingensmith with any issues surrounding the construction process.

Greg Parker of International Parking Design responded to questions. He explained that lighting for the parking garage was designed to be immeasurable across Stelling Road, and the solid barrier is high enough to block the light even from SUV headlights. A special floor finish will mitigate automobile tire squealing that occurs in some parking structures. Mr. Parker reported that he discussed wind with the mechanical engineer for the project, who assured him that, since the structure will be open on all four sides, there would be no impact on wind velocity. De Anza Interim President Judy Miner addressed concerns about tennis court lighting and said the college can decide not to open the courts after dark if neighbors find that the lights are intrusive.

Trustee Moss asked about the neighborhood group and was told that it is an informal group that numbers around 70. Responding to a question from Trustee Leiderman, De Anza Director of College Services Donna Jones-Dulin recounted the process to approve the Environmental Impact Report. Student Trustee Welch noted that students supported the location of the parking structure in Lot C so as not to interfere with the use of Lots A and B by the Flea Market. Trustee Mason emphasized her hope that the college would continue to work with Valley Transit Authority to develop a transit center at the college, and noted that the parking structure was deliberately designed to leave room for the planned transit center. She thanked the neighbors for bringing forth their concerns and urged the college to stay in contact to respond to any complaints.

Item 6

APPROVAL OF ADDENDUM TO DE ANZA ENVIRONMENTAL IMPACT REPORT

District legal counsel Doug Aikens addressed the Board and responded to questions. He explained that the concerned citizens have been mailed a copy of the addendum, and a Notice of Determination is being prepared for filing that formally notifies the Office of Planning and Research in Sacramento and local responsible agencies about the Addendum. President Mason emphasized that discussion and input from citizens can still continue even after the Addendum is filed.

M/S/C:	Hay/Wiehe
Advisory vote:	2 yes
Board vote:	unanimous
Action:	Adopted Resolution #2003-18, “Resolution of the Board of Trustees of the Foothill-De Anza Community College District Approving the Addendum to the Final Environmental Impact Report (“EIR”) for the De Anza College Facilities Master Plan,” and Resolution #2003-19, “Resolution of the Board of Trustees of the Foothill-De Anza Community College District Making Certain Findings Regarding Environmental Effects Regarding Approval of the De Anza College Facilities Master Plan Addendum”

Item 7

REVIEW OF 2003-04 BUDGET AND REVISED FORECAST FOR 2004-05

Director of Budget Operations Kathy Blackwood and Vice Chancellor of Business Services Mike Brandy reported anticipated changes to the 2003-04 budget and reviewed current projections for the 2004-05 budget.

Item 8

2002-03 ANNUAL RISK MANAGEMENT REPORT

Director of Risk Management Marsha Kelly, assisted by insurance counsel David Forsyth, reported on District liability and property insurance, as well as efforts in claims management to keep the number of claims down.

Trustee Leiderman was not feeling well and excused herself from the meeting at this time.

Item 9

PROPOSED DATE OF DECEMBER 15 FOR ANNUAL ORGANIZATIONAL MEETING

M/S/C: Moss/Hay
Advisory vote: 2 yes
Board vote: unanimous (Leiderman was absent)
Action: Approved December 15 for the Annual Organizational Meeting and seating of the new trustees

Item 10

MEASURE E CONSENT CALENDAR

M/S/C: Fong/Wiehe
Advisory vote: 2 yes
Board vote: unanimous (Leiderman was absent)
Action: Approved / Ratified the Measure E Consent Calendar, A-D as follows:

- A.** *Title:* Revision #1
Vendor: Clare Consultants
Agreement Date: November 13, 2002
Campus: De Anza College
Project No.: 207
Project Name: Lot C Improvements and Parking Structure
Amount: \$12,600
For: Geotechnical contract administration and inspection.
Action: Ratification
- B.** *Title:* Construction Change Order #7
Vendor: West Coast Contractors
Agreement Date: October 22, 2002
Campus: De Anza College
Project No.: 202
Project Name: Science Center
Amount: \$31,688
For: Miscellaneous construction changes which include electrical, mechanical and waterproofing work.
Action: Ratification
- C.** *Title:* Construction Change Order #15
Vendor: McCrary Construction Company
Agreement Date: August 23, 2001
Campus: De Anza College
Project No.: 206
Project Name: Child Development Center
Amount: \$25,000
For: Negotiated resolution on mechanical ductwork alterations.
Action: Ratification

- D.** *Title:* Project Assignment Amendment #D06 – Revision #1
Vendor: Cottong & Tanaguchi
Agreement Date: September 24, 2003
Campus: De Anza College
Project No.: 234
Project Name: De Anza Athletic Fields Reconfiguration
Amount: \$27,563
For: Revise the design professional’s fee as a reflection of the increased construction budget.
Action: Ratification

Item 11

APPROVAL OF PROFESSIONAL ACHIEVEMENT AWARDS

De Anza Interim President Judy Miner pointed out that instructor Marilyn Patton was not listed on the cover sheet although her information was included in the backup material.

- M/S/C:** Moss/Welch
Advisory vote: 2 yes
Board vote: unanimous (Leiderman was absent)
Action: Approved Professional Achievement Awards for:

Foothill College

Mary Bell	MaryLou Heslet	Daniel Svenson
Elvira Coffin	S. Jenene Key	Sandi Watkins
Linda Di Nucci	Rosemarie Menager-Beeley	Marguerite Wills
Chris Di Leonardo	Irv Ploke	
Elaine Haight	Keith Pratt	

De Anza College

Tisa Abshire-Walker	Ann Lee-Yen	Susan Stann
Joanne Araki	Warren Lucas	Donna Stasio
Tom Beggs	Faith Milonas	Deborah Stern
David Campbell	Judy Mowrey	Margaret Stevens
Paul Chesler	Patricia O’Neill	Edwina Stoll
Michael Cole	Marilyn Patton	Laurel Torres
Michael Gough	Kimberly Pearce	Muata Weusi-Puryear
Joanne Hames	Marcia Peterson	James Williams
Suzanne Helfman	Julie Phillips	Marion Winters
Gloria Jean Klint	Karl Schaffer	Cheryl Woodward
Coleen Lee-Wheat	Mark Sherby	Pauline Yeckley

DATES TO REMEMBER

- November 3, 2003 — Regular Meeting
November 17, 2003 — Audit & Finance Committee
November 17, 2003 — Regular Meeting

ADJOURNMENT

President Mason adjourned the meeting at 10:25 p.m.

jco

Approved: 11/3/03

Martha J. Kanter, Chancellor
Secretary, Board of Trustees