



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

April 5, 2004

CALL TO ORDER AND ROLL CALL

President Paul Fong declared a quorum was present and called the meeting to order at 1:00 p.m. in the District Board Room of the Foothill-De Anza Community College District, 12345 El Monte Road, Los Altos Hills, CA 94022.

Trustees Present:

Paul Fong, President
Andrea Leiderman, Vice President
Betsy Bechtel
Sandy Hay
Hal Plotkin

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

PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE

PUBLIC EMPLOYMENT

Position Title: President, De Anza College

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 Fong re-convened the public session at 2:05 p.m. in the District Board Room. He 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>	Gina Bailey	Jeanine Hawk	Carmen Redmond
	Bob Barr	Ken Horowitz	Javier Rueda
	Mike Brandy	Martha Kanter	Shelley Schreiber
	Kim Chief Elk	Judy Miner	John Schulze
	Lourdes Del Rio Parent	Dan Mitchell	Marisa Spatafore
	Jane Enright	Jon O’Bergh	Claudette Weber
	Bernadine Chuck Fong	Greg Parman	Marion Winters
	Rich Hansen	Willie Pritchard	
<i>Press:</i>	Clyde Noel, Los Altos <i>Town Crier</i>		
<i>Students:</i>	Adriana Dominguez	Armando Gutierrez	Fernando Meza
<i>Public:</i>	Tami Adam	Cathi Lerch	Stephen Pond
	Raj Jesudason	Julian Nikolchev	

REPORTING OUT FROM CLOSED SESSION

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

APPROVAL OF MINUTES

The minutes of the March 8, 2004 and March 15, 2004 meetings were approved with one change noted by Trustee Hay clarifying his remarks on March 8 concerning the Board Legislative Goals.

CORRESPONDENCE

President Fong asked if there was any correspondence which should be brought to the Board’s attention. He noted an announcement for the CCCT Conference in Long Beach April 30-May 2.

HEARINGS: ITEMS NOT ON THE AGENDA

Trustees

Trustee Hay reported that donations totaling about \$4,000 had been received for the Trustee Scholarship program, and two \$1,000 scholarships will be awarded in the spring to students. Trustee Leiderman reported that she attended an Educational Forum in Palo Alto hosted by the PTA, Assembly member Joe Simitian and the League of Women Voters. Trustee Plotkin reported that he was working on a web page to facilitate discussion of public domain.

Staff

Chancellor Kanter thanked Marisa Spatafore, Shelley Schreiber and the Foothill Marketing and Communications staff for producing the District’s self-study reapplication for membership in the League for Innovation in the Community College. She also announced that candidates for the De Anza president position would be visiting the college on April 14, 15 and 19. She encouraged the Board and community to attend the open forums on each of these days at 1:30 p.m. in the Hinson Campus Center. Lastly, she distributed information from the CCLC regarding equalization.

Foothill President Bernadine Chuck Fong invited the Board to attend events on campus in conjunction with Asian Pacific Islander Heritage Month. She announced that Melba Beals would be speaking on campus May 19 in celebration of the 50th Anniversary of *Brown v. Board of Education*. She also congratulated Student Trustee Wiehe on her acceptance to Stanford University. De Anza

Interim President Judy Miner announced that instructor Nicky Gonzalez Yuen wrote an op-ed piece for the Berkeley *Daily Planet*. She reported that the Child Development Center received a \$75,000 strategic planning grant. She further reported that instructor Jim Linthicum was inducted into the California Track and Field Hall of Fame. She also announced that a number of De Anza students won awards at the 2004 Media Arts Awards Competition, and the staff of *La Voz* received eleven awards from the Journalism Association of Community Colleges.

Students / Public

Students Armando Gutierrez, Adriana Dominguez and Fernando Meza addressed the Board in support of Foothill soccer coach Vava Marques. Julian Nikolchev read a letter to the Board expressing concern about the replacement of Mr. Marques with another soccer coach and requesting that the Board investigate the situation surrounding this decision. Tami Adam also urged the Board to investigate the events surrounding the decision. Ken Horowitz commented on Measure E oversight and the constitution of the Audit & Finance Committee.

APPROVAL OF CONSENT CALENDAR

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

Item 1 — **Ratified** CONTRACTS AND AGREEMENTS

Item 2 — **Denied** CLAIM AGAINST THE DISTRICT BY LARRY GEER

Item 3 — **Approved** PERSONNEL ACTIONS:

Name: **Janice Carr**
Position: Instructor
College: Foothill
Division: Physical Sciences, Math, and Engineering
Action: **Reduction in Contract to 77.78%**
Effective Date: September 17, 2004
Comments: In accordance with Article 18, Reduced Workload Program of the *Agreement* between the District and the Faculty Association

Name: **Paul Chesler**
Position: Instructor
College: De Anza
Division: Child Development and Education
Action: **Reduction in Contract to 75%**
Effective Date: September 17, 2004
Comments: In accordance with Article 18, Reduced Workload Program of the *Agreement* between the District and the Faculty Association

Name: **Behrouz Forouzan**
Position: Instructor
College: De Anza
Division: Business/CIS
Action: **Reduction in Contract to 90%**
Effective Date: 5 years beginning September 17, 2004
Comments: In accordance with Article 18, Reduced Workload Program of the *Agreement* between the District and the Faculty Association

Name: **Carol George**
Position: Counselor
College: Foothill
Division: Counseling and Student Services
Action: **Extension of Unpaid Leave**
Effective Date: April 4, 2004 – June 24, 2004
Comments: In accordance with article 16.27 of the *Agreement* between the District and the Faculty Association

Item 4 — **Approved HUMAN RESOURCES REPORT**

Item 5

DIVERSITY CLIMATE SURVEY REPORT

Vice Chancellor of Human Resources and Equal Opportunity Jane Enright and Employment Services Supervisor Kim Chief Elk presented the results of the Diversity Climate Survey, discussed areas for further investigation and responded to questions from the Board. Plans for following up on the survey results will be presented to the Board in January or February 2005.

President Fong excused himself from the meeting as he was not feeling well, and asked Vice President Leiderman to take over.

Item 6

BOARD COMMITTEES

Vice President Leiderman postponed discussion of this item since President Fong was not present.

Item 7

CCCT BOARD OF DIRECTORS ELECTION

In keeping with past practice, Vice President Leiderman asked the elected trustees to mark their ballots with up to ten votes and pass them over to the Board Secretary. She also turned in President Fong's ballot, which he had marked up and given to her before leaving the room. She instructed the Board Secretary to tabulate the votes and mail a consolidated ballot to the Community College League of California. The results of the vote will be communicated to the Board in the weekly mail.

Item 8

MEASURE E CONSENT CALENDAR

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

- A.** *Title:* Change Order #2
Vendor: Sound & Signal
Agreement Date: November 13, 2002
Campus: De Anza College
Project No.: 240
Project Name: Fire Alarm Upgrade
Amount: \$2,976
For: Maintenance of troubled devices at A5, CHC, L5, ATC, and Administration Buildings.
Action: Ratification
- B.** *Title:* Change Order #3
Vendor: Tinney Construction
Agreement Date: March 5, 2003
Campus: De Anza College
Project No.: 259
Project Name: Child Development Center – Wing B
Amount: \$8,745
For: Communication conduits, roof repairs, new sinks, miscellaneous additional work, and various credits.
Action: Ratification
- C.** *Title:* Revision 01 to Purchase Order #H048492
Vendor: Donald Aitken Associates
Agreement Date: April 13, 2001
Campus: De Anza College
Project No.: 248
Project Name: Kirsch Center for Environmental Studies
Amount: \$3,600
For: Support the bidding process for the KCES photovoltaic system.
Action: Ratification
- D.** *Title:* PAA #D01, Revision 07 to Purchase Order #M048175
Vendor: tBP Architecture
Agreement Date: February 8, 2001
Campus: De Anza College
Project No.: 203
Project Name: Student and Community Services Building
Amount: \$6,780
For: Electrical revisions for furniture layout
Action: Ratification

- E.** *Title:* Change Order #14
Vendor: West Coast Contractors
Agreement Date: October 22, 2002
Campus: De Anza College
Project No.: 202
Project Name: Science Center
Amount: \$45,310
For: Power and data revisions; revise sunshade materials; and modify chemistry lab tables.
Action: Ratification
- F.** *Title:* Revision #8 to Purchase Order #M249308
Vendor: Cleary Consultants, Inc.
Agreement Date: July 18, 2000
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$1,500
For: Supplemental soils engineering analyses and design criteria in response to DSA review comments.
Action: Ratification
- G.** *Title:* Revision #1 to Purchase Order #H352440
Vendor: Netcor Design Systems, Inc.
Agreement Date: November 18, 2002
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$6,673
For: Additional services for ETS generated revisions to completed voice/data and telecommunications construction documents.
Action: Ratification
- H.** *Title:* Independent Contractor Agreement
Vendor: Silicon Valley Paving
Agreement Date: March 5, 2004
Campus: Foothill College
Project No.: 155
Project Name: Pavement Repairs at Parking Lot 5
Amount: \$14,652
For: Replace pavement at path of travel areas to ensure access for persons with disabilities in Parking Lot 5.
Action: Approval

- I. *Title:* Revision #1 to Addendum #F-05 (Purchase Order #M351633)
Vendor: Allana Lippert
Agreement Date: May 21, 2001
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$9,083
For: Additional waterproofing and exterior envelope professional peer review services rendered to date.
Action: Ratification

- J. Approved Budget Transfer #28 from De Anza Project #207 (Parking Deck Lot C) to De Anza Project #272 (Stelling A & B Landscaping) in the amount of \$160,684.

- K. Approved Budget Transfer #29 from De Anza Program Contingency to create De Anza Project #274 (S2/S6 Cooling Tower Relocation Design Budget) in the amount of \$385,000.

- L. Approved Budget Transfer #30 from De Anza Program Contingency to De Anza Project #249 (Mobile Village) in the amount of \$162,806.

Item 9

AUTHORIZATION TO ADVERTISE FOR PRE-QUALIFICATION OF SYNTHETIC TURF PRODUCTS

- M/S/C:** Plotkin/Welch
- Advisory vote:** 2 yes
- Board vote:** unanimous
- Action:** Authorized the advertisement for pre-qualification of synthetic turf products

Item 10

AUTHORIZATION TO AWARD CONTRACT PURSUANT TO BID 921-404, PLANT SERVICES ADDITION TO BUILDING D160 AND MECHANIC SHOP FOUNDATION PROJECT

- M/S/C:** Plotkin/Bechtel
- Advisory vote:** 2 yes
- Board vote:** unanimous
- Action:** Authorized the District Purchasing Director to award a contract for the base bid in the amount of \$298,800 to the lowest responsive bidder, Bay Area Contractors Corporation

Item 11

REVISION #6 TO PROJECT ASSIGNMENT AMENDMENT #19 FOR AGREEMENT WITH PERKINS & WILL ARCHITECTS — FOOTHILL PROJECT #152, LOWER CAMPUS COMPLEX

- M/S/C:** Hay/Wiehe
- Advisory vote:** 2 yes
- Board vote:** unanimous
- Action:** Approved PAA #19, Revision #6, to the agreement with Perkins & Will in an amount not to exceed \$66,990

Item 12

STANDARD FORM OF AGREEMENT WITH SALAS O'BRIEN ENGINEERS, INC.

Trustee Plotkin expressed reservations about the process for selecting providers of professional services without opening up the process to the entire community; Vice President Leiderman also expressed her preference for a more open process in the future. Vice Chancellor of Business Services Mike Brandy confirmed that an analysis is underway for such a process.

M/S/C: Hay/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the Standard Form of Agreement with Salas O'Brien Engineers, Inc.

Item 13

MASTER AGREEMENT CONTRACT FOR DES ARCHITECTS ENGINEERS

M/S/C: Plotkin/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the Master Agreement Contract for DES Architects Engineers

Item 14

INCREASE EMPLOYMENT CONTRACTS FOR FIVE CHILD DEVELOPMENT CENTER TEACHERS

M/S/C: Hay/Wiehe
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved an increase in the employment contracts to 100% for Spring Quarter for Child Development Center Teachers Corinne Cleaveland, Joy Duremdes, Paula Garcia, Ruth Jones and Cynthia Kessler

Item 15

APPROVAL OF PROFESSIONAL DEVELOPMENT LEAVE REPORTS

M/S/C: Wiehe/Welch
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Professional Development Leave Reports for:

Virginia Becchine	Clara Lam	Kulwant Singh
Sherri Cozzens	Londa Larson	Daniel Svenson
Marnie Francisco	Keith Lee	Charlotte Thunen
Nicole Gray	Luis Limcolioc	Laurel Torres
Reginald Hamer	Joanne Lopez	Richard Wood
Joanne Hames	Rowena Matsunari	
Ken Harper	Anne Paye	

DATES TO REMEMBER

Vice President Leiderman deferred discussion of “Item 6, Board Committees” to the next meeting since President Fong was not present.

April 19, 2004 — Regular Meeting

May 3, 2004 — Regular Meeting

CLOSED SESSION

At 3:27 p.m., Vice President Leiderman reconvened the Board into closed session to continue discussion of the items on the closed session agenda.

ADJOURNMENT

Vice President Leiderman reconvened the public session to announce that no action was taken in closed session, and adjourned the meeting at 4:00 p.m.

jco

Approved: 4/19/04

Martha J. Kanter, Chancellor
Secretary, Board of Trustees