



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

February 2, 2004

CALL TO ORDER AND ROLL CALL

President Paul Fong declared a quorum was present and called the meeting to order at 5:00 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 individual listed below to discuss:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Chancellor

Executive Administrator Present:

Martha Kanter, Chancellor

Following this discussion, 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

PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE

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 7:02 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>	Mike Brandy	Martha Kanter	Carmen Redmond
	Robert Cormia	Marsha Kelly	Tom Roza
	Jane Enright	Joe Lampo	Javier Rueda
	Christina Espinosa-Pieb	Scott Lankford	John Schulze
	Bernadine Chuck Fong	Judy Miner	Daphne Small
	Gerry Gyuire	Dan Mitchell	Marisa Spatafore
	Rich Hansen	Jon O’Bergh	Paul Starer
	Ken Horowitz	Bob Pierce	Lauren Velasco
	Barbara Illowsky	Willie Pritchard	Claudette Weber

Press: Clyde Noel, Los Altos *Town Crier*

<i>Students:</i>	Javad Aghamiri	Drew Golkar	Louis Robinson
	Jonathan Bellini	Danielle Johanson	Martha Ruiz
	Danh Bui	Sung San Kim	Huan Tran
	Robin Claassen	Anthony Lin	Tara Vannsengyann
	Christopher Custer	James Newburg	Rodolfo Vazquez
	Nadine Foster-Mahar	Minh Nguyen	Saba Zariv
	Darlene Franklin	Gita Ram	

<i>Public:</i>	Laura Casas-Frier	Nancy Charnoski	Michael Mahn
	Nick Caston	Paula Davis	Terry Terman

REPORTING OUT FROM CLOSED SESSION

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

APPROVAL OF MINUTES

Student Trustee Welch corrected the date of the CalSACC March listed in the hearings of the January 20, 2004 minutes. Trustee Leiderman commented that her proposal to count an A- grade as the same point as an A grade was not reflected in the minutes of the January 20, 2004 meeting for the discussion of plus/minus grading, but she accepted the minutes as drafted. The minutes of the January 9 and 20 meetings were then approved with the one correction noted.

FOUNDATION BOARD REPORT

Trustees Bechtel and Leiderman reported on the recent Foundation Board meeting, noting that assets now exceed \$19 million and efforts are underway to increase the diversity of the Foundation Board in terms of age, ethnicity and city residence within the District’s service area.

CORRESPONDENCE

President Fong asked if there was any correspondence which should be brought to the Board’s attention. He distributed an invitation to a scholarship fund luncheon on February 26 sponsored by the De Anza Asian Pacific American Staff Association.

HEARINGS: ITEMS NOT ON THE AGENDA

Trustees

The trustees each reported on the New Trustee Orientation and Legislative Conference held recently in Sacramento, noting in particular the importance of Propositions 55, 56, 57 and 58 for community college funding and the value for students to go to Sacramento so their voices can be heard. Student Trustee Welch reported that the De Anza Student Body approved funding for a student organizer position. President Fong announced that he has been appointed to fill a vacancy on the California Community College Trustees Board.

Staff

Chancellor Martha Kanter announced that she will bring a first draft of the legislative goals for 2004-05 to the Board for input at the next meeting. She also announced that Senator John Vasconcellos would be holding hearings in the spring on ways to reduce textbook costs. She and De Anza Interim President Judy Miner both commented on how well the Kirsch Center groundbreaking went. Interim President Miner invited the Board to an exhibit titled “Closing the Distance” at the Euphrat Gallery, and announced that former De Anza student Adam Winkel won first place in an international film festival for his film. Foothill President Bernadine Chuck Fong announced that faculty member Michael Loceff was one of the team of writers honored with the award of a Golden Globe for the television program “24.” She invited the trustees to the upcoming Dallas Black Dance performance and distributed the annual report on student athletes.

Foothill Academic Senate President Paul Starer reported that the state academic senate curriculum committee will be discussing math and English course requirements. Faculty Association President Rich Hansen reported on a meeting with Assemblymember Sally Lieber, who has ideas on how to save the Griffin House. Foothill instructor Ken Horowitz reported on his attendance at an education forum held in Palo Alto by Assemblymember Joe Simitian.

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

M/S/C: Bechtel/Wiehe
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified Items 1-3 of the Consent Calendar as follows:

Item 1 — **Ratified** CONTRACTS AND AGREEMENTS

Item 2 — **Approved** PERSONNEL ACTIONS:

Name: **Kathy Blackwood**
Position: Director, Budget Operations
College: District
Division: Business Services
Action: **Resignation**
Effective Date: February 12, 2004

Name: **James Atchison**
Position: Instructor
College: Foothill
Division: Business and Social Sciences
Action: **Resignation for purposes of retirement**
Effective Date: January 1, 2004

Name: **Ben Rodriguez, Jr.**
Position: Director, Campus Safety and Security
College: De Anza
Division: District Safety and Security
Action: **Extend Temporary assignment of additional duties**
Effective Date: January 1 – June 30, 2004
Compensation: Continue 5% adjustment
Comments: In accordance with Administrators Handbook, Chapter III

Item 3 — **Approved HUMAN RESOURCES REPORT**

Item 4

PLUS/MINUS GRADING — REVISED BOARD POLICY 6125, “GRADING”

Chancellor Martha Kanter reviewed the suggestion made by Trustee Leiderman at the previous meeting. Trustee Leiderman had proposed counting an A- grade as the same point as an A grade in order to address a concern that plus/minus discriminates against straight A students. Chancellor Kanter reported that her Sacramento contacts felt it was not timely to pursue such a change in the regulations and noted that the issue should first be taken up with the statewide Academic Senate. De Anza Academic Senate President Dan Mitchell spoke to the Board about primary reliance and shared research suggesting that any negative impact on students would be negligible. He put forth a compromise proposal to implement a trial period of plus/minus grading in Fall 2004 during which students would be graded on a plus/minus scale but plus/minus would not factor in the calculation of grade point averages, in order that Institutional Research can analyze what the actual effect on students would be.

Students Christopher Custer, Javad Aghamiri, Danh Bui, Robin Claassen, James Newburg and Rodolfo Vazquez voiced opposition to plus/minus grading, and student Nadine Foster-Mahar presented research in support of the argument that plus/minus grading would harm students. Visiting student Nick Caston from Sonoma Community College also spoke in opposition and proposed that the issue be considered at the statewide level to address the concern about transfer. Foothill Academic Senate President Paul Starer and Foothill Instructor Robert Cormia spoke in favor, and Foothill Instructor Lauren Velasco presented research demonstrating that plus/minus grading would not negatively impact transferability.

Student Trustee Wiehe read a student letter urging the Board to oppose plus/minus grading and shared research demonstrating a negative impact on grade point average. She also noted that the Board has never supported a policy that is discriminatory. Student Trustee Welch voiced his opposition and added that he would not support plus/minus grading even if it were adopted statewide.

Board members commended all of the speakers for their eloquent and well-prepared testimony. Dan Mitchell’s proposal for a trial period was discussed, receiving favorable comments, but it was

pointed out that an analysis of the impact on staff and financial resources is needed before moving forward with that suggestion. Trustee Bechtel supported a two-year trial period and encouraged working with the trustee and student organizations at the state level to promote similar efforts at other community colleges. Trustee Hay also supported a two-year trial period, and added that the intention should be to adopt plus/minus grading in Fall 2006. Timing issues were discussed, and De Anza Interim President Judy Miner confirmed that a two-year study would entail four quarters of research so that catalog deadlines could be met and the Board review completed by March 2006. Trustee Leiderman viewed the proposed plus/minus scale as flawed and encouraged working at the state level to allow greater local flexibility to adopt other scales, such as one that incorporates A+, or at least allow local contiguous districts to use the same grading scale.

M/S/C: Bechtel/Plotkin
Advisory vote: 2 yes
Board vote: unanimous
Action: Postponed a decision until staff can research both the impact on staff and the costs involved in running parallel systems to calculate grades with and without the plus/minus augmentation, after which a proposal will be brought back to the Board at a date determined by the chancellor

At 9:44 p.m., President Fong announced a brief recess, then re-convened the meeting at 9:50 p.m.

Item 5

RESOLUTIONS IN SUPPORT OF PROPOSITIONS 55, 56, 57 AND 58

Trustee Leiderman addressed the resolutions for Propositions 55 and 56, and Trustee Bechtel addressed the resolutions for Proposition 57 and 58. Board members commented that, although Propositions 57 and 58 were not the best solutions to the state's fiscal problems, if they fail to pass it will mean a devastating loss of funding for not only community colleges but all public agencies and institutions.

M/S/C: Bechtel/Wiehe
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Resolution in Favor of Proposition 55, "Kindergarten-University Public Education Facilities Bond Act of 2004"; Resolution in Favor of Proposition 56, "State Budget, Related Taxes, and Reserve, Voting Requirements, Penalties Initiative Constitutional Amendment and Statute"; Resolution in Favor of Proposition 57, "Economic Recovery Bond Act of 2004"; and Resolution in Favor of Proposition 58, "California Balanced Budget Act"

Item 6

ANNUAL REPORT ON FLINT CENTER OPERATIONS

Paula Davis, CEO of Domus, Inc., presented the report on Flint Center operations and reviewed programming mix, income and expenses, facility improvements, and challenges. She highlighted the difficult financial conditions throughout the entertainment industry that is affecting all local arts organizations. Responding to a question from Trustee Plotkin, Ms. Davis explained efforts to seek new user groups and provide marketing assistance to renters of the facility. She also reviewed

handicap accessibility to the box suites in response to a question from Trustee Leiderman. Vice Chancellor of Business Services Mike Brandy announced that the Board would be invited to tour the Flint Center in the months ahead.

Item 7

NON-RESIDENT TUITION 2004-05

Trustee Leiderman asked how the increase would affect U.S. citizens living abroad. Vice Chancellor of Business Services Mike Brandy was not certain but said he would obtain this information and respond back to her.

M/S/C: Hay/Plotkin
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved a tuition rate of \$100 per quarter unit for non-resident students and an additional rate of \$11 per quarter unit for foreign students for 2004-05

Item 8

AUTHORIZATION TO AWARD CONTRACT PURSUANT TO BID 925, LASER PRINTER SYSTEM, CENTRAL SERVICES

M/S/C: Leiderman/Plotkin
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to trade in two DEC LP 37 printers and award a contract to Xerox Corporation for the 60-month rental of new laser printing equipment pursuant to the prices, terms, and conditions set forth in Bid 925

Item 9

AUTHORIZATION TO AWARD CONTRACT PURSUANT TO BID 940-220, AIR HANDLERS, DE ANZA COLLEGE

M/S/C: Bechtel/Plotkin
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to award the contract to the lowest responsible bidder, Norman S. Wright Equipment Company, pursuant to the prices, terms, and conditions set forth in Bid 940-220

Item 10

APPROVAL OF ENERGY SERVICES CONTRACT WITH CEHVRON ENERGY SOLUTIONS COMPANY, A DIVISION OF CHEVRON, U.S.A., INC.

M/S/C: Hay/Plotkin
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved an energy services contract with Chevron Energy Solutions Company, a Division of Chevron U.S.A., Inc., in the amount of \$3,156,000

Item 11

RESOLUTION AUTHORIZING ISSUANCE OF A 2004-05 TAX REVENUE AND ANTICIPATION NOTE (TRAN)

Trustee Plotkin expressed concern about the District being responsible for the principal if the pool is not prudently managed. Vice Chancellor of Business Services Mike Brandy responded that there are checks and balances and TRANs have never experienced problems to his knowledge.

M/S/C: Bechtel/Hay
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Resolution #2004-02 authorizing the issuance of a 2004-05 Tax Revenue and Anticipation Note

Item 12

MEASURE E CONSENT CALENDAR

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

- A. Title:** Contract Revision #04
Vendor: Anshen and Allen
Agreement Date: February 28, 2001
Campus: De Anza College
Project No.: 202
Project Name: Science Center
Amount: \$8,960
For: Design, documentation and coordination of the 5” chilled water lines from the Science Center chiller system to an exterior location outside the building mechanical room.
Action: Ratification

- B.** *Title:* Addendum #D11
Vendor: Cleary Consultants, Inc.
Agreement Date: January 15, 2001
Campus: De Anza College
Project No.: 248
Project Name: Kirsch Center for Environmental Studies
Amount: \$10,500
For: Geotechnical testing and inspection
Action: Ratification
- C.** *Title:* Addendum #F-41
Vendor: Cleary Consultants, Inc.
Agreement Date: July 18, 2000
Campus: Foothill College
Project No.: 414
Project Name: District Service Shops
Amount: \$2,600
For: Geotechnical investigation and services
Action: Ratification
- D.** *Title:* Addendum #F-40
Vendor: Cleary consultants, Inc.
Agreement Date: July 18, 2000
Campus: Foothill College
Project No.: 146
Project Name: Fieldhouse and Restroom
Amount: \$3.800
For: Geotechnical investigation services
Action: Ratification
- E.** *Title:* Revision #1 to PO #M249323
Vendor: Allana Lippert, Inc.
Agreement Date: May 21, 2001
Campus: Foothill College
Project No.: 109
Project Name: Business and Social Services
Amount: \$2,705
For: Additional construction monitoring services
Action: Ratification

- F.** *Title:* Revision Order #2 to M240317
Vendor: Cleary Consultants, Inc.
Agreement Date: July 18, 2000
Campus: Foothill College
Project No.: 153
Project Name: Campus Center
Amount: \$2,700
For: 100% CD review and consultation related to Monta Vista Fault as requested by structural engineer.
Action: Ratification
- G.** *Title:* Addendum #D01
Vendor: Netcor Design Systems, Inc.
Agreement Date: November 12, 2003
Campus: De Anza College
Project No.: 224
Project Name: S-Quad Renovation Project
Amount: \$31,500
For: To provide audio/visual and voice/data infrastructure design services for the S-Quad Renovation Project.
Action: Ratification
- H.** *Title:* Independent Contractor Agreement
Vendor: DES Architects Engineers
Agreement Date: January 16, 2004
Campus: De Anza College
Project No.: 233
Project Name: T9/Bookstore Warehouse
Amount: \$17,600
For: Programming and pre-design services
Action: Ratification
- I.** *Title:* Budget Transfer DA 26
Campus: De Anza College
Project No.: 248
Project Name: Kirsch Center for Environmental Studies
For: Competitive bid awarded for higher amount than was originally estimated. This transfer will increase funding of Project 248. Total transfer is \$310,288, which is to be transferred from the overall program contingency.
Action: Ratification

- J.** *Title:* Budget Transfer DA 27
Campus: De Anza College
Project No.: 234
Project Name: Athletic Fields
Amount: Credit <\$898,106> from Parking Structure added \$898,106 to enhance Athletic Fields; net affect 0 dollars.
For: Original design objectives included the employment of synthetic field turf in the subject project. However, due to initial budget constraints, the traditional seeded natural grass was utilized. The proposed synthetic turf field will allow a longer playing season and substantially reduce college maintenance costs. Subsequent cost/benefit analysis, in conjunction with recent bid savings resulting from a “below budget” award of Project 207 (Parking Structure) now allow for this proposed project enhancement.
Action: Approval

Item 13

PROJECT ASSIGNMENT AMENDMENT #F12 TO AGREEMENT WITH SUGIMURA & ASSOCIATES ARCHITECTS FOR FOOTHILL PROJECT #146, FIELDHOUSE AND RESTROOMS

- M/S/C:** Plotkin/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved PAA#12 to Agreement with Sugimura & Associates for Foothill Project #146, Fieldhouse and Restrooms, in the amount of \$125,118

Item 14

PROJECT ASSIGNMENT AMENDMENT #F13 TO AGREEMENT WITH SUGIMURA & ASSOCIATES ARCHITECTS FOR DISTRICT PROJECT #414, DISTRICT SERVICE SHOPS

- M/S/C:** Leiderman/Wiehe
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved PAA #13 to Agreement with Sugimura & Associates for District Project #414, District Service Shops, in the amount of \$50,347

Item 15

REVISION TO CONTRACT WITH COTTONG & TANIGUCHI FOR DE ANZA PROJECT #234, ATHLETIC FIELD DESIGN

Trustee Leiderman asked what other projects were considered for the \$900,000 savings from the college’s Measure E projects, and Vice Chancellor of Business Services Mike Brandy responded, clarifying that there were no projects that are not already funded.

M/S/C: Plotkin/Welch
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the adjustment to the design contract with Cottong & Taniguchi for De Anza Project #234, Athletic Field, in the amount of \$77,154

Item 16

ADDENDUM TO AGREEMENT WITH SIGNET TESTING LABS FOR DE ANZA PROJECT #248, KIRSCH CENTER FOR ENVIRONMENTAL STUDIES

M/S/C: Hay/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved agreement with Signet Testing Labs for De Anza Project #248, Kirsch Center for Environmental Studies, in the amount of \$58,850

Item 17

AGREEMENT WITH SANDIS HUMBER JONES FOR DE ANZA PROJECT #273, IRRIGATION MAINLINE DESIGN

M/S/C: Plotkin/Hay
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved agreement with Sandis Humber Jones for an amount not to exceed \$52,500 for De Anza Project #273, Irrigation Mainline

Item 18

NOMINATION FOR CCCT ELECTION

M/S/C: Bechtel/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Nominated trustee Paul Fong as a candidate for election to the California Community College Trustees Board

DATES TO REMEMBER

February 17, 2004 — Regular Meeting — Chancellor Kanter noted that the NASA update will likely be moved to another meeting when Foothill President Bernadine Chuck Fong can be present.
March 1, 2004 — Regular Meeting

ADJOURNMENT

President Fong adjourned the meeting at 10:45 p.m.

jco
Approved: 2/17/04

Martha J. Kanter, Chancellor
Secretary, Board of Trustees