



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

January 5, 2004

CALL TO ORDER AND ROLL CALL

President Paul Fong declared a quorum was present and called the meeting to order at 7:03 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

President Fong 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 | Faith Milonas | Javier Rueda |
| | Jane Enright | Judy Miner | John Schulze |
| | Bernadine Chuck Fong | Dan Mitchell | Stephanie Sherman |
| | Robert Griffin | Jon O'Bergh | Marisa Spatafore |
| | Ken Horowitz | Julie Phillips | Claudette Weber |
| | Martha Kanter | Willie Pritchard | |
| | Sharon Luciw | Carmen Redmond | |

Press: Clyde Noel, Los Altos *Town Crier* Kaye Ross, San Jose *Mercury-News*

Students: None

| | | | |
|----------------|-------------------|---------------------|--------------|
| <i>Public:</i> | Laura Casas-Frier | Steve Pond | Terry Terman |
| | Bill Kelly | Robert Redlinger | |
| | Breene Kerr | Robert C. Smithwick | |

APPROVAL OF MINUTES

The minutes of the December 15, 2003 meeting were approved after Trustees Bechtel and Leiderman pointed out the names of several additional attendees to include in the list of those present.

CORRESPONDENCE

President Fong asked if there was any correspondence which should be brought to the Board's attention. Trustee Leiderman announced an exhibit at the Euphrat Gallery from January 5 to February 5. She also mentioned that former De Anza student Emanuel Maverakis was featured in the Harvard Medical School newsletter in an article in which he credits De Anza with helping him turn his life around. Trustee Plotkin noted that Paul Fong appeared on the front page of *The New York Times* in an article concerning the changing demographics of Cupertino and increasing political participation by Asian Americans.

HEARINGS: ITEMS NOT ON THE AGENDA

Trustees

Student Trustee Welch announced that 115 letters were prepared by students for the "Write to Arnold" campaign; President Fong congratulated Welch on helping to spearhead this effort. Trustee Plotkin requested that staff develop a Board policy addressing public domain issues and schedule this for a future meeting.

Staff

Chancellor Martha Kanter pointed out an article in the *Los Altos Town Crier* about the trustee swearing-in ceremony. She invited the trustees to join her at the Board of Governors meeting in Sacramento on January 12-13 to a briefing with the new Secretary of Education Richard Riordan. Lastly, she distributed an agenda packet for the January 9 Board workshop.

De Anza Interim President Judy Miner announced that three former De Anza students were finalists to have their films included in the upcoming Cinequest Festival in San Jose. She congratulated Articulation Coordinator Renee Augenstein on her presentation at the recent California State University conference on student success. She also reported that efforts to alleviate parking on the first day of the quarter went very well, and enrollment was up by 1.6% as targeted.

Foothill President Bernadine Chuck Fong reported that enrollment was holding steady as planned. She announced that a Foothill student was awarded second place in the League for Innovation art contest. She invited trustees to attend the Dallas Black Dance concert on February 6, distributed a brochure targeting students who plan to go into the health field, and reported that instructor Gene Seelbach received a Teaching Excellence award from the California Mathematics Council of Community Colleges.

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

Trustee Leiderman inquired about the employment history of Jeanine Hawk for Item #3, and Interim President Judy Miner responded.

M/S/C: Hay/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 NATASHA HAULMAN

Item 3 — **Approved** PERSONNEL ACTIONS:

Name: **Anu Chitgopekar Khanna**
Position: Instructor
College: De Anza College
Division: Intercultural/International Studies
Action: **Unpaid Leave of Absence**
Effective Date: January 5, 2004 – March 26, 2004
Comments: In accordance with Article 16.28 of the *Agreement* between FA and the District

Name: **Adele Cruz**
Position: Child Development Center Teacher
College: De Anza
Division: Child Development and Education
Action: **Unpaid Leave**
Effective Date: January 5, 2004 – June 25, 2004
Comments: In accordance with Article 16.28 of the *Agreement* between the District and the Faculty Association

Name: **Jeanine Hawk**
Position: Vice President, Finance and College Services
College: De Anza College
Division: Finance and College Services
Action: **Employment**
Effective Date: February 17, 2004
Compensation: Level M, Step 1 @ \$8,779.06

Item 4 — **Approved** HUMAN RESOURCES REPORT

Item 5

COMMITTEE APPOINTMENTS

President Fong proposed the following committee appointments:

- Representative to County Committee on School District Organization Selection – Andrea Leiderman
- Chair, Audit and Finance Committee – Sandy Hay
- Member, Audit and Finance Committee – Hal Plotkin
- Representative, Foothill-De Anza Colleges Foundation – Betsy Bechtel
- Representative, Foothill-De Anza Colleges Foundation – Andrea Leiderman

M/S/C: Plotkin/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved committee appointments as proposed

Item 6

REVISED 2004 CALENDAR OF BOARD MEETINGS

M/S/C: Bechtel/Hay
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the revised calendar of Board meeting dates for 2004 with the removal of September 20

Item 7

DE ANZA ENVIRONMENTAL STUDY AREA NAMING REQUEST

Trustee Hay and President Fong commented on Douglas Cheeseman's enthusiasm for his field and his dedication to the college. Trustee Plotkin stated that he encourages further acknowledgment of individuals whose dedication and service have been honored. He suggested an example of placing biographical information on the website in recognition of exemplary contributions to the District.

M/S/C: Hay/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved recommendation to rename the De Anza Environmental Study Area the Cheeseman Environmental Study Area

Item 8

CONTRACT WITH COYOTE HILLS CONSULTING

Trustees asked a number of questions about the contract. Vice Chancellor of Technology Willie Pritchard responded and clarified that the District has worked with the firm before, no public advertising is required for this type of bid, and staff does not have the level of expertise to prepare this type of technical bid specification. Trustee Leiderman asked that more information be provided in future backup material about the process for soliciting requests for proposals such as this. Trustee Bechtel expressed her hope that the contract can be closely managed to bring the final cost down below the maximum specified.

M/S/C: Hay/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the contract with Coyote Hills Consulting in the amount of \$40,000

Item 9

PRESENTATION ON PROPOSED COGENERATION AND PHOTOVOLTAIC INSTALLATION PROJECT

Executive Director of Facilities, Operations and Construction Management John Schulze, assisted by Chevron Energy Solutions representatives Bill Kelly and Robert Redlinger, presented background and information on the proposed contract. Responding to various questions from trustees and staff, it was explained that the photovoltaic energy would not be storable, and the panels are guaranteed for 25 years. Predictions for utility prices were discussed, and Mr. Redlinger explained that prices on the futures market suggest a long-term decrease for natural gas prices. Community member Breene Kerr spoke in support of the project and a number of benefits. De Anza instructor Julie Phillips also spoke in support of the project from an environmental and teaching perspective. Foothill instructor Ken Horowitz expressed concern about the aesthetics of the design and was assured that the design will go through the regular campus approval process. Responding to a financial concern expressed by De Anza Academic Senate President Dan Mitchell, Vice Chancellor of Business Services Mike Brandy explained that there might be a minor cost of up to \$14,000 in the first year, but thereafter a savings will be realized since the cost is amortized. Trustee Plotkin expressed his wish to see an assessment of the use of conventional solar heating accompanying the proposal when it is brought back to the Board.

Item 10

PRESENTATION ON GRIFFIN HOUSE: ISSUES AND OPTIONS

Executive Director of Facilities, Operations and Construction Management John Schulze presented information concerning the Griffin House located adjacent to the District Office Building and responded to questions from the trustees about renovation estimates and usable space. Trustee Plotkin asked whether performing the minimal amount of restoration would bring the cost down to \$1-2 million, and Executive Director Schulze responded that it would not because structural elements still must meet strict Americans with Disabilities Act and Department of State Architect standards. Trustee Hay pointed out that the District's priority is to provide educational space and instruction for students.

Item 11

AUTHORIZATION FOR PLACEMENT OF ADVERTISEMENTS OFFERING TO SELL THE GRIFFIN HOUSE

Trustee Leiderman asked about recently expressed interests to acquire the house, and Executive Director Schulze said that the interested parties had all but given up due to the estimated cost of \$4.77 million. Community member Breene Kerr spoke about the worthiness of efforts by educational institutions to preserve elements of their history. President Fong recounted the Board's diligence during more than a decade to pursue every idea to preserve the house, and the repeated lack of success. Chancellor Kanter spoke about her meeting with the Los Altos Hills Historical Society and ongoing outreach efforts to find \$3-4 million in funds for restoration. Director of Purchasing and Material Services Carmen Redmond clarified that bids to purchase the house would be solicited through advertisements, then presented to the Board so the Board could take action to sell the house or not. Responding to a question from Trustee Leiderman, it was explained that the EIR/CEQA process allows a governing body to make a decision to demolish, renovate or remove a building that is on the national historic register.

Trustee Bechtel made the motion to authorize the placement of advertisements offering to sell the Griffin House, which was seconded by Trustee Hay. Trustee Plotkin then asked if he could amend

the motion with a proposal to simultaneously seek funding for renovation. There was a discussion about the use of Measure E funds that are already assigned for the expansion of the District office building to be used in conjunction with private funding to renovate the house. It was pointed out that, although this scenario would not have a financial impact on District funds, there could be a domino effect if there is not enough space for all District staff currently housed at De Anza to move into the District offices and free up space for classrooms.

M/S/C: Plotkin/Leiderman
Advisory vote: 1 yes (Welch voted yes, Wiehe voted no)
Board vote: unanimous
Action: Authorized the placement of advertisements offering to sell the Griffin House, and authorized staff to notify the community that the Board is prepared to spend up to \$1.5 million (funded through Measure E) to renovate the Griffin House and will consider proposals from donors who would contribute the remainder that is necessary for the District to renovate and maintain the property on campus, which is estimated to be at least a 3-to-1 match, with the District expenditure not to exceed the assignable square footage cost that is comparable to the cost for constructing a new building

Item 12

APPROVAL OF AGREEMENT FOR PROFESSIONAL SERVICES CONTRACT WITH PLACEMAKERS

Trustee Leiderman asked whether the contract went through a bid process, and Executive Director of Facilities, Operations and Construction Management John Schulze responded that it was not required; rather, the company was recommended by the attorney who provides legal counsel on CEQA issues. Trustee Leiderman requested that the Board discuss the process for approving independent contractors at its January 9, 2004 retreat.

M/S/C: Hay/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved agreement for professional services with Placemakers in the amount of \$47,900 to prepare an Environmental Impact Report for the proposed District and Community Center project at the site of the Griffin House

Item 13

MEASURE E CONSENT CALENDAR

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

- A.** *Title:* Contractor Change Order #2
Vendor: O'Grady Paving, Inc.
Agreement Date: June 30, 2003
Campus: Foothill College
Project No.: 159
Project Name: KCI Entry/Loop Road Crossing
Amount: \$1,157
For: Changes due to field conditions.
Action: Ratification
- B.** *Title:* Change Order #4
Vendor: Pacific West Sound
Agreement Date: July 10, 2003
Campus: De Anza College
Project No.: 412
Project Name: Flint Center AV Upgrades
Amount: \$7,290
For: Revise stage left cable speaker array direction, modify cable sway frame, and miscellaneous electrical revisions to panel inputs/outputs.
Action: Ratification
- C.** *Title:* Agreement for Professional Services
Vendor: Netcor Design Systems, Inc.
Agreement Date: May 1, 2003
Campus: Foothill College
Project No.: 163
Project Name: Campus Center Swing Space
Amount: \$4,179
For: Services for voice/data, telecommunications, and contract administration
Action: Approval
- D.** **Approved** Budget Transfer DA #22 to Project #272 and #262 totaling \$209,320
- E.** **Approved** Budget Transfer DA #23 from De Anza Projects #239, #247 and #268 to #267 totaling \$350,813

Item 14

AUTHORIZATION TO AWARD CONTRACT PURSUANT TO BID 926-248, KIRSCH CENTER FOR ENVIRONMENTAL STUDIES, DE ANZA

- M/S/C:** Welch Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to award a contract for the Base Bid less Deductive Alternate #1 in the aggregate amount of \$7,727,000 to the lowest responsive bidder, S. J. Amoroso Construction Company, Inc.

Item 15

APPROVAL OF PROJECT ASSIGNMENT AMENDMENT #19, REVISION #4, TO AGREEMENT WITH PERKINS & WILL – FOOTHILL PROJECT #152, LOWER CAMPUS COMPLEX

M/S/C: Wiehe/Welch
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved PAA #19, Revision #4, to agreement with Perkins & Will for Foothill Project #152 (Lower Campus Complex) in an amount not to exceed \$40,860

Item 16

APPROVAL OF PROJECT ASSIGNMENT AMENDMENT #19, REVISION #5, TO AGREEMENT WITH PERKINS & WILL – FOOTHILL PROJECT #152, LOWER CAMPUS COMPLEX

M/S/C: Wiehe/Welch
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved PAA #19, Revision #5, to agreement with Perkins & Will for Foothill Project #152 (Lower Campus Complex) in an amount not to exceed \$110,994

Item 17

APPROVAL OF INDEPENDENT CONTRACTOR AGREEMENT WITH STEPHEN P. DONOHUE

Student Trustee Welch asked about the industry standard for full-time inspectors, and Construction Program Manager Claudette Weber noted that the cost can even be higher than the proposed contract. Trustee Plotkin asked how the request for proposal was advertised and whether it met the District's commitment to diversity. Ms. Weber responded that she contacted all local agencies who have construction projects for recommendations. She further noted that Department of State Architect inspectors are at a premium because so many bond projects are underway.

M/S/C: Hay/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved independent contractor agreement with Stephen P. Donohue in an amount not to exceed \$136,800

DATES TO REMEMBER

January 20, 2004 — Regular Meeting

ADJOURNMENT

President Fong adjourned the meeting at 9:50 p.m.

jco — Approved: 1/20/04

Martha J. Kanter, Chancellor and Secretary, Board of Trustees