



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

SPECIAL MEETING

January 9, 2004

CALL TO ORDER AND ROLL CALL

President Paul Fong declared a quorum was present and called the meeting to order at 8:30 a.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

Sarah Wiehe, Foothill College Student Trustee

(Student Trustee Adam Welch was not present)

Item I

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

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 recessed the meeting for a short break at 11:05 a.m., then re-convened the public session at 11:10 a.m. in the District Board Room. The following staff, press, students and members of the public were present:

<i>Staff:</i>	Bill Baldwin	Ken Horowitz	Carmen Redmond
	Kathy Blackwood	Martha Kanter	John Schulze
	Mike Brandy	Judy Miner	Marisa Spatafore
	Jane Enright	Jon O’Bergh	Paul Starer
	Bernadine Chuck Fong	Willie Pritchard	

Press: None

Students: Carol Woronow, *La Voz*

Public: None

REPORTING OUT FROM CLOSED SESSION

President Fong reported that the Board took action in closed session to discipline a Foothill instructor with a one-year suspension without pay or benefits.

Item II

BOARD CODE OF ETHICS

The Board reviewed its Code of Ethics, last amended February 18, 2003. Trustee Leiderman suggested that legal issues — for example, the prohibition against employment by the District for one year after serving on the Board — do not need to be reiterated in the Code of Ethics when they appear in state codes and regulations. Trustee Roles and Responsibilities and Guidelines for Effective Trusteeship were also discussed. Some suggestions were made to reorganize those two documents, perhaps merging them into one document, with prohibitive language rephrased in a positive manner. President Fong directed staff to bring those revised documents to the Board for reaffirmation at a future meeting.

Item III

ROLE OF BOARD OFFICERS

President Fong asked Chancellor Kanter to look into the question of whether the titles “president” and “vice president” can be changed to “chair” and “vice chair.”

Item IV

PARTICIPATORY GOVERNANCE

Chancellor Kanter reviewed the history and background on participatory governance. She noted information on District governance committees. A suggestion to include “Public” on the governance chart was discussed, and Chancellor Kanter offered to consider a change reflecting that the Board is responsible to the public even though the public is not part of the formal governance structure.

Chancellor Kanter reviewed the list of policies under development and the process for trustees to agendaize Board items, which is to present a request to the Board president who will discuss it with the chancellor to determine scheduling. Trustee Leiderman discussed the possibility of establishing a policy subcommittee of the Board.

Policy 9123, “Audit and Finance Committee,” was discussed. Foothill Instructor Ken Horowitz pointed out the 1991 Coopers & Lybrand report explaining the purpose for establishing the Audit &

Finance Committee. Regarding the decision-making process for Measure E contracts, it was clarified that the Audit and Finance Committee does not approve expenditures; staff makes recommendations within the confines of delegated authority to make administrative decisions for projects subject to Board approval. The Board discussed how community members are recommended and appointed to the Committee and how long they should serve. President Fong requested that staff make changes to the policy based on the discussion and agenda for a future Board meeting. Chancellor Kanter will work with Audit & Finance Committee chair Sandy Hay to review the policy.

Trustee Bechtel raised a question about Policy 9200, "Conflict of Interest," which she believes is rather broad and vague. She asked whether it follows the CCLC model policy and is sufficient. Chancellor Kanter will consult legal counsel and follow up for the Board.

Foothill Instructor Ken Horowitz asked how ideas from the community for projects such as a roadway safety guardrail are agendaized. Chancellor Kanter responded that it should go through the campus facilities and governance process, which analyzes various requests and develops a consensus on timelines, resources and priorities.

At 12:15 p.m., President Fong recessed the meeting for lunch. He reconvened the meeting at 1:10 p.m.

Trustee Hay's suggestions concerning the trustee scholarship fund and automatic payroll deduction were distributed and discussed. Trustees commented favorably on the suggestion for Board members to support such a fund, but it was agreed that support does not necessarily need to be via payroll deduction.

Item V

OPPORTUNITIES AND CHALLENGES: MAJOR ISSUES FACING THE DISTRICT

Chancellor Kanter reviewed the Principles and Strategies for Budget Reductions, short- and long-term issues and challenges, and a unified plan to balance the 2004-05 budget. Vice Chancellor of Business Services Mike Brandy reviewed the governor's proposed budget. He presented information on capital outlay, including desktop technology; network technology; new building furniture, equipment, and network infrastructure; phone switch; replacement of the "enterprise" system which handles student, financial and human resources information; and roadway and major maintenance. He noted that instructional equipment funding is a major issue.

Director of Purchasing and Material Services Carmen Redmond presented an overview on purchasing and the bid process. She explained that professional services are generally exempt from a competitive, formal bid process, so such contracts should be discussed in terms of multiple, competitive quotes. Past practice is based on the Board's philosophy that staff should solicit at least three competitive quotes for purchases over \$5,000 when circumstances do not require a formal bid. President Fong and Trustee Plotkin said that the District needs to do a better job of outreach to local vendors by soliciting informal quotes through ads, web postings, etc. Trustee Leiderman stated her preference for staff to try as often as possible to obtain the Board's approval for contracts before they are signed rather than present contracts for ratification. Trustee Plotkin requested that, for future bid items submitted to the Board, information be included regarding piggyback contracts noting whether the other agency had a less stringent requirement than the District. The Board also asked that, for future contract and agreement items submitted for action, more information be included describing the process that was followed.

Item VI

BOARD INTERESTS AND NEXT STEPS

The trustees were each asked for their comments and interests. President Fong requested a discussion of Board subcommittees at the next retreat with an emphasis on community involvement. Trustee Leiderman said that there is a good reason for some policies directly relating to the Board that do not need to go through the governance process. She proposed a Board Policy subcommittee, whose meetings anyone who was interested in a particular issue could attend and provide input. She said that language in Chancellor Kanter's memo on steps for proposing and/or revising Board policies and administrative procedures was too broad, and Trustee Plotkin agreed; Chancellor Kanter offered to research the process at other agencies. Trustee Plotkin mentioned his interest in a public domain policy. He presented an idea to solicit expertise here in Silicon Valley for an external technology advisory committee that includes community experts. In general, he would like to see more outside input. Trustee Bechtel would like to work on ways to increase Foundation revenues. She also is interested in long-term restructuring of community college funding and a relaxation of state regulations to increase local control.

ADJOURNMENT

President Fong adjourned the meeting at 3:31 p.m.

jco

Approved: 2/2/04

Martha J. Kanter, Chancellor
Secretary, Board of Trustees