



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

March 1, 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 Santa Cruz Room of the Hinson Campus Center at De Anza College, 21250 Stevens Creek Blvd., Cupertino, CA 95014.

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 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

At 6:00 p.m. the Board recessed for a reception honoring faculty tenure candidates.

RE-CONVENE PUBLIC SESSION

President Fong re-convened the public session at 7:10 p.m. in Conference Room B of the Hinson Campus Center. 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>	Jose Arenas Anne Argyriou Mike Brandy Kathleen Burson Susanne Carson Lena Chang Wayne Chenoweth Juanita Cordero Mayra Cruz Lesley Dauer Dolores Davison Cathleen Denver Jane Enright Karen Erickson Christina Espinosa-Pieb Purba Fernandez Diana Fleming Bernadine Chuck Fong Michele Fritz Mark Fu Robert Griffin Rich Hansen Jeanine Hawk Mary Hawkins Mia Hoglund-Kettman	Ken Horowitz MaryAnne Ifft Barbara Illowsky Ernest Johnson Martha Kanter Marsha Kelly Anu Khanna Paul Klingman Marc Knobel Christopher Kwak Phuong Lam Cynthia Lee Allison Lenkeit-Meezan Anne Leskinen Ron Levine Tom Liner Carmen Lizardi-Folley Vladimir Logvinenko Judy Miner Dan Mitchell Mike Mitchell Jennifer Myhre Jon O’Bergh Paul Olejniczak Jay Patyk	Penny Patz Willie Pritchard Christian Purvis-Aldrich Carmen Redmond Patricia Rios-Gibson Javier Rueda Julie Sartwell John Schulze Timothy Shively Bernata Slater Daphne Small Marisa Spatafore Chris Storer Paul Starer Mary Amelia Tipton Shawn Townes Rebecca Urrutia-Lopez Lauren Popell Velasco Claudette Weber Kenneth Weisner Shireen Luna Woo Tilly Liu Wu Susan Yoes
<i>Press:</i>	Clyde Noel, Los Altos <i>Town Crier</i>		
<i>Students:</i>	Kevin Andrea	Christopher Custer	Stacy Vinyard, <i>La Voz</i>
<i>Public:</i>	Stephen Pond	Terry Terman	

REPORTING OUT FROM CLOSED SESSION

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

Item 1

FACULTY RE-EMPLOYMENT AS TENURED FACULTY MEMBER FOR 2004-05 AND SUBSEQUENT YEARS

President Fong, Chancellor Martha Kanter, Foothill President Bernadine Chuck Fong and De Anza Interim President Judy Miner presented certificates of tenure to the attending tenure candidates.

M/S/C:	Leiderman/Plotkin
Advisory vote:	2 yes
Board vote:	unanimous
Action:	Approved faculty re-employment as tenured faculty members for 2004-05 and subsequent years for the following:

Foothill College:

José Arenas, Lesley Dauer, Dolores Davison (Peterson), Cathleen Denver, Karen Erickson, Mary Hawkins, Marc Knobel, Phuong Lam, Bonny Le Pape, K. Allison Lenkeit-Meezan, Tom Liner, Jay Patyk, David Sauter, Loretta Silverman, Daphne Small, Shawn Townes, Rebecca Urrutia-Lopez, Lauren Velasco, and Tilly Liu Wu

De Anza College:

Anne Argyriou, Susanne Carson, Lena Chang, Wayne Chenoweth, Juanita Cordero, Mayra Cruz, Purba Fernandez, Diana Fleming, Michele Fritz, Mark Fu, Lydia Hearn, Mia Hogle-Kettmann, Catherine Hrycyk, MaryAnne Ifft, Ernest Johnson, Cindi Kessler, Anu Khanna, Paul Klingman, Christopher Kwak, Cynthia Lee, Carmen Lizardi-Folley, Vladimir Logvinenko, Mike Mitchell, Jennifer Myhre, Paul Olejniczak, Christian Purvis-Aldrich, Patricia Rios-Gibson, Julie Sartwell, Timothy Shively, Mary Amelia Tipton, Kenneth Weisner, Shireen Luna Woo, and Susan Yoes

At 7:37 p.m., President Fong announced a brief recess so any members of the audience who wished to leave could do so. At 7:47 p.m., President Fong reconvened the public session.

APPROVAL OF MINUTES

Trustee Leiderman noted a correction in the “Hearings” section, and the minutes of the February 17, 2004 meeting were then approved as corrected.

CORRESPONDENCE

President Fong asked if there was any correspondence which should be brought to the Board’s attention. Trustee Leiderman noted that she had begun to receive campaign literature for the California Community College Trustees election.

HEARINGS: ITEMS NOT ON THE AGENDA

Trustees

Trustee Plotkin reported that he attended the Foothill Gospel concert. Trustee Bechtel pointed out an article in the Palo Alto *Daily News* on the De Anza Planetarium. Trustee Hay reported that he and Chancellor Martha Kanter participated in Cupertino’s Lunar New Year Parade. Student Trustee Wiehe commended the Foothill women’s and men’s basketball teams for their success. Trustee Leiderman reported that she attended a session on the education crisis sponsored by the American Association of University Women, and also attended the Santa Clara County Human Relations Awards dinner. President Fong reported that he and Chancellor Martha Kanter spoke on behalf of community colleges at a rally for Propositions 57 and 58 sponsored by Senator John Vasconcellos.

Staff

Chancellor Martha Kanter elaborated on the rally for Propositions 57 and 58. She also distributed information regarding UC dual admissions and how access would be affected. She announced that the policy on Plus/Minus Grading would be brought back to the Board on April 19. She also

commended Elizabeth Barkley, Don Nickel and Robert Griffin, who made presentations this week at the Innovations Conference sponsored by the League for Innovation in the Community College and co-hosted by Foothill-De Anza.

Foothill President Bernadine Chuck Fong distributed the program for the Black Caucus Conference that was sponsored by Foothill. She congratulated Student Trustee Wiehe and Foothill student Wai Nga Wu for being selected for the 2004 Phi Theta Kappa All-California Teams 1 and 2. She also announced that Director of Marketing and Communications Kurt Hueg was nominated for the ACCCA Volunteer of the Year award. De Anza Interim President Judy Miner thanked the trustees who attended the Lunar New Year lunch, and announced that De Anza student Gammon Williams Tsui was selected for the 2004 Phi Theta Kappa All-California Team 3.

Part-time faculty member Chris Storer proposed a resolution on part-time faculty categorical funds. Faculty Association President Rich Hansen also spoke on behalf of the resolution. Foothill instructor Ken Horowitz thanked Trustee Plotkin for his encouragement and spoke about the Brown Act. Foothill Academic Senate President Paul Starer reported that he attended the Statewide Academic Senate Curriculum Colloquium and was pleased to report that the Board of Governors will not be asked to roll back math and English standards.

Students / Public

Kevin Andrea, President of De Anza's Phi Theta Kappa chapter, spoke in support of De Anza's math standards and the resources that the college provides to help students succeed.

APPROVAL OF CONSENT CALENDAR

At the request of Trustee Plotkin, Item 7 was removed from the Consent Calendar.

M/S/C: Plotkin/Wiehe
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified Items 2-6 and Item 8 of the Consent Calendar as follows:

Item 2 — **Ratified** CONTRACTS AND AGREEMENT

Item 3 — **Acknowledged as Information** LISTING OF DISTRICT INVESTMENTS AS OF DECEMBER 31, 2003

Item 4 — **Approved** AGREEMENT WITH COUNTY OF SANTA CLARA FOR DISPATCHING SERVICES

Item 5 — **Approved** RESOLUTION AUTHORIZING CONTRACT #FIMS-3671 FOR CHILD DEVELOPMENT INSTRUCTIONAL MATERIALS

Item 6 — **Approved** SHORT COURSES FOR SPRING/SUMMER 2004

Item 8 — **Approved** HUMAN RESOURCES REPORT

Item 7

PERSONNEL ACTIONS

Foothill instructor Ken Horowitz raised a question concerning compensation of Penny Patz for temporary duties. Trustee Plotkin said he would like to see administration address the perception that leads Dr. Horowitz to question the fairness of such actions. Responding to a question from Trustee Hay, Foothill President Bernadine Chuck Fong confirmed that the division dean position has not been filled, and faculty and staff felt the duties were critical. Vice Chancellor of Human Resources and Equal Opportunity Jane Enright clarified that assignment of additional duties is covered by the Administrators Handbook, whatever the level of duties in relation to the job.

M/S/C: Plotkin/Wiehe
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved personnel actions as follows:

Name: **Paul Calgher**
Position: Instructor
College: De Anza
Division: Physical Science, Math, and Engineering
Action: **Reduction in Contract to 80%**
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: **Penelope Patz**
Position: Vice President, Technology & Instruction
College: Foothill
Division: Technology & Instruction
Action: **Temporary assignment of additional duties**
Effective Date: September 1, 2003 – June 30, 2004
Compensation: 5% Adjustment
Comments: In accordance with Administrators Handbook, Chapter III

Name: **Rudy Torres**
Position: Instructor
College: Foothill College
Division: Business and Social Sciences
Action: **Retirement**
Effective Date: March 16, 2004

Item 9

PURCHASE OF CHAIRS AND OFFICE FURNITURE FROM KRUEGER INTERNATIONAL

Responding to several questions, Director of Purchasing and Material Services Carmen Redmond confirmed that the items would replace furniture in both classrooms and offices, and the District cannot use Measure E funds for the expenditure.

M/S/C: Hay/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the Director of Purchasing Services to issue a Purchase Order in the amount of \$61,600.92 plus any applicable sales tax to Krueger International in accordance with the prices, terms, and conditions of FCCC Contract #CA0918B and quote SXG03-000128 dated 2/10/04

Item 10

2ND QUARTER REPORT

Vice Chancellor of Business Services Mike Brandy presented the 2nd Quarter Report. The high cost of textbooks and how that is contributing to produce a deficit for the Bookstores operation were discussed. Trustee Leiderman asked about exploring the creation of a consortium of local college bookstores to reduce operating costs.

Item 11

RESOLUTIONS TO ADOPT BUDGET REVISIONS AND TRANSFERS

M/S/C: Plotkin/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Resolution #2004-03 “Budget Transfers” and Resolution #2004-04 “Budget Revisions”

Item 12

MEASURE E CONSENT CALENDAR

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

- A.** *Title:* Addendum #F-42
Vendor: Cleary Consultants, Inc.
Agreement Date: July 18, 2000
Campus: Foothill College
Project No.: 115
Project Name: Physical Education Renovations
Amount: \$2,100
For: Soil engineering observation and testing
Action: Ratification
- B.** *Title:* Addendum #F-05
Vendor: Signet Testing Labs, Inc.
Agreement Date: December 3, 2001
Campus: Foothill College
Project No.: 115
Project Name: Physical Education Renovations
Amount: \$12,597
For: Special inspection services and documentation
Action: Ratification
- C.** *Title:* Revision #2 to Purchase Order #M351668
Vendor: Perkins & Will Architects
Agreement Date: November 6, 2000
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex – Chiller Consolidation Plant
Amount: \$4,595
For: Architectural and engineering services for expanded Central Plant building to accommodate addition of water storage tanks.
Action: Ratification

Item 13

REJECTION OF ALL BIDS FOR BID 937-120, STADIUM RENOVATIONS, Foothill College

- M/S/C:** Plotkin/Hay
Advisory vote: 2 yes
Board vote: unanimous
Action: Rejected all bids for Bid 937-120, Stadium Renovations, Foothill College, and rejected the bid protest submitted by O.C. Jones & Sons, Inc.

Item 14

AUTHORIZATION TO AWARD CONTRACT PURSUANT TO BID 938-115B, BLEACHER PROJECT, Foothill College

M/S/C: Hay/Wiehe
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to award a contract for the Base Bid and Additive Alternate #1 in the amount of \$219,339 to the lowest Responsive bidder, Irwin Telescopic Seating Company

Item 15

APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH TBP/ARCHITECTURE FOR PREPARATION OF THE FIRST STAGE OF A DISTRICTWIDE FACILITIES MASTER PLAN TITLED *DISTRICT PLANNING GUIDELINES*

Trustee Plotkin was assured by Executive Director of Facilities, Operations and Construction Management John Schulze that the Board would see the report produced by the architects as part of this agreement.

M/S/C: Plotkin/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved agreement with tBP/Architecture in the amount of \$27,000 for the preparation of the first stage of a Districtwide facilities master plan titled *District Planning Guidelines*

Item 16

AMENDMENT #1 TO INDEPENDENT CONTRACTOR AGREEMENT WITH DAVE R. CALLAHAN INSPECTIONS COMPANY

M/S/C: Hay/Wiehe
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Amendment #1 to independent contractor agreement with Dave R. Callahan Inspections Company in an amount not to exceed \$52,500

Item 17

APPROVAL OF PROJECT ASSIGNMENT AMENDMENT #28 TO AGREEMENT WITH PERKINS & WILL, DISTRICT PROJECT #401

Trustee Plotkin inquired how the disposition of the Griffin House relates to this project. Executive Director of Facilities, Operations and Construction Management John Schulze responded that early programmatic work can proceed until the Environmental Impact Report is completed that does not depend on whether or not the Griffin House is utilized for space. He also noted that the cost of postponing action would result in higher costs. Trustee Leiderman requested that the Board be included as a user group to provide input on the design of the new Board Room.

M/S/C: Leiderman/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Project Assignment Amendment #28 to agreement with Perkins & Will in the amount of \$690,750 for District Project #401

Item 18

FACULTY RE-EMPLOYMENT FOR THE 2004-05 ACADEMIC YEAR

M/S/C: Bechtel/Plotkin
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved faculty re-employment for the 2004-05 academic year for the following:

De Anza College:

David Capitolo, Mae Lee, and Marrietta Reber

Item 19

FACULTY RE-EMPLOYMENT FOR THE 2004-05 AND 2005-06 ACADEMIC YEARS

Vice Chancellor of Human Resources and Equal Opportunity Jane Enright removed De Anza College faculty member Anna Werner from the list of names, explaining that a technical issue needs to be resolved.

M/S/C: Hay/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved faculty re-employment for the 2004-05 and 2005-06 academic years for the following:

Foothill College:

Kathleen Armstrong, Jamie Doll, Brian Evans, Mary Green, Carolyn Holcroft, Ken Mellquist, William Murphy, Leonis Osterdock, Shanan Rosenberg, Lisa Schultheis, and Kimberly Seals

De Anza College:

Doli Bambhania, Randy Bryant, Christine Chai, Carol Cini, Karen Chow, Thomas Dolen, Michele DuBarry, Speranta Georgiou, Maurice Geraghty, Marshall Hattori, Scott Hertler, Howard Irvin, Vicki Jennings, Charles Lee, Maria Marin, Bill Nagel, Jill Quigley, Becky Roberts, Jefferson Shirley, and Kristin Sullivan

Item 20

EXTENSION OF THIRD CONTRACT (FOURTH YEAR) FOR PROBATIONARY FACULTY MEMBER ADELE CRUZ

M/S/C: Bechtel/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved extension of third contract (fourth year) for probationary faculty member Adele Cruz

DATES TO REMEMBER

March 8, 2004 — Regular Meeting
March 15, 2004 — Audit & Finance Committee Meeting
March 15, 2004 — Regular Meeting

ADJOURNMENT

President Fong adjourned the meeting at 9:25 p.m.

jco
Approved: 3/15/04

Martha J. Kanter, Chancellor
Secretary, Board of Trustees