



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

May 16, 2005

CALL TO ORDER AND ROLL CALL

President Sandy Hay declared a quorum was present and called the meeting to order at 5:30 p.m. in Appreciation Hall at Foothill College, 12345 El Monte Road, Los Altos Hills, CA 94022.

Trustees Present:

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

for Public Session

Melanie Dunn, De Anza College Student Trustee
Rodolfo Vazquez, Foothill College Student Trustee

CLOSED SESSION

The Board immediately adjourned into closed session in Room 1405 with the individuals listed below to discuss:

CONFERENCE WITH LABOR NEGOTIATOR

District Negotiator: Jane Enright
Employee Organizations: SEIU

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
Brian Murphy, President of De Anza College

RE-CONVENE PUBLIC SESSION

President Hay re-convened the public session at 6:10 p.m. in Appreciation Hall. 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>	Bob Barr	Pat Hassel	Jon O’Bergh
	Shirley Barker	Jeanine Hawk	Bill Patterson
	Margaret Bdzil	Ken Horowitz	Penny Patz
	Mike Brandy	Kurt Hueg	Willie Pritchard
	Claudette Brero-Gow	Warren Hurd	Carmen Redmond
	Elaine Burns	Rob Johnstone	John Schulze
	Jane Enright	Martha Kanter	Stephanie Sherman
	Bernadine Chuck Fong	Marsha Kelly	Bernata Slater
	Marie Fox Ellison	Judy Miner	Marisa Spatafore
	Robert Griffin	Dan Mitchell	Paul Starer
	Rich Hansen	Brian Murphy	Kathleen Turner
	Alan Harvey	Frank Nunez	Debbie Wagner

Press: None

Students Maryam Noor

:

Public: Laura Casas Frier
Robert C. Smithwick
Terry Terman

REPORTING OUT FROM CLOSED SESSION

President Hay reported that the Board took action in closed session to terminate the employment of a De Anza College faculty member effective May 10, 2005.

ACKNOWLEDGEMENTS

President Hay presented a plaque to Trustee Paul Fong in appreciation for his service as President of the Board in 2004. President Hay then presented Student Trustees Melanie Dunn and Rodolfo Vazquez with their name blocks inscribed with a statement acknowledging their outstanding service on the Board during 2004-05.

Item 1

FOOTHILL STATE OF THE COLLEGE — INCLUDING ACCREDITATION SELF-STUDY REPORT

Foothill President Bernadine Chuck Fong presented the State of the College Report, highlighting the college’s accomplishments, the strategies for addressing budget reductions during the past several years, the initiation this year of the student tracking system, and research findings regarding basic skills. Trustee Plotkin asked about the enrollment decline in CTIS courses in light of thriving enrollment at technical schools. Foothill President Fong explained a number of strategies the college is exploring to improve the division’s enrollment. She also described impending changes to the college’s administrative structure in response to a question from Trustee Bechtel. She confirmed for Trustee Fong that the college will eventually be able to track learning outcomes in every course. Trustee Leiderman expressed concern about the low course completion rate for African-American students. Foothill President Fong responded that the college is expanding principles from successful programs such as Pass the Torch to the concept of learning communities, and more emphasis will be given to the assignment of full-time faculty to teach basic skills. President Hay asked about evaluating differences in quality of instruction for different sections of the same course. Foothill

Vice President of Institutional Research and Instruction Bill Patterson responded that the college was looking into the issue.

Following a very brief recess, College Researcher Rob Johnstone reviewed the structure for the Self Study for Re-Accreditation, which will be based on WASC's new "themes" approach. The first draft will be available after May 24. Trustee Plotkin asked about findings from the previous accreditation visit, and Foothill President Fong confirmed that they will be addressed in the Self-Study.

There was a brief recess, then President Hay resumed the meeting.

APPROVAL OF MINUTES

M/S/C:	Bechtel/Vazquez
Advisory vote:	2 yes
Board vote:	unanimous
Action:	Approved the minutes of the May 2, 2005 meeting

CORRESPONDENCE

President Hay asked if there was any correspondence which should be brought to the Board's attention. There was none.

HEARINGS: ITEMS NOT ON THE AGENDA

Trustees

Trustee Plotkin reported that he attended the opening event for De Anza's Asian Pacific American Heritage Month. Student Trustee Vazquez thanked the Board and a number of other individuals for their contributions to his learning experience during his year as a student trustee. Trustee Fong congratulated both Student Trustee Dunn and Student Trustee Vazquez for their successful year on the Board. He also reported that he gave a presentation on Foothill-De Anza to the American Leadership Forum's Senior Fellows Class XVII, of which he is a member, and thanked District Communications Coordinator Marisa Spatafore for her assistance in preparing the presentation.

Trustee Bechtel commended De Anza and Foothill staff for their work on a variety of events, including the De Anza Spring Fling and Foothill's reception for donors to the Krause Center for Innovation. President Hay announced that this year's Trustee Scholarships will be awarded to De Anza student Filip Nowak and Foothill student Bao Truong.

Staff

Chancellor Martha Kanter distributed a State Budget Update regarding the Governor's May Revise, noting that the governor's budget is a step in the right direction but still falls far short of adequately funding community colleges. As an example, she pointed out his proposal to fund \$5,000 per student to address the state's critical need to train nurses, when it actually costs \$15,000 per student. She noted that the Board's summer study sessions on July 11 and August 1 will be held at the Taaffe House in Los Altos Hills. She also proposed that the Board consider canceling the July 18 meeting since there will have been a study session the week prior. Lastly, she informed the Board that two seats were available at the District's table for the Asian Americans for Community Involvement Annual Banquet on June 17.

Foothill President Bernadine Chuck Fong distributed information regarding the Celebrity Forum speaker series. She announced that the musical “Brigadoon” would be the Summer Gala fund-raiser. Lastly, she invited the Board to the June 1 celebration to honor retirees, newly tenured faculty, and the accomplishments of faculty and staff. De Anza President Brian Murphy noted an event for the Automotive Technology department and events in celebration of Asian American Heritage Month. He introduced Dean of Biology and Health Sciences Stephanie Sherman, who introduced faculty and staff members Margaret Bdzil, Pat Hassel and Debbie Wagner, representing the Medical Laboratory Technician program which was on the agenda for approval. Lastly, President Murphy announced a May 19 event at the California History Center to support Latinas and community activism.

Chancellor Kanter distributed two articles by Vice Chancellor of Technology Willie Pritchard and Executive Director of Institutional Research Bob Barr, and announced that researchers Rob Johnstone and Lourdes Del Rio Parent were given awards by the Research and Planning Group of the California Community Colleges. Foothill instructor Ken Horowitz shared with the Board a resolution regarding health that was passed by the County Board of Supervisors and commented on the layoffs which the Board approved at the last meeting.

Students / Public

Two DASB Senators expressed their appreciation to Student Trustee Dunn for her guidance and help, describing how she embodied the true spirit of what it means to be a student trustee.

APPROVAL OF CONSENT CALENDAR

M/S/C: Fong/Dunn
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified Items 2-14 of the Consent Calendar as follows:

Item 2 — **Ratified** CONTRACTS AND AGREEMENTS

Item 3 — **Approved** FOOTHILL PERFORMING ARTS ALLIANCE CONTRACTS

Item 4 — **Approved** NASA AMES INTERNSHIP AND TRAINING PROGRAM PROPOSAL

Item 5 — **Approved** CONTRACT RENEWAL WITH PPL FOR SERVICES OF RICHARD HENNING

Item 6 — **Approved** CONTRACT RENEWAL WITH PPL FOR SERVICES OF GAY KRAUSE

Item 7 — **Rejected** ALL BIDS FOR BID #996-205 – “L” QUAD BUILDINGS, SEATING REPLACEMENT, DE ANZA COLLEGE

Item 8 — **Approved** SALE OF SURPLUS DISTRICT PROPERTY
Authorized the sale of nineteen old pottery wheels to Foothill College and De Anza College students, as well as the donation, recycling, or disposal of pottery wheels for which no purchase offers are received

Item 9 — **Approved** BID #988 – AWARD OF THREE-YEAR CONTRACT FOR PRINTING DE ANZA COLLEGE SCHEDULE OF CLASSES

- 1) Rejected the Wesco Graphics and O’Neil Data Systems bids as non-responsive, and
- 2) Authorized the Director of Purchasing Services to award a three-year contract to Delta Web Printing pursuant to Bid #988

Item 10 — **Denied** CLAIM AGAINST THE DISTRICT BY WALLY AUSTIN

Item 11 — **Denied** CLAIM AGAINST THE DISTRICT BY ROSS GERRY

Item 12 — **Approved** PERSONNEL ACTIONS:

Name: **Shirley Barker**
Position: Dean
College: Foothill
Division: Biological and Health Sciences
Action: **Employment** # of months: 12
Effective Date: July 1, 2005
Compensation: Level J, Step 5 @ \$9,559.41 per month

Name: **Deborah Budd**
Position: Vice President
College: Foothill
Division: Educational Resources and Instruction
Action: **Employment** # of months: 12
Effective Date: July 25, 2005
Compensation: Level M, Step 3 @ \$9,789.98 per month

Name: **Gaier L. Dietrich**
Position: Instructor, High Tech Center Training Unit
College: De Anza
Division: Special Education and Applied Technologies
Action: **Employment** # of months: 11
Effective Date: July 1, 2005 – June 30, 2006
Compensation: Column II, Step M @ \$7,664.41 per month
Comments: In accordance with Education Code Section 87470

Name: **Barbara Eryisian**
Position: Instructor
College: De Anza
Division: Physical Science, Mathematics and Engineering
Action: **Extension of Unpaid Leave of Absence**
Effective Date: September 22, 2005 – June 30, 2006

Name: **Jordana Finnegan**
Position: Instructor
College: Foothill
Division: Language Arts
Action: **Employment** # of months: 10
Effective Date: September 22, 2005
Compensation: Column V, Step B @ \$5,779.17 per month

Name: **Valerie Fong**
Position: Instructor
College: Foothill
Division: Language Arts
Action: **Employment** # of months: 10
Effective Date: September 22, 2005
Compensation: Column II, Step B @ \$5,048.07 per month

Name: **Kenneth Harper**
Position: Instructor
College: De Anza
Division: Business/Computer Science
Action: **Unpaid Leave of Absence**
Effective Date: September 22, 2005 – June 30, 2006
Comments: In accordance with Article 16.23.1 of the *Agreement* between the District and the Faculty Association

Name: **Susana Huerta**
Position: Instructor
College: Foothill
Division: Language Arts
Action: **Employment** # of months: 10
Effective Date: September 22, 2005
Compensation: Column II, Step D @ \$5,530.45 per month

Name: **Robert Johnstone**
Position: Vice President
College: Foothill
Division: Instruction and Institutional Research
Action: **Employment** # of months: 12
Effective Date: August 1, 2005
Compensation: Level M, Step 1 @ \$8,990.64 per month

Name: **Sean J. Keegan**
Position: Instructor, High Tech Center Training Unit
College: De Anza
Division: Special Education and Applied Technologies
Action: **Employment** # of months: 12
Effective Date: July 1, 2005 – June 30, 2006
Compensation: Column II, Step F @ \$6,016.61 per month
Comments: In accordance with Education Code Section 87470

Name: **Andrew Lee**
Position: Counselor/Instructor
College: Foothill
Division: Middlefield Campus
Action: **Employment** # of months: 11
Effective Date: August 1, 2005
Compensation: Column III, Step A @ \$5,048.07 per month
Comments: Corrects Board action of April 18, 2005

Name: **Roxanne Baxter Mendrin**
Position: Librarian
College: Foothill
Division: Library, Technology and Instruction
Action: **Retirement**
Effective Date: June 24, 2005

Name: **Cara Miyasaki**
Position: Instructor
College: Foothill
Division: Biological and Health Sciences
Action: **Reduction in Contract to 95%**
Effective Date: September 22, 2005 – June 30, 2006

Name: **Peter Murray**
Position: Dean
College: Foothill
Division: Physical Science, Mathematics and Engineering
Action: **Employment** # of months: 12
Effective Date: July 1, 2005
Compensation: Level J, Step 1 @ \$7,961.89 per month

Name: **Samuel Y. Ogami**
Position: Instructor, High Tech Center Training Unit
College: De Anza
Division: Special Education and Applied Technologies
Action: **Employment** # of months: 11
Effective Date: July 1, 2005 – June 30, 2006
Compensation: Column I, Step D @ \$5,283.59 per month
Comments: In accordance with Education Code Section 87470

Name: **Valerie K. Sermon**
Position: Program Director
College: Foothill
Division: NASA/Ames Internship and Training Programs
Action: **Resignation**
Effective Date: June 30, 2005

Name: **Mona Voss**
Position: Director, Environmental Health and Safety
College: Central Services
Division: Business Services
Action: **Employment** # of months: 12
Effective Date: May 31, 2005
Compensation: Level H, Step 2 @ \$6,821.98 per month

Item 13 — **Approved** HUMAN RESOURCES REPORT

Item 14 — **Approved** ACCEPTANCE OF TRAINING/RETRAINING STIPENDS

Item 15

LAYOFF FOR LACK OF FUNDS

M/S/C: Plotkin/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the extension of the De Anza Testing Proctor position for an additional period from June 30, 2005 to August 31, 2005 and authorized the District to provide Dorie Anderson with the appropriate notice of layoff

Item 16

MEDICAL LABORATORY TECHNICIAN DEGREE AND CERTIFICATE PROGRAM, DE ANZA

In response to a question from Trustee Bechtel and Student Trustee Dunn, De Anza Dean of Biology and Health Sciences Stephanie Sherman explained that the program can accommodate 18 students, which is the number that has enrolled.

M/S/C: Bechtel/Leiderman
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved the Medical Laboratory Technician Degree and Certificate Program at De Anza

Item 17

2004-05 THIRD QUARTER REPORT

Vice Chancellor of Business Services Mike Brandy acknowledged Director of Budget Operations Bernata Slater for her work in preparing the Third Quarter Report. He reviewed the report, noting no net change in the amount budgeted for revenue. He pointed out two significant transfers that were budgeted but would be brought back to the Board for action: one \$500,000 transfer to offset increases in health benefits for 2005-06, and another \$500,000 transfer for the unfunded retiree medical benefits liability. Responding to a question from Trustee Plotkin, he explained that the unfunded liability transfer is not obligatory at this point, but would be prudent. He went on to explain that the ability to reclaim the funds for other purposes after the transfer depends on whether the funds are transferred to a trust fund — in which case they could not be moved — or to a special District account set up to allow such flexibility.

Vice Chancellor Brandy noted that the ending balance is projected to be about \$730,000, slightly above the 5% reserves level if budget assumptions are accurate. Trustee Plotkin asked about Foothill's \$1.3 million carryover, and Foothill President Bernadine Chuck Fong explained how this was achieved by Foothill faculty and staff working together in a spirit of collaboration to avoid layoffs. Vice Chancellor Brandy discussed the enterprise funds, noting that De Anza would be bringing forward a plan to restructure the campus center use fee and the way in which bookstore revenues support campus center operations. He also noted that the Child Development Center was now able to balance revenues and expenses thanks to the restructuring of its operation.

Vice Chancellor Brandy reviewed the Governor's May Revise, which he estimated will result in an additional \$2.5 million for the District for 2005-06. He is still gathering information on anticipated expenses, however, and is not yet sure what the net result will be. He will report further at the next meeting.

Item 18

RESOLUTIONS TO ADOPT BUDGET REVISIONS AND TRANSFERS

Vice Chancellor of Business Services Mike Brandy explained that the two significant transfers he mentioned during the Third Quarter Report were not part of the transfers being submitted for approval at this time and would be brought to the Board for action as separate items.

M/S/C: Bechtel/Plotkin
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Resolutions #2005-10 (Budget Revisions) and #2005-11 (Transfers)

Item 19

AWARD OF CONTRACT PURSUANT TO BID #995-203 – CABINETS AND FIXTURES FOR DE ANZA BOOKSTORE

M/S/C: Plotkin/Dunn
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to award a contract not to exceed the amount of \$365,063 to the lowest responsible bidder, Bailly Showcase & Fixture Company, Inc.

Item 20

AWARD OF FURNITURE CONTRACT PURSUANT TO BID #983

Director of Purchasing and Material Services Carmen Redmond explained that the lowest bidder, One Workplace, had filed a bid protest letter, but after they reviewed her response to the bid protest, they accepted her determination that their bid was non-responsive. President Hay asked about the Interior Office Solutions bid being over budget, and De Anza Vice President of Finance and College Services Jeanine Hawk responded that less money would be available for technology needs since more money would be spent on furniture.

M/S/C: Plotkin/Bechtel
Advisory vote: 2 yes
Board vote: unanimous
Action: 1) Rejected the One Workplace bid as non-responsive, and
2) Authorized the District Purchasing Director to award a contract and issue purchase orders to Interior Office Solutions for furniture pursuant to Bid #983

Item 21

MEASURE E CONSENT CALENDAR

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

- A.** *Title:* Budget Transfer #38
Campus: De Anza College
Project No.: From #246 to #267
Project Name: From Flood Control Pumps & Storm Drainage to A-Quad Phase II
Amount: 0
For: Transfer in the amount of \$100,000
Action: Approval
- B.** *Title:* Project Assignment Amendment #28, Revision #1
Vendor: Perkins & Will
Agreement Date: October 30, 2000
Campus: District
Project No.: 401
Project Name: District Building
Amount: \$25,000
For: Additional services for the conceptual design work necessary to create a three dimensional rendering and site plan of the proposed new District Building
Action: Ratification
- C.** *Title:* Change Order #13
Vendor: Hensel Phelps Construction
Agreement Date: November 25, 2003
Campus: De Anza College
Project No.: 203
Project Name: Student and Community Services
Amount: \$48,995
For: Exterior civil site work modifications; revise wall covering manufacturer; additional wireless access points; electrical revision to fire alarm system and emergency telephone manufacturer; fire rating interior wall at stair #150; exterior roof revision; telecom ductwork material revisions; stone countertop grommet placement modification
Action: Ratification

- D.** *Title:* Change Order #14
Vendor: Hensel Phelps Construction
Agreement Date: November 25, 2003
Campus: De Anza College
Project No.: 203
Project Name: Student and Community Services
Amount: \$46,924
For: Chiller/cooler tower building modifications; exterior civil site work modifications; electrical infrastructure installation for alarm system in bookstore area; interior architectural modifications
Action: Ratification
- E.** *Title:* Change Order #1
Vendor: Underground Construction Company, Inc.
Agreement Date: February 1, 2005
Campus: De Anza College
Project No.: 274
Project Name: S2/S6 Underground Piping
Amount: \$13,481
For: Additional work to install high point vents and low point drains
Action: Ratification
- F.** *Title:* Addendum #D14
Vendor: Signet Testing Labs, Inc.
Agreement Date: December 3, 2001
Campus: De Anza College
Project No.: 224
Project Name: S-Quad Phase I
Amount: \$6,252
For: Additional special inspection services
Action: Ratification
- G.** *Title:* Addendum #D16
Vendor: Environmental Construction Services
Agreement Date: June 5, 2001
Campus: De Anza College
Project No.: 210
Project Name: Administration Building
Amount: \$5,140
For: Professional consulting services for the management and certification of asbestos and hazardous materials abatement
Action: Ratification

- H.** *Title:* PAA #D15
Vendor: Allana Lippert, Inc.
Agreement Date: August 19, 2003
Campus: De Anza College
Project No.: 224
Project Name: S Quad Phase I
Amount: \$5,970
For: Field investigation and preparation of details and specifications for the remediation of roof leaks at building S4
Action: Ratification
- I.** *Title:* Revision #3 to Purchase Order M351674
Vendor: Cottong & Taniguchi
Agreement Date: April 21, 2005
Campus: De Anza College
Project No.: 234
Project Name: Athletic Fields Renovation
Amount: \$13,125
For: Design the tennis lighting system revision and maintenance gate for tennis court
Action: Ratification
- J.** *Title:* Change Order #12
Vendor: California Plus Engineering, Inc.
Agreement Date: January 5, 2004
Campus: De Anza College
Project No.: 267
Project Name: A-Quad Modernization Phase II
Amount: \$18,856
For: Miscellaneous changes include painting, data lines, electrical, plumbing and carpentry
Action: Ratification

Item 22

AWAWRD OF CONTRACT PURSUANT TO BID #969-171 – CENTRAL PLANT PROJECT, FOOTHILL COLLEGE

Executive Director of Facilities, Operations and Construction Management John Schulze explained that the state does not like to fund central plants, so this portion of the Lower Campus Complex and Campus Center projects was removed rather than jeopardize \$24 million in state capital outlay funds. He emphasized that the District is working with a reliable contractor who can complete the project on time. Student Trustee Dunn asked where funds will come from to cover the bid amount that is over budget, and Mr. Schulze explained that there will be cutbacks for irrigation, change order reductions achieved through the process of value engineering, and transfer of funds from other projects. Faculty Association President Rich Hansen asked about contingency levels now that the District is in the final phase of Measure E projects, and Mr. Schulze responded that levels are being maintained at the recommended 5%.

M/S/C: Bechtel/Hay
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to award a contract not to exceed the amount of \$4,637,000 for the Base Bid to the lowest responsible bidder, S. J. Amoroso Construction Company, Inc.

DATES TO REMEMBER

June 6, 2005 — Regular Meeting
June 20, 2005 — Audit & Finance Committee Meeting
June 20, 2005 — Regular Meeting

ADJOURNMENT

President Hay adjourned the meeting at 8:50 p.m.

jco
Approved: 6/6/05

Martha J. Kanter, Chancellor
Secretary, Board of Trustees