



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

April 3, 2006

CALL TO ORDER AND ROLL CALL

President Betsy Bechtel declared a quorum was present and called the meeting to order at 5:30 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:

Betsy Bechtel, President
Hal Plotkin, Vice President
Paul Fong
Laura Casas Frier
Bruce Swenson

for Public Session

Bridget Howe, Foothill College Student Trustee
Maryam Noor, De Anza College Student Trustee

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: Unrepresented Groups

Executive Administrators Present:

Martha Kanter, Chancellor
Jane Enright, Vice Chancellor of Human Resources and Equal Opportunity

RE-CONVENE PUBLIC SESSION

President Bechtel re-convened the public session at 6:03 p.m. in the District Board Room. She 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>	Caron Blinick Mike Brandy Claudette Brero-Gow Cindy Castillo Bee Chacon Jane Enright Bernadine Chuck Fong Marie Fox	Robert Griffin Rich Hansen Martha Kanter Marsha Kelly Ron Levine Judy Miner Brian Murphy Frank Nunez	Jon O’Bergh Willie Pritchard Carmen Redmond John Schulze Marisa Spatafore Karl Von Ahnen
<i>Press:</i>	None		
<i>Students:</i>	None		
<i>Public:</i>	Mike Curran Craig Ivancovich Terry Terman		

REPORTING OUT FROM CLOSED SESSION

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

APPROVAL OF MINUTES

M/S/C:	Swenson/Howe
Advisory vote:	2 yes
Board vote:	unanimous
Action:	Approved the minutes of the March 6, 2006 and March 13, 2006 meetings

CORRESPONDENCE

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

HEARINGS: ITEMS NOT ON THE AGENDA

Public/Students

There were no members of the public or students who wished to address the Board on items not on the agenda.

Staff

Chancellor Martha Kanter distributed the District Newsletter. She reported that the District sponsored a community forum on March 29 titled “K-12 and the Bridge to Higher Education,” for which Stanford Professor Michael Kirst provided keynote remarks, followed by a panel of school superintendents and the college presidents. De Anza President Brian Murphy distributed a new publication designed for prospective students and their parents. He reported that the Western Association of Schools and Colleges was moving forward in the process to approve the agreement between De Anza and the Pacific Graduate School of Psychology to offer courses for a Psychology Degree program. Lastly, he announced that instructor Christina Lopez-Morgan had been appointed to be a commission member for the National Association for the Education of Young Children Early Childhood Associate Degree Accreditation.

Trustees

Trustee Plotkin reported that he and Chancellor Kanter attended the Hillel awards ceremony at which Foothill Counselor Vivian Cohen was recognized. He also reported that Hillel had invited him to make a presentation on public domain at its conference in Washington, D.C. He provided an update on the Health Benefits Coalition. Trustee Casas Frier reported that she attended a meeting sponsored by Assemblymember Joe Coto and heard county residents provide feedback on the subject of education. She reported that she spoke before De Anza Puento students about support for The DREAM Act, which addresses the issue of immigration. Lastly, she reported that she attended two events sponsored by the Mexican Heritage Plaza. Trustee Fong reported that he attended the first Asian/Pacific Islander leadership summit sponsored by the Democratic National Committee. He announced that he will be making a presentation at the upcoming California Community College Trustees conference.

APPROVAL OF CONSENT CALENDAR

M/S/C: Plotkin/Casas Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved / Ratified Items 1-10 of the Consent Calendar as follows:

Item 1 — **Ratified** CONTRACTS AND AGREEMENTS

Item 2 — **Approved** EXTENSION OF INDEPENDENT CONTRACTOR AGREEMENT WITH CATHERINE AYERS

Item 3 — **Approved** RESOLUTION AUTHORIZING EXTENSION OF LEASE FOR RELOCATABLE BUILDING LOCATED AT DE ANZA COLLEGE

Item 4 — **Approved** AGREEMENT WITH CUPERTINO UNION SCHOOL DISTRICT FOR EXTENDED YEAR SUMMER PROGRAM 2006

Item 5 — **Approved** AGREEMENT WITH STANFORD UNIVERSITY FOR GERIATRIC EDUCATION CENTER

Item 6 — **Approved** FOOTHILL COLLEGE PERFORMING ARTS ALLIANCE CONTRACTS

Item 7 — **Approved** DONATION OF SURPLUS DISTRICT PERSONAL PROPERTY
Authorized the Director of District Purchasing to donate the 12 surplus Imac Computers to the Evergreen School District for use by Norwood Creek Elementary School

Item 8 — **Approved** PERSONNEL ACTIONS:

Name: **Jeffrey Bissell**
Position: Aquatics Coach/PE Instructor
College: Foothill
Division: Physical Education and Human Performance
Action: **Employment**
Effective Date: September 21, 2006 *# of Months:* 10
Compensation: Column II, Step E @ \$6,086.21 per month

Name: **Martha Carlson**
Position: Internship Coordinator
College: Foothill
Division: Internship Program
Action: **Employment/65% position**
Effective Date: April 4, 2006 # of Months: 12
Compensation: Column II, Step I @ \$7,114.21 per month (prorated)
Comments: In accordance with Education Code Section 87470.

Name: **Beatriz Chacon**
Position: Director, Financial Aid & EOPS
College: Foothill
Division: Student Outreach and Retention
Action: **Second One-Year Employment Contract**
Effective Date: April 11, 2006 to April 10, 2007

Name: **Gayle Mayekawa**
Position: Director, Child Development Center
College: De Anza
Division: Finance and College Services
Action: **Resignation**
Effective Date: June 30, 2006

Name: **Sam Ogami**
Position: Instructor, High Tech Center Training Unit
College: De Anza
Division: Special Education and Applied Technologies
Action: **Resignation**
Effective Date: March 31, 2006

Name: **Kristin Samarov**
Position: Instructor/Counselor
College: Foothill
Division: Counseling and Student Services
Action: **Unpaid Leave of Absence**
Effective Date: July 1, 2006 through June 29, 2007
Comments: In accordance with Article 16.28 of the *Agreement* between the District and the Faculty Association

Name: **Bernata Slater**
Position: Director, Budget & Operations
College: Central Services
Division: Business Services
Action: **Employment Contract**
Effective Date: July 1 2006 to June 30, 2008

Name: **Sandra Spencer**
Position: Instructor
College: De Anza
Division: Business and Computer Systems
Action: **Reduction in Contract to 66.7%**
Effective Date: April 10, 2006 through June 30, 2006

Name: **Mona Voss**
Position: Director, Environmental Health & Safety
College: Central Services
Division: Business Services
Action: **Second One-Year Employment Contract**
Effective Date: May 31, 2006 to June 30, 2007

Name: **Trudy J. Walton**
Position: Dean, Student Development and EOPS
College: De Anza
Division: Student Services
Action: **Resignation**
Effective Date: April 30, 2006

Name: **Carol Watson**
Position: Instructor
College: Foothill
Division: Adaptive Learning and Disabled Services
Action: **Reduction in Contract to 70%**
Effective Date: September 21, 2006 for four years
Comments: In accordance with Article 18 of the *Agreement* between the District and the Faculty Association

Name: **Shireen Luna Woo**
Position: Counselor
College: De Anza
Division: Counseling
Action: **Unpaid Leave of Absence of 50%**
Effective Date: July 1, 2006 through June 29, 2007
Comments: In accordance with Article 16.28 of the *Agreement* between the District and the Faculty Association

Item 9 — **Approved HUMAN RESOURCES REPORT**

Item 10 — **Approved PROFESSIONAL DEVELOPMENT LEAVE FOR 2006-07:**
Rebecca Urrutia-Lopez

Item 21

PRESENTATION BY DES ARCHITECTS + ENGINEERS OF SCHEMATIC DESIGN DRAWINGS FOR PERFORMANCE AND LECTURE HALL, DE ANZA COLLEGE

President Bechtel announced that she had received a request to take Item 21 out of order as a courtesy to the presenting architect. Hearing no objections, she advanced Item 21. Executive

Director of Facilities, Operations and Construction Management John Schulze and De Anza President Brian Murphy provided introductory remarks. Craig Ivancovich of DES Architects + Engineers presented schematic design drawings and answered questions.

Trustee Swenson inquired about the relation of the design to existing campus architecture. De Anza President Murphy responded that the intent was to move away from the signature arch and mission style, adding that this decision was made with the consent of the campus community. Trustee Fong applauded this effort to introduce architectural diversity on campus. Responding to a question from Trustee Casas Frier, Mr. Ivancovich clarified that it would be an environmentally friendly “green” building. Responding to a question from Trustee Plotkin, Mr. Ivancovich explained that the design did take into account the need for additional stalls in the women’s restroom. Responding to a question from President Bechtel, Mr. Ivancovich explained that the building height would be comparable to the adjacent Student and Community Services building. President Bechtel stressed the need to include signage in the plans to ensure that the building has exterior signage when it opens. She also asked about the campus review process, and De Anza President Murphy responded that the Facilities Group, Euphrat Users Group and Creative Arts Users Group all participated in providing input.

Item 11

PRESENTATION: HEALTH CARE WORKFORCE CHALLENGES AND OPPORTUNITIES

NOVA Workforce Investment Board Executive Director Mike Curran and Chancellor Martha Kanter presented information regarding the development of the Silicon Valley Center for the Health Professions. Responding to a question from Trustee Plotkin, Chancellor Kanter elucidated on the interest of nursing unions in supporting the Center. Trustee Plotkin suggested considering the Building Trades Council model in which dues help fund apprenticeships. Trustee Casas Frier said she was excited to learn about these efforts at the regional level to address the nursing shortage.

Item 12

PRESENTATION: FINANCIAL AID

De Anza Director of Financial Aid and Scholarships Cindy Castillo and Foothill Director of Financial Aid and EOPS Beatriz Chacon presented information and statistics on the colleges’ financial aid programs. Trustee Swenson asked both directors about their vision for the Financial Aid offices during the next five years. Ms. Castillo expressed her desire to see Financial Aid consolidated into one location close to students and further enhance outreach to lower income students. Ms. Chacon expressed her desire to see the placement of work study students in high schools as a means of enhancing outreach to high school students and the implementation of technology-assisted processing to improve efficiency.

Item 13

BOARD POLICY 9210 – CODE OF ETHICS AND STANDARDS OF PRACTICE

Faculty Association President Rich Hansen raised a number of questions about the policy. President Bechtel pointed out that the policy had already been reviewed by the Chancellor’s Advisory Council and discussed by the Board at the previous meeting. She noted that it had been modeled on similar policies and reviewed by legal counsel, and the Board can review it regularly to consider changes.

M/S/C: Fong/Casas Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Board Policy 9210

Item 14

ANNUAL REVIEW OF BOARD POLICY 9110.1 – NUMBER OF STUDENT TRUSTEES; TERMS OF OFFICE; RIGHTS

President Bechtel asked if anyone wished to comment on the policy or suggest changes. Student Trustee Howe reported that ASFC reviewed the policy last year and endorsed it. President Bechtel said the policy would be presented at the next meeting for re-adoption.

Item 15

CCCT BOARD OF DIRECTORS ELECTION

President Bechtel asked if Trustee Fong wished to provide any input based on his experience on the CCCT Board of Directors. Trustee Fong provided general comments about the list of candidates, pointing out that the incumbents are doing a good job but the challengers are strong as well. President Bechtel asked each of the elected trustees to mark his or her ballot and pass it to the Board secretary so the votes could be tabulated and ten candidates selected. Assistant to the Chancellor Jon O’Bergh tabulated the votes, and Chancellor Kanter reported that eight candidates had received a majority of votes but three others — Brian Conley, Carolyn Batiste and Ted Edmiston — were tied for the two remaining slots. Trustee Fong and Faculty Association President Rich Hansen provided input on the three candidates.

M/S/C: Plotkin/Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Brian Conley and Carolyn Batiste as the two candidates to be submitted on the ballot with the eight others that were selected by a majority vote of the trustees

Item 16

AMEND EFFECTIVE DATE OF LAYOFF DUE TO LACK OF FUNDING IN PROFESSIONAL AND WORKFORCE DEVELOPMENT, DE ANZA COLLEGE

M/S/C: Plotkin/Noor
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved a change in the effective date to eliminate the position of Business Analyst to July 1, 2006, and authorized District representatives to provide the affected employee, Tom Costa, with at least a forty-five (45) day notice of layoff noting the change of effective date to June 30, 2006

Item 17

AWARD OF CONTRACT PURSUANT TO BID #1040 — PLANETARIUM DOME, DE ANZA COLLEGE

Responding to a question from Trustee Swenson, Director of Purchasing and Material Services Carmen Redmond said that the bid analysis was reasonable.

M/S/C: Plotkin/Swenson
Advisory vote: 2 yes
Board vote: unanimous
Action: Rejected the bid submitted by Spitz, Inc. as non-responsive and authorized the District Purchasing Director to award a contract not to exceed the amount of \$130,092 to the lowest responsible and responsive bidder, Astro-Tee Manufacturing, Inc.

Item 18

EXTENSION OF THE LIQUID OFFICE LICENSE TO BECOME A PERPETUAL LICENCE

Vice Chancellor of Technology Willie Pritchard distributed a complete Schedule for Release of On-Line Forms, noting that only a portion of the page had printed out for the backup on this item. Responding to a question from Trustee Swenson about the proposed cost compared to what the District paid for the license a couple of years ago, Vice Chancellor of Technology Willie Pritchard explained that the extension would result in a slight reduction in cost, emphasizing that it would also provide a perpetual license. He also pointed out that this extension would avoid the burden on staff that occurs in becoming familiar with new products.

M/S/C: Howe/Fong
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved extension of the Liquid Office license for the amount of \$152,207, paid over a three-year period

Item 19

BUDGET TRANSFER FOR STATE ALLOCATION OF 2004-05 UNUSED GROWTH DOLLARS

Vice Chancellor of Business Services Mike Brandy presented the proposed transfer. Responding to a question from Trustee Swenson, Vice Chancellor Brandy said he would not recommend using these one-time unused growth dollars to address the ongoing issue of the unfunded retiree benefits liability. He said that he would formulate a recommendation for the Board in May for a better long-term solution to fund that liability. Trustee Swenson expressed interest in developing guidelines for the Board's revenue allocation decisions that are part of an overall plan rather than seeming to be ad hoc. Vice Chancellor Brandy said he could prepare something that identifies possible one-time and ongoing revenue sources and the various funding needs within the District.

Trustee Plotkin said he was sympathetic to the need to restore B budgets but would be more comfortable making the decision after the results of the bond election. Foothill President Bernadine Chuck Fong and De Anza President Brian Murphy pointed out how waiting would diminish the effectiveness of using the funds in positive ways to improve enrollment, retention and growth.

M/S/C: Fong/Casas Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved a budget transfer of \$802,619 as outlined: \$322,645 to Foothill and \$479,974 to De Anza

Item 20

MEASURE E CONSENT CALENDAR

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

- A.** *Title:* PAA #F12, Revision #3
Vendor: Sugimura & Associates
Agreement Date: March 26, 2001
Campus: Foothill College
Project No.: 146
Project Name: Fieldhouse and Restroom
Amount: \$4,200 (Not to Exceed)
For: Professional services to design the infrastructure for a washer and dryer that was not part of the original scope of work in the Fieldhouse
Action: Ratification
- B.** *Title:* Change Order #4
Vendor: ESR Construction
Agreement Date: June 27, 2005
Campus: Foothill College
Project No.: 414
Project Name: Maintenance Buildings Seismic Replacement/Service Shops 1 & 2
Amount: \$23,916
For: Soffits and engineering changes at the Service Shops
Action: Ratification
- C.** *Title:* Change Order #1
Vendor: Trident Builders, Inc.
Agreement Date: February 4, 2005
Campus: Foothill College
Project No.: 133
Project Name: Sciences II
Amount: \$5,388
For: Additional asbestos abatement, carpentry and roofing changes
Action: Ratification

- D.** *Title:* Change Order #3
Vendor: Aztec Consultants
Agreement Date: June 28, 2005
Campus: Foothill College
Project No.: 146
Project Name: Field Locker Rooms & Restrooms Seismic Replacement
Amount: \$991
For: Credit at retaining wall and added work at rain gutters
Action: Ratification
- E.** *Title:* Addendum #F-06
Vendor: Consolidated Engineering Laboratories
Agreement Date: March 10, 2006
Campus: Foothill College
Project No.: 167
Project Name: Stadium Bleacher Accessibility Improvements
Amount: \$2,993 (Not to Exceed)
For: Provide Materials testing and inspection services
Action: Ratification
- F.** *Title:* Addendum #F-36
Vendor: Cleary Consultants, Inc.
Agreement Date: March 14, 2006
Campus: Foothill College
Project No.: 167
Project Name: Stadium Bleacher Accessibility Improvements
Amount: \$4,400 (Not to Exceed)
For: Geotechnical investigation for the modification of bleacher accessibility improvements as described n Cleary Consultants, Inc., proposal letter dated March 14, 2006
Action: Ratification
- G.** *Title:* Change Order #19
Vendor: S.J. Amoroso Construction Company, Inc.
Agreement Date: February 24, 2005
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$45,506
For: Remove (e) onsite fill material at elevation 319.50 and import non-expansive fill material for first floor building 7500; over excavation for required depth to reach Franciscan at building 7400
Action: Ratification

- H.** *Title:* Change Order #18
Vendor: S.J. Amoroso Construction Company, Inc.
Agreement Date: February 24, 2005
Campus: Foothill College
Project No.: 152
Project Name: Lower Campus Complex
Amount: \$17,966
For: Revision and rerouting of HVAC ductwork mains and laterals at first floor building 7100; encased tube steel in concrete to elevation 321.50 at building 7100 foundation; additional couplings for stair #1 reinforcement at grid 3, second floor building 7100
Action: Ratification
- I.** *Title:* Change Order #31
Vendor: S.J. Amoroso Construction Company, Inc.
Agreement Date: July 21, 2004
Campus: De Anza College
Project No.: 220
Project Name: P.E. Quad Renovation
Amount: \$24,756
For: Miscellaneous changes including electrical, site and civil
Action: Ratification
- J.** *Title:* Project Assignment Amendment #D-16
Vendor: Allana Buick & Bers
Agreement Date: May 9, 2001
Campus: De Anza College
Project No.: 213
Project Name: Campus Center
Amount: \$5,010
For: Provide waterproofing construction details and specifications for the building envelope components of the Campus Center atrium
Action: Ratification
- K.** *Title:* Change Order #1
Vendor: Trident Builders, Inc.
Agreement Date: June 17, 2005
Campus: De Anza College
Project No.: 275
Project Name: S-Quad Modernization Phase II
Amount: \$2,651
For: Conduct drywall abatement to expose damaged framing
Action: Ratification

- L.** *Title:* Addendum #D-16
Vendor: Cleary Consultants, Inc.
Agreement Date: July 18, 2000
Campus: De Anza College
Project No.: 275
Project Name: S-Quad Modernization Phase II
Amount: \$4,000
For: Geotechnical inspection testing services
Action: Ratification
- M.** *Title:* Change Order #1
Vendor: Eco Energies Construction Company
Agreement Date: June 16, 2005
Campus: De Anza College
Project No.: 248
Project Name: Photovoltaic System at Kirsch Building
Amount: \$19,945
For: Photovoltaic module roof attachments revised by DSA
Action: Ratification
- N.** *Title:* Revision #10 to PO M048175
Vendor: tBP Architecture
Agreement Date: February 8, 2001
Campus: De Anza College
Project No.: 203
Project Name: Student Community Services
Amount: \$20,000
For: Review substituted sky light system and assist with DSA approval
Action: Ratification
- O.** *Title:* Change Order #3
Vendor: J. Flores Construction Company, Inc.
Agreement Date: June 15, 2005
Campus: De Anza College
Project No.: 273
Project Name: Irrigation Mainline
Amount: (\$98)
For: Stockpile soil on De Anza campus and City of Cupertino Bond Fee
Action: Ratification
- P.** *Title:* Change Order #6
Vendor: West Bay Builders
Agreement Date: January 18, 2005
Campus: Foothill College
Project No.: 153
Project Name: Campus Center
Amount: \$22,839
For: Remove existing concrete encased electrical/telecommunications duct back, and offhaul saturated soils from Building 2000
Action: Ratification

- Q.** *Title:* PAA #F09, Revision #4
Vendor: Sugimura & Associates
Agreement Date: March 26, 2001
Campus: Foothill College
Project No.: 113
Project Name: CTIS Project
Amount: \$480
For: Additional site visit from mechanical engineer to inspect HVAC system at Building 4300
Action: Ratification
- R.** *Title:* Agreement #F07
Vendor: Consolidated Engineering Laboratories
Agreement Date: March 20, 2006
Campus: Foothill College
Project No.: 117
Project Name: Admin Building Modernization
Amount: \$1,962 (Not to Exceed)
For: Provide materials testing and inspection services
Action: Ratification
- S.** *Title:* PAA #F1, Revision #6
Vendor: Sugimura & Associates
Agreement Date: March 26, 2001
Campus: Foothill College
Project No.: 119
Project Name: Fine Arts Phase II
Amount: \$1,295
For: Additional service for preparation of the application for a variance and required CA/OSHA board presentation for Building 1500 chair lift
Action: Ratification

Item 22

PROJECT ASSIGNMENT AMENDMENT (PAA) 7, REVISION 1, TO MASTER AGREEMENT WITH SALAS O'BRIEN ENGINEERS, INC. — PROJECT 276, DE ANZA SCIENCE BUILDING, REMEDIAL WORK

Trustee Plotkin asked how successful the remedial work was expected to be, and Executive Director of Facilities, Operations and Construction Management John Schulze responded.

- M/S/C:** Plotkin/Noor
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved PAA 7, Revision 1, to Master Agreement with Salas O'Brien Engineers, Inc. in the amount of \$82,891

Item 23

AWARD OF CONTRACT PURSUANT TO BID #1032-269 — A9 BUILDING MODERNIZATION, DE ANZA COLLEGE

Director of Construction Program Management Claudette Brero-Gow explained the extent of the renovation in response to a question from President Bechtel, and Director of Purchasing and Material Services Carmen Redmond added that the District is satisfied with work performed by the contractor. It was clarified that the Euphrat Gallery would temporarily move during the renovation.

M/S/C: Plotkin/Casas Frier
Advisory vote: 2 yes
Board vote: unanimous
Action: Authorized the District Purchasing Director to award a contract not to exceed the amount of \$1,151,888 for the Base Bid Amount to the lowest responsible and responsive bidder, John Plane Construction, Inc.

Item 24

BUDGET TRANSFER #FH35

Item 25

BUDGET TRANSFER #DA47

M/S/C: Swenson/Plotkin
Advisory vote: 2 yes
Board vote: unanimous
Action: Approved Budget Transfer #FH35 in the amount of \$186,898 and Budget Transfer #DA47 in the amount of \$177,565

DATES TO REMEMBER

April 10, 2006 — Audit & Finance Committee Meeting
May 1, 2006 — Regular Meeting

ADJOURNMENT

President Bechtel adjourned the meeting in memory of former state Senator Al Alquist at 8:40 p.m.

jco
Approved: 5/1/06

Martha J. Kanter, Chancellor
Secretary, Board of Trustees