



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

# BOARD OF TRUSTEES

MINUTES

REGULAR MEETING

February 21, 2006

## CALL TO ORDER AND ROLL CALL

President Betsy Bechtel declared a quorum was present and called the meeting to order at 6:03 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:**

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

President Bechtel 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	Robert Griffin	Brian Murphy
	Claudette Brero-Gow	Rich Hansen	Jon O’Bergh
	Debbie Budd	Jeanine Hawk	Willie Pritchard
	Dolores Davison	Lydia Hearn	Hector Quinonez
	Cynthia Denman	Ken Horowitz	Carmen Redmond
	Jane Enright	Martha Kanter	Karl Schaffer
	Bernadine Chuck Fong	Clara Lam	John Schulze
	Marie Fox Ellison	Judy Miner	Marisa Spatafore

*Press:* None

*Students:* Anna Callahan

<i>Public:</i>	Chuck Berghoff	David Casnocha	John Sheldon
	Martin Bernstein	Charles Heath	Terry Terman
	Tracy Camp	Dorah Rosen	

## APPROVAL OF MINUTES

<b>M/S/C:</b>	Frier/Plotkin
<b>Advisory vote:</b>	2 yes
<b>Board vote:</b>	unanimous
<b>Action:</b>	Approved the minutes of the February 6, 2006 meeting

## **CORRESPONDENCE**

President Bechtel asked if there was any correspondence which should be brought to the Board's attention. Trustee Frier announced a "Meet Your Elected Officials" event on February 26 sponsored by the League of Women Voters. Trustee Fong mentioned receiving a letter from the State Chancellor's Office thanking him for leading the delegation to meet with Senator Barbara Boxer. President Bechtel noted receiving an invitation from Jewish Family and Services to a March 11 event at which Trustee Plotkin would be honored.

## **PUBLIC HEARING**

### **Changes to the *Agreement with Teamsters, Local 287***

President Bechtel opened the public hearing. No one wished to speak. President Bechtel then closed the public hearing.

## **HEARINGS: ITEMS NOT ON THE AGENDA**

### *Public/Students*

Terry Terman noted the lack of biographical information on the student trustees on the Board's website.

### *Students*

No students wished to address the Board on items not on the agenda.

### *Staff*

De Anza Instructor Karl Schaffer expressed concern over treatment which he characterized as harassment for his views that are not shared by some colleagues in the math department. He gave the Board a more detailed statement and an open letter signed by 30 faculty who also expressed concern about this situation. Visiting instructor and former De Anza faculty member Tracy Camp spoke in support of Dr. Schaffer, and Dorah Rosen read a statement from Instructor Rich Wood in support of Dr. Schaffer. President Bechtel thanked the speakers for their comments and assured them the Board would read Dr. Schaffer's statement with its suggestions for what should be done.

### *Trustees*

Trustee Plotkin announced a February 28 hearing on public domain sponsored by the Assembly Higher Education Committee, to which he and Chancellor Kanter had been invited to discuss the District's activities and plans. Trustee Fong reported on his attendance at the Association of Community College Trustees (ACCT) Legislative Conference in Washington, D.C. President Bechtel noted that she will be sending a letter expressing support on behalf of the Board for Trustee Plotkin to speak on the topic of public domain at the ACCT Annual Conference.

## **APPROVAL OF CONSENT CALENDAR**

Foothill Instructor Ken Horowitz, speaking as a member of the Health Advisory Committee of Santa Clara County, thanked the Board for supporting the establishment of a Santa Clara County Regional Public Employee Health Benefits Coalition.

**M/S/C:** Plotkin/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** RESOLUTION #2006-05 IN SUPPORT OF FORMATION OF THE SANTA CLARA COUNTY REGIONAL PUBLIC EMPLOYEE HEALTH BENEFITS COALITION

**Item 3** — **Approved** CONTRACT WITH PERRY-SMITH LLP FOR INDEPENDENT AUDIT SERVICES BEGINNING IN 2005-06

**Item 4** — **Approved** SALE OF SURPLUS DISTRICT PERSONAL PROPERTY  
Authorized the Director of Purchasing Services to sell to the highest bidder in accordance with Education Code 81450 and, in the event no bids are received, to sell without re-advertising pursuant to Education Code 81452(b)

**Item 5** — **Approved** SALE OF SURPLUS COMPUTER EQUIPMENT  
Made a finding that the property does not exceed \$5,000 in value and authorized the Director of Purchasing Services to sell, recycle, or dispose in accordance with Education Code 81452 (a) and (c)

**Item 6** — **Approved** AWARD OF CONTRACT PURSUANT TO BID #1016 — PARKING AND TRAFFIC CONTROL SERVICES  
Authorized the Director of Purchasing Services to award a three-year contract to Corinthian International Parking

**Item 7** — **Approved** PERSONNEL ACTIONS:

*Name:* **Hazel Joan Friesen**  
*Position:* Learning Disability Specialist  
*College:* De Anza  
*Division:* Special Education  
*Action:* **Increase Contract to 11 Months**  
*Effective Date:* July 1, 2006

*Name:* **Jeanine Hawk**  
*Position:* Vice President  
*College:* De Anza  
*Division:* Finance and College Services  
*Action:* **Extend Employment Contract to June 30, 2006**

*Name:* **Kathryn Plum**  
*Position:* Instructor  
*College:* De Anza  
*Division:* Physical Science, Mathematics and Engineering  
*Action:* **Reduction in Contract to 66.6%**  
*Effective Date:* September 21, 2006

*Name:* **Maryrose E. Sullivan**  
*Position:* Coordinator, Student Health Services  
*College:* De Anza  
*Division:* Student Services  
*Action:* **Employment**  
*Compensation:* Column 2, Step I @ \$6,745.83/month 11 Months  
*Effective Date:* March 7, 2006

**Item 8** — **Approved** HUMAN RESOURCES REPORT

**Item 9** — **Approved** ADMINISTRATIVE TRAINING/RETRAINING STIPENDS FOR 2006-07:  
Shirley Treanor Barker  
Marsha Kelly

**Item 10** — **Approved** CLASSIFIED STAFF DEVELOPMENT LEAVES FOR 2006-07:  
Marcia Bhide  
Esperanza Contreras  
April Henderson  
Mary-Jo Lomax  
Rose Maestas-Hoohuli  
Corinne Nunez  
Linda Robinson

**Item 11**

BOND MEASURE (PROPOSITION 39) FOR JUNE 6, 2006 BALLOT: RESOLUTION #2006-02 ORDERING AN ELECTION AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

Vice Chancellor of Business Services Mike Brandy reviewed the breakdown of proposed projects, saying that approximately 20% of the bond would fund equipment and furniture, approximately 37% would fund maintenance and renovation, approximately 36% would fund major capital projects, and about 1% would fund debt repayment. He emphasized that, if the bond measure passes, the Board would have the ability to decide in the future whether or not to proceed with actual bond issuances. He provided information on assessed valuation for property within the District. The average assessed valuation is \$490,000, so the average parcel would be assessed \$117 annually for the bond based on the tax rate of \$24 per \$100,000. Trustee Plotkin requested information showing what most homeowners would pay compared to the average.

Vice Chancellor Brandy provided information on the percentage increase in assignable square footage represented by the proposed projects, saying it would be 9% at Foothill and 6% at De Anza. He explained that approximately one-third of the facilities at the colleges received no renovation under Measure E.

Martin Bernstein, chair of the Los Altos Historical Society, spoke in support of including funding to renovate the Griffin House. Terry Terman spoke about assessed value and the mix of residential to industrial/commercial property. De Anza Commissioner Chuck Berghoff reported that the Commission had endorsed the proposed bond measure. Foothill Instructor Ken Horowitz expressed support for the bond measure but was concerned about the size of the bond and proposed a lower amount to ensure its chances of passage.

Responding to a question from Trustee Plotkin, Vice Chancellor Brandy confirmed that there is no obligation to work with any particular bond consultant or construction management firm. Responding to a question from Trustee Swenson, he clarified that bond funds cannot be used to fund administrative or faculty salaries related to the regular operational matters of the colleges or District,

but it is customary and permissible to use bond funds for the administrative costs directly related to overseeing bond-related expenditures. Bond consultant David Casnocha provided further elaboration.

President Bechtel inquired about trustee attendance at bond campaign meetings, and Mr. Casnocha explained that the Board can participate without violating the Brown Act as long as Board members do not discuss matters that may come before the Board. Chancellor Martha Kanter pointed out the letter from Mr. Casnocha outlining appropriate and inappropriate behavior related to campaigning for a bond, emphasizing that District funds or resources cannot be used to advocate for its passage. President Bechtel reported that she and Trustee Plotkin attended an initial planning meeting with staff. Responding to a question from Trustee Frier, Mr. Casnocha explained that a Citizens' Oversight Committee must be formed within 60 days of the Board's entering into its minutes the certification of the election results. He further explained that the Committee must be comprised of a minimum of seven specific types of individuals, and its role is to review expenditures of bond monies, inform the public about those expenditures, and provide an annual report to the Board. He said the Committee typically would meet quarterly unless there is no activity related to the bond.

Trustee Swenson pointed out that Sunnyvale should be included in the information on the capital acquisition project. Responding to a question from Trustee Plotkin, Mr. Casnocha clarified that the wording of the bond language will allow the District to purchase future technology that might not exist today, as long as the Technology Strategic Plan is revised in the future to include mention of such emerging technology.

Trustee Fong, who was performing Board business away from the District when the bond was discussed at the previous meeting, noted for the record that he supports the bond proposal. Trustee Frier reiterated her support for the bond and stressed how much it is needed. Student Trustee Howe, having taken classes in the buildings identified for renovation, also emphasized the importance of the bond. President Bechtel commended the staff and consultants for the excellent presentation. She said she was convinced that the bond measure was the right thing to do for the benefit of students and makes sense in terms of long-term planning. The other trustees concurred and reiterated their support.

<b>M/S/C:</b>	Plotkin/Fong
<b>Advisory vote:</b>	2 yes
<b>Board vote:</b>	unanimous
<b>Action:</b>	Approved Resolution #2006-02 Ordering an Election and Establishing Specifications of the Election Order

## **Item 12**

COMPENSATION SETTLEMENT FOR 2005-06 AND 2006-07 FOR TEAMSTERS, LOCAL 287

<b>M/S/C:</b>	Fong/Frier
<b>Advisory vote:</b>	2 yes
<b>Board vote:</b>	unanimous
<b>Action:</b>	Approved the compensation settlement with Teamsters, Local 287: <ul style="list-style-type: none"><li>• A salary adjustment of 2% effective July 1, 2005 at an estimated cost of \$60,000 for 2005-06</li><li>• Medical benefits cost increases funded by District (\$850,000 for all employees)</li></ul>

- Effective December 2006, one additional holiday between December 25 and January 1 except for employees who are required to work (employees required to work shall have a floating holiday to take between January 1 and June 30)
- A salary adjustment of 5% or State COLA, whichever is higher, effective July 1, 2006 at an estimated cost of \$150,000

### **Item 13**

#### SALARY INCREASE TO ADMINISTRATIVE SALARY SCHEDULE AND CHANGES TO THE ADMINISTRATORS HANDBOOK

**M/S/C:** Fong/Swenson

**Advisory vote:** 2 yes

**Board vote:** unanimous

- Action:**
- 1) Approved the salary adjustment of 2% for 2005-06 to be distributed as follows:
    - Increased the Administrative Salary Schedule by 1.5 % effective July 1, 2005 at a cost of \$131,715 annually
    - Eliminated the 3-year waiting period between steps 5 and 6, 6 and 7, and 7 and 8 effective January 1, 2006 at a cost of \$41,760
  - 2) Approved changes to the Administrators Handbook including the following: Chapter VI *Salary Administration*, Chapter X *Training/Retraining Stipends*, and Appendix F *Holidays*
  - 3) Granted one additional holiday between December 25 and January 1 except for administrators who are required to work (administrators who are required to work shall have a floating holiday to take between January 1 and June 30)
  - 3) Effective July 1, 2007, approved the inclusion of travel expenses in allocations of Training/Retraining Stipends with a limit of \$1,000 for such requests
  - 4) Approved salary adjustments for 2006-07 equal to at least 5% or State COLA, whichever is greater

### **Item 14**

#### BOARD LEGISLATIVE GOALS 2006

Chancellor Martha Kanter presented the Board Legislative Goals 2006 for a first reading. She noted the addition of two items under “Federal Legislative Priorities”: Preservation of flexibility with state Temporary Aid to Needy Families (TANF) dollars, and passage of the Dream Act/Student Adjustment Act. Trustee Plotkin suggested adding support of public domain in light of the state legislature’s interest in this topic. He also suggested adding support for flexible approaches to financial aid that would enhance the ability of students to attend college. Other Board members concurred with his proposals. Faculty Association President Rich Hansen noted that statewide faculty organizations do not support flexibility in student fees and said he would prefer to see the District support no fees. He also questioned the need to include the issue regarding the Board of Governors waiver. Chancellor Kanter said she would look into that issue.

## **Item 15**

### MEASURE E CONSENT CALENDAR

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

- A.** *Title:* Change Order #2  
*Vendor:* Aztec Consultants  
*Agreement Date:* June 28, 2005  
*Campus:* Foothill College  
*Project No.:* 146  
*Project Name:* Fieldhouse and Restrooms  
*Amount:* \$19,487  
*For:* Waterproofing at retaining walls, custom logo paint on three (3) roll-up doors of fieldhouse, and drywall and vapor barrier changes in fieldhouse  
*Action:* Ratification
- B.** *Title:* Change Order #3  
*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:* \$17,418  
*For:* Relocation of Purissima Hills water line from the original design at Shop 2, installation of a gas line seismic shut off valve for Shops 1 & 2, and eyebrow ventilation at Shop 1  
*Action:* Ratification
- C.** *Title:*  
*Vendor:* Revision 31 to PAA #24  
*Agreement Date:* Sandis Humber Jones  
*Campus:* Foothill College  
*Project No.:* 146  
*Project Name:* Field Locker Rooms & Restrooms Seismic Replacement  
*Amount:* \$1,750  
*For:* Design for storm drain extension/improvements and two site meetings  
*Action:* Ratification

- D.** *Title:* Change Order #15  
*Vendor:* S. J. Amoroso Construction Co., Inc.  
*Agreement Date:* February 24, 2005  
*Campus:* Foothill College  
*Project No.:* 152  
*Project Name:* Lower Campus Complex  
*Amount:* \$40,359  
*For:* Additional concrete and electrical revisions to joint trenches C-JT7 thru 10; place concrete slurry in lieu of native soil at grid D exterior building 7400; drill epoxy for closure wall footing intersecting and resting above foundation at 7 line for building 7100  
*Action:* Ratification
- E.** *Title:* Addendum #D-21  
*Vendor:* Cleary Consultants, Inc.  
*Agreement Date:* February 7, 2006  
*Campus:* De Anza College  
*Project No.:* 210  
*Project Name:* Administration Building Renovation  
*Amount:* \$4,000  
*For:* Professional soil engineering inspection and testing services  
*Action:* Ratification
- F.** *Title:* Addendum #D-22  
*Vendor:* Cleary Consultants, Inc.  
*Agreement Date:* February 21, 2006  
*Campus:* De Anza College  
*Project No.:* 208  
*Project Name:* Campus Entries  
*Amount:* \$19,600  
*For:* Professional soil engineering inspection and testing services  
*Action:* Ratification
- G.** *Title:* Addendum #D-23  
*Vendor:* Cleary Consultants, Inc.  
*Agreement Date:* February 21, 2006  
*Campus:* De Anza College  
*Project No.:* 209  
*Project Name:* Visual and Performing Arts Center  
*Amount:* \$5,600  
*For:* Professional geotechnical investigation and testing services for the design of the new building  
*Action:* Ratification

- H.** *Title:* Revision #4 to Project Assignment Amendment #D-06  
*Vendor:* Sandis Humber Jones  
*Agreement Date:* May 28, 2002  
*Campus:* De Anza College  
*Project No.:* 208  
*Project Name:* Campus Entries  
*Amount:* \$18,550  
*For:* Additional services for redesign of City of Cupertino's sidewalks along Stevens Creek Boulevard; these services include: topographical surveys, a feasibility study, layout drawings, an estimate of probable construction costs, revision to civil, landscape, irrigation, electrical drawings, additional design coordination meetings, and meetings with the city (this work is being performed at the request of the City of Cupertino)  
*Action:* Ratification
- I.** *Title:* Revision #1 to PAA #D-11  
*Vendor:* Signet Testing Labs, Inc.  
*Agreement Date:* February 4, 2005  
*Campus:* De Anza College  
*Project No.:* 220  
*Project Name:* P.E. Quad Renovation  
*Amount:* \$3,465  
*For:* Inspect concrete at plant and on site; take samples and perform laboratory testing for additional areas installed in PE6 interior and breezeways at the south deck area north of PE6  
*Action:* Ratification
- J.** *Title:* Change Order #28  
*Vendor:* S. J. Amoroso Construction Company  
*Agreement Date:* July 21, 2004  
*Campus:* De Anza College  
*Project No.:* 220  
*Project Name:* P.E. Quad Renovation  
*Amount:* (\$1,840)  
*For:* Miscellaneous changes including sitework, casework, and mechanical  
*Action:* Ratification
- K.** *Title:* Change Order #29  
*Vendor:* S. J. Amoroso Construction Company  
*Agreement Date:* July 21, 2004  
*Campus:* De Anza College  
*Project No.:* 220  
*Project Name:* P.E. Quad Renovation  
*Amount:* \$27,889  
*For:* Miscellaneous changes including sitework, elevator work, and painting  
*Action:* Ratification

**DATES TO REMEMBER**

March 6, 2006 — Regular Meeting

March 13, 2006 — Regular Meeting

**ADJOURNMENT**

President Bechtel adjourned the meeting at 7:30 p.m.

jco

Approved: 3/6/06

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Martha J. Kanter, Chancellor  
Secretary, Board of Trustees