



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
MINUTES
REGULAR MEETING
March 8, 2010

CALL TO ORDER AND ROLL CALL

President Bruce Swenson declared a quorum was present and called the meeting to order at 6:00 p.m. and led those present in the Pledge of Allegiance.

Trustees Present:

Bruce Swenson, President
Pearl Cheng, Vice President
Joan Barram
Betsy Bechtel
Laura Casas Frier

For Public Session

Isabelle Barrientos Vargas, De Anza College Student Trustee

Absent:

Erica Anderson, Foothill College Student Trustee

Closed Session

The Board immediately adjourned into closed session in the Don Bautista Room, Campus Center, De Anza College, with the individuals listed below to discuss:

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Executive Administrators Present:

Charles Allen, Executive Director of Facilities, Operations and Construction Management
Andy Dunn, Vice Chancellor of Business Services
Judy Miner, President of Foothill College
Brian Murphy, President of De Anza College
Dorene Novotny, Vice Chancellor of Human Resources and Equal Opportunity
Fred Sherman, Vice Chancellor of Technology
Linda Thor, Chancellor

CONFERENCE WITH LABOR NEGOTIATOR

District Negotiator: Dorene Novotny
Employee Organizations: All Represented and Unrepresented Groups

Executive Administrators Present:

Charles Allen, Executive Director of Facilities, Operations and Construction Management
Andy Dunn, Vice Chancellor of Business Services
Judy Miner, President of Foothill College
Brian Murphy, President of De Anza College
Dorene Novotny, Vice Chancellor of Human Resources and Equal Opportunity
Fred Sherman, Vice Chancellor of Technology
Linda Thor, Chancellor

REPORTING OUT FROM CLOSED SESSION

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

HEARINGS: ITEMS NOT ON THE AGENDA

President Swenson asked if there was anyone who wished to address the board on items not on the agenda. There were none.

APPROVAL OF CONSENT CALENDAR

M/S/C: Bechtel/Cheng
Advisory vote: 1
Board vote: unanimous
Action: **Approved** Items 1 and 2 on the Consent Calendar

Item 1 - **Approved** Human Resources Report

Item 2 - **Approved** Personnel Actions as follows:

Name: **Andy Dunn**
Position: Vice Chancellor
College: Central Services
Division: Business Services
Action: **Resignation**
Effective Date: June 30, 2010

Name: **Pat Hyland**
Position: Dean
College: Foothill College
Division: Student Affairs and Activities
Action: **Reassignment**
Effective Date: July 1, 2010 through June 30, 2011

Name: **Marsha Kelly**
Position: Manager
College: Central Services
Division: Risk Management
Action: **Employment**
Effective Date: July 1, 2010 through June 30, 2011
Comments: Appointment at 80% FTE

Employee: **Donald Mac Neil**
Position: Faculty
College: Foothill College
Division: Physical Education
Action: **Reassignment**
Effective Date: July 1, 2010

Employee: **Robert Doc Pelzel**

Position: Faculty
College: Foothill College
Division: Fine Arts and Communication
Action **40% load reduction as per Article 18**
Effective Date: AY 2010-2011, AY 2011-2012, AY 2012-2013

PUBLIC HEARING

Item 3

Open Negotiations for Successor Agreement between the Foothill-De Anza Community College District and the Faculty Association (FA)

President Swenson opened the public hearing at 6:12. There were no comments. He then closed the public hearing at 6:13.

HUMAN RESOURCES/PERSONNEL

Item 4

Reassignment, Layoff, Reduction in Contract or Notice of Non-Renewal of Employees

Katie Townsend-Merino thanked her Foothill colleagues for their support and expressed her respect and appreciation for their hard work. Faculty and staff who spoke in support of Townsend-Merino and praised her accomplishments were Rosemary Arca, Maureen Chenoweth, Robert Cormia and Scott Lankford.

Dean Tim Woods thanked the board and expressed deep gratitude for the opportunity to work for the district. He said it would be an experience he will cherish throughout his professional career.

De Anza faculty member MaryAnne Ifft said she is proud of the advocacy work being done by students to inform the larger community about the crisis in education. Citing changes at the Student Success Center, she asked the board to slow down the process by delaying layoffs to the 2010-11 academic year.

De Anza student José Romero, speaking on behalf of several organizations, urged the board to use the stability fund to preserve positions.

Vice Chancellor Dorene Novotny recapped the budget crisis and expressed how difficult it was for everyone involved to make the personnel decisions presented. The district eliminated many positions, combined positions, and tried its best to be creative in an effort to save as many positions as possible. Unfortunately, however, due to major budget reductions, some positions will still need to be eliminated.

Student Trustee Isabelle Barrientos Vargas said that she hopes the district can find alternatives to laying people off. Trustees Barram, Bechtel, Casas Frier, Cheng and Swenson all expressed their sadness and regret in having to make these painful decisions. The board thanked all for attending the meeting and sharing their thoughts and views.

M/S/C:	Bechtel/Barram
Advisory vote:	0
Board vote:	unanimous
Noes:	1 (Barrientos Vargas)

Action: **Approved** the reassignment, layoff, reduction in contract or notice of non-renewal of employees as submitted

In response to Trustee Casas Frier's statement that things may get worse, Rich Hansen expressed hope that the board would stay flexible and creative in its methods to mitigate the budget crisis.

Item 5

Approve Administrator Contracts

In keeping with a practice that began last year, Vice Chancellor Novotny explained that administrator contracts would be renewed for one year as opposed to two years.

M/S/C: **Cheng/Bechtel**
Advisory vote: 1
Board vote: unanimous
Action: **Approved** the renewal of administrator contracts through June 30, 2011 as submitted

Item 6

Approve Executive Administrator Contracts

M/S/C: **Cheng/Bechtel**
Advisory vote: 1
Board vote: unanimous
Action: **Approved** the current executive administrator contract expiration dates as follows:

Judy C. Miner, President, Foothill College, June 30, 2011
Dorene Novotny, Vice Chancellor, HR, June 30, 2011

Item 7

Energy Services Contract with Chevron Energy Solutions Company for the Installation of a 1,062 kW Photovoltaic System at Foothill College (Measure C Project #154)

Executive Director Charles Allen estimates that the installations will result in approximately \$250,000 a year in power purchase savings and an estimated \$1.3 million in PG&E rebates over the next five years. The rebates are intended to pay back the cost of the project. Foothill will be producing 25 percent of its power from solar sources once the installations are completed.

M/S/C: **Bechtel/Barram**
Advisory vote: 1
Board vote: unanimous
Action: **Approved** the Energy Services Contract with Chevron Energy Solutions Company

Item 8

Reject All Bids, Bid Document 1238-142, Soccer and Softball Complex, Foothill College

Jeff Colton, ValleyCrest Landscape Development, stated that he believes his company to be the low bidder and asked that his company be awarded bid 1238-142.

Because of ambiguity in the law and the lack of case evidence, Director of Purchasing Carmen Redmond stated that she feels it would be more prudent to reject all bids and re-bid the project. She anticipates returning to the board in May with a recommendation.

M/S/C:	Barram/Casas Frier
Advisory vote:	1
Board vote:	unanimous
Action:	Accepted the bid protest submitted by ValleyCrest Landscape Development, Inc. and rejected all bids in accordance with Public Contract Code 20651 and the bid documents

Adjournment

President Swenson adjourned the meeting at 7:00 p.m.

Approved: 4/5/10

Linda M. Thor, Chancellor
Secretary, Board of Trustees