

Board meeting of Dec. 10, 2012

SOME HEADLINES

Trustees approved or reviewed:

- A legal settlement related to the collapse of the East Cottage at De Anza
- Election of new officers for the Board of Trustees
- Oversight procedures for procurement cards
- Year-end audit reports for district financials and Measure C bonds
- An update on requirements of Proposition 30
- An agreement for the Foothill College library renovation
- Appointments, promotions, awards and retirements

To see background information for any of the items that appear below, go to http://www.fhda.edu/about_us/ArchivedAgendas and click on the link for Dec. 10, 2012. That will download a file containing the agenda and all supporting documents.

BOARD BUSINESS

Report from closed session: Board President **Joan Barram** announced board approval of a settlement for \$200,000 in damages to be paid by John Plane Construction in connection with the collapse during renovation of the original East Cottage at De Anza College. The settlement avoids potential litigation over damages and indemnifies the district from any subcontractor or supplier claims.

Swearing in of trustees: Chancellor **Linda Thor** administered the oath of office to Trustees Barram, **Betsy Bechtel** and **Laura Casas Frier** following the certification of their election to the Board of Trustees.

Election of officers: Board members elected Trustee Bechtel president of the board and Trustee **Bruce Swenson** vice president. President Bechtel complimented outgoing president Barram on her representation of the district in 2012 and said she hopes to meet a similar high standard. She spoke about the quality of the board, how well trustees work together and the high caliber of the district's staff. Chancellor Thor, who was elected board secretary, presented Trustee Barram with a certificate of appreciation for her outstanding service.

Committee appointments: President Bechtel made the following appointments – Trustees Swenson and Casas Frier to the Audit & Finance Committee, with Swenson serving as chair; and Trustees **Pearl Cheng** and Barram to the Foothill-De Anza Foundation Board of Directors.

INFORMATION & ACTION ITEMS

Procurement card discussion: Trustees asked about checks and balances on the use of district procurement cards before they voted to authorize about a dozen employees in designated positions to make purchases and enter contracts below a certain dollar amount, subject to board review. Their questions follow recent allegations that a member of the Santa Clara County Board of Supervisors violated procurement card policies.

Vice Chancellor **Kevin McElroy** explained that there is a rigorous process for monitoring use of the more than 300 "pro cards" issued to district employees. He said that an automated program sends out monthly statements to all users and their supervisors for review, and all receipts are kept on file. Approximately 40 cards are audited each month, some selected randomly and others based on the dollar amount. Every month, Vice Chancellor McElroy reviews a list of all card expenditures, broken out by purchasing category. District pro cards can't be used to purchase food, services, gasoline or office and maintenance supplies.

Pro card rules are posted ([http://business.fhda.edu/finance/stories/storyReader\\$12](http://business.fhda.edu/finance/stories/storyReader$12)) on the district's website and employees must sign a statement saying they will follow them. Trustees and the chancellor do not have procurement cards.

New courses at De Anza: Trustees approved the following new courses at De Anza for 2013-14 – Introduction to Forensic Anthropology; Astronomy Laboratory; Justice, Nature and the Geographies of Identity; Introduction to Music: Latin American and the Caribbean; Print Reading and Dimensional Metrology; and multiple levels of CAM based CNC Multi-Axis Programming Using NX.

Audit reports for year ending June 30, 2012: Terri Montgomery from Vavrink, Tine, Day & Co. reported that the firm's year-end financial audit resulted in a clean, unqualified opinion that the district's financial statements are fairly presented, and that the only two minor audit findings already have been corrected. The board accepted the report as well as audit reports on Measure C performance and financials.

Ms. Montgomery said the Measure C performance audit found that in all significant respects the district has properly accounted for Measure C spending and that expenditures were made only for bond projects approved by voters. The performance audit found that any Measure C funds used for administrative salaries went only for administrative oversight work on construction projects, which is permissible. The financial audit found that in all material respects, the financial statements fairly present the financial position of the district's Measure C bond funds as of June 30, 2012.

Environmental compliance update: Board members reviewed the annual environmental compliance report and thanked **Mona Voss**, director of environmental health and safety, for her rigorous efforts to keep the district in compliance with all aspects of environmental regulations. The district is fortunate to have someone with her expertise and experience, Vice Chancellor McElroy said.

Update on Proposition 30: Vice Chancellor McElroy briefed trustees about restrictions on using Proposition 30-generated tax dollars for administrator salaries and requirements for reporting to the public how the funds are spent. He is a member of the Fiscal Standards and Accountability Committee for the California Community Colleges, which is developing standards for reporting on Prop. 30 expenditures.

Purchase of applicant tracking system: Vice Chancellor **Dorene Novotny** spoke about the benefits of a new system for employee recruitment to replace the applicant tracking system the district has used since 2001. Trustees approved the purchase of the Taleo

system from Oracle as offering the most functionality for the cost.

Foothill Library renovation: The board approved the award of a lease-leaseback preconstruction services agreement to Kitchell CEM Inc. for the Foothill Library renovation. Responding to questions from trustees, Executive Director of Facilities, Operations and Construction Management **Charles Allen** said the lease-leaseback approach allows the builder to be involved during the design process, which helps ensure the design documents are buildable. He said this process has resulted in higher quality and a more collaborative environment at a competitive price on other Measure C projects.

Advanced manufacturing at De Anza: Trustees approved the purchase of a DMG/Mori Seiki DMU50 5-axis machine at an estimated cost of \$204,884, and the loan of another advanced technology machine valued at \$466,400, for use in the Manufacturing and Computer-Aided Numerical Control Technology (MCNC) program at De Anza. **Mike Appio**, MCNC instructor and department head, said De Anza will be the only community college in the nation able to offer students training on these cutting-edge machines made by Mori Seiki, which manufacturers use to create product prototypes, develop R&D products and mass-produce products.

HUMAN RESOURCES & PERSONNEL

Administrator appointments: Trustees ratified the appointment of **Joni Hayes Lamprey** as acting director of district budget operations through June 20, 2013.

Promotions: The board ratified the promotion of **Hong Nguyen** to senior payroll technician in Central Services.

Faculty Professional Achievement Awards: The board approved PAAs for three De Anza faculty members – **Victoria Moreno**, counselor; **Eduardo Luna**, physics instructor; and **Craig Norman**, English as a second language instructor.

Classified Professional Growth Awards: The board ratified PGAs for the following classified employees – at De Anza, **Karen Villalba**, and in Central Services, **Janice Lee** and **Ellen Lyon**.

Classified retirements: Trustees ratified the retirement of **Steven Battaini** in Central Services, effective Nov. 26.

REPORTS & HEARINGS OF ITEMS NOT ON THE AGENDA

Public comments: Palo Alto resident **Ken Horowitz**, who is also a Foothill College dental hygiene instructor, spoke about the De Anza stadium project, raising questions about the bleachers, scoreboard, soccer field, and restrooms, and their associated costs. He questioned the locations of entrances and exits and why field lights weren't included. He encouraged more public input on such projects.

Staff comments: De Anza Academic Senate President **Karen Chow** reported on a pilot outreach project being conducted by **Jorge Morales** at four high schools in East San Jose. She said it involves assessing students and helping them prepare for the college's placement testing in an effort to enhance student success.

Foothill Academic Senate President **Dolores Davison** reported that the Academic Senate for California Community Colleges local Area B topped statewide fundraising for the senate's

foundation, which is devoted to enhancing excellence by supporting sustained professional development of community college faculty. She noted that Foothill has nominated English faculty member **Scott Lankford** for the Hayward Award given by the California Community Colleges Board of Governors (<http://www.asccc.org/awards/hayward>). Past Foothill winners include **Andrew Fraknoi**, **Elizabeth Barkley**, **Mike McHarque** and **Jay Manley**.

Foothill Classified Senate President **Erin Clifford Ortiz** invited trustees to attend the next Senate meeting, which includes a technology update by Vice Chancellor **Joe Moreau**. She said she is recruiting more classified staff to participate in Foothill's Welcome Week.

Presidents' comments: De Anza President **Brian Murphy** reported that both colleges have received positive draft responses from the follow-up accreditation teams that visited in October. He said the teams were satisfied with the colleges' responses to recommendations made in 2012 and thanked accreditation liaisons **Kurt Hueg** at Foothill and **Marisa Spatafore** at De Anza, as well as all who participated in the process at each college.

Foothill President **Judy Miner** reported on a recent workshop sponsored by Foothill's Family Engagement Institute and presented by Educators for Fair Consideration on how to support undocumented students with information, resources and best practices. Participants came from Foothill and De Anza, six other community colleges and two California State University campuses. She noted that the college has nominated five faculty and staff members for the League for Innovation's new John and Suanne Roueche Excellence Awards and they will be recognized at the League's conference in March. Nominees are **Maureen Chenoweth**, Transfer Center program coordinator; **Darya Gilani**, Academic Services coordinator; faculty members **David Marasco** and **Frank Cascarano** for their work on the Physics Show; and **Peter Murray**, dean of Physical Sciences, Mathematics and Engineering.

Chancellor's comments: Chancellor **Linda Thor** observed that 2012 was a challenging year but is ending on a high note with passage of Proposition 30, the re-election of district trustees and positive accreditation reports. Hopefully the trend will continue as initial figures show that enrollment for winter quarter is up over the previous year at both colleges. She reported on her efforts to establish a Chancellor's Business and Industry Advisory Council to provide a forum for discussion and collaboration to meet Silicon Valley's workforce needs, and to bring external expertise to the district.

Trustee comments: Trustee Casas Frier reported that in response to concerns expressed by a community education leader, she has proposed possible legislation to Assembly Member **Rich Gordon** that would require candidates for elective office in school and community college districts to gather at least a minimal number of signatures to qualify for the ballot. She said this already is a requirement for many elective offices, including city councils. She noted that election costs are high for local districts; for example, Foothill-De Anza's share of the cost for this year's contested election was approximately \$600,000. She said requiring signatures would not set too high a barrier for those who wish to participate in the democratic process but may help discourage candidates from entering political races on a whim at great cost to local districts.

Trustee Barram commented on the successful grand opening celebration of the Media and Learning Center at De Anza.

De Anza Student Trustee **Vince Mendoza** reported on events held on World AIDS Day hosted by the campus Office of Equity, Social Justice and Multicultural Education. He expressed gratitude for the opportunity to attend the recent Community College League of California (CCLC) convention and congratulated Trustees Barram, Bechtel and Casas Frier on their election.

Foothill Student Trustee **Antonia Zavala** reported on a Thanksgiving event held at Foothill for international and other students and on her attendance with Trustee Mendoza at the annual CCLC convention in Burlingame, where she said they gained a broader perspective from community college faculty and staff.

Trustee Cheng congratulated Chancellor Thor on her receipt of two lifetime achievement awards ([http://www.fhda.edu/stories/storyReader\\$289](http://www.fhda.edu/stories/storyReader$289)).

NEXT MEETING

The next meeting of the Board of Trustees is a study session scheduled for Jan. 7 at 3:30 p.m. in the District Board Room for the purpose of training of trustees in the use of BoardDocs (<http://www.boarddocs.com>). A regular meeting will follow at 6 p.m. Agendas generally are posted 72 hours in advance at http://www.fhda.edu/about_us/board/agenda/. Please check the agenda to verify time and location of the meeting.

Board Highlights is designed to communicate board meeting news to faculty and staff across the district. This publication is not the official minutes. The official minutes are available at http://www.fhda.edu/about_us/board/minutes after their approval at a subsequent board meeting. Please contact Becky Bartindale at bartindalebecky@fhda.edu or (650) 949-6107 with comments or questions about *Board Highlights*.