

Mr. Richard Talmo, Chabot College Foundation
Dr. Ronald Taylor

Recording Secretary: Mrs. Beverly Bailey

Others Present: Ms. Brenda Carr, S.E.I.U., Local 790
Mr. Gregory Correa, S.E.I.U., Local 790
Mr. Rocky Fernandez, Assemblymember Johan Klehs Office
Mr. Chad Mark Glen, President, Chabot College Faculty
Senate
Mr. Ajibola Hassan, Las Positas College Associated
Students
Mrs. Melissa Korber, President, Las Positas College
Faculty Senate
Mrs. Charlotte Lofft, President, Chabot-Las Positas Faculty
Association
Mr. Patrick Lofft
Mr. Dayne Nicholls, President, Chabot College Associated
Students
Mr. Eugene Rockemann
Ms. Karen Silva
Mr. Mark Smythe, President, S.E.I.U., Local 790
Mr. Todd Steffan, President, Las Positas College Classified
Senate
Dr. William Threlfall
Ms. Rachel Ugale, President, Chabot College Classified
Senate
Ms. Joanne Bishop-Wilbur
Ms. Linda Wilson, S.E.I.U., Local 790

PUBLIC COMMENTS

There were no Public Comments offered at this time.

CONSENT CALENDAR

Mr. Gelles requested that agenda item 7.1 (Approval of New Apprenticeship Program Master Agreement – Bridgestone/Firestone Retail and Commercial Operations, LLC, District – Economic Development, Las Positas College) be removed from the consent calendar.

Motion No. 1

Dr. Mertes made a motion, seconded by Mr. Gelles, to approve the consent calendar with the exception of agenda item 7.1.

Motion carried unanimously, 6-0.

The following items were approved on the consent calendar:

General Functions

- 1.3 Approval of Minutes of November 15, 2005 Meeting

Personnel

- 3.1 Student Assistant Personnel
- 3.2 Classified Personnel
- 3.3 Faculty Personnel
- 3.4 Management Personnel
- 3.5 Professional Specialist and Program Leader Personnel
- 3.6 Volunteer Aide Personnel

Educational Services

- 4.1 Acceptance of Gift – Las Positas College
- 4.2 Acceptance of Grant Award Renewal—Community College Personnel Preparation Project Contract No. C16331 with WestEd Center for Prevention and Early Intervention, Chabot College
- 4.3 Acceptance of Grant Award Renewal—Community College Personnel Preparation Project Contract No. C16397 with WestEd Center for Prevention and Early Intervention, Las Positas College
- 4.4 Approval to Renew Agreement—California Early Childhood Mentor Program, Agreement No. 93:575 with San Francisco Community College District, Las Positas College
- 4.5 Approval of 2006-07 Business Discipline Curriculum Changes, Chabot College

Business Services

- 5.1 Approval of Commercial Warrant Registers
- 5.2 Approval of Payroll Warrant Registers
- 5.3 Ratification of Amendment of Employment Contracts – Purchase of Tax Sheltered Annuities
- 5.4 Approval of Budget Revisions 05.E
- 5.5 Approval of Budget Transfers 05.E.1
- 5.6 Ratification of Purchases Completed

- 5.7 Approval of Declaration of Surplus Property to be Sold at Private Sale and Donation or Disposal of Any Items Not Sold
- 5.8 Approval of Award of Request for Proposal No. B-06, Food Services, Chabot College

EMPLOYEE RECOGNITIONS

Dr. Carlson recognized Mr. Eugene Rockemann and Dr. William Threlfall for their years of service to Chabot College and awarded them with a Certificate of Faculty Emeritus. Mr. Rockemann and Dr. Threlfall both thanked the Board for the recognition and for the wonderful rewarding experience. Mr. Rockemann also thanked the hundreds of former students he has taught.

Board Members congratulated the retirees and wished them well in their retirement. Dr. Mertes specifically thanked Dr. Threlfall for his research and leadership the past 37 years.

PRESENTATION: CITIZENS' OVERSIGHT COMMITTEE ANNUAL REPORT

Mr. Legaspi reported that Measure B Bond was passed under Proposition 39 and one of the requirements of Proposition 39 is to have a Citizens' Oversight Committee. One of the tasks of that committee is to prepare an Annual Report to the community. He introduced Mr. Byron Kemp, Chairman, Citizens' Oversight Committee.

Mr. Kemp reviewed the first report of the Oversight Committee. He recognized and thanked the other Committee Members as follows: Jason Teramoto, Kevin Baker, Suzanne Barba, Dave Bouchard, Brian Foster, Gordon Galvan, John Sailors, Charles Simonian and Bob Tucknott. In addition, a student representative for Chabot College was on the committee for part of the year.

He reported that the Bond Oversight Committee is charged with the responsibility to assure voters that bond proceeds are expended for the purposes set forth in the ballot measure and not for any other purpose. This is accomplished with this report. He reported that to satisfy the accountability requirement, an audit has been completed. The audit firm of Vavrinek, Trine, Day and Company conducted both a financial and performance audit of the first year bond expenditures and activities and found that the bond fund financial statements presented were accurate in all material respects. He reported that "We believe that the Chabot-Las Positas Community College District has complied with the spirit and requirements of state law in accounting for expending public bond funds."

Mr. Kemp reported that he looks forward to continuing with the work of the committee and invited community members to attend its quarterly meetings at the District Office.

Mrs. Dvorsky expressed the Board's gratitude to Mr. Kemp and the committee members for their time and hard work.

BUDGET UPDATE

Chancellor's Remarks on Budget

"Tonight we will be presenting information on the 2005-2006 and the 2006-07 budget that will not contain any new surprises. We will again discuss the structural budget deficit that we continue to carry from year to year and we will also show you what will occur over the next two years and the consequences of not handling this deficit. Tonight Mr. Legaspi will present a detailed look at the budget for 2005-06 and for 2006-07. Dr. Carlson and President Halliday will then present an overview of the cuts for the colleges and Mr. Legaspi will present the cuts to the District Office."

"We have said this before but it must be stated again—we cannot continue to have more expenses than revenue—a simple concept, but one that we have not had the will to embark upon. We no longer have that luxury, if you will—we must act on the elimination of this deficit now or the District will continue down a spiral path that will only get worse."

"As you know we began in earnest to look at what it costs to operate our District in early Fall 2004 when we hired the KH consultant firm to look at budget. While some will say that it did not give us new information the fact is that this was the first time that as a District we looked at costs from the perspective of what we are doing and how much it is costing us. It gave us a framework to measure what we are doing as well as a gauge to see if this is what we should be doing. You will hear tonight that the cuts we are making are being made within the framework of the information we received as a result of the KH study. Each of the Colleges and District Office spent a great deal of time during the 2003-04 academic year looking at these issues, culminating in the presentation by each site of ways to make cuts, generate new revenue and become more efficient. This has been the basis on which we have looked very closely and diligently on making the budget cuts we are discussing this evening. This has been neither a simple or easy process for any of us."

"We will also clearly delineate what is in our general fund and what is one-time money—we will discuss how we have arrived at both and the danger of continuing to use the one-time money to cover our yearly deficit and why we can no longer do this."

"There will of course be concern that our figures are not accurate; that we are overstating our deficit. While this is a natural reaction and we will continue to be open to scrutiny of the budget, we cannot afford either literally or figuratively to continue to place more emphasis on a dialogue of whether our figures are correct or not, of whether one College receives more than its fair share or whether the District Office should exist. This conversa-

tion not only expends a great deal of energy but serves to distract from the reality at hand—that we do have a structural deficit that we must deal with now. The deficit for 2005-06 is approximately \$2.8M. This is what we know as of this date and unfortunately I have a great deal of confidence that we are not overstating this amount.”

“As I’ve said before, over the years we have used one-time money to cover our deficits. We have been fortunate that we have had a large surplus because it has spared us from the way of many of our other sister districts in terms of layoffs or little or no salary increases.”

“We began the 2005-06 fiscal year with a deficit of \$2M. We received \$3.8M in new money from the state and our total compensations costs are \$5.8M—hence the \$2M as we began the year.”

“The first call on any new money must go to salary and benefit costs and to hiring of new faculty as required by AB1725. When, as in the last few years, we are not able to handle these costs with sufficient new on-going funds, and we do not put a check on the expenses over revenue, and we do not meet our enrollment growth targets, the cumulative affect of the deficit grows from year to year—hence the \$2.8M deficit that we currently have.”

“This is a beginning discussion. I believe I speak for all of us when I say that this is one of the hardest things we have to do. No one of us wants to see any cuts made, ideally we would have enough money to provide all the necessary programs and services for our students, but this is simply not the case. To say that we are right-sizing the District is partially true, but in reality we are doing so at great cost to our students. We as a District for 2005-06 expend 87% on salary and benefits alone, leaving us with 13% for operating costs; in 2006-07 we are projecting that we will expend 91% on salary and related benefits, leaving us 9% for operating costs—something is very wrong with this picture—it is considered fiscally sound to spend no more than about 85% (statewide average for 03-04) of one’s budget for wage-related costs. Until we bring these costs down we will continue the situation we are in today.”

“We will continue to work to generate new enrollments and revenues but even this hardly makes a dent in covering our expenses. As an example, if we were to generate 147 additional FTES this would bring approximately \$550K to the District, however, wage and related benefit costs would take \$245K, and it would cost us \$220K to generate these FTES leaving the District a net of \$92K.”

“The State Chancellor’s Office *Sound Fiscal Management Self-Assessment Checklist* lists 7 areas that a district should measure against to determine fiscal solvency. The 7 are: Deficit spending; Fund balance; Enrollment; Unrestricted general fund balance; Cash flow borrowing; Bargaining agreements; Unrestricted general fund staffing.”

“In reviewing these in light of our current budget, the District does not meet the criteria for 4 of these measures—deficit spending, fund balance, bargaining agreements and unrestricted general fund staffing. I know I am not painting a pretty picture and it demoralizes me to report it as much as for you to hear it—but say it I must.”

“In the next week the College Presidents and District Administrators will be discussing these recommendations in depth with all staff. Because we have had a great deal of respect and goodwill toward our Classified Staff, we met with SEIU on Monday to discuss how to ensure that if layoffs are made we can move affected staff into unfilled positions. We are currently holding these positions open and not advertising them to the public to give us this flexibility.”

“I fully realize that these discussions will not be easy, but they are necessary to ensure that we can continue to provide adequate instruction and services to our students.”

“It is our intention to bring final recommendations to the Board in February on how to eliminate our deficit.”

Vice Chancellor, Business Services’ Presentation on Budget

Mr. Legaspi gave a PowerPoint Presentation on the 2005-06 Budget. The presentation objectives covered were:

- Determine the True Structural Deficit
- Identify Possible Budget Cuts to Address Deficit
- Review Major Cause of Structural Deficit
- Look Into the Future – Multi-year Projection
- Establish FY 2006-07 as Base-Line Budget

Mr. Legaspi outlined the 2005-06 distribution of budget (using percentages from the Allocation Model) cuts as follows:

Chabot College	\$1,404,265 (49.69%)
Las Positas College	\$ 801,528 (28.36%)
Maintenance and Operations	\$ 219,044 (7.75%)
District Services	<u>\$ 401,311 (14.20%)</u>
Total	\$2,826,148

Mr. Legaspi reported the major cause of deficit spending for 2005-06 were due to compensation costs exceeding unrestricted revenues available. He identified increases in revenue and increases in compensation costs as follows:

Increase in Revenues:

• Cost of Living Adjustment (COLA) 4.23%	\$2.7 million
• Growth 2.25%	<u>\$1.1 million</u>
Total New Revenues	\$3.8 million

Increase in Compensation Costs:

• Salary Formula	\$3.0 million
• Productivity Gain 03-04	\$.5 million
• Health Plan Premiums (active and retirees)	\$1.3 million
• Step and Column	\$.6 million
• New Faculty (75/25 rule)	<u>\$.4 million</u>
Total Compensation Cost Increase	\$5.8 million

Mr. Legaspi's presentation is attached to these minutes.

Chabot College President's Remarks on Budget

"I want to take a moment to discuss the Strategic Cost Management Reductions at Chabot. A part of that study included the work of four Districtwide taskforces that reviewed the KH information with an eye to efficiency, program coordination, revenue generation, and fee changes/impacts. All of this study, analysis and development of recommendations included participation across the institution."

"Following the complete study of our fiscal status by KH we immediately began a review and analysis of the information. Beginning last summer, our administrative team began to develop options, conducted studies, and reviewed programs and services that were in question economically. Options were developed with a careful consideration of their impacts on students and staff while also considering the economic vitality of Chabot for the present and in the future."

"In a recent Academic Senate meeting I was asked to study one of our choices more fully. However, that program, as the others we were concerned about, had been studied more than once in the last three years and also had submitted discipline plans that were reviewed along with the available data. Further, and most importantly, the need to reduce expenses is immediate."

"Additionally, several faculty have spoken for one program or another that was on the list. One Senator asked me to save a particular program. I could only say that I could do that but then I would need to cut the next item in line and that choice would be no more palatable than those already put forward. There are no easy decisions."

“These choices are made even more difficult by the fact that Chabot went through an extensive “right-sizing” the first year I was its President, cutting nearly \$1M at that time. Chabot was poised to have its first positive budget in six years until the State of California collapsed and funding was impacted. Three administrative positions, nearly fifteen classified positions, and over sixty class sections equating to twelve FTEF were cut then and since. This “right-sizing” was followed in the next year by a cut of nearly 300 class sections and now we are cutting an additional \$1.4M out of Chabot.”

“These reductions have had a price. Enrollment has dropped from over 16,000 to less than 15,000 with a concurrent loss of revenue to both the District and the Campus.”

“So where are the impacts in this round? The programs of Design Technology, Health Information Technology, and ISLS will be discontinued. Some of Chabot’s service centers will also be closed. Reductions will also be made in the Children’s Center, Tutorial Center/WRAC, Dental Hygiene, and Athletics, as well as in general funds across the campus, such as supplies and faculty release time.”

“These actions will have an effect on ten classified positions, some of which will be permanently eliminated. Three faculty positions will be unfilled in their current disciplines and several others will be reassigned for at least part of their load. During the next two weeks, and as needed when we return in January, I will meet with the affected staff and discuss the actions being taken and options they have.”

“This is one of the more difficult moments in my lifetime. I came to Chabot to raise it, not raze it. I can only say that every effort has been made to assure that the best choices are being made in these reductions. In every case impact on students and staff were our biggest concern. It is an unfortunate and regrettable case that a decision with such an impact on the college and its people must be made to keep the District solvent and vital.”

Las Positas College President’s Remarks on Budget

“As is the case with Chabot and the District Office, Las Positas College has been focused on reviewing, analyzing, discussing and agonizing over required budget cuts. The college was fully engaged with the strategic cost management project headed by KH Consultants all of last year while simultaneously creating our comprehensive master plan.”

“Until a few years ago, LPC was growing around 5 – 8 % a year. In order to handle the strong demand, we were serving hundreds of students that went unfunded by the state. We knowingly did this to accommodate the strong demand. We deliberately functioned in a very lean mode in order to provide the needed classes and services to the community. We continue to function in this very frugal manner. When the state encountered the fiscal crisis over 3 years ago, LPC had to stop renting facilities off campus, cancel over 200

sections, turn away over a 1000 students, and try to handle any growth with existing staff and greatly reduced monies. We did this, though we have never recaptured the growth momentum.”

“Though LPC is fiscally balanced and meeting its enrollment target, it is impossible for us to continue the status quo since the District as a whole is running a deficit. LPC specifically has gone from spending 86% of our budget on compensation just a few years ago to 92.1% on salaries and benefits last year. The rate will be even higher this year!”

“It deeply saddens me that we must cut when we are positioned to grow and the Tri-Valley is demanding this growth. However, the college takes this fiscal dilemma seriously. Four college task forces consisting of administrators, faculty and staff reviewed the Strategic Cost Management report this fall and made recommendations. The administrative staff diligently reviewed these and their budgets and made additional suggestions. We’ve wrestled with the huge reductions asked of us and made them.”

“Most of the reductions that LPC is making are found within the Strategic Cost Management Report. We are moving the Design Technology Program into inactive status as well as the Laser Technology Program. Our electronics and computer programs have been greatly reduced over the last years and faculty have been working to redesign the computer program curriculum. In addition, the mass communications program has been successfully restructured.”

“In addition, LPC will be realigning schedules and responsibilities, delaying the hiring of some positions, not filling others. We will be sharing some positions and services with Chabot. This may not be as convenient for some of our staff or our students, but hopefully it will preserve some positions and services. Our on-call hourly is being drastically reduced which again directly impacts our services to students. Hours of operation will be reduced. Much needed reassigned faculty time for such things as discipline coordination and program development is being lessened. Our time and materials for outreach are being cut. Meanwhile, we are exploring all means to enhance our revenues.”

“This is a sad time for us all as LPC has such a great future ahead meeting the needs and demands of our community and our students. Yet it is necessary to make substantial cuts. I am very concerned about the long term health of our college, our community, our students and faculty and staff. We are primed to grow, and for the first time LPC will have the facilities to do so. However, with these cuts our ability to grow and develop is greatly compromised. Our ability to move forward in the timeline established for Measure B is now in question. It is difficult to even maintain our enrollments with these cuts, but to meet the growth targets with these reductions will be impossible!”

“Our only hope lies in making needed structural changes.”

Vice Chancellor, Business Services’ Remarks on Budget

Mr. Legaspi reported that cuts at the District will mean cuts in services. Proposed areas for cuts and/or savings:

- Cuts in Administration and Support Staff
- Generating new revenues (i.e. enhance State Mandated Cost Reimbursements)
- Energy rates
- Telephone rates
- Purchase agreements with other districts
- Bill payment – avoid late charges
- Reducing Conferences
- Personnel that support Measure B
- Measure B money to assist us

In Conclusion

Dr. Cota reported that “we” have looked long and hard. Administration will talk to staff in more detail. She invited everyone to look at these numbers. Final recommendations for budget cuts will be made to the Board at its February Meeting.

Mr. Gelles voiced that this is one facet of the job the Board doesn’t like. He invited everyone to become part of the solution and offer their ideas.

TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS

Mr. Gelles apologized for missing the past two meetings, indicating that he has been traveling.

Dr. Mertes, in response to the Budget Update, indicated that she doesn’t like to see us in this situation. “With ingenuity and trust, we can find a solution.”

Dr. Gin, also in response to the Budget Update, reported that “we” will study this very carefully and listen to what everyone has to say to make it as painless as possible.

Mr. Vecchiarelli congratulated Dr. Threlfall and Mr. Rockemann on their retirements and hopes that they enjoy it as much as he has enjoyed retirement. He also reported that there are “two ways to resolve the budget deficit—1) cut back; and 2) identify new sources of revenue.” He suggested two new sources of revenue: 1) restore International Program; and 2) Apprenticeship Programs. He indicated that there are ways to improve the fiscal situation if we all work together.

Mr. Ekeoma reported on two successful events: 1) Club Day which portrayed cultures of other countries represented on campus; and 2) Speech Tournament. He recognized students that won in the Speech Tournament.

Ms. Kouakou reported that the ASCC President has initiated a program of student ambassadors for recruiting students in which she hopes to participate. She also reported that there has been a controversy in ASCC regarding the establishment of a committee and they are working on resolving this issue. She further reported that some students have expressed concern about the Cheating/Academic Dishonesty Policy that the Academic Senate has established. Certain technicalities in the policy have established fear among students.

CHABOT-LAS POSITAS COLLEGES FOUNDATIONS

District: No report.

Las Positas College: Dr. Kaye presented a written report to the Board.

Chabot College: Mr. Talmo presented a written report to the Board. He reported that the Foundation Board will meet with Dr. Carlson regarding their efforts to reach self-sufficiency as soon as possible to help with the budget deficit.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES

Ms. Melissa Korber, President of the Las Positas College Academic Senate, submitted a written report to the Board. She highlighted the following:

- 1) Program Revitalization and Discontinuance Policy. The LPC Senate unanimously approved the policy with LPC's most recent revisions.
- 2) District Curriculum Committee. The Senate is working to clarify "the role, membership, and authority" of the proposed District Curriculum Committee. This document will go back to the Senate on December 14, 2005.
- 3) College Curriculum Committee. This committee looked at its charge and structure and submitted revisions to the Senate. One proposed change was to make the students ex-officio members. The Senate approved this structural change as well as the revisions to the charge.
- 4) New Policies Under Consideration. a) Student Learning Outcomes Assessment Policy; and b) Resolution in Support of Community College Initiative.
- 5) Hayward Award for Excellence in Education. LPC nominated faculty member Dale Boercker for this award.

Mr. Chad Mark Glen, President of the Chabot College Academic Senate, submitted a written report to the Board outlining a motion passed by the Senate to not approve Chabot College's Educational Master Plan. He reported that the plan was done in a rush manner without input from the constituent groups. He reported there are a number of inaccuracies and inconsistencies in the document. There is also information in the plan that is not in agreement with the College Catalog. In addition, the Senate questioned how the progress made towards achieving goals in the plan was being tracked.

Mr. Glen reported that he has been working with Ms. Kouakou and Mr. Nicholls on the students' concerns with the Cheating/Academic Dishonesty Policy. The Senate has asked legal counsel to review the policy so that they don't infringe on students' rights.

Mr. Glen reported that the Senate hopes the Chancellor will consider the Program Revitalization/Discontinuance Policy and Procedures as budget cuts are identified.

PRESIDENTS OF CHABOT, LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES

Mr. Todd Steffan, President of Las Positas College Classified Senate, provided a written report to the Board. He thanked President Halliday for the Holiday Breakfast. He reported the Senate hosted two extremely successful fundraisers for Student Scholarships. One of the fundraisers is the sale of calendars of which each Board Member was given a complimentary copy. He also thanked President Halliday for the Brown Bag Luncheon on November 16 which featured a question and answer session. He reported that the Senate's goals for 2005-06 are:

- Increase participation in Classified activities
- Shorten meeting length – increased intranet usage
- Update Classified Handbook
- Update Classified Web page (agendas and minutes posted on regular basis)
- Review organization of Senate Groups for balance

Ms. Rachel Ugale, President of Chabot College Classified Senate, reported that the Senate held two successful fundraising events: a silent auction and a raffle. The money from these events will be used for staff development activities. In addition, on November 18 there was a barbecue from funds contributed by Robert Thomsen for which she thanked him. She also thanked Dr. Lewis for her contribution towards the Staff Art Gallery Exhibition. She recognized and congratulated Staff Members who participated.

Ms. Joanne Bishop-Wilbur, District Classified Senate, had no report.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES ASSOCIATED STUDENTS

Mr. Hassan, Associated Students of Las Positas College (ASLPC), reported that they are planning for a Leadership Retreat in late January and plan to attend the American Student Association of Community College (ASACC) Conference in Washington, D.C. in March. He recognized Mr. Ekeoma for receiving first place in design for the African culture entry on Club Day.

Mr. Dayne Nicholls, President of Associated Students of Chabot College (ASCC), reported that the last Senate meeting for the semester will be held tomorrow. He expressed appreciation to the Senators for their hard work. He reviewed the Welcome Week activities for next year and reported on the plans for a Winter Retreat to be held in January. He also reported that the Vietnamese Student Association has been holding a food and toy drive this past week.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES

President Carlson submitted a written report to the Board. He highlighted that 100% of Chabot's Nursing Graduates of May 2005 (27 in total) have passed the Registered Nursing Licensing Examination and are now Registered Nurses.

Dr. Carlson reported that when preparing the Educational Master Plan every effort was made to match what is in the College Catalog. Regarding the issue of evaluations, they aren't usually a part of a ten year plan but are part of the annual and three year plans. In terms of inconsistencies, he felt that there probably are some as the report relied on last year's discipline plans. The discipline plans will have changed again next year.

President Halliday submitted a written report to the Board. She highlighted the following:

- 1) Collaboration with St. Michael's Church. This group's goal is to inform the Spanish-speaking community of available opportunities in higher education and at Las Positas in particular. An event is being planned for March to include workshops and a tour of the campus.
- 2) MECCA Workshops. On December 7, faculty hosted two workshops for high school girls interested in mathematics and science. She recognized faculty members participating as workshop leaders: Margaret Richards, Teri Henson, Cindy Keune and Dale Boercker.
- 3) The Arts at LPC. The Art Club just completed a successful "Holiday Boutique" at which they sold student work to benefit Spring Scholarships and Hurricane Katrina relief efforts. Dr. Phillip Manwell is hosting a monthly Black and White film series at the Pleasanton Library through May, 2006.

- 4) Winter Concert Series. The Music Department has just kicked off its Winter Concert Series. The Instrumental Jazz Concert directed by Cindy Browne Rosefield was held December 11; the Vocal Jazz Concert directed by Jim Heiner will be held December 16; and the Choir and Orchestra Concert led by Mr. Heiner and Ms. Rosefield respectively will take place at Pleasanton Presbyterian Church on December 17.
- 5) Con Le Nostre Mani: Italian Americans at Work in the East Bay (1890s-1960s). Dr. TeriAnn Bengiveno, History Department, helped to promote the premise of this photo exhibit which will be on display at La Pena Cultural Center in Berkeley this month. From January to May 2006 the exhibit will be on display at San Francisco State University.

President Halliday also drew the Board's attention to the Las Positas College Comprehensive Plan which they received for review.

CHANCELLOR'S REPORT

Dr. Cota thanked Dr. Threlfall and Mr. Rockemann for their dedicated years of service to the District.

AUTHORIZATION TO BEGIN EXPLORATION TO REFINANCE EXISTING GENERAL OBLIGATION MEASURE B BOND FUNDS

Mr. Legaspi explained that due to the current level of interest rates and an increase in the total assessed valuation of property in the District, the District currently has an opportunity to refinance its existing general obligation bonds to accomplish three objectives: 1) reduce the number of years that taxpayers will be required to pay for the bonds; 2) reduce total debt service on the bonds; and 3) provide additional funds to pay for vital projects. Based on initial estimates, the District can generate an additional \$10 million for projects.

Motion No. 2

Mr. Gelles made a motion, seconded by Dr. Lewis, to authorize the Vice Chancellor, Business Services to begin exploration to refinance the existing \$100 million in General Obligation Measure B Bond Funds.

Mr. Vecchiarelli questioned the timing of refinancing, reporting that Alan Greenspan just today raised the interest rates one quarter percent. He questioned if it would be to our benefit to postpone refinancing when we have a project to put the money towards. He expressed that if interest is at the same rate or lower, it would make sense to refinance now.

Mr. Legaspi reported that Mr. Vecchiarelli's thoughts are "well taken" and he will keep them in mind in his review. He explained that the interest rate is secondary. The primary reason for the refinancing is due to the growth in assessed valuation. The \$10 million can be used to "plug in" the escalation costs.

Mr. Gelles expressed that if refinancing is to our benefit, he would recommend it. Mr. Legaspi reported that because the bonds are non-taxable, we cannot earn more than what we are paying in interest.

In response to a question raised by Ms. Kouakou, Mr. Legaspi explained that this money can only go for capital projects and cannot be used for the general fund.

Motion carried unanimously, 6-0.

APPROVAL OF FIFTH AMENDMENT TO PROGRAM MANAGEMENT AGREEMENT WITH DMJM+N, INC. FOR MEASURE B PROGRAM MANAGEMENT SERVICES

Motion No. 3

Dr. Lewis made a motion, seconded by Mr. Gelles, to approve the Fifth Amendment to Program Management Agreement with DMJM+N, Inc. for Measure B Program Management Services for the three month period through March 31, 2006 at an amount not to exceed \$569,509 to be funded by Measure B Funds. It is further recommended that the Board authorize the Vice Chancellor, Business Services, be authorized to execute the amendment to the agreement on behalf of the District.

Dr. Cota called the Board's attention to a memorandum from Mr. Stutzman included in their packet summarizing the scope of work for DMJM for the next three months. She reported that she has asked Mr. Stutzman to prepare a report for the February Board Meeting regarding the size of commitment needed with DMJM.

Mr. Vecchiarelli voiced that he has major concerns with this request. He reported that in reviewing the invoices from DMJM, the District is paying approximately \$6,000 per day. He reported that 1% (\$3 million) of the total bond has gone to this consultant. He expressed that he cannot vote for this recommendation until he knows exactly what DMJM does.

Dr. Cota asked what additional information she could provide Mr. Vecchiarelli. In response, Mr. Vecchiarelli voiced that he doesn't see a long-term end to this contract. He would rather see the money going towards the projects.

Dr. Cota reported that there will not be a point where we will not have consultants. The District doesn't have adequate staff to handle the magnitude of these projects. She reported that the amount of work under the bond is monumental as well as the public scrutiny we are under.

Dr. Gin questioned if the list of work tasks outlined in the supporting documents was accurate. In response, Dr. Cota responded affirmatively.

Mr. Gelles reported that the Board needs to know what we are getting from DMJM for our money. He reiterated that everyday construction costs are going up.

Motion carried 5-1, with Mr. Vecchiarelli voting no.

APPROVAL OF CHANGE ORDER NO. 3 AND NO. 4 – SIERRA BAY CONTRACTORS, INC., PHYSICAL EDUCATION GYMNASIUM COMPLEX PROJECT, LAS POSITAS COLLEGE

Motion No. 4

Dr. Mertes made a motion, seconded by Mr. Gelles, to approve Change Order No. 3 and No. 4 for Sierra Bay Contractors, Inc., Physical Education Gymnasium Complex Project for the increased amount of \$249,075. The contract time will increase by eight days. It is further recommended that the Board of Trustees authorize the Vice Chancellor, Business Services to execute the change order on behalf of the District.

Dr. Gin questioned how many of the items in the change orders could have been avoided.

President Halliday reported that all items were scrutinized by the College. She reported that the contractor had only four change orders and were substantially below the allotted amount for change orders. She reported that it has been a very smooth project.

Mr. Dobbs reported that this project started out as a state funded project and some items were not approved by the state (i.e. public address system). These items were added after the fact and will be paid by Measure B Funds.

Mr. Vecchiarelli questioned the total cost of the change order. Mr. Dobbs reported we are under 5% (\$518,000 on an \$11 million project), which is not unusual on a new construction projects.

In response to a question raised by Mr. Gelles, it was reported that \$1 million Measure B Bond Funds augmented this project.

Motion carried unanimously, 6-0.

MOTION TO GO BEYOND 10:00 P.M. TIME LIMITMotion No. 5

Dr. Mertes made a motion, seconded by Mr. Gelles, to extend the Board Meeting time limit as long as necessary.

Motion carried unanimously, 6-0.

APPROVAL OF MODIFICATION TO SECURITY MASTER PLAN AGREEMENT WITH CATALYST CONSULTING GROUP FOR SECURITY MASTER PLAN DEVELOPMENTMotion No. 6

Dr. Lewis made a motion, seconded by Mr. Gelles, to approve the Modification to Master Plan Agreement with Catalyst Consulting Group for Security Master Plan Development at an amount not to exceed \$46,990 to be funded by Measure B Funds. It is further recommended that the Board authorize the Vice Chancellor, Business Services to execute the agreement and any future augmentations or amendments to the agreement on behalf of the District.

Mr. Dobbs explained that one of the major issues that came out of the College Facilities Master Plans was security and safety. The District hired a consultant (Catalyst Consulting Group) to do a security analysis of each campus. This document was adopted as part of the Facilities Master Plans. The plan will be implemented on each of the new building projects. Much of the equipment is very old and needs to be updated. This amendment will take the next step to determine what is needed “to come up to standard.”

Dr. Mertes and Mr. Gelles expressed uneasiness with this modification to the agreement, questioning why the planning wasn't completed more thoroughly initially. Mr. Gelles noted that the original agreement was for \$80,000.

President Halliday reported that Catalyst did an excellent job with preparing the Security Master Plans and as a next step the Colleges would like Catalyst to continue their work by implementing the system.

In response to a question raised by Dr. Mertes, Dr. Cota agreed that “amendment” was perhaps not the appropriate term.

Dr. Lewis thanked staff for the “methodical planning where you do one segment and when you know you are happy with the firm and know their quality of work is good, then you

can go the next step.” Perhaps if you went with a different firm, this discussion would probably not have come up.

Motion carried unanimously, 6-0.

APPROVAL OF REQUEST FOR PROPOSAL A-06, SELECTION OF ARCHITECT FOR THE SOCCER FIELDS, LAS POSITAS COLLEGE

Motion No. 7

Dr. Lewis made a motion, seconded by Dr. Gin, to award the Request for Proposal A-06 to Beals Alliance, Inc., 3400 Bradshaw Drive, Sacramento, CA as the Architect for the Soccer Fields, Las Positas College at an amount not to exceed \$450,000 for architectural fees to be funded by Measure B Funds.

Motion carried unanimously, 6-0.

ADOPTION OF RESOLUTION NO. 15-0506 – AUTHORIZATION TO ADVERTISE FOR BIDS TO CONSTRUCT FOUR MODEL TECHNOLOGY ENHANCED CLASSROOMS, CHABOT COLLEGE, BID NO. 06-10

In response to questions raised by Dr. Mertes, Dr. Carlson explained that these model classrooms would be templates for future classrooms. The classrooms will test classroom space utilization, furniture, color, lighting and technology. The classrooms will enable the college faculty to “test drive” four variations and evaluate the benefits and short-falls of each. Classes will rotate through each classroom.

Also in response to a question raised by Dr. Mertes, Dr. Carlson reported that a committee worked on this project eight to nine months to arrive at these models. The committee visited several institutions and looked at lots of equipment. All classrooms will be functional classrooms; one will be the best of the four.

Mrs. Methe clarified that committees have looked at the issue of technology at great length, however, until the faculty use that equipment it will not be known which is the best. Those results will be shared with Las Positas College. Las Positas College currently has technology enabled classrooms in most of their classrooms. In the near future, Las Positas will be given digitized white boards to evaluate this new technology.

Motion No. 8

Dr. Mertes made a motion, seconded by Dr. Gin, to adopt Resolution No. 15-0506 – Authorization to Advertise for Bids to Construct four Model Technology Enhanced Classrooms, Chabot College, Bid No. 06-10 to be funded by Measure B Funds.

Motion carried by the following roll call vote:

AYES:	Dvorsky, Gelles, Gin, Lewis, Mertes, Vecchiarelli
NOES:	None
ABSTENTIONS:	None
ABSENT:	Cedillo

ADOPTION OF RESOLUTION NO. 16-0506 – AUTHORIZATION TO ADVERTISE FOR BIDS FOR MODIFICATIONS OF BUILDING 3500 (EARLY CHILDHOOD BUILDING), CHABOT COLLEGE, BID NO. 06-09

Motion No. 9

Dr. Gin made a motion, seconded by Dr. Lewis, to adopt Resolution No. 16-0506 – Authorization to Advertise for Bids for Modifications of Building 3500 (Early Childhood Building), Chabot College, Bid No. 06-09, to be funded by State Grant and Measure B Funds.

Mr. Vecchiarelli questioned our position on Project Labor Agreements (PLA) when bids are received. He reminded the Board that we told the Building Trades that we would have a decision before using any Measure B money.

Dr. Cota reported that she and staff will bring information on the PLA to the Board in January and hopes the Board will make a decision in February or March. Dr. Cota noted that the Building Trades are aware of this timeline.

Motion carried by the following roll call vote:

AYES:	Dvorsky, Gelles, Gin, Lewis, Mertes, Vecchiarelli
NOES:	None
ABSTENTIONS:	None
ABSENT:	Cedillo

ADOPTION OF RESOLUTION NO. 17-0506 – DECLARATION OF INTENTION TO DEDICATE CAMPUS HILL DRIVE TO THE CITY OF LIVERMORE FOR PUBLIC USE AS A PUBLIC ROAD, LAS POSITAS COLLEGE

Motion No. 10

Dr. Mertes made a motion, seconded by Mr. Gelles, to adopt Resolution No. 17-0506 – Declaration of Intention to Dedicate Campus Hill Drive to the City of Livermore for Public Use as a Public Road.

Motion carried by the following roll call vote:

AYES:	Dvorsky, Gelles, Gin, Lewis, Mertes, Vecchiarelli
NOES:	None
ABSTENTIONS:	None
ABSENT:	Cedillo

APPROVAL OF NEW APPRENTICESHIP PROGRAM MASTER AGREEMENT – BRIDGESTONE/FIRESTONE RETAIL AND COMMERCIAL OPERATIONS, LLC, DISTRICT – ECONOMIC DEVELOPMENT, LAS POSITAS COLLEGE

Dr. Kinnamon reported that Bridgestone/Firestone Retail and Commercial Operations, LLC, has requested that the District assist them in forming an apprenticeship program for their automotive technicians. Las Positas College will serve as the local educational agency for the program, which will be administered by the District Economic Development Department. Las Positas College will be responsible for assisting with curriculum review, as well as enrolling the apprentices as students. In addition to classroom hours, on-the-job training hours can be counted toward FTES. The District will be responsible for processing the application, maintaining the integrity of the curriculum, certifying that the instructors meet established minimum qualifications, instructor training, orientation and evaluation.

Motion No. 11

Mr. Gelles made a motion, seconded by Dr. Lewis, to approve the Master Agreement dated December 15, 2005 – June 30, 2006 between Chabot-Las Positas Community College District and Bridgestone/Firestone Retail & Commercial Operation, LLC, for the purpose of providing Related and Supplemental Instruction and other services to students registered in the Apprenticeship Program for Technicians. It is further recommended that the Board of Trustees authorize the Vice Chancellor, Business Services, to execute the Master Agreement contract and make any modifications or augmentations necessary on behalf of the District.

In response to a question raised by Mr. Vecchiarelli, Dr. Kinnamon confirmed that the District could use Montoya money to pay for this and we will be able to fold that under the CAP.

Mr. Vecchiarelli applauds the District for this and voiced that he wants to see more of this new revenue generation.

Motion carried unanimously, 6-0.

FACILITIES PLANNING AND MANAGEMENT REPORT

Mr. Gelles commented that this was a well-done report and complemented staff.

ADOPTION OF RESOLUTION NO. 18-0506 – AUTHORIZATION FOR DESIGNATION OF SIGNATURE AGENTS

Motion No. 12

Mr. Gelles made a motion, seconded by Dr. Lewis, to adopt Resolution No. 18-0506 authorizing the Board of Trustees and designated agents of the District to sign orders drawn on funds in its behalf as outlined in Education Code Sections 85232.

Motion carried by the following roll call vote:

AYES:	Dvorsky, Gelles, Gin, Lewis, Mertes, Vecchiarelli
NOES:	None
ABSTENTIONS:	None
ABSENT:	Cedillo

CHABOT COLLEGE EDUCATIONAL MASTER PLAN

Motion No. 13

Dr. Lewis made a motion, seconded by Dr. Gin, to approve the Chabot College Educational Master Plan for 2005-2015.

In response to an inquiry by the Board, Mr. Glen reported that the Senate did not direct him to encourage the Board not to approve the document. He explained that the Senate would not want to hold up the process and impair the dispersal of funds. He suggested that the Board approve the document with the proviso that it come back to the Board with the Senate's recommended revisions.

Dr. Carlson reported that the document was prepared by the direction of the Board and that there are no funds in jeopardy.

Motion No. 14

Dr. Mertes made a motion, seconded by Dr. Gin to table the approval of the Chabot College Educational Master Plan for 2005-2015 until the February Board Meeting.

Motion carried unanimously, 6-0.

NEXT MEETING

The next Board of Trustees Meeting is scheduled for Tuesday, January 17, 2006 at the District Office.

ADJOURNMENT

There being no further business the Regular Meeting was adjourned at 10:17 p.m. to the Financing Corporation Organizational Meeting.

Minutes completed by:

Beverly Bailey

Secretary, Board of Trustees
Chabot-Las Positas Community College District