

**CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
REGULAR MEETING**

**MINUTES
September 19, 2006**

PLACE

Chabot-Las Positas Community College District, 5020 Franklin Dr., Pleasanton, California 94588.

CALL TO ORDER

The regular meeting was called to order at 5:30 p.m. Recording Secretary Beverly Bailey called the roll. All Board Members were present at the time of roll. The Board immediately adjourned to a Closed Session, which ended at 6:25 p.m.

The Board readjourned in Open Session at 6:30 p.m. and adjourned at 7:35 p.m. Recording Secretary Beverly Bailey called the roll. All Board Members were present at the time of roll.

ATTENDANCE

Members Present: Dr. Arnulfo Cedillo
 Mrs. Isobel F. Dvorsky
 Mr. Donald L. "Dobie" Gelles
 Dr. Hal G. Gin
 Dr. Barbara F. Mertes
 Dr. Alison Lewis
 Mr. Carlo Vecchiarelli
 Mr. Nathan Cornejo

Members Absent: None

Managers Present: Dr. Susan A. Cota, Chancellor
 Dr. Robert Carlson, President, Chabot College
 Mrs. Karen Halliday, President, Las Positas College
 Mrs. Jennifer Aries
 Ms. Julia Dozier
 Ms. Heidi Finberg
 Mr. Andrew Howe
 Mr. Farhad Javaheripour
 Dr. Ted Kaye
 Dr. Joel Kinnamon

Mr. Robert Kratochvil
Mr. Lorenzo Legaspi
Mrs. Jeannine Methe
Mr. Richard Talmo

Recording Secretary: Mrs. Beverly Bailey

Others Present: Ms. Lauren Barnard, LPC Express
Mr. Bob Collins, Swinerton
Mrs. Esther Goldberg, Faculty Emeritus
Ms. Melissa Korber, President, Las Positas College
Faculty Senate
Dr. Art Larson, Administrator Emeritus
Mrs. Charlotte Lofft, President, Chabot-Las Positas Faculty
Association
Mr. Patrick Lofft
Mr. Joshua Paul, President, Associated Students of Las
Positas College
Ms. Karen Powell, Parsons
Mr. Eloy Retamal, DMJM
Ms. Estella Sanchez, DMJM
Ms. Karen Silva
Ms. Sherri Souza, Chair, Las Positas College Foundation
Mr. Todd Steffan, President, Las Positas College Classified
Senate
Ms. GeorgeAnna Tow, Esq., Faculty Emeritus
Ms. Barbara Tracey, DMJM
Ms. Rachel Ugale, President, Chabot College Classified
Senate
Ms. Laura Weaver

ACTION TAKEN IN CLOSED SESSION

Dr. Cedillo reported that in Closed Session the Board unanimously approved a salary increase for the Chancellor in the amount of 8.8% for 2006-07, retroactive to July 1, 2006.

PUBLIC COMMENTS

Dr. Art Larson, Administrator Emeritus and Founder and past president of C.A.R.E., expressed on behalf of the retirees appreciation to the District for their health benefits over the years and has faith that they will continue. He expressed concern for the health benefit change and the fact that they were not consulted prior to the change. Their constitution

states that they are a collegial organization whose primary purpose is to serve the economic and social interests of its members. He stressed the change in co-pay and medical prescriptions would have a severe economic impact on the retirees. He especially expressed concern for those retirees who are in their 80's and 90's. C.A.R.E. believes current benefits were vested to retirees at the time of their employment and granted by the Board to each person as they retired. Any discussion to change those benefits is a matter between the Board and the retirees through C.A.R.E.

Ms. GeorgeAnna Tow, Esq. expressed that health care benefits were granted to each retiree individually and that any change to those benefits is a matter between the retiree and the Board and not any other negotiating group. C.A.R.E. would talk, not negotiate for the retirees. She reported that there have been decisions in the courts (i.e. San Leandro School District and Contra Costa Community College District) protecting the rights of the individuals when the person was hired--it is a contract and cannot be changed unilaterally. She requested the Board take no action on the retiree benefits tonight. She stressed that there has not been adequate discussion.

Ms. Charlotte Lofft, President of the Chabot-Las Positas Faculty Association, reported that the results of the vote for the faculty contract have been tallied: 160 yes, 5 no and 4 abstentions. She thanked the Faculty and Management Negotiation Teams, especially recognizing Dr. Joel Kinnamon, Dr. Susan Cota and Chief Faculty Negotiator Tom deWit.

CONSENT CALENDAR

Motion No. 1

Dr. Cedillo made a motion, seconded by Mr. Vecchiarelli, to approve the consent calendar.

Motion carried unanimously, 7-0.

The following items were approved on the consent calendar:

General Functions

1.7 Approval of Minutes of August 22, 2006 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

3.7 Salary Schedule Increases

Educational Services

- 4.1 Acceptance of Gifts – Las Positas 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 Transfers 1.A.1
5.5 Ratification of Purchases Completed
5.6 Approval of Declaration of Surplus Property to be Sold at Private Sale and Donation or Disposal of Any Items Not Sold
5.7 Agreements
a. Approval to Enter into Agreement with Cornerstone Fellowship of Livermore for Use of Off-Campus Facility, Las Positas College
b. Approval of Agreement with CollegeNet, Inc. for the Purchase of Room Scheduling/Events Management System Software (Measure B Funds)

Facilities Planning and Development

- 6.1 Authorization to File Notice of Completion with the Alameda County Clerk Recorder's Office for the Re-Roofing of Buildings 800, 2000 and 2100, Las Positas College (Measure B Funds)
6.2 Approval of Submittal of the 2006 Space Inventory Report to the California Community College Chancellor's Office

Economic Development/Contract Education

- 7.1 Approval of Agreement – Children's Hospital and Research Center at Oakland, 2006-07 Training for Child Welfare, District-Economic Development/Contract Education

TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS

Mr. Cornejo apologized for missing the October 3 Board Workshop. He explained that he had a flat tire.

Dr. Gin reported that he, along with other Board Members and Administrators, attended the Automotive Service Councils of California, Chapter 16, meeting and dinner on September 12. He also reported that he attended the Las Positas College Foundation Reception on September 13. He reported that both were excellent events.

Dr. Cedillo reported that he had the privilege to be invited to attend the National Summit on the State of Latino Education in Washington, D.C., September 13–15. The Summit

was hosted by the National Association of Latino Elected and Appointed Officials. The keynote address was given by U.S. Secretary of Education, Margaret Spellings. He attended a keynote address by Ms. Sarita Brown, President of Excellencia in Education. He had the opportunity to talk with Ms. Brown and this organization has grants and are looking for partners in the community colleges, especially in California. He also reported that University of California at Santa Barbara is working with a group on a program similar to Puente. This group is also looking for partnerships with California Community Colleges. Dr. Cedillo stressed that there is much concern regarding Latinos and education. He also reported that he will be attending the National Community College Hispanic Council Annual Leadership Symposium September 21 and 22 and will have another opportunity to talk with Ms. Brown further.

Dr. Lewis reported that she is happy to see a memorandum from the Chancellor responding to a student who spoke before the Board at its October 3 Meeting on the issue of disabled parking fees. Dr. Lewis also noted that the Board could not respond to the student at the meeting as the issue was not agendaized. She voiced that she would like us to not charge disabled students for parking.

Mr. Gelles voiced that he concurs with Dr. Lewis. He also welcomed his friend, GeorgeAnna Tow. Mr. Gelles reported that he also attended the Automotive Service Councils' Back to School Night, noting that it "reminded him of what education is about."

Mrs. Dvorsky reported that she too attended the Automotive Service Councils Dinner and Meeting. She read two letters of acknowledgement for the Board Members' attendance at the event—from the Chabot College Automotive Technology Department and from Stephen Small, Chabot Automotive Instructor.

CHABOT-LAS POSITAS COLLEGES FOUNDATIONS

Las Positas College: Dr. Kaye provided a written report to the Board. He reported that on October 7, six Tri-Valley Rotary Clubs are sponsoring a Bocce Ball event with a percentage of the proceeds to benefit the Alameda County Community Food Bank and Las Positas College Foundation. He also reported that on November 7 the Foundation is sponsoring an event celebrating the Inaugural Home Games of the Men's and Women's HAWKS Basketball Teams. He reported that on September 13 the Board of Directors had an excellent all-day retreat and annual meeting followed that evening with a reception. He highlighted the list of Board Members and introduced new Board Chair, Ms. Sherri Souza. He further reported that in the next few weeks, the Foundation will be announcing some grant awards from the Foundation Board.

Chabot College: Mr. Talmo presented a written report to the Board. He reported that on November 18, the Foundation will be sponsoring "An Evening at the Starlight Club" featuring jazz singer, Ledisi. The event will be a supper club theme of the 30's and 40's.

He also reported that the Foundation helped the Jazz Band reach its goal of \$28,000 for its trip to Japan. He also reported that the Bank of Fremont Foundation has awarded \$10,000 to the Music Program for new instruments. He introduced Ms. Heidi Finberg, newly hired Assistant Director of the Chabot College Foundation. He further reported that on September 11 the Board approved their new Board Chair, Mr. John Gutierrez of Comcast.

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. The Senate is considering several issues which Senators will take to their divisions for feedback:

- Faculty Ethics Statement
- District Strategic Plan
- Proposed Board Policy 2260, Political Activity
- Resolution in Support of Proposition 1D, the Kindergarten-University Public Education Facilities Bond Act of 2006
- Voting Rights for Students on Curriculum Committee
- Use of Nike Funds for Permanent Art Displays in Student Services and the Child Development Center
- Midyear Hires
- Summary of Convocation Day Workshops on the AS Degree
- Concerns about Parking, especially overcrowding of lot near faculty offices
- Abbreviations for the new divisions following the reorganization

Mr. Chad Mark Glen, President of the Chabot College Academic Senate, reported that he recently attended the Hayward Unified School District Teacher Scholarship event, the Hayward B Street Fair, the Castro Valley Street Fair and the Berkeley Street Fair. He will be attending a meeting, along with Melissa Korber, with State Chancellor Mark Drummond tomorrow at Peralta Community College District. In addition, he will be attending the Bay Area Community College Consortium on September 21.

Mr. Glen reported that the Senate continues to work on the AS Degree and thanked Ms. Jennifer Aries for her help on this issue. Also, the Senate is working on the Accreditation SLOAC (Student Learning Outcome Assessment Cycle) and have tentatively assigned three levels of student learning outcomes assessment: course level outcomes to the Curriculum Committee; program or discipline level to the Program Review Committee;

and the college-wide student learning outcomes are being assigned to a committee to be chaired by Dr. Carolyn Arnold.

PRESIDENTS OF CHABOT, LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES

Mr. Todd Steffan, President of Las Positas College Classified Senate, submitted a written report for the Board. He reported the Senate has approved their Goals for 2006-07 as well as a draft Calendar of Events.

Ms. Rachel Ugale, President of Chabot College Classified Senate, submitted a written report to the Board. She reported the Senate is hosting a Silent Auction on October 5 to raise money for Classified Scholarships and the Annual Outstanding Employee Award. She also highlighted that September 21 is the final Hayward Street Fair for this year.

The District Classified Senate had no representation.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES ASSOCIATED STUDENTS

Mr. Joshua Paul, President of Associated Students of Las Positas College, reported that the first Club Day is scheduled for tomorrow and expects a good club representation. He reported that he attended the Las Positas College Foundation Board Reception and expressed appreciation to the Foundation for all they do for the College and students. He reported that he was recently involved in a conference call with the newly formed Student State Senate, Region 4. This group will have a student representative that will meet with the Board of Governors and the State Chancellor and he is trying to push for a Las Positas College Student to be the representative.

Associated Students of Chabot College had no representation.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES

Dr. Carlson submitted a written report to the Board. Dr. Carlson thanked Board Members for attending to the Automotive Service Councils' Back to School Night. He highlighted that the second Annual Homecoming is scheduled for October 21 and is expected to be bigger than last year's.

President Halliday submitted a written report to the Board. President Halliday highlighted upcoming events:

- Club Day and Transfer Day – September 20
- Town Meeting: Student Diversity Panel - October 3
- Eighth Annual Major Exploration Faire – October 11
- Grand Opening of LPC Radio Station (Internet) – October 4

CHANCELLOR'S REPORT

Dr. Cota reported that she has responded to the student who spoke during Public Comments at the last Board Meeting concerning parking for disabled students. If the Board is agreeable, she is recommending that the Vice Presidents of Student Services talk to Associated Students for a recommendation. Currently, the Policy is silent on whether to charge. The Education Code gives local Boards the prerogative. The Board was in agreement with this recommendation.

Mr. Vecchiarelli reported that he called Cal State, East Bay and they waiver parking fees on an individual basis. He noted that not all disabled students cannot afford to pay for parking.

Dr. Lewis expressed that she is not sure it should be an economic issue only.

Mr. Gelles expressed that he would like to see the students' opinion but that he concurs with Dr. Lewis.

Dr. Cota also highlighted that the Chancellor's Awards Luncheon is scheduled for Friday, September 29. She also reported that she attended the Las Positas College Foundation Reception as well as the Automotive Service Council's Back to School Night. She further reported that she and the two College Presidents will be attending the Bay 10 Presidents and Chancellors Luncheon tomorrow with guest speaker Chancellor Mark Drummond.

Dr. Cota reported that the Gallup Organization in consultation with Harvard University has been conducting research on retention and the success of students. This year they have elected to invite twelve community college presidents nationwide to attend. President Halliday has been invited to attend.

Dr. Cota also reported that she serves as a Member of the Community College Leadership Development Board. This Board is studying the question of what colleges are doing to prepare for succession. She reported that 15% of Presidents and Chancellors are interim positions; 15% are first time Presidents and Chancellors this year; and 8 have announced their retirements for 2006-07. All colleges in the state are struggling with succession planning.

ADOPTION OF RESOLUTION NO. 09-0607 – ESTABLISHMENT OF THE GANN APPROPRIATIONS LIMIT FOR 2006-07

Motion No. 2

Dr. Gin made a motion, seconded by Dr. Mertes, to adopt Resolution No. 09-0607 – Establishment of the GANN Appropriations Limit for 2006-07 in the amount of \$101,110,145.

Motion carried by the following roll call vote:

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

ADOPTION OF RESOLUTION NO. 10-0607 – AUTHORIZATION TO DISPOSE OF SURPLUS OFFICE TRAILERS BY PUBLIC SALE

Motion No. 3

Dr. Gin made a motion, seconded by Dr. Mertes, to adopt Resolution No. 10-0607 – Authorization to Dispose of Surplus Office Trailers by Public Sale in accordance with Education Code Sections 81450 and 81452 and Board Policy 3212.

Motion carried by the following roll call vote:

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

APPROVAL OF AWARD OF BUILDING COMMISSIONING ASSIGNMENTS TO ARCHITECTURAL AUTHORITY SERVICES FOR MEASURE B BOND PROJECTS

Motion No. 4

Dr. Lewis made a motion, seconded by Dr. Mertes, to approve the award of LEED™ Building Commissioning Assignments for the College Center for the Arts and the Child Development Center projects, at Las Positas College, to Enovity in the amount of \$126,167; and for the Community and Student Services Center and the Instructional Office

Building projects, at Chabot College, to AEC in the amount of \$109,228. Funding: Measure B Funds

Dr. Lewis expressed that she is pleased to see the support of LEED level of construction.

Motion carried unanimously, 7-0.

APPROVAL OF CHANGE ORDER NOS. 1 AND 2 – BSK AND ASSOCIATES, MULTI-DISCIPLINARY EDUCATION BUILDING, LAS POSITAS COLLEGE

Motion No. 5

Dr. Cedillo made a motion, seconded by Mr. Gelles, to approve Change Order Nos. 1 and 2 for BSK and Associates, of Pleasanton, California, Multi-Disciplinary Education Building Inspection for the increased amount of \$57,870.00. It is further recommended that the Board authorize the Vice Chancellor, Business Services to execute the change order on behalf of the District. Funding: State and Measure B Funds

Dr. Gin questioned the amount of the change orders totaling \$57,870, noting that this is approximately 65% of the cost of the original contract. Mr. Legaspi reported that a large percentage of the amount of the change orders were for additional services required by DSA.

Motion carried unanimously, 7-0.

APPROVAL OF MODIFICATION TO PHYSICAL EDUCATION COMPLEX RENOVATION DESIGN SERVICES AGREEMENT WITH STAFFORD KING WIESE ARCHITECTS, CHABOT COLLEGE

Motion No. 6

Dr. Cedillo made a motion, seconded by Dr. Gin, to approve the Modification to the Physical Education Complex Renovation Design Services Agreement with Stafford King Wiese Architects, Chabot College in the amount of \$542,000 for a total not to exceed \$2,906,000. 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. Funding: Measure B Funds

Motion carried unanimously, 7-0.

ADOPTION OF RESOLUTIONS NOS. 11-0607 AND 12-0607 – AUTHORIZATION TO ADVERTISE FOR BIDS

Motion No. 7

Mr. Vecchiarelli made a motion, seconded by Mr. Gelles to adopt the following resolutions in one motion:

- a. Resolution No. 11-0607 – Authorization to Advertise for Bids – Remodel Room 3102, Nursing Classroom, Chabot College, Bid No. 07-03.
- b. Resolution No. 12-0607 – Authorization to Advertise for Bids for Renovation of the Chabot College Swimming Pool, Bid No. 07-02.

In response to a request from Mr. Gelles for additional information, Mr. Legaspi explained that Resolution No. 11-0607 is the grant in conjunction with Valley Care and Resolution No. 12-0607 is for the renovation of the Chabot College Swimming Pool.

Motion carried by the following roll call vote:

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

FACILITIES PLANNING AND MANAGEMENT REPORT

Mr. Legaspi highlighted a new column on the Obligations and Expenses Report which was added at the request of the Citizens’ Oversight Committee. The column references the ballot language for each project.

APPROVAL OF REVISED CITIZENS BOND OVERSIGHT COMMITTEE FOR MEASURE B

Motion No. 8

Dr. Gin made a motion, seconded by Mr. Cornejo, to approve the Revised Citizens Bond Oversight Committee for Measure "B" as follows:

Dave Bouchard - Business
Brian Foster - Community
Gordon Galvan - Foundation
Byron Kamp - Community
Patrick Lofft - Taxpayers
Joshua Paul - Student
Bernadette Richard - Student
John Sailors - Seniors

Motion carried, 6-0, with Dr. Mertes abstaining.

Chancellor Cota introduced new member Mr. Patrick Lofft representing the Taxpayers Association.

**APPROVAL OF AGREEMENT BETWEEN THE CHABOT-LAS POSITAS
FACULTY ASSOCIATION AND THE DISTRICT**

Motion No. 9

Dr. Lewis made a motion, seconded by Mr. Gelles, to approve the agreement between the Chabot-Las Positas Faculty Association and the District for the period July 1, 2006 through June 30, 2009. It is further recommended that the Board authorize the Chancellor to execute this agreement on behalf of the District.

Mr. Vecchiarelli expressed that he is in favor of the raise for faculty and staff. However, he expressed concern about the retirees' benefits and their inclusion in negotiations. He is pleased that the change in benefits has been put off for a year until July 2007. It is his hope that in the interim there can be dialogue with the retirees to reach some conclusion acceptable to everyone.

Mr. Gelles concurred with Mr. Vecchiarelli's comments, expressing his concerns for the retirees. However, he noted he will not vote against the contract for a much deserved staff.

Dr. Mertes noted that there has been a tremendous amount of work put into the contract. It is one of the best written contracts we have seen in a long time. However, in her conscience she cannot vote for the contract without the inclusion of dialogue with the retirees.

Motion carried, 6-1, with Dr. Mertes voting no.

APPROVAL OF AGREEMENT BETWEEN THE SERVICE EMPLOYEES INTERNATIONAL UNION (S.E.I.U.), LOCAL 790 AND THE DISTRICT

Motion No. 10

Mr. Gelles made a motion, seconded by Dr. Lewis, to approve the agreement between the Service Employees International Union (S.E.I.U.), Local 790 and the District for the period July 1, 2006 through June 30, 2009. It is further recommended that the Board authorize the Chancellor to execute the agreement on behalf of the District.

Motion carried unanimously, 7-0.

ADOPTION OF RESOLUTION NO. 13-0607 – IN SUPPORT OF PROPOSITION 1D – THE KINDERGARTEN-UNIVERSITY PUBLIC EDUCATION FACILITIES BOND ACT OF 2006

Motion No. 11

Mr. Gelles made a motion, seconded by Dr. Gin, to adopt Resolution No. 13-0607 in Support of Proposition 1D – The Kindergarten-University Public Education Facilities Bond Act of 2006.

Motion carried by the following roll call vote:

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

ADOPTION OF RESOLUTION NO. 14-0607 – IN RECOGNITION AND SUPPORT OF NATIONAL HISPANIC HERITAGE MONTH

Motion No. 12

Dr. Cedillo made a motion, seconded by Dr. Mertes, to adopt Resolution No. 14-0607 in Recognition and Support of National Hispanic Heritage Month, September 15 to October 15, 2006.

Motion carried by the following roll call vote:

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

NEXT MEETING

The next Board of Trustees Meeting is scheduled for Tuesday, October 3, 2006 at Chabot College at 6:30 p.m.

ADJOURNMENT

There being no further business, the Regular Meeting was adjourned at 7:35 p.m.

Minutes completed by:

Beverly Bailey

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