

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

**MINUTES
July 17, 2007**

PLACE

Chabot-Las Positas Community College District, Chabot College, 25555 Hesperian Boulevard, Hayward, California 94545.

CALL TO ORDER

The regular meeting was called to order at 5:05 p.m. Recording Secretary Beverly Bailey called the roll. Dr. Lewis and Mr. Vecchiarelli were absent at the time of roll call. The Board immediately adjourned to Closed Session, which ended at 6:25 p.m.

The Board readjoined into Open Session at 6:35 p.m., which ended at 7:20 p.m. Recording Secretary Beverly Bailey called the roll. Mr. Vecchiarelli was absent at the time of roll call.

ATTENDANCE

Members Present: Dr. Arnulfo Cedillo
 Mrs. Isobel F. Dvorsky
 Mr. Donald L. "Dobie" Gelles
 Dr. Hal G. Gin
 Dr. Alison Lewis (arrived 5:30 p.m.)
 Dr. Barbara F. Mertes

Members Absent: Mr. Carlo Vecchiarelli

Managers Present: Dr. Joel L. Kinnamon, Chancellor
 Dr. Robert Carlson, President, Chabot College
 Mr. Robert Kratochvil, Interim President,
 Las Positas College
 Mrs. Jennifer Aries
 Ms. Diane Curl
 Ms. Heidi Finberg
 Dr. MaryAnne Gularte
 Mr. Andrew Howe
 Mr. Farhad Javaheripour
 Dr. Laurel Jones

Dr. Ted Kaye
Ms. Pam Luster
Ms. Melinda Matsuda
Ms. Jeannine Methe
Mr. John Nahlen
Ms. Alice Noriega
Ms. Laura Weaver

Recording Secretary: Mrs. Beverly Bailey

Others Present: Mr. Waiz Badar, President, Associated Students of Chabot
College
Mr. Greg Daubenmire, President, Las Positas College
Faculty Senate
Mr. Marshall Mitzman
Ms. Kayla Moreland, President, Associated Students of Las
Positas College
Mr. Pedro Ruiz deCastilla, President, District Classified
Senate
Mr. Norberto Ruiz
Ms. Rachel Ugale, President, Chabot College Classified
Senate
Ms. Diane Zuliani, President, Chabot College Faculty Senate

BOARD MEMBER EXCUSED

Dr. Cedillo reported that Mr. Vecchiarelli is ill and therefore excused from tonight's meeting.

APPOINTMENT OF SECRETARY

Dr. Cedillo appointed Dr. Hal Gin as Secretary in Mr. Vecchiarelli's absence.

PUBLIC COMMENTS

There were no Public Comments offered at this meeting.

CONSENT CALENDAR

Motion No. 1

Dr. Mertes made a motion, seconded by Dr. Gin, to approve the consent calendar.

Motion carried unanimously, 6-0.

The following items were approved on the consent calendar:

General Functions

- 1.7 Approval of Minutes of June 26, 2007 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

Educational Services

- 4.1 Approval of Grant Agreement Renewal – Alameda County Workforce Investment Board, High-Risk Youth Services Program, Master Contract No. 900035, Las Positas College
- 4.2 Approval to Participate in American Association of Community Colleges Asia Recruitment Fairs, District

Business Services

- 5.1 Approval of Commercial Warrant Registers
- 5.2 Approval of Payroll Warrant Registers
- 5.3 Approval of Budget Transfers 12.L.1
- 5.4 Agreement
 - a. Approval to Enter into Agreements for Use of Off-Campus Facilities, Las Positas College
 - b. Approval of Renewal of Agreement with the Regents of the University of California, San Francisco, School of Dentistry, Dental Hygienists, Chabot College
- 5.5 Approval of Award of Bid No. 06-16, Office Supplies

TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS

Board Members welcomed Dr. Kinnamon to his first Board Meeting as Chancellor and wished him much success.

Ms. Morrissey reported that Las Positas College is currently working on updating their web site to make it more user friendly.

CHABOT-LAS POSITAS COLLEGES FOUNDATIONS

Las Positas College: Dr. Kaye presented a written report to the Board. He reported they are working on a new grant with United Way of East Bay to develop up to \$50,000 for the College Bound Scholars Program. They have also submitted a proposal to a major wine distributor in the Tri-Valley to underwrite the Campus Hill Demonstration Vineyard on campus. He further reported that the Foundation Board Appreciation Reception is scheduled for September 12, 4:00-6:00 p.m. in Livermore.

Chabot College: Ms. Finberg presented a written report to the Board. She reported that the Chabot Foundation is wrapping up the year. She announced that the tentative budget reports show that the Foundation has raised more money this year and have had more campus giving than in previous years, in part thanks to the Valley Foundation Grant. She reported that they are teaming up with the grant writer on campus who assisted in obtaining grants from Kaiser and Team Up for Sports for the Summer Youth Sports Program (SYSP).

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES

Ms. Diane Zuliani, President of the Chabot College Academic Senate, reported that several committees are planning flex day and division day activities, which will focus on student learning outcomes, accreditation and retention. Chabot Faculty wish a fond farewell to outgoing Dean of Social Sciences and welcome incoming Dean Norma Ambriz.

Mr. Greg Daubenmire, President of the Las Positas College Academic Senate, submitted a written report to the Board. He reported the Senate is currently planning for the Faculty Flex Day in August. There will be a workshop for developing Student Learning Outcomes (SLO's). He also reported that the Basic Skills Study group met and assigned different parts of the study to members of the group. Plans have been made to meet early in the fall prior to the date for hosting local colleges in a workshop on the Basic Skills Initiative.

PRESIDENTS OF CHABOT, LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES

Las Positas College Classified Senate had no representation.

Ms. Rachel Ugale, President of Chabot College Classified Senate, reported that the Classified Senate is planning for convocation and flex day activities.

Mr. Pedro Ruiz deCastilla, President of District Classified Senate, reported that the Classified is looking forward to working with Chancellor Kinnamon. He also reported that the Senate sponsored a retirement barbecue for Dr. Cota on June 27.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES ASSOCIATED STUDENTS

Ms. Kayla Moreland, President, Associated Students of Las Positas College, reported that their Director of Legislation, Joshua Paul, has been setting up appointments with senators and representatives for their September trip to Washington, DC with the American Student Government Association. Appointments have been made with Congressman Pete Stark, Congressman Mike Honda and Senator Dianne Feinstein. They are also in the process of creating a student life brochure and a presentation for the new student orientation scheduled for next month.

Mr. Waiz Badar, President, Associated Students of Chabot College, reported Club Day was held July 6 with Game Zone Recreation, a first effort to have an Animation conference at Chabot College. He reported it was quite successful. He also reported that he met with Dr. Carlson and they are trying to resolve the issues from last semester. ASCC is also helping with Gladiator Day.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES

Mr. Kratochvil submitted a written report to the Board. He highlighted the All College Breakfast scheduled for Thursday, August 16 to welcome the faculty and staff back for Fall Semester. He invited Board Members to join them. He acknowledged the Administrative Staff who have been very supportive of him. He also thanked Maintenance and Operations Staff for their work in preparing for classes in August. He also acknowledged Pam Luster and Laurel Jones for their hard work and efforts.

Mr. Kratochvil thanked the Board for the opportunity to serve as Interim President at Las Positas College. He introduced Mr. Lee Bateman who will be filling in during his absence in the Office of Administrative Services.

Dr. Carlson submitted a written report to the Board. He highlighted the Youth Sports Program which began June 25 and will continue until July 27. The 2007 program is serving 261 local low-income youth between the ages of 10 and 16 years. He gratefully acknowledged the contributions of Kaiser Permanente, California First Bank and Trust, Team Up for Youth, Hayward Rotary Club, and the San Leandro Boys and Girls Club for their continued support of this important program. He noted that it has been a struggle the past few years since the Federal Program and funds were cancelled.

Mr. Gelles complimented the College for doing a tremendous job with this program, and voiced that he has always been very supportive of College for Kids.

In response to a question raised by Dr. Cedillo, Dr. Carlson reported that the goal is to have the football stadium ready for the season. He reported that the project is on time and on budget. Dr. Cedillo encouraged fellow Board Members to go and see the construction of this project.

CHANCELLOR'S REPORT

Dr. Kinnamon introduced Mr. John Nahlen, Director of Business Services, who is sitting in for Mr. Legaspi tonight.

Dr. Kinnamon noted that he appreciates working with President Kratochvil and is looking forward to working with him for the next six months.

Dr. Kinnamon reported that the past seventeen days as Chancellor have been exciting. He has met with all Trustees except Trustee Vecchiarelli, whom he will be meeting with in the next week. He reported that everyone has been very supportive. He has met with staff members from Assemblymember Mary Hayashi's and Senator Don Perata's offices. He reported that in an effort to get good communication flowing, he has asked Mrs. Bailey and Mrs. Aries to schedule appointments for him to meet with City Mayors, Members of Congress, State Senators and Assemblymembers, Senate Presidents, Student Trustees, and all College Departments and Divisions. He also reported that he has begun Exit Interviews with all Administrators who are leaving due to resignation, retirement or reassignment. He also reported he and Management Staff have begun to review the process and role delineation in some of the major District functional areas to try to incorporate streamlined processes.

Dr. Kinnamon further reported that enrollment for the Summer is up Districtwide 10.4%—12.3% at Chabot College and 6.1% at Las Positas College. He expressed his appreciation to the staff for their efforts. Enrollment for International Students is projected to increase 40% this fall over last fall—with between 20 and 30 additional students at each institution.

Dr. Kinnamon reported that he hopes to have the responses from the Trustees to the draft of the Strategic Plan by the first of August. He indicated that revisions to the draft would be made and presented to the Board for acceptance at the August 21 Board Meeting. He invited Board Members to Convocation on Wednesday, August 15.

RECOGNITIONS

Dr. Carlson recognized and presented Ms. Diana Curl, Director of the Children's Center, with her Administrator Emeritus plaque. He acknowledged that prior to the Director position, she was a part-time faculty member. He recognized the Center as a model program statewide and the best in the California Community Colleges.

Ms. Curl thanked Dr. Carlson and the Board for the "great run" which she has enjoyed very much. She stressed "don't forget the children."

ADOPTION OF RESOLUTION NO. 01-0708 – APPROVAL OF STANDARD AGREEMENT NO. 26765 WITH THE STATE OF CALIFORNIA, DEPARTMENT OF REHABILITATION, WORKABILITY III PROGRAM, LAS POSITAS COLLEGE

Motion No. 2

Dr. Gin made a motion, seconded by Mrs. Dvorsky, to adopt Resolution No. 01-0708 for the Standard Agreement No. 26765 with the State of California, Department of Rehabilitation, WorkAbility III Program, Las Positas College, effective July 1, 2007 through June 30, 2010 for \$307,680. 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.

Motion carried by the following roll call vote:

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

ADOPTION OF RESOLUTION NO. 02-0708 – 2007-08 CHILD DEVELOPMENT STATE FULL-DAY PRESCHOOL CONTRACT NO. CFDP-7001, PROJECT NO. 01-6131-00-7, CHABOT COLLEGE; AND

ADOPTION OF RESOLUTION NO. 03-0708 – 2007-08 CHILD DEVELOPMENT STATE PRESCHOOL CONTRACT NO. CPRE-7003, PROJECT NO. 01-6131-00-7, CHABOT COLLEGE

Motion No. 3

Mrs. Dvorsky made a motion, seconded by Dr. Lewis, to adopt the following resolutions in one motion:

- a. Resolution No. 02-0708 - 2007-2008 Child Development State Full-Day Preschool Contract No. CFDP-7001, Project No. 01-6131-00-7, effective July 1, 2007 through June 30, 2008, for the Maximum Reimbursable Amount (MRA) of \$357,118. It is further recommended that the Board authorize the Vice Chancellor, Business Services to execute the contract and any future augmentations or amendments to the contract on behalf of the District.
- b. Resolution No. 03-0708 - 2007-2008 Child Development State Preschool Contract No. CPRE-7003, Project No. 01-6131-00-7, effective July 1, 2007 through June 30, 2008 for the Maximum Reimbursable Amount (MRA) of \$299,785. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the contract and any future augmentations or amendments to the contract on behalf of the District.

Motion carried by the following roll call vote:

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

APPROVAL OF RESTRICTIVE COVENANT AGREEMENT WITH SHEA HOMES AT MONTAGE, INC., LAS POSITAS COLLEGE

Motion No. 4

Mrs. Dvorsky made a motion, seconded by Dr. Gin, to approve Restrictive Covenant Agreement with Shea Homes at Montage, Inc., Las Positas College. The term of the agreement will be for 50 years and shall be automatically renewed for successive ten-year periods unless either party notifies the other in writing anytime within the year immediately preceding the end of the initial term of any successive term of its intent to terminate the agreement. It is further recommended that the Board authorize the Vice Chancellor,

Business Services to execute the agreement and any future augmentations or amendments to this agreement on behalf of the District.

Mr. Kingston reported that this is the Vineyard property that was part of an arrangement with Shea Homes. The covenant is part of the deed similar to when you purchase a house, you agree to behave in a particular way. This covenant is attached to the deed that will then transfer this property to Las Positas College.

In response to a question raised by Dr. Mertes, Mr. Kingston reported that the size of the property is .72 acres. Dr. Mertes also questioned the upkeep costs, to which Mr. Kratochvil reported that the College is budgeting a little less than \$10,000 annually. Dr. Mertes also questioned if there will be any revenue associated with the property, to which Mr. Kratochvil reported that there could potentially be revenue noting that Dr. Kaye is doing some work in that regard with the Wine Growers Association in the area. That has not been worked out but they expect that potential. Dr. Mertes also question the number of years (50 years). Mr. Kratochvil reported that the College obtained Legal Counsel on this issue and in working with the District it was determined that 50 years is a reasonable length of time. He admits that it was a question the College also had. Dr. Mertes noted that there is upkeep, irrigation costs, planting and re-planting costs and questioned if the proceeds would even out the cost of the upkeep. Mr. Kratochvil noted that it is a demonstration vineyard being used for instructional purposes.

Dr. Lewis voiced that because it is to be used for support for an instructional program, she believes 50 years is a good deal. If you don't get the land now, you may not get the chance later. She noted that we spend money on instructional resources for many classes and believes this is in the same arena of supporting academic programs. She believes it is a reasonable expense and a reasonable time limit.

Dr. Mertes also questioned the insurance coverage and liability costs. Mr. Kratochvil noted that he was not prepared to respond to that question but the College would provide appropriate coverages.

Mr. Gelles noted that he is very supportive of this issue. He noted that he agrees with Dr. Mertes, in that the Board needs to have an answer on the cost of insurance.

Motion carried 5-1, with Dr. Mertes voting no.

FACILITIES PLANNING AND MANAGEMENT REPORT

Mr. Kingston reported that the Quarterly Oversight Report will be mailed to the Board next week. This report will give the details of the program and current status of projects since the last quarter. He highlighted a few projects from that report.

Chabot College:

- Swimming Pool is complete and open
- Football Field is underway and completion date is 08/07
- Athletic Fields and Tennis courts scheduled to be bid this month
- Building 800, 900 and 1000 scheduled to be bid in August
- Instructional Office Building scheduled to be submitted to DSA this month
- Student Services Center scheduled to be submitted to DSA for permitting next month
- Maintenance and Operations Building is at 50% construction drawings

Las Positas College:

- 404 Permit (next step from the biological opinion) scheduled to obtain at end of month from Corp of Engineers. Allows us to construct on any part of the College. The biological opinion gives us authority to construct on any part of the College that does not impact Collier Creek. He noted that the timeline works for our schedule as most projects are up on the further end of the College away from Collier Creek.
- Multidisciplinary Building is complete. One issue with the contractor on the landscaping and hopes the issue will be resolved in the fall.
- Soccer Fields scheduled to be submitted to DSA in August.
- Aquatic Center scheduled to be submitted to DSA in August.
- College Center for the Arts to be submitted to DSA in September.
- Child Center scheduled to be submitted to DSA in August.

Mr. Kingston reported that once projects come back from DSA, they are ready to go to bid. He also reported that the project office at Las Positas College is a double wide temporary office located near the Physical Education facility.

Mr. Gelles complemented Mr. Kingston on the Five-Year Plan. He stressed that the staff be kept aware of what we are doing. Mr. Kingston reported that this Five Year Plan combined the two Five Year Plans we had, which means that all the projects that we have planned in the bond are now in the que at the State. This means we can potentially get state bond funding for those projects. He noted that if a project is \$4 million and we get \$2 million from the State, the other \$2 comes back in local funds to be used to offset inflation or augment another project.

Dr. Lewis questioned how Collier Creek is being handled. Mr. Kingston reported that there are very strict requirements and the creek is more protected than it will ever be and will be during construction. What happens with a 404 permit is we tell the Corp of Engineers that we are going to do construction around the creek and they come back with

stipulations. These stipulations are added into the language in the construction contracts. Contractors are required to submit a plan to us called a Storm Water Pollution Prevention Plan. They protect those areas designated as needing protection.

FIRST READING: REVISED GOVERNING BOARD POLICY 7030 – BOARD COMPENSATION AND BENEFITS: MONTHLY MEETING COMPENSATION

Dr. Kinnamon noted that this change is to adjust the wording to match what is in the Education Code. It was noted that this is not an increase or change to the monthly compensation. This policy will be brought back to the Board for action at the next meeting.

GOOD OF THE ORDER

Dr. Cedillo noted that he has asked the Chancellor to send Board Members the Self-Evaluation Questionnaire. He asked Board Members to complete the questionnaire and return them to Bev Bailey by August 21.

NEXT MEETING

The next Board of Trustees Meeting is scheduled for Tuesday, August 21, 2007 at 6:30 p.m. at the District Office.

ADJOURNMENT

There being no further business, the Regular Meeting was adjourned at 7:20 p.m.

Minutes completed by:

Beverly Bailey

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