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CHABOT
LAS POSITAS
COMMUNITY
COLLEGE
DISTRICT

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

## MINUTES
## March 20, 2012

### PLACE

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

### CALL TO ORDER

The regular meeting was called to order at 4:30 p.m. by Board President Dvorsky. Recording Secretary Beverly Bailey called the roll. All Board Members were present at the time of roll.

### PUBLIC COMMENTS

There were no Public Comments offered at this time.

### ADJOURN TO CLOSED SESSION

The Board immediately adjourned to a Closed Session, which ended at 6:00 p.m.

### OPEN SESSION

The Board readjourned in Open Session at 6:30 p.m. Recording Secretary Beverly Bailey called the roll. Student Trustee Okpara was absent at the time of roll.

### ATTENDANCE

Members Present:

Trustee Arnulfo Cedillo
Trustee Isobel F. Dvorsky
Trustee Donald L. "Dobie" Gelles
Trustee Hal G. Gin
Trustee Barbara F. Mertes
Trustee Marshall Mitzman
Trustee Carlo Vecchiarelli
Student Trustee Takeo Hiraki
Student Trustee Nkechi Okpara (arrived at 8:10 p.m.)

Members Absent: None

Recording Secretary: Ms. Beverly Bailey

Managers Present:
Dr. Joel L. Kinnamon, Chancellor
Dr. Susan Sperling, President, Chabot College
Dr. Kevin Walthers, President, Las Positas College
Mr. Ken Agustin
Mr. James Andrews
Ms. Lori Benetti
Ms. Rita Brown
Ms. Vanessa Cormier
Ms. Julia Dozier
Mr. Wyman Fong
Dr. MaryAnne Gularte
Mr. Doug Horner
Dr. Howard Irvin
Dr. Ted Kaye
Mr. Jeffrey Kingston
Mr. Bob Kratochvil
Mr. Lorenzo Legaspi
Ms. Jeannine Methe
Ms. Dyan Miller
Dr. Janice Noble
Dr. George Railey
Mr. Rajinder Samra
Ms. Barbara Yesnosky

Others Present:
Ms. Jennifer Adams, Las Positas College
Ms. Ashley Alvelais, Chabot College Student
Ms. Dayna Barbero, Las Positas College Health Center
Ms. Natalie Cardoso
Ms. Ana Del Aguila, Chabot College
Mr. Robert Endres, Chabot College
Mr. Dave Fouquet, Chabot College
Ms. Amy Haghighi, Chabot College Student
Mr. Ming Ho, Chabot College
Ms. Cindy Hsia, Chabot College Student
Ms. Kathy Kelley, President, Chabot College Academic Senate
Ms. Melissa Korber, Las Positas College Academic Senate
Ms. Deborah Lavietes, District Services

Dr. Charlotte Lofft, President, Chabot-Las Positas Faculty Association
Ms. Diana McGregor, Chabot College
Ms. Barbara Ogman, Chabot College
Ms. Hilal Ozdemir, Chabot College
Mr. Chris Parman, District Director, Assemblymember Hayashi
Ms. Lydia Penaflor, District Services
Mr. George Philipp, WestEd
Ms. Edna Rodriggs, Chabot College
Mr. Amir Salehzadeh, President, Associated Students, Las Positas College
Mr. Stephen Small, Chabot College
Mr. Mark Smythe, President, S.E.I.U., Local 1021
Mr. Todd Steffan, President, Las Positas College Classified Senate
Ms. Rachel Ugale, District
Ms. Kristi Velarde, Chabot College/First Five Alameda County
Ms. Yvonne Wu-Craig, President, Chabot College Classified Senate
Ms. Diane Zuliani, Chair, Chabot College Public Art Committee

**PLEDGE TO FLAG**

Ms. Kathy Kelley led the pledge to the flag.

**PUBLIC COMMENTS**

Mr. Stephen Small announced that Chabot College Automotive Technology, Machine Tool Technology, Welding Technology, Fire Technology, and Electronics as well as the BMW Technology Program, are hosting an Open House scheduled for May 7, from 4:00-7:00 p.m. He invited the Board to tour the facilities between 3:30 and 4:00 p.m. He also reported that the Chabot College 50th Anniversary Gala scheduled for May 5, 2012 has been postponed until possibly September.

Ms. Diane Zuliani, Chair, Chabot College Public Art Committee, provided an update on the Public Art Project at Chabot College. She reported that the Artwork "Homecoming", a series of ten separate artworks across the campus was begun over the Winter Break. Four of the ten pieces have been completed, and it is hoped the project will be completed in June. The Artwork "Spark" has been completed and mounted on the exterior walls of the

Planetarium. The Artwork "Soar" will be installed at the end of May in the CSSC Building. She also reported that the seating area included in this project in the CSSC lobby will displace a temporary foodservice area; consequently, the Committee asked the artist of "Soar" to design a small foodservice kiosk to match the artwork and the lobby furnishings. She reported that the design has been approved by the Committee and will be installed mid-May. Ms. Zuliani also recognized the proposal for donation of artwork by Chabot College Instructor John Parente, which is included on tonight's agenda. She reported that a collector of Mr. Parente's artwork wishes to make a gift to the College, in honor of Mr. Parente. She further invited the Board members who will be attending the Brown Bag Lunch Series on Thursday, March 22 to join her afterwards for a docent tour of the artwork on campus.

Ms. Ashley Alvelais, Chabot College Early Childhood Development student, spoke against budgets cuts to the Chabot College Early Childhood Development Program and closure of the evening laboratory.

Ms. Wendy Weathers, Chairperson, Livermore Foundation Fireworks Committee, spoke in support of holding the Livermore Fourth of July Fireworks Celebration at Las Positas College.

Mr. Stewart Gary, Livermore City Council Member, reported that the Livermore City Council respectfully asks the Board's consideration of holding the Livermore Fourth of July Fireworks Celebration at Las Positas College. He reported that a new, larger and safer site is needed for the fireworks display. He reported that the City would like to proceed with detailed planning and a MOU between the City and District to affect a safe plan.

Mr. Troy Brown, Livermore Assistant City Manager, spoke to the proposal of holding the Livermore Fourth of July Fireworks Celebration at Las Positas College. He reported that two years ago, funding for the fireworks celebration was removed due to funding constraints. He reported that since that time, a group of citizens, led by Ms. Weathers, stepped up to seek funding opportunities for the celebration. Concurrent with their efforts, the site used in the past underwent improvements, which has placed constraints on the ability to hold a Fourth of July celebration at that location. He reported that the City of Livermore has given its full support of helping both the citizens group and working in conjunction with Livermore Area Recreation and Park District (LARPD) to provide resources for bringing back the Fourth of July Celebration. He reported that with the support of the Chabot-Las Positas Community College District Board, the City will enter into discussions to secure the location.

Ms. Gracie Nelson, Chabot College Early Childhood Development student, spoke against budgets cuts to the Chabot College Early Childhood Development Program and closure of the evening laboratory.

**CONSENT CALENDAR**

Trustee Gelles requested that agenda items 3.2 (Classified Personnel), 5.3 (Approval of Declaration of Surplus Property to be Sold at Private Sale and Donation or Disposal of Any Items Not Sold), 5.6 (Approval to Increase the Student Health Center Fee at Chabot and Las Positas Colleges), and 5.10 (Approval of Agreement – Associated Students of Las Positas College Web Site Contract with WSI Smart Solutions, Las Positas College) be pulled from the consent calendar. Trustee Gin requested that agenda item 5.5 (Approval of Agreement – Eden Medical Center for the Paramedic Program, Las Positas College) be pulled from the consent calendar.

Motion No. 1

Trustee Cedillo made a motion, seconded by Trustee Gin, to approve the consent calendar with the exception of agenda items 3.2, 5.3, 5.5, 5.6, and 5.10.

Motion carried unanimously, 7-0.

The following items were approved on the consent calendar:

General Functions
1.8 Approval of Minutes of February 7, 2012 Retreat
1.9 Approval of Minutes of February 21, 2012 Regular Meeting
1.10 Approval of Minutes of March 6, 2012 Study Meeting

Educational Services
4.1 Acceptance of Grant – Nuts, Bolts & Thingamajigs (NBT) and The Foundation of the Fabricators & Manufacturers Foundation, International, Chabot College
4.2 Acceptance of Gift with Associated Terms and Conditions – Painting by John Jerry-Anthony Parente, Chabot College

Business Services
5.1 Approval of Commercial Warrant Registers
5.2 Approval of Payroll Warrant Registers
5.4 Approval of Agreement – Paramedics Plus (Alameda County) for the Emergency Medical Technician Program, Las Positas College
5.7 Approval of Award to Purchase Olympus Microscopes, Science Building 1800, Las Positas College, Using the Limited Source of Supply (Measure B Bond Funds)
5.8 Approval of Award of a Piggyback Contract for Furniture and Equipment for Las Positas College, Building 1850, Using the CollegeBuys Purchasing Program (Measure B Bond Funds)

5.9 Approval of Award of Bid No. 12-07, Steinway Concert Grand Piano, Las Positas College (Measure B Bond Funds)

Facilities Planning and Development

6.1 Authorization to File Notice of Completion with the Alameda County Clerk Recorder's Office for Physical Education Complex Addition, Building 4100, Chabot College (Measure B Bond Funds)

6.2 Authorization to File Notice of Completion with the Alameda County Clerk Recorder's Office for Emergency Call Stations Project, Las Positas College (Measure B Bond Funds)

6.3 Authorization to File Notice of Completion with the Alameda County Clerk Recorder's Office for the Dublin Center, Second Floor Training Room Remodel, District (Measure B Bond Funds)

6.4 Approval of Contract with Southland Industries for Energy Savings Projects, District-Wide (Measure B Bond Funds)

**PRESENTATION: EARLY CHILDHOOD DEVELOPMENT**

Ms. Barbara Ogman, Chabot College Early Childhood Development (ECD) Faculty Member, introduced others from the program in attendance – Ms. Kathy Kelley, Ms. Edna Rodriggs, and Ms. Diana McGregor. In addition, she introduced two Professional Development Coordinators who are funded through First Five Alameda County – Ms. Ana Del Aguila and Ms. Kristi Velarde, as well as Mr. George Philip of WestEd and Ms. Vanessa Cormier, Lab School Manager. She further recognized the many ECD students in attendance.

Ms. Ogman presented a PowerPoint Presentation of the Chabot Early Childhood Program and Lab School, highlighting the program offerings and the critical importance of the lab school. She reported that the recent budget cuts to the program drastically affect students ability to obtain their certificates/degrees in Early Childhood Development and severely hampers their ability to join the Early Childhood workforce and/or advancing in their careers. She reported that the Department is currently working with the College Administration to create a partnership to design a new model for the ECD Lab School.

Ms. Edna Rodriggs, Chabot College Early Childhood Education Program, read a letter from Ms. Linda Olivenbaum, Public Policy Chair, on behalf of the Board of the East Bay Association for the Education of Young Children (EBAEYC), in support of the Chabot College Early Childhood Development Program Advisory Committee and others in requesting that the Board of Trustees commit to and support the ECD Lab School.

Mr. George Philip, WestEd, where he is focused primarily on Early Childhood workforce development and policy issues in California, provided two documents which support the

importance of the first five years of life and ECD Lab Schools. He recognized the high quality teachers in the Chabot College ECD Program and the importance of the program. He also spoke to future funding opportunities. Furthering his belief in the Chabot College Program, he reported that both of his daughters are graduates of the Chabot College Lab School.

Ms. Cindy Shaw and Ms. Amy Haghighi, Chabot College ECD Students, spoke in support of, as well as to the importance of, the evening Lab School.

On behalf of the Board, Trustee Dvorsky expressed appreciation for the presentation. She expressed that the Board is sympathetic, however, "so much depends on our funding and sometimes we don't have a choice."

**TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS**

Trustee Mertes commended those who spoke in the Early Childhood Presentation.

Trustee Mitzman reported that he was unable to attend the last Board Meeting due to illness. He reported that he attended the Fifth Annual Developmental Disabilities Public Policy Conference in Sacramento and that he has made a commitment to support disabled issues. He noted that he will continue to report on this issue. He also reported that he attended the San Leandro Chamber Coffee Connection with Board President Dvorsky and Trustee Vecchiarelli where the new Chabot College President, Dr. Susan Sperling, was introduced. He reported that Dr. Sperling's comments were very well received. He also reported that he attended the Chabot College Defense of Liberty Award Ceremony on March 15, recognizing the new Police Chiefs of Hayward and San Leandro, Ms. Diane Urban and Ms. Sandra Spagnoli respectively. He commended the Chabot College Law and Justice Program for sponsoring the well-attended event. He further reported that he attended a partnership meeting with Hayward Area Recreation Department (HARD) as a member of the Citizens' Advisory Committee, noting that when the Chabot College Pool was being remodeled, HARD opened their facilities at the Plunge; and when the Little Theater is under construction, they will open the Morrison Theater for Chabot so that programs can continue. He also noted that there are other partnerships between HARD and Chabot College under development, and he will keep the Board apprised of these programs. Lastly, he reported that on April 15, ARC of Alameda County, of which he serves as President, is sponsoring a fashion show at Sequoia Country Club. The clients of ARC will be the models; and the Fashion Institute of San Francisco is designing the fashions. The host of the event is Senator Corbett, and there is a strong possibility that the Governor will attend. He noted that state funding for disabilities programs has been cut, and reported that he is working on national funding opportunities for Chabot College.

Trustee Cedillo reported that he had the privilege of recently attending the Puente Breakfast at California State University East Bay, noting that he continues to be impressed and proud of the Chabot College Puente Program and students.

Trustee Gelles expressed that the ECD Presentation was outstanding, and expressed that he "hates to see the program cut"; recognizing the enormous cuts to education as a whole. He asked that Mr. George Philip keep the District in mind for available grants. He also thanked Mr. Dale Wagoner for his presentation with and of his father, Mr. John Wagoner. He also expressed that he is supportive of the Livermore Fireworks Celebration. He recognized Ms. Diane Zuliani and her work with the Chabot College Arts Project. He recognized that Dr. MaryAnne Gularte will be leaving, expressing that it is a great loss to the District. He recognized the fashion show sponsored by ARC of Alameda County, which was reported by Trustee Mitzman. He reported that as Director of the Castro Valley Adult School for many years, he had the opportunity to be involved in this program and expressed that "it is the most fun in the world to watch the pleasure the disabled adults take in their participation." Further, he reported that he was sorry to have missed the Chabot College Defense of Liberty Award Ceremony, noting the much deserved success for women in this field, as well as in the area of fire service.

Trustee Gin reported that he was saddened to read that California State Universities, except for a few campuses, will not be accepting Spring transfers, and the impact this will have for all of us. He suspects that more and more students will delay their transfers, which means they will stay at the community colleges longer. He expressed that he believes it is a political issue with regards to the passing of the tax initiative. He recognized Ms. Diane Zuliani and her work with the Chabot College Arts Project, noting that he will join her on the upcoming tour.

Trustee Dvorsky reported that she attended the San Leandro Chamber Breakfast, noting that Dr. Susan Sperling was "a hit" and received several future invitations to speak. She reported that she also attended the Hayward Chamber where the President of UC Berkeley was a speaker, and who acknowledged the good work of community colleges. She also noted that she would participate in the tour of the art project with Ms. Zuliani.

**LAS POSITAS COLLEGE FOUNDATION**

Dr. Kaye submitted a written report to the Board. He highlighted the Best of the Best scheduled for April 28; noting that sponsorships are currently at approximately $70,000, and the goal is to net between $90,000 and $100,000. He also highlighted the Best of the Best Remarkable Community Honorees: Dr. John Shirley, Charlene and Mitch Sigman, and Nick Tooliatos, Esq.

**PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES**

Ms. Melissa Korber, Las Positas College Academic Senate, submitted a written report to the Board. She reported that the Senate recently approved several items: Ethics Statement; Academic Honesty Statement; Faculty Prioritization Rankings; Resolution on Senate Role in Appointing Faculty; Resolution on Senate Role in the Budget; and Resolutions on the Roles of Counselors, Paraprofessionals, Degree Works, and Discipline Faculty. She reported that discussions at Senate Meetings include the impact of the Budget cuts on the College and Program Review. Future Senate Meetings will include continued discussions on the Budget and Program Review.

Ms. Kathy Kelley, President, Chabot College Academic Senate, reported that with the advent of President Sperling, there is a sense of hope and excitement at Chabot College. The College Enrollment Management Committee is meeting more frequently and is trying to desperately identify something that can be cut that won't eliminate programs or jobs. She also reported that the Program Review and Budget Committee is holding a day-long Retreat, looking at a Shared Governance Committee Structure and trying to figure ways in which that process can work better and be more accessible for anyone interested in participating in the process. She also reported that Chabot is working to bring together Basic Skills staff, Counseling Dean, and Faculty Government representatives to talk about how the College can handle the influx of students and keep the interest of students and future students when we currently don't have any classes for them. She reported that the Defense of Liberty Award Ceremony was an elegant affair. She further reported that the Chabot College Forensics Team came back from the State Championship Tournament with 7 Bronze Medals.

**PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES**

Mr. Todd Steffan, President, Las Positas College Classified Senate, recognized the hard work of many Classified Staff Members planning for Flex Day scheduled for March 29. He also extended appreciation to the Las Positas College Foundation for its assistance with funding for the Flex Day.

Ms. Yvonne Wu-Craig, President, Chabot College Classified Senate, reported that the Senate is preparing for upcoming elections in May. She also reported that Classified Senators and representatives are working on an on-line resource for questions commonly asked by Classified Professionals, which will hopefully be launched in August. She also reported that the Senate is working with ASCC on an upcoming dunking booth fundraiser. She also shared that ASCC will be selling gift cards as a fundraiser. She also thanked former Chancellor Ronald Kong for donating a $500 Leadership Scholarship to the

Classified Senate and will determine how best to use these funds as they are preparing their budget at the next meeting. Further, she read a statement to the Board regarding Budget discussions at the District Budget Study Group Meetings, at which she represents the Chabot College Classified constituency. She expressed concern regarding a proposal that all upcoming budget reductions are to come from the non-instructional side of the house. She expressed concern that this proposal would be devastating to Chabot and the District as a whole, noting that this proposal would entail laying off almost half of all Classified professionals. She recognized that it is time to look at real and hard solutions, and urged that the District take a balanced approach with an eye towards shared sacrifice. She also expressed that it is hoped that the District "lives up to the values of equity, access and excellence and does everything in its power to uphold" these values. She also expressed that it is hoped that the District "comes out of this situation as a whole and functioning family, where one part is not viewed as more important than another."

The District Classified Senate had no representation at the meeting.

**PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES ASSOCIATED STUDENTS**

Associated Students of Chabot College had no representation at the meeting.

Mr. Amir Salehzadeh, President, Associated Students of Las Positas College, expressed the students support for the Classified Staff at both Colleges. He reported that ASLPC sent a bus of students to the March in March in Sacramento on March 5, noting that the event was successful with an estimate of between 8,000 and 10,000 students. He expressed that their voices were heard; noting that a few days after the March, a subcommittee considering cuts to PELL Grants decided to not make cuts. He reported that students met with lawmakers after the rally. In addition, on the federal level, ASLPC representatives will meet with Members of Congress in April, and have secured meetings with representatives of the Offices of Stark, Lee, Garamendi, Miller, Feinstein, and Boxer.

**GOOD OF THE ORDER**

Mr. Mark Smythe, President, S.E.I.U., Local 1021, reported that he attended the March in March and expressed that "we are not alone in our troubles."

Dr. Charlotte Lofft, President, Chabot-Las Positas Faculty Association, called attention to a document provided to the Board "The Fallacy of Using the Allocation Model for Budget Cuts", which was prepared by Chabot College Faculty District Budget Study Group (DBSG) Representatives, expressing that the Faculty Association is in support of the document. She expressed that the current Allocation Model favors the District Office to the detriment of the Colleges. Dr. Lofft also offered that there is a considerable amount of space available at Chabot College in which to house District Services. She further

responded to comments made earlier regarding cuts to Faculty, reporting that approximately $1.8 million was saved by the recent Tentative Agreement between the District and the Faculty Association, in the context of salary reductions, premium sharing in benefits, elimination of summer pay differential, and 50% cut in sabbaticals. In addition, approximately 200 part-time faculty have been lost, which amounts to an equivalent of full-time faculty cuts of approximately $2.6 million; for a total of approximately $3.4 million.

**PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES**

Dr. Susan Sperling, President, Chabot College, submitted a written report to the Board. She congratulated ECD Faculty and Staff on a very eloquent presentation. She also congratulated and thanked the Chabot Shared Governance Leaderships, as well as the union leadership, for their advocacy. She reported that Chabot College has been actively engaged in the civic life of the communities with which it serves with a number of Faculty and Staff visiting chambers, middle and high schools, and hosting a very well-attended awards ceremony honoring the two new police chiefs for Hayward and San Leandro, who are the first women to hold these offices in the Chabot service areas. She expressed her appreciation to the Trustees who attended this event. She reported that she has begun a Brown Bag Lunch Series, similar to the Las Positas College Town Hall Meetings, which brings the campus community together to share, brainstorm, and report to the College community. She invited Trustees to join the College at these events, and hear the College community's concerns. She recognized that several Trustees will be joining the College at the next event on Thursday, March 22. She expressed that the latest Art Project, "Spark", on the exterior of the Planetarium Wall, is absolutely magnificent. She reported that Chabot has the honor of hosting Nationally Renowned Heroine and Author Lilly Ledbetter on March 29. She also reported that Electronics Instructor Wayne Phillips has been awarded a fellowship to attend the Critical Issues and Best Practices Forum and the High Impact Technology Exchange Conference in Colorado this summer. She expressed gratitude for the willingness of Chabot Staff, across all work categories, to rise to the occasion and put "our collective shoulders to the wheel" this past month. She reported that Professors Jan Novak and Sara Parker will lead a Retreat on Friday, March 23 with the goal of strengthening our Shared Governance Processes. She reported that the budget wizards from both Colleges have engaged in lively and intense debate at the District Budget Study Group Meetings in order to ensure the greatest transparency of accounts of revenues and expenditures at all three District sites. She expressed that "we must achieve a better understanding and consensus about these matters and the appropriate distribution of reductions if we are to act with the greatest integrity in making these reductions; and we must make these reductions in ways that do the least harm to our core mission of education." She reported that at Chabot College, they are using the Shared Governance processes to prepare a reduction proposal to forward to the District by the end of March. "We must have a precise number with which to work; one that reflects a responsible

consensus." She reported that as of this week, they are still dealing with a "profound dissidence" in this regard. She urged the Trustees' support in the achievement of the greatest possible clarity and understanding across the District for this consensus.

Dr. Kevin Walthers, President, Las Positas College, submitted a written report to the Board. He reported that this past month the Athletic Program has had great success with the Basketball Team winning its first playoff game, and the first one hosted by Las Positas College. He reported that the team traveled to Yuba College for the second round of post-season play, but lost in overtime. He expressed pride in their effort and recognized the support of the many fans who made the trip. He highlighted the Spring Musical, "Godspell" beginning on March 23. He recognized Mr. Amir Salehzadeh as one of the student leaders in the State for the March in March Rally, noting that his picture was featured in several newspapers. Dr. Walthers also reported that a group of students from China will be visiting Las Positas College, and he will keep the Board apprised as to the date.

**CHANCELLOR'S REPORT**

Dr. Joel Kinnamon, Chancellor, expressed appreciation to the ECD Faculty for the excellent presentation this evening. In response to comments made related to the District Budget Study Group, he expressed that as we go through this next year and look at the reductions that are facing us, and also the potential trigger cuts in the fall if the bond measure doesn't pass, it is very important for our College constituents to participate in that dialogue. He reported that, and as both Presidents will concur, there is healthy dialogue that exists in that group. He expressed that this will be critical for us so that we can make the most informed decisions regarding budget reductions. He reported that on Thursday, March 22, he will have the opportunity to meet at Chabot College to respond to DBSG issues as well as other issues that have been brought forward. He reported that District Staff has been working on responses to these issues. He encouraged anyone interested to attend; and encouraged Trustees to attend. He expressed that he looks forward to having dialogue with the Chabot Academic Senate and trying to make sure that we improve our communication moving forward through this critical time. In addition, with DBSG and with all Districtwide Governance Committees, there are agendas and minutes available for anyone to review. He reported that reading the document distributed this evening, "The Fallacy of Using the Allocation Model for Budget Cuts", in the context of the minutes is important to get a fair understanding of the dialogue from another perspective as things are brought forward. He reported that as we communicate, we will provide the dialogue of all parties that are having discussions around budget to show greater transparency of all the Constituencies and their perspectives.

**CLASSIFIED PERSONNEL**

Trustee Gelles reported that he pulled this agenda item from the consent calendar but expressed no need for further clarification.

Motion No. 2

Trustee Gelles made a motion, seconded by Trustee Cedillo, to approve the Classified Personnel.

Motion carried unanimously, 7-0.

**APPROVAL OF DECLARATION OF SURPLUS PROPERTY TO BE SOLD AT PRIVATE SALE AND DONATION OR DISPOSAL OF ANY ITEMS NOT SOLD**

Trustee Gelles reported that he pulled this agenda item from the consent calendar to question if any high schools have requested any of the surplus items, to which Mr. Legaspi responded there were none at this time.

Motion No. 3

Trustee Gelles made a motion, seconded by Trustee Cedillo, to approve the proposed items surplus to the needs of the District and that the Chancellor be authorized to dispose of the same via private sale in accordance with Board Policy 3212 and that the funds derived from the sale be placed in the General Fund of the District. Further, any items that are not sold by private sale be donated to charitable organizations or disposed of by District staff in accordance with California Education Code Section 81452.

Motion carried unanimously, 7-0.

**APPROVAL OF AGREEMENT – EDEN MEDICAL CENTER FOR THE PARAMEDIC PROGRAM, LAS POSITAS COLLEGE**

Trustee Gin reported that he pulled this agenda item to call attention to typographical errors in the agreement, including the date of October 2010.

Motion No. 4

Trustee Gin made a motion, seconded by Trustee Mitzman, to approve the proposed agreement with Eden Medical Center for the Paramedic Program, Las Positas College, for the term commencing July 1, 2012 through June 30, 2015. It is further recommended that

the Board authorize the Vice Chancellor, Business Services, to execute the agreement on behalf of the District.

Motion carried unanimously, 7-0.

**APPROVAL TO INCREASE THE STUDENT HEALTH CENTER FEE AT CHABOT AND LAS POSITAS COLLEGES**

Trustee Gelles reported that he pulled this agenda item from the consent calendar to express that he does not like to see fee increases for students, and questioned if the students were aware of this increase. In response, Mr. Salehzadeh reported that the Las Positas College students were apprised and are in support of the increase.

Motion No. 5

Trustee Gelles made a motion, seconded by Trustee Mitzman, to approve the proposed increase to the student health fee to $15 for Summer Semester, and $17 for Fall and Spring Semesters which will support the student health and wellness program in providing accessible health and counseling needs of students at Chabot and Las Positas Colleges.

Motion carried unanimously, 7-0.

**APPROVAL OF AGREEMENT – WSI SMART SOLUTIONS FOR ASSOCIATED STUDENTS OF LAS POSITAS COLLEGE WEB SITE, LAS POSITAS COLLEGE**

Trustee Gelles reported that he pulled this agenda item from the consent calendar to question if the revised agreement, which was provided to the Board this evening, contained any major changes. Mr. Legaspi responded that there are no major changes. Also, Trustee Gelles questioned the duration of the agreement, to which Mr. Legaspi reported that the agreement is for one year but could also be month to month.

Dr. Walthers reported that the students submitted a Request for Proposals (RFP) and interviewed the clients. He also reported that the District has the ability to terminate the agreement on short notice.

Motion No. 6

Trustee Gelles made a motion, seconded by Trustee Mitzman, to approve the proposed agreement with WSI Smart Solutions for the development of an ASLPC web site, Las Positas College. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute this agreement on behalf of the District.

Motion carried unanimously, 7-0.

**APPROVAL TO NEGOTIATE A PROFESSIONAL SERVICES CONTRACT FOR PARCEL TAX AND GENERAL OBLIGATION BOND POLLING SERVICES**

Trustee Gelles questioned the Chancellor if this action is moving in the direction he feels we should, to which Chancellor Kinnamon responded affirmatively. Trustee Gelles expressed that this is a step the Board has to take to find out if it is a viable solution.

Mr. Kingston reported that this is an important step in order to gather information to allow the Board a better view of the possibilities. He reported that three firms responded to the RFP, and all were approximately for the same amount. He reported that the District would negotiate with the firms and noted that the recommendation is for a not-to-exceed amount of $35,000. He reported that all three firms have done polling in adjacent districts and will be able to advise the District on what has occurred in other districts and would be able to give a sharper perspective of the potential opportunity for this District.

Trustee Dvorsky questioned if this would come back to the Board for final approval. In response, Chancellor Kinnamon reported that based on the feedback from the Board at the last meeting, and the fact that this contract is below the allowable threshold, Staff would move forward working with the firm. Mr. Kingston also reported that the District has done a competitive process and the amount is under the dollar threshold allowed for procurement.

Trustee Dvorsky reported that the Board would like to be kept apprised of the progress.

Trustee Vecchiarelli requested clarification as to the timeline for the election. Mr. Kingston reported that the firm would do the polling and Staff would come back to the Board with the polling results; and the Board could make a decision at that time. He further offered that if it is before June, the District could wait and see how it plays out in the June Election for our neighboring districts; and at that point, would have a very clear picture as to whether to continue to do the work for a November Election.

Trustee Vecchiarelli expressed concern as to the number of other districts that are seeking bond measures.

Mr. Legaspi reported that the polling would determine the best time for the District to go out and the type of election (mail in ballot, general election, special election) in order to be successful.

In response to a question raised by Trustee Mitzman, Mr. Legaspi reported that the polling would entail both a General Obligation Bond, which can be used for facilities (new

construction and modernization); and for a Parcel Tax, which can be used for General Obligations of the District, including salaries.

Trustee Gelles clarified that the Board is not approving going out for a General Obligation Bond or a Parcel Tax at this time. He also made it clear that he would not be highly supportive of going out for a bond for facilities at this time, having recently received approval for a bond measure for $500,000. However, he stressed that "if we don't do the polling, then we are not looking at one more alternative to answering the deficit that our Staffs are putting up with." He also stressed that we have buildings that we can't fill because we can't provide the classes.

Mr. Kingston confirmed that this recommendation is to allow a firm to do the polling; and the Board will determine whether to seek alternative funding sources. He reported that 30% of the funding for the General Obligation Bond went to support ITS, scheduled maintenance, and furniture and equipment, items that have previously come out of the Operational Budget. In addition, he reported that there are still capacity load issues at the Colleges. He also pointed out that the buildings that were recently constructed were conceived almost ten years ago. This funding allows us to work on the Five-Year Capital Plan that is for facilities ten years from now. He reported that this bond would not be for growth, it would be for modernization to upgrade existing facilities or to remove some of the facilities that are beyond their date and to increase the square footage, specifically for classrooms and laboratory space at the Colleges.

Trustee Mitzman expressed that it "is a tough sell" in Hayward, especially considering we can't offer the classes but yet we are going to get our buildings up to par. He expressed that the marketing of this will be critical and suggested a different "sell point."

Motion No. 7

Trustee Gin made a motion, seconded by Trustee Gelles, to approve to Negotiate a Professional Services Contract for Parcel Tax and General Obligation Bond Polling Services in an amount not to exceed $35,000. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute a contract on behalf of the District. Funding Source: Capital Outlay Funds

Motion carried unanimously, 7-0.

**INFORMATIONAL PERSONNEL REPORTS**

The Board accepted the Informational Personnel Reports without further discussion.

## EXPLORATION OF HOLDING THE LIVERMORE FOURTH OF JULY CLEBRATION AT LAS POSITAS COLLEGE

Dr. Walthers recognized the Livermore citizens who have come tonight in support of this proposal. He reported that the College would provide all due diligence and will work closely with the City of Livermore and Livermore Parks and Recreation. He reported that specific details will be forthcoming.

In response to a question raised by Trustee Dvorsky regarding the City of Livermore Fire Department, Mr. Gary reported that the Livermore Fire Marshall, the fireworks technician, City Staff, and Chabot-Las Positas Community College District Staff have met and a preliminary evaluation has been done and a green light has been given. He also reported that the FAA has been contacted and the Livermore Airport tower will be closed one hour before and traffic will be diverted away from the College. In addition, the California Highway Patrol will be contacted.

Mr. Legaspi reported that he will be working with City Staff to make sure the insurance coverage is sufficient and that the District is named as an additional insured.

Trustee Gin expressed the importance of protecting the vineyards.

## CHABOT COLLEGE STUDENT TRUSTEE REPORT

Student Trustee Okpara reported that last week Chabot College hosted the Chiefs of Police of San Leandro and Hayward, expressing that it was a wonderful event. She reported that April is Child Abuse Awareness Month and ASCC will be wearing and distributing the official "Blue Ribbons", and collecting donations. In addition, she reported that ASCC has voted that they would like the library hours extended during mid-terms and finals.

## CONSIDERATION OF THE DISTRIBUTION OF NON-INSTRUCTIONAL CUTS ACROSS THE DISTRICT

Motion No. 8

Trustee Gelles made a motion, seconded by Trustee Mitzman, to pull this agenda item from the agenda.

Motion carried unanimously, 7-0.

Trustee Dvorsky requested that the Chancellor provide more information to the Board prior to placing this item on a future agenda.

Ms. Kathy Kelley reported that they were prepared to make a presentation on this item.

Trustee Gelles noted that he pulled this item from the agenda because he had not been provided written material in advance.

Motion No. 9

Trustee Gelles made a motion, seconded by Trustee Mitzman, to rescind the previous motion to pull this item from the agenda.

Motion carried unanimously, 7-0.

Ms. Kelley prefaced the presentation, noting that AB 1725 clearly states that there must be full representation and input on the part of Shared Governance bodies. She expressed that when attending the DBSG meetings, there can be agreement in the minutes that there will be transparent and full disclosure about all budget items, but when we actually get those documents, it is very different than what was the expectation of the Faculty Representatives. She believes that the District believes they are engaging in a full scale and good will process of shared governance, but very often it does not seem like that from their end. She introduced Mr. Dave Fouquet who has prepared an analysis of how, to their knowledge, the Allocation Model is used and how the proposed cuts have been derived.

Mr. Dave Fouquet presented a PowerPoint Presentation on an alternate approach to using the Allocation Model for Budget Cuts. He reported that Chabot College Faculty DBSG representatives have made the case more than once that the Allocation Model is not the proper tool for allocating responsibility for budget reductions by site, as it assigns too great a burden to the Colleges. He reported that the Allocation Model is designed to distribute revenues to the sites, and not for making reductions. He also expressed the need for reviewing and revising the Allocation Model.

Mr. Ming Ho reiterated and emphasized that the Allocation Model is designed to be used for revenues.

Trustee Cedillo expressed appreciation for the information presented and reported that he would like a response of the proposal from Chancellor Kinnamon and Vice Chancellor Legaspi at a future time. He also expressed that numbers can say what we want them to say. He expressed that he encourages lively discussion; however, this discussion should be taking place at DBSG and not at a Board Meeting.

Chancellor Kinnamon reported that DBSG is an open meeting and invited all, including Board Members, to attend.

Dr. Walthers reported that there have been honest and open discussions at DBSG. He reported that this is the first round of discussions and expressed that this presentation at this time undermines the governance process and discourages participation. He encourages a participatory government process as it is outlined.

Trustee Gelles expressed that he appreciates the hard work of those presenting. However, Trustee Cedillo is correct, and he will await a response from Chancellor Kinnamon and Vice Chancellor Legaspi.

Trustee Vecchiarelli expressed that the budget figures as presented are not good. He stressed that we have to get new sources of revenue from Sacramento. He encouraged devoting our time trying to pass the tax initiatives. He also expressed the importance of revenue from the International Students Program.

Dr. Sperling expressed that she is impressed by the work put in and by all those participating at DBSG. She expressed concerns that Chabot College is in the process of delivering to the District a reduction plan to reduce the budget by $2.5 million. She expressed concern regarding the amount of dissidence of what the accuracy of the reduction is. She expressed that with this degree of dissidence, "we" have a problem. She expressed that we need to come to some kind of agreement that the goal and benchmarks are correct.

Trustee Dvorsky expressed that it will not be easy, but stressed that we must work together to solve the problem. She also stressed that the students are what are important.

Trustee Cedillo expressed that he has worked in districts where it is "one against the other", and he does not want that. He stressed the importance of working through this situation, and reiterated that DBSG is the venue to work it out.

Mr. Legaspi expressed that it is "polarizing", and he does not believe there is a Model in the State that is currently working. He also expressed that "it is the State that is doing it to us." He also provided background on the Allocation Model, which was developed in 1994 and revised in 2003. He expressed that he recognizes that the Model has flaws and does not reflect current laws. He reported that the Allocation Model is under review by DBSG, noting that there are Subgroups looking at other Models, of which Mr. Fouquet is the Chair. He expressed that he is confident we will come up with a Model for the District and bring to the Board for its consideration.

**APPOINTMENT OF TRUSTEE DVORSKY TO LIVERMORE OVERSIGHT BOARD; AND APPOINTMENT OF TRUSTEE GIN TO SAN LEANDRO OVERSIGHT BOARD**

Motion No. 9

Trustee Cedillo made a motion, seconded by Trustee Gelles, to approve the following in one motion:

a. Appointment of Trustee Dvorsky to Livermore Oversight Board; and
b. Appointment of Trustee Gin to San Leandro Oversight Board.

Motion carried unanimously, 7-0.

**APPOINTMENT OF MARK SALINAS TO HAYWARD OVERSIGHT BOARD; AND APPOINTMENT OF FRANCISCO ZERMENO TO HAYWARD OVERSIGHT BOARD**

Trustee Mitzman raised a question regarding the number of appointments to the Hayward Oversight Board, noting that it is his understanding that there is only one appointment.

In response, Chancellor Kinnamon reported that the two nominated names will be forwarded to the State Chancellor's Office who will determine the representative.

Motion No. 10

Trustee Gelles made a motion, seconded by Trustee Cedillo, to approve the following in one motion:

a. Appointment of Mark Salinas to Hayward Oversight Board; and
b. Appointment of Francisco Zermeno to Hayward Oversight Board.

Motion carried unanimously, 7-0.

**ADJOURNMENT**

Motion No. 11

Trustee Gelles made a motion, seconded by Trustee Gin, to adjourn the Regular Meeting at 9:02 p.m.

Motion carried unanimously, 7-0.

**NEXT MEETING**

The next Meeting of the Board of Trustees is scheduled as a Study Meeting for April 3, 2012.

Minutes prepared by:

Beverly Bailey
Recording Secretary

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