

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

**MINUTES
JANUARY 20, 2009**

PLACE

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

CALL TO ORDER

The regular meeting was called to order at 5:30 p.m. Recording Secretary Mary Hargiss called the roll. The Board immediately adjourned to a Closed Session, which ended at 6:30 p.m. The Board readjoined in Open Session at 6:37 p.m. Recording Secretary Mary Hargiss called roll.

ATTENDANCE

Members Present: Dr. Arnulfo Cedillo (left at 7:30 p.m.)
 Mrs. Isobel F. Dvorsky
 Mr. Donald L. "Dobie" Gelles
 Dr. Hal G. Gin
 Dr. Barbara F. Mertes
 Dr. Marshall Mitzman
 Mr. Carlo Vecchiarelli
 Ms. Erica Morrissey
 Mr. Dayne Nicholls

Members Absent: None

Managers Present: Dr. Joel L. Kinnamon, Chancellor
 Dr. DeRionne Pollard, President, Las Positas College
 Dr. Celia Barberena, President, Chabot College
 Mr. Kennedy Agustin
 Mr. Jeffrey Baker
 Ms. Jeanne Bargmann
 Ms. Rita Brown
 Ms. Julia Dozier
 Ms. Heidi Finberg
 Mr. Wyman Fong
 Dr. MaryAnne Gularte
 Mr. Doug Horner

Dr. Laurel Jones
Dr. Ted Kaye
Mr. Jeffrey Kingston
Mr. Robert Kratchovil
Ms. Pam Luster
Ms. Melinda Matsuda
Ms. Jeannine Methe
Mr. John Nahlen
Mr. Frank Ramos
Ms. Laura Weaver

Recording Secretary: Ms. Mary Hargiss

Others Present: Ms. Tiffany Breger, President, Associated Students of Las Positas College
Mr. Greg Daubenmire, President, Las Positas College Faculty Senate
Ms. Sharon Gach, Las Positas College Classified Senate
Ms. Cathy Gould, President, District Classified Senate
Mrs. Charlotte Lofft, President, Chabot-Las Positas Faculty Association
Mr. Justin Reyes, President, Associated Students of Chabot College
Mr. Mark Smythe, President, SEIU
Ms. Rachel Ugale, President, Chabot College Classified Senate
Mr. Byron Kamp, Chair, Citizens' Oversight Committee

PLEDGE TO FLAG

Dr. Gin opened the meeting by expressing the importance of being together on this very significant and historical Presidential Inaugural day. He then asked Student Trustee Dayne Nicholls to lead the pledge to the flag.

PUBLIC COMMENTS

Mr. Stephen Small, President, ASCCA Chapter 16, spoke on behalf of the Automotive Service Councils of California (ASCCA). Mr. Small extended an invitation to the Board of Trustees to attend the Technology Education Recognition Night on May 12, 2009 at

Chabot College in conjunction with the Chabot College Foundation. Dr. Gin thanked Mr. Small for extending the invitation and commented that it is a great idea to hold the event at the Chabot College Campus.

CONSENT CALENDAR

Mr. Vecchiarelli requested that items 4.1 (Approval of Sabbatical Leave Applications for the 2008-09 and 2009-10 School Years, Chabot College), 4.2 (Approval of Sabbatical Leave Applications for the 2009-10 and 2010-11 School Years, Las Positas College), 5.5 (Establishing Non-Residential (Out-of-State and International) Tuition Rates for 2008-2009) be removed from the Consent Calendar. Mr. Gelles requested that item 5.4 (Approval of Declaration of Surplus Property to be Sold at Private Sale and Donation or Disposal of Any Items Not Sold) be removed from the Consent Calendar.

Motion No. 1

Mr. Gelles made a motion, seconded by Mrs. Dvorsky, to approve the consent calendar with the exception of agenda items 4.1, 4.2, 5.4, 5.5.

Motion carried unanimously, 7-0.

The following items were approved on the consent calendar:

General Functions

- 1.10 Approval of Minutes of December 9, 2008 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

Business Services

- 5.1 Approval of Commercial Warrant Registers
- 5.2 Approval of Payroll Warrant Registers
- 5.3 Approval of Budget Transfers 6.F.1
- 5.6 Award of Bid No. 09-13, Heavy Duty Lathes, Chabot College (Measure B Bond Funds)

PRESENTATION: MEASURE B CITIZENS' OVERSIGHT COMMITTEE ANNUAL REPORT TO THE COMMUNITY - DECEMBER 2008

Mr. Byron Kamp, Chair of the Citizens' Oversight Committee, reported that the financial audit had been reviewed, as well as the performance audit as conducted by the accounting firm. The audit did not reveal any items that were paid for from the obligation bonds that did not comply with the purpose of the bond measure. Mr. Kamp stated that the Oversight Committee fulfilled its charge of ensuring that all funds are expended appropriately as per the Bond Referendum. Mr. Kamp commended the Committees' work in the past four years, stating that the goal of the Committee was to have the Chabot-Las Positas Community College District perceived as accountable, credible and trust-worthy. Mr. Kamp expressed that those values have carried him, as well as the Committee, through the last four years. Mr. Kamp closed by saying it has been a privilege working with the Chancellor and Trustees and will always remember this experience.

Ms. Dvorsky thanked Mr. Kamp, stating that he has done a wonderful job and knows that he has worked long and hard for the District.

Dr. Gin thanked Mr. Kamp for the fine he has done on behalf of the District.

PRESENTATION: EXPANDING HORIZONS: 07 - 08 CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT ANNUAL REPORT

Dr. Joel Kinnamon, Chancellor, outlined the 07-08 Annual Report, focusing on accomplishments such as the District being named an OSHA Training Institute Education Center; as well as Chabot and Las Positas Colleges reducing waste 75%, having taken major steps toward creating "green" campuses. Dr. Kinnamon then reviewed the Source of Funds/Use of Funds indicating that we were in a good situation with those funds. Dr. Kinnamon was pleased to report that there were many exciting accomplishments over the past year at both colleges. He commended Ms. Laura Weaver, District Executive Director, Public Relations and Governmental Affairs, for putting this report, as well as the Measure B Bond Oversight Committee Annual Report together.

Ms. Weaver then indicated that the Measure B Bond Annual Report was sent out to 185,000 households throughout the Bay Area Newsgroups newspapers, which include The Valley Times, The Tri-Valley Herald, Argus and The Daily Review. This also includes all residences within our service district, subscriber as well as non-subscriber residences. She indicated that the design work was created by Ogden Costa Creative Group, located in Pleasanton, and the printing was provided by the Bay Area Newsgroup in Pleasanton and Walnut Creek.

In addition 1,000 copies of the District Annual Report were printed, with design work created by Ogden Costa Creative Group, Pleasanton, and printing was done by Amp Printing located in Dublin.

Dr. Kinnamon added that both reports will be available on the internet as well as in all local libraries. He expressed special recognition to Ms. Weaver for expanding the marketing campaign for the District while being involved in the ACCCA Program as a mentor, as well as her ongoing role with the International Students Program. He commended her for always going beyond expectations.

Dr. Gin thanked Ms. Weaver for all her efforts on behalf of the District.

Ms. Weaver publicly acknowledged Patty Russell, her assistant, and Jennifer Aries, for all their contributions and support.

TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS

Ms. Morrissey reported that the semester has started with the College showing the Presidential Inauguration in three different locations, with many students as well as instructors showing up to view the event.

Mr. Nicholls reported that the semester at Chabot College also started off with the inaugural speech being telecast, with each building full to capacity where it was being shown. Mr. Nicholls reported that he has been working on a calendar for the campus. The calendar features students that were nominated by faculty, staff and administrators to represent different programs on the campus. He indicated that the calendar will be free of charge to students, and that faculty would have to pay a minimal charge.

Dr. Cedillo welcomed everyone back to a new year. He expressed his feelings that with a new president, there is an opportunity to do wonderful things. He hopes we continue to do wonderful things as a District, looking for ways to highlight this institution. Dr. Cedillo expressed his desire to look within our community for work on any Bond projects, as well as other ways, simple as they may be, to make a difference in our community.

Mr. Gelles agreed with Dr. Cedillo in welcoming everyone back to a new year. He expressed his feelings about the importance of the day and the inaugural events taking place. Mr. Gelles stressed how he is continually in awe and takes pride in our country to see how far we've come. He pointed out that he is proud of his independence and the joy it gives him to be able to share it with everyone, especially in these troubled times. He wished everyone a Happy New Year.

Mrs. Dvorsky wished everyone a Happy New Year. She reported that the San Francisco Chronicle ran a very interesting article on community colleges. The article told about the advantages of community colleges and tracked students who attend community college, what they learned, and the confidence they gained from the experience. She commented that it was an “outstanding article” and offered to duplicate it for anyone interested in reading it.

Dr. Mitzman welcomed everyone back and wished everyone a Happy New Year. He remembered historic events surrounding past presidents and expressed how proud he is of our nation. Dr. Mitzman also expressed what an honor it is to be here and how excited he is to be learning from this excellent Board of Trustees.

Dr. Mertes also wished everyone a Happy New Year. She recognized the work Ms. Laura Weaver did on the Annual Report, indicating it was a wonderful statement about our colleges, and about community colleges in general.

Mr. Vecchiarelli welcomed everyone back to a Happy New Year. He expressed his excitement in watching the inauguration of the new President on this day. Mr. Vecchiarelli commented on how this was such a historic day and how proud he was to see the realization of the American Dream. He then expressed that even though this is an important day, we must all be concerned for the stability of the economy and that this year will be a challenge and that we all have to work together to keep the District fiscally intact. He cautioned that we must work hard and continue to be “cost-effective” for the District.

Dr. Gin thanked Trustee Gelles for running last month’s meeting. Dr. Gin then expressed thanks to his fellow Trustees for the confidence they have placed in him and for selecting him as their presiding Chair this year. Dr. Gin stated that he looks forward to working with each of them in promoting and advancing Chabot-Las Positas Community College District to new and greater horizons.

CHABOT-LAS POSITAS COLLEGES FOUNDATIONS

Chabot College: Ms. Finberg opened by congratulating all the students involved in putting together the Chabot College calendar, stating it was “amazing!” She also thanked Dayne Nicholls on behalf of the Foundation for all his work and involvement during the past year. She reported that the Foundation’s Annual Winter Gathering is scheduled for January 23, 2009. She expressed that this gathering was the Foundation’s way of saying “thank-you” to all the donors that have contributed money, time and talent in 2008. Ms. Finberg stressed that this has been a tough year, but the Foundation will be asking for donations again from the same donors, saying that the little bit of money spent on the Winter Gathering, will come back in thousands of dollars in good will for the Foundation. She invited the Board members to attend, citing it will be a great celebration, and a great way to start the year. Ms. Finberg reported that the next few months will be spent on working hard getting some grants. She conveyed that the Summer Youth Sports Program

is once again up for funding with Kaiser and TeamUp. She indicated that unfortunately, the donors have informed the Foundation that the grants are available, but in lesser amounts. Ms. Finberg stressed that even so, they are dedicated to finding ways and stretching further for donations to make sure that the program serves all the kids it can. Ms. Finberg then highlighted that the Foundation will be working with the UPS (United Parcel Service) Foundation and the Puente Program to develop a mentoring program with the grant monies received from them. She reported that this money will be “continuing money” and that they are very pleased with the steps the Chabot College Foundation has taken to move forward. She closed by reminding everyone that the Foundation’s “Blooming Affair” will take place on June 5 & 6 and that Jan Wahl will be the key-note speaker for the luncheon. She then wished everyone a Happy New Year.

Las Positas College: Dr. Kaye submitted a written report to the Board. He wished everyone a Happy 2009. Dr. Kaye reported that since his last report, the Foundation has received in \$31,000 in donations. He brought special attention to Sandia National Laboratories, donating \$10,000 to the Text Book Challenge, Christine Wentz and her husband, donating \$5,000 to our Veteran’s First Initiative Scholarship Program, and over \$3,000 being donated by individuals, staff members and faculty members. Dr. Kaye then reported that the Board of Directors awarded almost \$25,000 in grants in December. Ten of the fifteen grants submitted were awarded. He gave examples such as \$3,000 for international travel to the forensics team, \$3,000 to the “Going Green” initiative speakers, \$7,000 to college-bound scholars and \$4,000 to the performing arts students to perform at the Bankhead Theater in Livermore. Dr. Kaye reported that there are some new members joining the Working Board as well as the Honorary Board. Joining the Working Board are Kathleen Menser from Waste Management, and Michelle Eldredge from Wells Fargo Bank. Joining the Honorary Board are four new members, Congresspersons Ellen Tauscher and Jerry McNerney, Assemblywoman Joan Buchanan, and “Go Green” initiative founder Jill Buck. He closed with the reminder that May 25 is the date set for the Foundation’s “Best of the Best” event.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES

Mr. Greg Daubenmire, President, Las Positas College Academic Senate, reported that he is looking forward to a productive Spring Semester. Mr. Daubenmire also reported that the Academic Senate will be hosting the California Mathematics Council of Community College Boards. He closed by saying that he is also very excited about the new presidency and is looking forward to many good things to come.

Mr. Ming Ho, President, Chabot College Academic Senate, was not present to give his report.

PRESIDENTS OF CHABOT, LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES

Ms. Karen Ziegler, Las Positas College Classified Senate, reported that on January 14, the Senate held a “Meet, Greet and Eat” event. It was a chance to get reacquainted with staff and also meet new staff. In addition, she reported that classified staff is wearing red, white and blue to honor the inauguration. Ms. Ziegler reported that the BSU (Black Student Union) sold keepsakes of the inauguration and raised \$280 and that they will be selling the keepsakes through Black History month.

Ms. Rachel Ugale, President, Chabot College Classified Senate, wished everyone a Happy New Year and thanked Dr. Barberena, and the AFCC for arranging the viewing of the inauguration on the campus. Ms. Ugale expressed the excitement of seeing such a historic event take place. She reported that the first meeting of the term took place last week and at that meeting, Senator Yvonne Craig, and Vice-President of Student Services, Melinda Matsuda, presented plans for the upcoming program review in the administrative services and student services units on campus. She noted that she hopes to come together as a college in February to provide input in this important process. Ms. Ugale also congratulated Mr. Nicholls on the calendar, stating it is “beautiful.”

Ms. Cathy Gould, President, District Classified Senate, wished everyone a Happy New Year. Ms. Gould thanked the Board of Trustees and Chancellor Kinnamon for the January 2, 2009 Holiday. She stressed that the staff really appreciated it and indicated that she heard a lot of nice feed back.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES ASSOCIATED STUDENTS

Ms. Tiffany Breger, President, Associated Students of Las Positas College, submitted a written report to the Board. Ms. Breger reported that Smoke Johnson has been appointed as their new Vice President. Ms. Breger also reported that there are two new senators in the student government this semester. Ms. Breger indicated that ASLPC is having a “Welcome Week” in their office, giving out free donuts and coffee to students who enter, as well as information about the college. Ms. Breger then reported that ASLCP will be holding elections for the new officers on April 22 and 23, 2009. In addition, she reported that there is a new smoking policy. The campus is a “smoke-free” campus now, so students can only smoke in the parking lot if they wish to do so.

Mr. Justin Reyes, President, Associated Students of Chabot College, reported that ASCC’s legislative director, Jessica Gutierrez is working on a campaign for college affordability. This entire month they will be having speakers and workshops to inform students of all college affordability options. Mr. Reyes reported that on January 28 and 29, 2009 they will be having “welcome back” events for the students and have a barbeque planned co-sponsored by KCRH, as well as a pizza social. Mr. Reyes also reported that ASCC will be hosting a blood drive on campus on January 29. He reported that the pilot Book Rental

Program is going well, and hopes that the full program will be available by the end of this semester.

GOOD OF THE ORDER

On behalf of S.E.I.U., Local 1021, Mr. Mark Smythe thanked the Board of Trustees for the January 2, 2009 Holiday.

On behalf of the Faculty Association, Mrs. Charlotte Lofft invited the Board of Trustees to read the December 2008 issue of "Faculty Focus."

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES

President Barberena submitted a written report to the Board. Dr. Barberena congratulated Dr. Gin as our incoming Board President, and wished everyone a Happy New Year. Dr. Barberena then spoke about how she was moved walking around the campus on this inaugural day and seeing the student body that reflects the face of America and what President Obama speaks about as "one America." She focused on the economic recovery for the United States of America, pointing out the statistic that the amount of students at the basic level of English and Math is the majority of students at Chabot - 67% to 75%. She paralleled community colleges as a foundation for jobs along with the colleges' ability to provide training for jobs that provide a "living wage." Dr. Barberena spoke about a grant received from the Hewlett Foundation, together with the Title III Grant, and Basic Skills Allocation, giving them approximately \$700,000 a year to focus on the improvement and achievement of basic skills to students behind in those skills. Dr. Barberena stressed that jobs in the 21st Century start with community colleges and their ability to educate the youth. She reported that the college is on target with their enrollments, and highlighted staff and faculty that had been recognized with awards. Dr. Barberena closed by saying that we have a tremendous challenge ahead of us for this "new" America, and there is a lot in store for us in the coming years.

President Pollard submitted a written report to the Board. Dr. Pollard reported that a lot of new things are happening at Las Positas College. She reported that as of this date, an all-time high mark of 9,025 students are enrolled in classes this semester. Dr. Pollard then reported that 85% of the courses are full, and faculty and administration are working hard to make more classes available. She welcomed back Vice President of Student Services, Pam Luster. She reported on the no smoking policy enacted this semester and stated that this policy was driven by the students, faculty and staff, who worked hard to present this policy and prepare the campus for this transition. Dr. Pollard highlighted that Las Positas College has been designated as a Cooperating Collection for the Foundation Center of New York. With this designation, the college will offer free access to the Center's detailed information on grant-makers and how to apply for grants, and provide non-profits and underserved population with training and tools to become successful grant-seekers. She

commented that this was an honor for the college as well as the surrounding community. Dr. Pollard commented that we need to continue our advocacy to create resources to support the 9,025 students that are enrolled at Las Positas College. She then quoted the words of our President - "To expect anything different about us as an institution and country to be excellent, is one that speaks to the poverty of ambition." Dr. Pollard ended her report by saying that she holds firm to the belief that each of us makes an astonishing difference and is moved by the events of today and what it means personally to her.

CHANCELLOR'S REPORT

Dr. Kinnamon welcomed Vice President of Student Services, Pam Luster, back to her position and thanked Mr. Jeff Baker, for his work as interim Vice President while Ms. Luster was out. Dr. Kinnamon then reported that he will be attending a hearing for the Russell City Energy Plant which will be at the Bay Area Quality Management District. He indicated that he will be speaking in opposition to that plant. Dr. Kinnamon then read an excerpt from a Press Release that regarding Spring Cal Grant payments to students. It summarized that "students at Chabot College and Las Positas College would not have to worry about receiving Spring Cal Grant funds due to the delayed State Budget." He stated that District Officials have identified funds that they will use to cover the grants so students will not have to interrupt their education. Dr. Kinnamon commended Ms. Cindy Hicks, for her commitment and contributions to the College Reading and Learning Association and their recognition of her. Dr. Kinnamon closed by saying that we are in such difficult times right now and how these difficult times have made us shift our focus on personal goals and introspection. He stressed that this is a good time for us to look at our core values and beliefs and a time for us to think about where we are and where we are going to go as a society.

APPROVAL OF SABBATICAL LEAVE APPLICATIONS FOR THE 2008-09 AND 2009-10 SCHOOL YEARS, CHABOT COLLEGE

APPROVAL OF SABBATICAL LEAVE APPLICATIONS FOR THE 2009-10 AND 2010-11 SCHOOL YEARS, LAS POSITAS COLLEGE

Mr. Vecchiarelli reported that he pulled these agenda items from the consent calendar in order to request a presentation of how we determine who gets the sabbatical leave. What is the process and procedure? Mr. Vecchiarelli requested that this be outlined for the Board sometime in the near future.

Motion No. 2

Mrs. Dvorsky made a motion, seconded by Mr. Gelles, to approve the following Applications in one motion:

- a. That the Board of Trustees approve the Sabbatical Leave Applications as reviewed and recommended by the Sabbatical Leave Committee for the Chabot faculty desirous of taking leaves during the 2008-09 (unpaid leave) and 2009-10 academic years to the extent that funds are available.
- b. That the Board of Trustees approve the Sabbatical Leave Applications as reviewed and recommended by the Sabbatical Leave Committee for the Las Positas faculty desirous of taking leaves during the 2009-2010 and 2010-11 academic years to the extent that funds are available.

Motion carried unanimously, 6-0.

ADOPTION OF RESOLUTION NO: 07-0809 - ACCEPTANCE OF AWARD RENEWAL WITH THE CALIFORNIA DEPARTMENT OF EDUCATION, INSTRUCTIONAL MATERIALS PROGRAM, CONTRACT NO. CIMS-8011, PROJECT NO. 01-6131-00-8, CHABOT COLLEGE

Motion No. 3

Dr. Mertes made a motion, seconded by Mrs. Dvorsky to adopt Resolution No. 07-0809 Acceptance of Award Renewal with the California Department of Education, Instructional Materials Program, Contract No. CIMS-8011, Project No. 01-6131-00-8, Chabot College

Motion carried by the following roll call vote:

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

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

Motion No. 4

Mr. Gelles made a motion, seconded by Mrs. Dvorsky, for the approval of Declaration of Surplus Property to be Sold at Private Sale and Donation or Disposal of Any Items Not Sold.

Motion carried unanimously, 6-0.

Mr. Gelles commented that he pulled this agenda item from the consent calendar in order to get more information. He would like to know who is being notified of the items being

disposed of. He would also like to know the value of the equipment being disposed of.

**ESTABLISHING NON-RESIDENT (OUT-OF-STATE AND INTERNATIONAL)
TUITION RATES FOR 2009-2010**

Motion No. 5

Mr. Vecchiarelli commented that he pulled this agenda item from the consent calendar in order to make a comment. Mr. Vecchiarelli stated that international students bring a tremendous amount of culture to our colleges and after watching the Program for 23 years, he is very happy and excited with what we are doing with it. He would like to see the amount of international students increase in both of our colleges.

Dr. Mitzman made a motion, seconded by Mr. Gelles that accordance with Education Code Section 76140, the Board of Trustees set the non-resident tuition rate for the succeeding fiscal year.

Motion carried unanimously, 6-0.

APPROVAL OF AWARD OF CONSTRUCTION MANAGER AT RISK (CM AT RISK) SERVICES AGREEMENT FOR RENOVATION OF BUILDING 500 AT CHABOT COLLEGE (MEASURE B BOND FUNDS)

Motion No. 6

Dr. Mertes made a motion, seconded by Mrs. Dvorsky, that the Board of Trustees approve the Award of Construction Manager at Risk (CM at Risk) Services Agreement to John Plane Construction, Inc. of Brisbane, CA for Renovation of Building 500 at Chabot College in an amount not to exceed \$360,000. It is also 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 Source: Measure B Bond Funds

Motion carried unanimously, 6-0.

APPROVAL TO REJECT ALL BIDS OF BID NO. 09-04, HAZMAT REMEDIATION FOR BUILDING 500 AT CHABOT COLLEGE (MEASURE B BOND FUNDS)

Motion No. 7

Mr. Gelles made a motion, seconded by Dr. Mitzman that the Board of Trustees approve to Reject all Bids of Bid No. 09-04, Hazmat Remediation for Buildings 500 at Chabot College. Funding Source: Measure B Bond Funds

Motion carried unanimously, 6-0.

APPROVAL OF CONTRACT MODIFICATION TO EXISTING ON-CALL PROFESSIONAL SERVICES AGREEMENT WITH SANDIS CIVIL ENGINEERS, SURVEYORS, PLANNERS FOR CAMPUS ARCHITECT & ENGINEERING SERVICES AT LAS POSITAS COLLEGE (MEASURE B BOND FUNDS)

Motion No. 8

Mrs. Dvorsky made a motion, seconded by Dr. Mitzman that the Board of Trustees approve the Contract Modification to the Existing On-Call Professional Services Agreement with Sandis Civil Engineers, Surveyors, Planners for Campus Architect & Engineering Services at Las Positas College in an amount not to exceed \$125,000. It is further recommended that the Board of Trustees authorize the Vice Chancellor, Business Services to execute the modification on behalf of the District.

Funding Source: Measure B Bond Funds

Motion carried unanimously, 6-0.

APPROVAL OF CONTRACT MODIFICATION TO THE EXISTING ON-CALL PROFESSIONAL SERVICES AGREEMENT WITH NINYO AND MOORE FOR CAMPUS SOILS AND GEOTECHNICAL ENGINEERING SERVICES AT LAS POSITAS COLLEGE (MEASURE B BOND FUNDS)

Motion No. 9

Mr. Mertes made a motion, seconded by Ms. Morrissey that the Board of Trustees approve the Contract Modification to the Existing On-Call Professional Services Agreement with Ninyo and Moore for Campus Soils and Geotechnical Engineering Services at Las Positas College in an amount not to exceed \$125,000. It is further recommended that the Board of Trustees authorize the Vice Chancellor, Business Services to execute the modification on behalf of the District. Funding Source: Measure B Bond Funds

Motion carried unanimously, 6-0

Mr. Vecchiarelli asked whether this could be modified to discuss the construction modifications. Mr. Kingston responded by stating the geotechnical engineering services that we buy for every project does exactly that. They look at every site that the buildings are going to be on and provide the engineering and design data for the architect to put the building on that particular site.

Mr. Gelles then asked if we were saving money by doing this. Mr. Kingston then responded that it is more efficient because we have the same engineering consultant doing

the same work on the same college and they know the site and it takes them less hours to analyze the various situations.

APPROVAL OF AWARD OF BID NO. 09-01, CHILD DEVELOPMENT CENTER AT LAS POSITAS COLLEGE (MEASURE B BOND FUNDS)

Motion No. 10

Mr. Gelles made a motion, seconded by Ms. Morrissey, that the Board of Trustees approve the award of Bid No. 09-01, Child Development Center at Las Positas College to Lathrop Construction Associates, Inc. of Benicia, CA, in an amount not to exceed \$10,254,000. 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 Source: Measure B Bond Funds

Motion carried unanimously, 6-0

APPROVAL OF TAKEOVER AGREEMENT WITH LIBERTY MUTUAL INSURANCE COMPANY AND AUTHORIZATION TO PROCURE TEMPORARY HOUSING FOR THE MAINTENANCE AND OPERATIONS FACILITY MODULAR OFFICE BUILDING MANUFACTURING & INSTALLATION AT LAS POSITAS COLLEGE (MEASURE B BOND FUNDS)

Motion No. 11

Dr. Mertes made a motion, seconded by Mr. Gelles that the Board of Trustees approve the Takeover Agreement with Liberty Mutual Insurance Company and Authorize the Procurement of Temporary Housing for the Maintenance and Operations Facility Modular Office Building Manufacturing & Installation at Las Positas College. It is further recommended that the Board authorize the Vice Chancellor, Facilities, to execute the agreement and any future augmentations or amendments to this agreement on behalf of the District. Funding Source: Measure B Bond Funds

Motion carried unanimously, 6-0

Mr. Kingston made the statement that we contracted with the firm called Mod-Tech to provide the modular building for the M&O owner-furnished portion of the project. Following the Public Contract Code we had a Performance Bond do the economic conditions. This firm went into bankruptcy. Our surety, who we buy the bond from, stepped in and took over the scope of work for this company. This action approves the agreement that authorizes the surety to act in our behalf and deliver to us what we had purchased and also reimburse us for any costs we had for it being delivered late.

Dr. Metes complimented Mr. Kingston's office for writing the proposals. She indicated

that they were very complicated proposals and they were well done and very well documented.

Mr. Gelles also complimented Mr. Kingston and stated the proposals were very well done.

FACILITIES PLANNING AND MANAGEMENT REPORT

Mr. Kingston did not have a report at this time.

GOVERNORS JANUARY BUDGET PROPOSAL FOR FY 2009-2010

Mr. Legaspi submitted a written report to the Board. He reported that the Governor released his budget on December 31, 2008. Mr. Legaspi then indicated that the budget identifies \$41.6 billion dollars in shortfall over the next 18 months ending June 30, 2010. Mr. Legaspi then outlined the Summary of the Governor's January Budget Proposal for Fiscal Year 2009-10. Mr. Legaspi then stated that the District would use this information to craft our budget.

APPROVAL OF REVISED 2009 CALENDAR OF BOARD MEETINGS

Motion No. 12

Mr. Gelles made a motion, seconded by Mrs. Dvorsky, that the Board of Trustees approve the Revised 2009 Calendar of Board Meetings.

Motion carried unanimously, 6-0

CALIFORNIA COMMUNITY COLLEGE TRUSTEES (CCCT) BOARD NOMINATIONS - 2009

No nominations were presented for the California Community College Trustees (CCCT) Board Nominations - 2009.

DISTRICT RESPONSE TO FACULTY ASSOCIATION PROPOSAL FOR THE AGREEMENT BETWEEN THE DISTRICT AND THE FACULTY ASSOCIATION

Motion No. 12

Ms. Morrissey made a motion, seconded by Mrs. Dvorsky, that the Board of Trustees accept the list of Articles in response to the November 18, 2008, proposal from the Faculty Association and, pursuant to Article 3A of the Agreement, conduct a public hearing on this response at the next regularly scheduled Board meeting.

Motion carried unanimously, 6-0

Ms. Morrissey asked what the process was for renewing a contract. Dr. Gularte responded by saying there is a District Negotiating Team which meets with the Faculty Association Negotiating Team. They then take the list of Articles that are reopened and meet and finalize the areas that need to be negotiated. Dr. Gularte stated that the process can take anywhere from 6 months to 3 years to complete.

ADJOURNMENT

There being no further business, on motion made and seconded, the Regular Meeting was adjourned at 8:19 p.m. Dr. Gin announced that the Board would readjourn into Closed Session, which ended at 9:15 p.m.

Minutes completed by:

Mary Hargiss

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