

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

**MINUTES  
April 16, 2013**

**PLACE**

Chabot-Las Positas Community College District, 7600 Dublin Blvd., 3<sup>rd</sup> Floor, Dublin, California.

**CALL TO ORDER**

The regular meeting was called to order at 5:30 p.m. by Board President Dr. Cedillo. 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 6:25 p.m.

**OPEN SESSION**

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

**ATTENDANCE**

Members Present:

- Trustee Dr. Arnulfo Cedillo
- Trustee Mrs. Isobel F. Dvorsky
- Trustee Mr. Donald L. "Dobie" Gelles
- Trustee Dr. Hal G. Gin
- Trustee Dr. Barbara F. Mertes
- Trustee Dr. Marshall Mitzman
- Trustee Mr. Carlo Vecchiarelli
- Student Trustee Mr. Kris Adhikari (arrived at 6:35 p.m.)
- Student Trustee Ms. Nicole Pinto

Members Absent: None

Recording Secretary: Ms. Beverly Bailey

Managers Present: Dr. Judy E. Walters, Interim Chancellor  
Dr. Susan Sperling, President, Chabot College  
Dr. Diana Rodriguez, For President, Las Positas College  
Mr. Ken Agustin  
Ms. Julia Dozier  
Mr. Wyman Fong  
Mr. Doug Horner  
Dr. Ted Kaye  
Mr. Jeffrey Kingston  
Mr. Matthew Kritscher  
Ms. Victoria Lamica  
Mr. Lorenzo Legaspi  
Ms. Jeannine Methe  
Ms. Dyan Miller  
Dr. Janice Noble  
Mr. Rajinder Samra  
Mr. Gerald Shimada  
Mr. Dale Wagoner  
Ms. Barbara Yesnosky

Others Present: Dr. Agnello Braganza, Chabot College  
Ms. Jane Church, Chabot College  
Ms. Veronica DeEnriquez, Chabot College  
Ms. Sarina Dito, PG&E  
Mr. Carlos Enriquez, Chabot College  
Ms. Debra Howell, Chabot College  
Ms. Kathy Kelley, President, Chabot College Academic  
Senate  
Dr. Charlotte Lofft, President, Chabot-Las Positas Faculty  
Association  
Mr. Patrick Lofft  
Dr. Zarir Marawala, Chabot College  
Ms. Rebecca Otto, Chabot College  
Mr. Sean Prather, Las Positas College  
Mr. Gregory Rees  
Ms. Sandi Perry-Rees  
Mr. Bruce Rich  
Mr. Pedro Ruiz DeCastilla, District Classified Senate

Ms. Andrea Schumer, PG&E  
Mr. Todd Steffan, Las Positas College Classified Senate  
Ms. Sarah Thompson, President, Las Positas College  
Academic Senate  
Ms. Rachel Ugale, District Services  
Ms. Patricia Wu, Chabot College  
Ms. Yvonne Wu-Craig, President, Chabot College Classified  
Senate

### **PLEDGE TO FLAG**

Student Trustee Ms. Pinto led the pledge to the flag.

### **MOMENT OF SILENCE**

Board President Dr. Cedillo requested a Moment of Silence in acknowledgement and support for those affected by the tragedy in Boston.

### **REPORT OF ACTION TAKEN IN CLOSED SESSION**

Board President Dr. Cedillo reported that in Closed Session, the Board voted unanimously to authorize a Settlement Agreement with Joel Kinnamon in the total amount of \$300,000 with the District responsible for one-third of that sum and with its excess insurance group responsible for the other two-thirds.

### **PUBLIC HEARING**

At 6:33 p.m. Board President Dr. Cedillo opened the Public Hearing on the Authorization to Submit a Waiver of Public Lease Bidding of Property Located at 5020 Franklin Drive, Pleasanton, California and Award Provisions in California Education Code Sections 81360 Et. Seq.

Upon hearing no comments, Board President Dr. Cedillo closed the Public Hearing at 6:34 p.m.

### **PUBLIC COMMENTS**

Ms. Jane Church, Chabot College Curriculum Committee Chair, acknowledged the work of the Chabot College Curriculum Committee and the large amount of curriculum that the Committee reviewed this year. She drew attention to the six-page list of Curriculum Changes which are on tonight's Board Agenda for approval. She reported that the Committee has met its commitment at the first level for the 80% Transfer Degrees, which will be submitted to the

State. Committee Members include: Ms. Kaaren Krueg, Executive Administrative Assistant; Ms. Deborah Buti, Ms. Begona Cirera-Perez, Ms. Linnea Wahamaki, Mr. Kent Uchiyama, Mr. Donald Pondke, Ms. Donna Gibson, Dr. Wayne Pitcher, Mr. Ernesto Victoria, Mr. Jay Mumford, Ms. Lynn Klein, Mr. Dov Hassan, and Student Mr. Luis Flores.

The following individuals spoke to the Board regarding conditions of Building 2100 – Biology. Speakers cited health issues resulting from problems including the poor ventilation, HVAC and asbestos. In addition, lack of laboratory and lecture space was also identified as a major problem. Further, critical issues were identified with formaldehyde levels of exposure in the Cadaver Room.

Dr. Charlotte Lofft, President, Chabot-Las Positas Faculty Association  
Ms. Debra Howell, Biology Faculty  
Ms. Patricia Wu, Biology Faculty  
Dr. Agnello Braganza, Biology Faculty  
Mr. Carlos Enriquez, Biology Faculty  
Ms. Veronica DeEnriquez, Laboratory Technician  
Ms. Rebecca Otto, Biology Faculty

Dr. Charlotte Lofft provided the Board a report on “Health and Safety Issues 2008-2013” and a demand for information on Chabot College Building 2100.

Mr. Gregory Rees, former Member of the Classified Staff, Chabot College, spoke in regards to a continued lack of response from the Chancellor and Board to his written correspondence requesting an investigation into the details of misconduct and violation of state and federal law by Chabot College and District Administrators, contract police personnel from the Hayward Police Department, and the law firm of Mullen and Filippi. Mr. Rees also made accusations of wrong-doing on the part of Board President Cedillo.

Ms. Sandi Perry-Rees continued reading Mr. Gregory Rees’ list of complaints, violations and accusations of wrong-doing.

### **CONSENT CALENDAR**

Trustee Dr. Mitzman requested that agenda items 3.1 (Classified Personnel), 4.1 (Acceptance of Gift, Las Positas College) and 4.2 (Acceptance of Gift and Approval of Donation Agreement between Nissan North America, Inc. and Las Positas College) be pulled from the Consent Calendar.

Motion No. 1

Trustee Mrs. Dvorsky made a motion, seconded by Trustee Dr. Gin, to approve the Consent Calendar with the exception of agenda items 3.1, 4.1 and 4.2.

Motion carried unanimously, 7-0.

The following items were approved on the consent calendar:

General Functions

- 1.9 Approval of Minutes of February 22, 2013 Board Retreat
- 1.10 Approval of Minutes of March 5, 2013 Study Meeting
- 1.11 Approval of Minutes of March 19, 2013 Regular Meeting

Personnel

- 3.2 Management Personnel

Educational Services

- 4.3 Approval of Curriculum Changes, Chabot College
- 4.4 Approval of Curriculum Changes, Las Positas College

Business Services

- 5.1 Approval of Commercial Warrant Registers
- 5.2 Approval of Payroll Warrant Registers
- 5.3 Approval to Negotiate a Professional Services Contract for Independent Audit Services

Economic Development/Contract Education

- 7.1 Approval to Renew – County of Solano Standard Contract No. 00591-14, District-Economic Development
- 7.2 Approval of Agreement – South Bay Workforce Investment Board, Incorporated, District-Economic Development: OSHA Training Center

Other Action Items

- 9.5 Approval of Governing Board Policies
  - BP 2010 Board Membership
  - BP 2015 Student Members
  - BP 2100 Board Elections
  - BP 2110 Vacancies on the Board
  - BP 2200 Board Duties and Responsibilities
  - BP 2210 Officers
  - BP 2220 Committees of the Board

## Other Action Items (continued)

9.5	BP 2305	Annual Organizational Meeting
	BP 2310	Regular Meetings of the Board
	BP 2315	Closed Sessions
	BP 2320	Special and Emergency Meetings
	BP 2330	Quorum and Voting
	BP 2340	Agendas
	BP 2345	Public Participation at Board Meetings
	BP 2350	Speakers
	BP 2355	Decorum
	BP 2360	Minutes
	BP 2365	Recording
	BP 2410	Board Policy and Administrative Procedure
	BP 2430	Delegation of Authority to the Chancellor
	BP 2431	Chancellor Selection
	BP 2432	Chancellor Succession
	BP 2435	Evaluation of the Chancellor
	BP 2710	Conflict of Interest
	BP 2715	Code of Ethics/Standards of Practice
	BP 2716	Political Activity
	BP 2717	Personal Use of Public Resources
	BP 2720	Communications Among Board Members
	BP 2725	Board Member Compensation
	BP 2735	Board Member Travel
	BP 2740	Board Education
	BP 2745	Board Self-Evaluation
	BP 2750	Board Member Absence from the State

**PRESENTATION: CHABOT COLLEGE BUILDING 2100/BIOLOGICAL SCIENCE**

Mr. Jeff Kingston and Dr. Susan Sperling made a presentation in regards to Chabot College Building 2100/Biological Science. The presentation included background information, issues and concerns, and a plan for solutions, which was developed through consultation between District and College Representatives. Written documentation was provided to the Board.

It was reported that Building 2100 was built in 1964 as part of the original construction of Chabot College. It was also reported that it was one of the facilities initially prioritized for Measure B but was removed from the Bond Measure prioritization process when the possibility of State funding was apparent. An Initial Project Proposal (IPP) was submitted to the State for construction of a new Biology facility. State-funded construction, however, did not occur.

Issues and Concerns were identified as follows:

- Chemical use, storage and handling;
- Electrical and HVAC needs upgrading;
- Anatomy dissection protocols;
- Line of Sight Supervision;
- Efficient Prep for Laboratories;
- Cadaver handling, storage and teaching.

Solutions/Plans were identified as follows:

- Short-term solution – Refit existing cadaver room;
- Long-term solution – Renovate or replace Building 2100;
- Consensus through Chabot Facilities Committee and President is to replace Building 2100;
- Remove Building 2000 to use as new building site – relocate offices to Instructional Office Building;
- Measure B Bond Funding available from Chabot College allocation (\$20 million);
- Remove chemicals from the building that are no longer used and replace with safer chemicals, materials and teaching protocols/technology.

Mr. Kingston reported that it is his recommendation that the existing building be renovated over the summer; and then used while a new building is built at another site. He reported that the plan is for constructing a 25,000 sq. ft. building. He noted that the current building is 19,000 sq. ft. He reported that there is approximately \$20 million available in the Chabot College's allocation. He reported that the proposed building will have less office space and more laboratory space. He reported that the capacity utilization load ratio allows for this change in room use.

Board President Dr. Cedillo reported that the Board is very concerned about health and safety. He expressed that the District needs to move forward expeditiously on this matter. He expressed appreciation that the District and College is working together. He also expressed that he wants to be sure that the Chabot Faculty, Staff, and Facilities Committee is comfortable with the plan – “a bottom-up approach to solving this issue.”

Trustee Mr. Gelles expressed appreciation for the report. He expressed that he supports the Board President's comments and stressed the word “expeditiously” moving forward on this project, whatever is needed. He stressed that unsafe chemicals should be moved. He also expressed that he looks forward to hearing future updates on this project.

Trustee Dr. Gin expressed that this presentation was “eye-opening” and “scary.” He expressed that this issue needs immediate attention to correct the problem. He expressed that the District needs to provide a safe environment for Students and Staff.

Trustee Dr. Mitzman echoed the comments of concern expressed by his fellow Board Members.

Trustee Mrs. Dvorsky expressed that the comments made regarding health issues was very disturbing. She expressed that renovating is fine but questioned when a new building could be started. She expressed that Building 2100 must be removed.

In response, Mr. Kingston reported that in the next month or two, a recommendation to hire an architect will be brought to the Board for approval.

Trustee Mr. Vecchiarelli expressed that a top priority for him is the health and safety of Students and Staff. He questioned if the \$20 million that is available would be adequate funding for this project.

In response, Mr. Kingston reported that in his experience, it can be done if the District sticks to a 25,000 sq. ft. building.

Trustee Mr. Vecchiarelli also raised the issue of alternatives to the cadaver and the use of formaldehyde.

In response to Mr. Vecchiarelli’s raised issues regarding alternatives to cadavers, Ms. Wu expressed that plastics technology is not as good. She reported that students come to Chabot College because they do use cadavers. She reported that a requirement of UCSF, who supplies the cadavers, is that the laboratory doors need to be closed.

Board President Dr. Cedillo expressed that if Faculty are comfortable with the plans, the Board will accept the recommendations.

Trustee Dr. Mertes expressed that she would support the project 100%. She expressed that the Biological Sciences is the basis for many professional programs.

Ms. Kathy Kelley “publically” suggested that the District use the plans that were previously drawn up for the submission of the Initial Project Proposal.

#### **PRESENTATION: PG&E ENERGY AWARD**

Ms. Andrea Schumer and Ms. Sarina Dito, PG&E, presented a check in the amount of \$127,503.74 to the District from PG&E’s Energy Efficiency Program “Savings by Design.”

Mr. Jeff Kingston reported that these funds will continue to be put into an account that will be used for future investment on energy efficiency, noting that the return on these investments are a reduction in operating costs allowing more resources to go towards the mission of education.

Ms. Schumer reported that the awards are from two projects: 1) Central Plant Retrofit, Chabot College; and 2) Lighting, Heating, and Air Conditioning Upgrade, Chabot College. She reported that these projects are reducing approximately 300 metric tons of carbon dioxide; amounting to energy savings of over 376,000 kilowatt hours and 37,244 therms, which basically equates to powering 80 homes for a year or taking 50 cars off the road for a year.

Ms. Dito reported that the funds provided to community colleges are made available through on-going participation in the program, which is very important. She reported that this District is a leader in this program in comparison to other community colleges. She thanked Mr. Kingston and his team for their efforts and continued partnership.

On behalf of the Board, Board President Cedillo expressed appreciation to PG&E for the generous and much appreciated rebate checks.

Trustee Mr. Vecchiarelli recognized PG&E for the donation to the Las Positas College Veterans' Program for Women Veterans.

### **TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS**

Student Trustee Pinto presented a written report to the Board. She expressed appreciation to Mr. Lorenzo Legaspi for his personal donation to ASCC. She reported on ASCC past events including student lobbying day in Sacramento on April 11; and Hayward Police Department's Female Safety Forum on April 12. She reported that ASCC approved support of a New Student Orientation suggested by Indy Nelson. She also reported that scholarships and co-curricular applications were due April 12 and applications for student government were due April 16. Further, she reported on ASCC future events: Meet the Candidates on April 30; Executive Elections on May 1 and 2; and Representatives interviews the week of May 6. She further reported that students have made complaints regarding safety hazards in Building 2100.

Student Trustee Adhikari reported that elections are this week. He also reported that approximately 200 to 250 students will be participating in Graduation this year. He reported that ASLPC has completed its move into the new Student Services and Administration (SSA) Building. Further, he expressed appreciation to Mr. Lorenzo Legaspi for his kind donation to ASLPC.

Trustee Dr. Gin reported that he looks forward to all the End-of-Year Events next month. He also expressed that he unfortunately cannot attend the Best of the Best this year, which he has enjoyed attending for many years.

Trustee Mr. Gelles expressed appreciation to Mr. Kingston and Dr. Sperling for their presentation this evening, as well as Staff who spoke. He acknowledged an outstanding article by Mr. Martin Gallegos in the February 2013 Las Positas College Express Newspaper, on the 10 Most Influential Black Athletes. He also recognized the Student Trustees for their hard work and input. He also acknowledged Board President Dr. Cedillo for his leadership as Board President. He further expressed appreciation to the Chancellor, who continues to impress him, as well as the other Administrators.

Trustee Dr. Mertes expressed appreciation for the presentation and comments this evening regarding Building 2100. She expressed that she supports any project to solve this issue.

Trustee Mr. Vecchiarelli expressed appreciation to Mr. Kingston and Dr. Sperling for their presentation this evening, stressing the importance for Students, Faculty and Staff of resolving these health and safety issues.

Trustee Mrs. Dvorsky reported that she attended the Las Positas College Veterans First Program honoring Women Veterans on March 21. She also expressed that it is hard to believe that Graduation is next month and noted that she plans to attend many of the End-of-Year Events. She expressed appreciation to Dr. Kaye and Dr. Sperling for their donations to San Leandro Foundation Scholarship Dinner.

Trustee Dr. Mitzman acknowledged Mr. Todd Steffan on the Reception honoring Women Veterans. He also acknowledged Dr. Susan Sperling and Ms. Kathy Kelley on the excellent Chabot College Forensics Lecture Series, which he attended. He reported that he recently attended a conference with Dr. Cedillo on The Role of Trustees and CEOs on the Goal of Student Success. Taking from the conference, he learned the importance of “asking questions but asking the right questions in a courageous conversation.” He expressed that he looks forward to the developments on student success coming from the State. He also expressed that we all share the same goal of student success.

Trustee Dr. Cedillo reported that he also attended the conference on The Role of Trustees and CEOs on the Goal of Student Success. He suggested to the Chancellor, in the midst of the Student Success Agenda, that every Board Meeting Agenda include a presentation or report, 10-15 minutes in length, regarding the District’s status on the Student Success Initiative. He suggested that a starting point could be explaining what the State Chancellor’s Office Student Performance Scorecard says and means. Secondly, the recommendations can be explained. He expressed that he would like to see this District become the champions of the Student Success Initiative.

Further, Trustee Dr. Cedillo voiced that although the Board does not comment or discuss items brought up under Public Comments, it “took all my self-control to not respond to certain comments.” He expressed that he does not appreciate to be told lies when individuals do not have the facts. He expressed that he wanted the audience to be aware and would be willing to discuss this in private.

### **LAS POSITAS COLLEGE FOUNDATION**

Dr. Kaye submitted a written report to the Board. He highlighted the Best of the Best scheduled for April 27; reporting that the Foundation is on-track to net \$90,000 to \$100,000 again this year. He expressed appreciation to all Board Members who have been so generous and supportive of the Best of the Best. He recognized a \$10,000 donation from an investor who wishes to remain anonymous for support of Language Arts; \$10,000 commitment by Shea Homes for additional Demonstration Vineyard planning and support; and \$1,500 donation from Student Stan DeMarta for general Viticulture support.

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

Ms. Sarah Thompson, President, Las Positas College Academic Senate, submitted a written report to the Board. She expressed that she is ecstatic about Dr. Cedillo’s recommendation for discussion of the very important State-wide Student Success Initiative. She reported that she and Dr. Janice Noble will be attending the Spring Plenary Session April 18-20. She reported that the College is continuing to work on its AA Transfers and AS Transfers to reach their goal of 15 Transfer Degrees by May 2014. She reported the following State activities:

- Board of Governors to propose new Professional Development Legislation in November 2013, which includes some radical changes to how Staff Development is currently organized. The new legislation would: a) require a minimum of 5 Flex Days; b) .5 of 1% of a College’s budget would have to be earmarked for Professional Development (essentially becoming a viable categorical fund); and c) Academic Senate would be the leader in Faculty Professional Development.
- ARCC 2.0 Scorecard is out – the data reveals we have an extremely high success rate with college-ready students, but only 50% with students who need remediation.
- Increase of funding for Distant Education – our concerns are success rates typically lower, and attrition typically higher, especially for our most marginalized students.
- AA Transfers and AS Transfers hitting some road-bumps as the approval process is slowing as C-ID struggles to find CSU readers. Students who do complete transfer degrees are finding themselves in the advantageous position of being given registration priorities at the CSUs.

Ms. Kathy Kelley, President, Chabot College Academic Senate, submitted a written report to the Board. She expressed appreciation to Ms. Jane Church and the Curriculum Committee for their hard work. She reported that she attended a wonderful event on campus - a Student Poetry Reading, which was well attended by approximately 200 students. She also expressed appreciation to the Administration and Board for their prompt attention to the concerns regarding the Biology Building.

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

Mr. Todd Steffan, Co-President, Las Positas College Classified Senate, submitted a written report to the Board. He highlighted the upcoming election of officers for next year. He also reported that members of the Senate will be attending the upcoming 4-CS Conference to learn more about writing service-learning outcomes for the Classified Senate.

Ms. Yvonne Wu-Craig, President, Chabot College Classified Senate, reported that the Classified Senate is excited about the increase in Professional Development funding. She expressed the hope that some of these funds can be used to support some of the items identified at the Senate's recent Retreat. She reported that Dr. Sperling will visit with the Senate at its next meeting. She also reported that planning is occurring for Flex Day on April 30. Further, she reported that discussions are occurring with ASCC to again co-sponsor a dunk tank for their planned carnival.

Mr. Pedro Ruiz DeCastilla, District Classified Senate, expressed appreciation to Chancellor Walters for her report "Conversations" resulting from the District-wide Classified Flex Day on February 28, 2013.

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

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

Associated Students of Las Positas College had no representation at the meeting.

#### **PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES**

Dr. Susan Sperling, President, Chabot College, submitted a written report to the Board. She reported that Chabot College will host its annual early decision day for area high school seniors on Saturday, May 11. She noted that enhanced matriculation and enhanced collaboration and coordination with high schools is an important element of the Student Success Initiative. She reported that on April 24 Chabot College will be hosting 18 College and University Presidents and Educators from England. She reported that Chabot

College was chosen because they are interested in looking at comparable campuses to their own. She noted that these visitors will be attending the American Association of Community College Annual Convention in San Francisco. They are especially interested in the Entrepreneurship and Basic Skills Development at Chabot College. Further, she acknowledged the success of Chabot College's Men's and Women's Tennis Teams, and acknowledged Coach Rick Morris. In addition, she acknowledged Chabot College's Javelin Thrower Travis Vandergriff, and Pole Vaulter, Inder Takhar, who have been accepted to the University of California at San Diego next academic year.

Ms. Diana Rodriguez, for the President of Las Positas College, submitted a written report to the Board. She reported that Student Services and Academic Services have been working on plans and processes to address the Student Success Initiative, including enrollment priorities, Degree Works implementations, and student educational plans delivery. She noted that a meeting is planned to meet with Chabot College counterparts to specifically discuss enrollment priorities. She reported that the Spring Musical "Hair" will be April 12 through April 21. She also reported that the Business and Marketing Department will continue to sponsor a Business and Entrepreneurship Speaker Series on April 17 (third of the series). She reported that on April 10 over 200 College and Community Members attended the Las Positas College/Lawrence Livermore National Laboratories Science and Engineering Seminar Series. In addition, on Saturday, April 20, Las Positas College will host "Learning to Triumph", a Spanish outreach program to introduce the importance of a college education to Latino youth. Further, she reported that two Las Positas College students have won prestigious National honors and associated scholarships:

- Ms. Alaina Schofield has been selected to receive a Jack Kent Cooke Foundation Undergraduate Transfer Scholarship. One of only 73 Scholars nationwide selected this year.
- Mr. Kris Adhikari has been selected as a member of the All-USA Community College Academic Team. The top twenty applicants from the entire nation were selected for the All-USA Academic Team.
- Mr. Kris Adhikari has also been selected as a New Century Scholar. Only 50 community college students from the United States, along with students from Canada and the Federated States of Micronesia were chosen as the 2013 New Century Scholars.

## **INTERIM CHANCELLOR**

Dr. Judy Walters, Interim Chancellor, reported that she, hearing very clearly Dr. Cedillo's interest in the Student Success Initiative, will discuss at Cabinet a plan for presenting at future Board Meetings.

**GOOD OF THE ORDER**

Board President Dr. Cedillo suggested that the District purchase several copies for the Board of USA Today, which lists the All-USA Academic Team awards.

Trustee Mr. Vecchiarelli suggested that the College/District send out a press release in the local newspapers highlighting these student awards. Dr. Rodriguez reported that a press release will go out tomorrow.

**CLASSIFIED PERSONNEL (Agenda Item 3.1)**Motion No. 2

Trustee Dr. Gin made a motion, seconded by Trustee Mr. Gelles, to approve the Classified Personnel.

Trustee Dr. Mitzman reported that he pulled this agenda item from the consent calendar to express that he is pleased to see the hiring of the Financial Aid Systems Coordinator.

Motion carried unanimously, 7-0.

**ACCEPTANCE OF GIFT, LAS POSITAS COLLEGE (Agenda Item 4.1)**Motion No. 3

Trustee Gin made a motion, seconded by Trustee Dr. Mitzman, to accept following proposed gift donated by Ms. Miriam Miller: One (1) customized Zukerman 5 Octave III Harpsichord instrument in good condition with 5 full octaves and 3 full choirs of strings valued at \$20,000 by the donor; to be used by students in the Music Department studying piano, and will be available for use to students or other performers participating in the various musical concerts held at Las Positas College.

Trustee Dr. Mitzman reported that he pulled this agenda item from the consent calendar to acknowledge this wonderful gift, valued at \$20,000. He suggested that a plate recognizing Ms. Miriam Miller be mounted on the instrument.

Trustee Mrs. Dvorsky reported that Ms. Miller is a long-time friend, whose husband, Dr. Don Miller, recently passed away. She expressed that Ms. Miller was pleased to make this donation and would be appreciative of any acknowledgment.

Motion carried unanimously, 7-0.

**ACCEPTANCE OF GIFT AND APPROVAL OF DONATION AGREEMENT  
BETWEEN NISSAN NORTH AMERICA, INC., AND LAS POSITAS COLLEGE  
(Agenda Item 4.2)**

Motion No. 4

Trustee Dr. Gin made a motion, seconded by Trustee Mrs. Dvorsky, to accept the following proposed gift(s) and approve the donation agreement with Nissan North America, Inc., and Las Positas College for: One (1) 2004 Nissan Sentra vehicle estimated value \$4,137.00 by donor; One (1) 2007 Infiniti G35 vehicle estimated value \$16,750.00 by donor; to be used in the Automotive Technology Program at Las Positas College as “salvage goods and training media” for vocational use. It is further recommended that the Board authorizes the Vice Chancellor, Business Services, to execute the agreement on behalf of the District.

Trustee Dr. Mitzman reported that he pulled this agenda item from the consent calendar to acknowledge this wonderful donation.

Motion carried unanimously, 7-0.

**ADOPTION OF RESOLUTION NO. 13-1213 – PURSUANT TO EDUCATION  
CODE SECTION 81365 DECLARING THE INTENTION TO LEASE REAL  
PROPERTY COMMONLY KNOWN AS 5020 FRANKLIN DRIVE,  
PLEASANTON, CALIFORNIA (Agenda Item 5.4)**

Motion No. 5

Trustee Mrs. Dvorsky made a motion, seconded by Trustee Dr. Gin, to adopt Resolution No. 13-1213 - Pursuant to Education Code Section 81365 Declaring the Intention to Lease Real Property Commonly known as 5020 Franklin Drive, Pleasanton, California. The lease is “AS-IS, WHERE-AS” at the rate of between one dollar and five cents (\$1.05) and one dollar and twenty cents (\$1.20) per square foot per month for a minimum term of five (5) years. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute a lease agreement on behalf of the District.

Trustee Dr. Gin questioned for clarification the fee amount per square foot, to which Mr. Legaspi reported that it will be a range of fee between \$1.05 and \$1.20.

Trustee Mr. Vecchiarelli questioned if there has been interest shown, to which Mr. Legaspi reported affirmatively but until this process is completed, no formal offers could be considered.

Mr. Legaspi reported that the District is looking at between \$250,000 to \$325,000 per year for a five to ten year lease. He reported that a longer lease would command a higher price.

Trustee Dr. Mitzman questioned if the District is entertaining lease/purchase, to which Mr. Legaspi reported that the District is strictly interested in a lease at this time.

Motion carried by the following roll call vote:

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

**ADOPTION OF RESOLUTION NO. 14-1213 – AUTHORIZING THE FILING OF A REQUEST TO WAIVE CERTAIN PROVISIONS OF THE CALIFORNIA EDUCATION CODE GOVERNING THE PUBLIC BIDDING PROCEDURES FOR LEASE OF PROPERTY LOCATED AT 5020 FRANKLIN DRIVE, PLEASANTON, CALIFORNIA (Agenda Item 5.5)**

Motion No. 6

Trustee Mrs. Dvorsky made a motion, seconded by Trustee Mitzman, to adopt Resolution No. 14-1213 - Authorizing the Filing of a Request to Waive Certain Provisions of the California Education Code Governing the Public Bidding Procedures for Lease of Property Located at 5020 Franklin Drive, Pleasanton, California. It is further recommended that the Board direct the Vice Chancellor of Business Services to submit the waiver request with the Board of Governors in accordance with Education Code Sections 81250 *et seq.*

Motion carried by the following roll call vote:

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

**ADOPTION OF RESOLUTION NO. 15-1213 – AUTHORIZING CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT TO APPLY TO THE CALIFORNIA STATE DEPARTMENT OF EDUCATION FOR FUNDING OF THE CALIFORNIA EARLY CHILDHOOD MENTOR PROGRAM, AND TO SUBCONTRACT WITH 103 CALIFORNIA COMMUNITY COLLEGES, CHABOT COLLEGE (Agenda Item 5.6)**

Motion No. 7

Trustee Mrs. Dvorsky made a motion, seconded by Trustee Dr. Gin, to adopt Resolution No. 15-1213 authorizing the District to apply for the amount of \$2,866,295 from the California Department of Education for the California Early Childhood Mentor Program, and authorization be hereby given to subcontract with 103 California Community Colleges including Chabot College for activities related to the California Early Childhood Mentor Program, for the period of August 1, 2013 through July 31, 2014. It is further recommended that the Board authorize the Chancellor, Vice Chancellor of Business Services, and/or their designees to execute documents on behalf of the District.

Motion carried by the following roll call vote:

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

**GOOD OF THE ORDER**

Trustee Mr. Vecchiarelli requested a list of the vacancies in the building located at 7600 Dublin Blvd., Dublin. He also questioned how long is it taking to lease spaces? And what percentage of the building is not occupied?

Board President Cedillo requested that Trustee Vecchiarelli's questions be responded to in a written report for the Board.

**ADOPTION OF RESOLUTION NO. 16-1213 – AUTHORIZING THE ELECTION TO INCREASE RETENTION FOR PARKING LOTS F/G/H/J IMPROVEMENTS AT CHABOT COLLEGE, IN ACCORDANCE WITH PUBLIC CONTRACT CODE SECTION 7201 (Agenda Item 6.1)**Motion No. 8

Trustee Mrs. Dvorsky made a motion, seconded by Trustee Dr. Gin, to adopt the proposed Resolution No. 16-1213 - Authorizing the Election to Increase Retention for Parking Lots F/G/H/J Improvements at Chabot College, in accordance with Public Contract Code Section 7201.

Mr. Kingston reported that under Public Contract Code, entities can overwrite the requirement of a 5% retention amount if a project is substantially complex and require a retention in the amount of 10% of the total contract price.

In response to a question raised by Trustee Dr. Mitzman, Mr. Kingston reported that this project is the final piece of the Parking Lot Project to include the marquee and security for parking lots F/G/H/J.

Motion carried by the following roll call vote:

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

**INFORMATIONAL PERSONNEL REPORTS (Agenda Item 8.1)**

The Board accepted the Informational Personnel Reports without discussion.

**GOVERNING BOARD POLICY 3600 – AUXILIARY ORGANIZATIONS (Agenda Item 8.2)**

Chancellor Walters reported that the District Legal Counsel, while reviewing the Chabot College Foundation Bylaws, Articles of Incorporation and Master Agreement, noted that the District did not have a policy for Auxiliary Organizations. The Board directed Chancellor Walters to move forward on this Policy and bring it back to the Board for approval at its next meeting.

**CHABOT COLLEGE FOUNDATION BYLAWS, ARTICLES OF INCORPORATION AND MASTER AGREEMENT (Agenda Item 8.3)**

The Board directed Chancellor Walters to move forward on the Chabot College Foundation Bylaws, Articles of Incorporation and Master Agreement and bring this work back to the Board for approval at its next meeting.

**AMERICANS WITH DISABILITIES ACT (ADA) FACILITIES COMPLIANCE (Agenda Item 8.4)**

This agenda item was not discussed at this meeting.

**APPROVAL OF REVISED CITIZENS' OVERSIGHT COMMITTEE FOR MEASURE B (Agenda Item 9.1)**Motion No. 9

Trustee Mrs. Dvorsky made a motion, seconded by Trustee Dr. Gin, to approve the proposed Revised Citizens' Bond Oversight Committee for Measure B, effective April 17, 2013. New Members: Helen Bridge, Senior Citizen Organization; Linda Smith, Community-at-Large. Continuing Members: Kim Huggett, Business Community; Janet Lockhart, College Foundation; Will Macedo, Taxpayers' Association; Pam Ott, Community-at-Large; Kris Adhikari, Las Positas College Student; Andrea Preciado, Chabot College Student.

Motion carried unanimously, 7-0.

**APPROVAL OF LAS POSITAS COLLEGE MISSION, VISION AND VALUES STATEMENT (Agenda Item 9.2)**Motion No. 10

Trustee Mr. Gelles made a motion, seconded by Trustee Dr. Mertes, to approve the Las Positas College Mission, Vision and Values Statement.

Mission: "Las Positas College is an inclusive learning-centered institution providing educational opportunities and support for completion of students' transfer, degree, basic skills, career technical, and retraining goals."

Vision: "Las Positas College strives to be California's premier Community College, setting the standard through opportunities for developing knowledge, skills, values, and abilities that foster engaged and contributing members of the society."

Values: "Las Positas College thrives as a collaborative teaching and learning community committed to integrity and excellence by:

1. Encouraging and celebrating lifelong learning;
2. Responding to the needs of the ever-changing workplace;
3. Demonstrating civic, social and environmental responsibility;
4. Promoting ethical behavior, tolerance and mutual respect in a diverse community;
5. Fostering a climate of discovery, creativity and personal development;
6. Holding firm to the belief that each of us makes an astonishing difference."

Motion carried unanimously, 7-0.

**APPROVAL OF DISTRICT MISSION STATEMENT (Agenda Item 9.3)**Motion No. 11

Trustee Dr. Mitzman made a motion, seconded by Trustee Mrs. Dvorsky, to approve the District Mission Statement. It is further recommended that the Mission Statement become effective upon approval.

Mission Statement: “The Chabot-Las Positas Community College District (CLPCCD) prepares students to think critically, engage socially, and acquire workplace knowledge and educational skills in order to contribute ethically as citizens in a Global Society.

This Mission is addressed through programs and services for students developed at Chabot and Las Positas Colleges. The allocation of resources, policies, procedures, and actions of the Board of Trustees and its colleges are established and implemented according to state codes, regulatory standards from the Board of Governors, and Board of Trustees adopted participatory governance processes.”

Motion carried unanimously, 7-0.

**CALIFORNIA COMMUNITY COLLEGE TRUSTEES (CCCT) BOARD ELECTIONS 2013 (Agenda Item 9.4)**Motion No. 12

Trustee Mrs. Dvorsky made a motion, seconded by Trustee Dr. Gin, to cast its votes for the following candidates to the California Community College Trustees (CCCT) 2013 Board: Garrett Yee, Ohlone CCD; Louise Jaffe, Santa Monica CCD; Isabel Barreras, State Center CCD; Greg Bonaccorsi, Ohlone CCD; Jeffrey Lease, San Jose-Evergreen CCD.

Motion carried unanimously, 7-0.

**ADJOURNMENT**Motion No. 13

Trustee Dr. Cedillo made a motion, seconded by Trustee Mrs. Dvorsky, to adjourn the Regular Meeting at 8:30 p.m. in honor and memory of Mr. Frank Sumares, Chabot College Faculty Emeritus, who passed away March 28, 2013. Board President Dr. Cedillo fondly remembered Mr. Sumares and recognized his 23 years of service to the College and District.

Motion carried unanimously, 7-0.

**NEXT MEETING**

The next meeting of the Board of Trustees is scheduled for May 7, 2013, 5:30 p.m., District Office.

Minutes prepared by:

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Beverly Bailey  
Recording Secretary

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