



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

**MINUTES
March 16, 2021**

PLACE

Chabot-Las Positas Community College District, 7600 Dublin Blvd, Dublin Ca 94568. Due to the current pandemic and social distancing restrictions, this meeting was held through Teleconference, Zoom.

CALL TO ORDER

Board President Randolph called the regular meeting to order at 5:30 p.m., Recording Secretary Debra Nascimento called the roll.

PUBLIC COMMENTS

There were no Public Comments offered at this time.

CLOSED SESSION

Motion No. 1

Motion made by Trustee Gin and seconded by Trustee Granger, the Board immediately adjourned to Closed Session at 5:31 p.m.

Motion carried unanimously, 7-0.

Motion carried by the following roll call vote:

AYES: Granger, Heredia, Maduli, Randolph, Reynoso, Sbranti

NOES:

ABSENT:

ABSTENTIONS

OPEN SESSION

The Board re-adjourned in Open Session at 6:35 p.m. Recording Secretary Debra Nascimento called the roll.

ATTENDANCE

Members Present: Trustee Dr. Hal G. Gin
Trustee Ms. Linda Granger
Trustee Ms. Maria Heredia
Trustee Mr. Edralin “Ed” Maduli
Trustee Ms. Genevieve Randolph
Trustee Dr. Luis Reynoso
Trustee Mr. Tim Sbranti
Student Trustee Mr. Frank Polanco

Absent: Student Trustee Mr. Weixian Lin

Recording Secretary: Ms. Debra Nascimento

Managers Present: Mr. Ronald Gerhard, Chancellor
Dr. Susan Sperling, President, Chabot College
Dr. Dyrell Foster, President, Las Positas College
Dr. Theresa Fleischer Rowland
Mr. Wyman Fong
Mr. Bruce Griffin
Mr. Owen Letcher
Mr. Jonah Nicholas

Others Present: Ms. Sarah Thompson, President, Las Positas College Faculty Senate
Mr. Miguel Colon, President, Chabot College Faculty Senate
Ms. Noell Adams, President, Chabot College Classified Senate
Mr. David Rodriguez, President, Las Positas College Classified Senate
Ms. Rachel Ugale, Chapter President, SEIU
Mr. David Fouquet, President, Faculty Association

REPORT OUT: ACTION TAKEN IN CLOSED SESSION

No action taken.

1.6 PLEDGE TO FLAG

Trustee Heredia led the pledge to the flag.

1.7 PUBLIC COMMENTS

Mr. Nabil Alhamal expressed his concerns regarding problems with the reporting procedures for violation of policies and regulations to include harassment, discrimination and retaliation. He stated application of District policies and procedures seems arbitrary and creates a chilling effect when reporting said violations. He stated he thinks complains should be handled by a committee or committees, consisting of administrators, faculty, classified professionals and students.

1.8 APPROVE CONSENT ITEMS (cc)

Motion No. 2

Trustee Maduli made a motion, seconded by Trustee Gin, to approve the Consent Calendar with the exception of Agenda Item 6.7.

Motion carried unanimously, 7-0.

Motion carried by the following roll call vote:

- AYES: Gin, Granger, Heredia, Maduli, Randolph, Reynoso, Sbranti
- NOES:
- ABSENT:
- ABSTENTIONS

The following items were approved on the Consent Calendar:

3.0 PERSONNEL

- (cc) 3.1 Classified Personnel
- (cc) 3.2 Management Personnel

4.0 EDUCATIONAL SERVICES

- (cc) 4.1 Approval of Agreement between Tiburcio Vasquez Health Center and Chabot-Las Positas Community College District, Chabot College
- (cc) 4.2 Approval of Ratification of Contract Renewal Amendment — Alameda County Social Services Agency, Children and Family Services for the Community Action to Reach Out to Infants (CARI) Program, Chabot-Las Positas Community College District, Chabot College
- (cc) 4.3 Approval of Curriculum Changes, Chabot-Las Positas Community College District, Chabot College
- (cc) 4.4 Approval of Ratification of Contract Renewal Amendment — Alameda County Social Services Agency Children and Family Services for the Resource Family Approval (RFA) Program, Chabot- Las Positas Community College District, Chabot College
- (cc) 4.5 Approval of Sabbatical Application for Chabot College Faculty Veronica Martinez for 2021-22 Academic Year

5.0 BUSINESS SERVICES

- (cc) 5.1 Approval of Commercial Warrant Registers
- (cc) 5.2 Approval of Payroll Warrant Registers
- (cc) 5.3 Approval of Declaration of Surplus Property to be Sold at Public Auction Sale And Donation or Disposal of Any Items Not Sold
- (cc) 5.4 Approval of Community College League of California Institution Participation Agreement for SaaS Services, Chabot-Las Positas Community College District, Chabot College and Las Positas College
- (cc) 5.5 Approval of NASPO Piggyback Contract 7-15-70-34-001 between HP Inc. and Chabot-Las Positas Community College District, Las Positas College
- (cc) 5.6 Approval of CARES Act Institutional Portion between Chabot-Las Positas Community College District, Las Positas College, and the U.S Department of Education
- (cc) 5.7 Acceptance of Emergency Financial Aid Grants to Students under the Coronavirus Aid Relief, and Economic Security (CARES) Act between U.S Department of Education and Chabot-Las Positas Community College District, Las Positas College
- (cc) 5.8 Acceptance of Emergency Financial Aid Grants to Students under the Coronavirus Aid Relief, and Economic Security (CARES) Act between U.S Department of Education and Chabot-Las Positas Community College District, Chabot College

6.0 FACILITIES PLANNING AND DEVELOPMENT

- (cc) 6.1 Approval of Modification to Lease Agreement for the property located at 5860 Owens Drive, Pleasanton, between San Ramon Ambulatory Care, LLC and Chabot-Las Positas Community College District
- (cc) 6.2 Approval of Professional Service Agreement with California Construction Management, Inc. and STV Construction, Inc. of Los Angeles, CA, for Project Management/Construction Management Services for Various Projects as Assigned at Chabot College
- (cc) 6.3 Approval of a Professional Services Agreement with Vanir Construction Management, Inc., for Project Management/Construction Management Services for the B3000 Maintenance, Operations, Warehouse & Garage Project and Other Projects as Assigned at Chabot College
- (cc) 6.4 Approval of Professional Service Agreement Extension with Vanir Construction Management, Inc. of San Francisco, CA, for Construction Management Services for the Biology Phase 1, Building 2100 Project at Chabot College
- (cc) 6.5 Approval of a Professional Services Agreement with Swinerton Management & Consulting for Project Management/Construction Management Services for the New Academic Support and Faculty Office Project and other Projects as Assigned at Las Positas College
- (cc) 6.6 Approval of Professional Service Agreement Extension with Roebbelen Management, Inc. of El Dorado Hills, CA, for Project Management/Construction Management Services for Multiple Projects at Las Positas College

- (cc) 6.7 Approval to Reject all bids of Bid No. B20/21-07 for the Domestic Water Booster Pump Project at Las Positas College
- (cc) 6.8 Approval of Modification to the Contract with Electronic Innovations, Inc., for Bid No. B20/21-02 for the District-Wide Emergency Call Station Project Rebid at Las Positas College
- (cc) 6.9 Authorization to File Notice of Completion with Alameda County Clerk Recorder's Office for the Swimming Pool Revitalization, Phase II Project (Project No. B19/20-17) at Chabot College

7.0 ECONOMIC DEVELOPMENT/CONTRACT EDUCATION

- (cc) 7.1 Approval of Fiscal Agent Agreement No. 20-046-001- California Community College Chancellor's Office, District-Economic Development
- (cc) 7.2 Approval of Fiscal Agent Agreement No. 20-051-001- California Community College Chancellor's Office, District-Economic Development
- (cc) 7.3 Approval of Ratification of Contract Amendment Agreement Number 20-021-4 Contra Costa County Employment and Human Services, District-Economic Development

8.0 INFORMATION AND DISCUSSION ITEMS (No Action)

- 8.1 Informational Personnel Reports
- 8.2 First Reading of New, Reviewed, or Revised Administration Procedures
 - AP 3430 Prohibition of Harassment
 - AP 3540 Sexual and Other Assaults on Campus
 - AP 4100 Graduation Requirements for Degrees and Certificates
 - AP 4101 Independent Study
- 8.3 First Reading of New, Reviewed, or Revised Board Policies
 - BP 3430 Prohibition of Harassment
 - BP 3540 Sexual and Other Assaults on Campus
 - BP 4100 Graduation Requirements for Degrees and Certificates

9.0 OTHER ACTION

- 9.1 Trustee Evaluation Subcommittee

10.0 REPORTS- SENIOR LEADERSHIP AND TRUSTEES

- 10.1 Presidents of Chabot College and Las Positas College
- 10.2 Chancellor
- 10.3 Recognitions
- 10.4 Trustee Reports and/or Official Communications

GENERAL FUNCTIONS

1.9 APPROVAL OF MINUTES OF DECEMBER 15, 2020 REGULAR MEETING

1.10 PRESENTATION: ETHICS

Chancellor Gerhard introduced Ms. Laura Schulkind with Liebert Cassidy Whitmore.

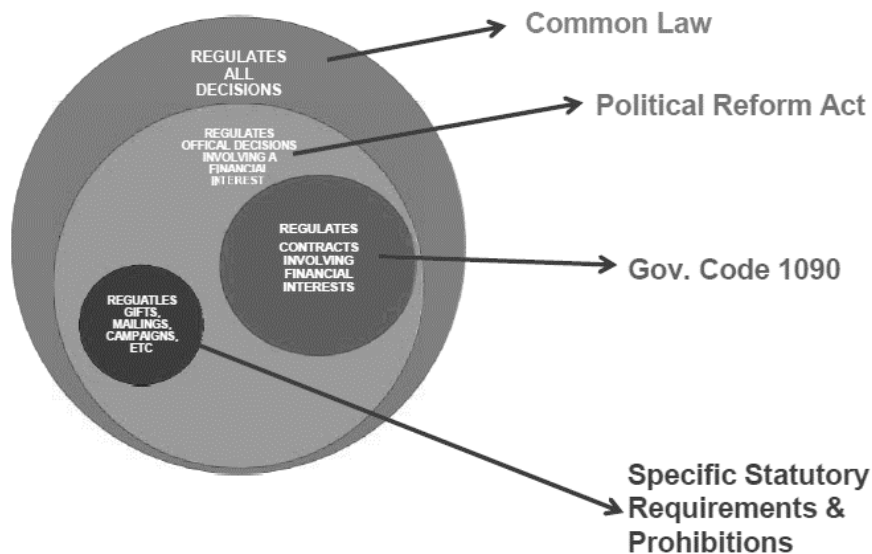
AGENDA

- Basic Values as Touchstones for Ethical Governance
- Avoiding Abuse of Power: Key Principles in Review
 - Laws Relating to Personal Financial Gain
 - Laws Relating to Claiming Perquisites of Office
- Acting in Service to the Institution & Public: Key Principles in Review
 - Laws Relating to Transparency
 - Laws Relating to Fair Processes

BASIC VALUES

Duty of Public Officials and Employees

- Engender public confidence in government decisions- How?
- Promote transparency in government actions
- Make government accessible to members of the public
- Apply rules equally and without bias
- Make decisions based on merit, not personal interests
- Provide same level of service to all
- Treat public with respect, dignity and courtesy



PART ONE: LAWS RELATING TO PERSONAL FINANCIAL GAIN GOVERNMENT CODE S1090 CONFLICTS

General Rule

- A public officer or employee may not make contracts in which he or she is financially interested.

ETHICS IN PRACTICE: THE RFP

ABC District is looking to hire a new Chancellor. To that end, it has issued an RFP for search firms. Applicants that make it to the first screening will be interviewed by an ad hoc committee of 2 board members and the retiring Chancellor. The committee will recommend one firm to the board for final approval.

ETHICS IN PRACTICE: THE RFP

- Trustee Jones is on the ad hoc committee. Her live-in boyfriend is a headhunter for a firm that submits a proposal. Jones is sure she can remain objective and says nothing when her BF's firm gets an interview.
- What if the BF's firm is recommended to the Board?
- At the meeting, board member Smith provides "full disclosure" that his wife is the firm's vice president and that he his "officially" bowing out" of the process.

SUMMARY OF OPERATIVE LEGAL PRINCIPLES

Government Code 1090:

- No public officer may make a contract in which he/she is financially interested.
- Even if contract is fair, just, equitable or more advantageous
- No "good faith" defense
- Contract is void and unenforceable
- Insufficient for interested party to abstain
- Appearance of financial conflict prohibited

Common Law Prohibition:

- Public officials may not use their position for private benefit-both economic and non-economic
- Public officials must act with undivided loyalty
- Public officials must act with the appearance of fairness

POLITICAL REFORM ACT CONFLICTS

General Rule:

- No public official may:
 - Make/participate/use position to influence decision
 - If knows/should know of disqualifying conflict of interest

ETHICS IN PRACTICE: FORMING THE INTERVIEW PANEL

The District is in the process of forming a first-tier interview panel, with representation from the District's various constituent groups and the community. The board president is furious with the

FA president for orchestrating a vote of no confidence against her. She sends the following email to the Chancellor: I know we have to include union representation on the panel. Just make sure it IS NOT RONNY. This last thing we need is her negativity.

With the assistance of the successful search firm, the interview panel has identified its top 3 Chancellor candidates for Board interviews.

Trustee Green (who is up for election) is outraged that the candidates are all Caucasian men. In open session he expresses his disappointment, criticizes the process, and recounts his long history of equal rights efforts.

SUMMARY OF OPERATIVE LEGAL PRINCIPLES

Political Reform Act:

- No public official may:
 - Make/participate/use position to influence a decision
 - If knows/should know of disqualifying financial conflict of interest
- Board members must:
 - Publicly identify the financial interest after announcement of agenda item
 - Leave the room/refrain from participating
- Common Law Prohibition:
 - Public officials may not use their position for private benefit-both economic and non-economic
 - Public officials must act with undivided loyalty
 - Public officials must act with the appearance of fairness

REFERENCE LIST: ADDITIONAL LAWS RELATING TO CONFLICTS AND PERSONAL FINANCIAL GAIN

- Campaign Contributions
 - Government Code 84308
- Conflicts of Interest when leaving office:
 - Government Code 87406.3 and 87407
- Bribery:
 - Penal Code 7 (6) and 68

PART TWO: LAWS RELATING TO CLAIMING PERQUISITES OF OFFICE

GIFTS OF PUBLIC FUNDS PROHIBITED- CALIFORNIA CONST. ART XVI, SEC VI

The District completed its process and hired new Chancellor, Amy Lee. Lee knows she was hired, in part, for her track record increasing participation of women of color in STEM courses of study. She is eager to establish her leadership in this area at her new district. Among other things,

she has brought a proposal to the Board that would fund faculty to participate in a “Girls in STEM” project that is going into high schools around the country.

SUMMARY OF OPERATIVE LEGAL PRINCIPLES

- Gifts of Public Funds-Cal. Const. ART xvi, Sec. vi
- Test:
 - Do expenditures serve public interest?
 - Ask: Is the purpose of the Expenditure to Benefit the Public Interest or the Interest of Private Individuals or for Private Purposes?
 - Note: Good intentions not synonymous with public benefit.
 - Is the Expenditure Authorized?
 - Public Official possesses only those powers conferred by law

REFERENCE LIST: ADDITIONAL LAWS RELATING TO THE PERQUISITES OF OFFICE

- Limitations on the receipt of gifts
 - Government Code 89503, 89506, 2 C.C.R. 18944
- Receipt of Gifts: Ticket and Passes:
 - 2 C.C.R. 18944.1
- Honoraria Ban
 - Government Code 89501-89502
- Mass Mailings:
 - Government Code 89001
- Prohibition on free or Discounted Travel:
 - California Constitution, Art. X11, SEC. 7

PART THREE: GOVERNMENT TRANSPARENCY LAWS

GOVERNMENT TRANSPARENCY LAWS

- Financial Disclosure
- Public Records
- Open Meeting (Brown Act)

PUBLIC RECORDS ACT GOV'T CODE 6250 EQ SEQ

- Public record defined:
 - “Any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.”
 - Broadly construed to include any kind of record that deals with government processes or business.
 - Note: Includes public employee/official communications concerning public business on a personal device or account.

PART FOUR: LAWS RELATING TO FAIR PROCESSES

COMMON LAW BIAS PROHIBITIONS

- Common Law Bias Based on Personal Interest:
Public officials may not use their position for personal gain (economic & noneconomic)
- Common Law Bias or Prejudice Based on Unofficial Source
Decision at a hearing should be based on the record.
- Common Law Prohibition on Prejudging:
Public official should not be committed to an outcome before the hearing. Opinions are okay, but should not approach a hearing with a closed mind.

NEPOTISM

- The Fair Employment and Housing Act prohibits discrimination based on marital status, but allows employers to reasonably regulate, for reasons of “supervision, safety, security, or moral” spouses working in the same department, division or facility.
- Public official should not participate in decisions directly affecting family members.

ETHICS IN PRACTICE: IT’S ALL ABOUT THE “SMALL TEST”

1. Trustee Jones drops in to chat with the successful, brand new Chancellor. He casually mentions his daughter is applying for a position in I.T. and that she is “top notch”. Problems?
2. When his daughter does not get an interview, he is surprised and calls the Vice Chancellor of H.R. to discuss the selection criteria. Problems?
3. The Board President learns of this and has a one-on-one with Trustee Jones who insists he has done nothing improper because being a board member doesn’t mean he stops being a father. What are the President’s options?

REFERENCE LIST: ADDITIONAL LAWS RELATING TO FAIR PROCESSES

- Doctrine of Incompatible Offices
 - Government Code 1099

RESOURCES

- The Fair Political Practices Commission
 - www.fppc.ca.gov
 - 1-866-ASK-FPPC (1-866-275-32772)
- The Attorney General
 - www.ag.ca.gov

2.0 REPORTS, FACULTY, CLASSIFIED AND STUDENT SENATES

2.1 PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES

Chabot College Academic Senate President, Mr. Miguel Colon provide the following report:

2021 Faculty Senate Committee Reports

Academic/Faculty Senate President Election

- Elections for a new Faculty Senate President are underway. The schedule is below:
 - Nominations - Monday, February 22 to Friday, March 12
 - Confirmation with Candidates - Monday, February 22 to Friday, March 19
 - Announce Names of Candidate(s) - Monday, March 22
 - Voting - Thursday March 25 - Friday, April 9
 - Announcing Election Results - Thursday, April 15

Update Senate Bylaws

- This past Fall the Faculty Senate updated our Constitution. A committee has been formed to now update our Senate Bylaws.
- Projected completion by end of Fall 2021.

Academic Senate Emergency Fund

- Planning is underway for a fund raiser to refill the Academic Senate Emergency Fund.
- Fund designed to provide financial assistance to students, classified professionals, and faculty.

Excellence in PT Instruction Award

- This award was created in 2020 for our adjunct faculty.
- First award was given to Shannon Lee at College Day this past Fall.
This will be our 2nd year.

Joint Chabot College/Las Positas LGBTQ+ Resolution

- Chabot's Faculty Senate passed an LGBTQ+ Resolution in Fall 2020.
- Presented resolution to Las Positas Faculty Senate earlier this year.
- Joint committee has been formed with two representatives from each college.
- First meeting is being scheduled. Plan/hope is to present to Board of Trustees before end of semester.

Las Positas College Academic Senate President, Ms. Sarah Thompson provided the following report:

Progress on our 20-21 Priorities:

- 1) COMPLETED Finalizing an educational program development process – Approved – our first new program to test out the process is Elementary Education. Thanks to Craig Kutil for his hard work.
- 2) COMPLETED Finalizing our remote process on academic honesty/integrity – an implementation subcommittee was formed to jump start the action map created last year and will be giving their action plan to the Senate in January. They have created a document of “Best Practices” for faculty, ranging from how to discuss academic dishonesty in syllabi to identifying red flags.
- 3) Responding to the immediate needs of faculty in terms of remote instruction – ongoing
- 4) Educating and leading discussions in preparation for budget reductions I give bimonthly updates to my Senate from College and District Enrollment Management Committees as well as College and District Budget Committees.
- 5) Addressing the issue of semester to semester retention to stabilize enrollments. We will collaborate with our Guided Pathways Persistence Project as well as encouraging faculty to reach out to students in a more personal way.
- 6) COMPLETED Performing equity audits of all scaffolding documents (e.g. curriculum updates and proposals) as well as all Senate processes We updated curriculum forms that now have multiple equity components embedded.
- 7) Collaborating with the Faculty Association in terms of faculty diversification goals
- 8) Working with our Guided Pathways team on 20-21 goals of removing barriers to onboarding and persistence, as well as mapping programs to careers Ongoing reports and discussions
- 9) Planning for accreditation
- 10) Evaluating the feasibility of an Audit option Our district wide Task Force has met twice to date.
- 11) Being an active participant in institutional goals towards transforming our college into the accessible and welcoming place we know we can be.

Additional Work

- 1) Working on a way to streamline succession in the Academic Senate President Position Senate voted on a new Senate structure and constitution to send forward for a full faculty vote.
- 2) Looking the process for implementation of the changes in CSU Ethnic Studies
- 3) Created a Credit for Prior Learning subcommittee is finalizing a plan for many CTE disciplines as well as a plan for streamlining the evaluation of Military Transcripts. Many thanks to Craig Kutil for chairing this important Task Force. Process approved by Senate and moved to the Curriculum Committee for scaffolding.

- 4) Cross campus subcommittee with Chabot on a resolution for a LGBTQ Support Board Policy and Administrative Procedures
- 5) Approval of new programs – Vocational ESL for Retail

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

Las Positas College Classified Senate President, Mr. David Rodriguez reported on the following:

Thank you:

- Jennifer Aries and Mujeeb Dadgar: Thank you for your work and taking time to share with classified senate.
- Bruce Griffin: Thank you for sharing updates with Classified Senate. And thank you to you and your team for the ongoing support of all of our sites during these challenging times.
- Steve Gunderson and LPC Technology Department: COVID-19 has placed enormous pressure on our technology team. Thank you for your enduring efforts to support our college during this time of high demand and uncertainty.

Community Impact, Inclusive Participation, and Institutional Development:

Student achievement and success is supported by all parts of the college. I've been through the community college system, and had many ups and downs trying to figure college out for myself. As I mentioned last month: I'm a first-generation college student, immigrant family from rural Mexico, parents had little education, working minimum wage jobs, and living with fear of being deported. What helped me get through college were the caring people in and out of the classroom: professors, students, and classified professionals. Many professors kept me motivated and engaged. Another professor who, wasn't even my teacher, connected me with an internship program through San Jose State University. They showed me that they cared. Some semesters were more difficult. One particular semester was torture. That semester, it was a Brazilian-Chinese engineering student and an architecture student from Guadalajara that helped me stay the course. Several classified professionals helped me in my journey too. Two laboratory technicians in the applied technology tool room had a great impact. After a couple of semesters of working there, one of them helped me write my first resume and walked me to another on-campus job opportunity. While handing out tools and cutting metal for the machine shop, they shared with the three federal work study student their life experiences. They motivated us with care, compassion, and life advice. Semesters later on, during my long days of classes, study, and work, I got the news that my dad was seriously ill in Mexico. That week, a classified professional and a coordinator in the area pitched in to give me a heartfelt sympathy card and some cash to help me with expenses to travel to Mexico. That week my father passed away. These moments of connection, care, and compassion have had a lasting impact in my journey. They allowed me not to give up. This is my experience.

Recently, I've had a neighbor ask me to help her with her FAFSA and encourage her recently graduated son to enroll. I've kept tabs on a friend who has had a long battle with depression and in continuing their studies. A pre-nursing friend who reached out to me because they struggled

with Report Date: 3/16/21 biology and wanted help. A cousin who hopefully will be transferring this year after so much years of prodding him to keep going. This is the community that is impacted by what we do, and how well we do it.

We have been facing many challenges. We have great leaders here who I know genuinely care and have expressed it often through courageous conversation and participation. As we continue finding solutions to our current challenges, I want to highlight two areas of concern.

- Equitable and meaningful inclusion of classified professionals in the conversation. I will be stepping down after two years as Classified Senate President, at the end of my term. While I have been met with much flexibility and support, I am concerned that this position is not yet formally supported by the institution. It is very difficult to maintain effective participation and consideration for classified viewpoints if there is no institutional commitment to supporting these leadership positions. It takes time and energy to get informed about the issues, lead conversations, and represent viewpoints. Our institution benefits from having all constituents at the table, able to forward solutions and help improve information flow. Supporting these positions helps promote institutional effectiveness and positive work environments. I am encouraged and hopeful that this will be addressed, and that conversations will lead to tangible support.

- Improved investment in leadership and professional development among all constituent groups, especially classified professionals. I don't necessarily mean more money. But rather an improved culture and intentionality around leadership and professional development. We need a more coherent, inclusive, and supported approach for on-campus opportunities; these have been scarce for classified professionals at LPC. There are many opportunities to attend webinars or conferences. But we don't always give each other time to develop those ideas with colleagues across areas and classification, move toward application within our campus ecosystem, and encourage sustainable innovation. Many approaches go unexplored or lack inclusive input. Providing on-campus opportunities enable us to break silos and work toward greater understanding of the whole. We need more opportunities and bandwidth to come together, inform the campus culture, and encourage leadership mindsets throughout the institution.

Lastly, I want to express genuine appreciation for Chancellor, Ron Gerhard, and LPC President, Dr. Dyrell Foster. I know this past year has been challenging. I appreciate your leadership and hopeful that we can continue to make progress on these and many other areas.

Chabot College Classified Senate President, Ms. Noell Adams provided the following report:

PRESIDENTIAL PRIORITIES

- Engaging classified professionals in the decision-making process
- Supporting and strengthening professional & leadership development opportunities for classified professionals
- Providing and supporting opportunities for classified professionals to make an impact in our community

RECENT CLASSIFIED SENATE ACTIVITIES

- Collaborating with the Asian Pacific Islander Education Association (APIEA) to identify how Classified Senate can more intentionally support Chabot API students and classified professionals
- Providing feedback on the district's virtual call center proposal
- Forming the Linda & Robert Carlson Classified Professional of the Year Award Committee
- Working through our annual classified prioritization process to help identify our most critical classified staffing needs
- Engaging in succession planning to identify and support future classified professional shared governance leaders
- Participating in district and college budget discussions
- Reviewing and providing feedback on board policies and administrative procedures
- Supporting Black students at Chabot through the Black Excellence Collective 10 x 10 villages
- Coordinating a professional development workshop series for classified professionals
- Honoring and celebrating Chabot College classified professionals

2.3 PRESIDENT OF STUDENT SENATE OF CHABOT AND PRESIDENT OF ASSOCIATED STUDENTS OF LAS POSITAS COLLEGE

Chabot College Student Vice President Senate, Ms. Theresa Podesto reported on the following items:

Ms. Podesto stated the senate is continuing 2021-2022 elections. She thanked the Chabot Vote Civil Engagement Committee for their support. She stated the senate is looking forward to Earth Day later this month. She stated they are also continuing efforts to advocate for restoring AC Transit direct services. She stated the senate reviewed the District-wide Strategic Plan and provided feedback representing the student body. She thanked Chancellor Gerhard and VC Fleischer Rowland for presenting the plan and facilitating discussion. She stated in honor of Black History month the senate collaborated with the community in hosting workshops.

GOOD OF THE ORDER

Ms. Rachel Ugale, Chapter President SEIU, reported on the following:

COVID Discussions

Our chapter leadership continues to meet with management on topics related to COVID, and we recently put forward language with the intent to support our unit members who are getting vaccinated. This is in alignment with the Local who is working as part of a statewide labor coalition to provide access to vaccines to those essential workers in communities that are most adversely affected by COVID. We had a lively initial conversation with management on this language and we look forward to making progress when we regroup later this week. We are also in the early stages of discussion around returning to work, and once again, I want to thank the management team for listening to the needs and concerns of our unit members. Our meetings

have resulted in better communication, especially with our essential employees who have been working onsite throughout the pandemic.

Chapter Leadership Vacancies

I reported last month that our chapter leadership elections resulted in a handful of vacancies. We put out communication out to the membership a few weeks ago regarding vacancies on our team and we're in the process of deciding on appointments. I hope to report on our expanded team at next month's meeting.

Leadership Academy

The Local has been working on helping workplaces build stronger bargaining units and part of that is a recently developed Leadership Academy for chapter leadership teams. We're in the process of scheduling that now, and we're looking forward to growing our union toolkit and getting access to resources they've recently made available including training, mentoring and communication tools

Mr. David Fouquet, President, Chabot-Las Positas Faculty Association, provided the following report:

The FA's Negotiating Team continues to meet frequently with the District to sort through the myriad issues facing us—not the least of which is preparing for Fall Semester. Planning is difficult, something like trying to play Scrabble on a Tilt-A-Whirl. The point is that so much can change in five months; consider how much has changed since mid-October.

Last week I attended a Zoom conference with some CoFO types with State Vice Chancellor Lizette Navarette to discuss concerns over the SCFF Dashboard. One of the major questions: Why does the SCFF (without minimum revenue commitment) look so much BETTER compared to SB361 now, then it did in years past. Case in point: there were more than 30 loser districts under the SCFF in 2018-19; why are there only nine loser districts (most of which in the greater Bay Area) showing in the comparison to SB361 now? Two years ago, at Chabot-Las Positas, remember how we were talking about the SCFF underfunding us by ~\$6M if not for Hold Harmless; as of 2020-21 P1, the Dashboard is showing a difference of \$2.12M. What gives?

- After the meeting, here's what I believe is going on:
Recalibration of the Credit Apportionment Rate: In 2019-20, the Credit rate was re-benchmarked to \$4009 per FTES, which was an effective increase of 7.57% as compared that year's COLA of 3.26%. The re-calibration does appear to have brought the SCFF into compliance with the law. That particular detail I won't go into here; the important thing is that in our district, specifically, the recalibration closes the gap by about \$2.5M.
- New Stability Mechanism in the SCFF: Between last year and this year, 2017-18 dropped off the back end of the Three-Year Rolling Average. That was a huge apportionment year for us, and our revenue would have dropped by about \$1.5M under the SCFF this year, as a result of 2017-18 dropping off. A new stability feature was just added to the SCFF this year, which would have given us that prior year's revenue plus current year COLA (0.0%). Without that, the \$2.12M gap on the Dashboard would have been about \$3.6M.

For me, the biggest takeaway is this: It's possible to do a lot of good by increasing the Credit FTES rate. By raising that another 3% to 6%, the gap in this district between SCFF and SB361 could be closed altogether, in theory. But that alone would not solve the problem that the Supplemental Allocation fails to drive revenue to fund programs and services to help low-income and underrepresented students in the highest-cost regions of the state, who attend colleges in districts like ours. To that end, addressing the flaws of the Supplemental Allocation, we still have a ton of work to do!

3.3 ADOPTION OF RESOLUTION NO. 04-2021 TO LAYOFF CLASSIFIED EMPLOYEES(S).

Motion No. 3

Trustee Maduli made a motion, seconded by Trustee Gin to approve agenda item 3.3

Motion carried, 7-0.

Motion carried by the following roll call vote:

AYES:	Gin, Granger, Heredia, Maduli, Randolph, Reynoso, Sbranti
NOES:	None
ABSENT:	None
ABSTENTIONS:	None

6.7 APPROVAL TO REJECT ALL BIDS NO. B20/21-07 FOR DOMESTIC WATER BOOSTER PUMP PROJECT AT LAS POSITAS COLLEGE.

Trustee Gin stated even though it was the lowest bid I need clarification on why it was rejected. VC Letcher stated in the Board recommendation write-up language should have been included to say; we did an evaluation of all three lowest bidders. He stated in reviewing the bids, there were anomalies in multiple bids forms and in multiple areas of their building documents that were submitted. He stated at this time we are asking the Board to reject all bids so we can put the documents out for rebid. Trustee Gin thanked VC Letcher for his thorough explanation.

Motion No. 4

Trustee Maduli made a motion, seconded by Trustee Gin to approve agenda item 6.7.

Motion carried, 7-0.

Motion carried by the following roll call vote:

AYES:	Gin, Granger, Heredia, Maduli, Randolph, Reynoso, Sbranti
NOES:	None
ABSENT:	None

ABSTENTIONS: None

6.10 ADOPTION OF RESOLUTION NO. 05-2021 AUTHORIZAITON TO ADOPT AGREEMENT FOR PARTICIPATION IN ALAMEDA COUNTY OPERATIONAL AREA EMERGENCY MANAGEMENT ORGANIZATION.

Trustee Sbranti stated he is excited to see this on the agenda and requested an Emergency Management presentation be made to the Board similar to one that was given in 2019.

Motion No. 5

Trustee Sbranti made a motion, seconded by Trustee Maduli to approve agenda item 6.10.

Motion carried, 7-0.

Motion carried by the following roll call vote:

AYES:	Gin, Granger, Heredia, Maduli, Randolph, Reynoso, Sbranti
NOES:	None
ABSENT:	None
ABSTENTIONS:	None

9.1 TRUSTEE EVALUATION SUBCOMMITTEE

Trustee Gin stated annually the Board of Trustees conducts a self-assessment of each member, in terms of his or her role on the Board. He stated the subcommittee, Trustees Maduli, Reynoso, himself and Executive Assistant Ms. Nascimento met virtually on February 24th. He stated the areas that the subcommittee were interested in were the Board’s overall assessment of its effectiveness, as well as the Board and CEO’s effectiveness and competencies of fiscal, public relations, accreditation, strategic planning, educational and student success. He stated each Board member received the evaluation that is required to be returned to the District by the end of the month.

Trustee Maduli stated they used the same format as 2020 however, updated certain sections to make it compatible with today’s environment.

Trustee Reynoso suggested including how each Trustee views the Board as a whole.

President Randolph thanked the subcommittee for the work they put into the evaluation. She thanked Trustee Reynoso and stated his suggestion will be considered in the future.

10.1 PRESIDENT OF CHABOT AND LAS POSITAS COLLEGES

Dr. Susan Sperling, President Chabot College reported on the following items:

Dr. Sperling referred to her written report that highlighted the many accomplishments and events Chabot College had over the past month. She stated Forbes Magazine named Chabot College the third best Community College in the state. She stated as we observe the anniversary of the Shelter-in-Place I want to thank my colleagues across Chabot, Las Positas and the District for your heart and commitment this past year.

Dr. Dyrell Foster, President, Las Positas College reported on the following items:

Dr. Foster thanked Mr. Rodriguez for his leadership for classified professionals. He stated he too shares that vision and looks forward to their continued conversations and actions to further support classified professionals. He thanked the amazing team of leaders; faculty, classified professionals and students for the incredible work their doing with Guided Pathways. He stated forty faculty members have volunteered to implement the “persistence and retention project” that is designed to help increase persistence and retention.

10.2 CHANCELLOR REPORT

Chancellor Gerhard stated the COVID Return Taskforce has been working tirelessly to create a recommendation on how the District may return to face to face instruction and student services once conditions permit. He thanked the faculty association and SEIU for their input and is looking forward to continuing discussions. He stated the county numbers continue to trend positively creating that pathway for students to begin to return to our colleges.

10.3 RECOGNITIONS

Chancellor Gerhard recognized all the leaders for their endless dedication during this last year. He recognized Faculty Senate President Ms. Thompson for her continued enthusiasm and passion behind advocating for reform at the state level and supporting the District’s advocacy campaigns. He also recognized Mr. Scott Hildreth for being selected as part of NASA’s Airborne Astronomy Ambassador’s and representing some of the very best that our colleges bring.

10.4 TRUSTEE REPORT AND/OR OFFICIAL COMMUNICATIONS

Student Trustee Polanco thanked volunteers, Maintenance and Safety as well as Campus Safety that helped serve 205 families at the Market today. He stated a virtual game night has been scheduled for students to get to know each other.

Trustee Maduli thanked Mr. Steffan for organizing last week’s virtual event honoring women Veterans. He stated he participated in a webinar regarding student housing that would be a good resource to us as we tackle housing insecurity.

Trustee Heredia thanked everyone for their reports. She stated with the vaccinations she is hopeful for reopening. She congratulated Chabot College for being honored by Forbes Magazine as the third best college in the state.

Trustee Gin stated he enjoyed the Ethics Presentation this evening by our outside legal. He congratulated Chabot College for their remarkable accolade by Forbes Magazine. He thanked Mr. Rodriguez for sharing his touching story.

Trustee Reynoso thanked everyone for their reports and patience through this online platform. He stated he is looking forward to coming back to face-to-face Board meetings with his fellow colleagues.

Trustee Sbranti stated he is excited to hear about the various milestones and accomplishments at both colleges and is looking forward to Saturday's retreat.

Trustee Granger thanked everyone for their collective persistence and highlighting the short comings of the SCFF model and how they can be fixed. She thanked everyone for their on-going advocacy efforts. She also thanked the collective leadership that are working tirelessly to figure out how we can transition back to providing more in person opportunities for our students.

President Randolph recognized Chabot College for their ranking with Forbes Magazine; this is due to the faculty, staff, students, leadership and parents. She recognized Las Positas for their work with Guided Pathways. She stated over the past year we have went through a lot but will continue to support and recognize each other.

ADJOURNMENT

Motion No. 6

Trustee Gin made a motion, seconded by Trustee Heredia to adjourn the meeting at 9:09 p.m.

Motion carried unanimously, 7-0.

Motion carried by the following roll call vote:

AYES: Gin, Granger, Heredia, Maduli, Randolph, Reynoso, Sbranti

NOES:

ABSENT:

ABSTENTIONS:

NEXT MEETING

The next meeting of the Board is a Retreat scheduled for March 20, 2021 at the District Office, Dublin.
The next Regular meeting is scheduled for April 20, 2021 at the District Office, Dublin.

Minutes prepared by:

Debra Nascimento
Recording Secretary

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