

OFFICIAL COPY

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT



NOTICE OF SPECIAL MEETING BOARD OF TRUSTEES January 11, 2022 - 5:30 P.M.*

District Office: 7600 Dublin Blvd., Dublin, CA
Board Room (3rd Floor)
Location for public participation: ZOOM 1.669.900.6833
Meeting ID: 914 1602 0447
<https://cccconfer.zoom.us/j/91416020447>

**Please take notice that in compliance with the Executive Order N-29-20:
Trustees may participate in this meeting through Teleconferencing/Zoom.
Teleconference/Zoom sites shall not be open to the public.**

Location for Public Participation

In order to protect the public health, and adhere to current directives regarding public gatherings and social distancing, the physical site of the meeting is closed to the public. As authorized by Executive Order N-29-20, public access to the meeting is provided electronically as follows:

To observe or address the meeting:

- The District is providing members of the public the ability to observe and address the meeting by telephone. Please call [1.669.900.6833, Meeting ID 914 1602 0447 and follow the prompts to join the meeting]

Instructions for making Public Comment:

- Members of the public may address the Board during public comment by typing their name in the "Q&A" function or other instructions in Zoom and may indicate if they wish to address a particular agenda item, or if they wish to make a general comment on a matter within the subject matter jurisdiction of the District. The Secretary will call on the member of the public at the appropriate time and allow the member of the public to provide live comment. The District limits each speaker to 3 minutes.
- Members of the public may attend and comment in real time by calling [1.669.900.6833, Meeting ID 914 1602 0447 and follow the prompts to join the meeting or connecting via <https://cccconfer.zoom.us/j/91416020447>

***Board meeting will immediately adjourn to a Closed Session to end at 6:30 p.m. If business is not concluded by 6:30 p.m., the Board will reconvene to the Regular Meeting and recess the Closed Session until the end of the meeting.**

- Any member of the public wishing to speak may type name in Q&A box to notify legislative body. Individuals desiring to provide public comment through the use of an internet website, or other online platform, not under the District's control, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.
- The Secretary will call on members of the public at the appropriate time.
- The District will no longer read email public comment aloud during the meeting.

ADDITIONAL INFORMATION ON CONDUCTING VIRTUAL MEETINGS

- All votes taken during the meeting will be by roll call.
- Any individuals with disabilities who needs reasonable accommodation or modification in order to participate remotely may make a request for accommodation by contacting the Recording Secretary Kelly Costello at kcostello@clpccd.org or 925.485.5207 at least 48 hours before the meeting.
- Except as described above, the Board's regular rules and procedures for conducting meetings continue to apply, including:
 - Thirty minutes shall be the maximum time allotment for public speakers on any one subject regardless of the number of speakers. (BP 2350)
 - The rules of decorum continue apply (BP 2355)
- To replicate as closely as possible how public participation occurs when we are physically together, the Zoom Chat feature will be disabled during the meeting. Members of the public wishing to be heard by everyone in attendance at the meeting need to follow one of the public comment options listed above. Trustees will give their full attention to whoever is speaking in the moment. The public is also reminded that trustees value and listen attentively to public comment, but do not respond.

1.0 GENERAL FUNCTIONS- PRESIDENT OF THE BOARD

1.1 5:30 P.M. - OPEN SESSION CALL TO ORDER AND ROLL CALL*

1.2 PUBLIC COMMENT

The Secretary will call on the member of the public at the appropriate time and allow the member of the public to provide live comment.

1.3 ADJOURNMENT

- 1.4 **CLOSED SESSION*** - Personnel, Collective Bargaining and Possible Litigation
 - a. **CONFERENCE WITH LABOR NEGOTIATORS:**
Agency designated representative: Chancellor
Employee Organizations: Chabot-Las Positas Faculty Association and S.E.I.U., Local 1021 Updates
(Government Code Section 54957.6)
- 1.5 **6:30 P.M. – OPEN SESSION**
CALL TO ORDER AND ROLL CALL
- 1.6 **PLEDGE TO FLAG**
- 1.7 **PUBLIC COMMENT**
The Secretary will call on the member of the public at the appropriate time and allow the member of the public to provide live comment.
- 1.8 **ANNOUNCEMENT OF REPORTABLE ACTIONS TAKEN IN CLOSED SESSION, IF ANY**
- 2.0 **OTHER ACTION ITEMS**
 - 2.1 Adoption of Resolution No. 06-2022 - To implement teleconference requirement during a proclaimed State of Emergency
- 3.0 **ADJOURNMENT**
- 4.0 **NEXT MEETING OF THE BOARD OF TRUSTEES**
January 18, 2022, Regular Meeting, District Office

Any person with a disability may request this agenda be made available in an appropriate alternative format. A request for a disability-related modification or accommodation may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting to the Chancellor's Office, 7600 Dublin Blvd., 3rd Floor, Dublin, CA 925-485-5207, between 8:00 a.m. and 5:00 p.m. at least 48 hours before the meeting.

District Mission Statement

"The Chabot-Las Positas Community College District (CLPCCD) offers innovative educational opportunity and support services to prepare students to succeed in a diverse global society by challenging them to think critically, to engage socially, and to acquire workplace knowledge and educational skills."

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 11, 2022

Agenda Item: 2.1

Subject: Adoption of Resolution No. 06-2022, Resolution authorizing to implement teleconferencing requirements during a proclaimed state of emergency

Background: The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings; the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so. On March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements. On June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021. These Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021.

Recommended Action: That the Board of Trustees adopt resolution No. 06-2022, authorizing the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements. Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

The legislative body of the Chabot-Las Positas Community College District hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference.
2. Board of Trustees of the Chabot-Las Positas Community College District finds, by a majority vote, the following:
 - a. That there exists a proclaimed state of emergency;


AND either:

- b. The Board of Trustees is meeting for the purpose of determining one of the following, or more than 30 days have passed since the Board of Trustees met and determined one of the following and the Board of Trustees now re-determines one of the following:

- i. State or local officials have imposed or recommended measures to promote social distancing; OR
- ii. As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

OR

- c. This Board has made the determination set forth in subdivision (b), above within the last 30 days and now makes the following determination:
 - i. The Board of Trustees has reconsidered the circumstances of the state of emergency; AND
 - ii. Any of the following circumstances exist:
 - 1. The state of emergency continues to directly impact the ability of the members to meet safely in person.
 - 2. State or local officials continue to impose or recommend measures to promote social distancing.
- 3. The Chancellor or his designee is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.
- 4. That this Resolution shall take effect immediately upon its adoption.

 1/11/22
Approved: Ronald P. Gerhard/Date

APPROVED DISAPPROVED TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

RESOLUTION 06-2022

**RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS
DURING A PROCLAIMED STATE OF EMERGENCY**

WHEREAS, the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings;

WHEREAS, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so;

WHEREAS, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

WHEREAS, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

WHEREAS, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and

WHEREAS, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

WHEREAS, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

NOW THEREFORE, the legislative body of the Chabot-Las Positas Community College District hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference.
2. Board of Trustees of the Chabot-Las Positas Community College District finds, by a majority vote, the following:
 - a. That there exists a proclaimed state of emergency;

AND either:

- b. The Board of Trustees is meeting for the purpose of determining one of the following, or more than 30 days have passed since the Board of Trustees met and determined one of the following and the Board of Trustees now re-determines one of the following:
 - i. State or local officials have imposed or recommended measures to promote social distancing; OR
 - ii. As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

OR

- c. This Board has made the determination set forth in subdivision (b), above within the last 30 days and now makes the following determination:
 - i. The Board of Trustees has reconsidered the circumstances of the state of emergency; AND
 - ii. Any of the following circumstances exist:
 - 1. The state of emergency continues to directly impact the ability of the members to meet safely in person.
 - 2. State or local officials continue to impose or recommend measures to promote social distancing.
- 3. The Chancellor or his designee is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.
- 4. That this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Trustees of the Chabot-Las Positas Community College District, this 11th day of January, 2022, by the following vote:

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

NOES:


ABSTAIN:

ABSENT:

I, Secretary of the Governing Board of Chabot-Las Positas Community College District of Alameda County, State of California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a regular meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.

1.11.2022

Date


Secretary of the Board of Trustees of the
Chabot-Las Positas Community College
District, County of Alameda, State of
California