

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

**MINUTES  
February 22, 2005**

**PLACE**

Chabot-Las Positas Community College District, Chabot College, 25555 Hesperian Boulevard, Hayward, California.

**CALL TO ORDER**

The regular meeting was called to order at 6:40 p.m. Recording Secretary Beverly Bailey called the roll. All Board Members were present at the time of roll. The Board immediately adjourned to a Closed Session, which ended at 7:40 p.m.

The Board readjoined in Open Session at 7:45 p.m. and adjourned at 9:05 p.m. Recording Secretary Beverly Bailey called the roll. All Board Members were present at the time of roll.

**ATTENDANCE**

Members Present:           Dr. Arnulfo Cedillo  
                                  Mr. Gary R. Craig  
                                  Mrs. Isobel F. Dvorsky  
                                  Mr. Donald L. "Dobie" Gelles  
                                  Dr. Alison S. Lewis  
                                  Dr. Barbara F. Mertes  
                                  Mr. Carlo Vecchiarelli  
                                  Mr. Norullah Sharifi  
                                  Mr. William Drury, III

Members Absent:           None

Managers Present:         Dr. Susan A. Cota, Chancellor  
                                  Mrs. Karen Halliday, President, Las Positas College  
                                  Mrs. Jennifer Aries  
                                  Mr. Tom Clark  
                                  Mr. Robert Curry  
                                  Mr. Stan Dobbs  
                                  Dr. Ted Kaye  
                                  Dr. Joel Kinnamon

Mr. Robert Kratochvil  
Ms. Pam Luster  
Ms. Melinda Matsuda  
Mrs. Jeannine Methe  
Mr. Donald Milanese  
Ms. Anita Morris  
Ms. Alice Noriega  
Mr. Roy V. Stutzman  
Dr. Ronald Taylor

Recording Secretary: Mrs. Beverly Bailey

Others Present: Mr. Ygnacio Becerra  
Ms. Connie Bish, President, Las Positas College Classified  
Senate  
Mr. Chad Mark Glen, President, Chabot College Faculty  
Senate  
Ms. Debra Grabelle, Labor Representative, S.E.I.U.,  
Local 790  
Ms. Tonika Jones  
Mr. David Kirn  
Mrs. Charlotte Lofft, President, Chabot-Las Positas Faculty  
Association  
Mr. Mark Nipper, DMJM  
Mrs. Isabel Polvorosa  
Mrs. Sophie Rheinheimer, President, Las Positas College  
Faculty Senate  
Mr. Michal Robinson, DMJM  
Mr. Pedro Ruiz De Castilla, President, District Classified  
Senate  
Mr. Mark Smythe, Chapter President, S.E.I.U., Local 790  
Mr. Jason Teramoto, President, Associated Students of Las  
Positas College  
Ms. Myrna Wagner, Swinerton

## **PUBLIC COMMENTS**

Mr. Ygnacio Becerra and Ms. Tonika Jones spoke to the Board regarding their status with ASCC and the College. Ms. Jones raised concerns with the role of the advisors.

Mr. Mark Smythe, President of S.E.I.U., Local 790 spoke to the Board against contracting out school employees. It is his belief that contracting out is not only not a fiscal savings but it would result in a loss of “family or community.”

### **GOOD OF THE ORDER**

Dr. Mertes congratulated Mr. Jason Teramoto and Mr. Norullah Sharifi on their CAPE Scholarships.

### **CONSENT CALENDAR**

Mr. Gelles requested agenda items 5.6 (Approval of Declaration of Surplus Property to be Sold at Private Sale and Donation or Disposal of any Items not Sold at Auction) and 5.7 (Award of Bid No. 04-05 for Printing of Class Schedules, Chabot College and Las Positas College) be removed from the consent calendar. Dr. Cota requested agenda item 3.4 (Management Personnel) be removed from the consent calendar.

#### Motion No. 1

Mrs. Dvorsky made a motion, seconded by Mr. Craig, to approve the consent calendar with the exception of agenda items 3.4, 5.6 and 5.7.

Motion carried unanimously, 7-0.

The following items were approved on the consent calendar:

#### General Functions

- 1.7 Approval of Minutes of January 18, 2005 Meeting
- 1.8 Approval of Minutes of February 1, 2005 Meeting

#### Personnel

- 3.1 Student Assistant Personnel
- 3.2 Classified Personnel
- 3.3 Faculty Personnel
- 3.5 Professional Specialist and Program Leader Personnel
- 3.6 Volunteer Aide Personnel

#### Educational Services

- 4.1 Acceptance of Gift – Las Positas College
- 4.2 Approval of Sabbatical Leave Applications for the 2005-2006 and 2006-2007 School Years, Chabot College
- 4.3 Approval of Sabbatical Leave Applications for the 2005-2006 and 2006-2007 School Years, Las Positas College

**Business Services**

- 5.1 Approval of Commercial Warrant Registers
- 5.2 Approval of Payroll Warrant Registers
- 5.3 Ratification of Amendment of Employment Contracts – Purchase of Tax Sheltered Annuities
- 5.4 Approval of Budget Revisions 07.G
- 5.5 Approval of Budget Transfers 07.G.1

**TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS**

Mr. Drury reported he is saddened by the recent events within ASCC. He reported on a successful Financial Aide Festival on February 12. He called the Board's attention to the February 10 issue of the Spectator, which highlighted newcomers to the Board of Trustees- Mr. Vecchiarelli and Mr. Drury. He also called to the Board's attention the latest issue of the Student Scribe.

Mr. Sharifi congratulated Mr. Teramoto for his CAPE Award. He thanked Dr. Mertes for her congratulatory card and Mr. Gelles for attending the CAPE dinner and awards ceremony. He reported that ASLPC had a successful retreat on "Team Building" on February 12. He also reported he would be attending the upcoming ASACC Conference in Washington, D.C. where ASLPC will be participating in a Club Day Workshop.

Mrs. Dvorsky reported she attended the recent ACCT Legislative Summit in Washington, D.C. along with Dr. Cota, Mrs. Aries and Dr. Kinnamon. She expressed concern with the budget, reporting that only 3% of the federal budget is for education. She also expressed concern that the Reauthorization Bill proposes a uniform definition of higher education. This means that proprietary schools will be allowed to apply for the same grants as community colleges. She shared with the other Board Members a list of the 2005 Community College Federal Legislative Priorities. She further reported that while in Washington, D.C. Ellen Tauscher invited them to her home for dinner.

Mr. Craig reported that the Audit Subcommittee met tonight prior to the Board Meeting. The Subcommittee reviewed the Management Letter and draft Audit Report. The Subcommittee will be looking at an RFP for independent audit services. He further reported that the Auditors will attend the March 1, 2005 Board Meeting when the Board will officially accept the Audit Report.

Mr. Gelles reported that he attended the CAPE Awards Dinner. He recognized the seven scholarship awardees: Jason Teramoto, Norullah Sharifi, Henry Lau, Abby Hirashiki, Quyen Hoang, Tam Ma and May Thazin.

Dr. Cedillo reported he attended the Community College League of California Legislative Conference in Sacramento. Community College Leaders “continue to fight the battle for funds.” He reported that after meeting with new Board Members from Southern California, he can highly complement this District and Board. He reported that he was invited to be a participant at a conference sponsored by the National Association of Latino Elected and Appointed Officials on “Latinos and Mental Health”, noting the high rate of suicide and pregnancy among Latinos/Latinas. He questioned if mental health services are offered at the Colleges. He also requested of the Chancellor and Administration that the Board be kept apprised of situations at the Colleges and that he does not want to first read about issues in the College Newspapers.

Dr. Mertes drew the Board’s attention to the ValleyCare Health System’s Annual Report for 2003-04, which contained an article on the partnership with the Chabot and Las Positas Colleges Nursing Program.

### **CHABOT-LAS POSITAS COLLEGES FOUNDATIONS**

**District:** No report.

**Chabot College:** Mr. Talmo presented a written report to the Board. In his absence, Dr. Taylor highlighted the upcoming Board Meeting on February 28. He reported that the Foundation is involved in seeking grants and gifts.

**Las Positas College:** Dr. Kaye presented a written report to the Board. He reported that the Foundation is attempting to expand on the number of grant applications. He also reported that on February 2 the Foundation Board announced to staff the first LPC Increasing Excellence Grants which will range from \$500 to \$750 for a total of \$7,500. He highlighted the upcoming events: Open House and Celebration of the Anniversary, April 16; and The Best of the Best, April 23.

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

Mrs. Sophie Rheinheimer, President of the Las Positas College Academic Senate, reported on a successful Flex Day held last week on “Student Learning Outcomes.” She believes the College is ready for the accreditation standards.

Mr. Chad Mark Glen, President of the Chabot College Academic Senate, reported that Chabot College also held its Flex Day last week on “Program Review.” The College is embarking on an ambitious program review. He apologized to Dr. Cedillo for not advising the Board of the article of the criticisms against the findings of the four-person Senate Task Force investigation.

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

Ms. Connie Bish, President of Las Positas College Classified Senate, submitted a written report to the Board. She highlighted that the Valentine's gift basket raffle enabled the Classified Senate to sponsor another student scholarship.

The District Classified Senate had no report.

The Chabot College Classified Senate had no report.

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

Mr. Jason Teramoto, President of Associated Students of Las Positas College (ASLPC), thanked Mr. Gelles for attending the CAPE Awards Dinner. He reported ASLPC held a retreat on "Team Building." He also highlighted Diversity Week to be held March 8-10. He further reported he will be attending the ASACC Conference in Washington, D.C. beginning on March 18.

The Associated Students of Chabot College had no representation.

**PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES**

President Carlson submitted a written report to the Board. In Dr. Carlson's absence, Dr. Taylor highlighted a very successful Financial Aide Festival held on February 12. He introduced Mr. Tom Clark, Dean of Applied Technology and Business.

President Halliday submitted a written report to the Board. She highlighted the four students who have been chosen to speak at the Honors Transfer Council of California Undergraduate Research Conference at UC Irvine on March 5. The students are: Abby Hirashiki, Matthew Fottrell, Cynthia Stimmel and Mary Druce. She also highlighted the Principals Breakfast on February 16. Over 40 high school principals and counselors attended this event hosted by Las Positas College. She drew the Board's attention to the 3-D Newsletter which was attached to her report.

**CHANCELLOR'S REPORT**

Chancellor Cota reported that she attended the ACCT Legislative Conference in Washington this past week. They had the opportunity to meet with Congressman Pombo who was very positive about helping us with some issues.

Dr. Cota introduced Ms. Alice Noriega, Benefits Manager.

**MANAGEMENT PERSONNEL**Motion No. 2

Mr. Craig made a motion, seconded by Mrs. Dvorsky, to approve the Management Personnel with the exception of the contracts for Joel Kinnamon and Roy Stutzman.

Mr. Gelles requested clarification on the category Adjustments to Statements of Employment. Ms. Morris explained that many times staff are hired at Step I until their education and/or experience can be reviewed for placement on the appropriate step.

Motion carried unanimously, 7-0.

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

Mr. Gelles pulled this item from the consent calendar for clarification on notification to the public. Mr. Stutzman reported that the list of surplus items would be advertised to the public.

Motion No. 3

Dr. Cedillo made a motion, seconded by Dr. Lewis, that the Board approve the sale of the District surplus property to be sold at private sale and donation or disposal of any items not sold at auction. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to dispose of the same via private sale in accordance with Board Policy 3212, and that the funds derived from the sale be placed in the General Fund of the District. Further, any items that are not sold by private sale be donated to charitable organizations, or disposed of by District Personnel in accordance with California Education Code Section 81452(c).

Motion carried unanimously, 7-0.

**AWARD OF BID NO. 04-05 FOR PRINTING OF CLASS SCHEDULES, CHABOT COLLEGE AND LAS POSITAS COLLEGE**

Mr. Gelles pulled this item from the consent calendar for further explanation. Mrs. Aries reported that Folger Graphics has been used for other print jobs and is pleased that the

District is now using them for printing the class schedules. The Hayward location makes for an easier working relationship. Dr. Cota noted that the quality of the class schedules

has been upgraded over the past several years and believes that it is an “investment well spent.”

Mr. Gelles requested that staff continue to study ways of saving money—perhaps in the number of copies or in methods of distribution.

Motion No. 4

Mr. Gelles made a motion, seconded by Dr. Cedillo, to award Bid No. 04-05 for printing of Class Schedules, Chabot College and Las Positas College to Folger Graphics of Hayward, California for the amount not to exceed \$503,700. Funding: Colleges, 100%

Motion carried unanimously, 7-0.

**APPROVAL OF CONTRACT WITH CATALYST CONSULTING GROUP, INC.  
FOR SECURITY MASTER PLAN CONSULTING SERVICES, CHABOT  
COLLEGE AND LAS POSITAS COLLEGE**

Motion No. 5

Mrs. Dvorsky made a motion, seconded by Mr. Drury, to approve the contract with Catalyst Consulting Group, Inc. for Security Master Plan Consulting Services at a cost not to exceed \$79,620 to be funded by Measure B Funds. It is further recommended that the Board authorize the Vice Chancellor, Business Services, be authorized to execute a service agreement on behalf of the District.

Motion carried unanimously, 7-0.

**APPROVAL OF AWARD OF CONTRACTS FOR “ON-CALL” CONSULTING  
SERVICES FOR: ENVIRONMENTAL IMPACT REPORTS (EIR)/  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); ATHLETIC  
FACILITIES PROGRAMMING; INTERIOR/SPACE PLANNING FOR  
FURNITURE, FIXTURES AND EQUIPMENT; CHABOT COLLEGE AND LAS  
POSITAS COLLEGE**

Motion No. 6

Dr. Lewis made a motion, seconded by Mr. Sharifi, to approve the issuance of On-Call Professional Service Agreements with the Placemakers, Beals Alliance and Dovetail Decision Consultants for an individual task in an amount that will be less than \$20,000 and

the total value of any one agreement not to exceed \$100,000 per company. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute agreements on behalf of the District.



Mr. Gelles noted that he had reservations on “on call” contracts but also understands the need to move in a timely manner. Mr. Stutzman reported that should the cumulative task orders approach the \$100,000 limit for a contract or should a contracted firm be unable to provide requested services, the District would return to the Board to seek approval to enter into subsequent contracts.

Motion carried unanimously, 7-0.

### **APPROVAL OF CHANGE TO THE MEASURE B CITIZENS’ OVERSIGHT COMMITTEE BYLAWS**

#### Motion No. 7

Dr. Lewis made a motion, seconded by Mrs. Dvorsky, to approve the following substitute “Termination” clause in Section II of the Bylaws for the Measure B Citizens’ Oversight Committee: “Termination. The Committee shall automatically terminate and disband six months later than the earlier of the date when (a) all bond proceeds are spent, or (b) all projects funded by bond proceeds are completed.”

Motion carried unanimously, 7-0.

### **ADOPTION OF RESOLUTION NO. 18-0405 – AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE RE-ROOFING PROJECT, DISTRICT OFFICE, BID NO. 07-05**

### **ADOPTION OF RESOLUTION NO. 19-0405 – AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE REPLACEMENT OF THE ROOF TOP HEATING AND AIR CONDITIONING SYSTEM, DISTRICT OFFICE, BID NO. 06-05**

### **ADOPTION OF RESOLUTION NO. 20-0405 – AUTHORIZATION TO ADVERTISE FOR BIDS FOR MODIFICATIONS OF BUILDING 3500 (EARLY CHILDHOOD BUILDING), CHABOT COLLEGE, BID NO. 08-05**

#### Motion No. 8

Dr. Cedillo made a motion, seconded by Mr. Drury, to adopt the following resolutions in one motion:

- a. Resolution No. 18-0405 – authorization to advertise for bids to re-roof the District Office, Bid No. 07-05. Funding: Measure B Funding (Major Maintenance)

- b. Resolution No. 19-0405 – authorization to advertise for bids for replacement of the roof top heating and air conditioning system for the District Office, Bid No. 06-05. Funding: Measure B Funding (Major Maintenance)
- c. Resolution No. 20-0405 – authorization to advertise for bids for modifications of Building 3500 (Early Childhood Building), Chabot College, Bid No. 08-05.

Mr. Gelles reported that it was his understanding when we purchased the District Office two years ago that the roof and HVAC system would last five years. Mr. Stutzman noted energy conservation issues as justification for replacement it earlier rather than later. He pointed out that the systems are 20 years old.

Mr. Vecchiarelli questioned if spending bond money for the District Office is in accordance with what the voters were told the funds would be spent on. Mr. Stutzman reported that the ballot language referred to a master plan list of projects which included \$20 million for scheduled maintenance. The scheduled maintenance was district-wide and not location specific. He further reported that Bond Counsel is in agreement with this interpretation.

Dr. Mertes noted that she opposed buying the District Office building in part because of the anticipated upkeep. She expressed surprise that this maintenance is needed after owning the building just two years.

Mr. Stutzman reported that the awarding of the bid would come back to the Board for approval.

Motion carried by the following roll call vote:

AYES:	Cedillo, Craig, Dvorsky, Gelles, Lewis, Mertes
NOES:	None
ABSENT:	None
ABSTENTIONS:	Vecchiarelli

## **FINANCIAL REPORTS**

Dr. Lewis recognized the Bellini Foundation for their generous grant. It was explained that this grant is for Disabled Students.

The Board accepted the Financial Status and Cash Flow Reports for January, 2005. The Board also accepted the Quarterly Financial Status Report for the period ending December 31, 2004.

**ACCEPTANCE OF 2002-03 SABBATICAL LEAVE REPORT**

The Board accepted the 2002-03 Sabbatical Leave Report submitted by Mr. Art Tenbrink.

**UPDATE OF MEASURE B BOND PROGRAM**

Mr. Stutzman reported that the second scope of work for DMJM is coming to an end. At the March 15 Board Meeting, he will be bringing to the Board another scope of work for DMJM.

**TOPICS FOR BOARD WORKSHOPS**

Dr. Mertes noted the following scheduled Board Workshops:

March 1	Project Labor Agreements
April 5	Update on College Facilities Master Plans

Dr. Cota reviewed with the Board the format for the March 1 Workshop.

In addition, the following possible Workshop titles were suggested:

- Early Childhood Development Program
- Accreditation Progress Update
- Security Master Plan
- District/Colleges Management Organization
- New College Program Review Process
- International Education
- Apprenticeship Programs
- Las Positas College Entrance Road
- Generating Apportionment Outside the CAP

Mr. Gelles requested that this list be brought back to the Board for consideration.

In response to Mr. Gelles' request for information on the Las Positas College entrance road, President Halliday reported that road construction will begin in May and is expected to be completed prior to classes beginning in August.

Mr. Vecchiarelli would like to see the District pursue two areas which could be rich in income: Apprenticeship and International Education. He reported that Carlos Bee Residence Hall is now closed and thought that the District could pursue obtaining this facility for International Students.

Mr. Drury volunteered to assist Mr. Vecchiarelli on International Students.

**ADOPTION OF REVISED GOVERNING BOARD POLICY 7030 – INTERNAL BOARD: MONTHLY MEETING COMPENSATION**

Dr. Cota reported that this change in policy was to better reflect what is in the Education Code.

Dr. Mertes noted for those in attendance that this policy change was not a raise in compensation.

Motion No. 9

Mrs. Dvorsky made a motion, seconded by Mr. Gelles, to adopt revised Governing Board Policy 7030 – Internal Board: Monthly Meeting Compensation and that this Policy become effective upon adoption.

Motion carried unanimously, 7-0.

**NEXT MEETING**

The next Board of Trustees Meeting is scheduled for Tuesday, March 1, 2005 at 6:30 p.m. at the District Office.

**ADJOURNMENT**

Motion No. 10

There being no further business, on motion made and seconded, the Regular Meeting was adjourned at 9:05 p.m.

Minutes completed by:

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Beverly Bailey

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