

**CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT  
BOARD OF TRUSTEES  
ADJOURNED/WORKSHOP MEETING**

**MINUTES  
March 1, 2005**

**PLACE**

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

**CALL TO ORDER**

The meeting was called to order at 6:30 p.m. Recording Secretary Beverly Bailey called the roll. Mr. Craig and Mr. Sharifi were absent at the time of roll.

**ATTENDANCE**

Members Present:           Dr. Arnulfo Cedillo  
                                  Mr. Gary R. Craig (arrived at 6:50 p.m.)  
                                  Mrs. Isobel F. Dvorsky  
                                  Mr. Donald L. "Dobie" Gelles  
                                  Dr. Alison S. Lewis  
                                  Dr. Barbara F. Mertes  
                                  Mr. Carlo Vecchiarelli  
                                  Mr. Norullah Sharifi (arrived at 6:35 p.m.)  
                                  Mr. William Drury, III

Members Absent:           None

Managers Present:         Dr. Susan A. Cota, Chancellor  
                                  Dr. Robert Carlson, President, Chabot College  
                                  Mrs. Karen Halliday, President, Las Positas College  
                                  Mrs. Jennifer Aries  
                                  Mr. Robert Curry  
                                  Mr. Stan Dobbs  
                                  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: Ms. Sandra Rae Benson, Weinberg, Roger and Rosenfeld  
Ms. Connie Bish, President, Las Positas College Classified  
Senate  
Mr. David Bouchard, Pleasanton Chamber of Commerce  
Ms. Charla Curtis, CS & Associates, Inc.  
Mr. Kevin Dayton, Associated Builders and Contractors,  
Golden Gate Chapter  
Mr. Rocky Fernandez, Office of Assemblymember Johan  
Klehs  
Mr. Chad Mark Glen, President, Chabot College Faculty  
Senate  
Mr. Ramon Quiroz  
Mrs. Sophie Rheinheimer, President, Las Positas College  
Faculty Senate  
Mr. Michal Robinson, DMJM  
Mr. Wayne Shipman, URS Corporation  
Ms. Karen Silva

### **PUBLIC COMMENTS**

There were no Public Comments offered at this meeting.

### **GOOD OF THE ORDER**

Dr. Cota announced that this meeting was being video as well as audio recorded. Anyone interested in obtaining a copy, should contact Recording Secretary Beverly Bailey.

### **APPROVAL OF CLASSIFIED PERSONNEL**

#### Motion No. 1

Mrs. Dvorsky made a motion, seconded by Mr. Gelles, to approve the Classified Personnel.

Motion approved unanimously, 7-0.

**APPROVAL OF FACULTY PERSONNEL**Motion No. 2

Mr. Vecchiarelli made a motion, seconded by Dr. Lewis, to approve the Faculty Personnel.

Motion approved unanimously, 7-0.

**ACCEPTANCE OF 2003-2004 AUDIT**

Mr. Paul Petersen of Armanino McKenna, LLP reported that he met with the Audit Subcommittee on February 15 and reviewed the Audit Report in detail. He reported that there is a “clean opinion” on the financial report. He reported two minor instances of non-compliance.

Mr. Gelles questioned the content of the two instances of non-compliance. Mr. Petersen reported the two issues are as follows:

1. Page 84: Out of a sample of 20 financial aid recipients, there were two that did not contain appropriate documentation of income verification.
2. Page 86: Out of a sample of 20 students selected for testing at Chabot College, the District was unable to provide a Concurrent Enrollment form.

Dr. Lewis reported that the Audit Subcommittee felt the audit was explained sufficiently to them. The Committee felt that no system is perfect and the instances were minor and not significant.

Mr. Vecchiarelli questioned if it would be a good idea to expand the sample size. Mr. Petersen reported that in the auditors’ judgment, it was not significant in nature to warrant expanding the sample size. It was not a question of the students not being eligible but rather a documentation problem.

In response to a question raised by Mr. Drury, Mr. Petersen reported that these two instances of non-compliance did not “make us look bad” noting that most agencies have instances similar to this.

Mr. Stutzman reported that staffs at the Colleges were notified of these instances of non-compliance early on in the audit process.

Motion No. 3

Mr. Vecchiarelli made a motion, seconded by Dr. Lewis, to accept the 2003-2004 Audit Report.

Motion approved unanimously, 7-0.

**WORKERS' COMPENSATION PRESENTATION**

Mr. Stutzman reported that the District has been a member of the Alameda County Schools Insurance Group (ACSIG) since its inception in the late 1970's. ACSIG is a Joint Powers Authority (JPA) established under the provisions of the California Government Code and the Education Code for the purposes of operating a program of self-insured Workers' Compensation and other types of insurance which school districts are either required or believe to be in their best interests to have. The JPA is made up of 19 members—the County Office of Education, the JPA itself, 15 K-12 Districts and the Chabot-Las Positas Community College District. At one time there were four community college district members; however three have withdrawn.

Mr. Stutzman reported that the District has a number of concerns with regard to the structure of the ACSIG Program. The ACSIG Program has an extremely high self-insured retention level, which may lead to significant cost impact for members. In addition, the District continues to have day to day claims administration issues.

Mr. Stutzman reported that the District would be better served with a program that appears to be designed in a way that claims can be managed and cost of claims controlled. He reported that Workers' Compensation costs have increased significantly over the past few years. In 1998-99 the rate per \$100 of payroll was .9322 cents. The current rate in 2004-05 is \$1.67 per \$100 of payroll—a 79% increase over the past five years.

District staff has reviewed a number of options over the past year, including the Protected Insurance Program for Schools and Community Colleges Joint Powers Authority (PIPS). This is a statewide JPA administered by Keenan and Associates.

Mr. Stutzman reported that staff would bring a recommendation to the Board at its March 15 meeting to join the PIPS Program.

Mr. Ron Martin, Assistant Vice President with Keenan and Associates gave a PowerPoint Presentation of the PIPS Program and a brief Profile of Keenan and Associates.

In response to a question raised by Mr. Craig, Mr. Martin reported that for 2004-05 the cost per \$100 of payroll would be \$1.70. He explained that the program had a K-12 base rate and a community college base rate.

Mr. Craig requested clarification for training our staff on new legislation in this area. Mr. Martin reported that six people would be introduced to our HR Department for specific training.

In response to a question raised by Mrs. Dvorsky regarding increases over the past 3-4 years, Mr. Martin reported that rates are based on individual performance of members. Members have experienced increases of 5-15% over the past 3-4 years.

Mr. Stutzman followed up by saying that he is not recommending this change for a cost savings in year one but believes that in the long term the District will be better served.

## **RECESS**

The Board recessed from 8:00 to 8:08 p.m.

## **PROJECT LABOR AGREEMENT PRESENTATION**

In Opening Remarks, Dr. Cota reported that tonight is a fact gathering process for the Board and staff on whether to implement a Project Labor Agreement. No vote will be taken tonight.

Chad Mark Glen, Chabot College Mass Communication Faculty Member, moderated a panel of three who are knowledgeable about PLA's—both the pros and the cons. The panel members were:

- Pro PLA: Sandra Rae Benson, Attorney, Weinberg, Roger and Rosenfeld
- Neutral: Charla Curtis, President of CS & Associates, Inc.
- Against PLA: Kevin Dayton, Vice President of Governmental Affairs, Associated Builders and Contractors, Golden Gate Chapter

Four key areas were presented for consideration:

1. Whether a Project Labor Agreement will deliver on its promises of labor stability, labor workforce, efficiencies and economy.
2. Whether a Project Labor Agreement will rise to the challenge of being beneficial to the District and to the community at large.

3. Whether a Project Labor Agreement will be fair to all concerned—contractors and employees alike.

4. Whether a Project Labor Agreement can address issues of employment in the community, inclusion of contractors—local and otherwise. Will it be able to rise to that challenge? If so, how so and if not, why not?

Each panelist was given eight minutes for introductory comments and then responded to the questions asked by the moderator and Board of Trustees.

In conclusion, Dr. Cota thanked the panelists for taking their time to discuss their views on PLA's. She explained that it is the District's intent to have this issue on the April 19 Board of Trustees Agenda and to take action on this item prior to the end of the Spring Semester.

**NEXT MEETING**

The next Board of Trustees Meeting is scheduled for Tuesday, March 15 at 7:30 p.m. at the District Office.

**ADJOURNMENT**

Motion No. 4

There being no further business, on motion made and seconded, the Regular Meeting was adjourned at 9:20 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