

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

**MINUTES
February 21, 2006**

PLACE

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

CALL TO ORDER

The regular meeting was called to order at 6:32 p.m. Recording Secretary Beverly Bailey called the roll. Dr. Lewis was absent at the time of roll and excused due to illness.

The Board immediately adjourned to a Closed Session, which ended at 7:25 p.m.

The Board readjourned in Open Session at 7:30 p.m. and adjourned at 10:35 p.m. Recording Secretary Beverly Bailey called the roll. Dr. Lewis was absent at the time of roll and excused due to illness.

ATTENDANCE

Members Present: Dr. Arnulfo Cedillo
 Mrs. Isobel F. Dvorsky
 Mr. Donald L. "Dobie" Gelles
 Dr. Hal G. Gin
 Dr. Barbara F. Mertes
 Mr. Carlo Vecchiarelli
 Mr. Joshua Paul
 Mr. Renato Ramento

Members Absent: Dr. Alison S. Lewis (ill-excused)

Managers Present: Dr. Susan A. Cota, Chancellor
 Mrs. Karen Halliday, President, Las Positas College
 Dr. Robert Carlson, President, Chabot College
 Mrs. Jennifer Aries
 Mr. Stan Dobbs
 Ms. Julia Dozier
 Mr. Andrew Howe
 Ms. Sally Jahnke

Dr. Ted Kaye
Dr. Joel Kinnamon
Mr. Robert Kratochvil
Mr. Lorenzo Legaspi
Ms. Pam Luster
Mrs. Jeannine Methe
Mr. Donald Milanese
Ms. Anita Morris
Dr. Ronald Taylor

Recording Secretary: Mrs. Beverly Bailey

Others Present:

Ms. Brenda Carr
Mr. Greg Carter, SEIU, Local 790
Mr. Joseph Fisher
Mr. Chad Mark Glen, President, Chabot College Faculty
Senate
Ms. JoAnn Galliano
Mr. Chris Jacob
Ms. Melissa Korber, President, Las Positas College
Faculty Senate
Mrs. Charlotte Lofft, President, Faculty Association
Mr. Patrick Lofft
Ms. Deanna Long
Mr. Gary Moriarty, 3D/I
Ms. Elizabeth Miller
Mr. Dayne Nicholls, President, Associated Students of
Chabot College
Ms. Esther Patterson
Mr. Albert Perez, 3D/I
Mr. Armando Ramos
Ms. Cynthia Ross
Mr. Pedro Ruiz deCastilla, President, District Classified
Senate
Ms. Nicole Scoles
Ms. Karen Silva
Mr. Mark Smythe
Dr. Susan Sperling
Mr. Todd Steffan, President, Las Positas College Classified
Senate
Mr. Roy Stutzman
Ms. Karen Swain

Ms. Mary Swain

Ms. Rachel Ugale, President, Chabot College Classified
Senate

Mr. Mark West

Ms. Linda Wilson, SEIU, Local 790

ADMINISTRATION OF OATH OF OFFICE

President Dvorsky administered the Oath of Office to Student Trustees Joshua Paul (Las Positas College) and Renato Ramento (Chabot College).

GOOD OF THE ORDER

President Dvorsky announced that Dr. Susan Cota has been named the recipient of the 2006 Harry Buttimer Distinguished Administrator Award by the Association of California Community College Administrators (ACCCA). Dr. Cota will accept the award at ACCCA's annual conference on Wednesday, February 22. President Dvorsky congratulated Dr. Cota, stating that "we are proud of Susan."

PUBLIC COMMENTS

Mr. Gary Moriarty and Mr. Albert Perez, 3D/I presented pictures of the Las Positas College Physical Education Complex to the Board, Chancellor Susan Cota and President Karen Halliday. On behalf of the Board, President Dvorsky thanked Mr. Moriarty and 3D/I for the beautiful pictures.

Mr. Joseph Fisher, Ms. Deanna Long, Ms. Esther Patterson, Mr. Mark West, and Ms. Karen Swain, students in the ISLS Program, spoke to the Board opposing the proposed discontinuance of the program at Chabot College.

Mr. Mark Smythe, speaking as a concerned community member and parent, spoke to the Board opposing the proposed program cuts.

Mr. Greg Carter, Field Representative, SEIU, Local 790, expressed to the Board the desire of SEIU to continue working with the District as an ally in trying to resolve budgetary concerns and to minimize layoffs.

Ms. Linda Wilson, Vice President, SEIU, Local 790, read a statement prepared by Ms. Catherine Powell, Classified Staff Member and concerned community member, opposing the proposed budget cuts affecting programs and staff.

Ms. Brenda Carr spoke against the proposed cuts to programs and staff. She asked the Board to reconsider making a decision on the issue before them tonight for further consideration and study.

Mrs. Charlotte Lofft, President, Faculty Association, spoke to the Board on the budget proposal. "The Faculty Association is mindful of the efforts leading up to the difficult decisions made in the proposal presented tonight. The Faculty Association anticipates continued involvement with budget issues and expects to negotiate any faculty impact affects related to program downsizing, suspension or discontinuance."

Ms. Joanne Galliano, Director of Dental Hygiene at Chabot College, spoke to the Board regarding the "process" used in making decisions that will impact that program. She feels she and others in that department were left out of the process. Realizing that this is an expensive program, they would have liked an opportunity for administration to review their proposal for cost containment and revenue enhancement prior to final decisions being made. This plea for process would encompass all programs impacted.

Ms. Nicole Scoles, Dental Hygiene Faculty Member, also spoke to the Board regarding the "process" and the impact the loss of the Administrative Assistant position will have on the program and the students.

PRESENTATION: MEASURE B COST PROJECTIONS

Mr. Roy Stutzman reported the following background information as an introduction to this presentation:

"Subsequent to the College Master Plan adoptions last summer, Program Management and District Staff have been developing project implementation plans and specific project schedules. A thorough, open, competitive process involving program management, District and College Staff was undertaken to develop recommendations for design architect selection for numerous projects. The result was Board approval of design architects for twelve projects with an estimated construction value of \$118 million. Most of these approvals were on the January Board Agenda. Project definition, programming and design development is underway on all of the projects at this time. This is an unprecedented and challenging level of simultaneous activity for this, or any District for that matter.

Using the scheduling information and concurrent with the activities to get priority projects underway, a major effort was undertaken beginning in October 2005 to evaluate project costs and rebase program costs based upon what has occurred in the construction marketplace since the program was developed. In today's world, another important factor in estimating cost is the anticipated time required to complete the program, project bid dates

and time in construction. Assuming any degree of cost escalation, the longer it takes to execute the program, the greater the cost.

The District Master Plan and Project List was finalized and costs were estimated in the summer of 2003 in preparation for the ballot measure in March 2004. Construction costs have risen dramatically since 2003. A major effort was undertaken beginning in October 2005 to evaluate project costs and rebase program costs based upon what has occurred in the construction marketplace since the program was developed. In the case of state funded projects, the state Department of Finance typically has provided a very modest construction cost index factor for inflation. Starting with the 2006-07 funding year, the DOF is asking the system Chancellor's Office to apply an inflation formula which is determined by the date of the start of construction and the length of construction. These cost adjustments for 2006-07 projects amount to approximately 30%. The District has a proposed 50% state funded modernization project at Chabot College that was originally submitted in July 2004 with an estimated budget of \$3.5 million. The Board of Governors' recommendation for funding, contingent upon passage of a Statewide Higher Education Facilities Bond, is \$5.4 million--an inflation increase of approximately 54%. What was anticipated to be a \$7 million project for Buildings 800 and 900 at Chabot College will now be a \$10.8 million project."

Mr. Eloy Retamal, Program Director and Team Leader with DMJM, provided a PowerPoint Presentation on the impact of cost increases on the District Measure B Facilities Development Program. He explained that purchasing power has been significantly diminished by \$277 million due to market conditions. As a result, the District needs to reassess program scope and budget allocations. He reported that as a result of an unprecedented increase in construction costs, the voter approved \$497 million program is now estimated to cost \$775 million (assuming a 7% escalation in 2005-06 and 5% per year thereafter).

Mr. Retamal outlined the following proposed strategies:

- Develop more detailed program definition
- Confirm scope and facility requirements based upon the College Educational Master Plans
- Accelerate the construction of new facilities to a five year timeline and schedule
- Define Project Reprioritization
- Project Delivery: Combine projects into Procurement Packages/Economies of Scale
- Procure bulk purchases of equipment and materials
- Reassess level of LEED Certification (adds 3%-5% to projects)
- Conduct continuous program reassessment to match local market conditions
- Include bid alternate opportunities
- Manage realistic expectations of facilities/projects that can be implemented

- Develop project scope and budgeting based on State Chancellor's Office and Title V Community College Space and Capacity Standards

By implementing the proposed strategies, the District can:

- Maximize number of projects with available funding
- Minimize future loss of purchasing power
- Manage stakeholder expectations
- Complete projects faster
- Reduce program management level costs

In response to a question raised by Mr. Gelles, Mr. Stutzman reported that the District built in 12% escalation costs for the life of the program. Mr. Gelles commented that "we have to do something or we will be in the middle with only half of the projects completed." He asked that Staff bring this back with a plan showing how we can get it done.

Mr. Stutzman reported that he is still optimistic that the program can be completed for the most part but it will have to be done strategically.

In response to a suggestion made by Dr. Mertes, Mr. Stutzman reported that the Colleges are reviewing their priorities. Mr. Stutzman reported that rather than reducing the scope of projects, we are trying to have well defined projects with well defined project parameters.

Dr. Gin questioned unforeseen added costs such as from asbestos issues. Mr. Retamal reported that contingencies are built in for such unforeseen costs.

Mr. Vecchiarelli questioned the amount of time between passage of the bond and the first construction (2.5 - 3 years). He also questioned how the District can get new money to backfill this estimated \$270 million budget shortfall—i.e. State bonds, District bond. Mr. Retamal responded "all of the above." He stressed that "time is of the essence." The most effective battle against this is accelerating the plan for a five year program.

Mr. Stutzman reported that given the amount of time it takes to design an educational facility, the state agency review time and the bidding process time, the time frame between passage of the bond and beginning construction is not excessive.

President Halliday reported that Las Positas College is accelerating their planning meetings by having weekend (Fridays and Saturdays) meetings, saving three to five months of work.

Mrs. Dvorsky requested the Board be kept apprised of the progression with this program.

CONSENT CALENDAR

Mr. Gelles requested that agenda items 4.4 (Approval to Travel Abroad—International Forensics Association World Tournament to Prague, Czech Republic, Las Positas College), 5.3 (Ratification of Amendment of Employment Contracts—Purchase of Tax Sheltered Annuities), and 5.6 (Approval of Declaration of Surplus Property to be Sold at Private Sale and Donation or Disposal of Any Items Not Sold) be removed from the consent calendar.

Dr. Cota reported that a revised agenda item 3.4 (Management Personnel) is provided for the Board. There were four administrators who were left off the list. In addition, after speaking with Dr. Mertes, agenda items 5.7.b (Adoption of Resolution No. 25-0506—Authorization to Advertise for Furniture for Enhanced Technology Classrooms, Chabot College, Bid No. 06-13), 5.7.c (Adoption of Resolution No. 26-0506—Authorization to Advertise for Audio Visual Systems for Enhanced Technology Classrooms, Chabot College, Bid No. 06-14), 6.1 (Approval for Solicitation for Request for Qualifications from Architectural/Engineering Value Engineering Services for Various Measure B Bond Projects) and 6.2 (Approval of Award of Bid No. 06-09, Modifications of Building 3500-Early Childhood Building—Phase II, Chabot College) have been revised to include additional information.

Motion No. 1

Dr. Mertes made a motion, seconded by Dr. Gin, to approve the consent calendar with the exception of agenda items 4.4, 5.3 and 5.6.

Motion carried unanimously, 6-0.

The following items were approved on the consent calendar:

General Functions

- 1.9 Approval of Minutes of January 17, 2006 Meeting

Personnel

- 3.1 Student Assistant Personnel
- 3.2 Classified Personnel
- 3.3 Faculty Personnel
- 3.4 Management Personnel
- 3.5 Professional Specialist and Program Leader Personnel

Educational Services

- 4.1 Acceptance of Gift - Las Positas College
- 4.2 Approval to Renew Agreement—Foundation for California Community Colleges

Educational Services (continued)

- 4.3 Approval to Renew Agreement—Alameda County Sheriff's Office for the Accredited Basic Law Enforcement Academy and Courses, Las Positas College

Business Services

- 5.1 Approval of Commercial Warrant Registers
5.2 Approval of Payroll Warrant Registers
5.4 Approval of Budget Transfers 07.G.1
5.5 Ratification of Purchases Completed

TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS

Mr. Gelles complimented staff for their availability to answer his questions. In addition, he stressed that he prefers to not get information on the evening of the meeting.

Dr. Gin congratulated Dr. Cota for her award, noting that "we are very proud of you."

Mr. Ramento reported that Club Rush Day was held on February 14 and happily reported an active club life at Chabot College. The "Best Club" contest winner was the Vietnamese Club. He reported that the Battle of the Bands winner was booked to perform at the College for free on March 14. He reported that he attended Flex Day on February 16 and attended a workshop on Biology 10 Laboratories and Student Learning Outcomes. In addition, he reported that scholarship packets and election packets are available. At least six individuals have checked out election packets.

Mr. Paul thanked the Board, Chancellor, President Halliday and the students at Las Positas College for the opportunity of serving on the Board and looks forward to serving Las Positas College. He reported on the planning progress for the new Performing Arts Center. He also reported he attended Flex Day on February 16 and thanked Melissa Korber and Barbara Morrissey for the invitation to attend as well as the warm welcome he received.

Mrs. Dvorsky reported that she, as well as Dr. Gin, attended the final production of "It Falls" at Chabot College. She also reported that she attended the Legislative Summit in Washington, DC earlier this month. She summarized the President's Budget for Community Colleges for 2007 as follows, which is an overall cut in education of 3.4%:

- Freezes the maximum PELL Grant for the fifth year to \$4,050
- Eliminates funding for the Carl D. Perkins Act, including \$1.182 billion for the Basic State Grants and \$104.8 million for Tech Prep
- Proposes \$150 million for the Community-based Job Training Grants Program; current funding is \$125 million
- Provides no increase for the HEA Title III-A, Strengthening Institutions Program (\$79.5 million)

- Level funds the Title V – Hispanic Serving Institutions at \$94.9 million
- Level funds the Adult Basic Education Program at \$564.0 million
- Zeroes out funding for the TRIO Upward Bound and Talent Search Programs
- Eliminates funding for the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP)
- Zeroes out funding for Leveraging Educational Assistance Partnerships (LEAP)
- Reduces funding for Workforce Investment Act (WIA)

CHABOT-LAS POSITAS COLLEGES FOUNDATIONS

District: No report.

Las Positas College: Dr. Kaye provided a written report to the Board. He highlighted that the Foundation is doing very well with a number of funding opportunities and exciting partnerships. The Foundation Board is looking for direction from the Campus community and has formed a Needs Assessment Committee composed of administrators, faculty, classified members and students to make recommendations about ideas that will help the College. The Foundation has held the first of three performances of an Early Music Concert Series. The remaining two performances are scheduled for March 4 and April 1. On January 13 the Foundation hosted a mini-performance of Two Gentlemen of Verona by a touring company of the San Francisco Shakespeare Festival.

Chabot College: Mr. Talmo presented a written report to the Board. In his absence, Mr. Chad Mark Glen reported that the Foundation will meet March 13 and will be adding two new Board Members—David Pena, a local business executive with State Farm Insurance and Brian Johnson, a CPA. He highlighted upcoming events:

- Forbidden Voices – April 23 at 3:00 p.m.
- Blooming Affaire – June 2 and 3

Mr. Glen also reported that an entertainment promoter out of Las Vegas has contacted the Foundation interested in bringing named talent to the Chabot Performing Arts Center on a regular basis. The Foundation would organize VIP events around that.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES

Ms. Melissa Korber, President of the Las Positas College Academic Senate, submitted a written report to the Board.

Mr. Chad Mark Glen, President of the Chabot College Academic Senate, thanked the Board on behalf of the Senate, for being responsive to faculty concerns and pulling the

Educational Master Plan from the December 13 Board Agenda. “There is greater buy-in, the Educational Master Plan is a better document, and it has improved communication.”

Mr. Glen read a resolution adopted by the Senate on February 9, 2006. “In light of recent budget and program cuts, the Chabot College Academic/Faculty Senate agrees that there has been no formal, transparent process, nor has any form of shared governance been observed. We have processes in place by which decisions ought to be made inclusively and transparently. This lack of collegial consultation is evidence of bad faith on the part of Chabot College administration. The Academic/Faculty Senate insists that there be a transparent process that includes faculty at every level. In particular, the Senate insists that any decision regarding Interdisciplinary Studies in Letters and Science (ISLS) or any other program follow the Program Revitalization/Discontinuance Process, which is approved by both colleges and is expected to be followed by the administration in good faith.”

Mr. Glen reported that the Senate respectfully requests that the Board pull the Chabot Budget Reductions for 2006-07 until the March Board Meeting, allowing President Carlson to meet with the faculty directly affected by the proposed budget cuts. He pointed out that Chabot’s accreditation report lists communication as a major area that needs correcting. “Although President Carlson sincerely believes adequate communication has taken place, if the faculty in those areas do not believe they have been communicated with, then there is still a communication problem.” Mr. Glen noted that even if there is no change in the proposed budget cuts, allowing a bit more time could yield dividends far greater than dollars and cents.

PRESIDENTS OF CHABOT, LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES

Ms. Rachel Ugale, President of Chabot College Classified Senate, thanked Dr. Carlson for attending two Brown Bag Sessions regarding the budget. The Senate plans to continue with these sessions throughout the semester in order to keep the lines of communication open.

Mr. Todd Steffan, President of Las Positas College Classified Senate, provided a written report to the Board. He reported that the Senate approved two \$500 Student Scholarships. In addition, he expressed that he is proud of and thankful to Academic Senate President Melissa Korber for her leadership and hard work. Further, he thanked Janice Cantua for her support.

Mr. Pedro Ruiz deCastilla, President of District Classified Senate, reported that he is proud of the District Classified Staff for their hard work in these difficult times. He hopes the Board in the future takes into consideration that part of educating students is not only faculty and administrators, but also the people doing the day-by-day work.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES ASSOCIATED STUDENTS

Mr. Dayne Nicholls, President of Associated Students of Chabot College (ASCC), had no report.

Mr. Ajibola Hassan, Vice President of Associated Students of Las Positas College (ASLPC), reported on a successful Club Day on February 14. Two new clubs have arisen - Entrepreneurial Club and Wrestling Club. Arrangements for the ASACC Conference are being finalized. In addition, they are holding a workshop for event planning. Further, they are working with the Academic Senate on regaining their vote on the Curriculum Committee.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES

President Halliday submitted a written report to the Board. The following items were highlighted:

- 1) Digital Bridge Academy. LPC is one of 5 sites selected for an innovative program to meet the needs of at-risk youth which was developed at Cabrillo College.
- 2) National Association of EMS Educators. This 3-day instructor course was held from January 11-13.
- 3) Brain Awareness Week. March 13 – 19, sponsored by the Psychology Department and the Psi Beta/Psych Club, in partnership with the DANA Alliance for Brain Initiatives.
- 4) Forensics Honors. The Talk Hawks recently competed in two speech tournaments and took home high honors at both events. In addition, LPC won the Interstate Oratory bid to be one of two representatives from California to compete in the oldest national Forensics Tournament. Michael Ledezma earned this honor by winning the Northern California Championship Tournament. The tournament will take place April 20-22 in Pensacola, Florida.
- 5) Science Bowl. On February 4 LPC hosted the Science Bowl, with a total of 17 high school teams participating.
- 6) State Chancellor's Visit. Chancellor Drummond will visit LPC on February 28 from 3:00 – 6:00 p.m. in the Staff Lounge.
- 7) Aprendiendo A Triunfar (Learning to Triumph). LPC Open House for the Spanish Speaking Community will be held March 11 from 11:00 a.m. – 3:00 p.m. Lieutenant Governor Cruz Bustamante will be the keynote speaker.

President Carlson submitted a written report to the Board. He highlighted Quest student, Li Keng Wong is awaiting the arrival of her book, "Good Fortune: My Journey to Gold Mountain", which will be out March 1. The book focuses on her adventures as a child entering America via Angel Island.

Dr. Carlson reported the need to address the communication issue with the faculty. He would not be opposed to delaying the Chabot College budget reductions until the March Board Meeting.

CHANCELLOR'S REPORT

Dr. Cota reported that State Chancellor Mark Drummond will hold an open meeting on February 28 from 3:00 to 4:00 p.m. at Las Positas College. Anyone interested may attend. She drew the Board's attention to a letter in their folders from Congresswoman Ellen Tauscher in support of her participation on the Community College Caucus.

Dr. Cota thanked everyone for their wishes of congratulations, noting that her success is due to the cooperation and support she receives from everyone.

REVIEW AND APPROVAL OF BUDGET REDUCTIONS 2006-07

Dr. Cota reported that she is in agreement with Dr. Carlson, if that is what he recommends, regarding postponing action on the Chabot College proposed Budget Reductions.

Dr. Cota read the following statement:

"In December we brought to you information on the needed cuts in order to eliminate a structural deficit that we have continued to carry from year to year. At that time, I informed you that we would bring the final recommendations to you in February, hence tonight we are bringing you the budget cuts that are needed to eliminate the deficit in our budget.

This is not anything new to anyone—we have been talking for at least the last three years about the fact that we have more expenses than revenues that have accounted for the deficits we have carried from year to year. We have talked about the fact that we have continually used one-time money to cover these deficits. We have talked about the fact that the time would come when we would no longer be able to use one-time money to cover our deficits. That time is here. Though I know we have discussed how we got here it is important to understand that there are two central issues that continue to drive the budget-- that of increasing costs of benefits and salaries. Our District is only one of a handful of districts in the state whose employees pay no contribution to the cost of benefits and these costs continue to rise each year. For 2004-05 benefit costs increased by 11.4%--

in 2005-06 by 13%. We are projecting an increase of 10% for 2006-07. Salary increases given to our staff are also among the highest in the Bay 10 area. For 2005-06 staff received 5.62%, which does not take into account step increases based on longevity.

For 2005-06 we have a deficit of \$2.8 million—tonight we are bringing you budget cuts for that amount. Because we will be spending 91% of our District budget on personnel costs in 2006-07, some of these cuts have to involve people and this is where it really gets difficult. We are recommending layoffs tonight, however, with a recent MOU that we initiated and have signed with SEIU, we are hopeful that all affected staff will move into different positions. We have given you a copy of the Memorandum of Understanding (MOU) which allows us to move staff into vacant positions that are still available. We will be providing a one year on-the-job training opportunity for staff if it is determined that they can meet the qualifications for the vacant positions. As I said, we are very optimistic that we will be able to accommodate affected staff through this process.

Questions will be asked tonight about whether these numbers are real—whether we really need to make these cuts. The answer is yes to both questions. As we look into 2006-07, we once again begin the year with a \$1 million deficit.

I sincerely wish I could bring you a different recommendation, but given the current fiscal situation, we have no other alternatives.”

Motion No. 2

Dr. Cedillo made a motion, seconded by Dr. Gin, to approve the Las Positas College and District proposed budget reductions for 2006-07.

Mr. Gelles voiced that he appreciates Dr. Carlson’s recommendation to postpone a decision on the Chabot College Budget Reductions and Mr. Glen’s comments that the recommendations may come back the same as proposed.

Mr. Vecchiarelli questioned if these cuts will be a loss of apportionment and would like to see actual numbers, commenting that he hopes Chabot College doesn’t go below base.

In response to Mr. Vecchiarelli’s question, Dr. Carlson indicated that included in the material presented at the last Board Meeting was a detailed analysis of each cut.

Dr. Cedillo thanked the members of SEIU for the MOU, recognizing the fact that we are talking about people’s jobs. Hopefully with the MOU it will be a “wash.” He stressed that we need to remedy the deficit situation.

Dr. Gin thanked students and staff for their comments, noting that we do not want to “squelch” anyone’s comments. Hopefully, we can find some resolution.

Dr. Cota clarified that the Chabot College Budget Reductions are postponed until March 7 or March 21 if necessary.

Mr. Glen indicated that the Senate did not put a time line on resolution of the Chabot College budget reductions but hopes that it will be accomplished in time for the March 21 Board Meeting.

Dr. Cota noted that if we delay, it delays staff uncertainty. She does not wish to delay too long.

Motion carried unanimously, 6-0.

MOTION TO EXTEND MEETING

Motion No. 3

Dr. Mertes made a motion, seconded by Mr. Vecchiarelli, to extend the meeting until 11:00 p.m.

Motion carried unanimously, 6-0.

RECESS

The Board recessed from 10:04 p.m. to 10:13 p.m.

ADOPTION OF RESOLUTION NO. 23-0506 – REDUCTION OF CLASSIFIED SERVICES AND LAYOFF OF CLASSIFIED EMPLOYEES

Dr. Cota requested this agenda item be tabled and brought back to the Board when the Chabot College Budget Reductions are brought back.

APPROVAL TO TRAVEL ABROAD – INTERNATIONAL FORENSICS ASSOCIATION WORLD TOURNAMENT TO PRAGUE, CZECH REPUBLIC, LAS POSITAS COLLEGE

Mr. Gelles requested this agenda item be pulled from the consent calendar to request more information. President Halliday reported this travel is at no cost to the District. She reported that the Talk Hawks have been invited to participate in this prestigious international competition.

Mr. Vecchiarelli questioned if insurance covers the students' travel. Dr. Kinnamon reported that two faculty members would be accompanying the students. He reported that Keenan and Associates provides coverage. In addition, students signed waivers.

Motion No. 4

Mr. Gelles made a motion, seconded by Mr. Paul, to approve travel abroad for the International Forensics Association World Tournament to Prague, Czech Republic, Las Positas College during March 2006 and at no cost to the District. It is further recommended that the Board authorize the Vice Chancellor, Business Services to execute the appropriate documents pertaining to this event on behalf of the District.

Motion carried unanimously, 6-0.

**RATIFICATION OF AMENDMENT OF EMPLOYMENT CONTRACTS –
PURCHASE OF TAX SHELTERED ANNUITIES**

Mr. Gelles questioned this agenda item. Dr. Cota noted that this item is pro forma.

Motion No. 5

Mr. Gelles made a motion, seconded by Dr. Mertes, to ratify the amended employment contracts of the following individuals to provide for the purchase of tax sheltered annuities and 457 deferred compensation programs. Such purchase shall remain in effect unless modified or revoked. It is further recommended that the Secretary of the Board be authorized to execute the amended contracts on behalf of the District.

Alejandro Bataz
Teri Ann Bengiveno
Connie Bish
Richard Blair-Keeney
Robert Breuer
Mazie Brewington

Kevin Cabral
Anthony Davin
Joe Gentilvomo
Eric Harpell
Karen Hashimoto
Eugene Ionel

Christine McDaniel
Sophie Rheinheimer
Lynn Sandoval
Barbara Worthington

Motion carried unanimously, 6-0.

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

Mr. Gelles requested that this item be pulled from the consent calendar in order to again stress that the District continue to offer surplus items to local school districts. Mr. Legaspi

reported that this practice will continue with all eight local schools districts receiving letters.

Motion No. 6

Mr. Gelles made a motion, seconded by Dr. Gin, to approve the surplus equipment list dated February 15, 2006 to be surplus to the needs of the District and that the Chancellor be authorized 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.

Motion carried unanimously, 6-0.

ADOPTION OF RESOLUTIONS NO. 24-0506, 25-0506 AND 26-0506

Motion No. 7

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

- a. Resolution No. 24-0506 – Authorization to Advertise for Proposals for Bookstore Services at Las Positas College, Request for Proposal No. F-06.
- b. Resolution No. 25-0506 – Authorization to Advertise for Furniture for Enhanced Technology Classrooms, Chabot College, Bid No. 06-13.
- c. Resolution No. 26-0506 – Authorization to Advertise for Audio Visual Systems for Enhanced Technology Classrooms, Chabot College, Bid No. 06-14.

Motion carried by the following roll call vote:

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

APPROVAL OF AUTHORIZATION TO REFINANCE THE GENERAL OBLIGATION BOND, SERIES 2004A

Mr. Legaspi reported that he would anticipate bringing a resolution to the Board for approval at its next meeting. The refinancing of the series A bonds will generate

approximately \$12.3 million that can go into our projects and reduce the term of the bond by about six to seven years.

Motion No. 8

Dr. Cedillo made a motion, seconded by Dr. Gin, to authorize the Vice Chancellor, Business Services to proceed with the Refinancing of the General Obligation Bond, Series 2004A, and subsequently provide the Board with the final documents for approval before funding and execution.

In response to a question for clarification raised by Mr. Vecchiarelli, Mr. Legaspi reported that he would bring back a plan.

Motion carried unanimously, 6-0.

APPROVAL OF SOLICITATION FOR REQUEST FOR QUALIFICATIONS (RFQ) FROM ARCHITECTURAL/ENGINEERING FIRMS – VALUE ENGINEERING SERVICES FOR MEASURE B BOND PROJECTS

Motion No. 9

Dr. Gin made a motion, seconded by Mr. Paul, to approve the solicitation for Request for Qualifications (RFQ) from Architectural/Engineering Value Engineering Services for Various Measure B Bond Projects. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to begin the process and return to the Board of Trustees with a recommendation for approval with respect to the most qualified firms.

Motion carried unanimously, 6-0.

APPROVAL OF AWARD OF BID NO. 06-09, MODIFICATIONS OF BUILDING 3500 (EARLY CHILDHOOD BUILDING), PHASE II, CHABOT COLLEGE

Motion No. 10

Mr. Vecchiarelli made a motion, seconded by Dr. Cedillo, to approve the award of Bid No. 06-09, Modifications of Building 3500, Phase II (Early Childhood Building), Chabot College to Beals Martin, Inc., 2596 Bay Road, Redwood City, CA 94063 in the amount not to exceed \$146,248.00 funded by State grant (not to exceed \$150,000.00) and Measure B funds (not to exceed \$50,000.00). It is further recommended that the Board authorize the Vice Chancellor, Business Services to execute the agreement and any future augmentations or amendments to the agreement on behalf of the District.

In response to a question raised by Dr. Gin, Mr. Dobbs reported that this item as many other items on tonight's agenda, is an attempt to expand or extend our state bond money. This is Phase II of the project and the State is giving us \$150,000 and the District is contributing \$50,000.

Motion carried unanimously, 6-0.

APPROVAL OF AGREEMENT WITH ROYSTON HANAMOTA ALLEY AND ABEY FOR LANDSCAPE ARCHITECT SERVICES, LAS POSITAS COLLEGE

Motion No. 11

Dr. Cedillo made a motion, seconded by Mr. Paul, to approve the Agreement with Royston Hanamota Alley & Abey for Landscape Architect Services, Las Positas College for an amount not to exceed \$69,803, funded by Measure B Funds. It is further recommended that the Board authorize the Vice Chancellor, Business Services to execute the agreement and any future augmentations or amendments to the agreement on behalf of the District.

Mr. Dobbs reported that in order to have a comprehensive plan for a unified look, we will develop standards and guidelines which will be incorporated by all subsequent firms working on Measure B Bond Projects.

Motion carried unanimously, 6-0.

AUTHORIZATION TO FILE NOTICE OF COMPLETION WITH THE ALAMEDA COUNTY CLERK RECORDER'S OFFICE FOR THE MODIFICATIONS OF BUILDING 3500 (EARLY CHILDHOOD BUILDING), PHASE I, CHABOT COLLEGE

Motion No. 12

Dr. Gin made a motion, seconded by Dr. Cedillo, to authorize the filing of a Notice of Completion with the Alameda County Clerk Recorder's Office for the Modifications of Building 3500 (Early Childhood Building), Phase I, Chabot College.

Motion carried unanimously, 6-0.

APPROVAL OF AGREEMENT WITH 3D/INTERNATIONAL FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE AQUATICS CENTER AND SOCCER FIELD PROJECT, LAS POSITAS COLLEGE

Motion No. 13

Mr. Paul made a motion, seconded by Dr. Mertes, to approve the Agreement with 3D/International for Construction Management Services for the Aquatics Center and Soccer Field Projects, Las Positas College in an amount not to exceed \$385,662, funded by Measure B Funds. It is further recommended that the Board authorize the Vice Chancellor, Business Services to execute the agreement and any future augmentations or amendments to the agreement on behalf of the District.

Motion carried unanimously, 6-0.

AUTHORIZATION TO SEEK APPROVAL FROM THE STATE CHANCELLOR'S OFFICE TO USE DESIGN-BUILD METHOD OF PROJECT DELIVERY FOR THE ATHLETIC FACILITIES PROJECT, LAS POSITAS COLLEGE

Motion No. 14

Dr. Cedillo made a motion, seconded by Dr. Mertes, to authorize the Vice Chancellor, Business Services to seek approval from the California Community Colleges Chancellor's Office to Use Design-Build Method of Project Delivery for the Athletic Facilities Project, Las Positas College.

Mr. Dobbs reported that use of the design-build process will accomplish one of the following objectives: reduce comparable project costs, expedite the project's completion, or provide features not achievable through the traditional design-bid-build method. He reported that it is a very effective way to deliver projects. It shifts the risk on design to the contractor, reducing change orders and also speeds up the process.

Motion carried unanimously, 6-0.

APPROVAL OF AGREEMENT WITH LHA ARCHITECTS FOR THE PREPARATION OF FINAL PROJECT PROPOSAL FOR THE SCIENCE TECHNOLOGY, PHASE II PROJECT, LAS POSITAS COLLEGE AND UPDATE THE FINAL PROJECT PROPOSAL FOR THE PHYSICAL SCIENCE/MATH LEARNING CENTER MODERNIZATION PROJECT (BUILDING 1700 AND 1800), CHABOT COLLEGE

Motion No. 15

Mr. Gelles made a motion, seconded by Mr. Paul, to approve the Agreement with LHA Architects for the Preparation of Final Project Proposal (FPP) for the Science Technology, Phase II Project, Las Positas College and Update the Final Project Proposal for the Physical Science/Math Learning Center Modernization Project (Buildings 1700 and 1800), Chabot College for an amount not to exceed \$35,870 funded by Measure B Funds. It is further recommended that the Board authorize the Vice Chancellor, Business Services to execute the agreement and any future augmentations or amendments to the agreement on behalf of the District.

Motion carried unanimously, 6-0.

APPROVAL OF CHANGE ORDERS FOR STORM DRAIN MODIFICATIONS, LAS POSITAS COLLEGE; ROOFING PROJECT, CHABOT COLLEGE AND MODIFICATIONS OF BUILDING 3500 (EARLY CHILDHOOD BUILDING), PHASE I, CHABOT COLLEGE

Motion No. 16

Mr. Gelles made a motion, seconded by Dr. Gin, to approve the following change orders for the three projects listed below:

- Storm Drain Modifications, Las Positas College (Change Order No. 1) \$ 7,843.00
- Roofing Project, Chabot College (Change Order No. 1) \$ 2,906.00
- Modification of Building 3500, Chabot College (Change Order No. 1) \$12,947.90

With the approval of the change orders, the projects listed will be closed out. It is further recommended that the Board of Trustees authorize the Vice Chancellor, Business Services to execute the change orders on behalf of the District.

Mr. Dobbs reported that with these change orders, these projects will be complete and Notices of Completion will be filed.

Motion carried unanimously, 6-0.

ADOPTION OF RESOLUTION NO. 27-0506 – AUTHORIZATION TO ADVERTISE FOR BIDS FOR REPAIR AND SEAL COAT ASPHALT PAVING, CHABOT COLLEGE, BID NO. 06-15

Motion No. 17

Mr. Vecchiarelli made a motion, seconded by Dr. Gin, to adopt Resolution No. 27-0506 – Authorization to Advertise for Bids for Repair and Seal Coat Asphalt Paving, Chabot College, Bid No. 06-15.

In response to a question raised by Dr. Gin, Mr. Dobbs reported that all parking fees, fines and forfeitures that go into the fund will help pay for this work.

Mr. Gelles questioned if we are “going the best way for use of our money?” Mr. Dobbs reported that this work will help beautify the area and help extend the life of the parking lot. He reported that the District is at least three years out before construction will start in front of the campus.

Mr. Gelles expressed concern regarding “spending good money after bad money.” Dr. Carlson reported that the lots will be torn out completely in approximately four to five years.

Motion carried by the following roll call vote:

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

CASH FLOW AND FINANCIAL STATUS REPORTS

The Board accepted the Cash Flow Report for January 31, 2006 and the Financial Status Report for the period November, 2005 through January, 2006 without further discussion.

FACILITIES PLANNING AND MANAGEMENT REPORT

The Board accepted the Facilities Planning and Management Report for January 2006 and the Measure B Program Obligations and Expenses through January 19, 2006 without further discussion.

FIRST READING: GOVERNING BOARD POLICIES – INTERNAL BOARD

Dr. Cota reported that in response to a request from the Board, the following Board Policies are presented for a first reading. They will be brought back to the Board at its next meeting for approval.

- 7010 – Meetings
- 7011 – Closed Sessions
- 7012 – Agenda of Meetings and Public Notice
- 7019 – Minutes of Trustee Meeting
- 7036 – Board Member Attendance at Conferences

Dr. Mertes noted a grammatical correction to Board Policy 7010 and requested the correction be reflected in the final copy presented to the Board for approval.

APPROVAL OF CITIZENS BOND OVERSIGHT COMMITTEE FOR MEASURE B

Motion No. 18

Dr. Mertes made a motion, seconded by Dr. Gin, to approve the Revised Citizens Bond Oversight Committee for Measure “B” as follows:

New Members

Joshua Paul – Student

Bernadette Richard - Student

Continuing Members

Kevin Baker – Community

Dave Bouchard - Business

Brian Foster – Community

John Sailors - Seniors

Gordon Galvan – Foundation

Jason Teramoto - Community

Byron Kamp – Community

Bob Tucknott – Taxpayers

Discontinuing Members

Suzanne Barba

Charles Simonian

Motion carried unanimously, 6-0.

APPROVAL OF CHABOT COLLEGE EDUCATIONAL MASTER PLAN 2005-2015

Motion No. 19

Dr. Cedillo made a motion, seconded by Mr. Vecchiarelli, to approve the Chabot College Educational Master Plan for 2005-2015.

Mr. Gelles complemented Dr. Carlson and staff at Chabot for bringing to the Board a document which has input from everyone involved and concerned. Dr. Mertes added that it was done with such statesmanship.

Dr. Gin commented that it was an excellent well written document. He noted that Las Positas College's document was also well written and enjoyable to read.

Motion carried unanimously, 6-0.

APPROVAL OF LAS POSITAS COLLEGE EDUCATIONAL MASTER PLAN

Motion No. 20

Mr. Gelles made a motion, seconded by Dr. Gin, to approve the Las Positas College Educational Master Plan for 2005-2015.

Motion carried unanimously, 6-0.

APPROVAL OF CHABOT COLLEGE MID-TERM ACCREDITATION REPORT

Motion No. 21

Dr. Mertes made a motion, seconded by Mr. Vecchiarelli, to approve the Chabot College Mid-Term Accreditation Report.

Dr. Mertes wished to recognize the individuals who wrote the introduction. Dr. Carlson noted that the introduction was primarily written by Dr. Taylor. Dr. Carlson recognized Ms. Matsuda for assembling the document, which was a major task.

Motion carried unanimously, 6-0.

APPROVAL OF LAS POSITAS COLLEGE MID-TERM ACCREDITATION REPORT

Motion No. 22

Mr. Gelles made a motion, seconded by Dr. Mertes, to approve the Las Positas College Mid-Term Accreditation Report.

Motion carried unanimously, 6-0.

NEXT MEETING

The next Board of Trustees Meeting is scheduled for Tuesday, March 7, 2006 at Chabot College.

There being no further business the Regular Meeting was adjourned at 10:35 p.m.

Minutes completed by:

Beverly Bailey

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