

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

**MINUTES
February 16, 2010**

PLACE

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

CALL TO ORDER

The regular meeting was called to order at 5:30 p.m. by President Gelles. Recording Secretary Mary Hargiss called the roll. All Board Members were present at the time of roll.

PUBLIC COMMENTS

There were no Public Comments offered at this time.

ADJOURN TO CLOSED SESSION

The Board immediately adjourned to a Closed Session, which ended at 6:25 p.m.

OPEN SESSION

The Board readjoined in Open Session at 6:30 p.m. Recording Secretary Mary Hargiss called the roll. Mr. Gil was absent at the time of roll.

ATTENDANCE

Members Present: Trustee Arnulfo Cedillo, Ed.D.
 Trustee Isobel F. Dvorsky
 Trustee Donald L. "Dobie" Gelles
 Trustee Hal G. Gin, Ed.D.
 Trustee Barbara F. Mertes, Ph.D.
 Trustee Marshall Mitzman, Ph.D.
 Trustee Carlo Vecchiarelli
 Student Trustee Sudharsan Dwaraknath

Members Absent: Student Trustee Evani Gil

Recording Secretary: Ms. Mary Hargiss

Managers Present:

Dr. Joel L. Kinnamon, Chancellor
Dr. Celia Barberena, President, Chabot College
Dr. DeRionne Pollard, President, Las Positas College
Mr. Ken Agustin
Mr. James Andrews
Ms. Rita Brown
Mr. Gary Carter
Ms. Julia Dozier
Ms. Heidi Finberg
Mr. Wyman Fong
Dr. MaryAnne Gularte
Mr. Andrew Howe
Dr. Laurel Jones
Dr. Ted Kaye
Mr. Jeffrey Kingston
Mr. Lorenzo Legaspi
Mr. Yulian Ligioso
Dr. Pam Luster
Mr. George Railey
Ms. Nancy Soto
Ms. Barbara Yesnosky

Others Present:

Mr. Michael Absher, President, Chabot College Academic Senate
Ms. Jennifer Adams
Mr. Andreas Clover, Alameda County Building and Construction Trades Council
Ms. Cynthia Flores, President, Chabot College Associated Students
Mr. Chad Mark Glen
Ms. Cathy Gould, President, District Classified Senate
Mr. Anmang Han, ASCC
Mr. Wil Hardee, Alameda Taxpayers Association
Ms. Katie Hoang, ASCC
Ms. Natasha Lang, President, Las Positas College Classified Senate
Mrs. Charlotte Lofft, President, Chabot-Las Positas Faculty Association
Mr. Yi-Miao, ASCC
Mr. Scott Miner
Mr. Steven Mireles, ASCC
Mr. Masi Quorayshi, President, Las Positas College Associated Students
Mr. Joe Ronan, Calpine Corporation

Ms. Becca Rosati, Vox Populi
Mr. James Rose, Editor, Las Positas College Express
Mr. Stephen Small
Mr. Rick Thomas, Calpine Corporation
Ms. Sarah Thompson, President, Las Positas College
Academic Senate
Mr. Obray VanBuren, UA Local 342 Plumbers and
Steamfitters
Ms. Rachel Ugale, President, Chabot College Classified
Senate
Mr. Lawrence Witkowski

PLEDGE TO FLAG

Mr. Jeffrey Kingston led the pledge to the flag.

ADMINISTRATION OF OATH OF OFFICE – LAS POSITAS COLLEGE STUDENT TRUSTEE

President Gelles administered the oath of office to Mr. Sudharsan Dwaraknath.

PUBLIC COMMENTS

Mr. Wil Hardee, Alameda County Taxpayers Association, spoke to the Board concerning the District's use of public taxpayer dollars to fight the Russell City Energy Project. He noted that the project has been approved by the California Energy Commission, by the California Public Utilities Commission and the Bay Area Air Quality Management District. He also reported that the project has received some approval by the Sierra Club and the Natural Resources Defense Council. He stressed that the project will bring 650 jobs to our community and \$30 million in tax revenues. He expressed that in our environment which is in a recession, we need the jobs and growth. He reported that this significant expenditure of taxpayer funds comes at a time when community college districts are cutting services and raising student fees as a result of the state financial crisis. He also expressed that we need to look at how we are spending public dollars, reporting it is estimated that we have spent over \$118,000 through July 2009 to fight an approved project, not including significant amount of staff time. He provided folders for the Board Members containing press releases and documentation.

Mr. Obray VanBuren, UA Local 342 Plumbers and Steamfitters, spoke to the Board concerning the Russell City Energy Project and asked the Board for their support of the project. He reported that he would like to see the project go forward for a number of reasons: it will be one of the cleanest running power plant projects; there will be a contribution made to the City of Hayward Library; it will create thousands of jobs, not only in the construction but also in the operation of the plant; it will use recycled water

from the sewage plant; and it will create opportunity for business—roughly \$55 million of product that will need to be sold. As a long-time resident of Hayward, he understands that emotionally there are mixed feelings.

Mr. Andreas Clover, Alameda County Building and Construction Trades Council, expressed concern regarding the District's opposition of the Russell City Power Plant. His concern is based on three reasons - jobs, jobs and jobs. He reported that the Alameda County Building and Construction Trades Council represents 40,000 construction workers. Unfortunately, during these very difficult economic times, almost 30% of those workers are currently not working and have not worked for over sixteen months. This project is ready to go and will bring approximately 650 jobs. He stressed that this project is private funding and private investment is what will get us out of the recession. He appealed to the Board not to oppose this project, to think about those 650 families waiting for these jobs.

Mr. Joe Ronan, Calpine Corporation, spoke to the Board concerning the Russell City Energy Center. He noted that at a prior Board Meeting he made the offer to sit down and discuss how Calpine and the College could work together to help Chabot College as they have helped other colleges and schools in other communities in California and around the country. He reported that they have been developing the Hayward Russell Power Plant for a number of years along with their partner General Electric. He reported that what has changed since the last time he spoke to the Board is that the Bay Area Air Quality Management District (BAAQMD), which includes Board Member Scott Haggerty, issued the air permit on February 4, 2010. He reported that the power plant is the nation's first-ever power plant with a federal limit on GHG (Greenhouse Gas) Emissions. He assured the Board, Chancellor and the community, that Calpine has an impeccable safety and health record and would never build a power plant that would endanger the health and safety of its people. He asked that the Board reconsider its opposition. He also reported that he or other Calpine staff would be happy to meet with Board Members, at their invitation, to describe the power plant and discuss how Calpine and the College can work together.

Mr. Yi-Miao, Senator-at-Large, ASCC, spoke to the Board regarding agenda item 3.4 (Management Personnel), requesting that the Board pull the renewal of the contract for the Director of Student Life. He reported that ASCC has concerns regarding the position.

CONSENT CALENDAR

Trustee Cedillo requested, in respect of the students' concerns, that agenda item 3.4 (Management Personnel) be pulled from the consent calendar. Trustee Mitzman requested that agenda item 5.8 (Approval of Agreement – City of Hayward for Providing Community-Access Broadcasting Services, Chabot College) be pulled from the consent calendar. Trustee Gelles requested that agenda items 1.9 (Approval of Minutes of January 19, 2010 Meeting), 4.1 (Approval of Travel Study Tour – Spanish 29, “Peru: Land of the Inca”, Peru, South America and Memorandum of Understanding with EF Cultural Travel,

Ltd., Las Positas College), 4.2 (Approval of Subcontract – WestEd for the Building California Community College Capacity for Accelerated Literacy Project, Chabot College), and 5.1 (Approval of Commercial Warrant Registers) be pulled from the consent calendar.

Trustee Gelles noted that he has a question regarding agenda item 5.9 (Adoption of Resolution 06-0910).

Motion No. 1

Trustee Dvorsky made a motion, seconded by Trustee Gin, to approve the consent calendar with the exception of agenda items 1.9, 3.4, 4.1, 4.2, 5.1, and 5.8.

Motion carried unanimously, 7-0.

APPROVAL OF MINUTES OF JANUARY 19, 2010 MEETING

Trustee Gelles reported that he requested this agenda item be pulled from the consent calendar to highlight that the minutes reflected that he brought a recommendation to pull the issue on the antenna at Chabot College but that it died for a lack of a second.

Motion No. 2

Trustee Gelles made a motion, seconded by Trustee Dvorsky, to approve the minutes of January 19, 2010 as submitted.

Motion carried unanimously, 7-0.

The following items were approved on the consent calendar:

General Functions

10.0 Approval of Minutes of February 2, 2010 Workshop Meeting

Personnel

3.2 Classified Personnel

3.3 Faculty Personnel

Business Services

5.2 Approval of Payroll Warrant Registers

5.3 Approval of Declaration of Surplus Property to be Sold at Private Sale and Donation or Disposal of Any Items Not Sold, District

Business Services (continued)

5.4 Approval of Agreement—Eden Medical Center for the Surgical Technology Program, Las Positas College

- 5.5 Approval of Agreement – Washington Township Health Care District for the Surgical Technology Program, Las Positas College
- 5.6 Approval of Agreement – Tri-Valley Community Television for Use of Off-Campus Facility, Las Positas College
- 5.7 Approval of Agreement – Butte-Glenn Community College District for the PG&E PowerPathway Clean Tech Vehicle Program, Las Positas College

TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS

Trustee Cedillo reported that he, along with Trustee Dvorsky, attended the Eden Area Women League of Voters “Meet Your Public Officials” Program, which was held at the Hayward City Hall. He reported that they had three minutes to share the accomplishments and challenges of the District. He felt that they did a great “tag team” in sharing what we do. Trustee Cedillo also reported that he recently returned from Washington, D.C., planning to attend the ACCT Conference on behalf of his employer, College of Marin. Once there, recognizing that the conference had been cancelled due to weather, he and students took advantage of opportunities. He reported that the Chancellor had been kind enough to set up appointments for he and the students attending with him, and on Tuesday they had a wonderful, positive day meeting with staffs from Senator Boxer’s Office, Senator Feinstein’s Office, Congressman McNearney’s Office, Congressman Garamendi’s Office, and a representative from the Senate Education and Labor Committee. The students gave a very good representation of the community college story from the student perspective. Other than missing the sessions at the Summit, the trip was “worth more than its weight in gold” and he felt the District came out ahead with having the “ear” of the legislative offices.

Trustee Cedillo reported that he will be attending two upcoming conferences representing this Board. He noted that he realizes we are trying to keep our costs down but these are conferences he feels are very important. One is a conference sponsored by The College Board concerning Latinos in Higher Education. He has for the past two years sat on their Planning Committee. The second conference is a conference discussing governance in education, which will be held in March.

Trustee Dvorsky reported that she and Trustee Cedillo attended the League of Women Voters 90th Anniversary at City Hall. She and Trustee Cedillo shared the three minutes for comments, with Trustee Cedillo speaking on what we accomplished last year and she spoke about what the District hopes to accomplish this year. She also reported that recently she opened her home to Senator Corbett for a meeting on education and how community colleges and K-12 can work together. She thanked Dr. Barberena for attending and giving a wonderful presentation regarding Chabot College and their relationship with K-12.

Trustee Mitzman reported that he attended the Alameda County School Boards Association Meeting on January 21, at which time they discussed budget cuts and the role of Alameda County in supporting all of Alameda County School Boards, including our District. Trustee

Mitzman thanked fellow Board Members, the Chancellor and the two College Presidents for their heartfelt feelings extended to him.

Trustee Gelles reported that this Board is very conscious of the conferences, and to his knowledge the Board has never spent the total money allocated to the Board for conferences. He reported that the Board did not go to Washington, D.C. this year because they felt that this was one conference they could skip. As an aside, he felt lucky that he did not plan to go because of the severe weather.

CHABOT-LAS POSITAS COLLEGES FOUNDATIONS

Chabot College: Ms. Finberg presented a written report to the Board. She reported that the Foundation Board had its first meeting of 2010 and at that meeting it approved \$7,500 in funding for campus programs. These include the tenth annual Latina Summit which will be held at Chabot College for the first time, Auto Tech Recognition Night, Scholarships for the Educational Summit which will be held jointly with California State University, East Bay, speaker stipends for several Haiti campus forums, the Hayward Law Enforcement Summit jointly held by Campus Security and Hayward Police Department, International Night, Air Force Band Flag Day Community Performance and the High School Spring Wind Festival. The Foundation also approved student stipends for the Film Department that will be working on a special documentary with the Davis Street Family Resource Center. The students will document the 40th Anniversary of the Davis Street Family Resource Center, and it will be used as a promotional tool for the Foundation as well. She noted that this is an example of the new kind of community partnership they are looking at for visibility and for future funding. January was a busy month, turning in applications for grants, mini-grants, and scholarships, and they are anxiously awaiting responses for approximately \$52,000. Also, they will be distributing the second round of Osher Scholarships next week. Further, she reported that the Blooming Affaire Committee is well underway – “Around the World in 80 Days in June.” It is their hope that the Student Center will be completed and this event will be an opportunity to showcase the campus instead of holding it at another facility. She reported that she has available tickets for the March 6 Crab Feed and also bricks are still available.

Las Positas College: Dr. Kaye presented a written report to the Board. Dr. Kaye reported that the Foundation will soon finalize the agreement with the Pedrozzi Foundation, which will match our faculty and staff in terms of funding dollar for dollar up to \$10,000. Dr. Kaye also reported that the College’s aggressive target for the Osher Foundation is \$300,000. He was pleased to report that they have transferred \$31,000 to the state foundation. The bulk of that is from two very dedicated people in the Wine Country – the Wentz Family and David and Darcie Kent – who have taken out named scholarships in the amount of \$13,500. He reported that the Best of the Best is scheduled for April 24. There are a number of trends with sponsors under the heading of “old friends, new friends” in that they are finding “new friends” but there are a few of the “old friends” that are saying that they can’t fund at the level they have previously funded. The Foundation is

trying to get a broader array of sponsors and lowering some of the sponsorship levels. He also reported that he recently met with Congressman Garamendi who has agreed to join the Foundation Honorary Board and it appears that he will be able to attend the Best of the Best, subject to his having to stay in Washington, D.C. He also reported that the Accreditation Report mentioned that the Foundation is in draft form on an agreement between the Foundation and the District. He hopes to have that ready within the next couple months to send to Mr. Legaspi for review and signatures, which will codify the relationship. Further, he reported that the Foundation, although under no legal obligation to do so, is in the first of its financial review audit. The Foundation Board of Directors has made it a policy to undergo an audit every third year and a review of the finances every other two years.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES

Ms. Sarah Thompson, President, Las Positas College Academic Senate, presented a written report to the Board. She reported that on January 27, Jane Patton, President of the Academic Senate for California Community Colleges (ASCCC), visited Las Positas College and met with the Senate Executive Board and Vice President Jones, and later attended a Senate Meeting. She also reported that the Senate will hold a budget and allocation model training session for its senators and District Budget Study Group representatives, as well as any interested community member. She also reported that on January 27 the Senate approved three documents that emerged out of the Common Ground Steering Committee that will guide the College into a new planning structure. The three proposed documents, which were attached to her written report, include: 1) Institutional Effectiveness and Assessment Based Planning; 2) Process for Creating a Strategic Plan; and 3) Process for Creating an Institutional Plan. Further, she reported that representatives of the Student Learning Outcomes Committee and the Program Review Committee are currently collaborating with Vice President Jones to respond to Recommendation No. 3 from the College's Accreditation Report, which requires that they fully integrate the processes for assessment of student learning outcomes with the processes for program review and planning. The response is due by October 15.

Mr. Michael Absher, President, Chabot College Academic Senate, reported that an unforeseen consequence of the recent SERP is the number of replacement committees it required. The Senate is having trouble getting faculty to step up and volunteer to be a part of those committees, because of their limited time constraints, especially with the College at 103% enrollment. Mr. Absher also reported that the recent Flex Day activities went very well and they were able to practically fill the Little Theater for the NIMS/SEMS training. He was pleased that the training was shortened as the Senate had requested. The other committees that were very effectively represented on Flex Day were the Student Learning Outcomes Assessment Committee and Elumen training. Mr. Absher endorsed and expressed gratitude from the faculty to the Chabot Technology Committee in their great work recently, i.e. the ZONE, the on-line Portal, which has been well received. He

especially recognized Abdullah Yahya, the Chabot College Webmaster, who has been great at putting out applications that are very useful to the faculty. He also acknowledged Diane Zuliani and her Chabot College Art Project Committee, who are doing a great job in trying to evaluate the art projects, which can also be accessed and evaluated on the ZONE. Mr. Absher noted that he was pleased that the walkways leading up to the Instructional Office Building is lined with the engraved words of so many great thinkers of our past. At a recent Board Meeting, he had the opportunity to proudly show this off. He further reported that he and Dr. Barberena will be attending the upcoming State Chancellor's Circle at DeAnza College.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES

Ms. Natasha Lang, President, Las Positas College Classified Senate, apologized for not having a written report but will submit it through Ms. Hargiss. She reported that the Senate is in the midst of formalizing a few more topics for the Classified Flex Day that will be held in the spring. Two items they are exploring are: 1) "Hidden Gems of Las Positas College", which highlights things at the college that Classified Staff can utilize and explore; and 2) a PBC documentary "Discounted Dreams: Harsh Realities of America's Community Colleges", linking that to the budget and increased enrollment. Dr. Pollard has been working with them in putting those two things into context and giving them more inspiration going forward. She also reported that the Common Ground Committee met and the same documents that were approved by the Faculty Senate were presented and approved by the Classified Senate on January 28. They are reviewing and updating the Classified Senate By-laws to include new buildings so that all Classified Members have Senate representatives. In addition, they are formalizing and including in their By-laws the Classified Outstanding Award. Lastly, she reported they agreed to award at least five \$100 scholarships to students in the form of a bookstore gift card and they reviewed the criteria in an attempt to meet an under-served population that may not be eligible for financial aid but still need additional funds to pursue their college career.

Ms. Rachel Ugale, President, Chabot College Classified Senate, reported that they had their Flex Day on February 11 and some Classified Staff physically participated in Division activities, some toured the new CSSC building, and others used it as a day to "catch up" on paperwork. Nominations are open for the election that will be held next month and she hopes that shortly after that time she will be introducing a new Senate President, Vice President, and Senators. She also reported that the Senate is working on encouraging more Classified Staff participation on hiring committees, noting that people's time constraints make it difficult. Ms. Ugale further reported that they are encouraging Classified Staff to attend the upcoming forum sponsored by the President's Office.

Ms. Cathy Gould, President, District Classified Senate, had no report.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES ASSOCIATED STUDENTS

Mr. Masi Quorayshi, President, Associated Students of Las Positas College, reported that the Student Senate held its Club Day on February 10, and many students joined clubs and appreciated the free food. The Student Senate has begun a campaign to raise awareness of the March on March scheduled for March 22. He also reported that they are working on the Local Advocacy Day which is scheduled for March 4. They have been in contact with Assemblymember Hayashi's Office and hopes that she will be able to attend. He also reported that the Textbook Loaner Program continues to be a success with approximately 100 plus members this semester. He also reported that they are holding auditions for a talent show this year. He further reported that they are planning and making preparations for their advocacy trip to Washington, D.C. in March.

Ms. Cynthia Flores, President, Associated Students of Chabot College, submitted a written report to the Board. She reported that ASCC has begun working on the implementation of the "Student Discount Program." They will request the Student Handbook Committee dedicate a page of advertisements for local business in exchange for discounts for Chabot students. She also reported that ASCC hosted a retreat on February 12, 2010, which mainly focused on Brown Act, Roberts Rules and By-laws. They were very lucky to have Bruce Bishop who provided much needed training and a wealth of information regarding their roles as student leaders. She expressed that they learned a great deal from the experience and it definitely has brought them all together and on the same page. Ms. Flores acknowledged and supported the statements made by her peers and drew the Board's attention to a couple letters submitted by other members of ASCC on this issue. She also reported the Policies and Resolutions Committee is working on the revision of the ASCC By-laws. On January 30, ASCC members attended an "organizers' meeting" at Berkeley City College to cooperatively organize a rally against the budget cuts scheduled for March 4. They also plan a forum on March 18 which will focus on educating our students about the budget cuts. The ASCC is also working on restoring the speaker series. They are also holding a clothing and food drive to bring aid to earthquake survivors in Haiti. Lastly, she happily announced that the "ASCC Scribe" will be reinstated during the Spring Semester, expecting the first issue by the beginning of March.

GOOD OF THE ORDER

Ms. Charlotte Lofft reported she is enjoying the move into the Faculty Association office in the new Instructional Office Building, and expressed gratitude for the office. She noted the Association has never had an office. On behalf of the Faculty Association Executive Board and the majority of faculty at Chabot College, she thanked the Board for their position on the power plants and they support that position.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES

Dr. Barberena submitted a written report to the Board. Dr. Barberena reported that Chabot College has received the letter from the Accreditation Commission (ACCJC) reaffirming the accreditation of the College, noting that it came just the way that was hoped. Chabot must submit a report by October 15 on progress made towards assessing programs and services through Program Review and Student Learning Outcomes, making sure to tie resources according to what needs to be improved in those programs. She thanked Mr. George Railey who is heading Program Review with a partnership with the Academic Senate. She noted that Program Review and Student Learning Outcomes are the purview of the Faculty. However, we need to provide resources and some shepherding of all of these new avenues towards getting a “clean” report when the Accrediting Team visits in the Fall. She has received feedback that we need to have campus forums several times throughout the year to communicate areas of importance to the college community; therefore, two have been scheduled each month during February through April at various days and times to accommodate all. This will also be a partnership with the Academic Senate, Classified Senate, and Student Senate if they wish. However, the topics must be scheduled in advance so that we all know the purpose of the meetings. She will be attending the Chancellor’s Committee Meeting in approximately two weeks. She thanked Trustee Gin for inviting her to be a part of the advisory committee to the Yiching and Hayward Sister City partnership, which met approximately a week ago. The Counsel General from China was present and the College was well represented in discussing benefits of exchanging students and resources in education with Yiching. She reported that hiring committees are going to be very busy so she and Mr. Absher have agreed that for hiring committees, as well as governance committees, they could invite those members of the faculty who have been at the College for ten years or less to attend training on shared governance and how they can participate in decision making and collaboration between administration, staff and faculty. It is hoped that this training will be held during Flex Day or during the forums. She thanked Diane Zuliani for her work with the art project. She expressed delight that we have great news from the faculty about occupying the new Instructional Office Building, always welcoming good morale and good news about staff satisfaction.

Dr. Pollard submitted a written report to the Board. Dr. Pollard thanked Senate Presidents Thompson, Lang, and Quorayshi, as well as Dr. Luster for their work on the Common Ground Committee. She reported that Las Positas College received their Accreditation Team Report, noting that it was a very much welcomed response and more importantly they recognize as an institution that there wasn’t anything surprising. It was work they already knew and had already started working on a remedy. She is pleased to see the work that has come from the committee that actually spent time discussing this issue. As a result, they have dedicated some very specific time for discussions. The March Town Meeting will be dedicated to the Student Learning Outcomes Assessment in looking at how they integrate the work that has been proposed by the Program Review Committee and the SLO Committee. In addition, a mandatory Flex Day on March 12 will be devoted to further discuss the Strategic Planning process. They have a very clear focus about what they want to accomplish. All of these things position the College for the work that will

have to be done in order to submit their follow-up report to the Accrediting Body by October. They are also in the process of developing a response to the two recommendations. Dr. Pollard reported that in terms of hiring committees, Las Positas College is taking a different approach in terms of looking at positions that became available with the SERP and are looking at how to begin to fill the gaps. They are taking some very thoughtful time about that because “when you make an investment right now, there is a long-term consequence.” The Chancellor has been very specific regarding the need to ensure that the Colleges and District stay within budget and use the resources well. As a result of that, they are taking the process a lot slower because they want to make sure before any decisions are made regarding positions, that they are able to afford them next year. Perhaps they will see that they need to redirect their needs. They have had wonderful feedback from the Planning and Budgeting Committee as they are working through that process, both the requests for new positions and for positions that were vacated with the SERP. They are very concerned about those that were connected to categorical funds considering what is happening in the state regarding categorical dollars. She noted that the College looks forward to the Board’s direction as it continues to move forward.

CHANCELLOR’S REPORT

Dr. Kinnamon expressed three words—reaffirmation, reaffirmation, reaffirmation. He expressed that the Accreditation Liaison Officers, the constituency group leaders, the Presidents, everybody involved in the Accreditation Process should be so proud of the work that has been accomplished. He noted that he did a little exercise, and invited those interested, to go back and look to 2007 to see what has happened up and down the State as far as institutions being placed on sanctions; and then look at yourselves and toast your accomplishments. He expressed that he realizes there is a lot of work ahead with the recommendations, but he recognized the exceptional work across the institution at all levels, noting that it is quite a feat considering what California Community Colleges have been going through with the Commission.

GOOD OF THE ORDER

Trustee Gelles reminded everyone that he is quite informal at times and does not want anyone - Senate Presidents, Faculty Association President, or anyone with a doctorate – to take offense by his informality. If anyone would like to be addressed in a different way, feel free to tell him privately and he will do so.

MANAGEMENT PERSONNEL

Motion No. 3

Trustee Cedillo made a motion, seconded by Trustee Mertes, to approve the Management Personnel.

Trustee Cedillo reported that he requested that this agenda item be pulled from the consent calendar for clarification from the Chancellor and College Presidents regarding the purpose of one year and two year contracts. Dr. Kinnamon reported that sometimes we will have “soft money” positions that are one year because we are not certain on the funding. Typically, there is a classification where the funding is more certain and based on performance, determine whether or not a manager will have a one or two year contract. Also, if there are any unique goals or training and/or development required, it may gauge if the contract is for one or two years. He knows that when we restructured the contracts, there were three different types of contracts.

Dr. Gularte reported there are grant funded, auxiliary funded or categorically funded positions. Also, there may be organizational needs where a unit may decide on a one year contract to allow for reorganization or to change the structure of that office. It could also be performance based. She reported that the contracts were all reviewed and rewritten approximately two to two and a half years ago, undergoing extensive legal counsel review to include new and current language. The categorically funded and grant funded contracts have some specific wording regarding length of notice for reappointment or non-reappointment.

Trustee Cedillo questioned the process when there are performance concerns. Dr. Kinnamon reported that each person that is recommended for contract renewal this evening has received a performance evaluation. Based on their evaluation, if they have satisfactory performance a recommendation is made. If there are areas of concern, then the recommendation would be through their evaluation and the points made where improvement is needed. He reported that the evaluation process is fairly formal and they ultimately end up in his office before they are processed to Human Resources and a recommendation is made to the Board.

Trustee Cedillo questioned if constituency groups have concerns, how are these concerns addressed. Dr. Kinnamon reported that there is a 360 evaluation process that is not an annual evaluation where others are involved in the process. However, if there are concerns, then those issues will need to be addressed with the individual, validity determined, and ultimately help them to move forward. Those factors can be formal through a 360 evaluation but the more frequent annual evaluations would be informal.

Trustee Cedillo questioned if the Board were to approve the recommendations this evening, in the process is it not true that action could still be taken if performance is not satisfactory. Dr. Kinnamon confirmed this process.

Trustee Gelles questioned if there is a time constraint on the recommendations to approve contracts. Dr. Kinnamon reported that there is a time constraint. Dr. Gularte reported that these individuals need to be notified by March 15 and due to the timing, action needs to be taken at this meeting. Dr. Gularte noted that the other option would be to take action at the Board Workshop on March 2.

Trustee Gelles noted that he negated several discussions from students publically for personnel reasons and not singling out one individual. As the Board Chair, he expressed that he would like to find a way to pull this item and bring it back at a future meeting, but noted that the motion has been made and seconded. As a clarification, he reported that he is recommending that if we have the ability to approve these contracts at the Board Meeting on March 2, that we pull the page so it doesn't single out one individual.

Trustee Cedillo reported that the reason for his questions was to discuss the process. He believes that those questions have been answered. He believes that to hold action on item 3.4 does not serve a purpose. It would also be unfair to every other person on the recommendation. Whatever concerns are raised, there is a process by which those concerns should be heard. At this point in time, he would like to act on this item.

For clarification, Student Trustee Dwaraknath questioned if this item is brought back at the next Board Meeting, would it come back into Closed Session or Open Session. It was confirmed that it would be an Open Session item. Student Trustee Dwaraknath noted that we need to consider the context of the position in this situation. He expressed concern for the timeframe for the process.

Trustee Gelles noted that what the Board is saying is that there are more people involved than a single individual. Approving the process does not mean you can't revisit it. And Trustee Cedillo's position is perfectly clear, by not approving it we send a different message to a lot of other people.

At this time, Trustee Cedillo called for the question.

Motion carried 5-1, with Trustee Gelles opposing and Trustee Mitzman abstaining.

Trustee Gelles explained to the students that there is a process for personnel and to take their concerns to the College President or appropriate designee. He reported that the Board hears what you had to say and you heard the discussion.

APPROVAL OF TRAVEL STUDY TOUR – SPANISH 29, “PERU: LAND OF THE INCA”, PERU, SOUTH AMERICA AND MEMORANDUM OF UNDERSTANDING WITH EF CULTURAL TRAVEL, LTD., LAS POSITAS COLLEGE

Motion No. 4

Trustee Gelles made a motion, seconded by Trustee Dvorsky, to approve the proposed travel study tour, Spanish 29, “Peru: Land of the Inca” and Memorandum of Understanding with EF Cultural Travel, Ltd., Las Positas College during the period of April 2 through April 8, 2010. It is further recommended that the Board authorize the Vice

Chancellor, Business Services, to execute this Memorandum of Understanding and any future augmentations or amendments on behalf of the District.

Trustee Gelles reported that he requested that this agenda item be pulled from the consent calendar to question visiting a place that is having struggles, noting the newspaper articles he has read regarding slides in Peru and Machu Picchu.

Dr. Pollard reported that before a group is allowed to travel there are conditions that must be met. First, it must have enough students for the trip to proceed. Secondly, there are a series of approvals. Thirdly, we also receive information from the State Department as to whether or not it is safe for travel. Lastly, a decision would have to be made at that time by her office and the Chancellor's Office as to whether the trip will go forward. She reported that she has pulled a trip for those very same reasons and is very aware of the situation as Trustee Gelles presented.

Trustee Dvorsky expressed her concerns, reporting that she read in the newspaper that the trail has been closed and cannot be climbed.

Trustee Gelles questioned if there is a salary being paid or if there are monetary incentives. Dr. Pollard reported that the faculty member is compensated for leading the trip, for responsibility of the curriculum delivery, and for serving as contact liaison. She reported that the College receives a report from the faculty member and noted that this faculty member is outstanding.

Motion carried unanimously, 7-0.

APPROVAL OF SUBCONTRACT – WEST ED FOR THE BUILDING CALIFORNIA COMMUNITY COLLEGE CAPACITY FOR ACCELERATED LITERACY PROJECT, CHABOT COLLEGE

Motion No. 5

Trustee Gelles made a motion, seconded by Trustee Gin, to approve the proposed subcontract with WestEd for the Building California Community College Capacity for Accelerated Literacy Project, Chabot College, in the amount of \$10,265 for the period January 19, 2010 through May 28, 2010. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the subcontract and any future augmentations or amendments on behalf of the District.

Trustee Gelles reported that he requested that this agenda item be pulled from the consent calendar to request additional comments.

Dr. Barberena reported that a Chabot faculty member is an expert in strategic literacy initiatives; and therefore, the partnership has come about whereby the faculty member will collaborate to an extent and the College will get reimbursement for that faculty member's time through this contract.

Motion carried unanimously, 7-0.

APPROVAL OF COMMERCIAL WARRANT REGISTERS

Motion No. 6

Trustee Gelles made a motion, seconded by Trustee Cedillo, to approve the Commercial Warrant Register.

Trustee Gelles reported that he requested that this agenda item be pulled from the consent calendar to question of Mr. Legaspi regarding Districtwide computer equipment of half a million dollars to Chouinard & Myhre, Inc., No. 963556 on page 5 of the Payments in Excess of \$30,000.

Mr. Legaspi reported that this is part of the Measure B Bond Project where we would buy computer equipment for the entire District. The equipment is managed and directed through our IT Department.

Trustee Gelles requested that at a later date the Board receive a one, two or three year report on the amount spent on purchasing computers Districtwide and where the equipment has gone. He noted a \$50 surplus equipment disposal fee.

Motion carried unanimously, 7-0.

APPROVAL OF AGREEMENT – CITY OF HAYWARD FOR PROVIDING COMMUNITY-ACCESS BROADCASTING SERVICES, CHABOT COLLEGE

Motion No. 7

Trustee Mitzman made a motion, seconded by Trustee Dvorsky, to approve the proposed agreement with the City of Hayward for Providing Community-Access Broadcasting Services, Chabot College, for the period of February 1, 2010 through February 1, 2011 with a monthly rental amount of \$9,750 paid by the City of Hayward. It is further recommended that the Board of Trustees authorize the Vice Chancellor, Business Services, to execute this agreement and any future augmentations or amendments on behalf of the District.

Trustee Mitzman reported that he requested that this agenda item be pulled from the consent calendar to comment that this is a “big deal.” He reported that when he was elected to this Board, one of the things he wanted to see more of was collaboration in our community, and more involvement with the City of Hayward and our College. He noted that with this item “it is happening.” He requested additional comments on this item.

Dr. Barberena recognized Mr. Gary Carter and Mr. Yulian Ligioso, inviting them to speak on this item. Dr. Barberena reported that at the Blooming Affaire last year there was a “buzz” that the City was going to enter into a partnership with Chabot College to provide educational programming for this area. The background identifies whereby Comcast doesn’t have to provide this educational programming directly, they can donate the money to the City that they would spend in the production of these educational materials. The City has chosen Chabot College’s Television and Film Program to be the vehicle by which our service area will be provided with educational programming. She reported that Mr. Gary Carter has been a champion of this as well as Mr. George Railey and Mr. Yulian Ligioso in terms of the contracting efforts with the City. We will be able to receive revenue of approximately \$117,000 per year for this programming. We will be able to support the Television and Film Program not just for this program but for the College as a whole. Every city that signs up with Chabot College to produce this programming would be able to enter into contract with us and bring revenue to our College. In order to meet expenses, we have engaged into various revenue-generating options. This additionally enriches our educational programs.

Mr. Carter reported that Chabot College has an incredible natural resource called the Television Station. Where other campuses struggle to raise \$15 million for a building but are able to come up with \$500,000 for equipment, we on the other hand, have the \$15 million studio as a natural resource. With moderate amounts of effort and contact and interface with our local community, we are discovering new ways to create revenue. His hope and dream is that we can make this revenue stream increase with time and on an on-going basis and that the television station will be self-supporting. He recognized that

credit should go to the staff at the Television Station, Cedric Pounds and Sujoy Sarkar, two Vice Presidents that have been exceptional and supportive, Yulian Ligioso and George Railey, and, of course, Chad Mark Glen. Additionally, he recognized an unsung hero that is a member of the Hayward group, Clancy Priest. He also thanked Dr. Barberena for her support.

Dr. Barberena also recognized Mr. Chad Mark Glen, Mass Communications Instructor; and Mr. Legaspi who assisted the College in the contract wording.

Trustee Mertes commented that this community partnership is one of the more innovative and creative partnerships she has seen and she commended everyone involved. She reported that it is an extraordinarily well written media center contract and recognized the good work they have done. She questioned how many channels are planned. Mr. Carter reported that we are cablecast rather than air broadcasting and noted that Chabot has traditionally had Channel 27 as our educational component of the Public Education Government. He reported that Chabot would be adding Channel 28 and 29 as a component of our public access work, and noted that we hope to expand in the future.

Dr. Barberena noted that we hope to be able to expand channeling so that they could provide a partnership to Las Positas College as well as provide for District programming that is of benefit to the District. She expressed that this is just the beginning.

Trustee Mertes noted that she looks forward to seeing this work. She reported that this is not so different from years ago with the KCSM and San Mateo College partnership.

Trustee Vecchiarelli questioned the funding, questioning if there is state money from the Chancellor's Office. In response, Dr. Barberena reported that the money is from Comcast to the City of Hayward. Trustee Vecchiarelli reported that if we offer courses over the air, there is non-credit adult apportionment which may or may not be outside of CAP. Trustee Vecchiarelli suggested we go after that type of funding, especially if that is money over CAP. Specifically, he is thinking of the huge need in our community for Basic Skills. He reported that for a time California State University, East Bay offered courses in Mathematics and English and "piped" them to the high schools.

Mr. Carter noted that he is certain any funding sources identified would be pursued.

Trustee Gin expressed that he is very excited about this partnership, noting that the San Francisco State Television Program is impacted and many students are looking for other opportunities, and hopefully we will see additional courses that will help fill that void. He extended his congratulations and expressed that "this is just the beginning of something really huge."

Trustee Cedillo expressed that this is quite an achievement. He also expressed that this is a cornerstone for the District to go after other types of grants. He reported that he would like for us as a foundation to consider these types of opportunities and consider going to

other foundations for additional assistance, such as Hewlett Packard Foundation, or directly to organizations such as Cisco. He also suggested approaching the State Chancellor's Office.

Trustee Gelles recognized Trustee Mertes' comments regarding the high quality of this contract, noting that with Trustee Mertes' years of experience with this District and one who has done major work in this area, that is high "kudos" and an A++ rating as far as he is concerned.

Motion carried unanimously, 7-0.

ADOPTION OF RESOLUTION NO. 06-0910 – ACCEPTANCE OF AWARD RENEWAL WITH THE CALIFORNIA DEPARTMENT OF EDUCATION, INSTRUCTIONAL MATERIALS PROGRAM, CONTRACT NO. CIMS-0911, PROJECT NO. 01-6131-00-9, CHABOT COLLEGE

Motion No. 8

Trustee Cedillo made a motion, seconded by Trustee Dvorsky, to adopt the proposed Resolution No. 06-0910 to accept the award renewal with the California Department of Education, Instructional Materials Program, Contract No. CIMS-9011, Project No. 01-6131-00-9, Chabot College, in the amount of \$1,223 for the period of July 1, 2009 through June 30, 2010. It is further recommended that the Board of Trustees authorize the Vice Chancellor, Business Services, to execute the agreement and any future augmentations or amendments on behalf of the District.

Trustee Gelles questioned the reason for the drop in the amount of these funds from prior years. Mr. Legaspi reported that he believes it is a sign of the times. He reported that funding is drying up at all levels and this funding source has been cut by approximately 50%.

Motion carried by the following roll call vote:

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

INFORMATIONAL PERSONNEL REPORTS

The Board accepted the Informational Personnel Reports without further discussion.
APPROVAL OF 2010 SCHEDULE OF BOARD OF TRUSTEES MEETINGS

Trustee Gelles requested that the Chancellor bring this agenda item back to a future Board Meeting.

GOOD OF THE ORDER

Chancellor Kinnamon complimented Trustee Gelles for doing such a good job with the meeting tonight, especially considering the many issues presented.

Trustee Gelles recognized Mr. Jeffrey Kingston and his staff on a “job well done”, noting that the accolades expressed by Charlotte Lofft tonight and the many positive comments the Board hears are because of their hard work.

NEXT MEETING

The next Meeting of the Board of Trustees is scheduled for March 2, 2010.

ADJOURNMENT

Motion No. 9

Trustee Dvorsky made a motion, seconded by Trustee Gin, to adjourn the Regular Meeting at 8:10 p.m.

Motion carried unanimously, 7-0.

Minutes prepared by:

Beverly Bailey

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