

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

**MINUTES
September 18, 2012**

PLACE

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

CALL TO ORDER

The regular meeting was called to order at 4:30 p.m. by Board President Dvorsky. Recording Secretary Beverly Bailey called the roll. Trustee Mertes was absent due to illness and excused at the time of roll.

PUBLIC COMMENTS

There were no Public Comments offered at this time.

ADJOURN TO CLOSED SESSION

The Board adjourned to a Closed Session at 4:31 p.m., which ended at 5:45 p.m.

OPEN SESSION

The Board readjoined in Open Session at 6:30 p.m. Recording Secretary Beverly Bailey called the roll. Trustee Mertes and Student Trustee Adhikari were absent at the time of roll. Trustee Mertes was excused due to illness.

ATTENDANCE

Members Present:

- Trustee Arnulfo Cedillo
- Trustee Isobel F. Dvorsky
- Trustee Donald L. "Dobie" Gelles
- Trustee Hal G. Gin
- Trustee Marshall Mitzman
- Trustee Carlo Vecchiarelli
- Student Trustee Kris Adhikari (arrived at 6:35 p.m.)
- Student Trustee Nicole Pinto

Members Absent: Trustee Barbara F. Mertes

Recording Secretary: Ms. Beverly Bailey

Managers Present: Dr. Judy E. Walters, Interim Chancellor
Dr. Susan Sperling, President, Chabot College
Dr. Kevin Walthers, President, Las Positas College
Dr. Marcia Corcoran
Ms. Julia Dozier
Mr. Wyman Fong
Mr. Doug Horner
Ms. Judy Hutchinson
Dr. Ted Kaye
Mr. Jeffrey Kingston
Ms. Victoria Lamica
Mr. Lorenzo Legaspi
Ms. Kathy Linzmeyer
Ms. Melinda Matsuda
Ms. Jeannine Methe
Dr. Janice Noble
Dr. George Railey
Mr. Rajinder Samra
Ms. Tram Vo Kumamoto
Ms. Barbara Yesnosky

Others Present: Ms. Cherry Bogue, President, Associated Students, Las
Positas College
Mr. Titawny Cook, President, Associated Students, Chabot
College
Ms. Jacquelyn Fernandez, Chabot College
Mr. Ricardo Pinto Fillio, Associated Students, Chabot
College
Ms. Mireille Giovanola, Chabot College Faculty
Mr. Ming Ho, Chabot College Faculty
Ms. Kathy Kelley, President, Chabot College Academic
Senate
Mr. Bill Kester
Mr. Allen Liu, Chabot College
Dr. Charlotte Lofft, President, Chabot-Las Positas Faculty
Association
Ms. Vanessa Sadsad, Chabot College
Mr. Mike Sherburne, Chabot College

Mr. Todd Steffan, Las Positas College Classified Senate
Ms. Sarah Thompson, President, Las Positas College
Academic Senate
Mr. Kip Waldo, Chabot College
Ms. Chasity Whiteside, Chabot College
Ms. Yvonne Wu-Craig, President, Chabot College Classified
Senate

PLEDGE TO FLAG

Student Trustee Pinto led the pledge to the flag.

PUBLIC COMMENTS

There were no Public Comments offered at this meeting.

CONSENT CALENDAR

Trustee Gelles requested that agenda items 4.1 (Acceptance of Award – City of Hayward for Educational Talent Search Program, Chabot College), 5.3 (Approval of Declaration of Surplus Property to be Sold at Private Sale and Donation or Disposal of Any Items Not Sold), 5.7 (Approval of Agreement – Heartland Payment Systems for Credit Card Processing for Student Payments, District), and 5.8 (Approval to Award College Sponsorship Agreement – The Bottling Group, LLC d/b/a The Pepsi Bottling Group, Chabot College) be pulled from the consent calendar. Trustee Mitzman requested that agenda items 4.2 [Acceptance of Amendment to the Memorandum of Understanding (MOU) Agreement – Employment Plus II (EPII) with Alameda County Workforce Investment Board (ACWIB), Chabot College], 4.4 [Acceptance of California Community Colleges Workforce and Economic Development Division’s Industry-Driven Regional Collaborative (IDRC) Grant, Chabot College], and 4.5 (Acceptance of a California Community Colleges Chancellor’s Office Assessment, Remediation and Retention for Nursing Enrollment Growth and Retention Program Grant, Chabot College) be pulled from the consent calendar.

Motion No. 1

Trustee Vecchiarelli made a motion, seconded by Trustee Gin, to approve the consent calendar with the exception of agenda items 4.1, 4.2, 4.4, 4.5, 5.3, 5.7, and 5.8.

Motion carried unanimously, 6-0.

The following items were approved on the consent calendar:

General Functions

- 1.13 Approval of Minutes of August 21, 2012 Regular Meeting

Educational Services

- 4.3 Acceptance of Memorandum of Understanding (MOU) – Berkeley Youth Alternative Employment Plus (EPII) with Alameda County Workforce Investment Board (ACWIB), Chabot College

Business Services

- 5.1 Approval of Commercial Warrant Registers
5.2 Approval of Payroll Warrant Registers
5.4 Approval of Agreement – Sutter Tracy Community Hospital for Pharmacy Technology Program, Las Positas College
5.5 Approval of Agreement – American Medical Response (AMR), Las Positas College
5.6 Approval of Agreement Renewal – Alta Bates Summit Medical Center for the Nursing Program, Chabot College
5.9 Approval of Award of Bid No. 13-01, TV Recording Studio Upgrade to HD, Chabot College

Facilities Planning and Development

- 6.1 Authorization to File Notice of Completion with the Alameda County Clerk Recorder's Office for Parking Lot A and B, G and H, Phase 2, Chabot College (Measure B Bond Funds)

PUBLIC HEARING: 2012-13 BUDGETS – GENERAL FUND, CAFETERIA FUND, CHILD DEVELOPMENT FUND, CAPITAL PROJECTS FUND, SELF-INSURANCE (RUMBL) FUND AND MEASURE B FUND

President Dvorsky opened the Public Hearing on the 2012-13 Budgets at 6:35 p.m. Upon hearing no comments, the Public Hearing was closed at 6:36 p.m.

PRESENTATION: 2012-13 BUDGETS – GENERAL FUND, CAFETERIA FUND, CHILD DEVELOPMENT FUND, CAPITAL PROJECTS FUND, SELF-INSURANCE (RUMBL) FUND AND MEASURE B FUND

Mr. Legaspi presented a PowerPoint Presentation of the Adoption Budget for 2012-13, covering the following areas:

- Budget Legal Requirement (Public Hearing, Presentation and Adoption)
- Governor's Proposal for 2012-13
- Impact on Chabot-Las Positas Community College District/District Response

- Budget Reductions
- Contingency Plan for Mid-Year Cuts
- Parcel Tax (Measure I) on the November Ballot
- Work of the District Budget Study Group (DBSG)
- Concerns and Budget Risks
 - Propositions 30, 38 and Measure I
 - Borrowing from RUMBL (Retiree Fund)
 - One-time Budget Solutions
- Enrollment Data - History
- District Budget - 2012-13

Mr. Legaspi stressed that the Governor's Proposal was predicated upon two scenarios:

- New revenues will result through voter approval of the Ballot Initiative (Proposition 30);
- And, if the initiative fails, reductions (mid-year cuts) will be implemented on January 1, 2013.

Mr. Legaspi reviewed the major components of the 2012-13 California Community College budget:

- No new reductions unless the November Initiative fails
- No proposal to increase student fees
- No Cost of Living Adjustment (COLA). If funded, would be 3.17%
- \$50 million in growth funding to help restore some of the FTES lost in recent years
- \$159.9 million to buy down system deferrals
- No change to categorical programs
- No repeal of SB 361 (Funding Model for California Community Colleges)
- Approval of a new mandates block grant in which Districts opting in will receive \$28 per FTES
- Hold harmless protection from any shortages in RDA-related revenues
- If initiative fails:
 - No deferral buy-backs (\$159.9 million)
 - No new funding for growth/restoration (\$50 million)
 - Cut in base apportionment of \$338.6 million, nearly 7.5%
 - For CLPCCD, reduction of \$5.2 million or 1,156 FTES

Mr. Legaspi reviewed the District's Response to budget reductions and the hard work of the District Budget Study Group. He reported that at the March 30, 2012 DBSG Meeting, it was decided that the three sites (Chabot College, Las Positas College, and District Office and Maintenance and Operations) would cut \$1.5 million each. At the April 20, 2012 DBSG Meeting, all three sites presented their \$1.5 million in cuts, which was achieved using layoffs, reduction in employee hours, elimination of vacant positions, employee

contributions toward medical benefits and furlough days. On August 24, 2012 the DBSG approved by consensus a contingency plan to address the \$5.2 million apportionment reduction (mid-year cuts) if Proposition 30 fails. The contingency plan includes:

• Mandated cost revenue included in the May Revise	\$400,000
• SEIU Concessions for 2012-13	\$600,000
• Workload reduction (7.5% reduction in Spring Semester)	\$800,000
• Better than projected ending balance in 2011-12	\$1,300,000
• PG&E rebates received in August 2012	\$1,400,000
• Use of 5% reserve (leaving a 4.2% reserve balance)	<u>\$700,000</u>
Total	\$5,200,000

Mr. Legaspi reviewed the following additional work of the DBSG:

- Balanced the 2012-13 Budget
- The District with agreement from the DBSG engaged a consultant, Mr. Mike Hill, to assist the DBSG with the following charge:
 - Develop a budget/financial format agreeable to DBSG
 - Develop a financial tool to help the District in monitoring budget status
 - Lead the DBSG through a process and strategy to come up with a solution to address the current budget deficit (mid-year cuts)
 - Develop an allocation model that follows guiding principles
 - Is it perceived to be fair?
 - Is it easily understood?
 - Does it work in good and bad times?
 - Does it create the right incentives for performance?

Mr. Legaspi reviewed the District's Parcel Tax (Measure I), which will be on the Ballot November 6, 2012. He reported that the measure would generate approximately \$5.6 million per year for six years. He also reported that the measure would levy \$28 per parcel (per household) per year. He reported that the Parcel Tax would help maintain programs in 2012-13 and 2013-14.

Mr. Legaspi reviewed the concerns and budget risks of Proposition 30 and 38, stressing that under Proposition 30 the tax increase would count towards Proposition 98 guarantee; and that proposition 38 would not count toward the Proposition 98 guarantee and have no direct impact on California Community Colleges. He stressed that if Proposition 38 passes with more votes than Proposition 30, trigger cuts would take effect to California Community Colleges. He also expressed his concerns with the borrowing from the RUMBL fund.

Mr. Legaspi reviewed the history of the District's Enrollment Data back to 1997-98, which had a total of 13,269 FTES. In 2009-10, the District total was 18,816 FTES. In 2011-12, the target was 15,331 FTES. For 2012-13, if Proposition 30 fails, the District target will be 14,695 FTES.

Mr. Legapsi reviewed the 2012-13 Budgets: General Fund, Unrestricted, Restricted, Cafeteria Fund, Child Development Fund, Self-Insurance Fund (RUMBL), Measure B Capital Projects Fund, Capital Projects Fund, and Special Reserve Funds (Nike Project, COP). He stressed that the budget is balanced and there is a plan in place if the Governor's Tax Initiative (Proposition 30) fails.

In closing, Mr. Legaspi expressed appreciation to the DBSG and his staff, especially the work of Ms. Barbara Yesnosky, Director of Business Services.

Trustee Gelles expressed appreciation to Mr. Legaspi for the presentation, noting that he continues to present a "user friendly budget."

Trustee Dvorsky expressed appreciation to Mr. Legaspi for the balanced budget, noting that there is still concern.

Trustee Vecchiarelli questioned if there is sufficient monies to fund mandated services (EOPS, DSPS). In response, Mr. Legaspi reported that most categorical services are self-sufficient; however, some require augmentation from the General Fund. He noted that this District does a better job than most districts in keeping categorical programs self-sufficient.

ADOPTION OF 2012-13 BUDGETS: GENERAL FUND, CAFETERIA FUND, CHILD DEVELOPMENT FUND, CAPITAL PROJECTS FUND, SELF-INSURANCE (RUMBL) FUND AND MEASURE B FUND

Motion No. 2

Trustee Cedillo made a motion, seconded by Trustee Mitzman, to adopt the proposed 2012-13 Budgets for the General Fund, Cafeteria Fund, Child Development Fund, Capital Projects Fund, Self-Insurance (RUMBL) Fund and Measure B Fund, and authorize the Vice Chancellor, Business Services, to file same with the County Superintendent of Schools and California Community College Chancellor's Office as required by law.

Motion carried unanimously, 6-0.

PRESENTATION: DRAFT ACCREDITATION MIDTERM REPORTS, CHABOT AND LAS POSITAS COLLEGES

Dr. Walters reported that the Colleges were visited for a comprehensive Accreditation Visit in 2009; and these Midterm Reports are the colleges' responses to the recommendations received. She reported that the District is not accredited, and therefore, the District recommendations are imbedded in the Colleges' recommendations. She reported that Chabot College received three District recommendations: 1) Board Education and Training; 2) Functional mapping (under direction of Mr. Kingston); and 3) Budget Allocation Process (under direction of Lorenzo Legaspi). Las Positas College received two District recommendations: 1) Functional mapping; and 2) Budget Allocation Process.

Chabot College

Dr. Sperling recognized Dr. Railey for his work on the Chabot College Accreditation Report. She also recognized the many individuals from the constituent groups working with Dr. Railey, including Jim Matthews, Tim Dave, Marcia Corcoran, Yvonne Wu-Craig, Catherine Powell, Carolyn Arnold and others. She reported that the draft report will be shared with the Senates, PRBC, and other shared governance bodies for comment and recommendations. In addition, the report will be posted on the College website and the College community will be invited to give input on the draft before submission.

Dr. Railey presented a PowerPoint Presentation of the Chabot College Draft Accreditation Midterm Report outlining the progress made in responding to the Accreditation Recommendations. He reported that Chabot College received five College recommendations, two District and College recommendations, and one District and College recommendation (Board Training, District), which he reviewed. He also reported that Chabot College received five accommodations. He reported that the College was required to submit a Follow-up Report by October 15, 2010 to address Recommendation No. 2, which has been completed and resolved. He reported that a Team of approximately forty, led by Yvonne Wu-Craig, restructured the Program Review Model. He reported that the Midterm Report, as well as a Progress Report on Student Learning Outcomes (SLOs), is due October 15, 2012. He also reported that there has been broad participation by College constituencies and shared governance bodies.

The Chabot College Accreditation Recommendations are:

1. In order to meet the Commission's 2012 deadline, the team recommends that the College accelerate its efforts to identify measurable student learning outcomes for every course, instructional program, and student support program and incorporate student learning outcomes assessments into course and program review improvements.

2. In order to meet the standards, the team recommends that the College develop processes that more clearly and effectively combine the results of program review with unit planning, student learning outcomes and assessments, and institutional planning and budgeting.
3. In order to meet the Commission's 2012 deadline, the team recommends that the Library and Learning Connection unit develop and implement an outcomes assessment process linking their respective planning for resources and services to the evaluation of student needs. Chabot should use the evaluation of services to provide evidence that these services contribute to the achievement of student learning outcomes and serve as a basis for improvement of student success. Work should be done in conjunction with the Office of Research.
4. In order to improve, the team recommends that the College develop and implement formal processes to more fully integrate institution-wide assessment of planning for campus technology needs into all levels of planning and allocation of resources.
5. In order to meet the standards, the team recommends that the College develop existing decision-making processes to include outcomes assessment of the campus governance components.
6. In order to improve, the team recommends that the Board establish and formally adopt a clearly delineated orientation program for new Board Members. (College and District) (District)

Las Positas College

Dr. Walthers recognized individuals working on the Las Positas College Accreditation Report – Ms. Sarah Thompson, Dr. Jan Noble, and Ms. Marge Maloney. He reported that the draft was completed in Administrative Staff Retreats, Flex Days, and Town Meetings. He also noted that the Midterm Reports are due in the same year that the Student Learning Outcomes (SLO) Reports are due. He reported that the College has vastly improved its Program Review responses and its Student Learning Outcome Responses, due to the hard work of Faculty with input from Staff.

Dr. Noble presented a PowerPoint Presentation of the Las Positas College Draft Accreditation Midterm Report outlining the progress made in responding to the Accreditation Recommendations. She reported that Las Positas College received five College recommendations and two District and College recommendations, which she reviewed. She reported that Las Positas College was required to submit a Follow-up Report by October 15, 2010. She reported that the Midterm Report, as well as a Progress Report on Student Learning Outcomes (SLOs), is due October 15, 2012. She also reviewed the Report Vetting Process, which included representation of all Constituent Groups on all teams.

The Las Positas College Accreditation Recommendations are:

1. To improve to a level of sustained continuous quality improvement, the team recommends that:
 - a. The College increase its capacity for conducting research, fulfill its planning agenda with respect to institutional research and institutional effectiveness, and integrate institutional effectiveness research into planning through regular systemic evaluation of its progress toward achieving institutional goals.
 - b. The College develop and implement on-going, systematic, college-wide processes to evaluate the effectiveness of its program review, planning and governance systems.
2. To meet the Commission's 2012 deadline, and to achieve a level of proficiency in the assessment of student learning outcomes, the team recommends that the College fully engage both full-time and adjunct faculty in identifying and assessing Student Learning Outcomes at the course, program, and institutional levels, and establish and achieve institutional timelines for completing student learning outcomes assessments for all its courses, programs and services. Emphasis should be placed on encouraging institutional dialog about assessment results, rather than dialog about the Student Learning Outcome Assessment process. The institution should focus on the use of assessment results for quality assurance and improvement of educational programming to improve student learning, as well as inform planning and resource allocation decisions.
3. To meet the Commission's 2012 deadline in the assessment of student learning outcomes, and to achieve a level of proficiency in program review for all efforts, the team recommends that:
 - a. The College fully integrate its processes for the assessment of student learning outcomes with its processes for program review and planning.
 - b. The College fully implement a program review process for all administrative programs and services.
4. To meet the standards, the team recommends that the College use campus-wide dialog to develop ongoing instruction for users of library and learning support services to ensure students develop skills in information competency.
5. To meet the standards, the team recommends that the College develop a written code of professional ethics for all of its personnel.
6. To meet the standards, the team recommends that the District and the College maintain an updated functional map and that the District and the College engage in a program of systematic evaluation to assess both the effectiveness of District and College functional relationships and the effectiveness of services that support the institution. (District and College Recommendation No. 1)
7. To meet the standards, the team recommends that the District and the College complete the evaluation of the resource allocation process in time for budget development for the 2010-2011 academic year, ensuring transparency and assessing

the effectiveness of resource allocations in supporting operations. (District and College Recommendation No. 2)

TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS

Student Trustee Adhikari reported that ASLPC passed a resolution supporting Measure I. He reported that Club Rush Day was held recently, and Advocacy Day is scheduled for September 19, where voter registration will be encouraged. He reported that planning is underway for Club Day as well as a Fall Retreat for the Executive Board. He also reported that ASLPC has met with a web developer for the new ASLPC website, which will be launched soon.

Student Trustee Pinto presented a written report to the Board. She reported that past events include a student leadership training hosted by the Political Science Club (September 14 and 15), and Welcome Day for Chabot Veterans (September 18). She reported that future events include: 1) Student Services EOPS comedy show; and 2) In partnership with the ICC, an Events Table in the Student Center.

Trustee Gelles expressed appreciation to Dr. Sperling for the Arts Project Tour for the Board prior to tonight's Board Meeting. He recognized Ms. Diane Zuliani for her work on this project. In addition, he thanked former Board Member Dr. Alison Lewis for her vision and insight that earmarked the Nike Site monies for art projects on the campuses. He also recognized the work of Mr. Jeff Kingston and Mr. Lorenzo Legaspi, as well as recognizing the outstanding staff at the Colleges who have tolerated the added jobs in this difficult economic climate. Further, he expressed appreciation to Trustee Dvorsky for her efforts as President of the Board.

Trustee Gin welcomed Dr. Walters to the "Table", noting that this is her first official Board Meeting. He expressed that he was pleased to see the traffic signal on Hesperian Blvd. working. He reported that Councilman Salinas has approached Board Members, commenting that students are jay walking across Hesperian. Trustee Gin asked if the College could provide some safety net. He reported that he recently attended the outstanding Law and Democracy Program presentation by Alameda County Supervisor Richard Valle.

Trustee Mitzman echoed the comments of appreciation expressed by his fellow Board Members. He welcomed Dr. Walters' leadership. He also expressed appreciation to students for putting up with the hardships, noting that he will put every effort possible to see that Measure I passes. He noted the importance of getting folks, including him, educated on the Measure.

Trustee Cedillo expressed appreciation to Mr. Legaspi for the budget presentation this evening. He expressed appreciation to those who worked on the Midterm Accreditation Reports. He also expressed appreciation to the Colleges for being there for the community, noting especially the use of the swimming pool and soccer fields on weekends.

Trustee Vecchiarelli expressed appreciation to Mr. Legaspi for the budget report. In his 45 years at the District, he has seen many “ups and downs” in the economy. He also reported on the “Stand Down” held at the Pleasanton Fairgrounds for Veterans. He expressed that he would like District presence in two years, when the event will again be held in Pleasanton.

Trustee Dvorsky recognized the presenters tonight. She expressed that we will get through this budget and difficult time.

LAS POSITAS COLLEGE FOUNDATION

Dr. Kaye submitted a written report to the Board. He reported the Foundation’s role in Measure I fundraising, and the Foundation’s own fundraising campaign, “Foundation 55.”

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES

Ms. Sarah Thompson, President, Las Positas College Academic Senate, submitted a written report to the Board. She highlighted the following Senate Activities: 1) Accreditation Midterm Report; 2) Institutional Priorities Planning Task Force; 3) Rely Primarily Goals; and 4) Mutual Agreement Goals. She also highlighted that student Ms. Brenda Cruz was again nominated for a top collegiate journalism award. She further reported that Vice President Diana Rodriguez will accompany her to this year’s Academic Senate for California Community Colleges (ASCCC) Plenary session in November.

Ms. Kathy Kelley, President, Chabot College Academic Senate, reported that the Senate will review its Constitution and consider some changes. She also reported that the PRBC Strategic Plan has one goal for the College this year, “to help students to progress toward their own personal education goal as successfully and quickly as possible.” She reported that the Senate encourages that any needed cuts be made in such a way as to not impact students’ progress. She also highlighted the Campus Camp Wellstone, a leadership workshop, as well as the Law and Democracy presentation by Supervisor Richard Valle.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES

Ms. Yvonne Wu-Craig, President, Chabot College Classified Senate, reported that the Senate has not met as yet. She reported that at its next meeting, the Senate will review the Accreditation Midterm Report. She reported that the next Brown Bag Luncheon is scheduled for Wednesday, September 19 and will be a morale booster. She reported that the PRBC has been a collaborative, cross disciplinary, and cross classification process. She expressed appreciation for the opportunity for Classified Professionals to be included in the discussions around the budget cuts. She expressed appreciation to Jan Novak, Jennifer Lange and Catherine Powell for their leadership in those efforts during Flex Days.

Mr. Todd Steffan, President, Las Positas College Classified Senate, reported that he and Ms. Frances DeNisco have been nominated as Co-Presidents of the Senate.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES ASSOCIATED STUDENTS

Ms. Cherry Bogue, President, Associated Students of Las Positas College, reported that Advocacy Day is scheduled for Wednesday, September 19 and efforts will focus on Measure I and Proposition 30, as well as promoting voter registration. She reported on her own personal efforts in regards to advocacy and promoting student voter registration, as well as conducting a survey. She also reported that Club Day will be occurring in the near future.

Mr. Titawny Cook, President, Associated Students of Chabot College, reported on the successful Campus Camp Wellstone, which teaches leadership. He reported that an event day for Veterans was held this date. He reported that plans are in the works for a Halloween Festival. He reported that his focus this year is to bring more student involvement. A Mass Communication Committee will be used to communicate that message to the campus and the community.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES

Dr. Kevin Walthers, President, Las Positas College, submitted a written report to the Board. He was pleased to reported that recently a group came on campus to advocate a particular “graphic” message and student government took the lead to keep protests limited and civil. He highlighted the Las Positas College Viticulture and Winery Technology Program Harvest; and the Lawrence Livermore National Laboratories/Las Positas College Lecture Series, which begins on October 8. Further, he highlighted an upcoming photo exhibit in the Mertes Center for the Arts, “Four Days in Cuba”; featuring photographer Joana Bueno Valli.

Dr. Susan Sperling, President, Chabot College, submitted a written report to the Board. She highlighted the Welcome Back to Veteran-Students Day. She also highlighted the recent keynote in the Law and Democracy Day featuring Alameda County Supervisor Richard Valle. She also reported that Chabot College recently hosted the San Leandro Chamber Coffee, the largest attended in the history of the San Leandro Chamber. She reported that the Windband Symphony and Ensemble will perform in concert on October 3. Further, she shared a brief video on support of funding education.

INTERIM CHANCELLOR

Dr. Judy Walters, Interim Chancellor, expressed that she has enjoyed her first two weeks with the District. She reported that she recently held a joint meeting with Chancellor's Council and Chancellor's Cabinet, entitled "Inclusion." She reported with 23 in attendance, values and compelling statements were identified, one of which is "the Chabot-Las Positas Community College District allocates resources in an environment that honors our values, plans for our future, and benefits our students." Building on this information, she met with DBSG, breaking into four small groups. She reported that Chabot College will receive a Facilities Award 2012 (Professional Design Award) from the Community College Facilities Coalition for the Student Services Building. She noted that she provided the Board with a newsletter from the Association of Chief Human Resources Officers/Equal Employment Officers (ACHRO/EEO), highlighting the work of Mr. Wyman Fong, Past President. She announced that the Chancellor's Awards Luncheon is scheduled for October 19. Further, she reported that the Hispanic Community Affairs Council (HCAC) Scholarship Luncheon is scheduled for Wednesday, October 18; and encouraged a large group to attend.

RECOGNITION

President Dvorsky welcomed Dr. Walters to her first Board Meeting and recognized her birthday. President Dvorsky recessed the meeting from 8:15 to 8:30 p.m. for cake in Dr. Walters' honor.

ACCEPTANCE OF AWARD – CITY OF HAYWARD FOR EDUCATIONAL TALENT SEARCH PROGRAM, CHABOT COLLEGE

Trustee Gelles reported that he pulled this agenda item to recognize this grant award and those responsible for securing the grant.

Motion No. 3

Trustee Gelles made a motion, seconded by Trustee Cedillo, to accept the proposed award from the City of Hayward for Educational Talent Search at Chabot College in the amount

of \$16,000 for the period July 1, 2012 through June 30, 2013. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the grant award on behalf of the District.

Motion carried unanimously, 6-0.

ACCEPTANCE OF AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING (MOU) AGREEMENT - EMPLOYMENT PLUS II (EPII) YOUTH SERVICES FOR HIGH-RISK YOUTH - CITY OF UNION CITY, CHABOT COLLEGE

Trustee Mitzman reported that he pulled this agenda item for further explanation and recognition, expressing that it is an excellent program. Dr. Sperling indicated that the two individuals that were knowledgeable of the program had just left, and that she would be happy to provide further details for the Trustees if desired.

Motion No. 4

Trustee Cedillo made a motion, seconded by Trustee Gin, to accept the proposed Amendment to the Memorandum of Understanding (MOU) Agreement-Employment Plus II (EPII) Youth Services for High-Risk Youth - City of Union City for Chabot College in the amount of 143,950 for the period July 1, 2012 through June 30, 2013. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the MOU amendment on behalf of the District.

Motion carried unanimously, 6-0.

ACCEPTANCE OF CALIFORNIA COMMUNITY COLLEGES WORKFORCE AND ECONOMIC DEVELOPMENT DIVISION'S INDUSTRY-DRIVEN REGIONAL COLLABORATIVE (IDRC) GRANT, CHABOT COLLEGE

Trustee Mitzman reported that he pulled this agenda item to recognize this "fabulous" grant.

Motion No. 5

Trustee Mitzman made a motion, seconded by Trustee Cedillo, to accept the proposed California Community Colleges Workforce and Economic Development Division's Industry-Driven Regional Collaborative (IDRC) Grant for Chabot College in the amount of \$30,737 for the period October 1, 2012 through December 31, 2013. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the grant award on behalf of the District.

Motion carried unanimously, 6-0.

ACCEPTANCE OF A CALIFORNIA COMMUNITY COLLEGES CHANCELLOR'S OFFICE ASSESSMENT, REMEDIATION AND RETENTION FOR NURSING ENROLLMENT GROWTH AND RETENTION PROGRAM GRANT, CHABOT COLLEGE

Trustee Mitzman reported that he pulled this agenda item but had no need for further discussion.

Motion No. 6

Trustee Mitzman made a motion, seconded by Trustee Gin, to accept the proposed California Community Colleges Chancellor's Office Assessment, Remediation and Retention for Nursing Enrollment Growth and Retention Program Grant for Chabot College in the amount of \$335,000 for the period July 1, 2012 through June 30, 2013. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the grant award on behalf of the District.

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

Trustee Gelles reported that he pulled this agenda item to complement Mr. Legaspi for his efforts in this program.

Motion No. 7

Trustee Gelles made a motion, seconded by Trustee Gin, to approve the proposed items 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 staff in accordance with California Education Code Section 81452.

Motion carried unanimously, 6-0.

APPROVAL OF AGREEMENT – HEARTLAND PAYMENT SYSTEMS FOR CREDIT CARD PROCESSING FOR STUDENT PAYMENTS, DISTRICT

Trustee Gelles reported that he pulled this agenda item for further explanation.

Motion No. 8

Trustee Gelles made a motion, seconded by Trustee Gin, to approve the proposed agreement with Heartland Payment Systems for a 3-year term, beginning September 4, 2012 ending September 3, 2015. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement on behalf of the District.

Ms. Jeannine Methe briefly explained the services offered through Heartland Payment Systems, which now includes both the “front end” and “back end” portion of the credit card processing at a reduced average rate of 1.6% per transaction. She explained that the “front end” provides the collection of the credit card payment through the Banner CLASS-Web System; and the “back end” handles the final processing of the payment with the credit card companies.

In response to a question raised by Trustee Mitzman regarding the bidding process to include proposals from local banks, Ms. Methe reported that the District will “piggyback” on the San Mateo Community College District (SMCCD) contract with Heartland Payment Systems, which is available to all the California Community Colleges. She reported that it is a savings for the District to “piggyback” on the SMCCD Request for Proposals (RFP). She reported that the District did not solicit Requests for Proposals locally prior to accepting the SMCCD bid.

In response to a question raised by Trustee Vecchiarelli, Ms. Methe reported that the previous rate the District paid was 2.25% and the proposed rate with Heartland is 1.6%. She reported that it is a flat rate and there are no additional charges.

Motion carried unanimously, 6-0.

APPROVAL TO AWARD COLLEGE SPONSORSHIP AGREEMENT – THE BOTTLING GROUP, LLC d/b/a THE PEPSI BOTTLING GROUP, CHABOT COLLEGE

Motion No. 9

Trustee Gelles made a motion, seconded by Trustee Cedillo, to approve the proposed award of a College Sponsorship Agreement for Chabot College to Pepsi Bottling Group, LLC d/b/a The Pepsi Bottling Group, a Delaware limited liability corporation. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement on behalf of the District.

Trustee Gelles reported that he pulled this agenda item for further clarification. He expressed that the price per case specified in the agreement is high and questioned if it is

the best price the District can obtain. He stressed the importance of getting the best price and best variety possible.

Mr. Legaspi reported that this is a renewal of a contract. He also noted that the price includes delivery and insurance costs. More importantly, he reported that Pepsi is able to offer a large variety of products, including healthy choices. Mr. Legaspi also noted that Coca Cola is not interested in competing for the contract.

Trustee Mitzman reported that the Chabot College Foundation had negotiated a \$20,000 pouring rights contract which included marquee advertising. He questioned if the contract, which is for \$9,000, includes a new marquee and advertising. He also noted that we are paying retail price with this contract. In addition, he noted that there is no inflationary costs included in the contract.

Dr. Sperling reported that there has been no discussion on the marquee. She noted that offers in the contract raise it to \$15,000.

Mr. Legaspi reported that advertising could be an option, however, it would be a different contract.

Motion carried unanimously, 6-0.

ADOPTION OF RESOLUTION NO. 06-1213 – APPROVAL OF STANDARD AGREEMENT NO. 28705 WITH THE STATE OF CALIFORNIA, DEPARTMENT OF REHABILITATION (DOR), LAS POSITAS COLLEGE

Motion No. 10

Trustee Cedillo made a motion, seconded by Trustee Mitzman, to adopt Resolution No. 06-1213 - to approve the Standard Agreement No. 28705, with the State of California, Department of Rehabilitation, for the use of office and common area space at the Tri-Valley One Stop (TVOS) Center from July 1, 2012 through June 30, 2014 with a two-year amount totaling \$5,398.85. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the Standard Agreement and sign the Contractor Certificate Clauses on behalf of the District.

Motion carried by the following roll call vote:

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

ADOPTION OF RESOLUTION NO. 07-1213 – APPROPRIATIONS LIMIT FOR 2012-13 (GANN LIMIT)

Motion No. 11

Trustee Gin made a motion, seconded by Trustee Cedillo, to adopt Resolution No. 07-1213-Appropriations Limit for 2012-13 in the amount of \$116,217,240.

Motion carried by the following roll call vote:

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

APPROVAL OF CONTRACT MODIFICATION TO THE EXISTING DESIGN CONTRACT WITH STEINBERG ARCHITECTS FOR THE DESIGN OF STUDENT SERVICES AND CENTRAL ADMINISTRATION BUILDING AT LAS POSITAS COLLEGE

Motion No. 12

Trustee Mitzman made a motion, seconded by Trustee Gin, to approve the proposed Contract Modification to the Existing Design Contract with Steinberg Architects of San Jose for the Design of Student Services and Central Administration Building at Las Positas College in an amount not to exceed \$298,959. It is further recommended that the Board authorizes the Vice Chancellor, Business Services, to execute the modification on behalf of the District. Funding Source: Measure B Bond Funds

Motion carried unanimously, 6-0.

APPROVAL OF 2012 FACILITIES MASTER PLAN UPDATE, DISTRICT-WIDE

Motion No. 13

Trustee Gelles made a motion, seconded by Trustee Mitzman, to approve the 2012 Facilities Master Plan Update, District-Wide.

Trustee Gin expressed that he is pleased with the report.

Motion carried unanimously, 6-0.

INFORMATIONAL PERSONNEL REPORTS

The Board accepted the Informational Personnel Reports without discussion.

FIRST READING: NEW GOVERNING BOARD POLICY 7054 – INTERNAL BOARD: BOARD EDUCATION

Dr. Walters reported that this Policy is in response to a recommendation in the Accreditation Report. She also reported that this is a first reading and will be brought back to the next Board Meeting for approval.

FIRST READING: ACCREDITATION MIDTERM REPORTS, CHABOT AND LAS POSITAS COLLEGES

There was no further discussion of the Accreditation Midterm Reports. The reports will be brought back to the next Board Meeting for approval.

NEXT MEETING

President Dvorsky announced that the October 2, 2012 Study Meeting is cancelled. The next meeting of the Board of Trustees is scheduled for October 16, 2012.

ADJOURNMENT

By consensus, the Regular Meeting was adjourned at 8:47 p.m.

Minutes prepared by:

Beverly Bailey
Recording Secretary

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