



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

**MINUTES  
December 5, 2017**

**PLACE**

Chabot College, 25555 Hesperian Blvd, Hayward California

**CALL TO ORDER**

The regular meeting was called to order at 5:30 p.m. by Trustee Mitzman, Recording Secretary Debra Nascimento called the roll. Trustees Gelles was absent at the time of roll.

**PUBLIC COMMENTS**

There were no Public Comments offered at this time.

**CLOSED SESSION**

Motion No. 1

Motion made by Trustee Dvorsky and seconded by Trustee Maduli, the Board immediately adjourned to Closed Session at 5:34p.m.

Motion carried unanimously, 6-0 with Trustee Gelles absent.

**OPEN SESSION**

The Board re-adjourned in Open Session at 7:14 p.m. Recording Secretary Debra Nascimento called the roll. Trustee Gelles was absent at the time of roll.

**ATTENDANCE**

Members Present: Trustee Ms. Isobel F. Dvorsky  
Trustee Dr. Hal G. Gin  
Trustee Mr. Edralin "Ed" Maduli  
Trustee Dr. Marshall Mitzman  
Trustee Ms. Genevieve Randolph  
Trustee Mr. Carlo Vecchiarelli

Members Absent: Trustee Mr. Donald L. "Dobie" Gelles (Excused)

Recording Secretary: Ms. Debra Nascimento

Managers Present: Dr. Jannett Jackson, Chancellor  
Dr. Susan Sperling, President, Chabot College  
Ms. Roanna Bennie, Interim President, Las Positas College  
Dr. Matthew Kritscher  
Dr. Stacy Thompson  
Ms. Jeannine Methe  
Ms. Guisselle Nunez  
Ms. Krista Johns  
Mr. Wyman Fong  
Mr. Doug Horner  
Mr. Lorenzo Legaspi  
Ms. Barbara Yesnosky  
Ms. Julia Dozier  
Ms. Jennifer Druley  
Mr. William Garcia

Others Present: Ms. Laurie Dockter, President, Chabot College Faculty Senate  
Ms. Noell Adams, President, Chabot College Classified Senate  
Dr. Tina Inzerilla, Las Positas College, Faculty Classified Representative  
Ms. Melissa Korber President, Las Positas College Faculty Association  
Dr. Charlotte Lofft, President, Chabot-Las Positas Faculty Association  
Ms. Rachel Ugale, District Services, District Classified Senate  
Ms. Tatianna Hernandez, Las Positas College Student Senate  
Mr. Zaheer Ebtikar, President, Chabot College Student Senate  
Mr. Greg Rees  
Mr. Juztino Panella, Chabot College  
Mr. Taufa Setefiano, Chabot College  
Ms. Mia Sete, Chabot College  
Ms. Katie Messina Silva, Chabot College  
Ms. Laura Alarcon, Chabot College  
Mr. Bob Buell, Chabot College  
Mr. Joan Cortez, Chabot College  
Mr. Alexander Walker-Griffin, Chabot College  
Ms. Maya Ho, Chabot College  
Mr. Patrick Mwamba, Chabot College

Ms. Sara Jaimes, Chabot College  
Ms. Aisha Wahab, Chabot College  
Ms. Kay Fischer, Chabot College  
Mr. Lorenzo J. Caballero, Chabot College  
Ms. Lesly Avendano, Chabot College  
Mr. Sonny Alvarado, Chabot College  
Ms. Savannah Rodriguez, Chabot College  
Mr. Alan David, Chabot College  
Mr. Jonathan Doe, Chabot College  
Ms. Theresa Pedrosa, Chabot College  
Mr. Dave Fouquet, Chabot College  
Ms. Angela Munoz, Chabot College  
Mr. Gregory Correa, Chabot College  
Ms. Catherine Powell, Chabot College  
Ms. Jennifer Lange, Chabot College  
Ms. Chasity Whiteside, Chabot College  
Mr. Alex Harvey, Chabot College  
Ms. Remy Rodriguez, Chabot College  
Ms. Eliza Macasocol, Chabot College  
Ms. Kathy Linzmeyer, Chabot College  
Ms. Philomena Franco, Chabot College  
Ms. Rachael Tupper-Eoff, Chabot College  
Ms. Linda Buelna, Chabot College  
Mr. Norman Buchwald, Chabot College  
Dr. Andrew Pierson, Chabot College  
Ms. Katie Messina, Chabot College  
Ms. Maya Ito, Chabot College  
Ms. Shamaila Rizwau, Chabot College  
Mr. Alan David, Chabot College  
Mr. Kent Uchiyama, Chabot College  
Ms. Amelia Soto, Chabot College  
Ms. Tamra Soto, Chabot College  
Ms. Galiled N. Rios, Chabot College  
Mr. Robert Nakamoto, Chabot College  
Ms. Diane Chang, Chabot College  
Ms. Diane Brady, Los Positas College  
Mr. Rajinder Samra, Los Positas College  
Mr. Mujeeb Dadgar, District  
Mr. David Estrada, District  
Ms. Ann Kroll, District  
Mr. Walt Blevins, District  
Ms. Rosaura Mendoza, the Hayward Collective

**PLEDGE TO FLAG**

Trustee Vecchiarelli led the pledge to the flag.

**REPORT OUT: ACTION TAKEN IN CLOSED SESSION**

Trustee Gin announced during the Organizational Meeting Trustee Mitzman was appointed Board Chair and himself as Secretary for 2018.

Newly elected President Mitzman commented, he is honored to be the President, has a lot of talent, knows who he is and who he is not, and stated he will do his very best as Chair.

President Mitzman reported out in Closed Session, the Board took final action to terminate the employment of employee number W10735309, for cause, effective December 6, 2017. Final action to terminate employee number W10735309 was unanimous, with Trustee Gelles absent.

Trustee Gin made a statement of support for Chancellor Jackson, and read the following: "The Chabot-Las Positas Board of Trustees wished to express its support of Chancellor Jackson in light of the recent Vote of No Confidence by Chabot College. The Board takes the concerns of the Chabot College Academic Senate seriously, and is concerned that it felt compelled for whatever reason to adopt the Resolution. The Board of Trustees is committed to advancing forward together in creating a positive atmosphere and serving the students of the District."

The Statement of Support was voted on unanimously, with Trustee Gelles absent.

**1.6 PUBLIC COMMENTS**

Trustee Gin mentioned five names will be called upon at a time and asked that the individuals wishing to speak line up when their names are called, so everyone has a chance to speak. There will be a 3 minute speaking limitation, no one's time may be yielded to someone else. He requested each speaker refrain from personal critiquing of staff members. He stated if anyone would like to record the meeting they may do so in accordance with the Brown Act and our Open Meeting Law, recordings may not disrupt proceeding by noise, lightening or obstruction of the views of others.

Trustee Gin called upon 5 names

Greg Rees, stated he is a Constituent of Area 3. He expressed his gratitude to the faculty, staff and his fellow constituents who recognized the injustice that has been cast upon him by corrupted and incompetent individuals. He shared some personal experiences from August 2008 through October 2008. He stated he is an official uncompensated employee for Chabot College and a senior member of the classified staff who was intentionally failed by the Board.

Catherine Powell, shared her 29 years' experience as a Senior Administrative Assistant of Chabot and the support of President Sperling and Senates. She suggested the Board review the new IEPI Website of which she is very proud. She suggested the Board of Trustees spend more time on Chabot's Campus not just for special events but every day, as the students, faculty and staff are doing great things. Lastly, she stated she believes the Board takes there stewardship very seriously and urged them to continue to grow in their knowledge of the student's needs and hopes.

Gregory Correa, stated he is here tonight to discuss the corruption and collusion. He stated he has been with Chabot College for 29 years, and is disappointed with the District Office. He expressed his feelings regarding the Resolution on Sanctuary Campus. He suggested the Board look closely at the hiring procedure. Lastly, he stated he is disgusted with the way the District conducts business, it's the Boards responsibility to hold people accountable and to find out the truth.

Jennifer Lange, stated this is the first meeting she has attended and it's important to her to be the voice of the Faculty. She expressed concerns about the Vote of No Confidence, Hiring Process, SERP and BAM.

Angela Munoz, stated the students have spoken and if the Resolution is not passed the Board will have not done their job and they will continue to fight until every student feels welcomed. She stated she wasn't born in the United States but belongs here. She emphasized she is a Dreamer and students should be supported.

Dave Fouquet, stated the District and colleges need to foster a more positive relationship. He expressed concerns about the FON, SERP and Faculty Hiring. He stated this is so important for the success of our students and making the colleges better for serving our students and community.

Theresa Pedrosa, questioned why Math 65 was dropped and urged the Board to bring it back as there are several students that need this to move forward.

Trustee Gin thanked everyone for their comments.

Trustee Gin mentioned five names will be called upon at a time and asked the speakers to line up so everyone can get a chance to speak. He requested each speaker refrain from personal critiquing of staff members. He stated if anyone would like to record the meeting they may do so in accordance with the Brown Act and our Open Meeting Law, recordings may not disrupt proceeding by noise, lightening or obstruction of the views of others.

Student #1 Alan David, stated he is a part of the Outreach Team for Chabot and when he speaks to students in the Community they ask "are we going to be safe?" He mentioned he is also an Advisor for students from the Philippines, they too wanted their voices heard

tonight but were scared, as the majority of them are undocumented. Lastly, he stated everyone needs to feel safe while trying to learn and better their lives for themselves and families.

Student #2 Savannah Rodriguez, is a first semester student and the Secretary for the Dreamers Club. She questioned why it is taking so long for the Resolution of Sanctuary to pass, and should this not pass, the students won't feel like they have a voice and the support of the Board. She stated a vote today will show everyone the dream is alive and the Board stands with the students. "Sanctuary won't protect us from everything, but it's better than nothing."

Student #3 Sonny Alvarado, stated he attend the last Board meeting and is happy to see the Board at Chabot so all students can have a voice. He made the recommendation to alternate Board meeting locations so all students voices are heard. He expressed support for Sanctuary Campus.

Trustee Gin called upon the next 5 speakers.

Student #4 Lesly Avendano, is a Student Senator who is representing her fellow students. She stated she has a job to do, as well as the Board of Trustees. She urged the Board to vote yes for Sanctuary Campus.

Student #5 Lorenzo Caballero, stated he is happy to see the Board at Chabot and would like meetings be alternated within the 3 locations so everyone gets the opportunity to voice their concerns. He expressed his support of the Sanctuary Campus Resolution and urged the Board to pass both Resolutions as he stands in solidarity with Chabot and Las Positas.

Student #6 Sara Jaimes, expressed her support towards the Sanctuary Resolution.

Faculty #7 Kay Fisher, displayed the shirt she was wearing that stated: No Hate, No Fear, We're Here to Stay. She highlighted current events centered on DACA that the world is currently facing. She stated since last spring the students, faculty and staff have come together in support of the Sanctuary Resolution and they want the support of the District and Board to make our colleges a better place for our children and our children's children.

Student #8 Aisha Wahab, shared her personal story of coming to American to escape the war, during the process her parent's lives were taken and she was placed in Foster Care. During her life one thing that has always been constant is education. She stated, the vote for Sanctuary is the vote for the American Dream.

Trustee Gin called upon the next 5 speakers.

Student #9 Patrick Mwamba, stated him speaking isn't a statement for the Board to vote, this shouldn't be a debate. He expressed the vote for Sanctuary is overdue. He hopes with the passing of this Resolution better communication and listening starts.

Student #10 Mia Sete, stated when she stepped into the room tonight she saw leaders with the position to affect 14,000 Chabot students and 9,000 Las Positas students. She stated every action the Board takes is a symbol to the students. She emphasized that "by supporting the students you will be empowering the students". Lastly, she stated at the beginning of the meeting we all stood up for the pledge of the flag, [this indicates] you are for liberty and justice of students.

Student # 11 Alexander Walker-Griffin, Representative of California Community Colleges Board of Governors stated we're all American citizens, we forget the privileges and little things. He stated we are a bridge and he stands with his undocumented students. Lastly, he stated this is a moment to stand up for the undocumented students and leave a legacy.

Student #12 Joan Cortez, stated he is tired of being told to stop fighting for the Resolution as it's not symbolic, the star stripped flag is symbolic, and people die for that flag. He stated we shouldn't be begging for this Resolution to be passed, we" will continue to come through until it is".

Community Member # 13 Rosaura Mendoza, with the Hayward Collective stated the City of Hayward made the city a Sanctuary City, and supports the Resolution for Sanctuary Campus, stating its imperative this go through to show the students they're being supported. She expressed students pay tuition and are a part of the campus community and they should be able to focus on their studies rather than be used as a game of political warfare.

Faculty #14 Katie Messina Silva, Counselor and Dreamers Member at Chabot along with the students come in support of the Sanctuary Resolution. She stated there are approximately 450 undocumented students. She stated many students are worried, feel uncertain in what the future holds and believes their families are being targeted. Lastly, she stated Chabot's sister college is also in support of this Resolution and it's time to take action tonight.

Student #15 Mia Soto, stated she is here to represent the Pacific Islanders, Pacific Islanders Community, Justice Arts Collective and all undocumented Dreamers. She stated Hayward is the heart of the Bay area and we need to be the heartbeat. She stated if the Resolution is not passed the students will feel unsafe as college is a place that is connected to the community, it needs to be a safe haven. Lastly, she stated we don't want leaders, we want great leaders, leaders that will do the right thing, "Vote Sanctuary!"

Student #16 Taufu Stefano stated there are only 2 things that control us. "With love, I support undocumented students. We are here that will better serve our families. With love, I support the immigrations. We were here by magical or mistake. With love, I support protection with engagement. We need to focus on what we can do. This affects me and you. By making

Sanctuary Campus this will be a start.” She ended by stating she supports making Chabot a Sanctuary Campus “because this is our home”.

Student #17 Galiled Rios, Shared a Poem by Luis Valdez and Domingo Martinez Paredes with two of her fellow peers. *Tú eres mi otro yo*. You are my other me. *Si te hago daño a ti*, If I do harm to you, *Me hago daño a mi mismo*. I do harm to myself. *Si te amo y respeto*, If I love and respect you, *Me amo y respeto yo*. I love and respect myself.

Faculty #18 Jztino Panella, greeted everyone by saying “Familia” he stated he says that with a lot of heart as we listen to all the students. He stated we need to build a culture to resist unjust laws that try to divide us. He urged the Board to make a commitment to all the students and make Chabot a Sanctuary Campus. He also stated this is a symbol, like a cross or flag we can stand behind. Lastly, the language around this Resolution is so important, it defines us. “Let’s stand with heavy hearts and make our campus sanctuary.”

President Mitzman thanked everyone for their heartfelt comments.

### **1.7 APPROVE CONSENT ITEMS (CC)**

Consent Calendar items are designated by “cc” and are expected to be routine and noncontroversial. They will be acted upon by the Board of Trustees on a single motion without discussion. Any member of the Board or Public may request that an item be removed from this section for later discussion.

No exceptions to the consent calendar items were made.

Trustee Gin read the following: Summary of Government Code 54953© (3) which requires that, before taking final action, the Board must orally report a summary of the recommendation regarding the salaries, salary schedules, or compensation paid in the following summary regarding such items appearing on the consent agenda. Item 3.2 (Management Personnel), pertains to final action by the Board regarding the approval for the following contracts of employment:

- Christina L. Read at Range 15, Step 5
- Diane T. Chang at Range 15, Step 2
- Elizabeth David at Range 19, Step 1
- Rajinder S. Samra at Range 19, Step 4

All Contracts of Employment mentioned above are entitled to the same fringe benefit package as other managers per Board policy and procedures.

- Cynthia Hicks at \$59.90/hour, no benefits



Motion No. 2

Trustee Vecchiarelli made a motion, seconded by Trustee Maduli, to approve the Consent Calendar.

Motion carried unanimously, 6-0, with Trustee Gelles absent.

The following items were approved on the Consent Calendar:

**3.0 PERSONNEL**

- (cc) 3.1 Classified Board
- (cc) 3.2 Management
- (cc) 3.3 Student Wage Increase

**4.0 EDUCATIONAL SERVICES**

- (cc) 4.1 Approval of Acceptance and Expenditure of One-Time Hunger Free Campus Funds in Fiscal Year 2017-2018 to Address Food Insecurity at Chabot College and Las Positas College as Directed by the California Community Colleges Chancellor's Office
- (cc) 4.2 Approval for Interjurisdictional Exchange Agreement between Chabot-Las Positas Community College District and Chaffey Community College District and Umoja Community Education Foundation, Chabot College

**5.0 BUSINESS SERVICES**

- (cc) 5.1 Approval of Commercial Warrant Registers
- (cc) 5.2 Approval of Award of a Piggyback Contract for Furniture for New Academic Classroom Building 100 at Las Positas College using the CollegeBuys Purchasing Program
- (cc) 5.3 Approval of Declaration of Surplus Property to be Sold at Public Auction Sale and Donation or Disposal of Any Items Not Sold
- (cc) 5.4 Amendment to Bookstore Operating Agreement - Follett Higher Education Group, Inc., Las Positas College

**6.0 FACILITIES PLANNING AND DEVELOPMENT****7.0 ECONOMIC DEVELOPMENT/CONTRACT EDUCATION**

- (cc) 7.1 Acceptance of Grant Agreement with City of Dublin VITA Grant 2017-18, District- Economic Development, Tri-Valley One-Stop Career Center
- (cc) 7.2 Acceptance of Grant Agreement with City of Dublin Jobs Initiative 2017-18, District- Economic Development, Tri-Valley One-Stop Career Center
- (cc) 7.3 Approval of Agreement – The Trade School, Shasta Builders Exchange, District – Economic Development: OSHA Training Center

Trustee Gin suggested Agenda Item 9.1 and 9.2 be moved forward therefore individuals that wish to speak on this item can do so.

Motion No. 3

Trustee Dvorsky made a motion, seconded by Trustee Mitzman, to move Agenda Item 9.1 and 9.2 forward.

Motion carried unanimously, 6-0 with Trustee Gelles absent.

Trustee Vecchiarelli commented he is in favor of the Sanctuary Resolutions. He stated we need to have processes and procedures in place. He also stated Chabot and Las Positas did a beautiful job putting together these Resolutions.

Trustee Maduli made a comment and correction: there are 114 Community Colleges in California, not 113 as stated on the Chabot Resolution. He stated he has concerns on the resources, legal counsel and assistance to the students. He suggested amending both Resolutions by removing Item # 10 (D) from Chabot's Resolution and Item # 11(C) from Las Positas Resolution. He stated once those changes are made and after hearing the student's testimonials the last 4 Board Meetings he is in agreement in supporting the students of Chabot and Las Positas College on the Resolutions.

Trustee Vecchiarelli, asked how the students pay for their tuition now? Ms. Noell Adams answered by stating, Dreamers receive funding through Assembly bill. AB540, BOG Fee Waiver. They do not receive any federal, only California state assistance.

Student Trustee Juliet Garcia Gutierrez, posed the question if tuition assistance is not available, can a scholarship be available?

Trustee Maduli answered by stating, scholarships are not available. He also stated we need to provide backup for these Resolutions so each college knows what it entails.

Trustee Randolph commented she is in favor of the Resolutions.

Chancellor Jackson stated a point of clarification, the Board has agreed to pass both Resolutions with provisions of removing item #10 (D) Chabot Resolution and Item # 11 (C) from LPC's resolution. She also stated per Trustee Vecchiarelli's request, common Policies and Procedures be developed by the campuses.

Chabot College Student Senate President, Mr. Zaheer Ebtikar posed the question around the Resolutions to support tuitions.

Trustee Maduli answered, part of this is restricted and unrestricted funds. He suggested fundraising, and offering other options to the students. He stated the colleges shouldn't be held financially responsible to support this. He also mentioned, what we're trying to do is support our students, by doing all the things we can do, however, there are limitations.

**AMENDMENT OF RESOLUTION NO. 08-1718- FROM THE CHABOT COLLEGE ACADEMIC FACULTY SENATE CLASSIFIED SENATE, AND STUDENT SENATE, THAT CHABOT COLLEGE BE DESIGNATED AS A SANCTUARY CAMPUS. (Agenda Item 9.1)**

Motion No. 4

Trustee Maduli made a motion, seconded by Trustee Dvorsky, to Amend Resolution No. 08-1718 removing Item 10 (D) from the Chabot College Academic Faculty Senate Classified Senate and Student Senate that Chabot College be designated as a Sanctuary Campus.

Motion carried by the following roll call vote:

AYES:	Dvorsky, Gin, Maduli, Mitzman, Randolph, Vecchiarelli
NOES:	None
ABSENT:	Gelles
ABSECTIONS:	None

Student Trustee Juliet Garcia Gutierrez commented she supports the students as it is important to them and recommends the vote is symbolic but that it really does matter and transcends into creating policies.

President Mitzman stated he is in agreement of the Resolution however, would like a District wide Resolution.

Trustee Dvorsky stated she attended The Great Debate recently and heard from families and students on Sanctuary Status which was great and passing this Resolution is the right thing to do.

**AMENDMENT OF RESOLUTION NO. 09-1718 FROM THE LAS POSITAS COLLEGE ACADEMIC FACULTY SENATE, AND ASSOCIATED STUDENTS OF LAS POSITAS COLLEGE (ASLPC) THAT LAS POSITAS COLLEGE BE DESIGNATED AS A SANCTUARY CAMPUS. (Agenda Item 9.2)**

Motion No.5

Trustee Maduli made a motion, seconded by Trustee Dvorsky, to adopt Resolution No. 09-1718 removing Item 11(C) from the Las Positas College (ASLPC) that Las Positas College be designated as a Sanctuary College.

Motion carried by the following roll call vote:

AYES:	Dvorsky, Gin, Maduli, Mitzman, Randolph, Vecchiarelli
NOES:	None
ABSENT:	Gelles
ABSECTIONS:	None

Trustee Maduli asked for clarification regarding 9.2, the Title is lacking as it does not include the Classified Senate and the end has approval of the Academic Senate, Student Senate but not the Classified Senate. Ms. Melissa Korber commented, last Friday the Classified Senate has approved the Resolution with no changes.

**ADOPTION OF RESOLUTION NO. 08-1718- FROM THE CHABOT COLLEGE ACADEMIC FACULTY SENATE CLASSIFIED SENATE, AND STUDENT SENATE, THAT CHABOT COLLEGE BE DESIGNATED AS A SANCTUARY CAMPUS. (Agenda Item 9.1)**

Motion No. 6

Trustee Maduli made a motion, seconded by Trustee Dvorsky, to adopt Resolution No. 08-1718 from the Chabot College Academic Faculty Senate Classified Senate and Student Senate that Chabot College be designated as a Sanctuary Campus.

Motion carried by the following roll call vote:

AYES:	Dvorsky, Gin, Maduli, Mitzman, Randolph, Vecchiarelli
NOES:	None
ABSENT:	Gelles
ABSECTIONS:	None

Student Trustee Chris Romero, piggy backed Student Trustee Juliet Garcia Gutierrez's comment by stating he too is very happy the Board is supporting the students. He thanked everyone for their hard work in showing their support which effects so many people on both campuses.

**ADOPTION OF RESOLUTION NO. 09-1718 FROM THE LAS POSITAS COLLEGE ACADEMIC FACULTY SENATE, AND ASSOCIATED STUDENTS OF LAS POSITAS COLLEGE (ASLPC) THAT LAS POSITAS COLLEGE BE DESIGNATED AS A SANCTUARY CAMPUS. (Agenda Item 9.2)**

Motion No.7

Trustee Maduli made a motion, seconded by Trustee Dvorsky, to adopt Resolution No. 09-1718 from the Las Positas College (ASLPC) that Las Positas College be designated as a Sanctuary College.

Motion carried by the following roll call vote:

AYES:	Dvorsky, Gin, Maduli, Mitzman, Randolph, Vecchiarelli
NOES:	None
ABSENT:	Gelles
ABSENTIONS:	None

Trustee Maduli suggested a joint resolution be developed to show support to our students.

**1.8 AWARD:** ACCT Lifetime Membership Dr. Arnulfo Cedillo

On behalf of the Board, Chancellor Jackson recognized and thanked Trustee Emeritus Dr. Arnulfo Cedillo for his dedication to the Board and presented him with The National ACCT Lifetime Award.

Dr. Arnulfo Cedillo thanked his wife and family for their support. He stated that after 30 years of public service, tonight he was reminded of why he did what he did, the students and community have spoken and the Board has listened.

**1.9 BREAK**

**1.10 PRESENTATION:** Financial Audit Report 2016-17

Chancellor Jackson introduced Vice Chancellor Legaspi who provided a brief introduction of Ms. Tina Treis, Auditors representing Crowe Horwath, LLP. He reported that the Education Code requires a Financial Audit on an annual basis of the General Fund and the Measure B bond.

Ms. Tina Treis reported that in her opinion the respective financial position of the business-type activities and the fiduciary activities, of the Chabot-Las Positas Community College District, as of June 30, 2017, and the respective changes in its financial position, where applicable, such as cash flows thereof for the year then ended, are in accordance with accounting principles generally accepted in the United States of America. Ms. Treis reported

that the Financial Audit Report consisted of three basic components: Financial Audit in accordance with Government Auditing Standards, State Compliance, and Federal Compliance. She reported that there were no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards. She stated a discussion was held with the Audit Subcommittee regarding the upcoming Accounting Guidance that will be recording the liability of the District for its other Post-Employment Benefits (OPEB) liability. A small portion is reflected in this year's report. Next year, the entire portion will be reflected in the report, therefore, expect to see an adjustment. The audit was performed on the Districts Financial Statements, Measure B Performance Audit and Measure B Financial Statements.

#### Motion No.8

Trustee Maduli made a motion, seconded by Trustee Vecchiarelli, to approve the Financial Audit Report 2016-17.

Motion carried unanimously, 6-0 with Trustee Gelles absent.

### **GENERAL FUNCTIONS**

**1.11** Approval of Minutes of November 14, 2017

### **2.0 REPORTS, FACULTY, CLASSIFIED AND STUDENT SENATES**

#### **2.1 PRESIDENT OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES**

**Chabot College Faculty Senate President, Ms. Laurie Docker reported on the following items:**

She stated the Faculty Senate still has concerns with the District with a lack of transparency. She gave an example of an IEPI meeting and lack of participation with developing a process and procedure collectively. She stated it is their responsibility to educate the students and they have a lot to say when decisions are made as they believe strongly in the students. Lastly, she emphasized the faculty needs the best support from the District.

**Las Positas College Faculty Senate President, Ms. Melissa Korber reported on the following items:**

At their last meeting a Resolution was passed endorsing the online education initiative course design rubric that included recognition that it represents best practices endorsing and suggesting, not requiring but suggesting, the Faculty follow these standards and also recommending the administration allocate and provide resources to support professional development to faculty to meet each standard of the rubric. She acknowledged Interim

President Roanna Bennie and M&O Walt Blevins for their immediate actions taken regarding the door locks. She also thanked the Board for passing the Sanctuary Resolutions and, looks forward to the District Resolution. Lastly, in response to the Vote of No Confidence, Las Positas like Chabot all division Faculty were pulled together in Senate, even though they have concerns, they have decided not to move forward with a vote of no confidence and to initiate discussions to address concerns during tomorrow's [Academic Senate] meeting and determine how they're going to move forward with those discussions.

## **2.2 PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES**

**Chabot College Classified Senate President, Ms. Noell Adams reported on the following:**

Thanked the Board for voting the Sanctuary Resolution, which has been a long time coming and can't wait for the celebrations to begin. Classified Senate is sponsoring a coat drive on campus through December 15<sup>th</sup>. They have placed coat collection boxes in 7 locations throughout the campus. Classified Senate sent two senators, Osibisa Roseby and Rachael Tupper-Eoff, to the Community College League of California's annual convention last month. At our next regularly scheduled senate meeting, they will be reporting out about their experience and knowledge gained as a result of attending the conference. Classified Senate is hosting their annual Cookies & Cider Gathering on December 21<sup>st</sup>, in the Board Room. All classified professionals serving Chabot College have been invited to attend. This annual event is something they like to do to bring classified professionals together to share some holiday cheer and to show their appreciation for contributions to the college throughout the year. Classified Senate will be meeting with the Facilities Master Plan consultant, MIG, at their January 19<sup>th</sup> meeting. They will be discussing what they see as the strengths, challenges and opportunities for the Chabot campus; and what their desired outcomes are for the new Facilities Master Plan. Lastly, as the fall semester comes to a close, she expressed her gratitude to all of her colleagues at Chabot College, including classified professionals, faculty, and administrators and to the Student Senate for their dedicated and focused participation in the college's new shared governance process and structure. After just a few short months under this new shared governance model, she's already seen improvements in their institutional effectiveness especially in the areas of communication and the college's resource allocation process. She stated she is very proud of what they've been able to achieve together at their college.

**Las Positas College Classified Senate, provided the following report:**

By majority vote, the Classified Professionals adopted the LPC Sanctuary Campus Resolution on December 1, 2017.

**District Classified Senate, Ms. Rachel Ugale reported on the following items:**

The District Classified Senate supports the rights of our colleagues to question and challenge the Leadership of the District Office. We understand the concerns that have been raised and respect the platform that is being utilized to address these issues. Working as Classified Professionals at the District Office allows us the opportunity to see processes and procedures first hand, and gives us an understanding that others may not be afforded. We all understand that everyone has a biased view of every situation, due to the limited single camera perspective each individual naturally has. Keeping in mind that we all see situations from our own perspective, now is the time to remain open to seeing things through the perspectives of others, as well. After review, consideration, and deep reflection, the District Classified Senate Council has decided at this time not to address the concerns and accusations raised. The Classified Professionals will gladly continue to support the process of building understanding and improving procedural processes which support the functioning of our college community.

Respect and understanding is essential during this time of debate.

**Las Positas College Student Senate President, Ms. Tatiana Hernandez reported on the following items:**

November 13<sup>th</sup> the Student Senate passed the Mobility Initiative to sustain Wheels Bus Program so all students can ride the bus for free. She also reported LPCSG was approved and will be coming to the Board for approval next semester as well as changes to their By-Laws. She stated the Giving Day Event was a success with collecting 200 pounds of food for Alameda County Food Bank. Lastly, she thanked the Board for passing the Sanctuary Resolutions.

**Chabot College Student Senate President, Mr. Zaheer Ebtikar reported on the following items:**

Congratulated President Mitzman and Secretary Gin on their newly elected positions. He reported the Therapy Dogs were a wonderful success and there are several other events scheduled throughout the week. He thanked all the students that came out tonight to express their support for Sanctuary Campus. Lastly, he reviewed the Vote of No Confidence handout he provided to all the Trustees. The Student Senate of Chabot College (SSCC) hereby declares their support for the Chabot College Academic/Faculty Senate and their resolution adopted on November 2, 2017, affirming a vote of no confidence for the Chabot-Las Positas Community College District Chancellor.

The SSCC further supports the Academic Senate and Faculty Senate in their stated grievances, including how the Chancellor and her senior leadership:



1. Exercise control or micromanage without regard to the careful work and deliberation the College community has put into its governing process, thus impinging on the College's autonomy;
2. Ignore the College's stated needs in its enrollment management, program review documents, facilities requests, and user group feedback;
3. Foster distrust by refusing college participation in the evaluation of District processes, delaying meaningful evaluation of District processes, making unilateral decisions, lacking due diligence in fact-checking the statements it makes to the public, and not responding in a timely manner to college needs.

The SSCC as representatives of, and advocates for, the students of Chabot College have heard numerous concerns detailing how the actions of the Chancellor and her senior leadership have negatively impacted the success of students; their ability to enroll in the classes necessary to accomplish their academic goals, to graduate and transfer in a timely fashion, and their sense of trust for their safety on campus.

The SSCC recognizes that there has been irreparable damage to the relationship between the students of Chabot College and the Chancellor. The discord between the District office and the colleges is destroying the college's ability to fulfill its duties to the students.

The SSCC acknowledges and agrees with the Faculty Senate that the following ongoing actions of the Chancellor and her leadership are unacceptable and damaging to the academic success of our students.

- interfering with college hiring decisions and processes,
- denying college representation on district committees and workgroups,
- lack of college input in the evaluation of district programs and operations,
- not following the Budget Allocation Model and not making adjustments in it for the economic/educational climate,
- underfunding the PT employee allocations to the colleges and requiring the colleges to find ways to make up the difference,
- offering an early retirement program without required consultations,
- mismanaging the teaching hour allocations to the colleges resulting in unfilled classes and unmet student headcount targets,
- manipulating the FT Faculty Obligation number to prevent replacing retirements and other vacancies,
- consistent inability to process routine hiring and expenditure tasks in a timely manner.

The SSCC endorses and supports the actions taken by the Chabot College Academic/Faculty Senate, and attaches its resolution for reference, declaring a vote of no confidence for the District Chancellor.

### **GOOD OF THE ORDER**

Dr. Charlotte Lofft, Faculty Association President reported on the following:  
Thanked the Board for passing the Sanctuary Resolutions. She stated she will be taking the SERP and retiring; however, she will work collaboratively with the newly elected president and will continue to represent the faculty issues related to the union. Lastly, she congratulated President Mitzman as the recently elected president.

### **INFORMATIONAL PERSONNEL REPORT (Agenda Item 8.1)**

The Board accepted the Informational Personnel Report without discussion.

### **FIRST READING: APPROVAL OF COLLEGE AND CAREER ACCESS PATHWAYS PARTNERSHIP AGREEMENT FOR DUAL ENROLLMENT BETWEEN SAN LORENZO UNIFIED SCHOOL DISTRICT AND CHABOT- LAS POSITAS COMMUNITY COLLEGE DISTRICT, CHABOT COLLEGE.**

(Agenda Item 8.2)

### **REPORTS OF EDITS MADE TO BOARD POLICY AND ADMINISTRATIVE PROCEDURE (Agenda Item 8.3)**

The Board accepted the edits to the following Governing Board Policies without discussion:

BP 2340	Agendas
BP 2350	Speakers
BP 2735	Board Member Travel
BP 3430	Prohibition of Harassment
BP 3820	Gifts
BP 4020	Programs, Curriculum, and Course Development
BP 4300	Field Trips and Excursions
BP 6450	Wireless or Cellular Telephone Use
BP 7330	Communicable Disease
BP 7340	Leaves
BP 7400	Travel
AP 3300	Public Records
AP 3435	Discrimination and Harassment Complaints and Investigations
AP 3570	Smoking on Campus
AP 4050	Articulation
AP 4227	Repeatable Courses
AP 4228	Course Repetition- Significant Lapse of Time
AP 4229	Course Repetition-Variable Units

AP 4230	Grading and Academic Record Symbols
AP 4235	Credit by Examination
AP 4300	Field Trips and Excursions
AP 5013	Students in the Military
AP 5015	Residence Determination
AP 5020	Nonresident Tuition
AP 5040	Student Records, Directory Information, and Privacy
AP 5055	Enrollment Priorities
AP 6400	Financial Audits
AP 6450	Wireless or Cellular Telephone Use
AP 6850	Hazardous Materials
AP 7125	Verification of Eligibility for Employment
AP 7336	Certification of Freedom from Tuberculosis
AP 7343	Industrial Accident and Illness Leave
AP 7400	Travel
AP 7500	Volunteers

**PRESENTATION OF THE CHABOT- LAS POSITAS COMMUNITY COLLEGE DISTRICT'S SUCCESSOR PROPOSAL FOR 2018 FOR THE COLLECTIVE BARGAINING AGREEMENT WITH THE CHABOT-LAS POSITAS FACULTY ASSOCIATION (Agenda Item 8.4)**

The Chabot-Las Positas Community College District is requesting that the following issued be reopened for 2018:

- Article 14: Contract (Untenured) Faculty Evaluation
- Article 20: Employee Benefits
- Article 21: Salaries
- Article 29 Staff Development

**ACCEPTANCE OF THE INNOVATION AND EFFECTIVENESS GRANT AGREEMENT WITH SANTA CLARITA COMMUNITY COLLEGE DISTRICT, AND THE AWARD OF \$200,000 (Agenda Item 9.3)**

Motion No.9

Trustee Gin made a motion, seconded by Trustee Vecchiarelli, to approve the Acceptance of the Innovation and Effectiveness Grant Agreement with Santa Clarita Community College District and the Award of \$200,000.

Motion carried unanimously, 6-0, with Trustee Gelles absent.

**ACCEPTANCE OF QUARTERLY FINANCIAL STATUS REPORT (CCFS-311Q) FOR THE QUARTER ENDING SEPTEMBER 30, 2017. (Agenda Item 9.4)**

Motion No.10

Trustee Maduli made a motion, seconded by Trustee Dvorsky, to accept the Quarterly Financial Status Report (CCFS-311Q) for the Quarter Ending September 30, 2017.

Motion carried unanimously, 6-0, with Trustee Gelles absent.

**10.0 REPORTS-SENIOR LEADERSHIP AND TRUSTEES****10.1 PRESIDENT OF CHABOT AND LAS POSITAS COLLEGES****Dr. Susan Sperling, President Chabot College reported on the following:**

Offered her congratulations to President Mitzman and thanked Dr. Gin for his past presidency. She expressed gratitude to the Board for passing the Sanctuary Resolutions and thanked all the students for their heartfelt comments it was deeply felt. She stated the college has been extremely busy since the resending of DACA, they immediately formed a Task Force, Student Services and Dreamer Support Group to study and promulgate the information and education to the Chabot community about the kind of support that they are able to offer as a college. She passed out a handout to all Board member with some protocols, they look forward to working cross District in refining these. She advised everyone these are posted online, in classrooms, and work areas. This is meant to help our students, faculty and staff know how we will respond and how we are expected to respond on a number of different circumstances. Lastly, she touched on the Great Debate she attended last week and thanked Trustee Dvorsky for being present.

**Ms. Roanna Bennie (Interim President), Las Positas College reported on the following items:**

She stated the students passed the Transportation Fee which was supported by all, even students that drive their own cars. She thanked Trustee Maduli for the attention given to details. With excitement she stated they won a Conference Title. Lastly, she expressed appreciation towards everyone for working so hard in passing the Sanctuary Resolution.

**CHANCELLOR REPORT**

Thanked both colleges and the District for the unqualified audit. She stated, as requested at previous Board meetings, supporting documents referencing the Facility Revenues, Budget Allocation Model (BAM), and Unrestricted General Fund data will be posted online. She also stated she will post who is on each committee, including faculty, classified, administrators and students. She made mention that a representative from Chabot has not been assigned (as of yet) to the District-wide Planning and Budget Committee which would be helpful in communication on what is transpiring on the committee. She shared she had

some health concerns with a ruptured appendix and had mobility issues, but will be starting up in the spring with Listening Sessions that will go far regarding some concerns that have been brought up over that last few months, she also indicated she does not believe in “irreparable damage”, and chooses to see the glass as half full rather than half empty. She expressed that Trustee Gelles always appreciated a regular update on Facilities and Bonds; therefore, she called upon Vice Chancellor Horner to give a brief summary.

### District-Wide

1. Security Master Plan: is in progress and is scheduled to finish draft recommendations in Spring 2018
2. Facility Master Plan: is also in progress, meetings have begun at both colleges. First round of input gathering and examination of existing conditions is ongoing. The Vision and Framework are planned for Spring Semester 2018. Final plan is scheduled to be presented to the Trustees by December 2018.
3. California Environmental Quality Act (CEQA): has been completed at both colleges.
4. Cell Phone Coverage Project: involves the installation of a DAS (Distributed Antenna System) at both colleges. Wiring and installation is currently under contract and the work will commence in December 2018.
5. Wi-Fi Replacement/Expansion Project: involves replacing our current capabilities with new systems at both colleges. The new Wi-Fi system will improve coverage both inside and outside buildings. The system is currently being designed.

### Las Positas College

1. New Academic Classroom Building 100:
  - A 41,041 sq. ft., two-story, steel framed building consisting of 12 classrooms, 6 computer labs, an anthropology lab and a large lecture classroom seating approx. 100.
  - Current status: The new Academic Classroom Building is approximately 70% complete and is on schedule to be completed by May 2018. Occupancy is scheduled for Fall Semester 2018. Audio Visual and Furniture packages are being completed.
2. Paving repairs and Campus Entry design options have been started.

### Chabot College

1. New Biology Building 2100:
  - A 19,590 sq. ft., two-story, steel framed building consisting of 5 biology laboratories, associated support spaces and a greenhouse.
  - Current Status: DSA approval is complete and the project is currently in the bidding process. Bids are scheduled to be opened January 2018 and a recommendation to award is planned for the February 2018 Board agenda.

Construction should begin March 2018 with expected completion September 2019.

2. Seismic Strengthening of Grand Court Arcade: involves the strengthening of the Grand Court Arcade columns for better resistance to seismic forces.

Current Status: The contract was approved August 15, 2017 and construction began in September. The seismic strengthening project is contracted to be complete February 2018.

3. Campus Signage, Phase 2: involves building identification signage to compliment the directional signage installed in phase 1. The contractor was issued a notice to proceed in November 2017 and the project is scheduled to be complete February 2018.
4. Chabot Baseball Field Replacement: was approved for the Design-Build project delivery method. An RFQ (Request for Qualifications) is being developed to solicit a pool of qualified Design-Build entities. The actual scheduled construction will be coordinated closely with Chabot Athletics to minimize the impact.

#### District Office

1. The improvements to the Dublin Center common space and exterior site work are substantially complete. The second elevator still requires a small renovation to the machine room and a final inspection to be complete and operational.

Trustee Maduli posed the question, are the colleges working on a Master Plan?

Vice Chancellor Horner replied: they are working on two master plans, a Facilities Master Plan and a Security Master Plan for each college and the District.

Trustee Maduli asked, since we're doing the Master Plan after the fact of coming up with the Project Listing Bonds, he would hope there is alignment with the proposed Master Plan and the list that has been developed. Vice Chancellor Horner responded: the priorities are not changing, the Facility Master Plan will help with the programming of the facilities and will ensure we get the right programs in the right places. Trustee Maduli commented, the Educational Master Plan should be driving the Facilities Master Plan, but what was done was the other way around. Vice Chancellor Horner clarified: what we did was to prioritize the 2012 Facility Master Plan, based upon our recent Educational Master Plan.

Trustee Vecchiarelli voiced concern regarding Measure B that was passed 2004 for \$600M, why do we have projects still outstanding?

Vice Chancellor Horner replied: as of October 31, 2017 \$42.7M, remained unspent. Of that \$42.7M, \$16.7M is under contract leaving \$26 million. The majority of the \$26 million (over \$20M) is budgeted for the new Chabot College Biology building which is currently out to

bid. If all goes well, we hope to bring a recommendation to award a contract to the Trustees in February. At that point Measure B will be over 99% spent.

Trustee Vecchiarelli asked why it took so long to build the Biology Building, it needed renovation years ago? Vice Chancellor Horner answered: that the colleges create their priorities based upon the Educational Master Plan and program facility needs. The District does not set those priorities. It was not until recently, at the end of Measure B, that Chabot College prioritized the Biology Building.

### **TRUSTEE REPORT AND/OR OFFICIAL COMMUNICATIONS**

Student Trustee Juliet Garcia Gutierrez, asked to be a part of developing the joint Resolution.

### **ADJOURNMENT**

#### Motion No.11

Trustee Vecchiarelli made a motion, seconded by Trustee Mitzman to adjourn the meeting at 10:04 p.m.

Motion carried unanimously, 6-0, with Trustees Gelles absent.

### **NEXT MEETING**

The next Meeting of the Board is a Regular Meeting scheduled for January 16, 2018 at the District Office.

Minutes prepared by:

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Debra Nascimento  
Recording Secretary

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