

# OFFICIAL COPY



## CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

### BOARD OF TRUSTEES REGULAR MEETING

August 16, 2011 - 5:00 P.M.\*

District Office, 5020 Franklin Dr., Pleasanton CA  
Multipurpose Room #120

#### 1.0 GENERAL FUNCTIONS - PRESIDENT OF THE BOARD

1.1 **5:00 P.M. -OPEN SESSION-  
CALL TO ORDER AND ROLL CALL\***

#### 1.2 PUBLIC COMMENTS

The Board requests that the public speak at this time. Any person wishing to address the Board on any Closed Session matter of concern is requested to complete a "Request to Address the Board of Trustees" card and file it with the Recording Secretary of the Board prior to start of the meeting. Individuals will be called upon to speak by the presiding officer. The Board cannot act on or discuss items not listed on the agenda.

#### 1.3 CLOSED SESSION

- a. Evaluation of Contract Employee: Chancellor (Government Code Section 54957)
- b. Conference with Legal Counsel: Potential Litigation—Significant Exposure to Litigation-One (1) Potential Case (Government Code Section 54956.9)
- c. Conference with Real Property Negotiators: Two (2) Items (Government Code Section 54956.8)
- d. Conference with Labor Negotiators: S.E.I.U., Local 1021, and Chabot-Las Positas Faculty Association Updates (Government Code Section 54957.6)
- e. Conference with Legal Counsel: Existing Litigation, One (1) Matter—Petition No. 10-73870 (Government Code Section 54956.9)
- f. Public Employee(s) Discipline/Dismissal/Release: (Government Code Section 54957)

**\*Board meeting will immediately adjourn to a Closed Session to end at 6:30 p.m. If business is not concluded by 6:30 p.m., the Board will reconvene to the Regular Meeting and recess the Closed Session until the end of the meeting.**

**1.0 GENERAL FUNCTIONS - PRESIDENT OF THE BOARD (continued)**

1.4 **6:30 P.M. -OPEN SESSION-  
CALL TO ORDER AND ROLL CALL**

1.5 **PLEDGE TO FLAG**

1.6 **PUBLIC COMMENTS**

The Board requests that the public speak at this time. Any person wishing to address the Board on any matter of concern is requested to complete a "Request to Address the Board of Trustees" card and file it with the Recording Secretary of the Board prior to the start of the meeting. Individuals will be called upon to speak by the presiding officer. The Board cannot act on or discuss items not listed on the agenda.

1.7 **APPROVE CONSENT ITEMS (cc)**

Consent Calendar items are designated by "cc" and are expected to be routine and non-controversial. 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.

(cc) 1.8 Approval of Minutes of July 19, 2011 Regular Meeting

**2.0 REPORTS**

2.1 Trustee Reports and/or Official Communications

2.2 Las Positas College Foundation

2.3 Presidents of Faculty Senates—  
Chabot College and Las Positas College

2.4 Presidents of Classified Senates—  
Chabot College, Las Positas College and District

2.5 Presidents of Associated Students—  
Chabot College and Las Positas College

2.6 Presidents of Chabot College and Las Positas College

2.7 Chancellor

2.8 Recognitions

**3.0 PERSONNEL**

- 3.1 Student Assistant Personnel (No items)
- (cc) 3.2 Classified Personnel
- 3.3 Faculty Personnel (No items)
- (cc) 3.4 Management Personnel

**4.0 EDUCATIONAL SERVICES (No items)****5.0 BUSINESS SERVICES**

- (cc) 5.1 Approval of Commercial Warrant Registers
- (cc) 5.2 Approval of Payroll Warrant Registers
- (cc) 5.3 Approval of Contract Renewal—California Community Colleges Chancellor's Office for the Tax Offset Program (COTOP)
- (cc) 5.4 Approval of Agreement Amendment Renewal—ValleyCare Health System for the Student Health Center, Las Positas College
- (cc) 5.5 Approval of Collaboration Agreement—Casey Family Programs and the Foster and Kinship Care Education Program, Las Positas College

**6.0 FACILITIES PLANNING AND DEVELOPMENT**

- (cc) 6.1 Approval of Contract Modification to the Existing Design Contract with Kwan Henmi Architecture Planning, Inc. for the Science & Technology Upgrade & Expansion, Las Positas College (Measure B Bond Funds)
- (cc) 6.2 Approval of Award of Contract with Gates + Associates for Re-Design Services for the Campus Boulevard Phase I Project, Las Positas College (Measure B Bond Funds)
- 6.3 Adoption of Resolution No. 02-1112—Authorization to Adopt Revised Uniform Public Construction Cost Accounting Act

**7.0 ECONOMIC DEVELOPMENT/CONTRACT EDUCATION**

- (cc) 7.1 Approval of Contract Renewal—County of Alameda Social Services Agency-Children's and Family Services, Master Contract No. 900035, District-Economic Development

**8.0 INFORMATION AND DISCUSSION ITEMS (No action)**

- 8.1 Informational Personnel Reports

**9.0 OTHER ACTION ITEMS (No items)****10.0 CLOSED SESSION—(Government Code Section 54954.5)**

- 10.1 Personnel
- 10.2 Collective Bargaining
- 10.3 Possible Litigation

**11.0 ADJOURNMENT****12.0 NEXT MEETING OF THE BOARD OF TRUSTEES**

September 6, 2011, 6:30 p.m., Study Meeting, Chabot College

Any person with a disability may request this agenda be made available in an appropriate alternative format. A request for a disability-related modification or accommodation may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting to the Chancellor's Office, 5020 Franklin Drive, Pleasanton, 925-485-5207, between 8:00 a.m. and 5:00 p.m. at least 48 hours before the meeting.

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

August 16, 2011

Agenda Item: 3.2

Subject: Classified Personnel

Recommended Action: That the Board of Trustees approves the following Classified Personnel.

I. ASSIGNED TO CHABOT

A. Reassignment Pursuant to Reorganization Plan

Witt, Bella B., from Administrative Assistant II – President’s Office (2CPR14), Range/Step 34/5, \$4,588.83/month, to Executive Assistant, Vice President Student Services (2CSP05), Range/Step C380/4, \$4,824.83/month, effective 08/17/11.

II. ASSIGNED TO DISTRICT

A. Reclassification

Stricklen, Eric, V., from Senior Programmer Analyst II (1CMI29), Range/Step 61/5, \$8,935.33/month, to Senior Programmer Analyst III (1CMI57), Range/Step 65/4, \$9,393.25/month, effective 09/01/11.

M Gularte 8.8.11  
Submitted: Mary Anne Gularte/Date

Joel L. Kinnamon 8/8/11  
Approved: Joel/L. Kinnamon/Date

APPROVED       DISAPPROVED       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

August 16, 2011

Agenda Item: 3.4

Subject: Management Personnel

Recommended Action: That the Board of Trustees approves the following Management Personnel.

I. ASSIGNED TO CHABOT

A. Administrative Contracts

Contract of Employment – One Year, January 1, 2012 – December 31, 2012

Cormier, Vanessa (nmi), Manager, Children's Center (2ASS04).  
*Position is Auxiliary Enterprise-funded and therefore subject to annual renewal.*

Contract of Employment – Two Year, January 1, 2012 – December 31, 2013

Lino, Paulette Barbara Y., Director, Admissions and Records (2AAR03)

Preciado, Danielle M. C., Director, Student Life (2ASP09)

II. ASSIGNED TO LAS POSITAS

A. Administrative Contracts

Contract of Employment – One Year, January 1, 2012 – December 31, 2012

Shipman, Vicki (nmi), Project Manager, Career and Technical Education Program (3APM01). *Position is grant-funded and therefore subject to annual renewal.*

Contract of Employment – Two Year, January 1, 2012 – December 31, 2013

Calica, Corinna D., Program Director, Child Development Center (3AIN11)

III. ASSIGNED TO DISTRICT

A. Administrative Contracts

Contract of Employment – One Year, January 1, 2012 – December 31, 2012


Messing, John L., OSHA Training Center and Apprenticeship Programs Manager (1ADE07). *Position is grant and/or revenue-generation requirement funded and subject to annual renewal.*

Non-Renewal of Administrator Contract

Machaevich, Arthur J., Project Manager, Information Technology Services - Measure B (1AMI04)

M Gularte 8-8-11

Submitted: Mary Anne Gularte/Date

 8/8/11

Approved: Joel L. Kinnamon/Date



APPROVED

DISAPPROVED

TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

August 16, 2011

Agenda Item: 5.1

Subject: Approval of Commercial Warrant Registers

Recommended Action: That the Board of Trustees approves the following Commercial Warrant Registers as indicated.

<u>Date</u>	<u>Register Pages</u>	<u>Warrant Numbers</u>	<u>Amount</u>
7/5/2011	1	146833, 125962 Cancelled Warrants	\$ (1,170.00)
	2 - 14	175392 - 175705 Commercial Warrants	690,740.76
	16 - 17	175706 - 175708 Commercial Warrants	6,746.96
	18 - 20	175736 - 175743 Commercial Warrants	1,910,926.36
7/7/2011	21 - 26	175744 - 175858 Commercial Warrants	429,289.12
	27 - 28	175859 - 175878 Commercial Warrants	266,681.23
	29 - 38	175879 - 176120 Commercial Warrants	36,094.30
7/18/2011	39 - 49	029001 - 029248 Commercial Warrants	1,468,247.58
	50 - 51	029249 - 029251 Commercial Warrants	4,664.20
	52 - 53	029252 - 029258 Commercial Warrants	113,042.50
	54 - 56	029259 - 029312 Commercial Warrants	1,522,697.49



Agenda Item: 5.1  
August 16, 2011  
Page 2

<u>Date</u>	<u>Register Pages</u>	<u>Warrant Numbers</u>	<u>Amount</u>
7/20/2011	57 - 58	029313 - 029314 Commercial Warrants	\$ 160,028.33
	59	175608 Cancelled Warrant	(5,000.00)
7/21/2011	60 - 63	029315 - 029363 Commercial Warrants	357,947.36
	64 - 66	029364 - 029406 Commercial Warrants	306,811.26
	67 - 68	029407 Commercial Warrants	1,534.83

TOTAL \$ 7,269,282.28

L. Legaspi 8.8.11  
Submitted: Lorenzo Legaspi/Date

Joel L. Kinnamon 8/8/11  
Approved: Joel L. Kinnamon/Date

APPROVED  DISAPPROVED  TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

August 16, 2011

Agenda Item: 5.2

Subject: Approval of Payroll Warrant Registers

Recommended Action: That the Board of Trustees approves the following Payroll Warrant register as indicated:

Regular Monthly Payroll:

July Payroll Warrant Total = \$3,376,576.11

L. Legaspi 8.8.11  
Submitted: Lorenzo Legaspi / Date

J. L. Kinnamon 8/8/11  
Approved: Joel L. Kinnamon / Date

APPROVED  DISAPPROVED  TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

August 16, 2011

Agenda Item: 5.3

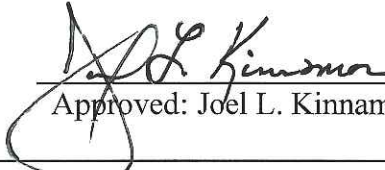
Subject: Approval of Contract Renewal—California Community Colleges Chancellor's Office for the Tax Offset Program (COTOP)

Background: Legislation passed in 1982 permitting community colleges to contract with the Chancellor's Office for the collection of outstanding student financial aid obligations owed to the colleges. The Chancellor's Office, acting on behalf of the colleges, may contract with the State Franchise Tax Board for the collection of outstanding or defaulted loans and overpayment of grants from any refund of taxes by the state or from state lottery winnings. Also, legislation (AB 3929, Jones) was passed in 1991 which authorized the collection of proper non-financial aid obligations owed to the District. Annually, community colleges may enter into a contract with the Chancellor's Office and submit the names of students with outstanding obligations. The Chancellor's Office retains 25% of all collections to cover administrative costs of operating the collection program.

The contract will permit the District to continue to submit the names of students with outstanding obligations, in order to permit collection of said obligations by the State Franchise Tax Board. This is a renewal of an annual contract with the Chancellor's Office, covering the period from October 1, 2011 through December 20, 2012.

Recommended Action: That the Board of Trustees approves the contract renewal with the California Community Colleges Chancellor's Office for the Tax Offset Program (COTOP) for the period October 1, 2011 through December 20, 2011. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the contract on behalf of the District.

 8.8.11  
Submitted: Lorenzo Legaspi/Date

 8/8/11  
Approved: Joel L. Kinnamon/Date

APPROVED

DISAPPROVED

TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

August 16, 2011

Agenda Item: 5.4

Subject: Approval of Agreement Amendment Renewal—ValleyCare Health System for the Student Health Center, Las Positas College

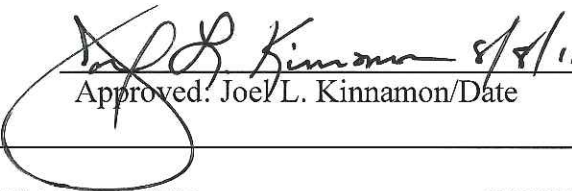
Background: This is a renewal of the amendment to the agreement with ValleyCare Health System (VCHS) to operate the Student Health Center at Las Positas College for an annual fee of \$ 202, 035 for the period of July 1, 2011 through June 30, 2012.

Las Positas College has had a working relationship with ValleyCare Health System since 1998. The Student Health Center provides health care services including non-emergency medical care, health care guidance, medical referral services and preventive health care services. Basic expenditure costs for the Student Health Center cover the full-time nurse practitioner, part-time office assistant, part-time medical assistant and medical supplies.

The Board of Trustees approved similar VCHS renewals on August 17, 2010 under item 5.12 for \$214,253 and April 15, 2008 under item 5.5b for \$284,000.

Recommended Action: That the Board of Trustees approves the proposed agreement amendment renewal with ValleyCare Health System for the Student Health Center, Las Positas College, in the amount of \$ 202,035 for the period of July 1, 2011 to June 30, 2012. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement amendment on behalf of the District.

 8.8.11  
Submitted: Lorenzo Legaspi/Date

 8/8/11  
Approved: Joel L. Kinnamon/Date

APPROVED                       DISAPPROVED                       TABLED



CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

August 16, 2011

Agenda Item: 5.5

Subject: Approval of Collaboration Agreement—Casey Family Programs and the Foster and Kinship Care Education Program, Las Positas College

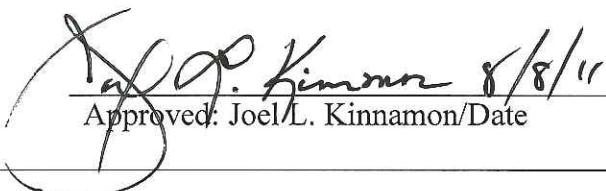
Background: Las Positas College conducts a Foster and Kinship Care Education Program that provides education and training to current and prospective foster and kinship parents for licensure. Parents Resource Institute for Drug Education (PRIDE) and Youth & Safety Trainings are provided for current and prospective resource parents and Casey Family Programs staff.

Casey Family Programs will provide the Foster and Kinship Care Education Program at Las Positas College with updated and approved materials in order to schedule and conduct on-going trainings to current and prospective resource parents and Casey Family Programs staff. The approved materials for the PRIDE and Youth & Safety programs will ensure compliance with the most up-to-date training curriculum.

This non-monetary Collaboration Agreement is for the period June 2011 through May 2012.

Recommended Action: That the Board of Trustees approves the proposed agreement with Casey Family Programs for the Foster and Kinship Care Education Program, Las Positas College, for the period June 2011 through May 2012. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement on behalf of the District.

  
Submitted: Lorenzo Legaspi/Date

  
Approved: Joel L. Kinnamon/Date

APPROVED                       DISAPPROVED                       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

August 16, 2011

Agenda Item: 6.1

Subject: Approval of Contract Modification to the Existing Design Contract with Kwan Henmi Architecture Planning, Inc. for the Science & Technology Upgrade & Expansion, Las Positas College

Background: On February 17, 2009 the Board of Trustees approved the contract with Kwan Henmi Architecture Planning, Inc. to design the Science & Technology Building at Las Positas College. In order to take advantage of the weather and maximize the bidding schedule, the District created two phases for this project preparing a site work bid package known as Bid No. 11-03 and a construction bid package known as Bid No. 11-04, which incorporates a project specific Stormwater Pollution Protection Plan (SWPPP) for each phase and manifold redesign.


Current Approved Contract Amount	\$ 1,295,185
<u>Modification</u>	<u>\$ 213,207</u>

New Design Contract Amount	\$ 1,508,392
----------------------------	--------------

Recommended Action: That the Board of Trustees approves the proposed Contract Modification to the Existing Design Contract with Kwan Henmi Architecture Planning, Inc. of San Francisco, CA for the Science & Technology Upgrade & Expansion at Las Positas College in an amount not to exceed \$213,207. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the modification on behalf of the District.

Funding Source: Measure B Bond Funds

 8/8/11  
Submitted: Jeffrey M. Kingston/Date

 8/8/11  
Approved: Joel L. Kinnamon/Date

APPROVED

DISAPPROVED

TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

August 16, 2011

Agenda Item: 6.2

Subject: Approval of Award of Contract with Gates + Associates for Re-Design Services for the Campus Boulevard Phase I Project, Las Positas College

Background: On February 20, 2007 the Board of Trustees approved an award of an A/E Agreement to Royston Hanamoto Alley & Abey (RHAA) for the design of the Campus Boulevard Project. The original project consisted of the design of a simple ADA pathway down the center of the upper area of the campus. With all of the recent construction of new buildings at Las Positas College, it was determined that a more comprehensive design was required through the entire campus providing both an ADA pathway connecting all buildings while at the same time creating useable outdoor spaces in this central corridor connecting the upper campus, new central quad area and the lower campus. Gates + Associates was selected to design the upper section known as Phase I as they are already the Landscape Architect for the central section through the SSA project and for the lower section through the Facilities Master Plan. This approach allows the College to have one Landscape Architect to design the entire pathway through the College.

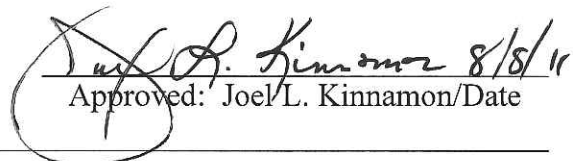
The District recommends the selection of Gates + Associates for the re-design of the Campus Boulevard Phase I Project at Las Positas College for the design development, construction documents, DSA, Bid and Construction Assistance.

Recommended Award to: Gates + Associates  
Approximate Construction Value: \$ 2,000,000  
Contract Value Not To Exceed: \$ 200,000

Recommended Action: That the Board of Trustees approves the proposed Award of Contract with Gates + Associates for Re-Design Services for the Campus Boulevard Phase I Project at Las Positas College in an amount not to exceed \$200,000. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the contract on behalf of the District.

Funding Source: Measure B Bond Funds

 8/8/11  
Submitted: Jeffrey M. Kingston/Date

 8/8/11  
Approved: Joel L. Kinnamon/Date



APPROVED

DISAPPROVED

TABLED



CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

August 16, 2011

Agenda Item: 6.3

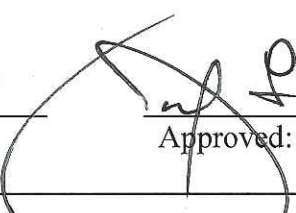
Subject: Adoption of Resolution No. 02-1112—Authorization to Adopt Revised Uniform Public Construction Cost Accounting Act

Background: The California Legislature passed the California Uniform Public Construction Cost Accounting Act (PCC §22000 *et seq.*) to promote uniformity of bidding procedures and cost accounting standards for construction projects performed and/or contracted for by public entities in the State. The Act established higher bidding thresholds; simplifies the bidding process; increases the likelihood of receiving bids from responsible bidders; and minimizes the serious limitations of using our employees for public works projects.

On April 25, 2011, State Controller John Chiang, issued a letter to all public agencies subject to the terms of the Uniform Public Construction Cost Accounting Act of an Increase in the Informal Bid Limit Pursuant to Public Contract Code Section 22032. The letter informed the District that the informal bid limit prescribed by Section 22032 of the Public Contract Code will be increased from \$125,000 to \$175,000. With this revision, the District will continue to implement the necessary safeguards to accommodate the positive aspects of the Act while maintaining the accountability measures in our bidding processes. Through adoption by resolution, the District may avail itself of the provision in the revised Act.

Recommended Action: That the Board of Trustees adopts the proposed Resolution No. 02-1112—Authorization to Adopt Revised Uniform Public Construction Cost Accounting Act.

 8/8/11  
Submitted: Jeffrey M. Kingston/Date

 8/8/11  
Approved: Joel L. Kinnamon/Date

APPROVED                       DISAPPROVED                       TABLED



CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 02-1112

AUTHORIZATION TO ADOPT REVISED UNIFORM PUBLIC CONSTRUCTION COST  
ACCOUNTING ACT

WHEREAS, prior to the passage of Assembly Bill no. 1666, Chap. 1054 Stats. 1983, which added Chapter 2 commencing with Section 22000 to Part 3 of Division 2 of the Public Contract Code, existing law did not provide a uniform cost accounting standard for construction work performed or contracted by local public agencies; and

WHEREAS, Public Contract Code Section 22000 et seq., the Uniform Public Construction Cost Accounting Act, establishes such a uniform cost accounting standard; and

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects; and

WHEREAS, the informal bid limit prescribed by Section 22000 to Part 3 of Division 2 of the Public Contract Code, will be increased to \$175,000 effective for the fiscal year beginning July 1, 2011.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT, hereby elects under Public Contract Code Section 22032 to become subject to the uniform public construction cost accounting review procedures, as they may each from time to time be amended, and directs that the Vice Chancellor of Business Services notify the State Controller forthwith of this election.

AYES: Cedillo, Dvorsky, Gelles, Gin, Mertes, Mitzman, Vecchiarelli

NOES:

ABSENT:

ABSTENTIONS:

5/16/11  
Date

Robert F. Dvorsky  
Secretary of the Board of Trustees of the  
Chabot-Las Positas Community College District,  
State of California

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

August 16, 2011

Agenda Item: 7.1

Subject: Approval of Contract Renewal—County of Alameda Social Services Agency-Children’s and Family Services, Master Contract No. 900035, District-Economic Development

Background: Alameda County Social Services Agency’s Children and Family Services has contracted with the Chabot-Las Positas Community College District’s Economic Development department to provide training to group home providers and foster family agencies serving Alameda County since 2002. The County has requested training services for the 2010-11 fiscal year.


As with the previous contracts, the District will partner with community-based organizations, including Seneca Center, Fred Finch Youth Homes, St. Vincent’s School for Boys, A Better Way, West Coast Children’s Center and Family Paths to deliver these training services to individuals who work with foster and adoptive care children. Additionally, the Social Services Agency will utilize this resource for their employee trainings.

The contract states that Alameda County will pay the District up to \$4,298,075 for providing training services for the period July 1, 2010 to June 30, 2011.

Previous Board of Trustees actions include approval of master contracts, amendments and renewals on March 19, 2002 under item 7.1; May 21, 2002 under item 7.1; May 20, 2003 under item 7.1; October 21, 2003 under item 7.3; July 20, 2004 under item 7.1; June 21, 2005 under item 7.1; June 27, 2006 under item 7.1; January 16, 2007 under item 7.1, October 21, 2008 under item 7.1 and June 23, 2009 under item 7.2.

Recommended Action: That the Board of Trustees approves the proposed contract renewal for the County of Alameda Social Services Agency-Children’s and Family Services, Master Contract No. 900035, District-Economic Development, in the amount of \$4,298,075, for the period July 1, 2010 to June 30, 2011. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the contract on behalf of the District.

 8/8/11  
Submitted: Julia A. Dozier/Date

 8/8/11  
Approved: Joel L. Kinnamon/Date

APPROVED                       DISAPPROVED                       TABLED