

OFFICIAL COPY



CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES SPECIAL MEETING June 12, 2012—4:30 P.M.*

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

1.0

GENERAL FUNCTIONS—PRESIDENT OF THE BOARD

1.1

4:30 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—Personnel, Collective Bargaining and Possible Litigation

- a. **CONFERENCE WITH LABOR NEGOTIATORS:
S.E.I.U., LOCAL 1021 AND CHABOT-LAS POSITAS
FACULTY ASSOCIATION UPDATES (Government Code
Section 54957.6)**
- b. **CONFERENCE WITH LEGAL COUNSEL: EXISTING
LITIGATION (Government Code Section 54956.9(a))**
 - i. **Department of Fair Employment and Housing
Complaint of Race Discrimination filed by Joel
Kinnamon;**
 - ii. **Government Tort Claim for Damages filed by Joel
Kinnamon**
- c. **CONFERENCE WITH LEGAL COUNSEL: EXISTING
LITIGATION, One (1) Matter—Petition No. 10-073870
(Government Code Section 54956.9)**

***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.**

1.4 **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 May 1, 2012 Study Meeting
(cc) 1.9 Approval of Minutes of May 15, 2012 Regular Meeting
(cc) 1.10 Approval of Minutes of June 5, 2012 Special Meeting

2.0 REPORTS
(No Reports)

3.0 PERSONNEL

- 3.1 Student Assistant Personnel (No Items)
3.2 Classified Personnel (No Items)
3.3 Faculty Personnel (No Items)
3.4 Management Personnel (No Items)
3.5 Adoption of Resolution No. 08-1112 - To Layoff and Reduce Hours of Classified Employees

4.0 EDUCATIONAL SERVICES
(No Items)

5.0 BUSINESS SERVICES

- 5.1 Approval to Negotiate a Professional Services Contract for Independent Audit Engagement Services
5.2 Approval of Memorandum of Understanding with the City of Livermore for the 2012 Livermore Fourth of July Fireworks Celebration, Las Positas College

6.0 FACILITIES PLANNING AND DEVELOPMENT

(No Items)

7.0 ECONOMIC DEVELOPMENT/CONTRACT EDUCATION

7.1 Adoption of Resolution No. 09-1112 - Approval of Submittal of Application to Reapply to be a Training Center: U.S. Department of Labor - District-Economic Development

8.0 INFORMATION AND DISCUSSION ITEMS (No action)

(No Items)

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**

June 26, 2012, Regular Meeting, District

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

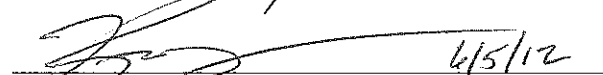
June 12, 2012

Agenda Item: 3.5

Subject: Adoption of Resolution No. 08-1112 -
To Layoff and Reduce Hours of Classified Employees

Recommended Action: That the Board of Trustees adopts Resolution No. 08-1112 – To Layoff and Reduce Hours of Classified Employees, effective July 31, 2012. It is further recommended that the Board authorize and direct the Chancellor or designee to give notice as required by the Education Code to those classified employees affected by elimination of certain classified positions due to lack of funds or work, effective July 31, 2012, and to the appropriate exclusive bargaining representative pursuant to district rules.

 6/5/12
Submitted: Susan Sperling/Date

 6/5/12
Submitted: Kevin Walthers/Date

 6.7.12
Approved: Lorenzo Legaspi/Date

APPROVED DISAPPROVED TABLED

BEFORE THE BOARD OF TRUSTEES
OF THE CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

In the Matter of the)	RESOLUTION: No. 08-1112
)	
)	
Reduction of Classified Services)	TO LAYOFF AND REDUCE HOURS
)	
)	
)	
)	
)	

WHEREAS, Education Code section 88017 authorizes a district to layoff classified employees for lack of work or lack of funds upon forty-five (45) days prior notice;

WHEREAS, due to a lack of work or a lack of funds in the Chabot-Las Positas Community College District for the 2012-2013 school year; and

WHEREAS, the Governing Board of the Chabot-Las Positas Community College District hereby finds it necessary and in the best interest of the District to eliminate and reduce the classified service as specified below;

NOW, THEREFORE, BE IT RESOLVED that as of the 31st day of July 2012, the following positions be eliminated or reduced:

Chabot College

1. One Administrative Assistant II (2CSS45), 40 hours/week, 12 months
2. One Children Center Cook (2CSS31), 40 hours/week, 12 months to 20 hours/week, 11 months
3. One College Clerk II (2CFA01), 20 hours/week, 12 months
4. One Counselor Assistant II (2CCG04), 40 hours/week, 12 months
5. One Counselor Assistant II (2CCG19), 20 hours/week, 12 months
6. One Early Childhood Specialist (2CSS38), 40 hours/week, 12 months
7. Five Early Childhood Specialists (2CSS16), (2CSS27), (2CSS39), (2CSS52), and (2CSS55), 40 hours/week, 12 months to 40 hours/week, 11 months
8. Four Early Childhood Specialists (2CSS53), (2CSS56), (2CSS57), and (2CSS58), 40 hours/week, 12 months to 20 hours/week, 11 months
9. One Early Childhood Specialist (2CSS40), 25 hours/week, 12 months to 20 hours/week, 11 months

Chabot College-continued

10. One Laboratory Technician III (Applied Technology) (2CBU07), 40 hours/week, 12 months
11. One Laboratory Technician IV (Chemistry) (2CSM11), 18 hours/week, 10 months
12. One Locker Room Attendant (2CPE05), 12 hours/week, 9 months
13. One Staff Assistant (2CLA19), 20 hours/week, 12 months

Las Positas College

1. One Career Transfer/Employment Center Coordinator (3CDS06), 40 hours/week, 12 months
2. Three Early Childhood Specialists (3CEC01), (3CEC02), and (3CEC05), 40 hours/week, 10 months
3. Three Staff Assistants (3CIN14), (3CPS01), and (3CST01), 40 hours/week, 12 months
4. One Work Based Learning Program Coordinator (3CPI01), 40 hours/week, 12 months

District Office

1. One Buyer-Capital Projects (1CPU11), 40 hours/week, 12 months
2. Four Custodian I (1CMN18), (1CMN23), (1CMN3B), and (1CMN09), 40 hours/week, 12 months
3. One Custodian II (1CMN77), 40 hours/week, 12 months
4. One Custodial Supervisor (1CMN3A), 40 hours/week, 12 months
5. One Grounds Specialist (1CMN86), 40 hours/week, 12 months
6. One Lead Custodian (1CMN73), 40 hours/week, 12 months
7. One Public Information Assistant (1CPI02), 40 hours/week, 12 months

BE IT FURTHER RESOLVED that the Chancellor or designee is authorized and directed to give notice of layoff to all affected employee(s) and to the appropriate exclusive bargaining representative pursuant to district rules and regulations and applicable provisions of the Education Code not later than forty-five (45) days prior to the effective date of such reductions or discontinuance as set forth above.

BE IT FURTHER RESOLVED that the Chancellor or designee be authorized and directed to take any other actions necessary to effectuate the intent of this resolution.

Resolution No. 08-1112
June 12, 2012
Page 3

PASSED AND ADOPTED by a roll call vote at a special meeting of the Board of Trustees of the Chabot-Las Positas Community College District, State of California, County of Alameda, held on the 12th day of June 2012.

AYES: None

NOES: Dvorsky, Gelles, Gin, Mertes, Mitzman, Vecchiarelli

ABSENT: Cedillo

ABSTENTIONS: None

6/12/12
Date



Secretary of the Board of Trustees for the
Chabot-Las Positas Community College District
State of California, County of Alameda

EXHIBIT "A" TO RESOLUTION 08-1112
 June 12, 2012
 Page 1 of 2

Position Title	Number of positions	Position Number	Current	Recommended
CHABOT COLLEGE				
Administrative Assistant II	1	2CSS45	40 hours/week, 12 months	Eliminated
Children Center Cook	1	2CSS31	40 hours/week, 12 months	20 hours/week, 11 months
College Clerk II	1	2CFA01	20 hours/week, 12 months	Eliminated
Counselor Assistant II	1	2CCG04	40 hours/week, 12 months	Eliminated
Counselor Assistant II	1	2CCG19	20 hours/week, 12 months	Eliminated
Early Childhood Specialist	1	2CSS38 (Vacant)	40 hours/week, 12 months	Eliminated
Early Childhood Specialist	5	2CSS16 2CSS27 2CSS39 2CSS52 2CSS55	40 hours/week, 12 months	40 hours/week, 11 months
Early Childhood Specialist	4	2CSS53 2CSS56 2CSS57 2CSS58	40 hours/week, 12 months	20 hours/week, 11 months
Early Childhood Specialist	1	2CSS40	25 hours/week, 12 months	20 hours/week, 11 months
Laboratory Technician III (Applied Technology)	1	2CBU07	40 hours/week, 12 months	Eliminated
Laboratory Technician IV (Chemistry)	1	2CSM11	18 hours/week, 10 months	Eliminated
Locker Room Attendant	1	2CPE05	12 hours/week, 9 months	Eliminated
Staff Assistant	1	2CLA19 (Vacant)	20 hours/week, 12 months	Eliminated

EXHIBIT "A" TO RESOLUTION 08-1112
 June 12, 2012
 Page 2 of 2

Position Title	Number of positions	Position Number	Current	Recommended
LAS POSITAS COLLEGE				
Career Transfer/Employment Center Coordinator	1	3CDS06	40 hours/week, 12 months	Eliminated
Early Childhood Specialist	3	3CEC01	40 hours/week, 10 months	Eliminated
		3CEC02		
		3CEC05		
Staff Assistant	3	3CIN14 (Vacant)	40 hours/week, 12 months	Eliminated
		3CPS01		
		3CST01		
Work Based Learning Program Coordinator	1	3CPI01	40 hours/week, 12 months	Eliminated
DISTRICT OFFICE				
Buyer-Capital Projects Custodian I	1	1CPU11	40 hours/week, 12 months	Eliminated
	4	1CMN09	40 hours/week, 12 months	Eliminated
		1CMN3B		
		1CMN18 (Vacant)		
1CMN23 (Vacant)				
Custodian II	1	1CMN77 (Vacant)	40 hours/week, 12 months	Eliminated
Custodial Supervisor	1	1CMN3A (Vacant)	40 hours/week, 12 months	Eliminated
Grounds Specialist	1	1CMN86 (Vacant)	40 hours/week, 12 months	Eliminated
Lead Custodian	1	1CMN73 (Vacant)	40 hours/week, 12 months	Eliminated
Public Information Assistant	1	1CPI02 (Vacant)	40 hours/week, 12 months	Eliminated

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

June 12, 2012

Agenda Item: 5.1

Subject: Approval to Negotiate a Professional Services Contract for Independent Audit Engagement Services

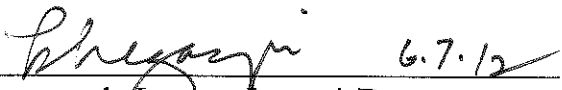
Background: Request for Proposal No. E-12 for Independent Audit Services for the District Annual Financial Audit and Proposition 39 (Measure B) Bond Funds Audit was issued on May 17, 2012. The Bond Funds Audit includes both the financial as well as the performance audit. A public notice was published and four (4) companies were contacted directly.

The four firms for the RFP are as follows:

1. KPMG, Sacramento, California
2. Matson and Isom, Redding, California
3. Moss Adans LLP, Stockton, California
4. Perry-Smith & Co., Sacramento, California

A proposal to conduct both the Annual District Audit and the Proposition 39 (Measure B) Bond Funds Audit was received, selection based on the strength of the proposal, input from the references and price competitiveness, in order to negotiate a Professional Services Contract with "not to exceed" budget of \$82,300 for a period of three (3) years with an option of one-year extensions for two additional years for Independent Audit Engagement Contract Services.

Recommended Action: That the Board of Trustees approves to Negotiate a Professional Services Contract for an Independent Audit Engagement Services in an amount not to exceed \$82,300. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute a contract on behalf of the District.


Approved: (Lorenzo Legaspi /Date 6.7.12

APPROVED

DISAPPROVED

~~TABLED~~
PULLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

June 12, 2012


Agenda Item: 5.2

Subject: Approval of Memorandum of Understanding with the City of Livermore for the Livermore Fourth of July Fireworks Celebration—Chabot Las Positas Community College District/ Las Positas College

Background: Las Positas College (LPC) has been approached to serve as the site for the 2012 Livermore Fourth of July Fireworks Celebration (“Livermore Fourth of July: An Old Fashioned Gathering”). The local groups involved in the planning, which includes the City of Livermore, the Livermore Area Recreation and Park District (LARPD), and the Livermore Fireworks Committee, have worked with the College on the event logistics.

For 27 years, the City of Livermore and LARPD put on the Fourth of July Celebration for community residents. The event was traditionally held in a local park and featured performances, activity booths, food and beverages, and a fireworks show. Due to unforeseeable budgetary issues, the Fourth of July fireworks celebrations ceased to be provided by the City in 2010. This event would provide the College with a means to further its community relations efforts.

Recommended Action: That the Board of Trustees approves the Memorandum of Understanding between Chabot-Las Positas Community College District (on behalf of Las Positas College) and the City of Livermore to hold the Livermore Fourth of July Fireworks Celebration on July 4, 2012. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the Memorandum of Understanding on behalf of the District.

 6-7-12
Approved: Lorenzo Legaspi/Date

APPROVED

DISAPPROVED

TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

June 12, 2012

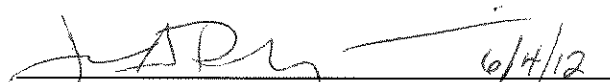
Agenda Item: 7.1

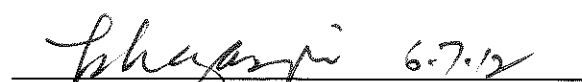
Subject: Adoption of Resolution No. 09-1112 – Authorization to Submit an Application to the U.S. Department of Labor to become an Occupational Safety & Health Administration Training Institute Education Center

Background: The U.S. Department of Labor’s Occupational Safety & Health Administration (OSHA) conducts short-term technical training in occupational safety and health topics through its OSHA Training Institute Education Centers, which are located throughout the United States. In 2007, Chabot-Las Positas Community College District was designated as one of 26 education centers in the United States, serving Region IX (California, Arizona, Nevada, Hawaii, Guam and the Pacific Protectorates). Since then, the CLPCCD OSHA Training Center has been providing health and safety courses in open enrollment classes at the Dublin Center and at the college campuses, as well as in partnership with other colleges and organizations located throughout the region. Additionally, the Center has provided OSHA trainings on-site at businesses, on a contract education basis.

All of the U.S. OSHA Training Institute Education Centers, including the Chabot- Las Positas Community College District’s OSHA Training Center, are required to reapply by June 15, 2012, to continue to serve as an Education Center. Once granted, the authorization would be for a five year period (2012-2017).

Recommended Action: That the Board of Trustees adopts Resolution No. 09-1112 authorizing the District’s submittal of an application to the U.S. Department of Labor to remain as an Occupational Safety & Health Administration Training Institute Education Center for the next five years (2012-2017).


Submitted: Julia A. Dozier/Date 6/4/12


Approved: Lorenzo/Legaspi/Date 6-7-12

APPROVED DISAPPROVED TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 09-1112

AUTHORIZING SUBMISSION OF APPLICATION TO THE U.S. DEPARTMENT OF LABOR TO REMAIN AS AN OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION TRAINING INSTITUTE EDUCATION CENTER

WHEREAS, the United States Department of Labor's Occupational Safety and Health Administration (OSHA) conducts short-term technical training in occupational safety and health topics through its OSHA Training Institute Education Centers, which are located throughout the United States; and

WHEREAS, in 2007 Chabot-Las Positas Community College District was designated as one of twenty-six education centers in the United States, and to serve Region IX (California, Arizona, Nevada, Hawaii, Guam and the Pacific Protectorates); and

WHEREAS, the Chabot-Las Positas Community College District OSHA Training Center has been providing health and safety courses in open enrollment classes at the Dublin Center; at the college campuses; in partnership with other colleges and organizations located throughout the region; and on-site at businesses, on a contract education basis;

NOW, THEREFORE, Chabot-Las Positas Community College District Board of Trustees wishes to continue to serve the community in this way and authorizes submission of an application to the United States. Department of Labor to remain as an Occupational Safety & Health Administration Training Institute Education Center for the next five years (2012-2017).

PASSED AND ADOPTED by the following roll call vote this 12th day of June 2012 by the Governing Board of Chabot-Las Positas Community College District of Alameda County, State of California.


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

NOES: None

ABSENT: None

ABSTENTIONS: None

6/12/12
Date


Secretary of the Board of Trustees of the
Chabot-Las Positas Community College District,
State of California, County of Alameda