



# OFFICIAL COPY

## CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

### BOARD OF TRUSTEES REGULAR MEETING

January 18, 2022 - 5:30 P.M.\*

District Office: 7600 Dublin Blvd., Dublin, CA  
Board Room (3<sup>rd</sup> Floor)

Location for public participation: ZOOM 1.669.900.6833

Meeting ID: 921 2891 9696

<https://cccconfer.zoom.us/j/92128919696>

**Please take notice that in compliance with the Executive Order N-29-20: Trustees may participate in this meeting through Teleconferencing/Zoom. Teleconference/Zoom sites shall not be open to the public.**

#### **Location for Public Participation**

In order to protect the public health, and adhere to current directives regarding public gatherings and social distancing, the physical site of the meeting is closed to the public. As authorized by Executive Order N-29-20, public access to the meeting is provided electronically as follows:

#### **To observe or address the meeting:**

- The District is providing members of the public the ability to observe and address the meeting through teleconferencing. Members of the public may attend and comment in real time by calling 1.669.900.6833, Meeting ID 921 2891 9696 and follow the prompts to join the meeting or connecting via <https://cccconfer.zoom.us/j/92128919696>.

#### **Instructions for making Public Comment:**

- On September 16, 2021, the Legislature amended the Brown Act provisions regarding teleconferencing during a Proclaimed State of Emergency. Members of the public may address the Board during public comment by virtually raising your hand within the reactions feature of Zoom. To replicate as closely as possible how public participation occurs when we are physically together, the Zoom chat feature will be disabled during the meeting.
- Individuals desiring to provide public comment through the use of an internet website, or other online platform, not under the District's control, that requires registration to log in to a

**\*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.**

teleconference may be required to register as required by the third-party internet website or online platform to participate.

- The Board values public input and seeks to make it as easy as possible, within the limitations created by the need for virtual meetings. The Board also appreciates and agrees with community feedback that hearing from the public – in your own voices and in “real time”—better informs the Board of the community’s perspectives and concerns. Thus, to maximize and facilitate public access, the District is providing members of the public the ability to provide public comment on any matter on the open or closed session agenda, as well as any matter within the Board’s jurisdiction. Trustees will give their full attention to whoever is speaking in the moment. The public is also reminded that trustees value and listen attentively to public comment, but do not respond.
- The Secretary will call on the member of the public at the appropriate time and allow the member of the public to provide live comment. The District limits each speaker to 3 minutes.
- The District will no longer read email public comment aloud during the meeting.

### **ADDITIONAL INFORMATION ON CONDUCTING VIRTUAL MEETINGS**

- All votes taken during the meeting will be by roll call.
- Any individuals with disabilities who needs reasonable accommodation or modification in order to participate remotely may make a request for accommodation by contacting the Recording Secretary Kelly Costello at [kcostello@clpced.org](mailto:kcostello@clpced.org) or 925.485.5207 at least 48 hours before the meeting.
- Except as described above, the Board’s regular rules and procedures for conducting meetings continue to apply, including:
  - Thirty minutes shall be the maximum time allotment for public speakers on any one subject regardless of the number of speakers. (BP 2350)
  - The rules of decorum continue to apply (BP 2355)

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

### **1.1 5:30 P.M. – OPEN SESSION CALL TO ORDER AND ROLL CALL\***

### **1.2 PUBLIC COMMENTS**

The secretary will call on the member of the public at the appropriate time and allow the member of the public to provide live comment.

### **1.3 ADJOURNMENT**

### **1.4 CLOSED SESSION\* - Personnel, Collective Bargaining and Possible Litigation**

#### **a. CONFERENCE WITH LABOR NEGOTIATORS:**

Agency designated representative: Chancellor

Employee Organizations: Chabot-Las Positas Faculty Association and S.E.I.U.,  
LOCAL 1021 Updates

(Government Code Section 54957.6)

- 1.5 **6:30 P.M. – OPEN SESSION**  
**CALL TO ORDER AND ROLL CALL**
- 1.6 **PLEDGE TO FLAG**
- 1.7 **PUBLIC COMMENTS**  
The Secretary will call on the member of the public at the appropriate time and allow the member of the public to provide live comment.
- 1.8 **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) 1.9 Approval of Minutes of December 14, 2021 Audit Subcommittee Meeting  
Approval of Minutes of December 14, 2021 Organizational Meeting
- 1.10 **PUBLIC HEARING:** Chabot-Las Positas Community College District’s Successor Proposal for the Collective Bargaining Agreement with the Chabot-Las Positas Faculty Association ending June 30, 2022
- 1.11 **PRESENTATION:** Budget Update and Review of Governor’s Budget Proposal and Potential Impacts
- 1.12 **PRESENTATION:** COVID-19 Safe Work Practices Update
- 1.13 **PRESENTATION AND DISCUSSION:** Redistricting Plan with the 2021 Census – Lapkoff and Gobalet Demographic Research, Inc.
- 2.0 REPORTS-FACULTY, CLASSIFIED AND STUDENT SENATES**
  - 2.1 Presidents of Faculty Senates - Chabot College and Las Positas College
  - 2.2 Presidents of Classified Senates - Chabot College, Las Positas College, and District
  - 2.3 Presidents of Student Senate of Chabot College and Las Positas College Student Government
  - 2.4 Constituency Reports: SEIU, Faculty Association
- 3.0 PERSONNEL**
  - (cc) 3.1 Classified Personnel
  - (cc) 3.2 Management Personnel
- 4.0 EDUCATIONAL SERVICES**
  - (cc) 4.1 Approval of Curriculum Changes, Chabot-Las Positas Community College District, Las Positas College
  - (cc) 4.2 Approval of Curriculum Changes, Chabot-Las Positas Community College District, Chabot College

- (cc) 4.3 Approval of Memorandum of Understanding (MOU) between Room to Grow Preschool and Chabot-Las Positas Community College District, Las Positas College
- (cc) 4.4 Approval of Practicum Agreement between Alameda County Crisis Support Services and Chabot-Las Positas Community College District, General Counseling Department, Chabot College
- (cc) 4.5 Approval of Practicum Agreement between Alameda County Behavioral Health (ACBH) and Chabot-Las Positas Community College District, General Counseling Department, Chabot College
- (cc) 4.6 Approval of Practicum Agreement between the Community Counseling Clinic at Cal State University (CSU) East Bay and Chabot-Las Positas Community College District, General Counseling Department, Chabot College
- (cc) 4.7 Approval of Agreement for College and Career Access Pathways Partnership Agreement for Dual Enrollment between Castro Valley Unified School District and Chabot-Las Positas Community College District, Chabot College
- (cc) 4.8 Acceptance of Grant Award – California Community Colleges Chancellor’s Office (CCCCO) Mathematics, Engineering, Science Achievement (MESA) Grant in Support of the Mesa Program at Chabot College (G0071)

## **5.0 BUSINESS SERVICES**

- (cc) 5.1 Approval of Commercial Warrant Registers
- (cc) 5.2 Approval of Payroll Warrants for November
- (cc) 5.3 Approval of Payroll Warrants for December
- (cc) 5.4 Approval of Steinway Model B Spirio Piano Requisition Form, Chabot-Las Positas Community College District, Las Positas College
- (cc) 5.5 Approval of Agreement with BrightStar Care for Vaccination Verification and Health Screening Support for Chabot College

## **6.0 FACILITIES PLANNING AND DEVELOPMENT**

- (cc) 6.1 Approval of Modification to the Contract for Nema Construction for the Dental Hygiene Simulation Equipment Connections Project, Chabot-Las Positas Community College District, Chabot College
- (cc) 6.2 Approval of Modification to the existing Lease/Leaseback Contract with Rudolph & Sletten of San Carlos, CA, for Phase II of said contract for Guaranteed Maximum Pricing (GMP) for Construction Services, Site Lease and Facilities Lease for Increment 2: Construction of the Library & Learning Connections Building Project, Chabot Las Positas Community College District, Chabot College
- (cc) 6.3 Approval of Modification to the Piggyback Contract with Williams Scotsman, Inc. for the Department of State Architect (DSA) Approved Temporary Portable Classrooms, Chabot-Las Positas Community College District, Las Positas College
- (cc) 6.4 Approval of Contract with Syserco, Inc. to provide design, installation, and startup of the BACnet System, Chabot-Las Positas Community College District, Chabot College and Las Positas College
- (cc) 6.5 Approval of Measure B & Measure A Bond Program: Bond List Revision Measure B #AF and Measure A #7 – Substantive Changes

## **7.0 ECONOMIC DEVELOPMENT/CONTRACT EDUCATION**

- (cc) 7.1 Approval of Agreement for Sprinkler Fitters U.A. Local 709 Joint Apprenticeship Committee, Chabot-Las Positas Community College District – Economic

## Development, Chabot College

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

- 8.1 Information Personnel Report
- 8.2 Review of 2021-2022 First Quarter CCFS 311 Report (311Q)
- 8.3 First Reading of New, Reviewed, or Revised Administrative Procedures
  - AP 3435 Discrimination and Harassment Complaint Procedures
  - AP 5030 Student Fees
  - AP 5031 Instructional Materials Fees
  - AP 5110 Counseling
  - AP 5120 Transfer Center
  - AP 5150 Extended Opportunity Programs and Services
  - AP 5211 Student COVID-19 Vaccination Requirement
  - AP 5220 Shower Facilities for Homeless Students
  - AP 5500 Standards of Student Conduct
  - AP 5520 Student Discipline Procedures
  - AP 5570 Student CC Solicitation
  - AP 5800 Prevention of Identity Theft in Student Financial Transactions
- 8.4 First Reading of New, Reviewed, or Revised Board Policies
  - BP 5030 Student Fees
  - BP 5031 Instructional Materials Fees
  - BP 5110 Counseling
  - BP 5120 Transfer Center
  - BP 5150 Extended Opportunity Programs and Services
  - BP 5205 Student Accident Insurance
  - BP 5220 Shower Facilities for Homeless Students
  - BP 5500 Standards of Student Conduct
  - BP 5570 Student CC Solicitation
  - BP 5800 Prevention of Identity Theft in Student Financial Transactions

**9.0 OTHER ACTION ITEMS**

- 9.1 Adoption of Resolution No. 07-2022 - To Implement Teleconference Requirement During a Proclaimed State of Emergency
- 9.2 Second Reading of New, Reviewed, or Revised Board Policies
  - BP 5050 Student Success & Support Program
  - BP 5052 Open Enrollment
  - BP 5510 Off-Campus Student Organization

**10.0 REPORTS - SENIOR LEADERSHIP AND TRUSTEES**

- 10.1 President of Chabot College and Las Positas College
- 10.2 Chancellor
- 10.3 Recognitions
- 10.4 Trustee Reports and/or Official Communications

**11.0 ADJOURNMENT**

**12.0 CLOSED SESSION- (Government Code Section 54954.5)**

- 12.1 Public Employee Appointments, Evaluations and Discipline/Dismissal/Release
- 12.2 Labor Negotiations
- 12.3 Existing or Anticipated Litigation
- 12.4 Real Property Negotiations
- 12.5 Threat to Public Services or Facilities

**13.0 NEXT MEETING OF THE BOARD OF TRUSTEES**

February 15, 2022, 6:30 p.m., Regular Meeting, District Office

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, 7600 Dublin Blvd., 3rd Floor, Dublin, CA 925-485-5207, between 8:00 a.m. and 5:00 p.m. at least 48 hours before the meeting.

***District Mission Statement***

*“The Chabot-Las Positas Community College District (CLPCCD) offers innovative educational opportunity and support services to prepare students to succeed in a diverse global society by challenging them to think critically, to engage socially, and to acquire workplace knowledge and educational skills.”*

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 3.1

Subject: Classified Personnel

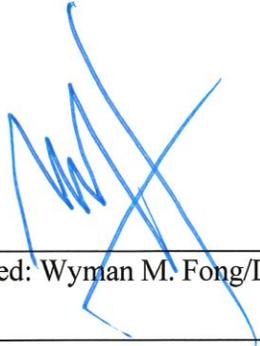
Recommended Action: That the Board of Trustees approves the following Classified Personnel.

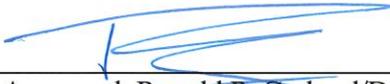
I. ASSIGNED TO LAS POSITAS COLLEGE

A. Employment

Rocha, Lisette J., Financial Aid Outreach Specialist (3CFA17), 100%, 12 months/year, Range/Step 36/1, \$57,179.00/annual, effective 2/1/2022. This position is grant/categorically funded and therefore subject to continued renewal.

Tonn, Jennifer R., Counselor Assistant II (3CFA19), 50%, 12 months/year, Range/Step 30/1, \$24,658.50/annual, effective 1/19/2022. This position is grant/categorically funded and therefore subject to continued renewal.

  
Submitted: Wyman M. Fong/Date

  
Approved: Ronald P. Gerhard/Date

1/12/22

APPROVED

DISAPPROVED

TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 3.2

Subject: Management Personnel

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

I. ASSIGNED TO CHABOT COLLEGE

A. Contract of Employment – January 19, 2022 - June 30, 2023

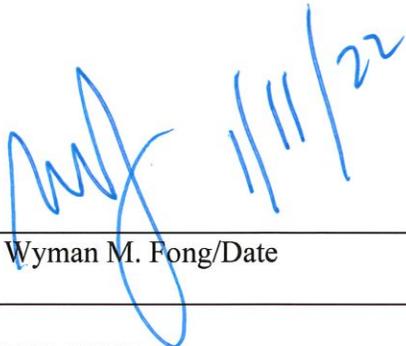
Nakamoto, Robert D., Dean, Social Sciences (2ASS03), Range/Step 19/2, \$140,860.00/annual.

B. Contract of Employment – January 26, 2022 - June 30, 2023

Goo, Brian Y., Director of Research, Planning, and Institutional Effectiveness (2APR06), Range/Step 19/4, \$150,916.00/annual. This is a grant/categorically funded position. Continuation of this position is contingent upon available funding on a year to year basis.

C. Contract of Employment – February 7, 2022 - June 30, 2023

Giesen, Brooke R., Mentor Program Assistant Director (2ASS05), Range/Step 15/6, \$121,028.00/annual. This is a grant/categorically funded position. Continuation of this position is contingent upon available funding on a year to year basis.

  
Submitted: Wyman M. Fong/Date

  
Approved: Ronald P. Gerhard/Date

APPROVED

DISAPPROVED

TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 4.1

Subject: Approval of Curriculum Changes, Chabot-Las Positas Community College District, Las Positas College

Background: The following recommended curriculum changes were considered by the Las Positas College (LPC) Curriculum Committee and approved by the Academic Senate during the period of October 2021 to December 2021. The changes are as follows:

Modified Credit Courses	65
Modified Credit Programs	22
Distance Education Addendums	33
New Course Prefixes	5
Credit Course Deactivations	10
Credit Program Deactivations	1
Discipline Placement	20
GE/Transfer Requests	14
New Credit Courses	25
New Credit Programs	10
New Noncredit Courses	7
New Noncredit Programs	1
Requisites & Strongly Recommended	26
Credit for Prior Learning	17

The credit course modifications are a continuing part of updating the curriculum at LPC and its catalog to accurately and fully reflect the courses that are now available to students. The distance education addendums follow directives from the California Community College Chancellor's Office (CCCCO) requiring local approval of distance education addendums for courses newly transitioned online during the COVID-19 pandemic and offered in the future.

Recommended Action: That the Board of Trustees approves curriculum changes for Chabot-Las Positas Community College District, Las Positas College, for Summer 2022 through Fall 2023.

  
Submitted: Theresa F. Rowland/Date 1/11/22

  
Approved: Ronald P. Gerhard/Date 1/12/22

APPROVED                       DISAPPROVED                       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 4.2

Subject: Approval of Curriculum Changes, Chabot-Las Positas Community College District, Chabot College

Background: The following recommended curriculum changes were acted on in the Chabot College Curriculum Committee during the Spring 2021 semester.

New Degrees and Certificates	7
New Noncredit CDCP Certificates	1
Modified Degrees and Certificates	9
New Credit Courses	24
New Noncredit Courses	6
Credit Course Modifications	59
Total	106

The Chabot Curriculum Committee has approved course and program edits as part of a continued effort to clean-up and update Chabot's curriculum to meet the needs of students and demands of constantly changing industries. The Committee approved edits and new curriculum to better suit the academic, personal, and professional goals of students.

Recommended Action: That the Board of Trustees approves the new and revised courses and programs proposed by Chabot College, approved Fall 2021, Effective Fall 2022.

 1/11/22  
Submitted: Theresa F. Rowland/Date

 1/12/22  
Approved: Ronald P. Gerhard/Date

APPROVED       DISAPPROVED       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 4.3

Subject: Approval of the Memorandum of Understanding (MOU) between Room to Grow Preschool and Chabot-Las Positas Community College District, Las Positas College

Background: The purpose of this MOU between Chabot-Las Positas Community College District, Las Positas College and Room to Grow Preschool is to formalize field experience opportunities to place college students at Room to Grow Preschool for work-based learning related to Practicum/lab required in the ECE 90 Supervised Experience and ECE 63 Early Childhood Curriculum courses. This MOU increases partnerships and collaboration with the local community.

This MOU is effective on January 18, 2022 through December 20, 2026.

Recommended Action: That the Board of Trustees approves the proposed Memorandum of Understanding (MOU) between Room to Grow Preschool and Chabot-Las Positas Community College District, Las Positas College. It is further recommended that the Board authorize the Vice Chancellor of Business Services, to execute the MOU on behalf of the District.

 1/11/22  
Submitted: Theresa F. Rowland/Date

 1/12/22  
Approved: Ronald P. Gerhard/Date

APPROVED                       DISAPPROVED                       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 4.4

Subject: Approval of Practicum Agreement between Alameda County Crisis Support Services and Chabot-Las Positas Community College District, General Counseling Department, Chabot College

Background: Chabot College offers an Associate in Arts degree for transfer in Social Work and Human Services that is specifically designed as a degree pathway to majors deemed "similar" at California State University campuses. This degree can support entry level positions with local community-based organizations, county, or state service centers. Chabot College is committed to cultivating partnerships with mental health and human services organizations in Alameda County that would provide practicum placement sites for students to gain work experience and exposure to the field.

Crisis Support Services of Alameda County (CSS) will serve as a practicum host site for Chabot College students with both parties agreeing to a scope of work that is appropriate and supports the advancement of students' trajectory in their academic program. A CSS internship is an opportunity for students to explore a career in Behavioral Health and gain hands-on experience working at a community-based organization in Alameda County. This internship will focus mainly on community education and social media, developing presentations for community members and Chabot College students, creating content to be used for social media networks, and participate in trainings related to suicide prevention.

Recommended Action: That the Board of Trustees approves the proposed Practicum Agreement between Alameda County Crisis Support Services and Chabot-Las Positas Community College District, General Counseling Department, Chabot College, effective January 3, 2022. It is further recommended that the Board Authorize the Vice Chancellor of Business Services, to execute the Agreement on behalf of the District.

 1/11/22  
Submitted: Theresa F. Rowland/Date

 1/12/22  
Approved: Ronald P. Gerhard/Date

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APPROVED                       DISAPPROVED                       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 4.5

Subject: Approval of Practicum Agreement between Alameda County Behavioral Health (ACBH) and Chabot-Las Positas Community College District, General Counseling Department, Chabot College

Background: Chabot College offers an Associate in Arts degree for transfer in Social Work and Human Services that is specifically designed as a degree pathway to majors deemed "similar" at California State University campuses. This degree can support entry level positions with local community-based organizations, county, or state service centers. Chabot College is committed to cultivating partnerships with mental health and human services organizations in Alameda County that would provide practicum placement sites for students to gain work experience and exposure to the field.

Alameda County Behavioral Health (ACBH) will serve as a practicum host site for Chabot College students with both parties agreeing to a scope of work that is appropriate and supports the advancement of students' trajectory in their academic program. The ACBH internship is designed to help students explore a career in Human Services and gain hands-on experience supporting students who are Transitional Aged Youth (TAY), and who have formerly been involved with juvenile justice, foster care, and probation. Interns in this position will focus mainly on community outreach and social media, developing presentations for TAY and Chabot College students, building and maintaining a social media presence through various networks, and attend trainings and workshops centered around TAY.

Recommended Action: That the Board of Trustees approves the proposed Alameda County Behavioral Health (ACBH) and Chabot-Las Positas Community College District, General Counseling Department, Chabot College, effective February 1, 2022. It is further recommended that the Board authorize the Vice Chancellor of Business Services, to execute the Agreement on behalf of the District.

 1/11/22  
Submitted: Theresa R. Rowland/Date

 1/12/22  
Approved: Ronald P. Gerhard/Date

APPROVED       DISAPPROVED       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 4.6

Subject: Approval of Practicum Agreement between the Community Counseling Clinic at Cal State University (CSU) East Bay and Chabot-Las Positas Community College District, General Counseling, Chabot College

Background: Chabot College offers an Associate in Arts degree for transfer in Social Work and Human Services that is specifically designed as a degree pathway to majors deemed "similar" at California State University campuses. This degree can support entry level positions with local community-based organizations, county, or state service centers. Chabot College is committed to cultivating partnerships with mental health and human services organizations in Alameda County that would provide practicum placement sites for students to gain work experience and exposure to the field.

The Community Counseling Clinic at CSU East Bay will serve as a practicum host site for Chabot College students with both parties agreeing to a scope of work that is appropriate and supports the advancement of students' trajectory in their academic program. The CSU East Bay Community Counseling Clinic internship is an opportunity for students to explore a career in Behavioral Health and gain hands-on experience supporting members of the Hayward community in receiving counseling services. In this role, students will be trained to support the functions and daily operations of the clinic, which include checking in clients for their sessions, updating client files, and taking inventory of clinic materials and equipment.

Recommended Action: That the Board of Trustees approves the proposed Practicum Agreement between the Community Counseling Clinic at Cal State University (CSU) East Bay and Chabot-Las Positas Community College District, General Counseling, Chabot College, effective February 1, 2022. It is further recommended that the Board Authorize the Vice Chancellor of Business Services, to execute the Agreement on behalf of the District.

 1/11/22  
Submitted: Theresa F. Rowland/Date

 1/12/22  
Approved: Ronald P. Gerhard/Date

APPROVED       DISAPPROVED       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 4.7

Subject: Approval of Agreement for College and Career Access Pathways Partnership Agreement for Dual Enrollment between Castro Valley Unified School District and Chabot-Las Positas Community College District, Chabot College

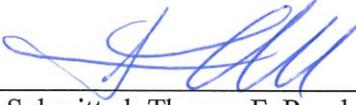
Background: The purpose of this College and Career Access Pathways (CCAP) Partnership Agreement is to provide high school students in the Castro Valley Unified School District an opportunity to earn early college credit at Chabot College while enrolled in high school. The intent is to offer provisions of AB 288 and AB 30 (Ed Code 76004) for high school students “who may not already be college bound or who are underrepresented in higher education”.

The goals are:

- a.) to develop seamless pathways from high school to community college for career technical education or preparation for transfer
- b.) improve high school graduation rates
- c.) assist high school pupils to achieve college and career readiness
- d.) to serve “underachieving students”, those from groups underrepresented in postsecondary education, those who are seeking advanced studies while in high school, and those seeking a career technical education credential or certificate.

These students who earn college credit are more likely to earn high school diplomas, to enroll in community college and four-year colleges, to attend post-secondary education on a full-time basis, and to complete degrees in those institutions than students without these experiences.

Recommended Action: That the Board of Trustees approves the proposed College and Career Access Pathways Partnership Agreement for Dual Enrollment between Castro Valley Unified School District and Chabot-Las Positas Community College District, Chabot College, effective January 18, 2022. It is further recommended that the Board Authorize the Vice Chancellor of Business Services, to execute the Agreement on behalf of the District.

 1/11/22  
Submitted: Theresa F. Rowland/Date

 1/22/22  
Approved: Ronald P. Gerhard/Date

APPROVED

DISAPPROVED

TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 4.8

Subject: Acceptance of Grant Award - California Community Colleges Chancellor's Office (CCCCO) Mathematics, Engineering, Science Achievement (MESA) Grant in support of the MESA Program at Chabot College (G0071)

Background: Chabot-Las Positas Community College District, Chabot College has been awarded a \$286,735 (Math, Engineering, Science Achievement) MESA grant from the California Community Colleges Chancellor's Office. Funds support continuing a MESA Program at Chabot College. The MESA program academically prepares its program students for transfer to four-year institutions to assure their ability to attain baccalaureate degrees in Science, Technology, Engineering, and Math (STEM) fields. The MESA funding support for Chabot College was initially approved as board items 4.1 on November 14, 2017 and 4.7 on July 17, 2018.

The MESA program model is comprised of 13 Core Components that include: Academic Excellence Workshops that teach collaborative learning techniques, a special orientation for MESA students, a dedicated study center, career advising and exploration of STEM options, transfer assistance, scholarships and partnerships with student and professional organizations. The Chabot MESA Program will provide all 13 Core MESA Components which includes frequent, sustained and prolonged academic and student support services, including case management by the MESA Counselor.

The Chabot MESA Program will benefit all Chabot students, but will target underrepresented minorities in STEM, in particular Latinx, African-American/Black, and Pacific Islander students. Considering the student population at Chabot, we will also be targeting low-income, first-generation students majoring in STEM fields. The program will serve a total of 125 students from these targeted populations.

Funding for the project is in the amount of \$286,735 with the effective dates of October 1, 2021 through January 31, 2024, effective upon board approval on January 18, 2022, and are subject to annual renewal based upon performance.

Recommended Action: That the Board of Trustees accept the grant award for Chabot College in the amount of \$286,735 for the period of October 1, 2021 through January 31, 2024. It is further recommended that the Board authorize the Vice Chancellor of Business Services, to accept the grant award on behalf of the District.

  
Submitted: Theresa F. Rowland/Date 1/11/22

  
Approved: Ronald P. Gerhard/Date 1/12/22

APPROVED       DISAPPROVED       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

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>Warrant Numbers</u>	<u>Amount</u>	
12/2/2021	10077779 - 10077882 Commercial Warrants	\$ 1,471,972.89	
	10077883 - 10077889 Commercial Warrants	9,329.59	
	10077890 - 10077891 Commercial Warrants	3,676.97	
	10077892 - 10077895 Commercial Warrants	80,025.04	
	10077896 Commercial Warrants	7,595.00	
	11215 - 11239 ACH Payments	429,100.63	
	12/9/2021	10077897 - 10077992 Commercial Warrants	858,143.04
		10077993 - 10078013 Commercial Warrants	332,141.86
		10078014 - 10078019 Commercial Warrants	429,215.70
		10078020 - 10078037 Commercial Warrants	3,887,363.52
10078038 Commercial Warrants		2,811.45	
10077340 Cancelled Warrant		(20.90)	
11240 - 11267 ACH Payments		375,064.16	
12/16/2021	10078039 - 10078128 Commercial Warrants	6,855,691.08	

<u>Date</u>	<u>Warrant Numbers</u>	<u>Amount</u>	
12/16/2021	10078129 - 10078152 Commercial Warrants	\$ 455,612.51	
	10078153 - 10078207 Commercial Warrants	211,090.59	
	10078208 - 10078228 Commercial Warrants	2,965,427.01	
	10078229 Commercial Warrants	\$ 15,000.00	
	11268 - 11586 ACH Payments	\$ 502,150.84	
	10076991, 10078016 Cancelled Warrants	\$ (110,684.72)	
	12/21/2021	10078230 - 10078300 Commercial Warrants	\$ 1,192,111.39
		100782301 - 10078307 Commercial Warrants	\$ 47,617.41
		10078308 - 10078310 Commercial Warrants	\$ 185,212.32
		10078311 - 10078317 Commercial Warrants	\$ 3,839,953.43
10077823 Cancelled Warrants		\$ (1,075.35)	
11587 - 11595 ACH Payments		\$ 32,500.32	
TOTAL		<u><u>\$ 24,077,025.78</u></u>	

Jonah R. Nicholas 1-12-22  
 Submitted: Jonah R. Nicholas/Date

[Signature] 1/12/22  
 Approved: Ronald P. Gerhard/Date

✓ APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ TABLED \_\_\_\_\_

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 5.2

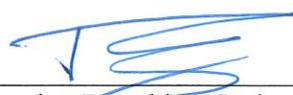
Subject: Approval of Payroll Warrant Registers

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

Regular Monthly Payroll:

November Payroll Warrant Total = \$7,326,876.06

 1-12-22  
Submitted: Jonah R. Nicholas / Date

 1/12/22  
Approved: Ronald P. Gerhard / Date

APPROVED  DISAPPROVED  TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 5.3

Subject: Approval of Payroll Warrant Registers

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

Regular Monthly Payroll:

December Payroll Warrant Total = \$5,790,769.72

Jonah R. Nicholas      1-12-22      [Signature]      1/12/22  
Submitted: Jonah R. Nicholas / Date      Approved: Ronald P. Gerhard / Date

APPROVED       DISAPPROVED       TABLED

## CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 5.4

Subject: Approval of Steinway Model B Spirio Piano Requisition Form, Chabot-Las Positas Community College District, Las Positas College

Background: Chabot-Las Positas Community College District, Las Positas College recommends approval of the purchase of a Steinway Model B Spirio Piano with installed casters and padded cover, for Performing Arts Programs including Music, Theater, and Dance. The addition of this high caliber instrument, featuring the latest technology, will enormously enhance the Performing Arts Programs. Moreover, since this acquisition will allow programs to schedule smaller performances in a new intimate recital space in room 4127 of the Mertes Center for the Performing Arts where the Spirio will be housed, this will free up more reservable dates on the calendar for larger events to be held on the Mertes Center Main Stage, including outside rentals.

The Spirio is a Steinway grand piano and can be used as a traditional acoustic piano, but the technology onboard enhances the educational experience. It includes a free large library (4000+ hours) of exclusive recorded performances of world-class pianists (both living and immortalized) through the complimentary iPad. This piano has the ability to record, edit, playback and share performances to a growing network of Spirio pianos in studios, venues, and peer institutions around the world in high-resolution quality that is indistinguishable from live performance. Its teaching and technology applications include: real time masterclasses with artists around the world, remote auditions, creation of high-resolution audition recordings, live acoustic accompaniment for dance/theater, music composition and commercial music, recital prep, score study, remote lessons, remote competitions, and more.

Finally, LPC's 7-year project of becoming an All-Steinway School would be attained with the acquisition of this instrument. We would join an elite list of more than 200 universities and conservatories worldwide (just the 14th in California). This designation will help with recruitment, retention, and community engagement. The total cost of the Steinway Model B Spirio Piano including tax and shipping is \$159,343.23.

Recommended Action: That the Board of Trustees approve the Steinway Model B Spirio Piano Requisition form for the total cost of \$159,343.23. It is further recommended that the Board authorize the Vice Chancellor of Business Services to execute the augmentation on behalf of Chabot-Las Positas Community College District, Las Positas College.

Funding Source: State Instructional Equipment Block Grant.

Agenda Item: 5.4  
January 18, 2021  
Page 2

 1-12-22  
Submitted: Jonah R. Nicholas/Date

 1/12/22  
Approved: Ronald P. Gerhard/Date

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APPROVED                       DISAPPROVED                       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

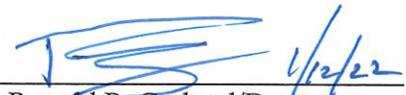
Agenda Item: 5.5

Subject: Approval of Agreement with BrightStar Care for Vaccination Verification and Health Screening Support for Chabot College

Background: In support of Chabot College return to primarily in-person services and instruction for the Spring 2022 semester, Welcome Tables will be provided to ensure compliance with the District vaccination requirement for use of campus facilities. Student "Concierge" Assistants will staff the Welcome Tables and partner with BrightStar Care staff to support the Chabot-Las Positas Community College district COVID-19 Vaccination policy. Student COVID-19 Vaccination verification will include looking up student vaccine status in district provided software and other digital and hard copy formats and assist students in entering their vaccination proof in school portal to clear status. BrightStar Care staff will also help Student Assistants with COVID-19 symptom screening questions to ensure smooth intake operations for on-campus services.

Recommended Action: That the Board of Trustees approve the proposed BrightStar Care Medical Staffing Agreement for Chabot-Las Positas Community College District, Chabot College, in the initial amount of \$95,000 for the period of January 19, 2022 through June 30, 2022. It is further recommended that the Board authorizes the Vice Chancellor of Business Services, to execute the contract on behalf of the District.

 1-12-22  
Submitted by: Jonah R. Nicholas/Date

 1/12/22  
Approved: Ronald P. Gerhard/Date

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APPROVED                       DISAPPROVED                       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 6.1

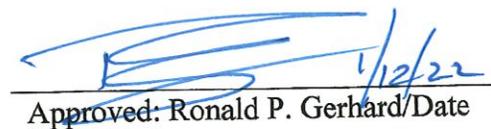
Subject: Approval of Modification to the Contract with Nema Construction for the Dental Hygiene Simulation Equipment Connections Project at Chabot College

Background: On June 15, 2021, the Board of Trustees approved the contract with Nema Construction for the Dental Hygiene Simulation Equipment Connections Project at Chabot College. On December 14, 2021 Modification 1 was approved which added subpanel procurement and installation to the scope of work. Modification 2 is being issued as a no-cost time extension due to a compressor manufacturer delay. This modification will extend the project duration a total of 60 calendar days. The revised completion date will be April 1, 2022.

Recommended Action: That the Board of Trustees approves the modification to the existing contract with Nema Construction for the Dental Hygiene Simulation Equipment Connections Project at Chabot College. It is further recommended that the Board authorize the Vice Chancellor of Business Services, to execute the agreement on behalf of the District.

Funding Source: Measure A Bond

  
Submitted: Owen Letcher/Date 1/11/2022

  
Approved: Ronald P. Gerhard/Date 1/12/22

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APPROVED                       DISAPPROVED                       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 6.2

**Subject:** Approval of Modification to the existing Lease/Leaseback Contract with Rudolph & Sletten of San Carlos, CA, for Phase II of said contract for Guaranteed Maximum Pricing (GMP) for Construction Services, Site Lease and Facilities Lease for Increment 2: Construction of the Library & Learning Connections Building Project at Chabot College

Background: On May 19, 2020, the Board of Trustees approved the Lease/Leaseback Contract with Rudolph & Sletten for pre-construction services for the Library & Learning Connections Building Project at Chabot College. Per Article 2, Item 11 establishing GMP and Milestone Schedule of said Lease Leaseback Agreement, the Contractor has successfully negotiated the GMP and milestone schedule for Increment 2: Construction of the Library & Learning Connections Building at Chabot College with District Staff.

The Contractor's combined Guaranteed Maximum Pricing for Increment 1 and Increment 2 is within the construction budget utilizing Measure A funds.

Pursuant to the Pre-Construction contract, the District has issued a Notice to Proceed to the LLB Contractor and will enter into a separate Site Lease Agreement with Contractor (the "Site Lease"), under which it will lease the Project site described and depicted in Exhibit A1.

Upon completion of project the Contractor will lease the Site and the Project back to the District pursuant to a separate Facilities Lease Agreement (the "Facilities Lease"), under which the District will be required to make lease payments to Contractor for the use and occupancy of the Site, including the Project for a (12) twelve-month period.

The project is in final back-check review by the Division of the State Architect, based upon review with legal counsel it is recommended the District take advantage of the contractor's competitive bidding of the work to procure long lead items and complete the submittal process while DSA completes the review of the plans and specifications. To facilitate the early award legal counsel has recommended the District set aside an additional contingency for DSA approval of the documents and any cost impacts associated with the final approval. This contingency will be held outside the Guaranteed Maximum Price and presented to the Board as a Change Order in future meetings if necessary.

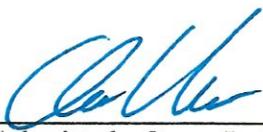
Pre-Construction Services Fee (prior approval)	\$ 929,070.00
Increment 1: Soils Improvements (prior approval)	\$ 3,036,793.00
<b>Increment 2: Construction</b>	<b><u>\$68,549,244.00</u></b>
New Contract Amount	\$72,515,107.00

The following contingencies are held outside of the Guaranteed Maximum Price for unforeseen conditions, A/E Errors and Omissions, Owner Requested Changes and DSA Approval of Increment #2 drawings and specifications:

District Held Construction Contingency (5%)	\$ 3,579,302.00
District Held DSA Approval Contingency (2%)	\$ 1,206,012.00

Recommended Action: That the Board of Trustees approves the proposed Lease/Leaseback contract modification for Phase II, Guaranteed Maximum Pricing (GMP) for construction services, site lease and facilities lease for Increment 2: Construction of the Library & Learning Connections Building to Rudolph & Sletten, of San Carlos, CA for the Library & Learning Connections Building at Chabot College in the amount not to exceed \$ 68,549,244.00. It is also recommended that the Board authorize the Vice Chancellor of Business Services, to execute the agreement on behalf of the District.

Funding Source: Measure A Bond Funds

  
Submitted: Owen Letcher/Date 1/11/2022

  
Approved: Ronald P. Gerhard/Date 1/12/22

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APPROVED                       DISAPPROVED                       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 6.3

Subject: Approval of Modification to the Piggyback Contract with Williams Scotsman, Inc. for the Department of State Architect (DSA) Approved Temporary Portable Classrooms at Las Positas College

Background: On March 20, 2018, the Board of Trustees approved the Piggyback Contract with Williams Scotsman, Inc. for the Department of State Architect (DSA) Approved Temporary Portable Classrooms at Las Positas College. Modification 1 extends the rental term through December 2022. This modification represents a contract change of 46% with a time extension of 12 months (26% of contract duration).

Current Approved Amount	\$117,540.00
Modification 1	<u>\$ 54,919.70</u>
Revised Contract Amount	\$172,459.71

Recommended Action: That the Board of Trustees approves the modification to the existing contract with Williams Scotsman, Inc. for Department of State Architect (DSA) Approved Temporary Portable Classrooms at Las Positas College. It is further recommended that the Board authorize the Vice Chancellor of Business Services, to execute the agreement on behalf of the District.

Funding Source: Measure A Bond

  
Submitted: Owen Letcher/Date 1/11/2022

  
Approved: Ronald P. Gerhard/Date 1/12/22

APPROVED

DISAPPROVED

TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 6.4

Subject: Approval of Contract with Syserco Inc. to provide design, installation, and startup of the BACnet System at Chabot College and Las Positas College

Background: The District uses a single Building Energy Management System across both College campuses, based upon work completed with the Central Utility Plant upgrades at both locations in 2008. At this time the original installed equipment has reached the end of the useful life while the headend software remains viable. Each building has an Alerton Building Energy Management System (BEMS) installed. Syserco is the authorized installer and servicer of the Alerton BEMS equipment. Syserco is the exclusive Authorized Alerton Dealer serving our area and the only company approved and authorized to sell, install and service Alerton Systems in our market making them a sole source provider to the District.

Recommended Action: That the Board of Trustees approves the proposed Contract with Syserco Inc. of Fremont, CA to provide design, replacement of necessary components, and startup of the BACnet System at Chabot and Las Positas Colleges in an amount not to exceed \$ 1,633,990. It is further recommended that the Board authorizes the Vice Chancellor of Business Services, to execute the contract and any future augmentations or amendments to the contract on behalf of the District.

Funding Source: Measure A Bond Funds

 1/11/2022

Submitted: Owen Letcher/Date

 1/12/22

Approved: Ronald P. Gerhard/Date

APPROVED

DISAPPROVED

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CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 6.5

Subject: Approval of Measure B and Measure A Bond Program: Bond List Revision  
Measure B #AF and Measure A #7 – Substantive Changes

Background: As part of the accountability measures for the Measure A Bond Program, the management team for the programs has put into place a formal process for managing, tracking and presenting to the Board of Trustees all revisions to the Measure B and Measure A individual project names, scopes and budgets. This process adheres to the accountability standards outlined by Proposition 39 and provides transparency in the evolution of the project list.

Additional criteria added to the bond list revision process at the September 18, 2018 Board of Trustees meeting. These criteria identified an added layer of information and flagging to a bond list revision for those projects with substantive changes (a change to a single project in excess of \$5 million dollars, the cancellation of a project from the bond list, or the creation of a new project). In order to provide clarity for the Board of Trustees, the management team will identify bond list revisions containing “substantive changes” or “non-substantive changes in the agenda text.

Measure B bond list revision #AE and Measure A Bond List revision #5 contains non-substantive changes based on the criteria set forth above. The Bond List Revision is proposing the following changes:

Measure A

**Chabot College** – Create project number 562330 for Biology Building Phase 1 and establish project budget of \$1,128,133 to maintain overall budget and facilitate closeout of Measure B Bond Funds. Create project number 562520 Small Capital Projects and establish project budget of \$782,011 to maintain overall budget and facilitate closeout of Measure B Bond Funds. Create project number 552540 Classroom/Lab Equipment and Library Materials to facilitate closeout of Measure B Bond Funds.

**Las Positas College** – No Changes

**District and Districtwide** – No Changes

Measure B

**Chabot College** – Create project number 552540 Classroom/Lab Equipment and Library Materials to facilitate closeout of Measure B Bond Funds.

**Las Positas College** – No Changes

**District and Districtwide** – No Changes

Agenda Item: 6.5  
January 18, 2022  
Page 2

Please refer to the attached Bond List Revision Measure B #AF and Measure A #7 for details on each project included in the Bond Project List. These Bond List Revisions have been reviewed by the Chabot College President and Las Positas College President and approved by the Vice Chancellor of Facilities/Bond Programs and Operations.

Recommended Action: That the Board of Trustees review and approve the revisions to the Measure B and A Bond Project List, as presented.

Funding Source: Measure A and B

 1/11/2022  
Submitted: Owen Letcher/Date

 1/12/22  
Approved: Ronald P. Gerhard/Date

APPROVED                       DISAPPROVED                       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 7.1

Subject: Approval of Agreement – Sprinkler Fitters U.A. Local 709 Joint Apprenticeship Committee, District - Economic Development, Chabot College

Background: The Sprinkler Fitters U.A. Local 709 Joint Apprenticeship Committee (Program Sponsor) has requested that Chabot-Las Positas Community College District (CLPCCD) become their Local Education Agency (LEA) for their Sprinkler Fitter Apprenticeship Program. Currently the Program Sponsor is working with Hacienda La Puente Unified School District/Adult Education (in Southern California) as their LEA and is interested in changing their LEA to allow their apprentices to receive college credit. The Sprinkler Fitters Joint Apprenticeship Committee will have approximately 240 apprentices to start their program, tentatively beginning Fall Semester, 2022. Curriculum will mirror that of Chabot’s current Sprinkler Fitters U.A. Local 483 (Hayward) apprenticeship program.

Chabot College will serve as the LEA for the program, which will be administered out of the Economic Development and Contract Education (EDCE) Department. Chabot College will be responsible for curriculum review, and enrolling and registering the apprentices as students. In addition to Related and Supplemental Instruction (RSI) classroom hours, on-the-job training hours will be counted towards FTES. EDCE will be responsible for assisting with the transition from the previous LEA to CLPCCD and certifying that the instructors meet established minimum qualifications, as well as maintaining the role of liaison with the Program Sponsor to assure program goals. Master Agreement states that the Program Sponsor will reimburse District for all expenditures that are not covered by RSI funds provided by the State.

Recommended Action: That the Board of Trustees approves the proposed Agreement with Sprinkler Fitters U.A. Local 709 Joint Apprenticeship Committee, District – Economic Development, Chabot College for the period of January 1, 2022 until June 30, 2024 to provide Related and Supplemental Instruction and other services to students registered in the Sprinkler Fitters Apprenticeship Program. It is further recommended that the Board of Trustees authorize the Vice Chancellor of Business Services, to execute the Agreement on behalf of the District.

 1/11/22  
Submitted: Theresa F. Rowland/Date

 1/12/22  
Approved: Ronald P. Gerhard/Date

APPROVED                       DISAPPROVED                       TABLED

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2021

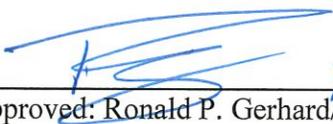
Agenda Item: 8.2

Subject: Review of the 2021-22 First Quarter CCFS 311 Report (311Q)

Background: The District is required by the State Chancellor's Office to submit quarterly financial reports for the unrestricted general fund. The first quarter report for the fiscal year 2021-22 represents actual revenues and expenditures from July through September 2021. This report is not audited by the State Chancellor's Office, as it is used for informational purposes and to identify any significant changes and/or deviations in the District's budget.

Recommended Action: None, informational item only.

 1-12-22  
Submitted by: Jonah R. Nicholas/Date

 1/12/22  
Approved: Ronald P. Gerhard/Date

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 8.3

Subject: First Reading of New, Reviewed, or Revised Administrative Procedures

Background:

Board Policy and Administrative Procedure 2410 articulates the process in which Board Policies and Administrative Procedures are created and reviewed. The Administrative Procedures presented have been reviewed through this established process. Changes, if any, are identified using track changes (strike through where deletions occur and underlines where additions are included). The Administrative Procedures are reviewed in the same manner as Board Policies except that they are presented to the Board once, as informational items.

- AP 3435 Discrimination and Harassment Complaint Procedures
- AP 5030 Student Fees
- AP 5031 Instructional Materials Fees
- AP 5110 Counseling
- AP 5120 Transfer Center
- AP 5150 Extended Opportunity Programs and Services
- AP 5220 Shower Facilities for Homeless Students
- AP 5211 Student COVID-19 Vaccination Requirement
- AP 5500 Standards of Student Conduct
- AP 5520 Student Discipline Procedures
- AP 5570 Student CC Solicitation
- AP 5800 Prevention of Identity Theft in Student Financial Transactions

Recommended Action: For information only.

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 8.4

Subject: First Reading of New, Reviewed, or Revised Board Policies

Background:

Board Policy and Administrative Procedure 2410 articulates the process in which Board Policies and Administrative Procedures are created and reviewed. The Board Policies presented have been reviewed through this established process. Changes, if any, are identified using track changes (strike through where deletions occur and underlines where additions are included). This is the first reading of these Board Policies. Based upon board comment and feedback, they will be presented for a second reading at the Board's February meeting for approval.

- BP 5030 Student Fees
- BP 5031 Instructional Materials Fees
- BP 5110 Counseling
- BP 5120 Transfer Center
- BP 5150 Extended Opportunity Programs and Services
- BP 5205 Student Accident Insurance
- BP 5220 Shower Facilities for Homeless Students
- BP 5500 Standards of Student Conduct
- BP 5570 Student CC Solicitation
- BP 5800 Prevention of Identity Theft in Student Financial Transactions

Recommended Action: None at this time.

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 9.1

Subject: Adoption of Resolution No. 07-2022, Resolution authorizing to implement teleconferencing requirements during a proclaimed state of emergency

Background: The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings; the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so on March 17, 2020. In order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements. On June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021. These Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021.

Recommended Action: That the Board of Trustees adopt resolution No. 07-2022, authorizing the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements. Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

The legislative body of the Chabot-Las Positas Community College District hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference.
2. Board of Trustees of the Chabot-Las Positas Community College District finds, by a majority vote, the following:
  - a. That there exists a proclaimed state of emergency;

AND either:

- b. The Board of Trustees is meeting for the purpose of determining one of the following, or more than 30 days have passed since the Board of Trustees met and determined one of the following and the Board of Trustees now re-determines one of the following:

- i. State or local officials have imposed or recommended measures to promote social distancing; OR
- ii. As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

OR

- c. This Board has made the determination set forth in subdivision (b), above within the last 30 days and now makes the following determination:
  - i. The Board of Trustees has reconsidered the circumstances of the state of emergency; AND
  - ii. Any of the following circumstances exist:
    - 1. The state of emergency continues to directly impact the ability of the members to meet safely in person.
    - 2. State or local officials continue to impose or recommend measures to promote social distancing.
- 3. The Chancellor or his designee is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.
- 4. That this Resolution shall take effect immediately upon its adoption.

  
Approved: Ronald P. Gerhard/Date 1/18/22

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APPROVED                       DISAPPROVED                       TABLED

**CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT**

**RESOLUTION 07-2022**

**RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS  
DURING A PROCLAIMED STATE OF EMERGENCY**

**WHEREAS**, the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings;

**WHEREAS**, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so;

**WHEREAS**, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

**WHEREAS**, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

**WHEREAS**, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and

**WHEREAS**, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

**WHEREAS**, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

**NOW THEREFORE**, the legislative body of the Chabot-Las Positas Community College District hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference.
2. Board of Trustees of the Chabot-Las Positas Community College District finds, by a majority vote, the following:
  - a. That there exists a proclaimed state of emergency;

AND either:

- b. The Board of Trustees is meeting for the purpose of determining one of the following, or more than 30 days have passed since the Board of Trustees met and determined one of the following and the Board of Trustees now re-determines one of the following:
  - i. State or local officials have imposed or recommended measures to promote social distancing; OR
  - ii. As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

OR

- c. This Board has made the determination set forth in subdivision (b), above within the last 30 days and now makes the following determination:
  - i. The Board of Trustees has reconsidered the circumstances of the state of emergency; AND
  - ii. Any of the following circumstances exist:
    - 1. The state of emergency continues to directly impact the ability of the members to meet safely in person.
    - 2. State or local officials continue to impose or recommend measures to promote social distancing.
- 3. The Chancellor or his designee is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.
- 4. That this Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the Board of Trustees of the Chabot-Las Positas Community College District, this 18th day of January, 2022, by the following vote:

AYES: Gin, Granger, Heredia, Maduli, Reynoso, Sbranti

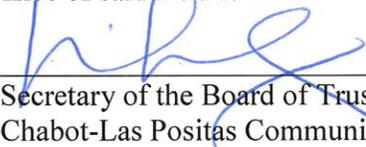
NOES:

ABSTAIN:

ABSENT:

I, Secretary of the Governing Board of Chabot-Las Positas Community College District of Alameda County, State of California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a regular meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.

1/18/22  
Date

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

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 18, 2022

Agenda Item: 9.2

Subject: Second Reading of New, Reviewed, or Revised Board Policies

Background:

Board Policy and Administrative Procedure 2410 articulates the process in which Board Policies and Administrative Procedures are created and reviewed. The Board Policies presented have been reviewed through this established process. Changes, if any, are identified using track changes (strike through where deletions occur and underlines where additions are included). This is the second reading of these Board Policies.

- BP 5050 Student Success & Support Program
- BP 5052 Open Enrollment
- BP 5510 Off-Campus Student Organization

Recommended Action: That the Board of Trustees adopts the Board Policies presented.