

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

**MINUTES  
February 19, 2008**

**PLACE**

Chabot-Las Positas Community College District, 5020 Franklin Dr., Pleasanton, California.

**CALL TO ORDER**

The regular meeting was called to order at 5:30 p.m. Recording Secretary Beverly Bailey called the roll. All Board Members were present at the time of roll. The Board immediately adjourned to a Closed Session, which ended at 6:30 p.m. The Board readjoined in Open Session at 6:35 p.m. Recording Secretary Beverly Bailey called the roll. All Board Members were present at the time of roll.

**ATTENDANCE**

Members Present:           Dr. Arnulfo Cedillo  
                                  Mrs. Isobel F. Dvorsky  
                                  Mr. Donald L. "Dobie" Gelles  
                                  Dr. Hal G. Gin  
                                  Dr. Alison Lewis  
                                  Dr. Barbara F. Mertes  
                                  Mr. Carlo Vecchiarelli  
                                  Ms. Frances Morrissey  
                                  Mr. Dayne Nicholls

Members Absent:           None

Managers Present:         Dr. Joel L. Kinnamon, Chancellor  
                                  Dr. Celia Barberena, President, Chabot College  
                                  Dr. DeRionne Pollard, President, Las Positas College  
                                  Mr. Robert Kratochvil, Interim President,  
  Las Positas College  
                                  Mrs. Jennifer Aries  
                                  Dr. Robert Carlson  
                                  Ms. Julia Dozier  
                                  Ms. Heidi Finberg  
                                  Dr. MaryAnne Gularte

Mr. Doug Horner  
Mr. Andrew Howe  
Mr. Farhad Javaheripour  
Dr. Laurel Jones  
Dr. Ted Kaye  
Mr. Lorenzo Legaspi  
Ms. Pam Luster  
Ms. Jeannine Methe  
Ms. Karen Powell  
Ms. Laura Weaver

Recording Secretary: Mrs. Beverly Bailey

Others Present: Mr. Waiz Badar, President, Associated Students of Chabot College  
Mr. David Baldwin, Chevron Energy Solutions  
Mr. Bob Collins, Swinerton  
Mr. Greg Daubenmire, President, Las Positas College Faculty Senate  
Ms. Nancy Grossman, Chevron Energy Solutions  
Ms. Kayla Moreland, President, Associated Students of Las Positas College  
Mr. Pedro Ruiz deCastilla, President, District Classified Senate  
Mr. Todd Steffan, Las Positas College Classified Senate  
Ms. Rachel Ugale, President, Chabot College Classified Senate  
Ms. Diane Zuliani, President, Chabot College Faculty Senate

## **PUBLIC COMMENTS**

There were no Public Comments offered at this meeting.

## **CONSENT CALENDAR**

Mr. Gelles requested that agenda items 3.5 (Volunteer Aide Personnel), 4.1 (Approval of Sabbatical Leave Applications for the 2008-2009 School Year, Chabot College), 4.2 (Approval of Sabbatical Leave Applications for the 2008-2009 and 2009-2010 School Years, Las Positas College), 4.3 (Approval of Travel Study Tour—"The Yucatan and Mayan Civilization", Mexico and Memorandum of Understanding with Global Exchange Reality Tours, Chabot College), 4.4 Approval of Travel Study Tour—"El Mundo de Maya y Inca", Peru and Memorandum of Understanding with Global Exchange Reality Tours,

Chabot College), 4.5 (Approval of Travel Study Tour—Humanities 29, “Hola, Barcelona”, Spain and Memorandum of Understanding with EF Educational Tours, Las Positas College), 4.6 (Acceptance of Mini-Grant Award—Mentor Training and Internship Program from the Bay Area Community College Consortium, Las Positas College), 4.7 (Approval of Memorandum of Understanding—San Lorenzo Unified School District, Chabot College), 4.8 (Approval of Summer Student Health Fee, Chabot College), 5.4 (Approval of Declaration of Surplus Property to be Sold at Private Sale and Donation or Disposal of Any Items Not Sold) and 7.2 (Approval of Nonfinancial Cooperative Agreement – U.S. Department of Labor, Occupational Safety and Health Administration for an OSHA Training Institute Education Center, District-Economic Development) be removed from the consent calendar. Mrs. Dvorsky requested that agenda items 3.1 (Student Assistant Personnel) and 3.3 (Faculty Personnel) be removed from the consent calendar.

Dr. Kinnamon noted the following corrections:

Agenda item 3.2 (Classified Personnel) - page 3: Delete Paola P. Lecaros

Agenda item 3.3 (Faculty Personnel) – page 5: Discipline for Robert L. Hughes is Psychology in lieu of Speech

Agenda item 3.5 (Volunteer Aide Personnel): Joseph M. Grech in lieu of Tom Grech

#### Motion No. 1

Dr. Mertes made a motion, seconded by Mrs. Dvorsky, to approve the consent calendar with the exception of agenda items 3.1, 3.3, 3.5, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 5.4 and 7.2 and with the corrections to agenda items 3.2, 3.3 and 3.5.

Motion carried unanimously, 7-0.

The following items were approved on the consent calendar:

#### Personnel

- 3.2 Classified Personnel
- 3.4 Professional Specialist and Program Leader Personnel

#### Business Services

- 5.1 Approval of Commercial Warrant Registers
- 5.2 Approval of Payroll Warrant Registers
- 5.3 Approval of Budget Transfers 7.G.1

Facilities Planning and Development

- 6.1 Authorization to File Notice of Completion with the Alameda County Clerk Recorder's Office for the modernization of Buildings 800 and 900 Hazmat Abatement/Interior Demolition, Chabot College

Economic Development/Contract Education

- 7.1 Approval of Master Agreement – New Apprenticeship Program with AlliedBarton Security Services, District-Economic Development and Chabot College

**REPORT OF ACTION TAKEN IN CLOSED SESSION**

Mr. Vecchiarelli reported that in Closed Session the Board took final action to suspend a classified employee, No. W10438788 for five days, effective immediately. The Board will apply the five-day suspension served retroactively from January 29 through February 4 as satisfying the Board's disciplinary decision.

**APPROVAL OF MINUTES**

Motion No. 2

Mrs. Dvorsky made a motion, seconded by Dr. Gin, to approve the minutes of January 15, 2008 as submitted.

Motion carried unanimously, 7-0.

**TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS**

Mr. Gelles commented on the recent shooting on the Northern Illinois University campus. He questioned how we are advertising to all our students what is being done to ensure their safety on our campuses. He requested that it be made public record that the Board has asked the Chancellor to aggressively ensure that there is a process to make our campuses safe for students, faculty, and staff by doing whatever is necessary.

Dr. Mertes recognized and thanked Dr. Kaye for the recent Foundation event – “Champagne, Tea and Flowers.”

Mrs. Dvorsky also recognized Dr. Kaye for the lovely afternoon.

Dr. Gin reported that he also attended the Foundation event and thoroughly enjoyed it. He shared an article and picture from the Business Times on Julia Dozier and the District's designation as an OSHA Training Center.

Dr. Cedillo expressed his appreciation for the District's involvement and presence at the Latino Education Summit held at California State East Bay. He reported that over 1,000 students and parents attended.

Dr. Cedillo also reported that he was an invited participant at the recent National Association of Latino Elected and Appointed Officials (NALEO) Education Leadership Initiative Conference in San Diego entitled "California Statewide Policy Institute on Higher Education Access and Success." Keynote speakers included Honorable Anthony Portantino, Assembly Member, California State Assembly and Chair of the Assembly Higher Education Committee; Honorable Gloria Romero, Majority Leader, California State Senate, 24<sup>th</sup> District; and Honorable Gil Cedillo, California State Senate, 22<sup>nd</sup> District and Vice Chair, Latino Legislative Caucus. He shared a publication of the UC Santa Cruz Educational Partnership Center entitled "Success by Design: Creating College-Bound Communities."

Dr. Cedillo further reported that he attended the recent ACCT/AACC National Legislative Session in Washington, D.C. He thanked Mrs. Jennifer Aries and Chancellor Kinnamon for helping with his four students who attended the session.

Ms. Morrissey reported that the Las Positas College Men's Basketball Team beat San Francisco City College (the number one team) on January 30. She reported that a successful Club Day was held February 13. She reported that students are very active on the Shared Governance Committee and taking part in the Accreditation Self-Study. Further, she reported that ASLPC will host a "Meet the President" night on Friday, February 29.

Mr. Nicholls reported that prior to the start of the Semester, ASCC held its Winter Retreat where Dr. Barberena joined them for lunch. At that time, Mr. Cornejo proposed more solar panels on campus. He thanked Mr. Jeff Kingston and Dr. Celia Barberena for attending their last meeting and reported on the upcoming changes scheduled for the campus, which included a solar project.

Mr. Vecchiarelli reported that he attended a conference with the Community College Subcommittee of the Assembly where they talked about energy curriculum. He would like to see the District doing a general curriculum on the concept of energy, which could meet the individual job needs—engineers, sales, service, installation.

## **CHABOT-LAS POSITAS COLLEGES FOUNDATIONS**

**Chabot College:** Ms. Finberg presented a written report to the Board. She highlighted that the Foundation Board met for a Brainstorming Session on February 11 and has agreed to change its priorities for the year. They will concentrate on two things: 1) Fund for Excellence; and 2) Fundraising Strategies Taskforce. In addition, they will be researching

potential grant opportunities more heavily and plan using a grant writing firm to assist with these efforts. Ms. Finberg expressed her gratitude that Dr. Barberena has told the Foundation Board that she will help them find these “deep pockets.”

**Las Positas College:** Dr. Kaye presented a written report to the Board. He welcomed Dr. Pollard and reported that the Foundation Board had an informal lunch with Dr. Pollard. He reported that the event “Tea, Champagne and Flowers” held January 30 was a success, netting approximately \$3,000 and achieved its goal of obtaining 50 new qualified donor names. He was very pleased as this was planned to be “break even” event. He reported that “Best of the Best” is scheduled for April 26. He reported that Union Bank of California has donated \$10,000 for Veterans First. He drew the Board’s attention to a document attached to his report, “Veterans First Initiative”, noting the Foundation is pleased to have partnered with Las Positas College on this program.

#### **PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES**

Mr. Greg Daubenmire, President, Las Positas College Academic Senate, submitted a written report to the Board. He reported that on February 6, Chancellor Kinnamon and Vice Chancellor Legaspi gave a presentation on the Governor’s January Budget Proposal and noted that the Faculty is pleased that Dr. Kinnamon did not believe that the Governor’s budget proposal would have a significant impact on the 2008-09 budget. Mr. Daubenmire reported that the Senate held its first meeting of the Spring on February 13. Mr. Jim Gioia, Chair of the Planning and Budget Committee, presented a draft of the College Mission Statement. The Senate has invited Vice President Jones to meet with them on February 27 to discuss the process for investigating a compressed calendar. He reported that Faculty, Classified Staff and Students had an opportunity to work on their accreditation self-study during the Flex Day on February 14.

Ms. Diane Zuliani, President, Chabot College Academic Senate, reported that the Chabot Staff Development Committee hosted a successful Flex Day on February 14. The theme of the event was “Reflections: Who Are We.” Faculty hosted each other at an array of 34 possible sessions on topics ranging from Student Learning Outcomes, to how to use Blackboard, to the status of the power plants. She reported that earlier in the month, the Senate was honored with a visit by Chancellor Kinnamon, President Barberena, Doug Horner and Jeff Kingston who came to discuss ways to deepen Chabot’s commitment to sustainability. The Senators were unanimous in their support of a solar carport project that was presented. The Senators felt that they are a great way to raise the bar in our commitment to sustainability but also to make that commitment very visible to our community; to demonstrate that this institution of higher education takes the health of the environment seriously. She further reported that in response to a communication from Barbara Beno, President of the Accrediting Commission for Community and Junior

Colleges, serious efforts are underway to produce a thorough self-study that will meet the requirements of the new accreditation standards.

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

Mr. Todd Steffan, Las Positas College Classified Senate, submitted a written report from Frances DeNisco to the Board. He reported that the Senate has raised money to go towards student scholarships. He reported that at its January meeting, the Senate voted to provide two \$500 scholarships. Also at their meeting, they advanced plans for their staff development day to be held Spring Break. The topic will be "Great People, Great Teams." Also discussed was the Compressed Calendar. The Senate's February meeting will be a focus group designed specifically to dialogue the Compressed Calendar and its impact upon the Classified Staff at Las Positas College. He further reported that the Classified Senate Governing Board has moved forward with its revisions to their Constitution and By-laws. It is their hope to have changes and ratification before the end of the school year.

Ms. Rachel Ugale, President, Chabot College Classified Senate, reported that Flex Day was great. The Senate will be discussing ways to increase the Classified Staff's involvement in Flex Days, including planning a Classified Flex Day or Districtwide Staff Development Day. She also reported that plans for fundraising are underway. She thanked Dr. Carlson for his service to Chabot College and expressed that they are looking forward to working with Dr. Barberena. She also expressed that the Senate is looking forward to Doug Horner's presentation on the solar project at an upcoming meeting.

Mr. Pedro Ruiz deCastilla, President, District Classified Senate, reported that he is working on a training program with both colleges. In addition, they are working with both College Classified Senate Presidents to develop a Districtwide Classified Flex Day.

### **PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES ASSOCIATED STUDENTS**

Ms. Kayla Moreland, Vice President, Associated Students of Las Positas College, submitted a written report to the Board. She reported that students held a successful Rush Wednesday last week. She reported that on February 21 five of their officers will be attending the American Student Government Association's Conference in New York City. In addition, they are planning a Sacramento trip on April 1 to attend the higher education rally. She also reported that Dr. Laurel Jones came to their last meeting and discussed the Compressed Calendar. She reported that five members have also been working on the Accreditation Standards. The ASLPC approved nearly \$14,000 for scholarships. She also reported that they will be holding their first ever Inter-Club Council Retreat in March where club officers and members can get training on different topics to make their clubs

successful. She further reported that their Director of Legislation, Mr. Josh Paul, has taken some time off from school and Tiffany Breger has been appointed to fill this position.

Mr. Waiz Badar, President, Associated Students of Chabot College, thanked Dr. Barberena for attending their Retreat and first Senate meeting. He also reported that he met with Chancellor Kinnamon and President Barberena to discuss past and present issues on campus. He reported that the Senate passed a resolution to support the solar project for Chabot College. He reported on a successful Welcome Back Week where they catered lunch for 1,000 students. He also reported on a student-sponsored Blood Drive with Red Cross. Club Day is scheduled for February 21. He further reported on an upcoming speaker series beginning on March 11 with Mark Schapiro, an investigative journalist and author of "Exposed: The Toxic Chemistry of Everyday Products and What's at Stake for American Power." Mr. Badar felt that this speaker was timely considering what is happening in Hayward with the proposed power plants. The second speaker scheduled for April 1 is an award winning author and Iraqi journalist.

### **PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES**

Dr. Pollard thanked Dr. Kinnamon and the Board for having the confidence in her for this position. She expressed her excitement and noted that she continues to be impressed with this institution. She thanked Bob Kratochvil for his interim work as President and thanked everyone for making her transition so easy.

Dr. Barberena submitted a written report to the Board. She thanked the Board and Chancellor Kinnamon for their support and the support of the Student Senate, Classified Senate and Faculty Senate. She recognized the great work being done with Daraja and the Umoja Community in support of African American Students. She also recognized Faculty Member Rachel LePell who was awarded the "Excellence in Theater Arts Education Award" for 2008 from The Kennedy Center's American College Theater Festival Region VIII. She also recognized that on February 29, 1,000 high school students from the top 15 high school bands will be on campus for the Wind Band Festival. The Chabot Wind Band will be performing on March 13 in Sacramento at the California Association for Music Education State Conference, which is one of the top recognitions a band can receive in California. She also congratulated the men's track team which won their beat and reported that 13 personal records were established on that day. She thanked students for their resolution supporting the solar program as well as the faculty's support. She will ask for the Classified Senate's support of this program at their next meeting. She noted that it is wonderful to affirm a clean energy culture.

President Kratochvil submitted a written report to the Board. He thanked the Board and Chancellor for the privilege of serving as Interim President and welcomed Dr. Pollard. He reported that Las Positas College is also interested in sustainability and have a proposal to



install solar panels in the new parking lot. In addition, the College is trying to go “paperless” as much as possible.

President Kratochvil commended Dr. Laurel Jones on her leadership on the Accreditation. In addition, he recognized Ms. Jennifer Adams and thanked her for her support as his assistant while Interim President.

### **CHANCELLOR’S REPORT**

Dr. Kinnamon welcomed Dr. Pollard, noting that today was her first official day. He reported that he recently attended the National Legislative Summit in Washington, D.C. and thanked Mrs. Jennifer Aries for her coordination and organization with regards to this conference. They met with Congressional Members and/or their staffs from the Offices of Pete Stark, Ellen Tauscher, Lynn Woolsey and Jerry McNearney. He was pleased that legislators knew the issues we are facing in this District. Topics discussed were:

- green technologies programs;
- Requested increase of \$494,000 in PELL Grants, after thanking them for approving tuition sensitivity;
- Requested restoration of Perkins Funding;
- Requested restoration of funding for Hispanic serving institutions;
- Requested legislation for Veterans benefits giving the same college benefits for National Guard and Reserves as Enlisted, using the Las Positas College Program as a model;
- DREAM Act, which permits in-state tuition benefits to undocumented students without violating federal immigration status (criteria for conditional residency: must be in US for previous 5 years and under 16 years of age). He reported that our legislators are supportive. He also reported that it probably will not be approved until next year.

### **STUDENT ASSISTANT PERSONNEL**

Mrs. Dvorsky reported that she pulled this agenda item from the Consent Calendar as she will abstain, noting that her grandson is included in this item.

#### Motion No. 3

Dr. Mertes made a motion, seconded by Dr. Gin, to approve the Student Assistant Personnel.

Motion carried 6-0, with Mrs. Dvorsky abstaining.

**FACULTY PERSONNEL**

Mrs. Dvorsky reported that she pulled this agenda item from the Consent Calendar to recognize the Emeritus Retirements of Mr. Kenneth Eberhard after 39 years, Mr. Frederick Hodgson after 21 years, and Mr. Robert Hughes after 13 years.

Motion No. 4

Mrs. Dvorsky made a motion, seconded by Dr. Mertes, to approve the Faculty Personnel with the changes as noted.

Motion carried unanimously, 7-0.

**VOLUNTEER AIDE PERSONNEL**

Mr. Gelles reported that he pulled this agenda item from the Consent Calendar to question the process used for volunteers. Dr. Gularte reported that since Mr. Gelles last raised this concern, her department now includes background checks as part of the procedure for engaging volunteers. She noted that all three individuals in this list of volunteers have submitted fingerprints and have been cleared by both Department of Justice and FBI.

Motion No. 5

Mr. Gelles made a motion, seconded by Dr. Lewis, to approve the Volunteer Aide Personnel with the changes as noted.

Motion carried unanimously, 7-0.

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH JOHNSON AND ASSOCIATES LLC TO CONDUCT A CLASSIFICATION AND COMPENSATION STUDY**Motion No. 6

Dr. Gin made a motion, seconded by Mrs. Dvorsky, to enter into the agreement with Johnson and Associates LLC to conduct a classification and compensation study for the District at a fixed cost of \$124,300. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to enter into the agreement and any future augmentations or amendments to the agreement on behalf of the District.

Motion carried unanimously, 7-0.

**APPROVAL OF SABBATICAL LEAVE APPLICATIONS FOR THE 2008-09 SCHOOL YEAR, CHABOT COLLEGE; AND APPROVAL OF SABATICAL LEAVE APPLICATIONS FOR THE 2008-09 AND 2009-10 SCHOOL YEARS, LAS POSITAS COLLEGE**

Mr. Gelles reported that he pulled this agenda item from the Consent Calendar to note that he is always very impressed with the Sabbatical Leave Applications and looks forward to seeing the reports.

Mr. Vecchiarelli noted that in past years the District put away 1% of the salary increase each year for sabbatical leaves and questioned if and how it is divided by the colleges. Mr. Legaspi reported that the 1% is determined by the individual college.

Motion No. 7

Mr. Gelles made a motion, seconded by Mrs. Dvorsky, to approve the following in one motion:

- a. Sabbatical Leave Applications as reviewed and recommended by the Sabbatical Leave Committee for the following Chabot faculty desirous of taking leaves during the 2008-09 School Year to the extent that funds are available:

Approved (with funding available)

Davis, Matthew A. (S 2009); Munger, Monica R. (S 2009); Dale, VallaJean (S 2009); Gill, Susan M. (S 2009); Zappa, Stephanie A. (S 2009); Puckett, Theresa J. (S 2009).

Approved (unfunded, in ranked order)

1. Woodhams, Stephen V. (F 2008 – S 2009); 2. (LPC); 3. Thiel, Clayton E. (S 2009); 4. Moniz, Rick G. (F 2008 – S 2009).

- b. Sabbatical Leave Applications as reviewed and recommended by the Sabbatical Leave Committee for the following Las Positas faculty desirous of taking leaves during the 2008-09 and 2009-10 School Years to the extent that funds are available:

Approved (with funding available)

Aguiar, Lawrence F. (S 2009, S 2010); Brehe-Johnson, Janet A. (F 2008 – S 2009); Fields, Debbie J. (F 2008 – S 2009); Korber, Melissa A. (F 2008 – S 2009).

Approved (unfunded, in ranked order)

1. (Chabot); 2. Hui, Frances M. (F 2008 – S 2009); 3. (Chabot); 4. (Chabot).

Motion carried unanimously, 7-0.

### **APPROVAL OF TRAVEL STUDY TOURS**

Mr. Gelles reported that he pulled these agenda items from the Consent Calendar to question if there is additional remuneration given to the faculty members from the companies processing the trips. Chancellor Kinnamon reported that only the cost of the trip itself is covered for the faculty member.

#### Motion No. 8

Mr. Gelles made a motion, seconded by Mrs. Dvorsky, to approve the following in one motion:

- a. “The Yucatan and Mayan Civilization”, Mexico, and Memorandum of Understanding with Global Exchange Reality Tours, Chabot College, during the period of March 20 through March 28, 2008. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the necessary travel documents and any future augmentations or amendments to the documents on behalf of the District.
- b. “El Mundo de Maya y Inca”, Peru and Memorandum of Understanding with Global Exchange Reality Tours, Chabot College, during the period of May 30 through June 10, 2008. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the necessary travel documents and any future augmentations or amendments to the documents on behalf of the District.
- c. Humanities 29, “Hola, Barcelona” and Memorandum of Understanding with EF Educational Tours, Las Positas College, during the period of March 19 through March 26, 2008. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the necessary travel documents and any future augmentations or amendments to the documents on behalf of the District.

Motion carried unanimously, 7-0.

**ACCEPTANCE OF MINI-GRANT AWARD – MENTOR TRAINING AND INTERNSHIP PROGRAM FROM THE BAY AREA COMMUNITY COLLEGE CONSORTIUM, LAS POSITAS COLLEGE**

Mr. Gelles reported that he pulled this agenda item from the Consent Calendar to request additional information. Mr. Kratochvil reported that this grant is for \$7,000 and will be used to train new mentors for the LaPTechS program which is coordinated by Leslie Gravino.

Motion No. 9

Mr. Gelles made a motion, seconded by Dr. Gin, to accept the mini-grant award for the Mentor Training and Internship Program from the Bay Area Community College Consortium in the amount of \$7,000 for the period of July 1, 2007 through June 30, 2008. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute grant documentation and any future augmentations or amendments on behalf of the District.

Motion carried unanimously, 7-0.

**APPROVAL OF MEMORANDUM OF UNDERSTANDING – SAN LORENZO UNIFIED SCHOOL DISTRICT, CHABOT COLLEGE**

Mr. Gelles reported that he pulled this agenda item from the Consent Calendar to request additional explanation. Chancellor Kinnamon reported that this MOU is for the Center extension and outlines the details or terms of engagement between both parties. This MOU is similar to the ValleyCare Educational Center.

Motion No. 10

Mr. Gelles made a motion, seconded by Mrs. Dvorsky, to approve the proposed Memorandum of Understanding (MOU) with the San Lorenzo Unified School District, Chabot College, for the period December 12, 2007 through June 30, 2008. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the proposed MOU and any future augmentations or amendments to the document on behalf of the District.

Motion carried unanimously, 7-0.

**APPROVAL OF SUMMER STUDENT HEALTH FEE, CHABOT COLLEGE**

Mr. Gelles reported that he pulled this agenda item from the Consent Calendar to compliment staff on bringing this forward for the students of Chabot College.

Motion No. 11

Mr. Gelles made a motion, seconded by Dr. Gin, to approve that Chabot College collect a \$9 per student Health Fee for enrollment in Summer Session and full access to the services offered through the Student Health Center effective Summer 2008.

Motion carried unanimously, 7-0.

**APPROVAL OF DECLARATION OF SURPLUS PROPERTY TO BE SOLD AT PRIVATE SALE AND DONATION OR DISPOSAL OF ANY ITEMS NOT SOLD**

Mr. Gelles reported that he pulled this agenda item from the Consent Calendar to again request that notices be sent to local school districts notifying them of the surplus property. Mr. Legaspi reported that as standard procedure, notices are sent to the eight school districts in our local service area. Mr. Gelles noted that service clubs may also be interested in the items. Mr. Legaspi invited Board Members to provide any clubs or non-profit organizations that they may wish to have included in his contacts.

Mr. Vecchiarelli questioned if we are indemnified on the equipment. Mr. Legaspi reported that all items are sold or donated in "as is" condition.

Motion No. 12

Mr. Gelles made a motion, seconded by Mrs. Dvorsky, to approve the items surplus to the needs of the District and that the Chancellor be authorized to dispose of the same via private sale in accordance with Board Policy 3212 and that the funds derived from the sale be placed in the General Fund of the District. Further, any items that are not sold by private sale be donated to charitable organizations or disposed of by District personnel in accordance with California Education Code Section 81452.

Motion carried unanimously, 7-0.

**AWARD OF BID NO. 08-16, MAINTENANCE AND OPERATIONS FACILITY MODULAR OFFICE BUILDING MANUFACTURING AND INSTALLATION, LAS POSITAS COLLEGE**

Motion No. 13

Dr. Cedillo made a motion, seconded by Mr. Gelles, to approve the award of Bid No. 08-16, Maintenance and Operations Facility Modular Office Building Manufacturing and Installation, Las Positas College to Modtech Holdings, Inc. of Perris, California, in the amount not to exceed \$845,250 including tax. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement and any future augmentations or amendments to this agreement on behalf of the District. Funding Source: Measure B Funds

Motion carried unanimously, 7-0.

**AUTHORIZATION TO SUBMIT DISTRICT SCHEDULED MAINTENANCE FIVE-YEAR PLAN TO THE CHANCELLOR'S OFFICE FOR CONSIDERATION OF STATE FUNDING**

Motion No. 14

Dr. Gin made a motion, seconded by Dr. Lewis, to authorize the submittal of the District Scheduled Maintenance Five-Year Plan to the Chancellor's Office for consideration of state funding.

Motion carried unanimously, 7-0.

**APPROVAL OF REQUEST FOR SELECTION OF ARCHITECT, CHARLES HAM ASSOCIATES, FOR MODERNIZATION OF BUILDING 1400, INDUSTRIAL TECHNOLOGY, CHABOT COLLEGE**

Motion No. 15

Mrs. Dvorsky made a motion, seconded by Dr. Gin, to approve entering into a design contract with Charles Ham Associates of San Ramon, CA for Modernization of Building 1400, Industrial Technology, Chabot College in an amount not to exceed \$316,500. It is further recommended that the Board of Trustees authorize the Vice Chancellor, Business Services, to execute the agreement and any future augmentations or amendments to the agreement on behalf of the District. Funding Source: Measure B Bond Funds

Motion carried unanimously, 7-0.

**APPROVAL OF AWARD OF BID NO. 08-11, PARKING LOTS A, B, G AND H RENOVATION, CHABOT COLLEGE**Motion No. 16

Dr. Cedillo made a motion, seconded by Mr. Nicholls, to approve the award of Bid No. 08-11, Parking Lots A, B, G and H Renovation, Chabot College to Bay Cities Paving & Grading of Concord, CA in the amount not to exceed \$5,775,000. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement and any future augmentations or amendments to this agreement on behalf of the District. Funding Source: Measure B Bond Funds

Dr. Gin questioned the closure of the parking lots and the location of the temporary parking lot. Mr. Horner reported that the temporary lot is behind Parking Lot J for 385 spaces. They have negotiated for an additional 256 spaces with the church across the street. The final aggregate loss of on-campus parking is 100 spaces.

Dr. Barberena reported that she has asked staff to use the off-campus parking to allow students the use of on-campus spots.

Dr. Gin questioned if any provisions have been made for personal safety while crossing Hesperian Boulevard. Dr. Barberena reported that Mr. Legaspi's Office will provide assistance that the contract include all issues of liability. Mr. Horner reported that the corner has a signalized crosswalk.

Mrs. Dvorsky questioned if we are considering the solar panels at that time. Mr. Horner reported that is not part of this Board item but as construction moves forward, we will be putting the underground pieces in that parking lot before it is paved.

Dr. Lewis noted that she is happy to see the location for the business getting the bid contracts.

Motion carried unanimously, 7-0.



**APPROVAL TO PROCEED WITH TWO 1 MW SOLAR PROJECTS AND ACCEPT THE CALIFORNIA SOLAR INITIATIVE RESERVATION LETTER/PROGRAM CONTRACT FOR ENERGY INCENTIVES TO INSTALL SOLAR PROJECTS (PHOTOVOLTAIC) AT CHABOT AND LAS POSITAS COLLEGES**

Motion No. 17

Mrs. Dvorsky made a motion, seconded by Dr. Gin, to authorize the District to proceed with two 1 MW solar projects and accept the California Solar Initiative Reservation Letter/Program Contract for energy incentives to install solar projects (Photovoltaic) at Chabot and Las Positas Colleges. It is further recommended that the Board authorize the Vice Chancellor, Business Services to execute the Solar Program Contract and transfer Measure B interest earnings to fund the Solar Projects at each College on behalf of the District. Funding Source: Measure B Bond Funds

Dr. Kinnamon requested that Mr. Horner speak to the philosophy for how we are attempting to be more sustainable. Mr. Horner reported that the priority to adopt sustainable and green initiatives was endorsed during the planning phases of the Measure B Modernization Program. With the bold step of requiring our new buildings to be LEED equivalent, other opportunities like renewable energy became apparent for our District to consider. Applications and requests were submitted to receive renewable energy incentives through the California Solar Initiative. We were notified in late December 2007 that our District was selected to receive incentives to design and build Solar Projects at the colleges. He noted that this is a bold statement to our community to lessen our impact to the environment.

Dr. Mertes thanked Mr. Horner for the thoughtful planning done by the Facilities Planning Department. This is an amazing piece of work and a heritage. In addition, it is a very humane approach to planning.

Dr. Cedillo recommended when we are looking at energy savings and rebates, that they not be put into the general fund but put into expanding our building projects. Dr. Mertes concurred with Dr. Cedillo's suggestion.

Mr. Vecchiarelli questioned if any studies have been done that show how long it would take to amortize our initial expense. Mr. Horner affirmed that there had been and requested that Mr. Dave Baldwin of Chevron Energy Solutions respond to this question.

Mr. Baldwin reported that payback ranges from between 11 and 16 years with return on investments of 5.5% to 9%. He reported that some colleges are using covered parking as revenue because everyone wants to park under these structures.

Dr. Cedillo suggested that if we do consider the parking structures as a revenue enhancement, that those funds should go to the students. Dr. Lewis concurred with Dr. Cedillo's suggestion and further suggested that the students need to agree that they should be part of the ultimate outcome.

Motion carried unanimously, 7-0.

**APPROVAL TO NEGOTIATE AN ENERGY PERFORMANCE CONTRACTING (ESCO) SERVICES AGREEMENT WITH CHEVRON ENERGY SOLUTIONS, INC. FOR PHOTOVOLTAIC SOLAR PROJECTS AT CHABOT AND LAS POSITAS COLLEGE**

Motion No. 18

Mr. Gelles made a motion, seconded by Dr. Cedillo, to approve the issuance of an ESCO Agreement for Energy Performance Contracting Services with Chevron Energy Solutions, Inc. of San Jose, California for Photovoltaic Solar Projects at Chabot and Las Positas College in an amount not to exceed \$22,000,000. It is also recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement and any future augmentations or amendments to the agreement on behalf of the District. Funding Source: Measure B Bond Funds

Motion carried unanimously, 7-0.

**APPROVAL OF MASTER AGREEMENT WITH SANDIS CIVIL ENGINEERS, SURVEYORS, PLANNERS, SITE UTILITY AND INFRASTRUCTURE DESIGN SERVICES, LAS POSITAS COLLEGE**

Motion No. 19

Dr. Mertes made a motion, seconded by Dr. Gin, to approve the issuance of a Master Agreement for site utility infrastructure documentation and design and related civil engineering services at Las Positas College to Sandis Civil Engineers, Surveyors, Planners, for a total amount not to exceed \$300,000. It is further recommended that the Board of Trustees authorize the Vice Chancellor, Business Services, to execute agreements and or modifications on behalf of the District. Funding Source: Measure B Bond Funds

Motion carried unanimously, 7-0.

**AUTHORIZATION TO ISSUE TASK ORDER NO. 3 TO SOUTHLAND INDUSTRIES FOR ADDITIONAL ROUTING AND DESIGN FOR A CENTRAL UTILITY PLAN (CUP) AND LOOP, LAS POSITAS COLLEGE**

Motion No. 20

Dr. Gin made a motion, seconded by Dr. Cedillo, to authorize the issuance of Task Order No. 3 to Southland Industries for Routing and Design for a Central Utility Plant (CUP) and Loop, Las Positas College in an amount not to exceed \$41,665.97. It is further recommended that the Board of Trustees authorize the Vice Chancellor, Business Services, to execute the Task Order on behalf of the District. Funding Source: Measure B Bond Funds

Motion carried unanimously, 7-0.

**APPROVAL OF MASTER AGREEMENT WITH H.T. HARVEY & ASSOCIATES, ECOLOGICAL CONSULTANTS, LAS POSITAS COLLEGE**

Motion No. 21

Dr. Cedillo made a motion, seconded by Mr. Gelles, to approve the issuance of a Master Agreement to H.T. Harvey & Associates for Ecological Consulting Services at Las Positas College in an amount not to exceed \$150,000. It is further recommended that the Board of Trustees authorize the Vice Chancellor, Business Services to execute agreements and or modifications on behalf of the District. Funding Source: Measure B Bond Funds

Motion carried unanimously, 7-0.

**APPROVAL TO NEGOTIATE AND ENTER INTO FACILITIES RENTAL AGREEMENTS FOR TEMPORARY PARKING, AND THE USE OF TENNIS COURTS AND A SOFTBALL FIELD, CHABOT COLLEGE**

Motion No. 22

Mr. Nicholls made a motion, seconded by Mrs. Dvorsky, to approve the administration to identify, negotiate and enter into facilities rental agreements with private or public entities for the utilization of tennis courts, a softball field and temporary parking. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute these agreements and any other future extension or amendments to the agreements on behalf of the District if this becomes necessary. Funding Source: Measure B Bond Funds

Motion carried unanimously, 7-0.

**APPROVAL OF AWARD OF CONTRACT WITH HMC ARCHITECTS FOR DESIGN SERVICES FOR THE DENTAL CLINIC MODERNIZATION BUILDING 2200 HEALTH SCIENCES, CHABOT COLLEGE**

Motion No. 23

Mr. Nicholls made a motion, seconded by Dr. Gin, to approve the award of contract with HMC Architects of San Jose, CA for Design Services for the Dental Clinic Modernization Building 2200 Health Sciences at Chabot College in an amount not to exceed \$198,000. It is further recommended that the Board authorize the Vice Chancellor, Business Services to execute the agreement and any future augmentations or amendments to the agreement on behalf of the District. Funding Source: Measure B Bond Funds

Motion carried unanimously, 7-0.

**ADOPTION OF RESOLUTION NO. 12-0708 – AUTHORIZING THE CENTRAL UTILITY PLANT AT LAS POSITAS COLLEGE DEEMED BY THE STATE NOT TO BE “SCHOOL BUILDING,” AND NOT SUBJECT TO DIVISION OF STATE ARCHITECT (DSA) STRUCTURAL REVIEW**

Motion No. 24

Dr. Cedillo made a motion, seconded by Mrs. Dvorsky, to adopt Resolution No. 12-0708 authorizing the Central Utility Plant (CUP) at Las Positas College Deemed by the State not to be a “School Building”, and not subject to Division of State Architect (DSA) Structural Review. Funding Source: Measure B Bond Funds

Motion adopted by the following roll call vote:

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

**APPROVAL OF NONFINANCIAL COOPERATIVE AGREEMENT—U.S. DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION FOR AN OSHA TRAINING INSTITUTE EDUCATION CENTER, DISTRICT-ECONOMIC DEVELOPMENT**

Mr. Gelles reported that he pulled this agenda item from the Consent Calendar to request additional information.

Chancellor Kinnamon asked Ms. Julia Dozier, who recently returned from a meeting with OSHA, to share information about the program.

Ms. Dozier reported that the District's Economic Development Department responded to a Request for Applications (RFA) and has received notification from the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) that they have been designated as one of eight new OSHA Training Institute Education Centers. She reported that there are 27 in the country and only five are community colleges. She reported that OSHA Training Institutes provide health and safety training primarily for the construction industry and health care industry.

Initially, the department will offer the basic courses such as OSHA for construction, OSHA for general industry, and train the trainer for both construction and general industry.

She reported that the OSHA Training Institute is funded through class fees and there is no financial transactions between the U.S. Department of Labor and the District.

She also reported that in response to the community, the department will be putting on a seven-week customer service academy partnering with Dublin and Pleasanton Chambers of Commerce. They are also working with Livermore Chamber of Commerce. This came out of the need that companies are hiring people without social and professional skills—communication skills, attire, customer relations.

Dr. Mertes congratulated Ms. Dozier. She noted that one of the Board's priorities was for improving our Economic Development outreach. She reported that she would help get Livermore Chamber involved in the customer service academy as she sits on its Board.

Mrs. Dvorsky also congratulated Ms. Dozier. She questioned if other Chambers in the area would be invited to participate in the program, to which Ms. Dozier responded affirmatively. She reported that the first series starts in early March and the response has been very good.

In response to a question raised by Mr. Vecchiarelli, Ms. Dozier reported these courses are fee based.

Mr. Gelles suggested that she invite Castro Valley Chamber of Commerce to participate in the program.

Dr. Cedillo suggested that Ms. Dozier invite participation of the Hispanic Chamber in Alameda County. He further suggested that we may want to consider scholarships for qualifying businesses.

Motion No. 25

Mr. Gelles made a motion, seconded by Mrs. Dvorsky, to approve the proposed Nonfinancial Cooperative Agreement, U.S. Department of Labor, Occupational Safety and Health Administration for an OSHA Training Institute Education Center, District-Economic Development, for the period October 1, 2007 to September 30, 2012. It is further recommended that the Board of Trustees authorize the Vice Chancellor, Business Services, to execute the agreement and any future augmentations or amendments on behalf of the District.

Motion carried unanimously, 7-0.

**GOOD OF THE ORDER**

Mr. Vecchiarelli requested at a later date an update on the Sheet Metal Apprenticeship Program in San Leandro.

**FACILITIES PLANNING AND MANAGEMENT REPORT**

No report.

**ACCEPTANCE OF QUARTERLY FINANCIAL STATUS REPORT FOR PERIOD ENDING DECEMBER, 2007 (311Q)**

Mr. Legaspi reported that this quarterly report is submitted to the State Chancellor's Office.

The Board accepted the Quarterly Financial Status Report for Period Ending December, 2007.

Mr. Legaspi gave an update on the 2008-09 Budget. He reported that both houses just completed their work on the mid-year cuts. He reported that, as you may recall, Proposition 98 was overfunded by \$400M. Both houses identified over \$500M against that \$400M. He reported that we probably will not have to institute mid-year cuts this year. The Chancellor's Office is confident that they can find unspent categorical funds to back fill the \$400M.

Mr. Legaspi reported that he and Chancellor Kinnamon attended a Las Positas College forum and gave an update on the Governor's January Budget proposal and will also present at Chabot College next week.

**ADJOURNMENT**

Motion No. 26

There being no further business, by motion made and seconded, the Regular Meeting was adjourned at 8:10 p.m.

Motion carried unanimously, 7-0.

Minutes completed by:

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Beverly Bailey

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