

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

**MINUTES  
August 18, 2009**

**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. by President Gin. Recording Secretary Beverly Bailey called the roll. All Board Members were present at the time of roll.

**PUBLIC COMMENTS**

Mr. Joe Ronan, Calpine Corp. and developer of the Russell City Power Plant, spoke to the Board regarding the proposed Power Plant. Mr. Ronan reported that Chabot College has been the biggest proponent against building of the Energy Center over the last two years. He reported that he has reached out to the College and Chancellor since April to have a dialogue to discuss issues surrounding the power plant and talk about how to resolve differences and how Calpine and Chabot can work together to advance the College's goals and their goals. Mr. Ronan reported that he has submitted a letter to the Chancellor and the Board outlining the history of the Russell City Energy Center and asking again for a meeting. He explained that there are three levels of regulatory permitting that the project has gone through:

- 1) California Energy Commission, which reviewed the power plant twice and issued a license in September 2007.
- 2) The Public Utilities Commission, which in April 2009 approved the project's power purchase agreement with Pacific Gas & Electric. He reported that this power plant will allow for the closing of more environmentally inefficient power plants with new state-of-the-art clean natural gas power plants.
- 3) Air Permit, which is the final stages. A proposed air permit was issued August 3 by the Bay Area Air Quality Management District. Public Comment period is now through September 16.

Mr. Ronan reported that Chabot College filed litigation and appealed the California Energy Commission license to the California Supreme Court. The California Supreme Court denied the appeal two months later. Before filing additional litigation, he requested a

dialogue with the Chancellor and the Board or representatives. He cautioned use of taxpayers' money for litigation. He also stressed significant community benefits from the project to the energy grid, as well as to the City of Hayward in 650 union construction jobs plus 25 to 30 full-time operating positions, \$30 million in one-time sales tax revenue and \$4 million annually in property tax revenue, and \$10 million donation for construction of a public library. Further, the project will take approximately 4 million gallons per day of treated wastewater from the City of Hayward's adjacent treatment plant, which is currently discharged into San Francisco Bay, and recycle the wastewater for use in the power plant's cooling system. He noted that the City of Hayward endorsed the project in 2001.

### **ADJOURN TO CLOSED SESSION**

By motion made and seconded, the Board adjourned to a Closed Session at 5:40 P.M., which ended at 6:30 p.m.

### **OPEN SESSION**

The Board readjourned in Open Session at 6:40 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. Barbara F. Mertes  
                                  Dr. Marshall Mitzman  
                                  Mr. Carlo Vecchiarelli  
                                  Mr. Sudharsan Dwaraknath  
                                  Mr. Evani Gil

Members Absent:           None

Managers Present:         Dr. Joel L. Kinnamon, Chancellor  
                                  Dr. Celia Barberena, President, Chabot College  
                                  Dr. DeRionne Pollard, President, Las Positas College  
                                  Mr. Ken Agustin  
                                  Mr. Jeff Baker  
                                  Ms. Jeanne Bargmann  
                                  Ms. Julia Dozier  
                                  Ms. Heidi Finberg  
                                  Mr. Wyman Fong  
                                  Dr. MaryAnne Gularte  
                                  Dr. Laurel Jones

Dr. Ted Kaye  
Mr. Jeffrey Kingston  
Mr. Robert Kratochvil  
Mr. Matthew Kritscher  
Mr. Lorenzo Legaspi  
Ms. Pam Luster  
Ms. Jeannine Methe  
Mr. George Railey  
Mr. Gerald Shimada  
Ms. Laura Weaver

Recording Secretary: Mrs. Beverly Bailey

Others Present: Mr. Michael Absher, President, Chabot College  
Academic Senate  
Mrs. Esther Goldberg, CARE  
Ms. Cathy Gould, President, District Classified Senate  
Ms. Natasha Lang, President, Las Positas College Classified  
Senate  
Mrs. Charlotte Lofft, President, Chabot-Las Positas Faculty  
Association  
Mr. Patrick Lofft, Citizens Bond Oversight Committee  
Mr. Masi Quorayshi, President, Associated Students of Las  
Positas College  
Mr. Joe Ronan, Calpine Corp./Russell City  
Mr. Rick Thomas, Calpine Corp./Russell City  
Ms. Sarah Thompson, President Elect, Las Positas College  
Academic Senate  
Ms. Rachel Ugale, President, Chabot College Classified  
Senate

### **PLEDGE TO FLAG**

President Gin opened the meeting and asked Mr. Dwaraknath to lead the pledge to the flag.

### **PUBLIC COMMENTS**

There were no Public Comments offered at this time.

### **CONSENT CALENDAR**

Mrs. Dvorsky requested that agenda items 4.4 (Acceptance of Grant Award – U.S. Department of Education, Earmarks Program, Grant Award No. P116Z090098, Chabot College) and 4.5 (Acceptance of Grant Award – U.S. Department of Education, Child Care Program, Grant Award No. P335A090192, Chabot College) be removed from the consent

calendar. Dr. Kinnamon requested that agenda item 8.4 (Acceptance of Associated Students of Las Positas College Constitution) be removed from the agenda.

Motion No. 1

Mrs. Dvorsky made a motion, seconded by Mr. Gelles, to approve the consent calendar with the exception of agenda items 4.4 and 4.5.

Motion carried unanimously, 7-0.

The following items were approved on the consent calendar:

General Functions

- 1.8 Approval of Minutes of July 21, 2009 Meeting

Personnel

- 3.2 Classified Personnel
- 3.3 Faculty Personnel
- 3.4 Management Personnel

Educational Services

- 4.1 Acceptance of Gifts, Las Positas College
- 4.2 Approval of 2009-2010 Curriculum Changes, Las Positas College
- 4.3 Renewal of Memorandum of Understanding – Alameda County Office of Education for the Alameda County Transition to Teaching for Paraeducators Program, Chabot College

Business Services

- 5.1 Approval of Commercial Warrant Registers
- 5.2 Approval of Payroll Warrant Registers
- 5.3 Approval of the Renewal of Contract with the Chancellor's Office, California Community Colleges, Chancellor's Office Tax Offset Program (COTOP)
- 5.4 Acceptance of Calculation of Appropriations Limit for 2009-2010 for Posting (GANN Limit)
- 5.5 Approval of Award of a Piggyback Contract for Furniture and Equipment for Chabot College, Building 500 Using the CollegeBuys Purchasing Program (Measure B Bond Funds)

Facilities Planning and Development

- 6.1 Authorization to File Notice of Completion with the Alameda County Clerk Recorder's Office for Construction of the Priority One: Buildings & Parking Lot Security Upgrade Project at Chabot College (Measure B Bond Funds)

Economic Development/Contract Education

- 7.1 Approval of Grant Agreement Renewal – California Community Colleges Chancellor's Office, Economic and Workforce Development Program for

Workplace Learning Resource Centers, Grant No. 09-0312-021, District-Economic Development

**PRESENTATION: ONE-TIME MONIES – CHABOT COLLEGE**

Ms. Melinda Matsuda and Mr. Matthew Kritscher presented a PowerPoint Presentation on the Success of One-time Monies Initiatives, specifically on the efforts of “Increasing Enrollments through Recruitment and Retention.” Mr. Kritscher presented specifically on Persistence and Retention, noting the significant increases through their efforts. Ms. Matsuda acknowledged the efforts of Mr. Gerald Shimada.

On behalf of Chabot College, Ms. Matsuda expressed appreciation to former Chancellor Cota, Chancellor Kinnamon, and Board Members, for institutionalizing their efforts with the One-Time Monies allocated in 2006. She reported that the most significant thing about the One-Time Monies was its symbolic value as it motivated everyone across Student Services to examine what they could do better in the areas of recruitment and enrollment and eventually motivated faculty and staff across the College to get more involved in the various initiatives and efforts. The College asked the following questions of themselves: “What can we do better or differently to break down barriers for students?; What will make a significant impact?; and What are some new and different things we can initiate, pilot, and institutionalize if successful?” The presentation included the initiation of new events, activities, and awareness-raising events that were triggered by the One-Time Monies. The presentation also included more comprehensive system changes for positively impacting student persistence and retention. The presentation outlined the following:

- Student Access, Equity and Success Initiatives
- Creating a College-Going Culture in our Schools and Community
  - Academic Support Programs for Youth
    - TRIO Educational Talent Search (ETS)
    - TRIO Student Support Services (SSS)
    - Summer Youth Sports Program
    - Federal Gear-Up Program
    - Second Wind Project
- Reaching Underserved Communities
- Becoming a Hispanic-Serving Institution
  - Increased Spanish-Speaking and Bilingual Presentations and Advisement
  - Latino Educational Summit with Community Partners
  - Ongoing Puente/MEChA/CLEA-sponsored activities
  - Annual PREPA (Preparatoria) Outreach Conference
  - “La Experiencia Del Exito Escolar Te Espera”

- Addressing the African-American Achievement Gap
  - Southern Alameda County Regional Education Alliance (SACREA)
  - State-Funded ARCHES/ENLACE Project with Multiple Community Partners
  - Promoting College Awareness and Access for African-American Families and Youth
  - More Targeted Efforts Working with SACREA, NAACP and Reality Mentors
  - Annual African-American Educational Summit at CSUEB
  - African-American Parent Involvement Days at the Middle Schools
  - African-American Cultural Pursuits Awards at Chabot College
  - Striving Black Brothers and Daraja Students Serving as Mentors for Youth
  - Breaking Down Barriers for Low-Income Students
  - Extensive “In-Reach” Campaign
- Breaking Down Barriers for Low-Income Students
- Support for Student Persistence and Retention
- Increased Counseling Access
- Increased Access to Matriculation Services
- Student Follow-Up Intervention Strategies
- Empowering Students as Mentors
- Major Outcomes
  - Increased Enrollments
  - Improved Student Access for Underrepresented and Low-Income Students
  - Improved Service Delivery
  - Increased Student Participation in Student Services
  - Improved Persistence and Retention Rates
  - Strengthened Community Partnerships
  - Improved Internal and External Collaboration and Coordination
  - Strengthened Student Services Program Review for Ongoing Quality Improvement

Dr. Cedillo thanked Chabot College for the presentation. He expressed his gratitude of the work we do and is proud to be part of this institution.

Dr. Mitzman reported that he attended the First Gladiator Day in 2006 and he is pleased with how it is growing. He questioned if there is a problem with students having access to computers. Mr. Kritscher reported that the College helps students register on-line and also allows students to use computers in the Computer Center. Ms. Matsuda reported that many low-income students do not have computers at home.

Dr. Mertes congratulated Chabot College for their hard work on the presentation. She noted that this is one of the first thorough looks at Chabot College’s population in a long time. She thanked Ms. Matsuda for her efforts.

**TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS**

Mr. Vecchiarelli reported that Convocation was excellent, noting that it was one of the best he has attended. He thanked Chancellor Kinnamon and Vice Chancellor Kingston for their presentations.

Dr. Mertes wished everyone a tremendously successful experience this academic year.

Dr. Mitzman recognized the efforts of Las Positas College on their Leadership Day Conference, which he attended. He also reported that Convocation was a wonderful experience, and his first to attend.

Mrs. Dvorsky reported she attended the Las Positas College Leadership Day. She particularly enjoyed the student panel and the Veterans that spoke. She also reported that she attended Convocation, noting that they get better each year, even with a terrible budget.

Mr. Gelles reported that he attended the Las Positas College Leadership Day and Convocation, and was most pleased with the courtesy of everyone. He reported that the brochure from the Las Positas College Foundation was outstanding, with great information. He noted that at the Leadership Day, Dr. Pollard displayed tremendous command of her subject. He also noted that Chancellor Kinnamon's and Vice Chancellor Kingston's presentations at Convocation were very informative.

Dr. Cedillo reported that he was unable to attend Convocation as it conflicted with Marin's Convocation. "He has never doubted the ability of this District to put forth some stellar programs." He reported that an anonymous District had faculty with picket signs at their convocation and he is pleased that this District works together collaboratively. He reported that he sees the buildings going up at Chabot College and recognizes that there are exciting things coming, in spite of the budget. "We will make great things happen."

Mr. Dwaraknath expressed appreciation for how the fee hike was handled. He reported that the Campus is bustling and increased enrollment is apparent. On the bright side, it gives you that warm college feeling. He recognizes that faculty members are handling it very well, as in each of his classes they are very accommodating and make it clear that they want to add as many students as they can. He thinks the institution is handling it very well and it is apparent. It is a warm atmosphere, even with the budget challenges.

Mr. Gil reported he got re-energized by attending Gladiator Day. He reported that this week, the first week of classes, lines on campus are long, but it is exciting. Students seem bright and eager. He expressed that he is proud of being part of Chabot College.

Dr. Gin reported that he also attended Convocation and the Las Positas College Leadership Day, echoing the positive comments of his fellow Board Members.

**CHABOT-LAS POSITAS COLLEGES FOUNDATIONS**

**Las Positas College:** Dr. Kaye presented a written report to the Board. He was pleased to report that the Foundation exceeded the budget they set by \$21,000 and with this economy, that is an enormous success. Dr. Kaye reported the Foundation granted \$10,000 to ASLPC in support of the Textbook Loan Fund. Dr. Kaye drew the Board's attention to a copy of a letter of appreciation from a former Las Positas College Counseling Faculty Intern, noting that this is what "makes it all worthwhile."

**Chabot College:** Ms. Finberg presented a written report to the Board. Ms. Finberg reported that the Foundation has officially launched the "Employee Give Back" Campaign and after just one week, have raised \$5,000, with a goal of \$10,000. Ms. Finberg reported that she has been invited to attend Department and Senate Meetings to introduce the program. She reported that the Foundation is continuing to work on fundraising with programs and departments that are experiencing budget cuts. Ruby Hill Women's Volleyball Team will be doing a fundraiser, the DECA Club is doing a raffle to fund a conference, and she will be working with Striving Black Brothers on outreach efforts. She reported that the Chabot College Foundation gave almost \$10,000 to the Textbook Rental Program, and approximately 200 students will realize this opportunity for Spring 2010. She will be increasing brick sales, expressing appreciation to Dr. Barberena and Mr. Horner, who have identified a new location for bricks between the two new buildings. Ms. Finberg further reported the Foundation is working on their Annual Planning Retreat, which is scheduled for September.

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

Ms. Sarah Thompson, President, Las Positas College Academic Senate, presented a written report to the Board. She reported that on August 11, the Senate held a training session on Shared Governance, Brown Act and Robert's Rules of Order for Senators, Subcommittee Chairs, and the general college community. She reported that this summer she spent a lot of time educating herself about Shared Governance – from the Education Code to our own Board Policies. She conceptualized an "Ideal Structure" where college practices abide by college policy which abides by Board Policy, which is Title V complaint, and thereby made legal by the Education Code. She took a close look at each of the 10+1 matters to see how closely Senate practices were aligned with this "Ideal Structure."

Mr. Michael Absher, President, Chabot College Academic Senate, reported he is so impressed with the carpools on campus and knows that the students will also appreciate them. In addition, he noted that the "drive-on" new loop road has been embraced. His dream is that the loop road will go to Lot D, where he parks. He reported that all of his classes are full and hopes we can continue this trend. Mr. Absher reported that he has been meeting with Accreditation Chairs. In addition, he has met with new administrators George Railey and Yulian Ligioso, who have "hit the ground running." He further reported that he has a full agenda for the first Senate meeting, including accreditation.

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

Ms. Natasha Lang, President, Las Positas College Classified Senate, submitted a written report to the Board. She reported the Classified Professionals held their first brainstorming session to discuss future initiatives. She reported that "Getting Connected" is a new initiative she is embarking on to meet every Classified Professional at Las Positas College by the end of May 2010. She hopes to learn something special about each person and their contribution to the College and will then highlight each person in her monthly Board report.

Ms. Rachel Ugale, President, Chabot College Classified Senate, reported that she too is extremely excited about the loop road. She reported that beginning in January, staff will be moving to their new buildings. She also reported the Senate held a Retreat at the end of July. In addition, on College Day, staff was surveyed on issues for the Senate and Union to pursue this year, noting that high on the list is the Supplemental Employee Retirement Plan (SERP), the Human Resource Reclassification/Compensation Study, and upcoming negotiations. A Brown Bag Lunch was held recently where they discussed and answered questions on the SERP. In addition, a Technology Fair was held last Friday by the Technology Committee. Further, she reported the Senate will be bringing in new Senate Members to attend Board Meetings as she will not finish her year as President and a replacement will be needed.

Ms. Cathy Gould, President, District Classified Senate, thanked the Chancellor and his staff for a very nice Convocation, noting their hard work was evident. She reported the Senate will be meeting soon and will discuss "Goal Setting", how to get more information to our employees, and more Shared Governance opportunities for District Office employees.

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

Mr. Masi Quorayshi, President, Associated Students of Las Positas College, submitted a written report to the Board. He reported that ASLPC met several times planning for "EXPO", the new student orientation, which was a big success. He thanked Dr. Pollard for allowing ASLPC to have a student panel. He reported that ASLPC has received the books ordered for the Textbook Loaner Program and extended a special note of appreciation to the Library for its continued cooperation and assistance. He also reported that ASLPC held welcome week at the Student Government Office to promote student life on campus.

Ms. Jessica Gutierrez, President, Associated Students of Chabot College, reported that ASCC began their summer by participating on the Gladiator Committee in preparation for Gladiator Welcome Day. She reported that over 500 students attended and approximately \$12,000 from the Osher Scholarship was awarded to students. She also reported that Heidi Finberg, Kathleen Kaser and Yvonne Wu-Craig and she, on behalf of ASCC, worked

collaboratively on a \$250,000 grant to expand the Textbook Rental Program. She also reported that ASCC is continuing its "Work Smarter Not Harder Series" (previously the College Affordability Series) to educate students both academically and financially. The series will be in collaboration with The Learning Connection, Counseling Department, Transfer Employment and Career Services Center, and EdFund. Further, she reported that this summer ASCC worked with Soulciety, a non-profit organization, to raise money and clothing for third world countries. This Fall, ASCC will be hosting clothing drives on campus and all proceeds will go overseas to the poor living in the Philippines. Further, she reported that this Fall, ASCC will be preparing for Soulciety's Empowerment Performance on January 16 and 17, 2010.

### **GOOD OF THE ORDER**

Ms. Charlotte Lofft, President, Faculty Association, reported that the Union has encouraged faculty to take students over the maximum class size as long as the room capacity allows. This sends a message that access is available. Further, she reported she received photos of FA activities that took place in the early 1990's, which she will post on the FA Web site and will organize into a historical scrapbook. She will have more on this in the future.

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

Dr. Barberena submitted a written report to the Board. She thanked Vice President Matsuda and Dean Kritscher for the excellent presentation on how the One-Time Monies approved by the Board serve as a catalyst for institutional innovation. She reported that the statistics presented demonstrate how Chabot College has increased in enrollment and retention, and she is very grateful to them. She reported that she and the College community are pleased with the campus loop drive and the high enrollments. She noted, however, that parking is difficult and this will have to be addressed. Dr. Barberena also reported that she recently participated in a panel discussion with parents, and she is heartened that in policy as well as in action, Chabot College and the District support the diversity that is in the College's service area. She reported that the College was able to show a critical mass of professionals that speak bilingually in Spanish and English and could address not only in the language but also the way they talked to the parents represented the culture of their home. She expressed her gratitude for the \$119,000 which is coming to the Nursing Program, and the \$43,159 to the Child Care Program. Dr. Barberena also reported that Convocation Day was very well received. On Friday, College Day, the College dealt with the theme "Dealing with Change." Change is coming with 2 new Vice Presidents, 2 new Deans, 2 new Directors, 7 new Faculty, and 15 new Classified Staff. In addition, the College will be moving to new facilities, and of course, new programs. She further reported that the College is committed to sustainable technology and will be having a faculty forum on September 15 led by Mr. James Caldwell, who was hired by the Chancellor to help the District and Colleges work collaboratively in the development of new programs in sustainable technologies. Also, having to do more with

less, and that is a change. She also thanked Ms. Finberg and those that worked on Gladiator Day.

Dr. Pollard submitted a written report to the Board. She extended her congratulations for a wonderful presentation to her colleagues from Chabot, and noted that it was wonderful to see what a little amount of money can do for an institution and more importantly for our students. She reported that this time of year, even though it is hectic, it gives us a lot for which to be grateful. In the midst of all this activity and positives, we are dealing with challenges from the State, but we all know it is the attitude that will define us as an organization. For example, they have taken that to heart at Las Positas College through the Welcome Center, which will have faculty and staff volunteers working with students to create an experience for students to have their needs met in a centralized location for admissions and financial aid. She reported that the numbers are startling - in just 5 days, the Welcome Center saw 830 students, 600 of those in the last two days. In addition, the Counseling Department has seen over 500 students. She also reported that at this time last year, 7929 students were enrolled on second day of the Fall Semester, and this year on the second day they had 8800 enrolled. The College has an 86% fill rate on classes, they are serving over 265 Veterans and expecting to reach about 100 of those coming from Operation Iraqi Freedom and Operation Enduring Freedom (Afghanistan War), and International students are at an all-time high of 125, up from 111 this past Fall. Of the 8800 students enrolled, over one quarter are receiving some form of financial aid. She also thanked her colleagues from the District Office who came to campus to help. This growth is significant for Las Positas College, and at Convocation they spent much time discussing "How do we prepare for growth?" "What is the attitude we take toward it?" "How do we plan and write our future history and in 2015 what do we want to be said about this institution?" She reported the College's goal is to anticipate the future and not be thrown into a flux each time. The Las Positas College Council spent time last year discussing strategic planning and the Master Plan. Of those present at Convocation, 70% expressed interest in taking leadership roles in revising the College Strategic Plan. She thanked the Board for their positive comments of Leadership Day and will provide the Board CD's next month.

### **CHANCELLOR'S REPORT**

Dr. Kinnamon reported that Convocation was a great experience for himself and thanked Laura Weaver and Audrey Ching for their assistance. He also thanked Dr. Barberena for making the College such a warm environment for Convocation. He reported that Vice Presidents Luster and Matsuda met with a group regarding fee increases to make sure the Colleges had a plan in place that was well communicated. Their expertise helped to make the process run smoothly. Dr. Kinnamon noted he thinks we should submit a proposal for a conference workshop on "how to become a seasoned president in 24 months or less" recognizing the environment that the Presidents came into and some of the many things they are facing that could derail a new president. However, both College Presidents are starting their second Fall Semester and are successfully leading their colleges with major construction, major organizational change, significant fiscal challenges in the State of

California, and are dealing with tough decisions with faculty and staff.

**ACCEPTANCE OF GRANT AWARD – U.S. DEPARTMENT OF EDUCATION, EARMARKS PROGRAM, GRANT AWARD NO. P116Z090098, CHABOT COLLEGE; AND**

**ACCEPTANCE OF GRANT AWARD – U.S. DEPARTMENT OF EDUCATION, CHILD CARE PROGRAM, GRANT AWARD NO. P335A090192, CHABOT COLLEGE**

Mrs. Dvorsky requested that these agenda items be pulled from the consent calendar to recognize that the grant for the Nursing Program came to us as an earmark in the national budget by Congressman Pete Stark. She wants to be sure we thank the Congressman on behalf of the Colleges and the Board. She also expressed appreciation for the other grant from the Department of Education for the Child Care Program. Dr. Kinnamon reported that an appreciation letter has been sent to Congressman Stark.

Motion No. 2

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

- a. To accept the proposed grant award from the U.S. Department of Education, Earmarks Program, Grant Award No. P116Z090098, Chabot College, in the amount of \$114,000 for the period August 1, 2009 through September 30, 2011. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the grant agreement and any future augmentations or amendments to the document on behalf of the District.
- b. To accept the proposed grant award from the U.S. Department of Education, Child Care Program, Grant Award No. P335A090192, Chabot College for year one of the four-year grant, in the amount of \$43,159 for the period August 1, 2009 through September 30, 2011. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the grant agreement and any future augmentations or amendments to the document on behalf of the District.

Motion carried unanimously, 7-0.

**APPROVAL TO ISSUE ON-CALL CONTRACTORS CONTRACT FOR LABOR AND MATERIALS FOR MEASURE B BOND PROJECTS**

Motion No. 3

Dr. Cedillo made a motion, seconded by Mrs. Dvorsky, to approve issuance of On-Call Contractors Contract for Labor and materials Measure B Bond Projects. 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

Mr. Vecchiarelli questioned the need for on-call contractors in addition to the general contractors and the sub-contractors. Mr. Kingston reported that we implemented the Uniform Public Construction Cost Accounting Act that allows us to do on-call contractors up to \$120,000 so that when the scope of work is not covered by the particular project and we need quick turnaround or support, we can informally bid an on-call contractor. This creates a list of resources available to us.

Motion carried unanimously, 7-0.

**APPROVAL OF RENEWAL FOR THE MASTER AGREEMENT WITH SWINERTON MANAGEMENT & CONSULTING, INC. FOR CONSTRUCTION MANAGEMENT (CM) SERVICES FOR MEASURE B BOND PROJECTS AT CHABOT COLLEGE**

Motion No. 4

Mrs. Dvorsky made a motion, seconded by Dr. Mitzman, to approve the one (1) year renewal of the Master Agreement with Swinerton Management & Consulting, Inc. for Construction Management (CM) Services for Measure B Bond Projects at Chabot College in the amount of \$1,333,580. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the modified agreement and any future augmentations or amendments to the agreement on behalf of the District. Funding Source: Measure B Bond Funds

Mr. Gelles questioned the need for the level of staffing requested. Mr. Kingston reported that this is equivalent to four full-time project managers along with an administrative staff that are managing the projects at each college. He reported that this is an annual renewal. He explained that last year and this year are the peaks of the Measure B Program and after this, costs will come down. He explained that each project has a project manager and in addition, these people have two and three projects assigned to them. There is always one person accountable for each project. They are managing multiple projects in different phases. These are professionals, either engineers or construction professionals.

Motion carried unanimously, 7-0.

**APPROVAL OF CONTRACT MODIFICATION TO THE EXISTING CONSTRUCTION CONTRACT WITH J.D. GENERAL FOR THE PHYSICAL EDUCATION COMPLEX REPAIR AT LAS POSITAS COLLEGE**

Motion No. 5

Dr. Mitzman made a motion, seconded by Mr. Gelles, to approve the Contract Modification to the Existing Construction Contract with J.D. General for the Physical Education Complex Repair at Las Positas College in an amount not to exceed \$118,718. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the modification on behalf of the District. Funding Source: Measure B Bond Funds

Motion carried unanimously, 7-0.

**AUTHORIZATION TO ISSUE TASK ORDER NO. 7 TO SOUTHLAND INDUSTRIES FOR MECHANICAL CONVERSION AT CHABOT COLLEGE**

Motion No. 6

Mrs. Dvorsky made a motion, seconded by Dr. Mitzman, to authorize Task order No. 7 to Southland Industries for Mechanical Conversion at Chabot College in an amount not to exceed \$4,341,885. It is further recommended that the Board 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 RENEWAL OF THE ON-CALL PROFESSIONAL SERVICES AGREEMENT WITH PB AMERICAS, INC. FOR MEASURE B PROGRAM MANAGEMENT SUPPORT SERVICES AT LAS POSITAS COLLEGE**

Motion No. 7

Dr. Mitzman made a motion, seconded by Mr. Dwaraknath, to approve the one (1) year Renewal of the On-Call Professional Services Agreement with PB Americas, Inc., for Measure B Program Management Support Services at Las Positas College in an amount not to exceed \$1,134,890. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the modification on behalf of the District. Funding Source: Measure B Bond Funds

**APPROVAL OF AGREEMENT MODIFICATION TO THE EXISTING CONSTRUCTION MANAGER AT RISK (CM AT RISK) SERVICES AGREEMENT WITH LATHROP CONSTRUCTION ASSOCIATES, INC. FOR PE PHASE III AT LAS POSITAS COLLEGE**

Motion No. 8

Mrs. Dvorsky made a motion, seconded by Dr. Mitzman, to approve the Agreement Modification to the Existing Construction Manager at Risk (CM at Risk) Services Agreement with Lathrop Construction Associates, Inc. of Benicia, CA for PE Phase III,

Las Positas College in an amount not to exceed \$149,000 plus additional sub-contractor's change order and contingency for a total not to exceed budget of \$5,966,875. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the amendment on behalf of the District. Funding Source: Measure B Bond Funds

In response to Mr. Gelles' request for additional information, Mr. Kingston reported that this is the PE Phase III Project which they are doing at CM at Risk. A second project is the Collier Creek Storm Water Retention Basin which is being modified and added so they can get this work completed before the rainy season. This particular component will handle that storm water. We have a regulatory requirement to not let any storm water leave our site. This is the final piece put in place so that we don't discharge into Collier Creek. This is an important and critical infrastructure project.

Motion carried unanimously, 7-0.

#### **INFORMATIONAL PERSONNEL REPORTS**

The Board accepted the Informational Personnel Reports without further discussion.

#### **FIRST READING: ADMINISTRATIVE RULE AND PROCEDURE 7051 – CONFLICT OF INTEREST CODE**

Dr. Kinnamon reported that this Administrative Rule and Procedure will come back to the Board at its September 15 Meeting for approval.

#### **FIRST READING: PROPOSAL FOR NAMING OF BUILDINGS, CHABOT COLLEGE**

Dr. Kinnamon noted that a revised proposal has been submitted to the Board and is available to staff and the public. Dr. Kinnamon reported that this document will be brought back to the Board at its September 15 Meeting for approval.

#### **ACCEPTANCE OF ASSOCIATED STUDENTS OF LAS POSITAS COLLEGE CONSTITUTION**

This item was pulled from the agenda.

#### **APPROVAL OF REVISED CITIZENS BOND OVERSIGHT COMMITTEE FOR MEASURE B**

Dr. Kinnamon noted that a revised recommendation has been submitted to the Board and is available to staff and the public.

Motion No. 8

Mrs. Dvorsky made a motion, seconded by Dr. Mitzman, to approve the Revised Citizens Bond Oversight Committee for Measure B as follows:

Sudharsan Dwaraknath – Las Positas College Student  
Felix Galaviz – Community At Large  
Jessica Gutierrez – Chabot College Student  
Dale Kaye – Business Community  
Alison Lewis - Seniors  
Patrick Lofft – Taxpayers Association  
Jim Ryan - Community  
Richard Valle - Foundation

Motion carried unanimously, 7-0.

#### **NEXT MEETING**

The next Meeting of the Board of Trustees is a Workshop scheduled for September 1, 2009 at the District Office.

#### **ADJOURNMENT**

#### Motion No. 9

On motion made and seconded, the Regular Meeting was adjourned at 8:35 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