



# OFFICIAL COPY

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

MINUTES  
December 6, 2011

### PLACE

Chabot-Las Positas Community College District, 5020 Franklin Drive, Pleasanton, California 94588.

### CALL TO ORDER

The Regular Meeting was called to order at 7:25 p.m. by President Dvorsky. Recording Secretary Beverly Bailey called the roll. Student Trustees Hiraki and Okpara were absent at the time of roll.

### ATTENDANCE

#### Members Present:

Trustee Arnulfo Cedillo  
Trustee Isobel F. Dvorsky  
Trustee Donald L. "Dobie" Gelles  
Trustee Hal G. Gin  
Trustee Barbara F. Mertes  
Trustee Marshall Mitzman  
Trustee Carlo Vecchiarelli

#### Members Absent:

Student Trustee Takeo Hiraki  
Student Trustee Nkechi Okpara

#### Recording Secretary:

Mrs. Beverly Bailey

#### Managers Present:

Dr. Joel L. Kinnamon, Chancellor  
Dr. Celia Barberena, President, Chabot College  
Dr. Kevin Walthers, President, Las Positas College  
Mr. Ken Agustin  
Mr. James Andrews  
Mr. Jeffrey Baker  
Ms. Rita Brown  
Ms. Julia Dozier  
Mr. Wyman Fong  
Ms. Dawn Girardelli  
Dr. MaryAnne Gularte  
Mr. Doug Horner

Ms. Judy Hutchinson  
Dr. Howard Irvin  
Dr. Ted Kaye  
Mr. Jeffrey Kingston  
Mr. Lorenzo Legaspi  
Ms. Kathy Linzmeyer  
Ms. Marge Maloney  
Ms. Jeannine Methe  
Ms. Dyan Miller  
Dr. Janice Noble  
Mr. Rajinder Samra  
Mr. Gerald Shimada  
Dr. Susan Sperling  
Ms. Tram Vo-Kumamoto  
Ms. Laura Weaver  
Ms. Barbara Yesnosky

Others Present:

Ms. Jennifer Adams, Las Positas College  
Mr. Timothy Dave, Faculty, Chabot College  
Ms. Bertha Garcia, Chabot College Student  
Ms. Jenna Heath  
Ms. Gloria Hung, Chabot College Student  
Ms. Rosa Iniguez, Chabot College Student  
Ms. Ada Jimon, Chabot College Student  
Ms. Kathy Kelley, President, Chabot College Faculty Senate  
Ms. Karen Kit, District Services  
Dr. Charlotte Lofft, President, Chabot-Las Positas Faculty  
Association  
Ms. Diana McGregor, Chabot College Alumna  
Mr. Sean Prather, Las Positas College  
Mr. Amir Salehzadeh, President, Associated Students of Las  
Positas College  
Mr. Mike Sherburne, Faculty, Chabot College  
Mr. Mark Smythe, District Services  
Ms. Sarah Thompson, President, Las Positas College Faculty  
Senate  
Ms. Rachel Ugale, District Services  
Ms. Brenda Ward, Chabot College Student  
Ms. Yvonne Wu-Craig, President, Chabot College Classified  
Senate

Recording Secretary:

Mrs. Beverly Bailey

## **PUBLIC COMMENTS**

There were no Public Comments offered at this time.

## **CONSENT CALENDAR**

Trustee Mitzman requested that agenda item 5.3 (Acceptance of Grant Award – State of California, Disaster Resistant California Community Colleges, Campus-based Community Emergency Response Team [C-CERT] Grant Program, Chabot-Las Positas Community College District) be pulled from the consent calendar. Trustee Gelles requested that agenda item 4.2 (Approval to Enter Into an Agreement with Collette Travel, Community Education, Las Positas College) be pulled from the consent calendar.

Trustee Gelles noted that he had questions in regards to agenda item 9.1 (Adoption of Resolution No. 04-1112 – Resolution in Support of Senate Constitutional Amendment [SCA] 5).

### Motion No. 1

Trustee Mitzman made a motion, seconded by Trustee Gelles, to approve the Consent Calendar with the exception of agenda items 4.2 and 5.3.

Motion carried unanimously, 7-0.

The following items were approved on the Consent Calendar:

#### General Functions

1.6 Approval of Minutes of November 15, 2011 Meeting

#### Personnel

3.2 Classified Personnel

3.4 Management Personnel

#### Educational Services

4.1 Approval to Renew Agreement – Alameda County Sheriff's Office for the Accredited Basic Law Enforcement Academy and Courses, Las Positas College

4.3 Approval of 2013-2014 Academic Calendar

#### Business Services

5.1 Approval of Commercial Warrant Registers

5.2 Approval of Payroll Warrant Registers

Economic Development/Contract Education

7.1 Approval to Renew – Alameda County Social Services Agency – Master Contract No. 900035, District-Economic Development

**PRESENTATION: 2010-2011 FINANCIAL AUDIT REPORT**

Mr. Steve Pitman, Matson and Isom, gave a brief presentation on the 2010-11 Audit Reports of the District's Financial Statements, General Obligation Bonds Fund Financial Statements, and Proposition 39 and Measure B General Obligation Bonds Performance Audit. He reported that prior to tonight's Board Meeting, he reviewed the Audit Reports in detail with the Board Audit Subcommittee.

Mr. Pitman reported that it is their responsibility to express opinions on the financial statements of the District. In their opinion, all of the financial statements of the District are unqualified opinions, which is the highest level of attestation. He reported that the three reports present fairly, in all material respects, the financial position of the business-type activities of the District, as of June 30, 2011 and 2010 and the changes in financial position and cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Mr. Pitman reported that the Performance Audit for the Measure B General Obligation Bonds Fund resulted in no findings of non-compliance. He reported that the District has properly accounted for the expenditures of proceeds from the sale of the Bonds and that such expenditures were made for bond projects authorized by the voters through Measure B. Further, it was noted that proceeds from the sale of the Bonds that were expended by the District for salaries and benefits, were used for salaries of administrators only to the extent that they perform administrative oversight work on construction projects as allowable by the State of California's Attorney General.

Mr. Pitman reported that in relation to the District's federal funding, there were no findings and no internal control weaknesses. In relation to state funding through the Chancellor's Office, their audit identified six findings of non-compliance, four of which are in new areas of compliance, but none of the findings would have a material impact and no affect on apportionment.

In response to a question raised by Trustee Gelles, Mr. Pitman reported that this is the fourth year that Matson and Isom has conducted the District's Financial Audits. Also in response to a question raised by Trustee Gelles, Mr. Pitman reported that it was felt that the District implemented all the required procedures on the single finding from last year's audit, therefore, that finding was cleared during the current year.

**PRESENTATION: REDISTRICTING PLAN WITH THE 2010 CENSUS**

Ms. Shelley Lapkoff, Lapkoff and Gobalet Demographic Research, Inc., provided four draft plans for the Board's consideration for redistricting the Trustee Area Boundaries, which she reviewed in a PowerPoint Presentation. She opined that all four plans are excellent plans that meet the legal requirement that Trustee Areas be equal in population. She reported that currently Trustee Area 5 is too populous. She reported that in each plan, most boundaries follow recognizable landmarks or jurisdictional boundaries. She also reported that all plans have one incumbent per Trustee Area. She reported that the District has the option of including or excluding the prison population for purposes of redistricting. In two of the plans, (Plans 1A and 1B) inmate populations were included; in the other two plans (Plans 2A and 2B), inmates were excluded from the redistricting population. She reported that the District included inmates in the 1990 Census Redistricting Plan. She reported that AB 420 requires that the 2020 California Citizens Redistricting Commission count inmates where they normally reside (rather than where they are incarcerated) when adjusting Congressional, State Assembly, State Senate, and State Board of Equalization election districts.

Ms. Lapkoff reported that because of continued housing development in Dublin, eventually Area 5 will need to be much smaller. She noted that the Board may want to choose a plan with more extensive changes so that fewer changes will be needed in the 2020 redistricting. She noted that the prison population will likely be eliminated in 2020 and be counted where they normally reside.

Trustee Cedillo expressed that he would prefer to make as few changes as possible and leans towards Plan 2B, which has the least disruption to the population.

In response to an inquiry from Trustee Cedillo, Ms. Lapkoff reported that the legal requirements state that redistricting must be completed by March 2012 per the Education Code.

Trustee Vecchiarelli expressed that he does not want to divide Pleasanton-Foothill School District in Area 5, preferring the entire City of Pleasanton be included.

Trustee Gelles expressed that he does not have strong feelings towards one plan or another. He noted that the Board will spend time discussing the options and will have a recommendation prior to March 1. He expressed appreciation to Ms. Lapkoff for a thorough report.

Trustee Gin expressed that the report is very clear and he is inclined toward favoring Plan 2A or 2B.

In response to an inquiry by Trustee Gin, Ms. Lapkoff reported that prisoners get representation even if they cannot vote.

Ms. Lapkoff questioned the Board's thoughts on the elimination of the slice of Area 7 which is part of Pleasanton and including it in Area 5. Trustee Vecchiarelli expressed that he supports this change because it makes for a clear demarcation by city.

Board President Dvorsky expressed appreciation to Ms. Lapkoff for the presentation.

Mr. Legaspi noted that the issue of Redistricting will be included on the Board Agenda in January for further discussion and input; and in February for adoption of a plan. He noted that the plan will be submitted by March 2012 to the County Department of Education and the County Registrar of Voters.

#### **PRESENTATION: EARLY CHILDHOOD DEVELOPMENT PROGRAM**

President Barberena reported that this presentation is postponed until the January 2012 Board Meeting.

#### **TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS**

Each Trustee individually wished everyone Happy Holidays.

Trustee Gin reported that the representatives from Wuxi City College of Vocational Technology for the Sister College Relationship with Chabot College are still waiting for Level 2 permission from the government to come to Chabot College. He noted that he is unsure when the visit will occur but believes it will be fairly soon.

Trustee Gelles expressed appreciation to Trustee Mertes for her leadership this past year on the Board. He also expressed appreciation to the Chancellor and entire Management Staff.

Trustee Mitzman read a prepared statement. He began by reporting that as a student at DeAnza College he was unable to afford textbooks and received as a gift the textbooks he required. When he asked then President Dr. DeHart who to thank, he was told "no one as it is not about us, it is about the students." He noted that he got that message very clear that it is all about the students and helping them succeed. This brought him to the question of the sale of the Chabot College Bookstore to Follett Bookstores, which appeared on the Consent Calendar at the October 18, 2011 Board Meeting. He reported that he misunderstood the action recommended to the Board at that time, thinking that it was for the approval of an RFP with Follett Bookstores. He expressed that he would like to review the contract with Follett, as it was not provided in the Board materials. He questioned the amount paid and the term of the contract. He expressed that he would like the funds given by Follett for the sale to be put into a trust account so that after the contract is up, the District can evaluate if it is satisfied with the arrangement or if the bookstore needs to be brought back to the students. He requested that this issue be included on the agenda for the next Board Meeting. He expressed appreciation to his fellow Trustees for being his sage and guiding him through this difficult time.

## **LAS POSITAS COLLEGES FOUNDATION**

Dr. Kaye submitted a written report to the Board. He highlighted a grant received from the Rotary of Livermore Valley for the Textbook Loan Program in addition to the \$13,000 Named Osher Scholarship sponsored by the two Livermore Rotaries. He also highlighted pending grants from Sandia National Labs for the Textbook Loan Program, and a grant from Comerica Bank for the Early Childhood Development Program Child Study Lab children. He reported the Foundation Board is working on an Alumni Network, noting that the focus will be on affinity groups rather than years at Las Positas College.

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

Ms. Kathy Kelley, President, Chabot College Academic Senate, provided a brief update on the status of the Chabot College President Search. She reported that Chabot College recently hosted the President Forums; and expressed that she had hoped there would be an announcement tonight as to the Board's decision regarding the Chabot College President. She reported that the Senate is looking at and responding to the Student Success Task Force recommendations. She also reported on an "Occupy Chabot" movement, encouraging students in the law and democracy. She reported that Chabot College is planning to create an Edible Urban Garden. She noted that contributions can be made to the Chabot Business Office, payable to the Chabot College Edible Urban Garden Project. She also reported that the Senate is planning to adopt a joint resolution with the Classified Senate and Faculty Association to change the federal law, which is discriminatory, regarding benefits for same sex couples. She further reported on a celebration for Dr. Barberena's retirement, and a living celebration for Faculty Member John Parente who is dying.

Ms. Sarah Thompson, President, Las Positas College Academic Senate, reported that this will be her last Board Meeting as she is taking Workload Banking next semester. She reported that other Faculty will step in to take over her duties. She recognized and expressed appreciation for the opportunity, especially recognizing Las Positas College Administrators, Classified Leadership, Student Senate, District Office Administrators, Chancellor Kinnamon and the Board.

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

Mr. Todd Steffan, President, Las Positas College Classified Senate, thanked Mr. Doug Horner and the Steinberg Architects for their presentation at the recent Classified Senate Meeting. He also expressed his wish for all the troops to return safely home soon.

Ms. Yvonne Wu-Craig, President, Chabot College Classified Senate, also thanked Mr. Doug Horner and the Steinberg Architects for their discussion on the Facilities Master Plan at a

recent Senate Meeting, as well as their acceptance of Classified Staff's input. She also expressed appreciation to Faculty Member Ms. Jennifer Lange for her presentation on incorporating staff development needs into program review forms. She also reported that the Classified Job Shadowing guidelines were approved by the Chabot College and Las Positas Colleges Classified Senates, as well as being supported by Administrations from both Colleges. The guidelines have been forwarded to Chancellor Kinnamon and Joanne Bishop-Wilbur. She reported that it is hoped that the Job Shadowing Program will begin in January 2012. She recognized the many committed Classified Professionals who have taken on an increased workload. Further, she recognized Dr. Barberena and Trustee Mertes for their service.

Ms. Joanne Bishop-Wilbur, President, District Classified Senate, was unable to attend the meeting.

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

Mr. Amir Salehzadeh, President, Associated Students of Las Positas College, reported that the ASLPC and Athletic Department, through a voting process, has named its hawk mascot, "Kaponga." He reported that Advocacy Day(s) continues to grow and is currently on a petition drive for 1,000 signatures to be forwarded to Governor Brown and Representatives, encouraging that education is a top priority. In addition, he reported that ASLPC has been busy adopting resolutions, including one regarding the First Amendment Right to Protest. He reported that tonight ASLPC is hosting a rapid review program to help students get tutors to prepare for finals.

Ms. Aylen Campi, President, Associated Students of Chabot College, was unable to attend the meeting.

#### **GOOD OF THE ORDER**

Dr. Lofft highlighted that the second Faculty Newsletter in a two-month period has been published. She reported that the Faculty Association does support the elimination of discrimination of tax relief in relation to benefits for same sex couples, and has ideas as to how to work with the District on this issue. She also reported that even with all the cuts in classes, the students are being served because the Faculty has taken the initiative to take extra students in their classes with no extra pay.

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

Dr. Celia Barberena, President, Chabot College, submitted a written report to the Board. Dr. Barberena reported that four years ago, she was confirmed as President of Chabot College,



along with her “sister” Dr. DeRionne Pollard. She also recognized fellow colleague and “brother” Dr. Guy Lease, and new colleague “and brother”, Dr. Kevin Walthers.

Trustee Dvorsky recognized the excellent article on Dr. Walthers in the Pleasanton Weekly.

Dr. Kevin Walthers, President, Las Positas College, submitted a written report to the Board. He reported that he became President of Las Positas College four months ago tomorrow. He expressed that the Students are phenomenal. He also expressed that he is pleased that the Hawk Mascot has been named. He noted that invitations were distributed to the Board for the events on campus on Thursday, beginning with breakfast and an afternoon reception for Dr. Barberena. He expressed appreciation to Ms. Marge Maloney who has temporarily filled in as Interim Vice President of Academic Services; noting that the College will use her expertise as a consultant on accreditation issues.

#### **CHANCELLOR’S REPORT**

Dr. Joel Kinnamon, Chancellor, congratulated Trustee Dvorsky and Cedillo on their elections, and expressed appreciation to Trustee Mertes for her year as President. Chancellor Kinnamon also expressed his appreciation to Ms. Marge Maloney for providing excellent services first at Chabot College and then at Las Positas College, and agreeing to come back to Las Positas College after her retirement filling in as Interim Vice President. He also recognized Mr. Legaspi and his staff for a very good audit, including the feedback that recommendations from last year’s audit have been corrected. He expressed that he is confident that anything in this year’s audit will be addressed as well. He further recognized Ms. Sarah Thompson and wished her well.

#### **APPROVAL TO ENTER INTO AN AGREEMENT WITH COLLETTE TRAVEL, COMMUNITY EDUCATION, LAS POSITAS COLLEGE**

Trustee Gelles reported that he pulled this agenda item to question why the contract is for two years, expressing that he would have preferred one year. He also questioned the possibility of a free pass for an educator after a certain number of students sign up. He also noted that 10% back is a nominal amount and hopes that the District “shops around.”

#### Motion No. 2

Trustee Gelles made a motion, seconded by Trustee Gin, to approve entering into an agreement with Collette Travel, Community Education, Las Positas College. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement on behalf of the District.

Motion carried 6-1, with Trustee Gelles voting no.

**ACCEPTANCE OF GRANT AWARD – STATE OF CALIFORNIA, DISASTER RESISTANT CALIFORNIA COMMUNITY COLLEGES, CAMPUS-BASED COMMUNITY EMERGENCY RESPONSE TEAM (C-CERT) GRANT PROGRAM, CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT**

Motion No. 3

Trustee Cedillo made a motion, seconded by Trustee Mitzman, to approve the proposed grant award from the State of California, Disaster Resistant California Community Colleges, Campus-based Community Emergency Response Team (C-CERT) Grant Program, in the amount of \$2,000 for the period of 2011-2012. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the document on behalf of the District.

Trustee Mitzman reported that he pulled this agenda item, expressing concern for accepting a grant for \$2,000 for this program, which has a budget of \$12,420. He also expressed that this is a wonderful and needed program. He questioned if there were other grants that could fund the difference.

Dr. Gularte reported that there are no additional funds; however, the District had applied for another grant from the U.S. Department of Education but was unsuccessful. She noted that the District will keep applying for grants. She reported that this is the second grant from the State Chancellor's Office. She reported that she would be happy to report back to the Board the actual cost once the program has completed. She explained that if the District trains 50 individuals, it would be approximately \$250 per person, and approximately 36-40 hours of training.

Trustee Mitzman suggested that perhaps a service club or organization might get behind this valuable program.

Motion carried unanimously, 7-0.

**INFORMATIONAL PERSONNEL REPORTS**

The Board accepted the Informational Personnel Reports without further discussion.

**ADOPTION OF RESOLUTION NO. 04-1112 – RESOLUTION IN SUPPORT OF SENATE CONSTITUTIONAL AMENDMENT (SCA) 5**

Trustee Gelles expressed that this is a very important issue in our state and we must get to a place where the majority controls the voice of the people when we vote.

Motion No. 4

Trustee Cedillo made a motion, seconded by Trustee Gin, to adopt Resolution No. 04-1112 in Support of Senate Constitutional Amendment (SCA) 5 which reduces the two-thirds vote requirement on parcel taxes.

Motion carried by the following roll call vote:

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

**GOOD OF THE ORDER**

Trustee Dvorsky noted an excellent article in the San Francisco Chronicle on Sunday, December 4, entitled "California College System in Dire Need of Reform."

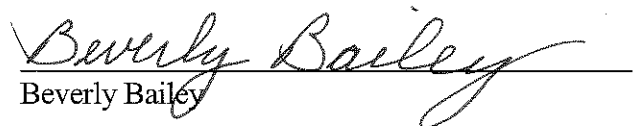
**ADJOURNMENT**

The Regular Meeting was adjourned at 8:43 p.m.

**NEXT MEETING**

The next meeting of the Board of Trustees is scheduled for January 17, 2012.

Minutes prepared by:

  
Beverly Bailey

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