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

**MINUTES
June 26, 2012**

PLACE

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

CALL TO ORDER

The regular meeting was called to order at 4:30 p.m. by Board President Dvorsky. Recording Secretary Beverly Bailey called the roll. Trustee Vecchiarelli was absent at the time of roll.

PUBLIC COMMENTS

There were no Public Comments offered at this time.

ADJOURN TO CLOSED SESSION

The Board adjourned to a Closed Session at 4:31 p.m., which ended at 6:15 p.m.

OPEN SESSION

The Board readjoined in Open Session at 6:30 p.m. Recording Secretary Beverly Bailey called the roll. All Trustees were present 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 (arrived at 4:35 p.m.)
Student Trustee Kris Adhikari
Student Trustee Nicole Pinto

Members Absent: None

Recording Secretary: Ms. Beverly Bailey

Managers Present: Dr. Susan A. Cota, Special Consultant to the Board
Dr. George Railey, for President, Chabot College
Dr. Kevin Walthers, President, Las Positas College
Mr. Ken Agustin
Mr. James Andrews
Dr. Marcia Corcoran
Ms. Julia Dozier
Mr. Wyman Fong
Mr. Doug Horner
Ms. Judy Hutchinson
Dr. Ted Kaye
Mr. Jeffrey Kingston
Mr. Bob Kratochvil
Mr. Lorenzo Legaspi
Ms. Victoria Lamica
Ms. Kathryn Linzmeyer
Ms. Jeannine Methe
Ms. Dyan Miller
Mr. Tim Nelson
Dr. Janice Noble
Ms. Diana Rodriguez
Mr. Rajinder Samra
Mr. Gerald Shimada
Mr. Dale Wagoner
Ms. Sylvia Wodyka

Others Present: Ms. Jennifer Adams, Las Positas College
Ms. Cindy Ahre, Las Positas College
Ms. Jodi Auzenne, Chabot College
Ms. Neva Bandelow, Alameda County Child Care Planning
Council
Mr. William Berry, William Berry Campaigns
Ms. Joanne Bishop-Wilbur, President, District Classified Senate
Ms. Lora Bongard, Chabot College
Ms. Priscilla Burruss, District Services
Ms. Lilia Camino, Las Positas College
Ms. Corinna Calica, Las Positas College
Ms. Rita Carson, Las Positas College

Ms. Karina Contreras
Mr. Gregory Correa, District Services
Mr. Michael D'Aloisio, Chabot College
Mr. Pedro Ruiz DeCastilla, District Services
Ms. Jackie Fitzgerald, Las Positas College
Mr. Dave Fouquet, Chabot-Las Positas Faculty Association
Mr. Mike Furuyama, Las Positas College
Ms. Leslie Gravino, Las Positas College
Ms. Dara Greene, Chabot College
Ms. BreeAnn Hadfield, Chabot College
Ms. Mary Hargiss, Las Positas College
Ms. Kathy Kelley, President, Chabot College Academic
Senate

Ms. Karen Kit, District Services
Mr. Tim Koehler, District Services
Ms. Melissa Korber, Las Positas College
Mr. Kaden Kratzer, S.E.I.U., Local 1021
Ms. Diana McGregor, Chabot College
Ms. Stacey Moore, Chabot College
Mr. Steve Patchin, District Services
Ms. Theresa Patchin, Chabot College
Ms. Shirley Pejman, Chabot College
Ms. Lydia Penaflor, District Services
Mr. Ricardo Pinto Fillro, Chabot College Student
Ms. Patricia Posada, Chabot College
Ms. Catherine Powell, Chabot College
Ms. Laura Reno, Las Positas College
Ms. Karin Rose, Las Positas College
Ms. Zina Rosen-Simon, Las Positas College
Mr. John Ruys, Las Positas College
Ms. Dee Sanchez, District Services
Mr. Mark Smythe, President, S.E.I.U., Local 1021
Dr. Karin Spirn, Las Positas College
Ms. Michelle St. Germaine, Chabot College
Mr. Todd Steffan, Las Positas College Classified Senate
Ms. Sarah Thompson, President, Las Positas College
Academic Senate
Mr. Felicia Tripp, Chabot College
Ms. Virginia Tsubamoto, Chabot College
Mr. Kip Waldo, Chabot College
Mr. Gordon Watt, Chabot College
Dr. Lani Wilson, Chabot College

Ms. Yvonne Wu-Craig, President, Chabot College
Classified Senate

PLEDGE TO FLAG

Mr. Bob Kratochvil led the pledge to the flag.

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Dvorsky reported that the Board took the following action in Closed Session:

The Board unanimously agreed to not appeal the decision by the Ninth Circuit Court on the case of Chabot-Las Positas Community College District v. U.S. Environmental Protection Agency in regards to the Russell City Energy Center. The motion was made by Trustee Gin and seconded by Trustee Gelles.

The Board unanimously approved a contract with Susan A. Cota, Special Consultant to the Board, effective June 11 to July 6, 2012; and as Interim Chancellor effective July 7 to August 31, 2012. The motion was made by Trustee Cedillo and seconded by Trustee Vecchiarelli.

The Board unanimously approved the extension of a contract with Kevin G. Walthers, President, Las Positas College through December 31, 2013. The motion was made by Trustee Vecchiarelli and seconded by Trustee Mitzman.

The Board unanimously approved the renewal of a contract with Jeffrey Kingston, Vice Chancellor, Facilities/Executive Director, Measure B Bond Program through June 30, 2015. The motion was made by Trustee Vecchiarelli and seconded by Trustee Gin.

ADMINISTRATION OF OATH OF OFFICE

President Dvorsky administered the Oath of Office to Mr. Kris Adhikari, Las Positas College Student Trustee, and Ms. Nicole Pinto, Chabot College Student Trustee. Both took their seats at the Board Table upon pledging the Oath of Office.

PUBLIC COMMENTS

The following individuals spoke in opposition to program cuts and to layoffs and reduction of hours of Classified Employees. In addition, many spoke in support of the Child Development Center. Speakers expressed appreciation to the Board for listening to the concerns expressed at the last Board Meeting and taking time to re-examine the proposal of budget cuts. In addition, appreciation was extended to Dr. Cota, Dr. Sperling, Dr. Walthers and Mr. Fong. Comments included the need for re-examination of the allocation model;

reducing expenses, including those expenses for legal counsel; re-organization; and reducing high salaries, as well as the disparity of salaries. In addition, the need for restoring integrity and better communication was stressed. Further, Mr. Michael D'Aloisio offered a comment requesting that Board Meetings be held on the campuses.

Dr. Karin Spirn presented a proposal from the Las Positas College Academic Senate Executive Board for cost savings measures to save Classified positions; and raising \$11,000 for this effort.

Ms. Linda Wilson spoke regarding the program for donating Surplus Items and the large number of items the District has donated in the past. She expressed appreciation to Mr. Legaspi and Ms. Yesnosky for giving her the opportunity to work on this project.

Ms. Patricia (last name withheld)
Ms. Neva Bandelow
Ms. Karina Contreras
Ms. Rita Carson
Mr. Gregory Correa
Mr. Michael D'Aloisio
Ms. Melissa Korber
Ms. Catherine Powell

Ms. Laura Reno
Ms. Zina Rosen-Simon
Mr. Mark Smythe
Dr. Karin Spirn
Mr. Kip Waldo
Dr. Lani Wilson
Ms. Linda Wilson

CONSENT CALENDAR

Dr. Cota noted a correction to agenda item 4.5 (Approval of Grant Contract Renewal – Parent Resources for Information, Development and Education Training (PRIDE) Program with Alameda County Social Services Agency, Children and Family Services, Chabot and Las Positas Colleges). The contract amount should read \$40,000 in lieu of \$32,640.

Trustee Mitzman requested that agenda items 5.1 (Approval of Commercial Warrant Registers) and 5.10 (Approval of Grazing Lease Agreement for Excess Land – 7M Cattle Company) be pulled from the consent calendar. Trustee Gelles requested that agenda item 5.3 (Approval of Declaration of Surplus Property to be Sold at Private Sale and Donation or Disposal of Any Items Not Sold) be removed from the consent calendar.

Motion No. 1

Trustee Gelles made a motion, seconded by Trustee Gin, to approve the consent calendar with the exception of agenda items 5.1, 5.3, and 5.10 and with the correction to agenda item 4.5 noted.

Motion carried unanimously, 7-0.

The following items were approved on the consent calendar:

Personnel

3.1 Management Personnel

Educational Services

- 4.1 Approval of Curriculum Changes, Las Positas College
- 4.2 Approval of Grant Agreement Renewal—Head Start Program Partnership with Child, Family and Community Services, Inc., (CFCS), Chabot College
- 4.3 Acceptance of Grant Award—High Risk Youth-Employment Plus II Program (EPP II) with Alameda County Workforce Investment Board (ACWIB), Chabot College
- 4.4 Approval of Contract Award Renewal—Community Action to Reach Out to Infants (CARI) Program with Alameda County Social Services Agency, Chabot College
- 4.5 Approval of Grant Contract Renewal—Parent Resources for Information, Development and Education Training (PRIDE) Program with Alameda County Social Services Agency, Children and Family Services, Chabot and Las Positas Colleges
- 4.6 Acceptance of Grant Award—Career Technical Education Transitions Grant Allocation Award No. 12-112-481 from the California Community Colleges Chancellor's Office, Chabot College
- 4.7 Acceptance of Grant Award—Career Technical Education Transitions Grant Allocation Award No. 12-112-482 from the California Community Colleges Chancellor's Office, Las Positas College

Business Services

- 5.2 Approval of Payroll Warrant Registers
- 5.4 Approval of Memorandum of Understanding Renewal-Alameda County Office of Education for the Alameda County Transition to Teaching for Paraeducators Program, Chabot College
- 5.5 Approval of Award of IFB No. 12-05 Custodial Supplies, Annual Requirements Paper Products & Dispensers, District
- 5.6 Approval of Agreement Renewal - Kidango, Inc. for the Early Childcare Teacher Pathway, Chabot College
- 5.7 Approval of Agreement - Paramedics Plus, Las Positas College
- 5.8 Approval of Award of Bid No. 12-08, Network Infrastructure Equipment, Chabot College and Las Positas College
- 5.9 Approval of Memorandum of Understanding Renewal - Tri-Valley One-Stop Career Center

PRESENTATION: 2012-2013 TENTATIVE BUDGETS – GENERAL FUND, CAFETERIA FUND, CAPITAL OUTLAY PROJECTS FUND, SELF-INSURANCE FUND (RUMBL), CHILD DEVELOPMENT FUND, MEASURE B BOND FUND

Mr. Legaspi presented a PowerPoint Presentation of the Tentative Budget for 2012-2013. He highlighted key issues in the 2011-12 Budget as follows:

- The 2011-12 Budget was adopted with a structural deficit of \$3.6 million.
- District borrowed \$2.5 million from RUMBL (Retirees' Unfunded Medical Benefits Liability) Fund in order to maintain the 5% Reserve.
- Only administrator concessions were included in the Adoption Budget. Faculty concessions were achieved in November 2011. To date there have been no concessions from SEIU.
- The February "surprise" shortage in student fees and property taxes decreased revenue by \$2.2 million.
- The 2011-12 reserve balance shortfall is \$937,000.
- One risk in the current year is that there will be a \$116.1 million take-back in apportionment because of redevelopment agency revenue.

Mr. Legaspi reviewed the Governor's 2012-13 budget proposal which was released on January 5, 2012:

- \$9.2 million budget gap (\$4.1 billion for remainder of 2011-12, \$5.2 billion for 2012-13).
- The Governor proposed to close the gap with spending cuts of \$4.2 billion, revenue increases of \$4.7 billion, and \$1.4 billion in other solutions resulting in \$1.1 billion reserve.
- A tax initiative would increase personal income tax on wealthiest taxpayers and temporarily increase the sales tax by ½ percent.
- If tax initiative does not pass, triggers would be pulled January 1, 2013 (\$4.8 billion in cuts to schools and community colleges).
- There would be no enrollment growth funding, no proposal to increase student fees, and no COLA, although the budget estimates a 3.17% COLA.
- If the November tax initiative does not pass, the mid-year cut to community colleges includes elimination of the deferral payback of \$218.3 million and workload reduction of \$264 million.

Mr. Legaspi reported that in the Spring of 2012, participatory governance committees made progress toward closing the District's budget gap. He reported that the budget gap was projected to be \$5.1 million if the tax initiative passes and another \$4.1 million if the tax initiative does not pass. The total budget gap, if the tax initiative does not pass is \$9.2 million. He reported that the DEMC (District Enrollment Management Committee) set the

FTES target at 15,229 for 2012-13. He reported that at the March 30, 2012 DBSG (District Budget Study Group) meeting, it was decided that the three sites (Chabot College, Las Positas College, and District Office and Maintenance and Operations) would cut \$1.5 million each. At the April 20, 2012 DBSG meeting, all three sites presented their \$1.5 million in cuts.

Mr. Legaspi presented the Governor's May Revise, which was released on May 14, 2012:

- If the tax initiative passes (Scenario A), the State will buy back \$313.1 million of deferrals.
- If the tax initiative does not pass (Scenario B), the \$313.1 million of deferral buy-back will not happen, there will be a \$300 million trigger cut equating to a 6.4% workload reduction.
- A 6.4% workload reduction would mean an annual decrease of 1,006 FTES. In essence, a 12.8% workload reduction would be necessary for Spring 2013.
- A Mandates Block Grant would replace the mandate claiming process, which would provide funding to California Community Colleges at approximately \$28 per funded FTES (approximately \$445,000 for the District).

Mr. Legaspi reported that certain budget risks remain:

- All of the redevelopment agency money may not materialize (\$341.2 million).
- There are competing tax initiatives (Governor's joined with Millionaire's Tax vs. Munger Initiative). Whichever has the highest number of votes passes. The Munger Initiative is not good for Community Colleges as it specifically designates funds to go to K-12 only.

Mr. Legaspi reported that the workload reduction, if the tax initiative does not pass, is estimated at 7.5%. For the District, the workload reduction equates to a net apportionment reduction of \$5,264,645 or 1,155.81 full-time equivalent students (FTES).

Mr. Legaspi reviewed the District's Identified Solutions to the Structural Deficit for the current year 2011-12 as follows:

- | | |
|--|-------------|
| • Transfer of Information Technology expenditures to Measure B interest earnings | \$ 720,000 |
| • Lease revenue from Dublin Center | \$ 500,000 |
| • Reduction in Force | \$1,500,000 |
| • Savings from Supplemental Employee Retirement Plan (SERP) | \$3,000,000 |
| • Avoided costs from State Chancellor's Workload Reduction (estimate) of 1,712 FTES – equates to lower adjunct faculty costs | \$2,650,000 |

Mr. Legaspi reviewed the District's Enrollment Data back to 1997-98, which had a total of 13,269 FTES. In 2009-10, the District's total was 18,816 FTES. The target for 2012-13 is 15,229 FTES.

Trustee Vecchiarelli questioned the RUMBL Fund. Mr. Legaspi reported that the District had to borrow \$2.5 million from the RUMBL Fund to balance the budget last year, which left \$367,000 in the Fund. He reported that in addition to paying back the borrowed funds, the District needs to address the issue of fully funding the Retiree Medical Benefits in the future.

Trustee Vecchiarelli questioned the redevelopment monies. Mr. Legaspi reported that in the new program the District is entitled to receive the equivalent pass-through, similar to the old program. Unlike other districts, this District does not have a lot of redevelopment agencies with big projects. Therefore, he reported that on an annual basis, it will be approximately \$35,000.

Trustee Vecchiarelli questioned if the District is producing any over-cap apportionment that does not get funded. Mr. Legaspi reported that the District will serve 700 to 1,000 more students, as it has done the last three years.

Trustee Vecchiarelli stressed that State Legislators have to know that we are educating students and are not being paid for them. They have to help fund schools.

Trustee Vecchiarelli also questioned additional income if the suites not being utilized at the Dublin Center were leased. Mr. Legaspi reported that the goal is to maximize the space at the Dublin Center 100%.

Trustee Vecchiarelli questioned how much of the settlement for Measure B projects have come in. Mr. Legaspi reported that when payments come in, that amount goes back to the capital project renovation line item and cannot be used for the General Fund. Mr. Kingston reported interest earnings are used to make the repairs initially, and when reimbursement payments come in, they go back to the projects. If the project is over budget, the funds would be moved to a renovation line item in the college allocation, which is then used to do other types of projects. The District accounts for every cent of the funds.

Trustee Vecchiarelli explained that Measure B monies cannot be used for operations. He stressed that a problem with passing a Bond Measure is the money for the buildings cannot be used for staffing the buildings.

Trustee Gelles expressed appreciation to Mr. Legaspi for his presentation. He expressed that the RUMBL Fund "mega number" is one that we must reach some day.

PRESENTATION: POTENTIAL PARCEL TAX AND/OR GENERAL OBLIGATION BOND

Mr. Jeffrey Kingston reported that the District has asked Mr. William Berry to help the Board make a decision whether to pursue alternative funding sources through a Parcel Tax and/or General Obligation (GO) Bond. He reported that approximately 30% of a GO Bond goes toward instructional equipment, supplies, and IT infrastructure and IT equipment; and 70% to capital projects. He reported that the voter opinion survey results will be available for the Board prior to its July 17 Board Meeting.

Mr. William Berry of William Berry Campaigns (Wbc) presented the key differences between a Parcel Tax and a General Obligation (GO) Bond. Mr. Berry reported that a Parcel Tax is a flat tax on property and a General Obligation Bond is based on property assessed valuation. He reported that a Parcel Tax needs a 2/3 voter approval. He reported that the Board would need to pass a Resolution by August 10 in order to get a Bond Measure or Parcel Tax on the Ballot for the November Election. He noted that much of the work is already done in the Facilities Master Plan.

Mr. Berry reported that the survey instrument will include opinions on both Parcel Tax and GO Bond. The survey will test for a bond in the \$500 million range, \$400 million range, and the \$300 million range. He reported that the District includes approximately 200,000 parcels; and a Parcel Tax of \$25 would equate to approximately \$5 million each year. The survey will include approximately 75 questions; 15-18 minutes in length. Mr. Berry reported the survey will include 800 responses (split sampling – 400 each for Parcel Tax and GO Bond). The goal is to complete the polling in ten days. He reported that the polling results will be shown by service district, trustee districts, and city.

Trustee Mitzman expressed concern regarding a Bond Measure passing in the City of Hayward, and suggested not using the word “bond” in the polling. He expressed that the District’s goal is to fund personnel and not buildings.

Trustee Gelles reported that he is interested in finding out the feasibility of either a Parcel Tax or GO Bond, and is looking forward to the survey results. He expressed that he is more inclined toward a Parcel Tax.

Trustee Gin raised a question regarding the process for the survey, and the length of time the questions would take. He expressed concern that individuals would stay on the line for that length of time. He also expressed that he leans toward a Parcel Tax rather than a Bond.

Trustee Vecchiarelli raised a question regarding the list to be used for the polling. Mr. Berry reported that the individuals are chosen based on their past voting history. He reported that the first question is their intent to vote in the upcoming election.

Mr. Berry also responded to questions raised by members of the audience.

PRESENTATION: LAS POSITAS COLLEGE CHILD DEVELOPMENT CENTER

Dr. Kevin Walthers presented a PowerPoint Presentation summarizing the steps that have been taken on continuing the Las Positas College Lab School. He reported that staffing costs, enrollment, and fee structures were evaluated. Dr. Walthers reported that he has met with the CDC Parent Group, Alameda County Childcare Planning Council, First Five of Alameda County, and the Chabot College Child Development Center. He reported that development of better web presence has been taken through Yelp.com; and a consultant has been secured through grant funds (First Five) to examine other business models.

Dr. Walthers reported on the next steps to be taken:

- Near Term (week of July 9):
 - Determine appropriate preschool/toddler configuration
 - Determine appropriate amount of preschool subsidy for toddler program
 - Establish fee structure (First 5 Alameda to assist)
- Short Term:
 - Develop marketing/fundraising program
 - Provide a status update in February 2013
- Ongoing:
 - Provide annual review to Board each June

Dr. Walthers reported that even in the best case scenario, the Lab School will need a subsidy, likely from the College, to balance revenues and expenses. He reported that parents have strongly indicated they are committed to fundraising and working with community agencies. The College Administration and CDC staff are also committed to doing everything possible to find a workable solution for the Lab School. He reported that he and staff will look at leasing out the facility in the Summer, when the College is not using the Lab. He expressed appreciation to the staff at Las Positas College.

Trustee Dvorsky recommended that Dr. Walthers contact Kidango for assistance in bringing children to the Center as well as funding.

Trustee Mitzman questioned the possibility for having one Center for both Colleges.

Dr. Cota reported that the Colleges are working together and discussing the coordination of the food program.

Dr. Walthers reported that the Colleges are required to each have a Director. He reported that Alameda County has advised him that until you get to 50 children, it would not be possible to cover the costs.

In response to a question raised by Trustee Gelles, Dr. Walthers reported that there are 30 children enrolled in the program, which equates to approximately 12.5 children.

Trustee Gelles expressed that the single most important issue is marketing to maximize the program. He also expressed that the program needs a chance to succeed. He also expressed that he would not be in favor of leasing out the facility.

TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS

Student Trustee Nicole Pinto reported ASCC events held in May: Cinco de Mayo Festival, Scholarship Banquet, Dunk Booth, and Commencement Banquet. She also reported that new senators were sworn into ASCC in May. She also reported that an Island-style Luau Event is being planned. Further, she reported that her goal as a new Student Trustee is to “fulfill the job with excellence and dignity; to serve the students as they are supposed to and fight for their rights.” She plans to attend the 2012 Student Trustee Workshop to be better informed of how to do this work in a way that more people will benefit.

Student Trustee Kris Adhikari reported that he is excited for the opportunity to serve as Student Trustee for Las Positas College.

Trustee Gin recognized Mr. Bob Kratochvil as this is his last meeting. He wished him well and expressed that he hopes their paths cross soon.

Trustee Gelles echoed Trustee Gin’s sentiments in regards to Mr. Kratochvil. Trustee Gelles also recognized Mr. Legaspi, Mr. Kingston, and Mr. Fong for their hard work on behalf of the District; and to Dr. Cota for the stability she has brought to the District.

Trustee Cedillo expressed that he wants people to understand that decisions have to be made. He expressed that he trusts that the Administrators will provide the best direction. He expressed that he hopes there will be a time soon that we can invite back those affected by the lay-off.

Trustee Vecchiarelli congratulated Mr. Kratochvil on his new position and expressed that he will be missed. He expressed the severity of things if the Governor’s Tax Initiative does

not pass, including a 10% decrease in apportionment for this District. He expressed that our Legislators must come up with a solution, noting the “solution is in Sacramento.”

Trustee Mitzman also expressed well wishes Mr. Kratochvil. He also recognized the hard work and dedication of Mr. Legaspi, Mr. Kingston and Mr. Fong. He also expressed that he looks forward to working with Dr. Cota. He expressed that he would like to see a revenue stream; and encouraged the District to look “outside the box” for ideas. He expressed that we can no longer look for the State or Federal Government for monies. He reported that we must approve the budget and expressed that he has to accept what is presented by the Administration.

Trustee Mertes expressed appreciation to the presenters this evening. She expressed that this is a difficult time for everyone, and expressed that “we have a tremendous gift in having the Colleges and the ability to help our young people succeed.” She expressed appreciation to the hard working and caring Faculty and Staff. She also expressed appreciation to Mr. Kratochvil, and wished him well.

Trustee Dvorsky also expressed sentiments for best wishes to Mr. Kratochvil. She expressed that the Board has to “bite the bullet”, and expressed the hope for a miracle to happen in November.

LAS POSITAS COLLEGE FOUNDATION

Dr. Kaye submitted a written report to the Board. He highlighted the donation received from Ms. Sheila Holtgrieve for \$2,500 for the Biology Program in the name of her son, Gordon, who found his “life-calling” at Las Positas College and recently earned a Ph.D. from Stanford.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES

Ms. Sarah Thompson, President, Las Positas College Academic Senate, highlighted the positive results from the petition entitled “What Can I Do?” from the Academic Senate Executive Board and Dr. Spirn (presented by Dr. Spirn this evening).

Ms. Kathy Kelley, President, Chabot College Academic Senate, expressed concern that the mandate that the Child Development Centers be shown in the budget makes it look like the Colleges are providing a service to various and sundry parents and their children, and has nothing to do with what we do, which is education. She questioned the costs of running other instructional labs on campus. She echoed the appreciative comments that the Board took the time to re-consider the resolution presented at the last Board Meeting, noting that collaboration made a huge difference.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES

Mr. Todd Steffan, President, Las Positas College Classified Senate, recognized the contributions of Mr. Bob Kratochvil, noting that he will be greatly missed. He also expressed appreciation to Dr. Cota for coming back to help the District.

Ms. Yvonne Wu-Craig, President, Chabot College Classified Senate, welcomed Dr. Cota and expressed appreciation for her leadership and support. She reported the Senate election results: (Senators: Catherine Powell, Chastity Whiteside, Betty Castano, Gregory Correa, Steven Stevenson, Katrin Field, and Luis Montanez. Representatives: Lisa Carlsen, Christie Verarde, Michelle Iriarte, Nate Moore, and JoAnn Cerefice.) She reported that the Dunk Tank Fundraiser held in collaboration with ASCC raised \$524. She also reported that Classified Appreciation Week was a great success. She also reported that the selection committee will be reviewing nominations for the Linda and Bob Carlson Classified Professional of the Year Award and the recipient will be announced in August on College Day. In addition, she reported that the Senate Retreat is scheduled for August 2, where they will review the Constitution, and discuss Classified priorities and plans for professional development and fundraising. She reported that the Classified and Academic Senates are collaborating to recruit Chabot Faculty, Staff and Alumni to do short ad spots on the Chabot TV Station. Further, she expressed appreciation to the Board and Dr. Cota, and the Chabot College leadership for listening to public comments and saving some positions from elimination.

Ms. Joanne Bishop-Wilbur, President, District Classified Senate, had no report.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES ASSOCIATED STUDENTS

Associated Students of Chabot College had no representation at this meeting.

Associated Students of Las Positas College had no representation at this meeting.

GOOD OF THE ORDER

Mr. Dave Fouquet read a statement from Dr. Lofft on behalf of the Chabot-Las Positas Faculty Association welcoming Dr. Cota back to the District. He reported that comments from the hallways at Chabot College include questioning the necessity for so many high level Administrative positions, including the suggestion of going without a Chancellor for a while in order to save monies. He also questioned the FTES targets/Productivity and expressed that it is impossible to get the "over CAP" down to zero. He stressed that Faculty are willing to take extra students. Further, he questioned the \$5.1 million deficit

and reported that DBSG will be discussing that issue to a great extent in the next few weeks.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES

Dr. George Railey, on behalf of the President, Chabot College, submitted a written report to the Board. He reported that the Chabot College Business Department hosted its first Business Student Awards and Outreach Ceremony on May 2. He also reported that the Students from the Automotive Technology Program worked on the Chabot Fire Truck for the Fire Technology Program. Further, he reported on the status of construction projects on campus, including Building 1800 Construction, Building 1200/Performing Arts Center Plaza Construction, and Physical Education Complex Renovation.

Dr. Kevin Walthers, President, Las Positas College, submitted a written report to the Board. He reported that planning is underway for Convocation on August 16. He also reported that the July 4 Fireworks is moving forward, noting that a clean-up crew has been organized. He also reported that Las Positas College will serve as host site for the White House Hispanic Community Action Summit led by the White House Initiative on Educational Excellence for Hispanics and coordinated through the Department of Education to be held on July 26. Further, he expressed gratitude and best wishes to Mr. Kratochvil.

SPECIAL CONSULTANT TO THE BOARD REPORT

Dr. Susan Cota, Special Consultant to the Board, reported that she appreciates the warm welcome she has received. She expressed that she hopes to be able to help the District in the next few months, particularly with the budget. She also expressed well wishes to Mr. Kratochvil.

RECOGNITIONS

Dr. George Railey recognized the retirement of Mr. John Komisar, Instructor at Chabot College.

ADOPTION OF RESOLUTION NO. 10-1112 – TO LAYOFF AND REDUCE HOURS OF CLASSIFIED EMPLOYEES

Motion No. 2

Trustee Cedillo made a motion, seconded by Trustee Gin, to adopt Resolution No. 10-1112 – To Layoff and Reduce Hours of Classified Employees, effective August 15, 2012. It is further recommended that the Board authorize and direct the Chancellor or designee to give

notice as required by the Education Code to those classified employees affected by elimination of certain classified positions due to lack of funds or work, effective August 15, 2012, and to the appropriate exclusive bargaining representative pursuant to District rules.

Motion carried by the following roll call vote:

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

APPROVAL OF COMMERCIAL WARRANT REGISTERS

Trustee Mitzman pulled this item from the consent calendar to request a moratorium on Conference and Travel expenses for the year in light of the budget. He asked that this issue be placed on the agenda for the next Board Meeting.

Dr. Cota reported that she will discuss this issue with the Chancellor's Cabinet and bring it back to the Board.

Motion No. 3

Trustee Mitzman made a motion, seconded by Trustee Cedillo, to approve the Commercial Warrant Register.

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

Trustee Gelles pulled this item from the consent calendar in order to question which school districts were sent notices in this regard. Mr. Legaspi noted that he would provide this information to Trustee Gelles.

Motion No. 4

Trustee Gelles made a motion, seconded by Trustee Gin, to approve the proposed items surplus to the needs of the District and that the Chancellor or designee 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 staff in accordance with California Education Code Section 81452.

Motion carried unanimously, 7-0.

APPROVAL OF GRAZING LEASE AGREEMENT FOR EXCESS LAND – 7M CATTLE COMPANY

Trustee Mitzman requested that this agenda item be pulled from the consent calendar to highlight that this agreement is an example of the revenue stream he would like to see more of. In response to his question regarding the lease monies, Mr. Legaspi reported that the monies will go to the line item “Other Local Revenue.”

Motion No. 5

Trustee Mitzman made a motion, seconded by Trustee Gin, to approve the Grazing Lease Agreement for the use of District land for grazing purposes to 7M Cattle Company of Livermore, California. The term of the Lease is for two years beginning July 1, 2012 to June 30, 2014 at a fee of \$6,600 for the first year 2012-2013 and for a 10% increase the following year 2013-14 at \$7,260. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the lease on behalf of the District.

Motion carried unanimously, 7-0.

ADOPTION OF RESOLUTION NO. 11-1112 – AUTHORIZATION OF END-OF-YEAR BUDGET REVISIONS AND TRANSFERS

Motion No. 6

Trustee Gelles made a motion, seconded by Trustee Gin, to adopt Resolution No. 11-1112 authorizing end-of-year budget revisions and transfers. It is further recommended that the Board authorize the Director of Business Services, or designee, to process end-of-year budget revisions and budget transfers between major account classifications in order to comply with the Title 5 Section 58307.

Motion carried by the following roll call vote:

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

ADOPTION OF RESOLUTION NO. 12-1112 – AUTHORIZATION FOR THE REPAYMENT OF CERTAIN LEASE OBLIGATIONS AND APPROVING CERTAIN OTHER MATTERS RELATED THERETO FOR THE PRINCIPAL COMPONENT OF THE LEASE REVENUE BONDS

Motion No. 7

Trustee Gelles made a motion, seconded by Trustee Mitzman, to adopt Resolution No. 12-1112—Authorization for the Prepayment of Certain Lease Obligations, and Approving Certain Other Matters Related Thereto for the principal component of the Lease Revenue Bonds, Series 2002A in the acquisition of the District administration building at 5020 Franklin Drive, Pleasanton, California; with the District's desire to use unspent interest earnings on proceeds derived from the sale of the Series 2006C Bonds to prepay the outstanding principal component of the Lease. It is further recommended that the Board authorize the Chancellor, or its designee to execute and deliver any and all documents for the prepayment of the Lease.

Motion carried by the following roll call vote:

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

**DISCUSSION AND ADOPTION OF TENTATIVE BUDGETS – 2012-2013
GENERAL FUND, CAFETERIA FUND, CAPITAL OUTLAY PROJECTS FUND,
SELF-INSURANCE FUND (RUMBL), CHILD DEVELOPMENT FUND,
MEASURE B BOND FUND AND ESTABLISHMENT OF SEPTEMBER 4, 2012 AS
THE DATE FOR PUBLIC HEARING AND ADOPTION OF DISTRICT BUDGETS**

Motion No. 8

Trustee Gin made a motion, seconded by Trustee Mitzman, to adopt the Tentative Budgets—2012-2013 for the General Fund, Cafeteria Fund, Capital Outlay Projects Fund, Self-Insurance Fund (RUMBL), Child Development Fund and Measure B Bond Fund. It is further recommended that the Board establish September 4, 2016 at 6:30 p.m. in Building 200 of Chabot College, 25555 Hesperian Blvd., Hayward, California as the date, time, and place for the Public Hearing and adoption of the 2012-2013 District Budgets, pursuant to California Code of Regulations, Title 5, Section 58305.

Motion carried unanimously, 7-0.

APPROVAL OF CONTRACT MODIFICATION TO THE EXISTING DIVISION OF STATE ARCHITECT (DSA) INSPECTION SERVICES AGREEMENT WITH ABC INSPECTIONS, INC. FOR THE SCIENCE AND TECHNOLOGY BUILDING, PHASE 2, LAS POSTAS COLLEGE

Motion No. 9

Trustee Cedillo made a motion, seconded by Trustee Gin, to approve the Contract Modification to the Existing Division of State Architect (DSA) Inspection Services Agreement with ABC Inspections, Inc. for the Science and Technology Building, Phase 2 at Las Positas College in an amount not to exceed \$30,770. 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

Motion carried unanimously, 7-0.

APPROVAL OF SETTLEMENT AGREEMENT AND MUTUAL RELEASE OF CLAIMS BETWEEN CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT AND "PARTIES" AND/OR "PARTY" FOR THE REPAIRS TO THE PHYSICAL EDUCATION COMPLEX (PE) AND MULTI-DISCIPLINARY EDUCATION BUILDING (MD) PROJECTS, LAS POSITAS COLLEGE

Motion No. 10

Trustee Gin made a motion, seconded by Trustee Mitzman, to approve the Settlement Agreement and Mutual Release of Claims between Chabot-Las Positas Community College District and "Parties" and/or "Party" and authorize payment to the District for the Repairs to the Physical Education Complex Project (PE), Las Positas College and for the Repairs to the Multi-Disciplinary Education Project, Las Positas College for the total amount of \$2,925,000 as final settlement in accordance with the provisions of this Settlement Agreement. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the Agreement on behalf of the District. Funding Source: Measure B Bond Funds

Motion carried unanimously, 7-0.

ADOPTION OF RESOLUTION NO. 13-1112 – AUTHORIZING THE ELECTION TO INCREASE RETENTION IN ACCORDANCE WITH PUBLIC CONTRACT CODE SECTION 7201

Motion No. 11

Trustee Gin made a motion, seconded by Trustee Gelles, to adopt Resolution No. 13-1112—Authorizing the Election to Increase Retention, in accordance with Public Contract Code Section 7201.

Motion carried by the following roll call vote:

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

ADOPTION OF RESOLUTION NO. 14-1112 – AUTHORIZING THE ADOPTION OF DISTRICT STANDARDS AND COLLEGE DESIGN GUIDELINES FOR FURNITURE, FIXTURES AND EQUIPMENT (FF&E), IN ACCORDANCE WITH PUBLIC CONTRACT CODE SECTION 3400(c)(2) AND PUBLIC CONTRACT CODE SECTION 3400(c)(3)

Motion No. 12

Trustee Mitzman made a motion, seconded by Trustee Gin, to adopt Resolution No. 14-1112—Authorizing the Adoption of District Standards and College Design Guidelines for Furniture, Fixtures and Equipment (FF&E), in accordance with Public Contract Code Section 3400(c)(2) and Public Contract Code Section 3400(c)(3).

Motion carried by the following roll call vote:

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

INFORMATIONAL PERSONNEL REPORTS

The Board accepted the Informational Personnel Reports without further discussion.

**DIRECTION OF BOARD OF TRUSTEES FOR BOARD HEALTH CARE
BENEFIT PACKAGE**

Mr. Gordon Watt expressed concern that the Board receive the same and no better benefit package than Faculty and Staff, citing the Board Policy requirement that the plans offered to the Board “shall be equivalent to those provided to employees.”

Motion No. 13

Trustee Cedillo made a motion, seconded by Trustee Gelles, to align the Board Health Care Benefit Package with the benefit package currently held by the Faculty and Administrators.

Motion carried unanimously, 7-0.

**ADOPTION OF REVISED GOVERNING BOARD POLICY 5614 – STUDENTS
AND STUDENT SERVICES: MATRICULATION – PREREQUISITES/
COREQUISITES**Motion No. 14

Trustee Gelles made a motion, seconded by Trustee Gin, to adopt revised Governing Board Policy 5614 – Students and Student Services: Matriculation – Prerequisites/ Corequisites. It is further recommended that this Board Policy become effective upon adoption.

Motion carried unanimously, 7-0.

**ADOPTION OF RESOLUTION NO. 15-1112 – GOVERNING BOARD
ELECTIONS: SPECIFICATION OF THE ELECTION ORDER, NOVEMBER 6,
2012**Motion No. 15

Trustee Gelles made a motion, seconded by Trustee Gin, to adopt Resolution No. 15-1112 establishing specifications of the election order for November 6, 2012; and further, that the Chancellor or designee deliver said resolution to the Alameda County Superintendent of Schools, the Alameda County Registrar of Voters, and the Contra Costa County Registrar of Voters.

Motion carried by the following roll call vote:

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

ADOPTION OF RESOLUTION NO. 16-1112 – GOVERNING BOARD ELECTIONS: CANDIDATES' STATEMENT OF QUALIFICATIONS

Motion No. 16

Trustee Cedillo made a motion, seconded by Trustee Gin, to adopt Resolution No. 16-1112 establishing specifications for candidates' statement of qualifications for the November 6, 2012 Election; and further, that the Chancellor or designee deliver said resolution to the Alameda County Superintendent of Schools, the Alameda County Registrar of Voters, and the Contra Costa County Registrar of Voters.

Motion carried by the following roll call vote:

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

ADOPTION OF RESOLUTION NO. 16-1112 – GOVERNING BOARD ELECTIONS: TIE VOTE PROCEDURE

Motion No. 17

Trustee Gin made a motion, seconded by Trustee Mitzman, to adopt Resolution No. 17-1112 establishing tie vote procedures for the November 6, 2012 Election; and further, that the Chancellor or designee deliver said resolution to the Alameda County Superintendent of Schools, the Alameda County Registrar of Voters, and the Contra Costa County Registrar of Voters.

Motion carried by the following roll call vote:

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

ADJOURNMENT

Motion No. 18

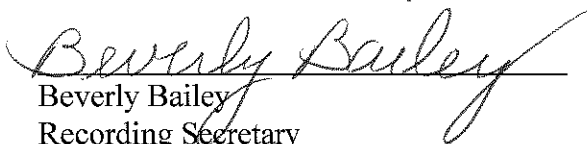
Trustee Gelles made a motion, seconded by Trustee Gin, to adjourn the Regular Meeting at 9:30 p.m.

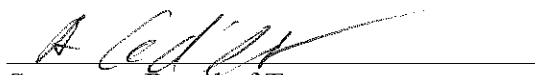
Motion carried unanimously, 7-0.

NEXT MEETING

The next Meeting of the Board of Trustees is scheduled for July 17, 2012.

Minutes prepared by:


Beverly Bailey
Recording Secretary


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