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

**MINUTES**  
**May 19, 2020**

### **PLACE**

Chabot- Las Positas Community College District, 7600 Dublin Blvd, Dublin Ca 94568

### **CALL TO ORDER**

The regular meeting was called to order at 5:00 p.m. by Board Secretary Randolph, Recording Secretary Debra Nascimento called the roll.

### **PUBLIC COMMENTS**

There were no Public Comments offered at this time.

### **CLOSED SESSION**

#### Motion No. 1

Motion made by Trustee Gin and seconded by Trustee Granger, the Board immediately adjourned to Closed Session at 5:02 p.m.

Motion carried unanimously, 5-0.

Motion carried by the following roll call vote:

AYES:                   Gin, Granger, Heredia, Randolph, Sbranti  
NOES:  
ABSENT:                Maduli  
ABSTENTIONS

President Maduli joined Closed Session at 6:13 p.m.

## **OPEN SESSION**

The Board re-adjourned in Open Session at 6:30 p.m. Recording Secretary Debra Nascimento called the roll.

## **ATTENDANCE**

Members Present: Trustee Dr. Hal G. Gin (Via Conference Call)  
Trustee Linda Granger (Via Conference Call)  
Trustee Maria Heredia (Via Conference Call)  
Trustee Mr. Edralin “Ed” Maduli (Via Conference Call)  
Trustee Ms. Genevieve Randolph (Via Conference Call)  
Trustee Mr. Tim Sbranti (Via Conference Call)  
Student Trustee Ms. Valeria Pena (Via Conference Call)  
Student Trustee Mr. Jakob Massie (Via Conference Call)

Recording Secretary: Ms. Debra Nascimento

Managers Present: Mr. Ronald Gerhard, Chancellor  
Dr. Susan Sperling, President, Chabot College (Via Conference Call)  
Dr. Dyrell Foster, President, Las Positas College (Via Conference Call)  
Dr. Theresa Fleischer Rowland  
Mr. Wyman Fong  
Mr. Bruce Griffin  
Mr. Owen Letcher  
Ms. Guisselle Nunez

Others Present: Ms. Sarah Thompson, President, Las Positas College Faculty Senate (Via Conference Call)  
Mr. Miguel Colon, President, Chabot College Faculty Senate (Via Conference Call)  
Ms. Noell Adams, President, Chabot College Classified Senate (Via Conference Call)  
Mr. David Rodriguez, President, Las Positas College Classified Senate (Via Conference Call)  
Mr. David Foquet (Via Conference Call)  
Ms. Rachel Ugale (Via Conference Call)

## **REPORT OUT: ACTION TAKEN IN CLOSED SESSION**

President Maduli stated the Board took action in Closed Session to allow the Chancellor to enter into an exclusive negotiating agreement for the purposed of real property acquisition.

**1.5 PLEDGE TO FLAG**

Board Recording Secretary Debra Nascimento led the pledge.

**1.6 PUBLIC COMMENTS**

Recording Secretary Ms. Nascimento read the following Public Comments:

Mr. Arnold Paguio, expressed his support for Resolution 08-1920 affirming the Chabot-Las Positas Community College District’s commitment to the safety and well-being of the Asian Pacific Islander community and all marginalized populations.

Mr. Michael Lai, express the Asian Pacific Islander Education Association (APIEA), Black Education Association (BEA), Indigenous People Education Association (IPEA), and Chicano Latino Education Association (CLEA) stand united against hate and discrimination. He stated this pandemic has impacted all areas of our work and our students’ educational and personal experiences. One thing we will not allow it to impact is the respect and care we have for each other.

**1.7 APPROVE CONSENT ITEMS (cc)**

Motion No. 2

Trustee Gin made a motion, seconded by Trustee Granger, to approve the Consent Calendar with the exception of agenda items 4.3 and 5.6.

Motion carried unanimously, 6-0.

Motion carried by the following roll call vote:

- AYES:                   Gin, Granger, Heredia, Maduli, Randolph, Sbranti
- NOES:
- ABSENT:
- ABSTENTIONS

The following items were approved on the Consent Calendar:

**3.0 PERSONNEL**

- (cc) 3.1 Classified Personnel
- (cc) 3.2 Management Personnel
- (cc) 3.3 Executive Personnel
- (cc) 3.4 Approval of Successor Agreement between the Service Employees International Union (SEIU) Local 1021 and the District
- (cc) 3.5 Approval of Salary Schedule Increases
- (cc) 3.6 Approval of the Multiple Method Allocation Model Certification Form for Chabot-Las Positas Community College District

#### **4.0 EDUCATIONAL SERVICES**

- (cc) 4.1 Acceptance of Gift - Chabot College and Las Positas College Students, Chabot-Las Positas Community College District
- (cc) 4.2 Approval of Amendment No. 1 to the Child Development Training Consortium (CDTC) 2019-2020 Instructional Agreement No. 19-20-2620 with Yosemite Community College District (YCCD/CDTC) and Chabot-Las Positas Community College District, Las Positas College
- (cc) 4.4 Approval of Amendment to the Subaward Agreement between Foothill-De Anza Community College District on behalf of California Virtual Campus – Online Education Initiative (CVC-OEI) and Chabot-Las Positas Community College District, Chabot College

#### **5.0 BUSINESS SERVICES**

- (cc) 5.1 Approval of Commercial Warrant Registers
- (cc) 5.2 Approval of Payroll Warrant Registers
- (cc) 5.3 Approval of Declaration of Surplus Property to be Sold at Public Auction Sale and Donation or Disposal of Any Items Not Sold
- (cc) 5.4 Approval of Amendment to Grant Contract — Alameda County Social Services Agency, Children and Family Services for the Resource Family Approval (RFA) Program, Chabot-Las Positas Community College District, Chabot and Las Positas Colleges
- (cc) 5.5 Approval of Spending Determination of Monies Received from the Education Protection Account

#### **6.0 FACILITIES PLANNING AND DEVELOPMENT**

- (cc) 6.1 Award of Lease/Leaseback Contract to Rudolph & Sletten of San Carlos, CA, for Pre-construction services for the Library & Learning Connection Building Project at Chabot College
- (cc) 6.2 Award of Lease/Leaseback Contract to Flint Builders, Inc., San Jose, CA, for pre construction services for the Academic Support and Office Building at Las Positas College
- (cc) 6.3 Award of Lease/Leaseback Contract to C. Overaa & Company of Richmond, CA, for pre-construction services for the Public Safety Complex / Advanced Manufacturing and Transportation Building at Las Positas College
- (cc) 6.4 Authorization to File Notice of Completion with Alameda County Clerk Recorder's Office for the System Integration – Audio Visual – RM 2450, 2460, 2740, 2490 (Project No. B200139) at Las Positas College

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

- (cc) 7.1 Approval of 2020 Grant Agreement Between the City of Oakland and Chabot Las Positas Community College District, dba Tri-Valley Career Center
- (cc) 7.2 Approval of Amendment No. 1 of Grant Agreement No. 19-086-001 – California Community Colleges Chancellor's Office, Chabot-Las Positas Community

- College District-Economic Development
- (cc) 7.3 Approval of Amendment No. 2 of Grant Agreement No. 18-085-001 – California Community Colleges Chancellor’s Office, Chabot-Las Positas Community College District-Economic Development
- (cc) 7.4 Approval of Contract for Title IV-E Training Services between County of Lake and Chabot-Las Positas Community College District-Economic Development
- (cc) 7.5 Approval of Standard Contract No. 00591-21 with the County of Solano, Chabot Las Positas Community College District-Economic Development

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

- 8.1 Informational Personnel Reports
- 8.2 First Reading of New, Reviewed, or Revised Board Policies and Administrative Procedures  
AP 2740 Board Education
- 8.3 First Reading of New, Reviewed, or Revised Board Policies and Administrative Procedures  
BP 2735 Board Member Travel  
BP 2740 Board Education  
BP 2745 Board Self-Evaluation  
BP 2750 Board Member Absence from the State
- 8.4 Presentation on Air Quality Task Force Recommendations

## **9.0 OTHER ACTION**

## **10.0 REPORTS- SENIOR LEADERSHIP AND TRUSTEES**

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

## **GENERAL FUNCTIONS**

### **1.8 APPROVAL OF MINUTES OF APRIL 21, 2020 REGULAR MEETING**

### **1.9 PRESENTATION: 2020-2021 BUDGET UPDATE**

#### **THE 2020-2021 BUDGET (FROM JANUARY TO MAY)**

- Due to the economic impacts, resulting from the Covid-19 pandemic, the State’s budget for 2020-21 has changed dramatically since January
- In January... the State built a budget based upon a projected surplus of \$5.6 Billion in State General Fund Revenues
- As of May ... the State has built a budget to deal with a projected deficit of \$54.3 Billion

<b>State's Balanced Budget Solutions for 2020-21 May Revise</b>	<b>(in Billions)</b>
Cancel previously planned program expansions and spending increases	<b>6.1</b>
<b>Redirect extraordinary payments to CalPERS</b> to offset the State's obligations in 2020-21 and 2021-22	<b>2.3</b>
Draw down from the <b>Rainy Day Fund</b>	<b>7.8</b>
Allocate from the <b>Safety Net Reserve</b> to offset increased costs to in health and human services	<b>0.5</b>
Utilize the <b>Public Schools System Stabilization Account</b>	<b>0.5</b>
Borrow and make Transfers from Special Funds	<b>4.1</b>
<b>Payment Deferrals</b> - (\$5.3 B for K-12 , <b>\$1.0 B for CCC's</b> )	<b>6.3</b>
Suspend Net Operating Losses & Limit Tax Credits (Revenue Increases)	<b>4.4</b>
Strategic Use of <b>CARES Act Funds</b>	<b>8.3</b>
"Triggers" ... <b>Expenditure Reductions that will be rescinded should the Federal Government pass the \$1 Trillion Heroes Act</b>	<b>14.0</b>
<b>Total (rounded)</b>	<b>\$54.3</b>

## MAJOR BUDGETARY IMPACTS ON CCC'S

- There will be No COLA for 2020-21 ... (statutory COLA would have been 2.31% at a cost of \$167.2 Million) ... *there will also be no growth funding*
- Apportionment will be Reduced by 8% ... Total Computational Revenue (TCR), per the Student Centered Funding Formula (SCFF), which is approximately \$7.43 Billion for 2019-20, will be reduced by \$593 Million
- The Strong Workforce Program will be reduced by 60% ... (5 other categorical programs will be reduced by 15%)
- \$330 Million of 2019-20 funds will be *deferred* until July 2020 .... And, \$662 Million of 2020-21 funds will be deferred until 2021-22

## IMPACTS & CHANGES TO THE SCFF

- SCFF metric funding rates for 2020-21 will be the same as 2019-20 ... but ... “reduced proportionately” (*by 8%*)
- Total Hold Harmless (minimum revenue) will also be “reduced proportionately” (*by 8%*)
- Hold Harmless Provision is extended thru 2023-24
- For 3-year averaging of Credit FTES (PPY+PY+CY)/3, the FTES for 2019-20 can also be used for 2020-21

**OTHER PROVISIONS OF THE MAY REVISE**

- The redirection of funds, originally to be used to buydown long-term pension liabilities, will reduce pension costs (in 2020-21 and 2021-22) by 2%;
  - CalSTRS the 2020-21 rate goes from 18.41% to 16.15%; for 2021-22, it goes from 18.20% to 16.02%
  - CalPERS the 2020-21 rate goes from 22.67% to 20.70%; for 2021-22, it goes from 25.00% to 22.84%
- COVID-19 related expenditures incurred by districts are exempted from 50% Law calculations
- The Budget Provides **\$223.1 million in capital outlay** funding from Proposition 51, that was approved by the voters in 2016
- This funding includes **\$674,000** (in 50-50 match- funding) **for preliminary plans** and working drawings **for the Chabot College, Building 3000** –Maintenance Operations Warehouse & Garage
- The budget includes a **\$10 Million** funding increase for **Immigrant Legal Services** through CDSS
- The May Revise **Maintains Funding Levels for:**

Cal Grants	Apprenticeship
California Promise Grants	CARE
Student Success Completion Grants	Economic Workforce Development
EOP&S	CalWORKs Student Services
DSP&S	Veterans Resource Center

- And, funds the (*budget-neutral*) **CCC System Support Program** at \$106 Million .... (though 15% less than originally requested)

**IMPACTS OF THE MAY REVISE ON CLPCCD**

Revenue Source & %-Impact	Triggered Reductions *
Apportionment -8%	\$9,136,272
Strong Workforce -60%	\$1,175,281
Student Equity & Achievement -15%	\$887,832
Adjunct Faculty Compensation -15%	\$49,201

As a reminder... These are reductions that will be rescinded should the Federal, \$3 Trillion Heroes Act be enacted... (Currently, passage is doubtful)

- The Deferral in 2019-20 will delay approximately \$4 Million of funding for one month
- The Deferral in 2020-21 will delay approximately \$8 Million in funding for several months

(The District accounts for approximately 1.2% of State furnished CCC funding ... 1.4% of total apportionment funding)

## ADDRESSING DISTRICT REDUCTIONS IN THE UGF

- UGF State Revenues are Budgetarily Distributed via the current **Budget Allocation Model (BAM)**, which include:
  - SCFF/Hold Harmless Apportionment (less a “**Rollback Set-aside**”)
  - Lottery, Mandated Cost Grant & P-T Faculty Compensation
- Based on the **Total Resources**, BAM-allocations are made:
  - “Off the top,” District-wide “3A” Committed Expenditures\*
  - Of the “3B” Remainder - 10.48% goes to D.O., 8.53% to M&O (19.01% Total)
  - A Foundation Distribution: 19.01% to DO & MO; 80.99% to Colleges
  - The Remainder to the Colleges based on their % of Total FTES Goal
- \* (Some of these expenditure-resources are allocated back to the Colleges)
- Given the BAM formula, every part of the District’s resource allocation method is affected by the State’s Reductions ... (with the exception of the Step 3A expenditures)
- Factoring-out the “3A” Committed Costs, the State’s 8% reduction amounts to a 9.7% reduction to be absorbed by the budgetary-locations (D.O., M&O, and the Colleges)
- But, even within those budget-locations, some of the expenditures are less-than-discretionary

## DISTRICT UNRESTRICTED GENERAL FUND

<b>2019-20 ADJUSTED BUDGET</b>	
F-T Faculty Salaries	\$28,569,618
P-T Faculty Wages	\$16,218,724
Regular Classified Salaries	\$16,292,719
Hourly Classified Wages	\$1,016,120
Mgmt. & Confidential Salaries	\$10,659,753
Benefits	\$34,047,505
Other Operating Expenses	\$9,660,849
Supplies	\$1,234,182
Capital Outlay	\$189,783
Transfers	\$161,011
<b>TOTAL</b>	<b>\$118,050,264</b>

## EXPENDITURE REDUCTION CONSIDERATIONS

- With 90.5% of the District’s budget dedicated to Salaries, Wages and Benefits, a reduction in these areas is a possible consideration
- For Faculty & Adjunct employees, certain requirements must be considered:
  - Sufficient FTEF to reach FTES goals (based on FTES/FTEF ratios)
  - Sufficient F-T Faculty to meet FON requirements
  - Sufficient Instructional Expenditures to meet 50% Law requirements
  - For **Classified employees**, having sufficient numbers to provide adequate student services, and address the District’s Total Cost of Ownership (TCO) is a consideration



- For **Management and Confidential employees** having sufficient numbers to maintain adequate administrative supervision and oversight is a consideration
- Some **Benefits** are negotiated obligations. Others are directly tied to salaries and wages and are set by regulatory rates. Of the latter, reductions in staff will affect a corresponding reduction in benefit-costs
- Of the remaining expenditure categories ... **Other Operating Expenses, Supplies, Capital Outlay and Transfers** ... when you consider that a majority of those expenditures are for obligated/committed expenditures ... **there is simply not enough resources (in these areas) to reduce to bridge the budgetary gap**
- Unfortunately, **a significant portion of the of the District's solutions** ... to the Impact of the State's 2020-21 May Revise Budget ... **will have to come from staffing reductions**
- So, what are the options?
- Currently, the District has a number of **open/vacant positions** ... some of which could be **frozen, or eliminated**
- **Currently**, the District has approximately **\$3,029,978 in Budgeted Salary for 36.70 in open/vacant positions:**
  - **F-T Faculty** 11.0 Positions for \$999,903
  - **Classified** 21.7 Positions for \$ 1,468,315
  - **Admin & Confidential** 4.0 Positions for \$561,761
- It would appear that there are a number of **Classified and Managerial positions** that the District could freeze or eliminate ... and save upwards of \$2 Million
- That is true ... but much depends on the District's need for that position's duties to be performed, and the ability of the District to have those duties added to the work-load of other employees
- But ... even at a savings of \$2 Million, such savings (alone) do not bridge the budgetary gap
- **Furloughs** could be another consideration
- Okay, if the District is considering Faculty reductions ... **what about the FON requirement** and the number of Full-time Faculty (FTEF) the District needs to meet the required minimum?
- **As of 2019-20 P-1, the calculated Fall 2020 FON is 299.0 FTEF** ... at Fall 2019, the District had 310 FTEF ... it would appear (excluding current vacant positions) that **the District has a positive 11.0 FTEF differential**
- It should be noted... Per FS 20-05, **the Chancellor's Office will defer the penalties for not meeting the Fall 2020 FON obligation**
- **But, what about the 50% Law requirement?** ... whereby a minimum of 50% of total Unrestricted General Fund expenditures are to be spent on Classroom Expenses?
- As of the annual report to the Chancellor's Office for 2018-19, **the District exceeded the 50% minimum by \$3,741.178**, so the District has an expenditure-cushion in this obligation-area
- It should be noted, per the 2020-21 May Revise, **expenditures that are made due to COVID-19 are excluded** from the 50% Law calculation obligation

- As an Alternative to Reductions in F-T Faculty ... **What about Reductions in Adjunct Faculty?**
- At the District’s current FTES/FTEF ratio ... every 31.23 FTES reduction (in combined College FTES goals) results in an adjunct faculty cost-reduction of \$68,500
- Stated differently, given the District’s current average of 31.23 FTES/FTEF ... (or 468.5 WSCH/FTES) ... **each 1% increase in productivity results in a cost-savings of \$326,000**
- **Note: Since 2013-14 the District’s Productivity has declined by 8%**

**OTHER RESOURCE CONSIDERATIONS**

- What about using the \$8.1 million ... (after the 8% reduction) ... “Rollback Set-aside” to offset the 2020-21 revenue loss?
- It should be noted that (for 2019-20) the District has committed approximately \$3.4 Million of these funds to back-fill over-expenditures in college adjunct faculty budgets.
- Another \$1.2 Million has been committed to SCFF Project proposals
- And, per PBC, these funds are to be used to build a \$12-16 Million reserve to provide a 3-year transitional cushion to mitigate the ongoing loss of approximately \$6-8 million, when the Hold Harmless provision of the SCFF expires (after 2023-24)
- With what now remains of the unutilized Rollback Set-aside, it will take everything that remains, over the next three years, to meet PBC’s goal

**RECOMMENDATION FOR ADJUNCT BUDGET AUGMENTATION 2019-2020**

<b>Chabot-Las Positas Analysis of 13XX (instructional part-time faculty) budgets</b>							
as of 2/29/2020							
	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20*
Chabot Budget	6,602,581	7,568,460	7,878,579	7,759,847	9,108,081	8,143,044	8,241,043
LPC Budget	6,054,100	6,443,174	7,811,951	7,267,243	7,196,944	8,148,600	7,494,189
<b>Total Budget</b>	<b>12,656,681</b>	<b>14,011,634</b>	<b>15,690,530</b>	<b>15,027,090</b>	<b>16,305,025</b>	<b>16,291,644</b>	<b>15,735,232</b>
Chabot Actual	8,029,013	8,943,150	10,799,982	11,208,523	11,348,903	11,918,936	12,367,001
LPC Actual	6,744,722	7,157,785	8,034,941	8,599,234	9,168,193	8,993,320	9,190,734
<b>Actual</b>	<b>14,773,735</b>	<b>16,100,934</b>	<b>18,834,923</b>	<b>19,807,757</b>	<b>20,517,096</b>	<b>20,912,256</b>	<b>21,557,735</b>
<b>Surplus/(Deficit)</b>	<b>(2,117,054)</b>	<b>(2,089,300)</b>	<b>(3,144,393)</b>	<b>(4,780,666)</b>	<b>(4,212,071)</b>	<b>(4,620,612)</b>	<b>(5,822,503)</b>

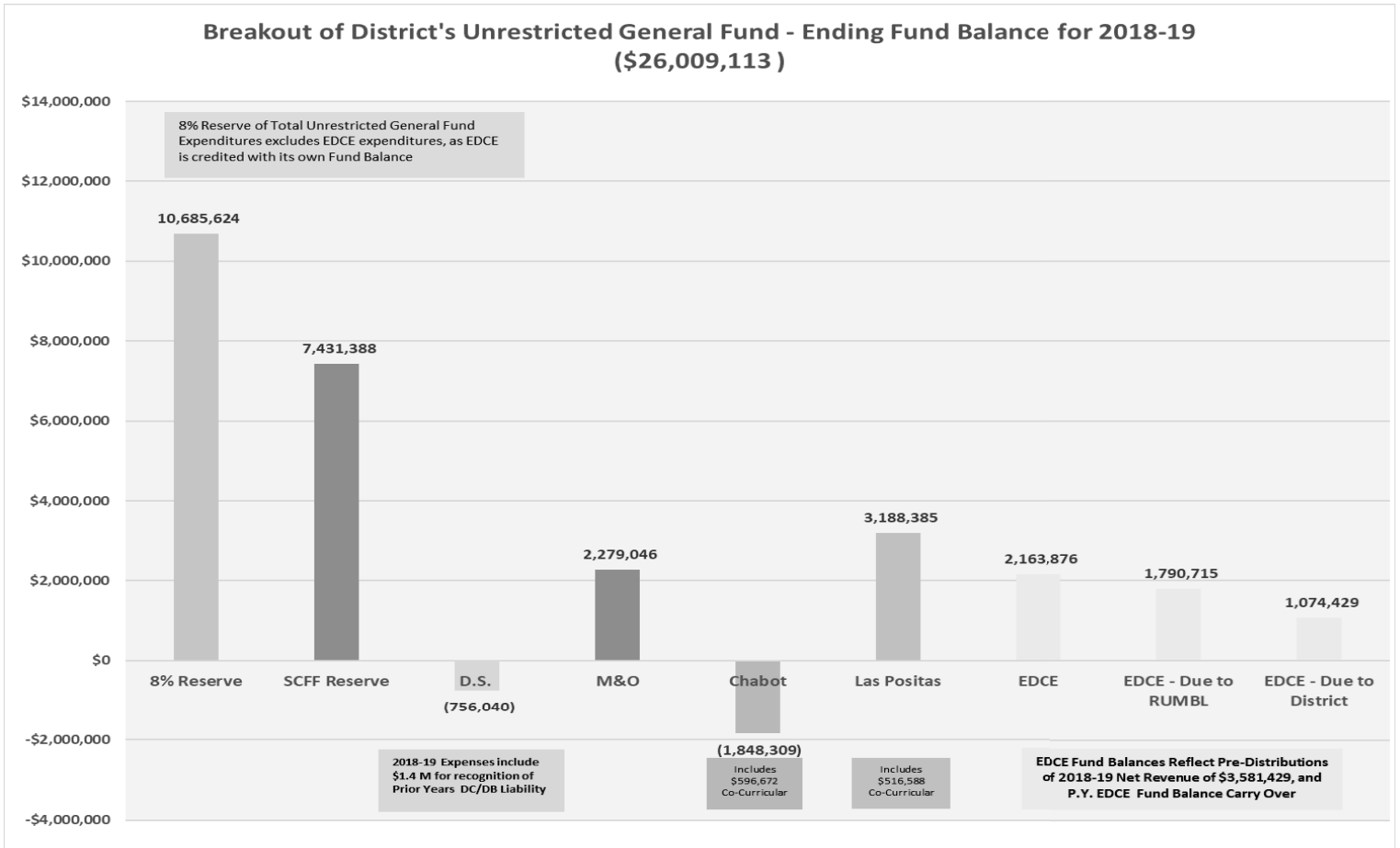
\* - Numbers based on Projection of February 2020 YTD Amount, as factored against 2018-19 Ratio of February 2019 YTD Amount to (Final/Actual) Amount

Source: Banner  
(as of 3/4/2020)

	2018-19	2018-19		2019-20
	Month 8 YTD	Month 8 YTD to Final Ratio		Month 8 YTD
Chabot YTD	8,765,101	135.98%		9,094,605
LPC YTD	6,617,522	135.90%		6,762,784

**OTHER RESOURCE CONSIDERATIONS**

- Offering another Employee Retirement Incentive is a consideration, but they take time to establish, and having offered one just two years ago, significant savings is questionable
- What about using the District’s current fund balances?
- Currently, the District’s Fund balances are, for the most part, just meeting District goals ...
- And, use of such one-time funds, is only a temporary solution for what could be a long-term, ongoing loss of revenue



**IN SUMMARY**

- The District currently has a budgeting structural-deficit of about \$3.4 - \$4.0 million in the Unrestricted General Fund
- The State’s reduction adds to that by another \$9 million
- The funding for several Grant Programs is also being drastically reduced
- There are several measures being considered to address the fiscal issues, but it would seem that no one solution solves everything

- Experts say that the time it will take for **the State's economy to recover will depend on the COVID-19 virus.**
- If the recovery is a slow, then the reduced level of State funding (for community colleges) ... currently being experienced ... may continue for more than a year
- The District may have some one-time resources to help mitigate the fiscal problem for 2020-21, but ... longer-term ... more permanent reductions might be necessary
- The extent of the State's budget reductions is **news that is not yet a week old**
- The cobbling together of an adequate fiscal response will take a sometime ... but hopefully not too long, as **fiscal 2020-21 starts in a little over six weeks**
- Administration will be working with our academic and classified partners to develop a well-thought-out plan
- As long as we work together, and stick together ... *we will get through this together*

### Questions:

President Maduli referenced slides four and nine (May Revisions for CCCs, aligning our staffing levels with funding provided by the state) asking if Acting VC Roberts sees any problems with our cash flow moving forward. Acting VC Roberts stated he hopes not. The proposed cash deferral will not be like the 20% we saw during the last recession, and that our fund balance should see us through. He stated we will need to keep the cash flow issue in mind as we near year-end.

Trustee Randolph thanked Acting VC Roberts for his well thought out presentation. She asked how much money has the District set aside for OPEB and can some of that money be used to offset the revenue reduction. Acting VC Roberts stated that the current set-aside is about 5 million-dollars. Some of the money can be used to back fill the revenue reduction. He stated any funds that go into the Trust can be later taken out for expenditures. He added, there are additional alternatives we can think about. Trustee Randolph stated she appreciated his answer.

President Maduli stated he has been pushing for the Irrevocable Trust Fund; state-wide funding ranges from 100% down to 0%, and with some of the current investing opportunities, now is a good time to do this. He stated he suggests we don't take any options off the table now but look at the best way to balance the budget.

Trustee Granger stated she finds it ironic the program whose purpose is to prepare students for the workforce and help us build a strong economy is seeing the greatest cut at 60%. She asked how much savings is the District going to get from the State's reduction in the 2020-21 STRS and PERS rates. Acting VC Roberts stated that although the state is reducing the planned 2020-21 the rates by 2%. The real change is from what was charged in 2019-20; PERS goes from 19.72% to 20.27% and STRS is going from 17.1% down 16.1%. He stated one is going up by a percent and one is going down by a percent, so the net effect is not that much.

Trustee Sbranti stated he agrees with Trustee Granger's comment regarding why is workforce development being cut 60%. He asked what the reduction will look like at the District. Acting VC Roberts stated Chancellor Gerhard is looking at what those impacts will look like. He stated based on what he has reviewed some of the programs will be affected and we will need to determine if we have

enough funding left to fund people in those programs. Trustee Sbranti stated the workforce positions are critical and we need to strategize how to get out of this. He stated looking at the projections, we are looking at significant enrollment increases, is there additional costs that are going to be associated with that. Acting VC Roberts stated, based on the last recession we will likely see an 8-10% FTES increase. Trustee Sbranti thanked Acting VC Roberts for his presentation and stated we need to look at the net on either side, how do we increase student enrollment to increase productivity. Lastly, he stated with EDCE, are there other revenue sources we can grow; we are going to have to make cuts but we need to look at those growth opportunities.

Trustee Gin thanked Acting VC Roberts for his thorough presentation. He asked what would you estimate both colleges will face in reductions. VC Roberts stated Chabot is going to see a \$4.4-million-dollar reduction and Las Positas will see a \$3.2-million-dollar reduction. He added, there will also be a loss of revenue from parking that totals approximately \$1.1-million- dollars. He stated both colleges are looking at their local revenues and how they will be affected in regards to state revenues. Trustee Gin asked if the CARES Act or FEMA will come into help reduce those loses. VC Roberts stated yes, we will see \$2-million-dollars from the CARES Act. He stated this will not backfill all the loses that we are going to get.

Trustee Heredia asked if there will be staff reductions or freezing of positions. Acting VC Roberts stated freezing of positions is a form of staff reductions. He stated reducing positions is difficult per our contracts; classified has bumping rights, this is something that has to be well thought out. Trustee Heredia asked if there is room to grow anywhere. Acting VC Roberts stated the State is not providing any growth funding for 2020-2021. He stated because the State is not going to be providing us any growth funding, we can increase our metrics per the SCFF, FTES, number of PELL, certificates and Transfers. However, we can do \$8 million dollars of that kind of increases and the State will not give us a single penny more due to the funding than we already are receiving from being in Hold Harmless. He stated we could perform such activities, but our only return would be a significant increase in expenditures.

President Maduli thanked Acting VC Roberts for his comprehensive presentation of the May Revise and looks forward to his next presentation.

## **1.10 RECOGNITION OF STUDENT TRUSTEES**

Chancellor Gerhard recognized and thanked Ms. Valeria Pena and Mr. Jakob Massie for having served as our Student Trustees this past year. He stated per our Board Policy, the term for both Ms. Pena and Mr. Massie ended this month. Next month their successors are scheduled to take the Oath of Office. He stated to recognize and honor them, on behalf of the Board of Trustees and District he would like to sincerely honor Ms. Pena and Mr. Massie for their time, service and commitment this past year in representing their colleges and voices of the students.

Ms. Pena stated she was happy to serve on the Board and have the wonderful opportunity to serve Chabot College.

Mr. Massie thanked Chancellor Gerhard and the Board for the incredible opportunity to serve on the Board.

## **2.0 REPORTS, FACULTY, CLASSIFIED AND STUDENT SENATES**

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

**Las Positas College Academic Senate President, Ms. Sarah Thompson provided the following report:**

#### Professional Development for The Fall

I have been serving on the District Task Force for Professional Development for instructional faculty. Moving to a mostly online schedule means that all faculty will not just have to become proficient in distance education technology and techniques, but also given a solid base in equity practices, accessibility, and inclusive pedagogies as they create their courses for the Fall. This is a tremendous undertaking as most of our faculty, both full time and part time, have not taught online for our district before. We have not required these skills in our faculty to date, but this crisis requires we make that investment now. We are fortunate that hold harmless has been extended, so we get one more year of focusing on process more than SCFF metrics. We have experienced so many disruptions to instruction over the past few years – fires, air quality, pandemic, and of course, we cannot forget we live in earthquake country. We need the most flexible instructional workforce possible to meet student needs and foster student success now and for the future.

#### LPC Budget Task Force

I have been serving with fellow colleagues from our College Council in creating a framework for bringing a formal budget committee to LPC. We've needed one for years, and I am so happy to have this almost finalized.

#### Enrollments

We are concerned but not yet panicked about the state of enrollments at LPC. Our summer is very full, more so than this time last year, but our Fall enrollments are lagging. It may be that students are unsure of their own situations for Fall, or it may be that they are waiting for our Fall plan to enroll.

#### Fall Planning

I have been serving on multiple committees addressing the strategy for the Fall Semester. I am very appreciative of the deliberations and discussions that have taken place on our campus to try to meet student needs based on their ability to successfully convert to an online environment. Some disciplines are simply not convertible, but are modifiable in terms of social distancing. Some student populations need face to face instruction and they are going to have a chance of success in higher education. Some disciplines cannot overcome the cheating and plagiarism programs that are out there to preserve the integrity of their evaluation. All of these needs have to be considered for a fully inclusive Fall.

Even those who have no choice but to take online classes are in need of additional support to become successful online students. We are in the process of creating a remote education/ remote workplace non-credit certificate which covers topics like navigating zoom, how to scan on your phone, how to write a successful email, etc. Luckily our Curriculum Committee is continuing to meet over the summer so we will have time to finalize this after the Spring semester.

#### Concerns About Serving Our Disabled Students

At LPC we currently have no full-time counseling staff for DSPS (Disabled Student Programs and Services). We were in the process of hiring 2 full time counselors when the hiring freeze came. Our concern is twofold – that we will not have the resources to help our students in need (and recent student survey revealed a likely majority of our disabled students had difficulty accessing services after the shelter-in-place) and that we will be opening ourselves up to liability.

#### Postponed Elections and Other Housekeeping Tasks

Unfortunately, as I have been called to serve on a lot of additional committees and task forces to help transition into this “new normal”, some regular tasks were left undone. I completely forgot about elections. So, my gracious Senate, who have agreed to meet over the summer, will be holding elections in June, along with out nominations for our Teaching and Service Awards.

In addition to my Presidential Tasks next year, I will also be serving as a Governor for Contract Faculty for FACCC (Faculty Association of California Community Colleges).

#### **Chabot College Academic Senate President, Mr. Miguel Colon provided the following report:**

He stated his family celebrated the 10<sup>th</sup> Anniversary of adopting their son that is now eighteen and attending Chabot College.

He recognized the following people for their extraordinary efforts: Dr. Susan Sperling, Mr. Dale Wagoner, Mr. Tom DeWitt, Ms. Lisa Ulibarri, Dr. Stacy Thompson, Ms. Paulette Lino, Mr. Jeff Drouin, Ms. Kathy Medina, Dr. Matt Kritscher, Ms. Noell Adams and Mr. Dave Fouquet.

- **2019/2020 Chabot College Academic Senate Highlights**
  - Expanded Int/Ext Communication
    - Monthly presidents meeting
    - Presentation @ LPC
    - Classified President presented @ Academic Senate
    - Academic Senate Town Hall
  - Academic Senate Emergency Fund
  - Resolutions
    - Faculty Diversity in Hiring Resolution
    - Support for Extraordinary Withdrawal

- Support for Grading Flexibility
- Founded Excellence in Part-Time Instruction Award
  - \$500 and plaque funded by members of the Academic Senate
- Adopted Summer Meeting Schedule

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

**Las Positas College Classified Senate President, Mr. David Rodriguez provided the following report:**

LPC Classified Senate Questionnaire/Discussion (4/2/20): During our April Classified Senate meeting we had group discussions around three questions: (1) What challenges have you experienced and/or solutions you would suggest to help transition to working remotely? (2) What projects or trainings are you interested in pursuing that would benefit your areas or strengthen our college community? (3) How can we proactively support each other during this time? LPC Classified professionals are showing and expressing resilience and dedication during this shared pandemic emergency. In response to our conversation the, Classified Senate has acted proactively to develop our brown bag Classified Meet-Ups (more on this next). Where possible, I have advocated and put forward ideas generated from these senate conversations. I am hopeful, that as we move into the next phases of our district and college responses to this emergency, together, we will continue to proactively engage classified professional voices and consider classified professionals' needs as we all work to serve our community during this time.

LPC Classified Meet-Ups: Since shelter-in-place classified have continued to hold weekly, informal Zoom brown bag lunches on a variety of topics. Recent conversation topics have been on: health tips during COVID-19, how to communicate effectively, humor in the workplace, and Excel tips). These weekly check-ins have helped to maintain a sense of community and support of one another. And it has served as a vehicle for us to be proactive during this time of change. I'd like to thank Steven Tang, Sui Song, and the LPC Health Center (Patricia Gonsman and, her colleague at Stanford Valley Care, Samantha Reid) for supporting our efforts and helping to enrich our conversations.

LPC Classified Professional Development Task Force: Pulling together volunteers among Classified Professionals, we will be meeting over the summer to make progress on our goal to support (and advocate) for professional development for classified professionals at LPC. In the past, we have struggled to develop the bandwidth and institutional commitment to make sustained progress on this topic. I am hopeful that we can make progress this coming academic year. This is even more important during this time of change. We must meet this moment by re-imagining how we do things, how we can nurture "growth mindsets" not only in our students but throughout our institution. With an even greater urgency, we need to find ways to pull together to address our institutional challenges, as we redouble our efforts to continue to provide quality



educational services for our community. Investment through professional development is a key component to meeting these challenges.

2020-21 Classified Senate Elections: Currently in progress. Our normal election timeline was set back due to the shelter-in-place. There will be more to report out on this at future meetings.

**Chabot College Classified Senate President, Ms. Noell Adams provided the following report:**

My three presidential priorities for this academic year are as follows:

1. Engaging classified professionals in the decision-making process
2. Supporting and strengthening professional and leadership development opportunities for classified professionals
3. Supporting efforts for classified professionals to *give back* to the Chabot Community

Below are recent Classified Senate activities associated with the priorities listed above.

- This month, two members of the college Education Master Plan Leadership Team, Rachael Tupper-Eoff and Katrin Field, presented to the Classified Senate, the proposed revisions to Chabot's mission and values. In yesterday's senate meeting, we voted to approve those revisions.
- This spring, the college has begun another round of Institutional Effectiveness Partnership Initiative (IEPI) work and many classified professionals are participating in this work. Our last IEPI process in 2016 resulted in a revised Shared Governance structure, an electronic Program Review submission process, and the creation of the Office of Institutional Effectiveness. This time, our focus areas include:
  - Improving and integrating planning, budgeting, and resource allocation processes
  - Exploring tools that integrate, streamline, and support these processes via program review, outcomes assessment, and curriculum review
  - Continued refinement of our shared governance process via effective communication between the committees and from the committees to the campus
- Earlier this month, many classified professionals participated in an Accreditation Training hosted by our ACCJC liaison. The purpose of the training was to provide staff an opportunity to learn more about the Institutional Self Evaluation Report (ISER) process and to prepare us to begin writing and compiling evidence for our report.
- Over the past month- the Classified Senate has been recruiting classified professionals to serve as chairs on our college shared governance committees for next year. Our recruitment efforts were successful! In last Friday's senate meeting, five classified professionals volunteered to serve and we now have appointed chairs for the following college-wide committees: Planning and Recourse Allocation; Professional Development; Instructional and Services Technology; Facilities and Infrastructure; and Student Access, Success, and Equity.

**PRESIDENT OF STUDENT SENATE OF CHABOT AND PRESIDENT OF ASSOCIATED STUDENTS OF LAS POSITAS COLLEGE**

**Chabot College Student Senate, Ms. Ashanti Robinson reported on the following items:**

No report was provided.

**Las Positas College Student Senate President, Ms. Blessing Nkrumah provided the following report:**

No report was provided.

**GOOD OF THE ORDER**

**Ms. Rachel Ugale, Chapter President SEIU, provided the following report:**

Good evening! It's good to see everybody online, and I hope that you all are doing well and staying healthy.

I am excited to start my report, as many of you may guess, noting item 3.4 on tonight's agenda – approval of the successor agreement between SEIU Local 1021 and the District. In my report last month, I shared that we had successfully concluded contract bargaining, reaching a tentative agreement, and were working with the Local on setting up a contract ratification vote. Prior to the vote, we held a very well-attended general membership meeting by Zoom on Saturday, May 2, where we presented our TAs followed by a Q&A with our members. The Local conducted our ratification vote which took place online, May 8-10. I am very pleased to announce that our ratification vote passed by 96.95%. Contract negotiations, even under the best of circumstances, is a long and winding road, and I'm thankful for the overwhelming support from our membership and very happy to see this item finally brought to you this evening.

In other news, we completed COVID-19 impact bargaining with management at the end of April, just in time to share the details of the side letter and corresponding telecommuting agreement with our membership at our May 2nd meeting. These two agreements recognize the significance of the work that our classified bargaining unit continues to do at the Colleges and District Office, both on-site and remotely.

We are pleased to continue our discussions with management regarding impacts from COVID-19 and a constantly changing landscape with regard to updates to State and County restrictions. As we look forward to a potential transition in the Fall, and possibly even sooner this Summer, we continue to be most concerned with doing all we can to protect the health and safety of our bargaining unit members.

I also wanted to report that we worked with HR and thank them for giving us a way to do our SEIU presentation via Zoom to new classified professional hires last month during their

orientation. As we continue to live in this world of Zoom and become more comfortable with the technology, we look forward to refining that process to provide a better orientation experience.

Lastly, I wanted to share that we have asked for guidance from the Local on how to proceed with chapter leadership elections, which we postponed while we were negotiating the contract and I am hoping to have an update for you on that next month.

This concludes my report, and I hope that we all continue to stay healthy and keep each other safe!

**Mr. David Fouquet, President, Chabot-Las Positas Faculty Association, provided the following report:**

The Faculty Association is pleased to be working with the Academic Senates, and Distance Education folks at both campuses, to make training available for faculty over the summer, specifically in the areas of delivering effective online instruction. I would also like to give a special shout-out to our faculty mentors at both campuses, who have been amazingly helpful to so many colleagues, including myself, who knew absolutely nothing about DE instruction before the COVID Crisis descended in March.

We continue to follow the State Budget closely -- we note that the SCFF Oversight Committee is presently discussing, among other things, how the SCFF might be adjusted in the event of a recession. It seems unlikely, however, that they could make a recommendation to the legislature on this matter, in time to impact the FY 2020-21 budget.

One question that continues to be asked by advocates on the state level is this: Given the importance of maintaining access for our students, and the exorbitant inefficiencies of Calbright College, why do we continue to throw so many millions of dollars down that hole, when that funding could be used to ease reductions elsewhere? Just something to think about, should we find ourselves talking to legislators.

Trustee Sbranti requested the following agenda items be pulled from the Consent Calendar for further discussion.

**4.3 APPROVAL OF AMENDMENT TO THE SOUTH HAYWARD PROMISE NEIGHBORHOOD SUB-AWARD AGREEMENT WITH CALIFORNIA STATE UNIVERSITY, EAST BAY (PR# U215N170023) AND CHABOT- LAS POSITAS COMMUNITY COLLEGE DISTRICT, CHABOT COLLEGE.**

Trustee Sbranti asked for an update regarding the service delivery in the Promise Neighborhood, how does that look and what are the needs given the current circumstances. President Sperling stated Chabot is providing Hayward Promise Neighborhood 50 hot spots to Hayward Unified School District students as part of serving 125 students this summer in synchronous programming for grades five through twelve in various virtual programs. She stated Chabot HNP is providing incoming freshman students 75 Chrome Books and WiFi hot spots. She stated anyone from Tennyson High School or the 94544 zip

code for Fall 2020 are connecting this benefit to onboarding stats and financial aid completion. She stated Hayward Promise Neighborhood through Chabot is providing funds for faculty counselors to engage in the teacher pathway pipeline which they are close to unveiling. She stated the HNP grant is also providing external funds for braiding into institutional research to further support outreach to local service schools and agencies; institutional research, high school dual enrollment support, institutional assistance for early support childhood development. She stated they will be hosting a summer STEM program with fifth and sixth graders that is designed to support Art, Science and Social Emotional learning. Lastly, she thanked VP Kritscher and the support of Student Services who played an enormous part with the grant. Trustee Sbranti stated given the challenges we are facing it is great to see the breadth and depth of things we are doing in strategizing and deploying to meet the moment for those that are most in need.

Motion No. 3

Trustee Sbranti made a motion, seconded by Trustee Gin to approve agenda item 4.3.

Motion carried unanimously, 6-0.

Motion carried by the following roll call vote:

AYES:                   Gin, Granger, Heredia, Maduli, Randolph, Sbranti  
NOES:  
ABSENT:  
ABSTENTIONS

**5.6 APPROVAL OF STUDENT CENTERED FUNDING FORMULA (SCFF) SPRING PROJECT PROPOSALS**

Trustee Sbranti asked what we are doing to improve our student success metrics and outcome. Acting VC Roberts stated all the SCFF projects that have been approved to date have been a collaborative effort with both colleges faculty and staff and vetted through a process. He stated the goal to get our metrics up when we come off Hold Harmless management tool. He stated he is hopeful with this we can help our students get into additional classes. He stated the Cal Fresh Program potential over the next few years after expenses is \$400,000. He expressed gratitude to the FFC and PBC committees. Trustee Sbranti commended all the thoughtfulness and thorough work everyone has put into these projects. He suggested yearly that the Board look at all the projects and proposals.

Motion No. 4

Trustee Sbranti made a motion, seconded by Trustee Gin to approve agenda item 5.6.

Motion carried unanimously, 6-0.

Motion carried by the following roll call vote:

AYES: Gin, Granger, Heredia, Maduli, Randolph, Sbranti  
NOES:  
ABSENT:  
ABSTENTIONS

**9.1 ADOPTION OF RESOLUTION NO. 08-1920- AUTHORIZING TO AFFIRM AND DENOUNCING XENOPHOBIA AND ANTI- ASIAN/PACIFIC ISLANDER SENTIMENT ARISING DUE TO FEARS OF THE COVID-19 PANDEMIC AND AFFIRMING OUR COMMITMENT TO STUDENT SUCCESS AND EQUITY AS WE RESPOND TO AND RECOVER FROM THE COVID-19 PANDEMIC**

Motion No. 5

Trustee Gin made a motion, seconded by Trustee Granger to adopt Resolution No. 08-1920 authorizing to affirm and denouncing Xenophobia and Anti- Asian/Pacific Islander sentiment arising due to fears of the COVID-19 Pandemic and affirming our commitment to student success and equity as we respond to and recover from the COVID-19 Pandemic.

Motion carried unanimously, 6-0.

Motion carried by the following roll call vote:

AYES: Gin, Granger, Heredia, Maduli, Randolph, Sbranti  
NOES:  
ABSENT:  
ABSTENTIONS:

**8.4 PRESENTATION ON AIR QUALITY TASK FORCE RECOMMENDATION**

Chancellor Gerhard stated former Student Trustee Culberton of Las Positas presented a resolution on Air Quality to the Board from the Students of Las Positas College January 2019. He stated from there he assigned a task force to present recommendations for the formulation of policies and procedures related to wildfire smoke poor air quality with the District.

VC Letcher reviewed the ten recommendations the Taskforce developed:

1. Fully implement and comply with Cal/OSHA 5141.1 emergency ruling for outdoor workers
2. Utilize the EPA Air Now “Current Conditions AQI” as the official AQI data for the District
3. Adopt the AQI Based decision making matrix
4. Assess current stock of N95 masks and ensure sufficient quantities to meet Cal/OSHA 5141.1
5. M&O Staff to develop campus specific pre event building HVAC system inspection and operations
6. Develop and update policies and procedures related to academic class cancellations due to wildfire smoke
7. Identify on campus facilities that could serve as temporary “cleaner air spaces/centers”
8. Consider developing “pre-scripted” messages for each college community that summarize expected actions
9. Investigate, purchase monitor sensors for PM2.5 at each college

10. Maintain at least one portable PM 2.5 monitor to be used for general indoor air quality investigations

## **10.0 REPORTS- SENIOR LEADERSHIP AND TRUSTEES**

### **10.1 PRESIDENT OF CHABOT AND LAS POSITAS COLLEGES**

#### **Dr. Susan Sperling, President Chabot College reported on the following items:**

She expressed gratitude to Academic President Mr. Colon, Classified President Ms. Adams, Chancellor Gerhard and the District office staff for their support and leadership through this challenging time.

She stated the Friends of Chabot Foundation under the leadership and the direction of Ms. Yonne Wu Craig fundraised over \$185,000 in response to COVID-19; these funds are being rolled out to direct aid to students. She stated a majority of the funding is being reserved targeting undocumented and international students that are ineligible for CARES Act Funding to help and support fall enrollment. She thanked Trustee Gin for his support as a Director.

She stated the FRESH Food Pantry has partnered with the City of Hayward, Alameda County Community Food Bank and Hayward Area Recreation Department to plan and implement a food distribution initiative. She stated this is an emergency no-contact/drive-thru effort to address community food insecurity in light of COVID-19 pandemic; this is being held on Thursdays at the Skywest Golf Course. Lastly, she congratulated and thanked the students, faculty and Dr. Bobby Nakamoto for working so studiously.

#### **Dr. Dyrell Foster, President, Las Positas College reported on the following items:**

He thanked the Board for Resolution 08-1920 in support of our API community and confirming our Districts commitment to equity and inclusion.

He reviewed the May edition of the Las Positas Connection highlighting the Talk Hawks achievement sand competing in the first ever National Online Forensic Festival.

He stated the feedback from the graduating class was to postpone commencement; an online commencement website has been developed where LPC, and their family and friends can celebrate this year's graduates.

### **10.3 CHANCELLOR REPORT**

Chancellor Gerhard recognized the collective advocacy work that is being done on the SCFF in our district government with our local legislators in Sacramento and Washington D.C. He stated in the May Revise you will see the Governor supporting the two-year extension on Hold Harmless. He added, this advocacy needs to continue until that provision is included in the Governors signed inactive budget.

He shared the messaging that came from the Community College League, CCLC representing the system to the members of the legislators. He stated tomorrow is the Community College League,

CCLC advocacy day and they will take to the Legislators five talking points representing 72 districts and the focus of the advocacy moving forward now until June 15<sup>th</sup>:

1. Cuts to the base is too deep, particularly if the expectation is to maintain the same number of students or grow
2. Cut to Strong Workforce will impede high-cost programs for in-demand jobs.
3. Overall budget is predicated on federal action, which is out of our control
4. Budget does not contemplate money to our system for redirected students from UC or CSU.
5. As much as we support the deferrals over cuts, the sheer size of the deferral will mortgage our System for years.

He congratulated and recognized the advocacy team that included, college presidents, presidents of the senates, labor partners and Board of Trustees for their efforts within the last six months that got the extension of the Hold-Harmless.

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

Trustee Heredia congratulated the graduates and transfer students from both colleges. She thanked the faculty and staff for helping the students achieve their goals.

Trustee Randolph stated even though she misses the in person contact she felt the love and pride from everyone that attended the virtual Chicax Latinx Celebration, and thanked everyone that had a part in putting it together. She gave well wishes to all the graduates.

Trustee Gin congratulated all the graduates. He stated during COVID-19 it is worth repeating that we need to thank our faculty and staff for being so nimble and flexible in delivery of instructions and services. He stated we are fortunate to have Chancellor Gerhard and Acting VC Roberts with their business and fiscal skills they will serve us well during these unprecedented times. He thanked the Board for approving Resolution 08-1920, it sends a strong message of what our District stands for. Lastly, he stated he can remember when Las Positas Student Trustee Mr. Culbertson sat next to him and presented the Air Quality Resolution, this proves Students can have impact on policy.

### **ADJOURNMENT**

#### Motion No. 6

Trustee Gin made a motion, seconded by Trustee Granger to adjourn the meeting at 8:09 p.m.

Motion carried unanimously, 6-0.

Motion carried by the following roll call vote:

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

NOES:

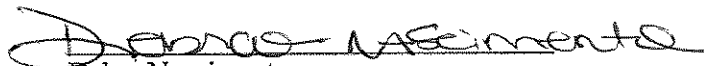
ABSENT:

ABSTENTIONS:

**NEXT MEETING**

The next meeting of the Board is a Regular Meeting scheduled for June 16, 2020 at the District Office, Dublin.

Minutes prepared by:



Debra Nascimento  
Recording Secretary



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