

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

**MINUTES
July 21, 2009**

PLACE

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

CALL TO ORDER

The regular meeting was called to order at 5:30 p.m. by President Gin. Recording Secretary Beverly Bailey called the roll. Mr. Vecchiarelli was absent at the time of roll (arrived 5:31 p.m.). By motion made and seconded, the Board immediately adjourned to a Closed Session, which ended at 6:30 p.m.

The Board readjoined in Open Session at 6:38 p.m. Recording Secretary Beverly Bailey called the roll. Mr. Gil was absent at the time of roll.

ATTENDANCE

Members Present: Dr. Arnulfo Cedillo
 Mrs. Isobel F. Dvorsky
 Mr. Donald L. "Dobie" Gelles
 Dr. Hal G. Gin
 Dr. Barbara F. Mertes
 Dr. Marshall Mitzman
 Mr. Carlo Vecchiarelli (arrived 5:31 p.m.)
 Mr. Sudharsan Dwaraknath

Members Absent: Mr. Evani Gil

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

Mr. Andrew Howe
Dr. Laurel Jones
Dr. Ted Kaye
Mr. Jeffrey Kingston
Mr. Robert Kratochvil
Mr. Lorenzo Legaspi
Ms. Pam Luster
Ms. Jeannine Methe
Mr. George Railey
Ms. Laura Weaver

Recording Secretary: Mrs. Beverly Bailey

Others Present: Mr. Michael Absher, President, Chabot College
Academic Senate
Ms. Cathy Gould, President, District Classified Senate
Ms. Natasha Lang, President, Las Positas College Classified
Senate
Ms. Mary Lauffer, Las Positas College
Mr. Masi Quorayshi, President, Associated Students of Las
Positas College
Ms. Cynthia Ross, Las Positas College
Mr. Steven Small, Pacific Masters Swimming
Ms. Sarah Thompson, President Elect, Las Positas College
Academic Senate
Dr. GeorgeAnna Tow, Faculty Emeritus
Ms. Rachel Ugale, President, Chabot College Classified
Senate
Dr. Lisa Weaver, Las Positas College

PLEDGE TO FLAG

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

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Gin reported that in Closed Session the Board unanimously authorized the District to enter into a purchase contract for the Inman Property with the Livermore Valley Joint Unified School District. Both parties have signed the purchase agreement. The final purchase is contingent upon the completion of the District's due diligence and closing activities.

PUBLIC COMMENTS

Mr. Steve Small reported that the Pacific Master Swimming Long Course Championship was held at Chabot College July 10-12 and was a very successful event. He reported that this event has been held the last eight years at UC Santa Cruz, but due to circumstances, a change in venue was needed. He reported that 19 world and international records were broken at the event. In addition, Mr. Small reported that he and several Chabot College instructional staff competed in the recent Tahoe Relay Race.

CONSENT CALENDAR

Mrs. Dvorsky requested that agenda item 1.8 (Approval of Minutes of June 23, 2009 Meeting) be removed from the consent calendar. Mr. Gelles requested that agenda items 5.6 (Award of Request for Proposal No. B-09 – Beverage Pouring Rights, Las Positas College) and 5.8 (Approval to Purchase Trash and Recycling Receptacles from Forms + Surfaces, Chabot College and Las Positas College) be removed from the consent calendar. Dr. Kinnamon requested that agenda item 3.2 (Classified Personnel) be removed from the agenda.

Motion No. 1

Mr. Vecchiarelli made a motion, seconded by Dr. Mertes, to approve the consent calendar with the exception of agenda items 1.8, 3.2, 5.6 and 5.8.

Motion carried unanimously, 7-0.

The following items were approved on the consent calendar:

Personnel

- 3.3 Faculty Personnel
- 3.4 Management Personnel

Educational Services

- 4.1 Approval of Grant Agreement Renewal – Tri-Valley Community Foundation for the College Foundation Semester Program, Las Positas College

Business Services

- 5.1 Approval of Commercial Warrant Registers
- 5.2 Approval of Payroll Warrant Registers
- 5.3 Approval of Budget Transfers 12.L.1
- 5.4 Approval to Enter into Agreements for Use of Off-Campus Facilities by Las Positas College

Business Services (continued)

- 5.5 Approval of Renewal of Agreement with ValleyCare Health System, Las Positas College
- 5.7 Award of Request for Proposal No. A-09 – Vending Machine Services, Las Positas College

Facilities Planning and Development

- 6.1 Authorization to File Notice of Completion with the Alameda County Clerk Recorder's Office for Construction of the Aquatics Center at Las Positas College (Measure B Bond Funds)

APPROVAL OF MINUTES

Mrs. Dvorsky requested this agenda item be pulled from the consent calendar to request a correction to page 7, paragraph 2: Mr. Dwarknath in lieu of Dr. Dwarknath.

Motion No. 2

Mrs. Dvorsky made a motion, seconded by Dr. Mertes, to approve the minutes of June 23, 2009 as corrected.

Motion carried unanimously, 7-0.

PRESENTATION: ONE-TIME MONIES – LAS POSITAS COLLEGE

Dr. Gin reported that Chabot College will present their One-Time Monies update at the August 18, 2009 Board Meeting.

Mr. Jeff Baker presented the Las Positas College One-Time Monies Project. Others assisting in the presentation included Dr. Lisa Weaver, Ms. Pam Luster, and Ms. Cynthia Ross. In 2005-06, the College identified six areas in which to focus. The presentation included an update on five of the six areas funded by the One-Time Monies:

- Grant Writer
- Entrepreneurial Resource Center
- Outreach
 - Outreach Specialist
 - Student Ambassador Program
 - Community Development Liaison
 - Media Outreach

- Equity Access and Success
 - Campus Change Network
 - Speaker Series
 - Inclusiveness in the College Curriculum
 - Mural Project
 - Native American Exposition and Pow Wow
 - Personal Assessment of the College Environment
 - College Bound Scholars Program
 - Outreach to the Latino Community (Aprendiendo a Triunfar/Learning to Triumph)
- Retention
 - The College Foundation Semester
 - ESL Faculty Training Workshop
 - Early Alert Program
 - Brotherhood & Sisterhood of One
 - LPC Health & Wellness Program
 - Mathematics Department Retention Project
 - English Retention Program
- International Student Program (not included in the presentation)

Mr. Gelles noted his appreciation for the presentation and thanked Mr. Jeff Baker for the booklet. He expressed that the amount of information presented is difficult “to digest” in a 30 minute presentation. He especially commended the College for its outreach efforts.

Mrs. Dvorsky commented that she is impressed with the extensive outreach activities given the small amount of initial money.

Dr. Cedillo questioned if in the Student Ambassador Program, do students use their own personal vehicles? He also questioned related liability issues. Ms. Luster reported that is the number one issue they have with the program. Students currently use their own vehicles and are paid within the student assistant pay range matrix. In addition, they complete field trip forms. She also expressed that it is difficult to keep them adequately busy. Dr. Cedillo noted that at Marin Community College, the students in the program receive an additional amount over student assistants to assist with the mileage.

Mr. Dwaraknath commented that from a student perspective, he has wondered where is the “community” part of Las Positas Community College? He reported that this report brings it together. The beauty is the College involves all members of the campus community—students, administrators, faculty, and staff. He commented that he is amazed and very proud of the report.

Dr. Mertes commented that the outreach is remarkable and very unique. She congratulated everyone that worked on the project for their hard work and accomplishments. She thanked Mr. Baker for his leadership.

Dr. Gin expressed that he believes they will continue on with these programs even after the funds are gone. He wished them all the best of luck.

Dr. Cedillo requested that the Board be kept informed of the projects and special speakers, noting that when possible, he would like to attend.

TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS

Dr. Mitzman thanked the Chancellor and Dr. Barberena for hosting the new Hayward Economic Development Manager on a tour of Chabot College.

Mr. Gelles reported that in the past month there has been a lot of negative financial information on community colleges posted to the web. He is putting the District on notice that he will ask a lot of questions about conferences, mileage, and reimbursements. Money is being used improperly at other districts. He is putting everyone on notice because we don't want to end up in the same box. He requested that mail sent to Board Members at the District Office be given at Board Meetings and not mailed to members as is the current practice, stressing not using District funds for postage. Mr. Gelles also expressed that he does not like to get documents at the Board Meetings, preferring to receive documents in advance. He also expressed the importance of double checking everything, especially financial.

Dr. Cedillo reported that at the end of June he attended as an invited participant the National Association of Latino Elected Officials (NALEO) Conference in Los Angeles. As an invited participant, they covered his air, lodging and registration. For the first time and at his request for the past several years, they had workshops on education. He reported that the new Obama appointee for the White House Initiative on the Education of Hispanic Americans attended, along with two assistants. He reported that they are looking to have focus groups and forums throughout the country regarding education with Hispanic Americans. To that end, he offered our District to host one of the forums. They have promised to get back to him. He sees this as something we need to do. He believes that "if we can pull this off, it would be a coup for us." He also reported that an upcoming conference is scheduled at end of September on the State of Education for Hispanic Americans and have already received a commitment from Arnie Duncan, Secretary of Education, to be one of the keynote speaker.

Mr. Dwaraknath reported that he attended the recent Las Positas College Town Hall Meeting on the Budget. He commended the College because it is clear that they are making an effort not just to be transparent with fiscal matters but to make sure every member of the campus community and members of the public are comfortable. Mr. Dwaraknath also reported that he met with the Chancellor to discuss the status of the Student Trustees. He reported that the Student Trustee Elections have not had competitive competition and discussed ways of

making it more successful. They discussed other topics related to the success of Student Trustees. He feels confident that Dr. Kinnamon will make sure that we guarantee student success in the future.

CHABOT-LAS POSITAS COLLEGES FOUNDATIONS

Chabot College: Ms. Finberg presented a written report to the Board. Ms. Finberg reported that the Blooming Affaire didn't raise as much as in previous years, but good will was raised. Ms. Finberg reported that Board Elections were held in June and officers will remain the same for the coming year. The Board decided that in this economy, the Foundation focus will be to "hold the line", continue to maintain outreach, and maintain focus. At the top of their list is fundraising for the Textbook Rental Program, in collaboration with the Chabot Bookstore and the Associated Students. She also reported that the Board will hold a Retreat in late August. Five new directors were added and already active - Robert Curtis, Linda Stewart, Dan Walters, Christine Wise, and Sheila Young. They will continue to look for ways to continue to have an effect and positive growth. Finally, she reported that the Casino Night Fundraiser is scheduled for August 29.

Las Positas College: Dr. Kaye presented a written report to the Board. Dr. Kaye also submitted a copy of a Letter to Supporters of the Textbook Challenge. He reported the students are well on their way to spending the \$20,000 currently raised. He reported that the Foundation is delighted with the donation of \$200,000 from Follett Higher Education Group. Dr. Kaye reported that the Foundation Board takes very seriously their role. The Foundation is taking a hard look at itself and its strategic plan. The Foundation has engaged a very capable gentleman, Dr. Donald Rickner to help facilitate development of a Five-Year Strategic Plan. They believe strongly that the future of their growth is in planned giving and major gifts. He attended, along with Dr. Pollard, a conference in San Francisco sponsored by the Council by Resource Development, focusing on planned giving.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES

Ms. Sarah Thompson, President, Las Positas College Academic Senate, presented a written report to the Board. She reported that her activities over the past month have primarily focused on preparation of senate business for the 2009-10 Academic Year as follows:

- Met with President Pollard and Vice President Laurel Jones;
- Met with all Senate Sub-committee chairs: Curriculum, Basic Skills, Student Learning Outcomes, and Distance Education;
- Laid the groundwork for three Ad Hoc Senate Committees: Senate/Association Relations, Budget, and Senate Website;
- Planning for Senate Training Day on August 11.

Mr. Michael Absher, President, Chabot College Academic Senate, introduced himself. He reported that he was invited to the State Chancellor's Circle held at the end of June at Laney College, where discussions centered on budget issues. At this event, he met 11 other local Senate Presidents and had the opportunity to sit with them and have enlightening discussions on the budget. He further reported that he looks forward to sharing his ideas.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES

Ms. Natasha Lang, President, Las Positas College Classified Senate, submitted a written report to the Board. She introduced herself and reported that her goal is to bring a renewed sense of faith. Her hope is for the Classified Staff to continue to work collaboratively with faculty and administrators, and strengthen their voice. She reported that the Senate has begun the planning process for a productive year. She acknowledged Ms. Karen Zeigler for her service over the past year as the 2008-09 Classified Senate President.

Ms. Rachel Ugale, President, Chabot College Classified Senate, reported that at their last meeting, they discussed the Supplemental Employee Retirement Program (SERP), and Classification and Compensation Study. Several staff members have made themselves available as resources for those who have questions on these processes. They hope more information is made available for the entire College Community regarding the SERP so that they can help those that are eligible. The Senate began discussion of the development of a Classified Staff prioritization process and the Senate and Union both look forward to having a place at the table. Lastly, she reported the Senate is planning a Retreat.

Ms. Cathy Gould, President, District Classified Senate, had no report.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES ASSOCIATED STUDENTS

Mr. Masi Quorayshi, President, Associated Students of Las Positas College, gave a brief outlook on summer to date. He is excited to begin the Textbook Loaner Program this upcoming semester. They plan to start with the more expensive books and with that measure the success for the upcoming semesters. He reported that the Director of Events position has been filled by Helen Reagan. He reported that ASLPC has been working on issues such as transportation, parking, and energy efficiency of the College. He further reported that ASLPC will meet on July 29 to discuss EXPO, the student orientation, which will be held August 12.

Associated Students of Chabot College had no representation.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES

Dr. Barberena submitted a written report to the Board. She reported that she is looking forward to hosting Convocation at Chabot College. They are planning College activities for Thursday and Friday, including a technology fair on Friday afternoon. She reported that Chabot College turns 50 in 2011 and they are planning activities around that celebration. She also reported that Gladiator Day is less than one month away. Dr. Barberena spoke highly of Mr. Mike Absher and his contributions to the College. He has been part of the College Budget Committee for six years.

Dr. Barberena introduced Mr. George Railey, Vice President of Academic Services, and invited Mr. Railey to say a few words.

Mr. Railey introduced himself and thanked Dr. Barberena, Chancellor Kinnamon and the Board for the opportunity, expressing his excitement to be part of this District.

Dr. Pollard submitted a written report to the Board. She talked about cooperative spirit and the report the Board saw tonight was a good example of that spirit. She acknowledged and thanked Mr. Jeff Baker who took a little idea that she had and grew it and turned it into something marvelous. She expressed that as a President it is very comforting to have people who do that. She thanked those involved – Lisa Weaver, Mary Lauffer, Pam Luster and Cynthia Ross. Dr. Pollard also thanked the District and the Board for their support. In terms of Cooperative Spirit it is a joy to watch the college “go to the next level.”

Dr. Pollard introduced Ms. Dion Miller, Dean of Physical Education, Health and Wellness, and Director of Athletics.

Ms. Miller thanked Dr. Pollard and Dr. Jones for the warm welcome she has received at Las Positas College. She thanked the Board for welcoming her tonight and looks forward to a long relationship with the College.

Dr. Pollard reported that she held a two-hour Town Hall Meeting to present the College’s budget action plan and engage the campus community in a dialogue around the anticipated effect on students, community and personnel. In addition, a website was created for Budget Updates. She looks forward to working with Vice Chancellor Legaspi to make final recommendations to the Board. Dr. Pollard reported that recently the College held an orientation for the Veterans First Program. She proudly reported that Retired Colonel Bucky Peterson, Chairman of the State-wide Troops to the College Initiative, noted that the Las Positas College program is not only a model within California, but across the country. Dr. Pollard also reported that a Community Leadership Day is planned for August 6, providing the College an opportunity to take their message to the community. In addition, the College is planning a Visioning Day for September 19; “Vision 2015”, a trajectory of the institution.

CHANCELLOR'S REPORT

Dr. Kinnamon thanked Mr. Jeff Baker for the wonderful presentation. He appreciates that faculty are here in the evening in the summer presenting programs they are excited about. He is impressed with the magnitude and breadth of the programs with limited resources. Chancellor Kinnamon reported that we are being bombarded with negative news on the economy, state budget, scrutiny of public agencies and administrators that are trusted with taxpayers' dollars. His concern is that this negative aspect undermines much of the work that we are called to do. He is pleased that our District has not been so newsworthy, in that the District hasn't taken drastic actions in cutting classes, furloughs or layoffs. We have taken action to address approximately \$10 million in budget reductions through cuts and freezes. He is pleased that the Colleges have been doing a great job in communicating the message and the status of our District and the budget ramifications. He reported that the District is maintaining its reserve balances. At this point, we have had the fortune of not having gone through challenges of layoffs. In the fall we will maintain the offerings in our schedule. Enrollment targets are planned at a level beyond what is funded by the State. If there is an increase in fees to \$26 there will be an adverse impact on our students and enrollment, for which he feels we are prepared.

Dr. Kinnamon reported that he joined Chancellor Scott and four other Chancellors in the Bay Area at University of California President Mark Yudof's home where they discussed challenges they all face. During these discussions, he realized how fortunate we are, noting that we have been lean for so long that during times like this, drastic actions are not necessary.

Chancellor Kinnamon asked Mr. Legaspi to give an update on the State Budget. Mr. Legaspi reported that there is a State Budget which was passed in February and that this is an amended Budget. He reported that on July 20, the Governor and Legislative leaders announced that they have reached an agreement on how to solve the State's \$26.3 billion budget deficit. The plan does not include tax increases but instead imposes major cuts in almost all state programs, borrows billions from local governments and relies on accounting maneuvers and one-time solutions. The plan must be approved by both the Senate and Assembly by two-thirds vote. The Governor expects the agreement will be ratified by the Legislature by July 23, 2009. Mr. Legaspi offered the following details on the proposal:

- No suspension of Proposition 98. Repayment of \$9.5 billion in Proposition 98 maintenance factor obligation to be paid in future years when General fund revenues are stronger.
- Student fees to increase to \$26 per unit.
- Other state program reductions:
 - \$3.0 billion to the University of California and the California State University
 - \$1.3 billion to Medi-Cal

- \$1.2 billion to Corrections
- \$500 million to CalWorks
- \$500 million to In-Home Support Services
- \$226 million to Healthy Families
- Three-day furlough of 230,000 state workers to continue through the end of the current fiscal year (\$1.3 billion savings)
- New Revenue and Accounting Changes:
 - Borrowing from local governments; \$2 billion from local property taxes and redirecting \$1.6 billion in gas taxes.
 - Acceleration in withholding for personal income tax and corporate tax by 10%, generating \$1.7 billion.
 - Deferring a payment to state workers to create a one-time savings of \$1.2 billion. State workers would receive their June pay in July.
 - A state budget reserve of \$875 million or about 1% of General Fund Revenue.

Mr. Legaspi reported that our Adopted Budget will be presented to the Board for approval on September 1.

ADOPTION OF RESOLUTION NO. 01-0910 – 2009-2010 CHILD DEVELOPMENT STATE PRESCHOOL CONTRACT NO. CSPP-9007, PROJECT NO. 01-6131-00-7, CHABOT COLLEGE

Motion No. 3

Dr. Cedillo made a motion, seconded by Dr. Mertes, to adopt Resolution No. 01-0910 — 2009-2010 Child Development State Preschool Contract No. CSPP-9007, Project No. 01-6131-00-9, effective July 1, 2009 through June 30, 2010 for the Maximum Reimbursable Amount (MRA) of \$686,660. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the contract and any future augmentations or amendments to the document on behalf of the District.

Motion carried by the following roll call vote:

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

AWARD OF REQUEST FOR PROPOSAL NO. B-09 – BEVERAGE POURING RIGHTS, LAS POSITAS COLLEGE

Motion No. 4

Mr. Gelles made a motion, seconded by Dr. Mitzman, to award RFP No. B-09 Beverage Pouring Rights, Las Positas College to Pepsi Bottling Group, LLC d/b/a The Pepsi Bottling Group, a Delaware limited liability corporation of Somers, New York. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement and any future augmentations or amendments to this agreement on behalf of the District.

Mr. Gelles requested that this agenda item be pulled from the consent calendar. He noted that these are “cash cows” at the colleges, voicing that he doesn’t like vending machines. He requested a copy of the contract. He also expressed that between this item and 5.7 (Vending Machine Services at Las Positas College) there is a considerable amount of discretionary money and he questioned who will get the funds and how the funds will be used.

Motion carried unanimously, 7-0.

APPROVAL TO PURCHASE TRASH AND RECYCLING RECEPTACLES FROM FORMS + SURFACES, CHABOT COLLEGE AND LAS POSITAS COLLEGE

Motion No. 5

Mr. Gelles made a motion, seconded by Mr. Vecchiarelli, to approve the Purchase of Trash and Recycling Receptacles from Forms + Surfaces of Pittsburg, Pennsylvania in the amount not to exceed \$109,000, including taxes for Chabot College and Las Positas College. Funding Source: Measure B Bond Funds

Mr. Gelles requested this agenda item be pulled from the consent calendar to question if there was a local vendor and also questioned what happened with the other receptacles. Mr. Kingston reported that these receptacles meet the campus standard and are only manufactured by this one firm. Each receptacle has three slots--for paper, plastic and aluminum. These replace the receptacles that are plastic-lined 55 gallon drums that were not very aesthetically pleasing. Mr. Kingston reported that as we bring new buildings on, we are bringing to the exterior new benches, new bike racks and the new receptacles. The purpose of this project was to proliferate those receptacles College-wide and District-wide.

Mr. Gelles also questioned what is happening with the old receptacles, to which Mr. Kingston reported that the District has primarily used 55 gallon drums in the past and they will be disposed of.

Mr. Vecchiarelli questioned if the District can recapture some of the money through recycling efforts. Dr. Barberena reported that the College’s recycling program is part of

their green sustainability program. Mr. Kingston reported that on the construction side, they recycle 70% of the waste and that is captured in the bid price. Mr. Kingston reported that Maintenance and Operations District-wide runs a very robust recycling program and have their own trucks and haul their own trash and believes they are capturing every dime possible on the recycling side. Mr. Vecchiarelli questioned if we can take the money and off-set our bill or get cash. Mr. Legaspi reported that revenue generated from recycling goes back to the General Fund.

Dr. Cedillo questioned if there are any receptacles in the classrooms, to which Mr. Kingston reported that the receptacles are only outside. Dr. Cedillo suggested it might be a consideration to put some receptacles in the classrooms. Dr. Cedillo noted that some community colleges are giving recycling money to the students through scholarships and book scholarships and he would like the District to look at this option.

Mrs. Dvorsky questioned how many receptacles are being purchased, to which Mr. Kingston reported 55.

Motion carried 6-1, with Dr. Mitzman voting no.

AUTHORIZATION TO ALIGN PROJECT BUDGETS FOR BUILDING 1400 AND BUILDING 1600 WITH CURRENT DESIGN AND BID PACKAGING APPROACH AT CHABOT COLLEGE

Motion No. 6

Mrs. Dvorsky made a motion, seconded by Dr. Mitzman, to authorize aligning project budgets for Building 1400 and Building 1600 with current design and bid packaging approach at Chabot College. Funding Source: Measure B Bond Funds

Motion carried unanimously, 7-0.

APPROVAL OF CONTRACT MODIFICATION TO THE EXISTING DESIGN CONTRACT WITH CHARLES HAM ASSOCIATES FOR MODERNIZATION OF BUILDING 1400, INDUSTRIAL TECHNOLOGY AT CHABOT COLLEGE

Motion No. 7

Mrs. Dvorsky made a motion, seconded by Dr. Mertes, to approve the Contract Modification to the Existing Design Contract with Charles Ham Associates of San Ramon, CA for Modernization of Building 1400, Industrial Technology at Chabot College in an amount not to exceed \$98,009. 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 AWARD OF BID NO. 09-18, ROOF REPLACEMENT FOR BUILDINGS 100, 200, 400, 500 AND WALKWAY CANOPIES AT LAS POSITAS COLLEGE

Motion No. 8

Mrs. Dvorsky made a motion, seconded by Dr. Mertes, to approve the award of Bid No. 09-18, Roof Replacement for Buildings 100, 200, 400, 500 and Walkway Canopies at Las Positas College to Cook Coatings, Inc. of Menifee, CA, in an amount not to exceed \$121,500. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement and any future amendments to the agreement on behalf of the District. Funding Source: Measure B Bond Funds

Mr. Gelles requested that within the next three months, the Board be given a report that shows what has been done and what hasn't been done for both campuses' roofs. Mr. Kingston reported that these "cool roofs" are energy efficient and are white. He reported he has a photograph that will show the magnitude of the re-roofing project, which he will share with the Board.

Motion carried unanimously, 7-0.

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

Motion No. 9

Mr. Gelles made a motion, seconded by Dr. Mitzman, to approve the Award of Construction Manager at Risk (CM at Risk) Services Agreement to Lathrop Construction Associates, Inc. of Benicia, CA for PE Phase III, Las Positas College in an amount not to exceed \$630,000 plus additional sub-contractor's change order and contingency for a total not to exceed budget of \$5,266,875. It is also recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement and any future augmentations or amendments to the agreement on behalf of the District. Funding Source: Measure B Bond Funds

Dr. Mertes requested more information regarding the physical education project, specifically what are the three fields. Mr. Kingston reported that the contractor will bid out the various components of the project. Phase III is the final stage and is on the eastern side of the loop road near Maintenance and Operations. He reported the District did not budget for the complete build out. Based upon the available budget, it will be bid out in pieces. It was designed in phases not knowing what we could "buy." We are trying to maximize what we can buy with the remaining budget. He projected that what we can buy is a field and synthetic track area, irrigated grass playing field inside the track, a modular building housing restrooms and IT equipment, a modified field house for storage, and 40 parking spaces. In addition, the entire 30 acre site will be graded and left open for the remainder of the fields if money becomes available.

Mr. Kingston reported that as we come to the end of the program and with the economy, it is unpredictable how low the bids will go and what we can buy, therefore, we are trying to be more specialized and precise about the scope of the projects. The District will only take on what can be completed.

Motion carried unanimously, 7-0.

APPROVAL TO ISSUE ON-CALL CONTRACTORS CONTRACT FOR LABOR AND MATERIALS WITH MARK SCOTT CONSTRUCTION, INC. FOR MEASURE B

Motion No. 10

Mrs. Dvorsky made a motion, seconded by Dr. Mertes, to approve issuance of On-Call Contractors Contract for Labor and Materials with Mark Scott Construction, Inc., of

Pleasant Hill, CA for Measure B. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement and any future augmentations or amendments to the agreement on behalf of the District. Funding Source: Measure B Bond Funds

Motion carried unanimously, 7-0.

2006-2008 SABBATICAL LEAVE REPORTS

Mr. Gelles noted that it is nice to read these reports where they didn't have to filter someone's script. "Thank you."

The Board accepted the 2006-2008 Sabbatical Leave Reports without further discussion.

INFORMATIONAL PERSONNEL REPORTS

Mr. Gelles complimented Dr. Gularte on this report, noting it is very clear. He expressed that hopefully it sped up the process and helped the Colleges.

ADOPTION OF GOVERNING BOARD POLICY 7052 – BOARD SELF-EVALUATION; AND ADOPTION OF GOVERNING BOARD POLICY 7053 – CODE OF ETHICS/STANDARDS OF PRACTICE

Dr. Cedillo requested that the following Board Policies be approved in one motion.

Motion No. 11

Mrs. Dvorsky made a motion, seconded by Dr. Mertes, to adopt Governing Board Policy 7052 – Board Self-Evaluation, and Governing Board Policy 7053 – Board Code of Ethics/Standards of Practice. It is further recommended that these Board Policies become effective upon adoption.

Dr. Cedillo highlighted item 7 in the Board Code of Ethics/Standards of Practice, which is "Refuse to use the Board Member position for personal gain or personal prestige; preventing conflicts of interest and the perceptions of conflicts of interest." He stressed the need to continue to be conscientious. "Each of us are individually elected officials, but remember the affect of what an individual Board Member does can impact the entire Board."

Mr. Gelles concurred with Dr. Cedillo, noting we need to be constantly aware, especially with regard to finances. He also expressed that this is a great District – Board, Faculty and Staff, and we do an excellent job.

Dr. Gin stressed to his colleagues that they are elected to serve the public. He asked that Board Members refer to the Code of Ethics/Standards of Practice often, remembering who we are and what we represent. He stressed that Board Members “remember what you raised your right hand to do.”

Motion carried unanimously, 7-0.

NEXT MEETING

The next Regular Board Meeting is scheduled for August 18, 2009 at the District Office.

ADJOURNMENT

Motion No. 12

Mrs. Dvorsky made a motion, seconded by Dr. Mertes, to adjourn the Regular Meeting at 8:40 p.m.

Motion carried unanimously, 7-0.

Minutes completed by:

Beverly Bailey

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