

# OFFICIAL COPY



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

**MINUTES**  
**April 19, 2011**

### **PLACE**

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

### **CALL TO ORDER**

The regular meeting was called to order at 5:00 p.m. by Board President Mertes. Recording Secretary Beverly Bailey called the roll. Trustee Dvorsky was absent at the time of roll.

### **ADJOURN TO CLOSED SESSION**

The Board immediately adjourned to a Closed Session, which ended at 6:25 p.m.

### **OPEN SESSION**

The Board readjusted in Open Session at 6:35 p.m. Recording Secretary Beverly Bailey called the roll. Trustee Dvorsky and Student Trustee Salehzadeh were absent at the time of roll. President Mertes reported that Trustee Dvorsky was excused from tonight's meeting.

### **ATTENDANCE**

#### **Members Present:**

Trustee Arnulfo Cedillo  
Trustee Donald L. "Dobie" Gelles  
Trustee Hal G. Gin  
Trustee Barbara F. Mertes  
Trustee Marshall Mitzman  
Trustee Carlo Vecchiarelli  
Student Trustee Yvette L. Nahinu

#### **Members Absent:**

Trustee Isobel F. Dvorsky (excused)  
Student Trustee Amir Salehzadeh

Recording Secretary: Ms. Beverly Bailey

Managers Present: Dr. Joel L. Kinnamon, Chancellor  
Dr. Howard Irvin, For President, Chabot College  
Dr. Guy F. Lease, Interim President, Las Positas College  
Mr. Ken Agustin  
Mr. James Andrews  
Mr. Jeff Baker  
Ms. Rita Brown  
Ms. Julia Dozier  
Mr. Wyman Fong  
Dr. MaryAnne Gularte  
Mr. Doug Horner  
Dr. Ted Kaye  
Mr. Jeffrey Kingston  
Mr. Lorenzo Legaspi  
Dr. Pam Luster  
Ms. Jeannine Methe  
Ms. Laura Weaver

Others Present: Ms. Jennifer Adams, Las Positas College  
Ms. Aylen Campi, Chabot College  
Mr. Jim Hildebrand  
Mr. Don Bosco Hu, President, Associated Students of Chabot  
College  
Mr. Julian Lim, Editor, Las Positas College Express  
Mr. Milton Rube, Chabot College  
Mr. Dick Solomon, Faculty Emeritus, Las Positas College  
Ms. Sarah Thompson, President, Las Positas College  
Academic Senate  
Ms. Rachel Ugale, District Services  
Mr. Gordon Watt, President, Chabot College Classified Senate  
Ms. Diane Zuliani, Chair, Chabot College Public Art  
Committee

## **REPORT OF ACTION TAKEN IN CLOSED SESSION**

Board President Mertes reported that in Closed Session the Board, by a vote of 5-1, authorized concessions for the Chancellor; Vice Chancellor, Business Services; Vice Chancellor, Human Resource Services and Organizational Development; and President, Chabot College, to amend each employment contract accordingly. The 2011-2012 Contract concessions are: 1) Suspending the contractual 2011-2012 step increase of 3.3%; 2) Capping

the District contribution to medical, dental, and vision insurance at the same level as proposed to the Faculty Association and S.E.I.U. bargaining groups; and 3) Implementing five days of unpaid leave (furloughs). The Board calculated the overall reduction in compensation will range from 6% to 8.69%.

### **PLEDGE TO FLAG**

Mr. Hu led the pledge to the flag.

### **APPOINTMENT OF BOARD SECRETARY**

In the absence of Trustee Dvorsky, Trustee Cedillo was appointed as Board Secretary for this meeting.

### **PUBLIC COMMENTS**

Ms. Julia Dozier shared with the Board a gift received by the OSHA Training Center from the United States/China Exchange Council, which is an American organization that promotes training and business relationships between the States and China. The delegates who came for training, from the Province of Hainan, China, presented a tapestry of the Province of Hainan. Trustee Gin translated the writing on the tapestry, "Clear, Bright, River."

### **CONSENT CALENDAR**

Trustee Gelles requested that agenda items 5.4 (Approval of Declaration of Surplus Property to be Sold at Private Sale and Donation or Disposal of Any Items Not Sold, District), 5.5 (Approval for Designation of Facility Responsibility–Child Development Center at Las Positas College), and 5.6 (Approval of Agreement for Use of Off-Campus Facilities–Manor Bowl for Bowling Classes offered by Chabot College) be pulled from the consent calendar. Trustee Gin requested that agenda item 5.3 (Approval of Budget Transfers 9.I.1) be pulled from the consent calendar. Trustee Vecchiarelli requested that agenda items 4.1 (Approval of Curriculum Changes – Las Positas College) and 5.1 (Approval of Commercial Warrant Registers) be pulled from the consent calendar.

#### Motion No. 1

Trustee Gelles made a motion, seconded by Trustee Gin, to approve the consent calendar with the exceptions of agenda items 4.1, 5.1, 5.3, 5.4, 5.5 and 5.6.

Motion carried unanimously, 6-0.

The following items were approved on the consent calendar:

### General Functions

- 1.8 Approval of Minutes of March 15, 2011 Meeting
- 1.9 Approval of Minutes of April 5, 2011 Meeting

### Personnel

- 3.2 Classified Personnel
- 3.3 Faculty Personnel

### Educational Services

- 4.2 Acceptance of Gift, Chabot College
- 4.3 Approval of National Institutes of Health Bridges to the Baccalaureate Program Subrecipient Commitment between the University of California, Berkeley and Chabot College
- 4.4 Approval of Grant Agreement Renewal–Career Technical Education Community Collaborative Projects, Grant Agreement No. 10-140-482, Chabot College
- 4.5 Approval of Grant Agreement Renewal–Career Technical Education Community Collaborative Projects, Supplemental Grant Agreement No. 10-141-482, Chabot College

### Business Services

- 5.2 Approval of Payroll Warrant Registers
- 5.7 Approval of Agreement–CVS Pharmacy, Inc. for Pharmacy Technology Program at Las Positas College
- 5.8 Approval of Affiliation Agreement–VA Palo Alto Health Care System (640) for the Surgical Technology Program at Las Positas College
- 5.9 Approval of Agreement for the Commission of Public Artwork “Spark” by Wowhaus, Chabot College

### Facilities Planning and Development

- 6.1 Authorization to File Notice of Completion with the Alameda County Clerk Recorder’s Office for the Fire Alarm System Replacement at Las Positas College (Measure B Bond Funds)
- 6.2 Authorization to File Notice of Completion with the Alameda County Clerk Recorder’s Office for PE Phase III at Las Positas College (Measure B Bond Funds)
- 6.3 Approval of Contract Modification to the Existing Design Contract with HMC Architects for the Design of Buildings 300, 500, 800, 900 and 1000 at Chabot College (State Funds and Measure B Bond Funds)
- 6.4 Approval of Award of Contract with Charles Ham Associates for Design Services for the BMW Program Project, Building 3400 at Chabot College (Measure B Bond Funds)

**TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS**

Trustee Vecchiarelli reported that he recently contacted Chabot College in regards to the status of a scholarship, and was very disappointed that he could not find anyone who knew about this particular scholarship. He requested that the Colleges/District look at all scholarships and make sure the status is known, i.e. amount of money available, who is responsible, who started the scholarship, etc. He requested a total accounting of the scholarship by the next Board Meeting.

Trustee Gelles reinforced his statements at the last Board Meeting, expressing the great job done by Mr. Jeff Baker and Ms. Sarah Thompson on their presentation; and the great job done by Ms. Diane Zuliani with the Chabot College Art Project.

Trustee Gin reported that he looks forward to attending the many End-of-Year events and celebrations, including Graduations at the Colleges. He also commented that the drought resistant landscaping at Chabot College is not personally pleasing to his eye and hopes that as it matures, it will be more attractive.

Student Trustee Nahinu submitted a written report to the Board. She reported on the ASCC Election results for 2011-2012. She also reported on recent successful events: Job Fair, International Night on April 7, and Talent Show. She reported on the upcoming ASCC Scholarship and Awards Banquet on Saturday, May 12. In addition, she reported that April is Child Abuse Awareness Month, and distributed blue lapel pins in recognition. She reported that ASCC will be collecting books, bears, blankets and backpacks for abused children.

Trustee Mitzman reported that he attended the Chabot College Employee Recognition. He also reported that he and his wife, and Trustee Dvorsky and her husband, attended the outstanding Chabot College International Night Dinner on April 7. He also reported that Chabot College and St. Rose Hospital will host an upcoming Women's Health Fair at Chabot College, noting this is a great community outreach opportunity.

**CHANCELLOR'S REPORT**

Dr. Joel Kinnamon, Chancellor, reported this is Spring Break, an opportunity for students to have a break before Finals. He expressed appreciation to everyone for coming tonight, noting that this is a busy time for all. He reported that on April 14 and 15, he had the opportunity to join Trustee Dvorsky at a Regional Summit with the Under Secretary of Education, a series of four summits coordinated by Dr. Jill Biden who is a Community College Faculty Member and the wife of Vice President Biden. At the event, discussions centered on issues that we are facing and policy considerations that could be made that would be helpful to Community Colleges. He reported that after the series of summits take

place, we will be gathering that information and hopefully utilizing it in a way that will be a value to our Colleges. He also reported that Mr. Wyman Fong attended the summit.

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

Dr. Guy Lease, Interim President, Las Positas College, submitted a written report to the Board. He reported that the Inter-constituency Olympics were Sarah Thompson's idea and congratulated her for coming up with the idea. He drew the Board's attention to his written report, highlighting the student successes: three students (Takeo Hiraki, Christina Teslich, and Dina Ra) went to the Alpha Gamma Sigma (AGS) State Convention and were recognized for their academic accomplishments. He recognized and congratulated Mr. Takeo Hiraki who came away with the number one award at the convention, based on academic success, service to the community, and his work on campus with students. He reported that the LPC Forensics Team attended the California Community College Forensics Association's State Championship Tournament where they won Second Place Sweepstakes and became the number one Northern California Team among the small and large school division. He reported that the Business Club went to the California State Leadership Conference where they placed 17 times, including three first place finishes; and the nine-person team won the first annual Sweepstakes Award as the top competitor among all participating community colleges. Dr. Lease further reported that the College held its last lecture of the Lawrence Livermore National Laboratories/LPC Seminar Series, "Theory to Practice: How Science Gets Done" by Dr. John Chang. He expressed that Las Positas College looks forward to long and continued partnerships with the Labs to keep our students excited about career opportunities in Science and Math.

Dr. Howard Irvin, Vice President of Student Services, Chabot College, on behalf of Dr. Barberena, submitted a written report to the Board. He reported that the Chabot College Spring Job Fair was held on April 12 in partnership with Assembly Member Mary Hayashi and Chris Parman. He expressed appreciation to Mr. Terrence Thompson and Mr. Parman for coordinating this fine event. He reported that on April 17, Chabot College, in conjunction with SACREA, hosted the African American Cultural Pursuits Awards to honor African American middle and high school students. He reported that on April 30, at Cal State University, East Bay (CSUEB), Chabot College and CSUEB will host an Education Summit, combining at one time two separate events (African American Educational Summit and Latino Education Summit). He also reported on additional upcoming events: Transfer Night on May 4 in the Chabot Cafeteria; ASCC Scholarship and Awards Banquet on May 12 in the Chabot College Event Center; Transfer Celebration on May 10 in the Chabot College Event Center; and Commencement on May 27, noting that the College is honored to have as Commencement Speaker the Under Secretary of the Department of Education, Dr. Martha Kanter.

## CHABOT-LAS POSITAS COLLEGES FOUNDATIONS

**Chabot College:** Ms. Finberg was unable to attend tonight's meeting.

**Las Positas College:** Dr. Kaye submitted a written report to the Board. He reported that the Best of the Best will be held April 30, calling attention to the list of Silent Auction items. He also reported on a recent Osher Scholarship (\$13,500), given by the parents, as a memorial for a mentally challenged 16 year-old boy who recently died after having a seizure. In addition, he reported that the Pleasanton Rotary presented their second installment of \$6,750 for an Osher Named Scholarship. Further, he reported that there are a number of named grants that will be approved by Foundation Board on April 20, calling special attention to "Learning to Triumph", a community outreach to the Spanish speaking community in the Tri-Valley.

Mr. Jeff Baker, Interim Vice President of Student Services, Las Positas College, reported that the event "Learning to Triumph" was started approximately five years ago. He reported that this event, which is an outreach to the Spanish-speaking community in the Tri-Valley, has been a great success in the past. The data shows that there has been significant enrollment increases as a result of this event. He expressed appreciation to the Foundation for its support of this event.

## PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES

Ms. Sarah Thompson, President, Las Positas College Academic Senate, submitted a written report to the Board. She highlighted an update of SB 1143. She reported that the Committee must have their recommendations to the BOG by November, 2011; the BOG will vote on these recommendations in January 2012 and report to the Legislature in March, 2012. She reported that current recommendations being discussed include: changes in priority registration (incoming students with full-time credit); accelerated learning; and Performance Based Funding (the Washington model where 15% is taken off the base and must be earned back, rather than additive Performance Based Funding). She also reported that the reality is there will be reforms of Repeatability and "W"/Failure. In addition, she reported that there is extreme controversy over accelerated learning pilot programs in the state in English and Math ("Statway").

Ms. Thompson also reported on the successful Las Positas College Inter-constituency Olympics and presented a slide show of the events. She reported that the Administrators won the trophy. She recognized Mr. Julian Lim, Editor-in-Chief of the Las Positas College Express and Naked Magazine, for taking the pictures. She recognized Mr. Lim, who won an impressive eight individual awards at the Journalism of Community Colleges State Convention; and on behalf of his colleagues he also accepted the General Excellence

awards for both the student newspaper and magazine. Ms. Thompson also expressed appreciation to Dr. MaryAnne Gularte and Ms. Laura Weaver for coming to watch the Olympics.

Chabot College Academic Senate had no representation at tonight's meeting.

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

Las Positas College Classified Senate had no representation at tonight's meeting.

Mr. Gordon Watt, President, Chabot College Classified Senate, reported that the Classified Senate is getting ready for elections scheduled the second week of May.

The District Classified Senate had no representation at tonight's meeting.

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

The Associated Students of Las Positas College had no representation at tonight's meeting.

Mr. Don Bosco Hu, President, Associated Students of Chabot College, reported the results of the ASCC elections as follows: Aylen Campi, President; Hector Huerta, Vice President; Vanessa Sadsad, ICC Chair; Eric Galvan, Activities Director; Alyssa Isaacs-Casey, Legislative Director; Kayla Edusma, Communications Director; and Mahak Dharmani, Financial Director. Mr. Hu reported that ASCC is working with Dr. Irvin on Commencement. He reported that the ASCC Scholarship Awards Dinner is scheduled for May 12. He reported that ASCC is sponsoring Child Abuse Awareness month. He further reported that the Talent Show was very successful.

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

Dr. Gularte expressed appreciation for the invitation and warm welcome to the LPC Inter-constituency Olympics, noting that she had a wonderful time.

#### **APPROVAL OF CURRICULUM CHANGES – LAS POSITAS COLLEGE**

##### Motion No. 2

Trustee Cedillo made a motion, seconded by Trustee Vecchiarelli, to approve additional proposed Curriculum Changes by Las Positas College for Academic Year 2011-2012.



Trustee Vecchiarelli requested that this agenda item be pulled from the consent calendar to express that when course numbers don't coincide between the two Colleges it causes confusion for the students and is problematic when articulating for transfer. His specific comments referenced the course numbers for Statistics.

In response, Dr. Luster reported that there are two Math rubrics. She explained that in the Banner system, the College aligns those courses so that if a student takes a particular course at Chabot and it counts as the same course at Las Positas, it is transcribed that way so the student would not have to repeat the course. She reported that this change is within the Faculty purview as the Faculty at both Colleges do the work of curriculum. She reported that the courses will be counted correctly for the students.

Motion carried unanimously, 6-0.

## **APPROVAL OF COMMERCIAL WARRANT REGISTERS**

### Motion No. 3

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

Trustee Vecchiarelli requested that this agenda item be pulled from the consent calendar as he had several questions and suggestions regarding entries in the warrant list backup material.

1. He questioned paying sales tax to Follett Bookstores (page 551), noting that the District is a non-profit, exempt organization.
2. He questioned the possibility of charging a materials fee to Dental Hygiene students for supplies purchased from Airgas (page 563), to which Mr. Legaspi reported that the Colleges cannot charge students fees for things such as gas.
3. He questioned payments to Fort Dearborn Life for disability insurance (page 567), noting that both STRS and PERS have disability programs and questioned why the District is paying an additional policy.
4. He questioned payments for prescription adjustments, noting that the District has prescription plans for all employees and questioned paying out for adjustments.
5. He suggested combining multiple entries for single vendors.

Trustee Vecchiarelli also expressed concern for the amount of legal fees the District is paying each month.

Mr. Legaspi responded that he would follow up on Trustee Vecchiarelli's questions and report back.

Trustee Mertes suggested that Trustee Vecchiarelli provide a list of his questions for staff.

Motion carried unanimously, 6-0.

#### **APPROVAL OF BUDGET TRANSFERS 9.I.1**

##### Motion No. 4

Trustee Cedillo made a motion, seconded by Trustee Vecchiarelli, to approve the budget transfers for the period December 2010 through February 2011 that the Director of Business Services is authorized to submit to the County Superintendent of Schools.

Trustee Gin requested that this agenda item be pulled from the consent calendar, noting that he did not receive the list of budget transfers that the Board is asked to approve.

It was the consensus of the Board that this agenda item be tabled to the next Board Meeting and the list of budget transfers be provided to the Board.

#### **APPROVAL OF DECLARATION OF SURPLUS PROPERTY TO BE SOLD AT PRIVATE SALE AND DONATION OR DISPOSAL OF ANY ITEMS NOT SOLD, DISTRICT**

##### Motion No. 5

Trustee Gelles made a motion, seconded by Trustee Cedillo, to approve the proposed items surplus to the needs of the District and that the Chancellor 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.

Trustee Gelles requested that this agenda item be pulled from the consent calendar to request a list of the specific items as well as a list of the school districts that were sent notices. He requested that the original cost of each item be included rather than a zero dollar amount.

Mr. Legaspi explained that the residual/market value of the items is zero and by law the Board must approve items for surplus property. He also noted that an email will go out to all staff notifying them that they can bid on the items.

Trustee Gelles expressed that he would like to see the list and running total of the surplus items and would be willing to come to Mr. Legaspi's office to review the list.

Motion carried unanimously, 6-0.

**APPROVAL FOR DESIGNATION OF FACILITY RESPONSIBILITY – CHILD DEVELOPMENT CENTER AT LAS POSITAS COLLEGE**

Motion No. 6

Trustee Gelles made a motion, seconded by Trustee Gin, to approve the proposed Designation of Facility Responsibility-Child Development Center at Las Positas College to Corinna Calica, for the period during which she is the Child Development Center Director. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the Designation of Facility Responsibility and any future augmentations or amendments to the document on behalf of the District.

Trustee Gelles requested that this agenda item be pulled from the consent calendar for further clarification.

Dr. Lease reported that the facility is required to have an authorized person at the facility during the operational hours, which would typically be between 8:00 a.m. and 5:00 p.m., to represent the facility, either in person or by phone.

Motion carried unanimously, 6-0.

**APPROVAL OF AGREEMENT FOR USE OF OFF-CAMPUS FACILITIES -- MANOR BOWL FOR BOWLING CLASSES OFFERED BY CHABOT COLLEGE**

Motion No. 7

Trustee Gelles made a motion, seconded by Trustee Gin, to approve the proposed Agreement for Use of Off-Campus Facilities – Manor Bowl for Bowling Classes offered by Chabot College, effective August 17, 2011. 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.

Trustee Gelles requested that this agenda item be pulled from the consent calendar to request that Manor Bowl be notified that Mr. Legaspi is now the Vice Chancellor of Business Services for the District, in lieu of Mr. Roy Stutzman.

Motion carried unanimously, 6-0.

## **INFORMATIONAL PERSONNEL REPORTS**

The Board accepted the Informational Personnel Reports without further discussion.

## **ESTABLISHMENT OF RIGHTS AND DUTIES OF STUDENT TRUSTEES FOR 2011-2012**

### Motion No. 8

Trustee Gin made a motion, seconded by Trustee Gelles, to establish the rights and duties of the Student Trustees for 2011-2012 per Education Code 72023.5 as follows: 1) Student Trustees may make and second motions; and 2) Student Trustees will receive a maximum of \$100 each per month in compensation. Further, these rights and duties will become effective upon adoption.

Motion carried unanimously, 6-0.

## **ADJOURNMENT**

### Motion No. 9

Trustee Gelles made a motion, seconded by Trustee Gin, to adjourn the Regular Meeting to resume discussions in Closed Session at 7:39 p.m.

Motion carried unanimously, 6-0.

Trustee Cedillo reported that there would be action taken in Closed Session.

## **READJOURNMENT IN OPEN SESSION**

The Board readjourned in Open Session at 9:00 p.m.

## **REPORT OF ACTION TAKEN IN CLOSED SESSION**

Trustee Cedillo reported that the Board took action on three items in Closed Session:

Trustee Cedillo reported that the Board unanimously (6-0) authorized the implementation of the Supplemental Employee Retirement Plan Program for the thirty-five (35) employees who submitted SERP enrollment packets as of April 8, 2011. Further, the Board directed the Vice Chancellor of Human Resource Services and Organizational Development to implement the program and communicate with affected employees.

Trustee Cedillo reported that the Board unanimously (6-0) rejected the claim of John Plane Construction.

Trustee Cedillo reported that the Board agreed by a vote of 5-1, to initiate a purchase agreement for the Dublin Site located at 7544 Dublin Boulevard in Dublin, California with Measure B Interest Funds.

**ADJOURNMENT**


Motion No. 10

Trustee Gelles made a motion, seconded by Trustee Gin, to adjourn the meeting at 9:04 p.m.

**NEXT MEETING**

The next Meeting of the Board of Trustees is scheduled for May 3, 2011 (Study Meeting).

Minutes prepared by:

  
Beverly Bailey

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