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

MINUTES
May 15, 2018

PLACE

Chabot College; 25555 Hesperian Blvd, Hayward, CA, Board Room

CALL TO ORDER

The regular meeting was called to order at 4:36 p.m. by President Mitzman, 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 Dvorsky, the Board immediately adjourned to Closed Session at 4:37 p.m.

Motion carried unanimously, 7-0.

OPEN SESSION

The Board re-adjourned in Open Session at 6:44 p.m. Recording Secretary Debra Nascimento called the roll. Chancellor Jackson was absent at the time of roll.

ATTENDANCE

Members Present:

Trustee Ms. Isobel F. Dvorsky
Trustee Mr. Donald L. "Dobie" Gelles
Trustee Dr. Hal G. Gin
Trustee Mr. Edralin "Ed" Maduli

Trustee Dr. Marshall Mitzman
Trustee Ms. Genevieve Randolph
Trustee Carlo Vecchiarelli
Student Trustee Juliet Garcia Gutierrez

Members Absent: Dr. Jannett Jackson, Chancellor (Excused)

Recording Secretary: Ms. Debra Nascimento

Managers Present: Dr. Susan Sperling, President, Chabot College
Ms. Roanna Bennie, Interim President, Las Positas College
Dr. Mathew Kritscher
Ms. Krista Johns
Mr. Wyman Fong
Mr. Doug Horner
Mr. Lorenzo Legaspi
Ms. Guisselle Nunez
Ms. Julia Dozier
Mr. William Garcia
Ms. Diane Brady
Ms. Jennifer Druley
Mr. Ron Gerhard

Others Present: Ms. Laurie Dockter, President, Chabot College Faculty Senate
Ms. Melissa Korber President, Las Positas College Faculty Association
Ms. Rachel Ugale, District Services, District Classified Senate
Ms. Tatianna Hernandez, President, Las Positas College Student Senate
Mr. Zaheer Ebtikar, President, Chabot College Student Senate
Dr. Charlotte Lofft
Dr. David Johnson
Mr. Walter Blevins
Ms. Rachel Tupper-Eoff
Mr. Greg Rees
Ms. Sandi Perry-Rees
Mr. Gregory Correa
Mr. Don Fuller
Ms. Theresa Pedrosa
Ms. Ashanti Smith

Ms. Megan McClain
 Mr. Keenan McMiller
 Mr. Steve Lowry
 Mr. David Estrada
 Ms. Elizabeth Nakhmanovich
 Ms. Elexis Mendoza
 Ms. LaVaugn Hart
 Mr. Lawrence Aguilar
 Dr. Andrew Pierson
 Dr. Cheryl Mackey
 Ms. Anne Espinoza
 Mr. Amir Law
 Ms. Yvonne Wu Craig
 Mr. Richard Yates
 Mr. David Johnson
 Mr. Bob Buell
 Mr. Dale Wagner
 Mr. Rani Nijjar
 Ms. Veronica Martinez
 Ms. Mona Abdown
 Mr. Paul Mussack
 Mr. Rick Hassler
 Ms. Lesly Arendano
 Dr. Lara Bauman
 Mr. Jim Yoke
 Ms. Laura Alarcon

REPORT OUT: ACTION TAKEN IN CLOSED SESSION

Trustee Gin reported, Resolution regarding appeal of Administrative Determination. Was resolved by the Board of Trustees of the Chabot Las Positas Community College District, County of Alameda, State of California, that;

WHEREAS, the District timely investigated a complaint of discrimination made by a District student against a District employee and determined the complaint to be not sustained; and

WHEREAS, the Complaint was advised of and exercised her right to appeal the District's Administrative Determination to the Board of Trustees pursuant to Title 5, Section 59338, of the California Code of Regulations; and

WHEREAS, the Board agenized this matter for closed session within forty-five days of the appear. And in closed session reviewed and deliberated upon the appeal documents.

NOT THEREFORE BE IT RESOLVED:

The Board of Trustees of the Chabot Las Positas Community College District

AFFIRMS the Administrative Determination of the District. The appeal is DENIED. The vote was unanimous.

President Mitzman reported, the Board voted not to reemploy the Chancellor upon expiration of the current term of her Employment Agreement, June 30, 2019, and to give her written notice of non-reemployment as soon as possible but no later than June 30, 2018. The vote was unanimous.

AYES: Gelles, Maduli, Mitzman, Randolph, Vecchiarelli

NOES: Dvorsky, Gin

ABSTENTION: None

ABSENT: None

PLEDGE TO FLAG

Trustee Maduli led the pledge to the flag.

1.6 PUBLIC COMMENTS

Mr. Sonny Alvarado, Mr. Zaheer Ebtikar, Ms. Lesly Avendano, Mr. Brandon Castro, Mr. Lorenzo Caballero and Mr. Patrick Mwamba presented a PowerPoint Presentation on their recent visit to Washington D.C for the ACCC Conference. The group thanked the Board for their support in allowing them to attend the conference as they learned the importance of advocacy and many other things. A scrap book of the trip was distributed to all the Board members.

Mr. Steve Lowry Chabot College Campus Safety, DECA Advisor, stated that last November they held an event with CEOs and Business Owners from around the area that were able to work with students. He stated the group attended a Regional Conference in New York and the Annual Conference Washington D.C. He shared a short video the students put together of their experience. He stated this fall they will be joining efforts with the Veterans Resource Center to offer local High School and Chabot Students the opportunity to learn and practice leadership skills drawing on the expertise of our Veterans. Lastly, he thanked President Mitzman for joining the group in Washington D.C. for the ACCC Conference. Members, Ms. Elizabeth Nakhmanovich and Ms. Alexis Mendoza introduced themselves to the Board.

Mr. Greg Rees stated:

I am a constituent of Area 3 and a senior uncompensated member of the classified staff. I am assigned to Chabot College, with 29-1/2 years of documented service. My immediate supervisor is Dr. Susan Sperling.

I apologize to Board President Mitzman and our Board Members, for exceeding my allocated three minutes during Public Comments at the 17 April 2018 Board meeting.

Though I had no intention to exceed my allotted three minutes, I am grateful Dr. Mitzman and our Board members allowed me to finish my comments. Thank you for your recognition and cooperation.

During recent Board meetings, I have addressed COL Jackson directly and begun to identify COL Jackson's failures during her reign as Chancellor. But I also recognized, COL Jackson could not pursue and accomplish the goals of her self-serving and corrupted agenda, without the will and cooperation of her corrupted administrative staff and coconspirators.

With that fact identified, I draw your attention to Mr. Wyman Fong. In case it slipped your memory Mr. Fong, I was here when you were hired as HR Manager. I was here when you were tutored by former HR Vice Chancellor Dr. MaryAnn Gularte and former Chancellor Dr. Susan Cota.

Mr. Fong, your tutorial training included but was not limited to the following: how to be conspirator, how to collude with and corrupt those you touch, enhance your skills to lie and deceive.

You destroyed vital documents and evidence pursuant to written and verbal orders from your supervisors, Mr. Legaspi and our many Chancellors and College Presidents. You illegally placed me on a 39 month rehire list in direct violation of Ed Code 88195.

Your illegal action occurred while I was recovering from legitimate and court recognized industrial injury. You illegally eliminated my position at Chabot College while I was recovering from surgery as a result of my court recognized industrial injury.

You illegally back dated elimination of my position to the date I was illegally placed on a 39 month rehire list. You intentionally and illegally halted employer contributions to my Cal PERS account, 3 full months prior to violating Ed code 88195.

Mr. Fong, we have not forgotten about your direct participation as coconspirator during my illegal and unapproved termination of employment.

These descriptions of your illegal actions are examples and do not include your violation of other Board and Administrative Policy and Procedure.

In addition, you are subject to answer for your violation of local, state and federal laws. I will reveal those violations at a future Board meeting. Such as your personal example of violating my rights protected by the Americans with Disabilities Act.

Of course that will be contingent upon your ability to remain free from incarceration. Mr. Fong, the real possibility exists I will be testifying on behalf of the people at your criminal trial.

Mr. Gregory Correa thanked the Board and excluded the presidents stating they should be handling the business at our District office. He also thanked the Board for hiring an attorney to do an investigation which is overdue. He stated he is here for social justice and money is being wasted on the "Pretend Team". He stated he is looking for the investigation for Mr. Jeff Nelson. He stated he has been with the institution for 30 years, something is wrong and things need to be investigated. Lastly, he stated there is collusion within his own Union which he is fighting and corruption on Dublin Blvd.

Mr. Keenan McMiller stated he is the newly appointed Men's Basketball Coach at Chabot College and looks forward to improving the program.

Mr. Bob Buell, Chabot Fire Technology Coordinator stated as we close out the semester there are eight numbers, 55 is the number of years Fire Technology has been offered at Chabot College, 40 is the number of years we have continuously offered Fire Training Academy, producing fire firefighter, fire chefs throughout the Bay area, California and across the country. He stated Chabot College produced the State Fire Marshall that retired 15 years ago. He stated 23 is the number of Academy Graduates that will graduate next week. He stated 20 is the number of graduates that have been offered a Full Time Firefighter job in the last 12 months. He stated 10 is the number of years I've come before you regarding our program. He stated 1.5 miles is where the new Hayward Training Facility will be located. He stated we are one MOU away from providing a home for Fire and EMS Program; he is hopeful final edits are underway at the City and District. He stated a Silver Star was earned for the Fire Technology Program under their first year Strong Workforce Metrics. Lastly, he stated it took 1.15 minutes for him to deliver his message.

Dr. Carolyn Arnold, thanked the Board for taking the Vote of No Confidence seriously from the Faculty Senate at Chabot College. She stated she is retiring after 25 years and thanked the Board for being supportive. She thanked President Mitzman for attending the ACCC Conference, Trustee Vecchiarelli for his service on the campus, Trustee Gelles for his experience with the schools, knowledge and stability as a Board member. Lastly, she stated she is sad to be saying goodbye.

1.7 APPROVE CONSENT ITEMS (cc)

President Mitzman asked Vice Chancellor of HR Mr. Wyman Fong to read the following: Government Code Section 54953(c) (3) which requires that, before taking final action, the Board must orally report a summary of the recommendation regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executives. Therefore, am making the following summary regarding such items appearing on the Consent agenda.

Item 3.3 (Management Personnel), pertains to final action by the Board regarding the

approval for the following contracts of employment:

- Rosalie S. Roque, District Budget Officer, Range 14, Step 5

All Contracts of Employment mentioned above are entitled to the same fringe benefit package as other managers per Board policy and procedures.

Item 3.4 (Executive Personnel), pertains to final action by the Board regarding the approval for the following contracts of employment:

- Ronald P. Gerhard, Vice Chancellor, Business Services, \$215,000.00/annual and \$2,400.00/annual stipend
- Bruce T. Griffin, Chief Technology Officer, \$205,000.00/annual and \$2,400/annual stipend
- Owen L. Letcher, Vice Chancellor, Facilities/Bond Programs and Operations, \$200,000.00/annual and \$2,400.00/annual stipend
- Krista R. Johns, Vice Chancellor, Educational Services and Student Success, \$57,576.69/prorated annual

All Contracts of Employment mentioned above are entitled to the same fringe benefit package as other managers per Board policy and procedures.

- Helen Benjamin, Interim Chancellor at \$140.09/hour, no benefits.

Trustee Vecchiarelli requested Agenda Item 3.2 (Faculty Personnel) Agenda Item 3.3 (Management Personnel) and Agenda Item 3.4 (Executive Personnel) be pulled.

Motion No. 2

Trustee Vecchiarelli made a motion, seconded by Trustee Maduli, to approve the Consent Calendar with the exception of Agenda Items 3.2, 3.3 and 3.4.

Motion carried unanimously, 7-0.

The following items were approved on the Consent Calendar:

General Functions

1.9 Approval of Minutes of April 17, 2018 Regular Meeting

1.10 Approval of Minutes of May 1, 2018 Study Meeting

3.0 PERSONNEL

(cc) 3.1 Classified Personnel

- (cc) 3.2 Faculty Personnel
- (cc) 3.3 Management Personnel
- (cc) 3.4 Executive Personnel
- (cc) 3.5 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 - Las Positas College
- (cc) 4.2 Approval of Name Change from Associated Students of Las Positas College (ASLPC) to Las Positas College Student Government (LPCSG)
- (cc) 4.3 Approval of Memorandum of Understanding (MOU) between Castro Valley Unified School District and Chabot-Las Positas Community College District, Chabot College
- (cc) 4.4 Approval of Amendment to the California Career Pathway Trust Partnership (CCPT) Memorandum of Understanding (MOU) between the San Jose Evergreen Community College District (SJECCD) and the Chabot-Las Positas Community College District, Las Positas College
- (cc) 4.5 Approval of Memorandum of Understanding (MOU) – Pleasanton Unified School District 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 Denial of Claim – Tori Chea
- (cc) 5.4 Approval of Amendment to the Agreement and Name Change – Fresh & Natural Food Service Group, now FN CO Food Services, LLC, Las Positas College
- (cc) 5.5 Approval of Award of a Piggyback Contract for Personal Computer Equipment for the English Department in the New Academic Building 100 at Las Positas College using the State of California WSCA-NASPO VP PC Cooperative Purchasing Program
- (cc) 5.6 Approval of the increase in parking fees at Chabot College and Las Positas College effective summer term 2018 per Chabot-Las Positas Community College District, Board Policy 5030 – Fees
- (cc) 5.7 Acceptance of the Official Transcript Fee Increase at Chabot College and Las Positas College effective summer term 2018
- (cc) 5.8 Approval of Declaration of Surplus Property to be sold at Public Auction Sale and Donation or Disposal of Any Items Not Sold

6.0 FACILITIES PLANNING AND DEVELOPMENT

- (cc) 6.1 Approval of a Professional Services Agreement with Swinerton Management & Consulting for Construction Management Support Services, Chabot College
- (cc) 6.2 Approval of a Professional Services Agreement with WSP USA, Inc. for Construction Management Support Services, Las Positas College

7.0 ECONOMIC DEVELOPMENT/CONTRACT EDUCATION

- (cc) 7.1 Approval of Memorandum of Understanding— Tri-Valley Regional Occupational Program (TVROP) and Tri-Valley One-Stop (TVOS) Career Center, District – Economic Development
- (cc) 7.2 Approval of Agreement – Ventura County Contractors Association, District – Economic Development: OSHA Training Center

1.8 PRESENTATION: COLLEGES AND DISTRICT BUDGET UPDATE

Vice Chancellor Legaspi introduced Mr. David Casnocha and Ms. Joanna Bowes with KNN Public Finance gave an outline on the Post-Employment Benefits (OPEB) Irrevocable Trust.

Benefits offered by local government agencies to employees that are unrelated to pension benefits.

Benefits principally involve:

- Health Care
- Life Insurance
- Disability
- Legal and other services

The cost of benefits is an ongoing liability for existing and future employees

- Funded from operating revenues
- Increase in expense results in unfunded liability reported in audit

Reported audit (balance sheet) liability represents an estimated actuarial value based on the following factors:

- How many people work for the municipality
- How many have retired and the benefits promised
- Age of workers
- Mortality
- Retirement date
- Length of benefits
- District health plans costs

Management of general fund revenues

Forecasting of cash flows

GASB: Independent, private-sector, nonprofit, and nonpartisan organization that works to create and improve the rules that states and local governments follow when accounting of their finances and reporting them to the public.

GASB approved new accounting standards for OPEB plans in June 2015 which are similar to the GASB 67 & 68 standards that cover pension benefits.

GASB 67 & 68

- Require liability for pension obligations, Net Pension Liability (NPL) recognized on the balance of plan and participating employers
- Pension expense (OE) recognized on income statement

Development new disclosure reporting standards for accuracy of nature and size of long term financial obligations of OPEB- measure, recognize report expenses, expenditures, liabilities

GASB 43

- Covers plan or trust administrators

GASB 45

- Addresses accounting and reporting requirements

New OPEB standards are aligned with the pension standard issued in June 2015 GASB 74 & 75 MAKE OPEB accounting and financial reporting consistent with pension standards in Statements 67 & 68.

Objective is to establish consistent set of standards for all postemployment benefits providing transparent reporting on liabilities and useful information about the liabilities and costs of the benefits

GASB 74- Financial Reporting for Postemployment Benefit Plans and Asset Reporting

GASB 75- Accounting and Financial Reporting by Employers for Post-Employment Benefits

- Unfunded OPEB liabilities will be recognized on the government agency's financial statements
- 20 year Municipal Bond rate is discount rate for unfunded benefit payments
- Long term rate of return on plan investments used to discount benefits projects to be paid by plan assets
- Generally, increase reported liabilities of Districts with no pre-funding of OPEB Benefits
- Effective June 2018

Rising Medical Costs

- Actuarial determination growth rate
- Adjusted every two years

Interest Rates

Cash Flow Valuation

- Current cost, cost trends, the number of people receiving benefits and the timing of those benefits is designed to generate a set of future cash flows required to pay for retiree health benefits.

Liability of lifetime benefits of Pre- 2013 employees

- Longer Life Expectancy

Pay-as-you-go approach

- May not keep up with liability increase

Revocable Trust

- Funds contributed to an account outside of the General Fund
- Funds can be changed or terminated at any time
- No accounting offset to the balance sheet liability

Irrevocable Trust

- Funds contributed to qualified trust
- Broad range of investment
- Sole purpose to fund retiree benefits
- Direct offset to OPEB liability on balance sheet
- Credit Rating and Accreditation positive

Investment Options

- CalPERS, CCLC/PARS, Keenan, Independent Investment Advisors

The District reviews its existing liability for retiree benefits and conducts an actuarial valuation every two years

The District provides Other Post- Employment Benefits (OPEB) in accordance with employment contracts to certain employees who retire on or after attaining age 55 with 10 years of continuous service (for PERS participants) or on after age 50 with 30 years of service or age 65 with 5 years of service (for STRS participants)

- Retirement benefits were capped in January 2013
- To date, District budgets on a pay-go basis as determined in the 2015 actuarial study
- Approximately \$5 million in funds have been set aside to date

Actuarial Accrued Liability (AAL)	\$125,360,697
Unfunded Actuarial Accrued Liability (UAAL)	\$83,449,153
Annual Required Contribution (ARC)	\$10,923,853

- 2019 Actuarial Report will have Net OPEB Liability

Board of Trustees

- Adopt Resolution establishing a Retirement Board of the Chabot-Las Positas CCD Public Retirement System and approve By-Laws therefor
- Appoint members to Retirement Board (typically 7 members, no more than 3 Board members, minority of Board of District and minority of Retirement Board, usually 2 District staff members and 2 others)
- Adopt Resolution approving a Trust Agreement establishing a Section 115 Trust
 - Assets of Trust must revert back to District upon dissolution
 - District retains control of Trust via the appointment of members of Retirement Board
- Authorizes submission of letter ruling request to IRS seeking tax-exempt status of Trust
 - IRS approval generally takes 6 months and is expected to cost the District about \$50,000-about \$30,000 to the IRS in fees and about \$20,000 of legal expenses associated with documentation

Retirement Board

- Formed pursuant Article 16, Section 17 of California Constitution
- Has sole and exclusive responsibility for investment of assets in the Trust
- The reason to create a Retirement Board is to be able to invest monies in the Trust in stocks, equities and other investments authorized by the Constitution and Government Code Section 53622 (prudent person standard of investment)
- Selection of Program for Trust and Third Party Administrators via RFP
 - Registered Investment Advisor
 - Discretionary Trustee
 - Custodian

Questions and Comments:

Trustee Gelles asked VC Legaspi if he was aware of what needs to be done, VC Legaspi answered yes.

Trustee Maduli asked what funds are available to transfer into this trust, VC Legaspi stated initially a portion will be funded out of the RUMBL Fund which has about \$5 million. This entire amount won't be transferred. He stated the Planning & Budget Committee will be presenting later in the evening and will be recommending an ongoing source of revenue to be put into the OPEB Trust.

Mr. Garret Culbertson questioned if we put money into this trust and the market falls what happens, Ms. Joanna Bowes answered by stating there is a risk factor, it's straight forward and very transparent, their will be policies that address this.

VC Legaspi stated the May Revise was distributed and can be reviewed at the Board's leisure.

2.0 REPORTS, FACULTY, CLASSIFIED AND STUDENT SENATES

2.1 PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES

Las Positas Faculty Senate President, Ms. Melissa Korber reported on the following items:

She stated their Middle College Program has 160 students in the fall, and are doing amazing things.

She stated they recently had a presentation by UndocuAlly, which works with Dreamers and the DACA Students. She stated they are continuing to do great things and are deciding if they want to be a committee or a task force.

She stated elections were recently held for 2018-19, she will continue as President, Vice President: Dr. Tina Inerzilla, Treasure: Ms. Kimberly Tomlinson, Secretary: Mr. Joel Gagnon. She stated Vicki Pabley was elected Part-Time Representative, but that the second spot for a Part-Time Representative resulted in a tie, so a run-off is being held.

She stated at the recent Town Meeting, the Academic Senate presented its 10+1 Awards, recognizing: Mr. Howard Blumenfeld, Mr. Joel Gagnon, Ms. Vicki Pabley, Ms. Cindy Rosefield, Mr. John Rosen, Ms. Kimberly Tomlinson, Ms. Ashley Young, Ms. Rifka Several and Ms. Roanna Bennie. In addition, the Academic Senate awarded its Distinguished Teaching Award to Mr. Steve Choilis and to Ms. Leslie Payne and Ms. Erin DeBakcsy. The Academic Senate Outstanding Service Award went to Ms. Michelle Gonzales.

She stated they approved the Board on Administrative Hours and Units.

Lastly, she congratulated newly appointed Las Positas College Student Trustee Mr. Garret Culbertson.

Chabot College Faculty, Senate President Ms. Laurie Dockter reported on the following items:

She reported they recently held elections for 2018-19, Moon-Ju Kim was appointed President as she will be retiring.

She stated a lot of positive feedback has been received regarding their recent IEPI meeting.

She stated she is proud of the students that reported on their recent Washington D.C. trip, she is happy to hear they are out there being leaders.

She presented Dr. Charlotte Lofft with an award for her dedication and work over the years.

Dr. Lofft thanked Ms. Dockter and the Faculty Senate. She stated this is not a one person thing; there has been a wonderful Board of support for 20 years. She stated that without the help of the FA Officers she could not have functioned without them. She stated that in the 20 years she has been in position she has worked with five chancellors of which have all been respectful and fair minded. Lastly, she thanked all the Trustees for treating her with considerable fairness.

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

Las Positas College Classified Senate had no representation at this meeting.

District Classified Senate had no report.

Chabot College Classified Senate, President Ms. Noell Adams reported on the following items:

She reported the following, over the last several weeks, Classified Senate has been recruiting Classified professionals to serve as chairs and representatives on our college shared governance committees. We are aiming to make our final committee appointments by June so that our new representatives will be able to attend the Classified Senate's annual summer retreat and training, and so that our new chairs will be able to participate in our IEPI Workgroup's chair training, which is expected to occur in August.

She stated this year's Classified Appreciation Week is scheduled for June 5th-7th. During the week, Classified Senate will be hosting an ice cream social, a breakfast, and a lunch for classified professionals working at Chabot College. This year's Classified Appreciation Week is expected to be a little bittersweet as we will be saying, "Goodbye," to some of our most revered retiring classified colleagues.

Lastly, she stated in addition to having to say, "Goodbye," to our retiring friends, something else has been weighing heavily on everyone's minds -- and that's the Governor's proposed funding formula. Classified Senate has had several discussions on the topic and many have expressed concern about the impact the proposed funding formula would have on our district's ability to continue to serve all our students. As the Chabot-Las Positas Community College District prepares to face these challenging time ahead, it will be important that we all work together to develop better strategies for serving our students.

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

Las Positas College Student Senate President, Ms. Tatiana Hernandez reported on the following items:

She stated the Student Government is very busy hosting events, Prep to Pass is taking place this evening, which offers free tutoring and food.

She reported that they will be hosting a Voters Registration booth this coming Thursday.

She stated the "Market" (Food Pantry) launched today with an overwhelming turnout of more than 150 people. She stated they hope to increase that number as they hold events every month.

She stated the Las Positas Foundation Scholarship Ceremony is this Friday, also Commencement Saturday, May 26th.

She stated a new set of officers have been elected for next year.

She stated she is a part of the UndocuAlly Task Force; website was launched

Lastly, she stated tonight is her last meeting as president, is grateful for the experience and is looking forward to working at the District Office and Las Positas College this summer.

Chabot College Student Senate President, Mr. Zaheer Ebtikar reported on the following items:

He stated the Student Senate wrote a letter of opposition regarding the proposed Budget that was forward to other Tri-Senate Leadership. He highlighted some of the subsections of the letter. He stated regarding Shared Governance there has been some discussion within planning resource committee over the funding model how Chabot College would position itself.

He stated that they are hosting events this week with regards to Stress Free Weekly, today Therapy Dogs were on campus.

He thanked the following individuals for moving the Senate forward and assisting the students this year: President Laurie Dockter, Vice President Ron Gerhard, President Noell Adams, Board President Mitzman, Trustee Vecchiarelli, Trustee Dvorsky, Student Life Director Arnold Paguio, Dean Andy Marcoux, Institutional Readiness Director Kirti Reddy, President Susan Sperling, Vice President Matthew Kritscher and Ellen Corbett. He presented President Sperling with a gift.

Trustee Gin thanked Ms. Tatiana Hernandez and Mr. Zaheer Ebtikar for their service this past year and expressed how much they will be missed.

GOOD OF THE ORDER

Trustee Gin stated Trustee Gelles pulled Agenda Item 3.2, 3.3, 3.4 and 3.5 for further discussion.

Motion No. 3

Trustee Gelles made a motion, seconded by Trustee Dvorsky to move Agenda Item 3.2 and 3.3.

Trustee Gelles withdrew his motion to discuss these items with the Chancellor being absent.

Motion carried unanimously, 7-0.

Trustee Gin stated Trustee Maduli pulled Agenda Item 3.4. Trustee Maduli asked to break 3.4 into two parts; he moved to approve A,B,C,D only.

Motion No. 4

Trustee Maduli made a motion, seconded by Trustee Vecchiarelli to move Agenda Item 3.4 A,B,C,D.

Motion carried unanimously, 7-0.

Trustee Maduli stated he respected the Chancellor's recommendation of Ms. Helen Benjamin as he has worked with her in the past, however; this is a transition period for our District starting in June and recommends having someone whom we respect to come in during this transition that we know well. He suggested VC of Business Service step in until an Interim Chancellor is appointed.

Trustee Gelles stated this is a very controversial item and understands the concept; it's best to have someone come in during the transition period that knows our schools and our District. He stated our Chancellor has the right to recommend an Interim Chancellor.

President Mitzman stated the Board Policy states the Chancellor may appoint in a short period of time, not to exceed 30 days.

Trustee Gelles stated "when you get to the top of the watermark, the water above your nose is going to drown you above your head". He supports the recommendation.

Trustee Maduli stated he is concerned about the disruption and suggested Ms. Susan Cota be brought in as the Interim since she is respected by both colleges. All Board members agreed.

Trustee Maduli stated for clarification, the Chancellor is going to be out for surgery as she departs, the VC of Business Services becomes the Interim Chancellor for June. In the meantime; the Board will approach Chancellor Emeritus. Susan Cota to take on the role when our VC Legaspi retires the end of June so she can carry on July and August.

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 thanked the student Senate for the lovely gift and stated it's been a pleasure working with them under the guidance of Mr. Ben Nash and Faculty Advisor Ms. Ellen Corbett.

She also thanked the Board for their endless support with the new Biology building and; echoed Dr. Arnold in stating the Board has been a stable and starwort Board.

Lastly, she thanked President Mitzman and Trustee Randolph for attending the Fourth Annual Black Student Success Graduation last week.

Ms. Roanna Bennie (Interim President), Las Positas College reported on the following items:

She welcomed new Student Trustee Mr. Garret Culbertson, congratulated Student Senate President Ms. Tatiana Hernandez and stated she will be missed.

She stated she is looking forward to the Scholarship Dinner on Friday; and was thankful to be a part of the Ground Breaking of the new Biology building today.

Lastly, she distributed the Connection Newsletter for the Board to review.

TRUSTEE REPORT AND/OR OFFICIAL COMMUNICATIONS

President Mitzman stated the Board will swear in newly appointed Las Positas Student Trustee Mr. Garret Culbertson at the June Board meeting.

Trustee Maduli stated he recently attended the Bond Oversight Committee Meeting. He stated he has committed to an annual scholarship to the Veterans in honor of his dad who served in the military.

Trustee Gelles, thanked VC Horner for continuing to answer his questions, Ms. Ellen Corbett for doing an outstanding job with the students and Ms. Carolyn Arnold for her

quality work. He stated the Board had some tough things to do today, President Mitzman's leadership was appreciated.

Trustee Vecchiarelli stated he came to Chabot 52 years ago; taught biology for 11 years and was excited to be a part of the ground breaking of the new facility.

Trustee Dvorsky stated it has been a busy few weeks, there are some wonderful things going on at the colleges. She stated she has been on the Board for many years and enjoys the students as they are full of so much energy.

Trustee Randolph stated as a new Board member she really enjoys the May celebrations and is looking forward to the upcoming Commencements. She stated it was nice to see students at the ground breaking of the new Biology building. Lastly, she stated as a Board member they face tough decisions, all in which are made with good intentions.

Trustee Gin stated there is so much to celebrate during summer vacation and wished the students best of luck. He stated some hard decisions had to be made tonight, but once a decision was made they stand together as one Board.

Mr. Garret Culbertson stated he is looking forward to working with everyone.

Student Trustee Juliet Garcia stated this year has been productive, progress was made on campus with the help of Mr. Ben Nash, President Sperling and she has learned so much. She reported the trip to Washington D.C. was an amazing experience and would like this to be a tradition for the students.

VC Fong introduced newly hired, VC of Business Services Mr. Ron Gerhard, VC of Facilities/Bond Programs and Operations: Owen L. Letcher, Chief Technology Officer: Bruce Griffin to the Board.

VC Legaspi introduced Ms. LaVaughn Hart and Ms. Cathy Gould whom gave a short summary on the Budget Allocation Model Recommendations.

Ms. Hart reported, the Budget Allocation Model (BAM) was adopted on March 15, 2013 following a lengthy process of review, discussion, research, and debate. Review of the BAM is one of the charges of the Planning & Budget Committee (PBC). In the Fall of 2016, the PBC established a BAM Review Subgroup. The BAM Review Subgroup was charged with reviewing the functioning of the BAM and recommend changes/clarifications and to address accreditation requirements for review.

The BAM review Subgroup met throughout 2016/17 and developed a list of recommendations on the BAM. This list of recommendations was presented to the PBC in May 2017. A review of these recommendations can be found later in the report. At the time that these recommendations were presented to PBC, two outstanding issues were identified. The BAM Review Subgroup has continued to meet on these outstanding issues.

The PBC recognizes that there are proposed changes to the funding model from the state that may impact the base allocation (general apportionment) funding and this will need to be revisited to determine impacts once any changes to the funding model are finalized for 2018/19 and beyond.

Below is a summary of the recommendations on changes to the Budget Allocation Model and Implementation Questions.

- Change the funding method for District Office and M&O from percentage of total to base w/augmentation based on metrics
- 2017/18 ongoing funding will be used to set the 2018/19 base funding for District Office and Maintenance & Operations (M&O)
- Metrics
 - The metric for M&O is gross square footage
 - The metric for District Office is Full Time Equivalent Students (FTES)
- Increments for increase/decrease
 - The increment for M&O is between 25,000-30,000 sq. ft. depending upon the type of facility
- Revenues that flows through all sites will be based on the percentage change (increase/decrease) to the total budget
 - Revenues generated through general apportionment FTES must go through the BAM, including rollbacks
 - Revenue identified by the State as one-time to be identified as one-time in the BAM
- Specific revenues that are identified as “student focused” or “student centered” will be allocated to the colleges
- Augmentations will be automatic unless there are significant changes to the funding of the district that would result in decreased funding to the colleges or the augmentation would result in reduced funding to the colleges
- Other Post Employee Benefits Funding
 - Current and ongoing unrestricted fund balance for Contract Ed should be distributed as follows: 50% to fund OPEBM 20% to cover costs in Step 3A in lieu of rent and other district provided services, 20% to stay in Contract Ed to be used at the discretion of the Chancellor and Contract Ed Program.
 - Over time, build the OPEB reserves to the equivalent of three times the annual retiree medical benefits costs. (Currently retiree medical benefits costs are approximately \$5.7 million. Current OPEB reserve is approximately \$4.2 million.)
- Establish an upper limit for unrestricted District Reserves. (The PBC had previously recommended an 8% minimum unrestricted reserve by maintained.)
- Responses to Implementation Questions will be used as a guideline for administering the BAM and developing a procedures/process manual.

Questions and Comments:

Trustee Maduli asked about the reserve and setting a limit. Ms. Hart the District has a set a minimum renewal of 8% and the Planning and Budget Committee will look at a maximum level. Trustee Maduli stated the new Funding Formula could create chaos, he suggested the committee look at what level of funding is available.

President Mitzman thanked Ms. Nascimento for accommodating the Board with special requests, Trustee Gin for being his "right hand" and the Board for their support. Lastly, he stated as Commencements approach; it's important to convey to the students how important a degree is as he graduated 50 years ago, his degree was important back then and is just as important today.

ADJOURNMENTMotion No. 5

Trustee Vecchiarelli made a motion, seconded by Trustee Gin to adjourn the meeting at 8:25 p.m.

Motion carried unanimously, 7-0.

NEXT MEETING

The next meeting of the Board is a Regular Meeting scheduled for June 19, 2018 at the District Office.

Minutes prepared by:



Debra Nascimento
Recording Secretary



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