

OHLONE COMMUNITY COLLEGE DISTRICT
43600 Mission Boulevard, Fremont, CA 94539
Meeting Location: Child Development Center (Fremont Main Campus)

Minutes of Board Meeting
August 11, 2004
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UNADOPTED

MEMBERS PRESENT: Mrs. Ruthe Foster, President
Mr. John H. Weed, Vice President
Mr. Bob Brunton, Secretary
Mr. Dan Archer
Mr. Bill McMillin
Mr. Garrett Yee
Mr. Nick Nardolillo
Ms. Rosary Cordova, Student Trustee

MANAGEMENT PRESENT: Dr. Douglas Treadway, President/Superintendent
Dr. Lisa Waits, Vice President, Student Services
Ms. Deanna Walston, Vice President, Business Services/Deputy Superintendent
Dr. James Wright, Vice President, Instruction

COLLEGE COUNCIL: Mr. Dennis Keller

CLASSIFIED SENATE: Mr. Patrick Lane

FACULTY SENATE: Ms. Martha Brown

The roll was called and all members were present, except Ms. Cordova.
Ms. Cordova arrived at 7:10 p.m.

Mrs. Foster led the pledge of allegiance.

CLOSED SESSION: Time: 6:35 p.m.

1. CONFERENCE WITH LEGAL COUNSEL - Existing Litigation (Government Code Section 54956.9[a]): Hui v. Ohlone Community College District, et. al.
 - a. Superior Court Case Number: HG03127809

ADJOURNMENT: Time: 6:45 p.m.

OPEN SESSION: Time: 7:00 p.m.

There was no reportable action during closed session.

Approval of Minutes

2. (Attachment 1) Approval of Minutes (June 9, 2004, Board Meeting)
3. (Attachment 2) Approval of Minutes (July 14, 2004, Board Meeting)

Motion Approved Moved/Archer/Seconded/Nardolillo/Passed to approve Item 2, Minutes of June 9, 2004, Board Meeting and Item 3, Minutes of July 14, 2004, Board Meeting. A roll call vote was taken: Ayes: Nardolillo, Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: 0, (Advisory Vote - Ayes: Cordova)

Communications from the Public

Ms. Alex Starr, representative from the League of Women Voters, encouraged all incumbents and their challengers for positions on the Board of Trustees to participate in a candidate information booklet. Information will be sent to all registered candidates with timelines and additional information.

Agenda Modifications

Items 4, 10, and 11 were removed from the Consent Agenda and added to the Regular Agenda. Item 5 was removed from the Agenda.

Reports and Announcements

College Council

Mr. Keller announced that the College Council will join other campus Shared Governance groups for a day-long retreat August 12, 2004.

Faculty Senate

Ms. Brown highlighted the successful Flex Day orientation for 21 new faculty members.

Classified Senate

Mr. Lane commented that he has been elected to serve as Faculty Senate President for two additional years.

Associated Students

Ms. Cordova read a letter from Ms. Ritzi Lam, former Student Trustee, thanking the Board for the opportunity to work with them.

Administration

Dr. Treadway invited all Board members to the State of the College address scheduled for August 13, 2004. He announced that a workshop on the Newark Design is scheduled on September 1, 2004, and a Board Retreat on September 22, 2004, in the Board Room.

Dr. Waits and Dr. Wright presented brief reports pertaining to their respective areas.

Board

Each of the Board members had an opportunity to highlight events in which they participated.

Business Service Report
New Ways to Work Project:

Ms. Walston distributed and reviewed the “New Ways to Work Project” which was prepared by and for the Business Services’ staff.

Consent Agenda

4. Approval of Resolution #3/04-05 Granting Emeritus Status to Patricia A. Deggelman
Item moved to the Regular Agenda.
5. (Attachment 3) Approval of New Classified Position – Special Programs Assistant
Item removed from the Agenda.
6. (Attachment 4) Rejection of Claim from Student – James Akpan
7. (Attachment 5) Approval of Column Movement Advancement on the Salary Schedule for Fall 2004
8. (Attachment 6) Confirmation of Employment Authorized by the President/Superintendent
9. (Attachment 7) Authorization for the Surplus of Personal Property
10. Authorization for the District to Take Beneficial Occupancy of the Child Development Center
Item moved to the Regular Agenda.
11. Approval of Contract for Consulting Services for Environmental Economic Development –Ms. Vicki Shipman
Item moved to the Regular Agenda.
12. (Attachment 8) Ratification of Contract Education Agreements (Link/Performance Management)
13. (Attachment 9) Ratification of Contract Education Agreements --(Nummi/Alameda County Water District)
14. (Attachment 10) Alameda County Workforce Investment Board Contract with Tri-Cities One Stop Career Center, Newark
15. (Attachment 11) Approval of Adjunct Instructors for Summer Session, 2004

Motion Approved Moved/McMillin/Seconded/Brunton/Passed to approve Items 6-9, and 12-15.
A roll call vote was taken: Ayes: Nardolillo, Brunton, Weed (Abstain, Item 13), Foster, Yee, McMillin, Archer; Noes: 0; Abstain: Weed, Item 13; Absent: 0, (Advisory Vote - Ayes: Cordova).

Regular Agenda

4. (Attachment 12) Approval of Resolution #3/04-05 Granting Emeritus Status to Patricia A. Deggelman

Motion Approved Moved/Weed/Seconded/Nardolillo/Passed to approve Resolution #3/04-05, Granting Emeritus Status to Patricia A. Deggelman. A roll call vote was taken: Ayes: Nardolillo, Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: 0, (Advisory Vote - Ayes: Cordova)

10. (Attachment 13) Authorization for the District to Take Beneficial Occupancy of the Child Development Center

Motion Approved Moved/Archer/Seconded/Nardolillo/Passed to approve authorization for the District to Take Beneficial Occupancy of the Child Development Center. A roll call vote was taken: Ayes: Nardolillo, Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: 0, (Advisory Vote - Ayes: Cordova)

11. (Attachment 14) Approval of Contract for Consulting Services for Environmental Economic Development –Ms. Vicki Shipman

Motion Approved Moved/Brunton/Seconded/Archer/Passed to approve the Contract for Consulting Services for Environmental Economic Development—Ms. Vicki Shipman. A roll call vote was taken: Ayes: Nardolillo, Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: 0, (Advisory Vote - Ayes: Cordova)

16. (Attachment 15) Authorization to Enter into Negotiations with tBP Architectural Firm

Mr. Rick Mangum, Executive Vice President from tBP Architectural Firm, and Mr. Gary Frye were present to answer questions. Mr. Mangum thanked the Board for selecting tBP as the architectural firm with whom the District will negotiate a contract to provide continuing architectural services at Ohlone College.

Motion Approved Moved/McMillin/Seconded/Cordova/Passed to approve Authorization for the President/Superintendent and Staff to Enter into Negotiations with tBP Architecture. If negotiations cannot be finalized with tBP Architecture by the end of August, then the President/Superintendent requests authorization to negotiate with the next ranked firm, the Steinberg Group. A roll call vote was taken: Ayes: Nardolillo, Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: 0, (Advisory Vote - Ayes: Cordova)

17. (Attachment 16) Approval of Amendment to MBT'S Architectural Services Contract for Additional Subconsultant Services

Mr. Don Eichelberger, project manager, presented handouts to explain where Ohlone is in the process of the Newark Center project during the design development approval sequence and a schedule of the envisioned process to get approval of the design development phase of the Newark drawings.

Motion Approved Moved/Brunton/Seconded/Yee/Passed to approve the Contract Amendment #2 with MBT Architecture not to include consultants necessary for Thermal Boring and Design Assist of the alternative energy systems for the Ohlone College Newark Center for an Amendment not to exceed \$124,750. A roll call vote was taken: Ayes: Nardolillo, Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: 0, (Advisory Vote - Ayes: Cordova)

18. (Attachment 17) Approval of Contract with Architectural Energy Corporation for Ohlone College Newark Center Project Commissioning Services (LEED Requirement) not to exceed \$109,628

Motion Approved Moved/Brunton/Seconded/Yee/Passed to approve a Contract with Architectural Energy Corporation for Ohlone College Newark Center Project Commissioning Services (LEED Requirement) not to exceed \$109,628. A roll call vote was taken: Ayes: Nardolillo, Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: 0, (Advisory Vote - Ayes: Cordova)

19. (Attachment 18) Consideration of Bond Oversight Committee Report

Mr. Ken Ballard, Vice Chair of the Bond Oversight Committee, presented the report and addressed questions from the Board.

Motion Approved Moved/Yee/Seconded/Nardolillo/Passed to accept the Bond Oversight Committee Report for the period January 2004 through June 2004. A roll call vote was taken: Ayes: Nardolillo, Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: 0, (Advisory Vote - Ayes: Cordova)

20. (Attachment 19) Public Hearing on the Ohlone Community College District's Initial Counter Proposal to the California School Employees Association's (CSEA) Initial Bargaining Proposal for Fiscal Year 2004-2005

- a. Open Hearing for Comments from Citizens
None
- b. Discussion by Board Members
None
- c. Public Hearing Closed

21. (Attachment 20) Approval of Ohlone Community College District's Initial Counter Proposal to the California School Employees Association's Initial Bargaining Proposal for Fiscal Year 2004-2005

Motion Approved Moved/Archer/Seconded/McMillin/Passed to approve the Ohlone Community College District's Initial Counter Proposal to the California School Employees Association's Initial Bargaining Proposal for Fiscal Year 2004-2005. A roll call vote was taken: Ayes: Nardolillo, Brunton, Weed, Foster, Yee, McMillin, Archer; Noes: 0; Abstain: 0; Absent: 0, (Advisory Vote - Ayes: Cordova)

Agenda Items for Future Meetings

September 8, 2004, 4:00-5:00 p.m. Audit Committee

September 8, 2004, 5:00-7:00 p.m. Workshop: Newark Design Drawings

September 22, Approval of the Design Drawings, 3:00-5:00 p.m.

September 22, Board of Trustees Retreat, 5:00 p.m.-10:00 p.m.

ADJOURNMENT: Time: 10:10 p.m.

Bob Brunton
Secretary