REGULAR MEETING OF THE BOARD OF TRUSTEES (Tuesday, February 27, 2018)
Generated by Brenda Martinez on Wednesday, February 28, 2018

Members present
Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Meeting called to order at 12:14 PM

1. PUBLIC COMMENT ON CLOSED SESSION ITEMS

2. CLOSED SESSION
Information: 2.1 Conference with Labor Negotiator Largent, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)

Information: 2.2 Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)

Information: 2.3 Public Employee Appointment (Government Code Section 54957)
3. OPEN SESSION

Procedural: 3.1 Pledge of Allegiance

Procedural: 3.2 Roll Call

Information: 3.3 Report of Action Taken in Closed Session
At tonight’s closed session, the Board voted to ratify the appointment of the following public employee contracts, which is subject to contractual agreement by the Chancellor:

1. Recommendation to appoint Rupinder Bathia as Director of College Information Technology Services, Laney College, effective March 12, 2018 through June 30, 2020 at $135,987 annually.

   AYES: 7  NOES: 0  ABSTAIN: 0  ABSENT: 0

2. Recommendation to appoint Derek Pinto as Vice President of Administrative Services, Laney College, effective March 1, 2018 through June 30, 2020 at $147,319 annually.

   AYES: 7  NOES: 0  ABSTAIN: 0  ABSENT: 0

3. Recommendation to appoint Chioma Ndubuisi as Interim Manager of Program Management Office, District Office, effective February 28, 2018 through December 31, 2018 at $141,653 annually.

   AYES: 7  NOES: 0  ABSTAIN: 0  ABSENT: 0

4. Recommendation to appoint Adil Ahmed as Interim Budget Director, District Office, from March 1, 2018 through December 31, 2018, at $135,987 annually.

   AYES: 7  NOES: 0  ABSTAIN: 0  ABSENT: 0

5. The Board voted to not re-employ for 2017-2018 the following administrators:
6. The Board voted not to grant tenure to the following employees:
An academic employee in the counseling discipline, Laney College.

7. The Board voted not to grant tenure to the following employees:
An academic employee in the counseling discipline, Laney College.

Action: 3.4 Approval of the Agenda
Recommend Approval of the board agenda with the following amendments:

Agenda Item 6.1 was moved to the action calendar.

Motion by Bill Withrow, second by William Riley.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action: 3.5 Approval of the Minutes

Information: 3.6 Associated Student Government Reports
Thank You President Brown and Good Evening Trustees, Chancellor, Administrators, Faculty, Students, and fellow Classified Professionals.

I have a brief report regarding the state of the Classified Staff in relation to what is happening throughout Peralta.

First off, it is definitely positive news having 30 PCCD Faculty formally advancing to tenure. I don't think I've ever been at a Board meeting where there's been more than 10 Faculty receiving tenure. I hope many of them stay at Peralta as long as they're able, like some Faculty who've have worked here in upwards of 30-40 years.

In speaking with Classified Leadership from SEIU Local 1021, (whose longevity can go as long as 30-40 years as well) they have been increasing their numbers here at Peralta, albeit slowly, with about 700 total members now. Roughly half are Hourly workers who are being hired as Permanent workers although it's a process that can take from 12 to 36 months. On the Board's agenda today there are 30 people being considered for Short-Term Classified assignments.

I know before, during, and after my time as Interim Director of Maintenance and Operations at the Department of General Services, there were times when two Hourly were doing the job formerly being done by one Permanent Classified member who was actually doing the work of two people. This has been going on for years and a situation that needs to improve in the near future.

As for the approximate 115 members of IUOE Local 39, our rate of hire is even slower. Approximately 20% of these members are Hourly; but more important another 20-25% are at the point of retirement or into their late 50's and early 60's. Disproportionately, the average
work career at Peralta for the Local 39 Custodians, Groundskleepers, Engineers, et al, is only from 20-30 years.

So increased investment in our Human Resources at this level is what is needed in line with our increased investment in maintaining our Facilities infrastructure, which many of these members do.

I must say at Merritt College, 3 years after the opening of the Barbara Lee Science and Allied Health building, we've finally advertised for our second of three needed Custodians to service the facility. I expect that we won't have to wait as long as that for the next Custodian to be hired to bring that 104,000 SF facility up to full service capacity to better reflect the Total Cost of Ownership and upkeep of the building.

However, there is still work that was never completed, most notably Handicap entrance doors on the 2nd and 3rd floors of the S building. This was brought to my attention by Trustee Gonzales-Yuen who received a video from a Student of inner doors opening for Handicap access but outer doors remaining closed. On a similar note, Student Marlene Hurd brought to my attention that the Handicap access doors to the 2nd level of the P building do not operate. This is quite often the first building Students go to or through as it is directly adjacent to the bus stop.

That is my report for this evening. Thank You

Information: 3.8 District Academic Senate Report

Information: 3.9 Chancellor's Reports
Thanked Vice Chancellor of IT for the leadership they have provided on OnePeralta. This needs to have the work of all as this is not just an IT project but everyone's project.
Information: 3.10 Public Communication

4. PRESENTATIONS

Information: 4.1 Bond & Parcel Tax Presentation. Presenter: Michael Mills (10 minutes)

Information: 4.2 Civic Engagement and Student Voter Project Presentation. Presenter: Student Trustee Corey Hollis (10 minutes)

Information: 4.3 Enrollment Update Presentation. Presenter: Vice Chancellor Siri Brown & Vice Chancellor Romaneir Johnson (10 minutes)

5. CONSENT CALENDAR - BOARD MATTERS

Action (Consent): 5.1 Consider Approval of Out of State Travel pursuant to Board Policy 7400. Presenter: Chancellor Laguerre
Resolution: Consider approval of Out of State Travel pursuant to Board policy 7400 for the following:
Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,
Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 5.2 Consider Ratification of Out of State Travel pursuant to Board Policy 7400.
Presenter: Chancellor Laguerre
Resolution: Consider ratification of Out of State Travel pursuant to Board Policy 7400 for the following:

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 5.3 Consider Approval of Final Reading of Proposed Board Policies Presenter: Chancellor Laguerre
Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

6. CONSENT CALENDAR - ACADEMIC AFFAIRS
Action: 6.1 Consider Approval of Course Additions, Deactivations and Changes. Presenter: Vice Chancellor Brown

Action (Consent): 6.2 Consider Approval of an Independent Contractor/Consultant Services Contract with GoverNet Global Curriculum Network to implement Curricunet META software system for automated curriculum development and approval tracking in the amount of $38,000. Presenter: Vice Chancellor Brown.

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 6.3 Consider Approval of an Independent Contractor/Consultant Services Contract with TaskStream, LLC to provide license to the Accountability Management System in the amount of $28,500. Presenter: Vice Chancellor Brown.

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 6.4 Consider Approval of Tenure and Continued Probationary Status.
Presenter: Vice Chancellor Brown
Resolution: Approval of Recommendations Regarding the Granting of Tenure and Continued Probationary Status

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 6.5 Consider approval of an Amendment #2 in the amount of $17,600 to Independent Contractor/Consultant #05985 for Jazzmin Gota for designing material to use in internal/external community outreach and Berkeley City College's website, to include Career Education work for Berkeley City College. Presenter: President Tomaneng
Resolution: Approval of an Amendment #2 in the amount of $17,600 to Independent Contractor/Consultant #05985 for Jazzmin Gota for designing material to use in internal/external community outreach and Berkeley City College's website, to include Career Education work for Berkeley City College. Presenter: President Tomaneng

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 6.6 Consider Approval of an Independent Contractor/Consultant Services Contract in the amount of $3,000 for Our Tiny Planet LLC (CJ Susie O'Bryant) to provide initial support to Berkeley City College in the area of workforce development and coordination for the BCC Career Pathways Trust Grant. Presenter: President Tomaneng
Resolution: Approval of Independent Contractor/Consultant Services Contract #21535 in the amount of $3,000 for Our Tiny Planet LLC (CJ Susie O'Bryant) to provide initial support to
Berkeley City College in the area of workforce development and coordination for the BCC Career Pathways Trust Grant. Presenter: President Tomaneng

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 6.7 Consider Acceptance of the ACCJC Mid-Term Reports for Berkeley City College, College of Alameda, Laney College, and Merritt College. Presenters: College Presidents Resolution: Accept the Berkeley City College, College of Alameda, Laney College, and Merritt College Accreditation Mid-Term Reports due to Accrediting Commission for Community and Junior Colleges (ACCJC) on March 15, 2018.

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

7. CONSENT CALENDAR - FINANCE

Action (Consent): 7.1 Consider Approval for a contract with Hanson Bridgett, LLP. in the amount not to exceed $60,000. Presenter: Vice Chancellor Johnson
Resolution: Approval of the contract with Hanson Bridgett, LLP, in the amount not to exceed $60,000.
Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Resolution: Consider approval of Budget Transfer Report covering the period from December 20, 2017 through January 25, 2018.

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Resolution: Approve ratification of the Warrant/Payment Report.

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 7.5 Consider Approval of Measures A & E Budget Transfer and Appropriations No. 117 Presenter: Vice Chancellor Johnson
Resolution: Approval is recommended for Bond Measure A and Measure E Budget Transfer No. 117.

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

8. CONSENT CALENDAR - HUMAN RESOURCES

Action (Consent): 8.1 Consider Approval of Short-term Assignments. Presenter: Vice Chancellor Largent
Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

9. CONSENT CALENDAR - FACILITIES

Action (Consent): 9.1 Consider Ratification of Change Order No. 1 and Approval of Change Order No. 2 in the amount of $27,971 with YEI Engineering for the Laney College Culinary & Bakery Oven Conversion as part of the upgrade program. Presenter: Director Lynch McMahon
Resolution: Ratification of Change Order No. 1 and Approval of Change Order No. 2 for work related to the exhaust vents of the new oven in the bakery.

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 9.2 Consider Approval of Amendment #1 for Maktinta Energy for Phase 2 of the Laney College Pool Heating and Chlorination Upgrades in the amount of $29,500. Presenter: Vice Chancellor Ikharo.
Resolution: Approval is requested to amend an agreement with Maktinta Energy, Inc. for design services and construction management for the replacement and installation of Laney College swimming pool heating pumps, VFDs and chlorination equipment, in the amount not-to-exceed $29,500 for an additional six (6) months (to June 30, 2018).

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 9.3 Consider Approval of a Professional Services Agreement with Keller Mitchell & Company Architects in the amount of $28,500 for Landscape Design for the Laney College Building B Quad. Presenter: Director Lynch McMahon
Resolution: Consider Approval of professional services agreement for Keller Mitchell & Company to provide design services for landscape improvements for quad Area located within Building B courtyard at Laney College. This work is as part of the corrective action being taken to repair and replace defective work in the courtyard area listed above.

Consider approval of Consent Calendar Agenda Items 5.1 - 5.3, 6.2 - 6.7, 7.1 - 7.5, 8.1 & 9.1 - 9.3,

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

10. PUBLIC HEARING - ADJOURN TO PUBLIC HEARING

Action: 10.1 Hold Public Hearing Regarding Energy Services Contract with Future Power Corporation (dba Energy Conservation Options (ECO) to complete the Laney College Forum Interior LED Lighting Retrofit. Presenter: Vice Chancellor Ikharo

11. ACTION ITEMS
Action: 11.1 Consider Approval of Resolution No. 17/18-04 for an Energy Services Contract with Future Power Corporation (dba Energy Conservation Options (ECO) to complete the Laney College Forum Interior LED Lighting Retrofit. Presenter: Vice Chancellor Ikharo
Approval of Resolution No. 17/18-04 for a construction contract with Energy Conservation Options to complete the Laney College Forum LED Lighting Upgrade, in the amount not-to-exceed $83,138.

Motion by Bill Withrow, second by William Riley.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, William Riley
Not Present at Vote: Nicky Gonzalez Yuen

Action: 11.2 Consider Approval of the District's fiscal year 2017-2018 CCFS-311 Q2 Report. Presented By: Vice Chancellor Johnson
Approve the District's fiscal year 2017-18 second quarter CCFS-311Q report.

Motion by William Riley, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, William Riley
Not Present at Vote: Nicky Gonzalez Yuen

Action: 11.3 Consider Approval of Bank Signers Resolution No.17/18-29. Presenter: Vice Chancellor Johnson
Approval of bank signers resolution no.17/18-29 naming signers/key executives authorized to act on behalf of Peralta Community College District effective February 27, 2018.

Motion by Bill Withrow, second by William Riley.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, William Riley
Not Present at Vote: Nicky Gonzalez Yuen
Action: 11.4 Consider Approval of Resolution No. 17/18-31 for a Construction Agreement with Bay Construction for the Laney College Chemistry Lab Plumbing Upgrades (Bid No. 17-18/27) in the amount of $280,026. Presenter: Vice Chancellor Ikharo
Approval to award a construction agreement to Bay Construction for the Laney College Chemistry Lab Plumbing Upgrades (Bid No. 17-18/27), in the amount of not-to-exceed $280,026.00.

Motion by Bill Withrow, second by William Riley.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, William Riley
Not Present at Vote: Nicky Gonzalez Yuen

Action: 11.5 Consider Approval of Resolution 17/18-33 to amend the ComputerLand Campus Agreement for $300,000 to enable migration of PCCD data center workloads to Azure Infrastructure as a Service. Presenter: Vice Chancellor Cole
Approval of Resolution 17/18-33 to amend the ComputerLand Campus Agreement for $300,000 to enable migration of PCCD data center workloads to Azure Infrastructure as a service.

Motion by Bill Withrow, second by William Riley.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, William Riley
Not Present at Vote: Nicky Gonzalez Yuen

Action: 11.6 Consider Approval of Resolution No. 17/18-34 , for a Piggyback Compliant Agreement with SecureALL Corporation for the Laney College Electronic Hardware/Software Project (Keyless Entry Door Mechanism). Presenter: Vice Chancellor Ikharo
Approval for Resolution No. 17/18-34 for a Piggyback Compliant Contract Agreement with SecureALL Corporation for the Districtwide Electronic Hardware/Software Project, in the amount not-to-exceed $25,000.

Motion by Bill Withrow, second by William Riley.
Final Resolution: Motion Carries
Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, William Riley
Not Present at Vote: Nicky Gonzalez Yuen
Action: 11.7 Consider Approval of Resolution No. 17/18-35 for a Piggyback Compliant Agreement with NetXperts Inc. for the Laney College Network Expansion for Electronic Locks Project. Presenter: Vice Chancellor Ikharo

Approval of Resolution No. 17/18-35 for a piggyback compliant agreement with NetXperts Inc. for the Laney College Network Expansion for the Electronic Locks project, in the amount not-to-exceed $54,286.

Motion by Bill Withrow, second by William Riley.

Final Resolution: Motion Carries

Yea: Bill Withrow, Linda Handy, Karen Weinstein, Meredith Brown, William Riley

Not Present at Vote: Nicky Gonzalez Yuen

12. REPORTS

Information: 12.1 Board of Trustees' Reports

Student Trustee More had to leave prior to her report and asked that her student trustee statement be added under her report:

"The issue of not enough seats in the classroom continues to be a problem. My stats classroom didn't have enough seats. Some students were left standing, some students were left sitting on the floor. I missed the second day of class because there was no seat for me. I initiated emailing with dept. chair and ended with a larger classroom down the hall, a room sitting empty. Simultaneously the dept. chair instructed the instructor to remain in smaller room and wait to see if students might drop. I continued email battle with dept. chair while trying to contact the dean over the dept. I was directed to three different locations while trying to identify the dean's office. Our class ended up in bigger room on 4th night of class, but not without being visited by an unidentified staff or administrator. The individual addressed the class by telling us that room change requests must come from the instructor and not the students. I asked what happens when an instructor makes the request and is told no. They replied that room changes should not come from students, that sometimes its the best the college can do. When I began to inform my classmates that they have the right to a desk, the unidentified individual
interrupted me to say they were not trying to take away rights. Rather than argue with a
misinformed mystery person, I am reporting this experience as a student trustee because this is
not an isolated incident.
Basic improvements suggested:
- Publish up to date organization chart (in order to identify and contact PCCD community
members)
- Keep PCCD director up to date
- Require employees, faculty, and staff (including administrators) to wear photo ID badge (to
encourage transparency and accountability)
- Include office hours in directory
- Create evaluation process to determine actual on the ground seat availability (during 1st
weeks of class)

This is not an isolated incident. There is no way to determine have dropped for lack of seats.
Waiting for students to drop in order to make space is an absurd approach to resolving the
issue and has no place in public education. There was a perfectly suitable available classroom
when I missed class due to not having a seat. Don't tell me why, instead of acknowledging the
to do list."

13. ANNOUNCEMENTS

14. ADJOURNMENT
Action: 14.1 Meeting Adjournment