REGULAR MEETING OF THE BOARD OF TRUSTEES (Tuesday, March 27, 2018)
Generated by Brenda Martinez on Thursday, March 29, 2018

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

Meeting called to order at 7:04 PM

1. RECEPTION

Information: 1.1 DESSERT RECEPTION HONORING JEFF HEYMAN (5:00 P.M.)

2. PUBLIC COMMENT ON CLOSED SESSION ITEMS

3. CLOSED SESSION
Information: 3.1 Conference with Labor Negotiator Largent, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)
Information: 3.2 Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)

Information: 3.3 Public Employee Appointment (Government Code Section 54957)

4. OPEN SESSION

Procedural: 4.1 Pledge of Allegiance

Procedural: 4.2 Roll Call

Information: 4.3 Report of Action Taken in Closed Session
1. Recommendation to extend the appointment of Kyuyong Lee as Interim Director of Enterprise Services, District Office, from April 1, 2018 through May 30, 2018, at $135,986 annually.

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


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

3. Recommendation to appoint Syed Hussain as Dean of Liberal Arts and Social Sciences, Merritt College, effective April 3, 2018 through June 30, 2020 at $130,320 annually.

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

4. Recommendation to extend the appointment of Chungwai Chum as Interim Director of Business and Administrative Services, Laney College, effective April 1, 2018 through June 30, 2018 at $124,655 annually.
AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

Action: 4.4 Approval of the Agenda
Recommend Approval of the agenda with the following amendments:

- Under Agenda Item 10.1, consider approval of short-term assignments, Osafran Okundaye has been added as a short-term hourly, Facilities Project Coordinator in the District Office. The anticipated start date is March 31, 2018 and the anticipated end date is June 30, 2018.

- Agenda Item 12.2 was moved to the Action calendar

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

Action: 4.5 Approval of the Minutes
Recommend Approval of the March 13, 2018 minutes.

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

Information: 4.6 Associated Student Government Reports

Information: 4.7 Peralta Classified Senate Report
Information: 4.8 District Academic Senate Report

Information: 4.9 Public Communication

Information: 4.10 Chancellor's Reports

5. PRESENTATIONS

Information: 5.2 Polling Results Presentation. Presenter: Chancellor Laguerre (30 minutes)

6. BOARD DEVELOPMENT

Information: 6.1 Board Governance Discussions. Facilitator: Bonny Garcia, Garcia Hernandez Sawhney, LLP

7. CONSENT CALENDAR - BOARD MATTERS

Action (Consent): 7.1 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 Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action (Consent): 7.2 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 Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action (Consent): 7.4 Consider Ratification of an Agreement with The Lew Edwards Group in the amount of $50,000 to provide consultant services. Presenter: Chancellor Laguerre
Resolution: Consider ratification of the Lew Edwards Group agreement.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action (Consent): 7.6 Consider Approval of the increase in the ICC Addendum for Curls Bartling, P.C. by $150,000 Presenter: Jowel Laguerre
Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

8. CONSENT CALENDAR - ACADEMIC AFFAIRS

Action (Consent): 8.1 Consider Approval of Course and Program Additions, Deactivations and Changes. Presenter: Vice Chancellor Brown
Resolution: Consider Approval of Course and Program Additions, Deactivations and Changes as approved by the Council for Instruction, Planning, and Development (CIPD) at its March 5, 2018, meeting.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action (Consent): 8.2 Consider approval of Independent Contractor/Consultant (ICC) #21672, for Conrad Seto in the amount of $70,000 to refresh Berkeley City College's website. Presenter: President Tomaneng
Resolution: Consider approval of Independent Contractor/Consultant (ICC) #21672, for Conrad Seto in the amount of $70,000 to refresh Berkeley City College's website. Presenter: Rowena Tomaneng

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action (Consent): 8.3 Consider Ratification of a Consulting Agreement with East Bay Municipal Utility District for Contract Education for the amount of $27,119.75. Presenter: Interim Associate Vice Chancellor Jones
Resolution: It is recommended that the Peralta Board of Trustees ratify the Consulting Agreement with East Bay Municipal Utility District for $27,119.75.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

Motion by Julina Bonilla, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley
Action (Consent): 8.4 Consider Ratification of a Consulting Agreement with the East Bay Municipal Utility District for Contract Education for the amount of $25,458.96. Presenter: Interim Associate Vice Chancellor Debra Jones
Resolution: It is recommended that the Peralta Board of Trustees ratify the Consulting Agreement between Peralta WDCE and East Bay Municipal Utility District for $25,458.96.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

9. CONSENT CALENDAR - FINANCE

10. CONSENT CALENDAR - HUMAN RESOURCES
Action (Consent): 10.1 Consider Approval of Short-term assignments
Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

11. CONSENT CALENDAR - FACILITIES

Action (Consent): 11.1 Consider Approval of Amendment No. 1 for a contract extension for Emergency Notification Services with Blackboard Inc. for an additional two (2) year term. Presenter: Vice Chancellor Ikharo.
Resolution: Approval is requested for Amendment No. 1 for a contract extension for Emergency Notification Services with Blackboard Inc. for an additional two (2) year term, in a total amount not-to-exceed $75,000.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1
Motion by Julina Bonilla, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 11.2 Consider Approval of Amendment No. 1 to Agreement for Professional Services with Keller Mitchell & Company Landscape Architecture in the amount of $78,500.00 to provide landscape architectural improvements for center courtyard A, all Courtyards F, and center Courtyard G at Laney College. Presenter: Director Lynch McMahon.
Resolution: Consider Approval of amendment No.1 to Agreement for Professional Services with Keller Mitchell & Company Landscape Architecture in the amount of $78,500.00 to provide landscape architectural improvements for center Courtyard A, all Courtyards F, and center Courtyard G at Laney College.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action (Consent): 11.3 Consider Approval of Amendment No. 2 to the Professional Services Agreement with Noll and Tam for Architectural Services on the 2118 Milvia Retrofit and Remodel Project for Berkeley City College, to Increase the Contract Amount by $76,512 and Extend completion to Dec 31, 2020. Presenter: Director Lynch McMahon
Resolution: Consider Approval Amendment #2 to the Agreement with Noll and Tam for Architectural Services for Retrofit and Remodel Project for BCC, to Increase the Amount by $76,512 and Extend the Contract End Date to Dec 31, 2020.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

Motion by Julina Bonilla, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley
Resolution: Approval of Amendment No. 4 to extend the time only of the existing contract period for Security By Design, Inc. for the installation of the District-wide Code Blue Emergency Phones.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action (Consent): 11.5 Consider Approval of Amendment No. 4 of a Contract with Tyco/SimplexGrinell for the Districtwide Fire Alarm compliance work. Presenter: Director Lynch McMahon
Resolution: Consider Approval the Amendment #4 that will include change order proposals for $162,310 for the district-wide Fire Alarm Testing and Inspection.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action (Consent): 11.6 Consider Approval of Change Order No. 1 for Rossi Builders, Inc. for COA abatement work in the amount of $51,722. Presenter Director Lynch McMahon
Resolution: Consider approval of Change Order #1 for abatement related repairs in Building C & D in the amount $51,722.00
Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action (Consent): 11.7 Consider Approval Change Order No. 1 for Rodan Builders, Inc for $127,500.00 for repairs of abatement work at College of Alameda. Presenter Director Lynch McMahon
Resolution: Consider Approval Contract Change Order #1 for $127,500.00 for Rodan Builders, Inc. for the completion of repairs for emergency abatement work at the College of Alameda.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action (Consent): 11.8 Consider Ratification of Contract Agreement with BHM Construction Inc. for $914,683 Presenter: Director Lynch McMahon
Resolution: Ratification of Contract for BHM Construction, Inc. for construction work related to Laney College Leaks Courtyard B Modernization Project in the amount of $914,683.00

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

Motion by Julina Bonilla, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley
Action (Consent): 11.9 Consider Approval of Change Order No. 2 for BHM Construction Inc. in the amount of $7,851.00 on the Laney Leak Remediation, Courtyard B, Project at Laney College. Presenter Director Lynch McMahon.
Resolution: Consider Approval of Change Order No. 2 for BHM Construction, Inc. in the amount of $7,851.00 on the Laney Leak Remediation, Courtyard B, Project at Laney College.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action (Consent): 11.10 Consider Approval of a Contracted Services Agreement with Johnson Controls Fire Protection, LP (formerly SimplexGrinnell) for District-wide fire systems testing, inspection, repair and maintenance. Presenter: Vice Chancellor Ikharo
Resolution: Request approval on the contracted services agreement with Johnson Controls Fire Protection, LP formerly SimplexGrinnell Inc.; proposed work include district-wide fire systems testing, inspection, repair and maintenance, in the amount not-to-exceed $492,610 for first 3 years, and an option to renew for additional two years for a total not-to-exceed 5 years period.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action (Consent): 11.11 Consider Approval of a Contracted Services Agreement with N.S. Construction in the amount of $9,850 for the Construction and Installation of New Hoist Platform for Wheelchair Lift in Room G-189 at Laney College. Presenter: Director Lynch McMahon
Resolution: Consider approval of the contracted services agreement with N.S. Construction for Laney College Music Classroom/Theater (Room G-189) in the amount of $9,850.00.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1
Motion by Julina Bonilla, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 11.12 Consider Approval of Agreement in the amount of $12,500 for Professional Services with Taylor Design for Architectural Services for the Entry Door Replacement at Berkeley City College Presenter: Director Lynch McMahon
Resolution: Consider Approval of the Agreement of Professional Services for Taylor Design, for Architectural Services for the Entry Door Replacement at Berkeley City College in the amount of $12,500

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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


Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

Motion by Julina Bonilla, second by Bill Withrow.
Final Resolution: Motion Carries
Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley
12. CONSENT CALENDAR - INFORMATION TECHNOLOGY

Action (Consent): 12.1 Consider Approval of Amendment No. 1 to ICC with Fox & Weaver consulting in the amount of $73,200 to provide project management and training support for Starfish implementation. Presenter: Vice Chancellor Cole

Resolution: Recommend Approval

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Action: 12.2 Consider Approval of Contract with Amplify Professional Services in the amount of $569,032 to provide operational support for the PCCD Enterprise Services team. Presenter: Vice Chancellor Cole

Trustee Handy had concerns that the vacant positions are not new and her understanding is that we are paying three times more. In the technology world, this problem is resolved within the next few days and feels like it is double dipping. Was this company chosen through a bid process or a contract? Who are we bringing in here and what is the process? And why are we hiring another firm if the point of Deloitte and touch is that they were covering everything. The Chancellor added that we are sensitive to having contractors in place of employees however, there are times when we need to.

Trustee Bonilla voiced that there is an issue when we look at the background analysis for this item which is as a result of a failed search for talent. Not feeling confident about this. Had a great deal of heartburn as a board member on the $2.8 million dollar agenda item so to have this $500,000 item presented it feels like IT is this black hole again. If we have failed searches, what systems do we have in place to make sure we don’t have more failed searches? Vice Chancellor Cole responded that we have a search going on now. Trustee Bonilla did not feel a sense of urgency with the item and asked for further explanation on the sense of urgency. Vice Chancellor Cole responded that the urgency on this item is making sure we are fully staffed to complete the tasks because we are so short staffed. The upgrade project is scheduled to complete in May. Part of the support is for continuity post upgrade. The director of enterprise services first round interviews are next week.

Trustee Gonzalez Yuen added that as a trustee, it is a black box in that he doesn’t understand the technology component. The dollar amount for this item could provide at least 75 additional
courses. Everytime we do this it’s a significant blow to the instruction side and is trusting this administration to be very careful and thinks a progress check for this item would be needed.

Trustee Weinstein added that it is hard to decide on this item and questioned why wasn’t this amount included in the earlier amount of money that was given. Why do we have to keep hiring people to do more and more?

Trustee Withrow commented that over time we should have had the organic staffing to carry it out and hopes that when we look at this, where we have a temporary job accomplished and doesn’t know how we cannot approve this because it has to be accomplished.

Trustee Bonilla also will need clarification on what the update what look like for this item and asked that the Chancellor provide at a future board meeting an update on the progress on the scope of work that is being proposed on this item.

Consider approval of Consent Agenda Items 7.1 - 7.6, 8.1 - 8.4, 10.1, 11.1 - 11.13 & 12.1

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

Recommend Approval of Agenda Item 12.2, Contract with Amplify Professional Services in the amount of $569,032 to provide operational support for the PCCD Enterprise Services team.

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

13. PUBLIC HEARING - ADJOURN TO PUBLIC HEARING

Information: 13.1 Hold Public Hearing Regarding CEQA Initial Study/Mitigated Negative Declaration for College of Alameda New Center for Liberal Arts. Presenter: Director Lynch McMahon
There was no public comment for the public hearing.
14. ACTION ITEMS

Action: 14.1 Consider Approval of Resolution 17/18-32 for CEQA Initial Study/Mitigated Negative Declaration for College of Alameda New Center for Liberal Arts. Presenter: Director Lynch McMahon
Approval of Resolution 17/18-32 for CEQA Initial Study/Mitigated Negative Declaration for College of Alameda New Center for Liberal Arts.

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

15. INFORMATIONAL ITEMS

Information: 15.1 Sunshining of Contract Reopeners for Negotiations from the International Union of Operating Engineers (Local 39) to the District for Regular and Hourly Employees. Presenter: Vice Chancellor Largent

16. REPORTS

Information: 16.1 Board of Trustees' Reports

17. ANNOUNCEMENTS

18. ADJOURNMENT
Action: 18.1 Meeting Adjournment