REGULAR MEETING OF THE BOARD OF TRUSTEES (Tuesday, May 8, 2018)

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

Meeting called to order at 6:39 PM

1. PUBLIC COMMENT ON CLOSED SESSION ITEMS
There was no 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)
Action: 2.3 Public Employee Appointment (Government Code Section 54957)
At tonight’s closed session, the Board voted to ratify the appointment of the following public employee contract, which is subject to contractual agreement by the Chancellor:

1. Recommendation to appoint Cody Pelletier as Benefits Manager, District Office, effective May 9, 2018 through June 30, 2020 at $101,991 annually.

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

2. Recommendation to appoint Dr. Rudolph Besikof as Vice President of Instruction, Laney College, effective May 30, 2018 through June 30, 2020 at $164,318 annually.

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

3. OPEN SESSION
Procedural: 3.1 Pledge of Allegiance

Procedural: 3.2 Roll Call

Information: 3.3 Report of Action Taken in Closed Session

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

- Agenda Item 6.1 was moved to the action calendar
- Under Agenda Item 6.3, Out of State Travel, the correct conference for Scott Albright, Blair Norton, and Si Yazid Kahil is the AED Conference, not the North West Diesel Instructors Conference.

Motion by William Riley, 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: 3.5 Approval of the Minutes
Approval of the April 24, 2018 minutes.

Motion by Julina Bonilla, second by William Riley.
Final Resolution: Motion Carries
Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley
Information: 3.6 Associated Student Government Reports
Associated Student Government Reports can be viewed in full on video at the 14:10 mark.

Information: 3.7 Peralta Classified Senate Report
Good Evening,

I had hoped to be present to deliver my report in person this evening but due to professional and personal health reasons, this will be my last report to the Board on behalf of the Classified Staff here at Peralta. It is my time to pass on the mantle I received from James Blake a couple years back and like several of my Classified colleagues are doing this year, start looking at life after Peralta.

I want to say how much I've appreciated working with members of the Board over the last several years to better the state of the Peralta colleges as well as the Classified and Confidential employees. I know there have been meetings that have lasted well over 3 hours and since my regular shift can begin as early as 7 am, some Tuesdays for me end up becoming more than 12 hour days. Besides being physically draining, once the realization that my request for a desk audit and upgrade of the Head Custodian position was denied, it became clear that I had reached the fullest extent of my position and the Shared Governance work I was doing would not further my career in any way.

The Interim President of the Classified Senate, Roberto Gonzalez, will (along with the current leadership of the campuses Classified Senates) continue the work of the Classified Professionals at Peralta in the area of Shared Governance.

As for the Unions, both will be separately meeting this Thursday; SEIU Local 1021 for the election of its officers and IUOE Local 39 will have a General Membership meeting to go over the contract articles sunshined at the last Board meeting.

Thank You

Timothy Brice

Information: 3.8 District Academic Senate Report
In the spirit of the season of finals, I’d like to use this report to share some of the highlights from the past academic year that I may not have shared before.

At the beginning of the year the DAS agreed to the following goals:
  a. Convene and develop guidelines for a comprehensive District Distance Education Plan which includes district DE enrollment goals, course review, instructional support and training, student support and student achievement goals
  b. From research and evaluation of data draft resolutions and recommendations directing more
fiscal resources towards classroom initiatives

c. Reduce student textbook costs by 40% through promotions and designing structures for Open Educational Resources adoption
d. Draft governance calendar for senate consultation and share with college presidents and district governance bodies
e. Plan and convene a local plenary to educate faculty on how the senate is a medium for amplifying the voice of students and faculty

On only one of these goals have we fallen short, and that was the reduction of textbook costs. We were advised by our administrative leadership not to identify this as a goal, we did so nonetheless because we felt that we needed to keep working towards this aim. We have made great strides thanks to the work of the faculty I mentioned at the last meeting of the board. Despite not meeting that one goal, when we look back on the academic year, despite feeling overwhelmed and underachieved, we are proud to look back and acknowledge and share with you what we have accomplished.

District Budget Presentations (not Hearings) a step in the right direction. Back on 17 November 2017, President of the Board Brown and VC Williams gave a presentation titled “Fiduciary Responsibility Regarding Budgets and Fiscal Oversight and the Shared Governance Process”. That those service unit budgets didn’t go through a forum for recommendations from shared governance bodies is out of step keep with that presentation. We’ve heard that we didn’t have a template for any such forums but just as there had been no template for deliberations on the FTES targets, we have seen that where there is a true will there is a way literally demonstrated by the VC of Academic Affairs Dr. Siri Brown.

The DAS endorses the letter being presented later by Career Education faculty and I personally understand and stand with my union colleagues in their message regarding the disproportionate growth of the district office. In an era of austerity, we feel that shielding students from the impact of these measures is paramount. Because two years into our funding of the WDCE unit, we have not seen the return on investment guaranteed in the C-Direct dated 29 June 2016, the DAS feels that is only proper to suspend the permanence and growth of the unit until such time that a thorough, transparent process naming the goals of the unit, accountability measures and timeline for achieving those goals, as well as the delineation of functions distinguishing the work of the unit from that of the college academic programs. I will not speak for my union colleagues nor as a union member on the matter that they will be sharing during public address (because that is not the platform on which I presently speak), but from the senate perspective the issue remains one of process and inclusion of the district office in the budget allocation model.

Regarding the inclusion of the district office in the budget allocation model, the DAS looks forward to the meeting this coming Friday with our Classified Senate, Faculty Union and Classified Union colleagues to begin taking steps that the DAS have asked to have been taken for over a year now. We go into this meeting as hopeful as ever that we will

1. Establish the foundations for the immediate inclusion of the district office in the Budget Allocation Model with a process, designed by the colleges, to vet district services;
2. Establish accountability for ensuring that principles we agree to in terms during the meeting
are actually used in governance deliberation and executive decision making;
3. Ensure that all developments, including the adding of new positions and requests for consultants, in the district and colleges be based on deliberative planning prior to decision making. To this end, we should reaffirm the principles of deliberative planning (adherence to transparent timelines, full disclosure of necessary information/data necessary for recommendations and input, measures of efficacy, etc.) and establish accountability measures for adherence;
4. Reaffirm that the primary focus of planning and resource allocations be to promote the success of our students; and
5. Ensure that resource allocations to the colleges and district be equitable and based on the above points.

I’d like to share a word of thanks to the four college presidents and their vice-presidents. At no other time in my six years on the DAS have I witnessed the level of collegiality we now have at all four colleges. It’s not to say that there aren’t some challenges, but going into those challenges with the level of mutual respect and trust that has been built at the colleges certainly makes everything less daunting and additionally makes work more fun and fulfilling.

Finally congratulations to all of the graduating students at the Peralta Colleges. Meeting and matching your hope is one of the greatest endeavors any of us could ever embark on. We are grateful for your presence, your intellect, and your perseverance you demonstrated in your time at our colleges. We have learned from you and grown because of you.

Information: 3.9 Public Communication
Public Communication can be found in detail on video under the 47:47 mark.

Information: 3.10 Chancellor's Reports

4. PRESENTATIONS
Information: 4.1 BRJ & Associates Presentation. Presenter: Bonnie James (20 minutes)

Information: 4.2 Budget Amendment Presentation. Presenter: Vice Chancellor Johnson (10 minutes)

5. BOARD DEVELOPMENT
Discussion: 5.1 Proposed Board of Trustees Workgroups

6. CONSENT CALENDAR - BOARD MATTERS
Action: 6.1 Consider Approval of First Reading on Proposed Board Policies Presenter: Chancellor Laguerre

Action (Consent): 6.2 Consider Approval of Final Reading on Proposed Board Policies. Presenter: Chancellor Laguerre
Motion by Bill Withrow, second by Karen Weinstein.
Final Resolution: Motion Carries
Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley

Action (Consent): 6.3 Consider Approval of Out of State Travel pursuant to Board Policy 7400.
Presenter: Chancellor Laguerre
Resolution: Approve of Out of State Travel pursuant to Board policy 7400 for the following:

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

Action (Consent): 6.4 Consider Ratification of Out of State Travel pursuant to Board Policy 7400. Presenter: Chancellor Laguerre
Resolution: Ratification of Out of State Travel pursuant to Board Policy 7400 for the following:

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

Action (Consent): 6.5 Consider Approval of an Independent Contractor/Consultant Services Contract with Prather Law Offices in the amount $40,000 for legal services. Presenter: Chancellor Laguerre
Resolution: Approve an Independent Contractor/Consultant Services Contract with Prather Law Offices in the amount $40,000 for legal services.

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

Action (Consent): 7.1 Consider Approval of Program Additions, Deactivations and Changes.
Presenter: Vice Chancellor Brown
Resolution: Approve Course and Program Additions, Deactivations and Changes that were approved at April 9, 2018 CIPD meeting.


Motion by Bill Withrow, second by Karen Weinstein.
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 Approval of a Memorandum of Understanding between Sonoma County Junior College District and Laney College for a Prop 39 Grant in the amount of $156,110. Presenter: President Gilkerson
Resolution: Approve Memorandum of Understanding between Sonoma County Junior College District and Laney College for a Prop 39 Grant in the amount of $156,110


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

Action (Consent): 7.3 Consider Approval of Renewal of College of Alameda WorkAbility III 3 Year Contract in the amount of $625,188 with Department of Rehabilitation. Presenter: President Karas
Resolution: Approve Renewal of College of Alameda WorkAbility III 3 Year Contract in the amount of $625,188 with Department of Rehabilitation. Presenter: President Karas


Motion by Bill Withrow, second by Karen Weinstein.
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 Approval of High Road to Health Career Contract Education Agreement in the amount of $123,263.25. Presented by: Interim Associate Vice Chancellor Jones
Resolution: Approve the High Road to Health Careers contract for $123,263.25 with SEIU UHW-West and Joint Employer Education Fund.


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

Action (Consent): 7.5 Consider Approval of an Addendum #2 in the amount of $8,000 to the Independent Contractor/Consultant Contract (ICC#15667) with Idea Builder Labs (Danny Beesley) for the College of Alameda. Presenter: President Karas
Resolution: Approve Addendum #2 in the amount of $8,000 to the Independent Contractor/Consultant Contract (ICC#15667) with Idea Builder Labs (Danny Beesley) for the College of Alameda.


Motion by Bill Withrow, second by Karen Weinstein.
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 Recommendation Regarding Granting of Probationary Status. Presenter: Vice Chancellor Brown
Resolution: Approval of Recommendation Regarding Granting of Probationary Status


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

Action (Consent): 7.7 Consider Approval for a Partnership Agreement with East Bay Asian Local Development Corporation and project grant award in the amount of $150,000 for Laney College to provide special services to CTE students. Presenter: President Gilkerson
Resolution: Approve the Partnership Agreement with East Bay Asian Local Development Corporation and project grant award in the amount of $150,000 for Laney College to provide special services to CTE students.


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

Action (Consent): 7.8 Consider Approval of Sabbatical Leave for 2018-19
Resolution: Approve Sabbatical Leave for the following: Wanda Sabir Fall 2018 College of Alameda Matt Freeman Fall 2018 Berkeley City College Cleavon Smith Fall 2018/Spring 2019 Berkeley City College David Simon Spring 2019 Laney College Steven Zetlan Fall 2019 Laney College


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

8. CONSENT CALENDAR - FINANCE
Action (Consent): 8.1 Consider Approval of a Contract Addendum with Hanson Bridgett, LLP in the amount not to exceed $40,000 for a total of $100,000. Presenter: Vice Chancellor Johnson
Resolution: Approve the contract addendum with Hanson Bridgett, LLP, in the amount not to exceed $40,000.


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


Motion by Bill Withrow, second by Karen Weinstein.
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 the Warrant/Payment Report for the period covering March 26, 2018 through April 20, 2018. Presenter: Vice Chancellor Johnson
Resolution: Approve ratification of the Warrant/Payment Report.


Motion by Bill Withrow, second by Karen Weinstein.
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 Approval of Budget Transfer Report for the period covering from March 26, 2018 through April 20, 2018. Presenter: Vice Chancellor Johnson
Resolution: Approve Budget Transfer Report covering the period from March 26, 2018 through April 20, 2018.


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

9. CONSENT CALENDAR - FACILITIES
Action (Consent): 9.1 Consider Approval of the Contract Agreement with W.E. Lyons Construction Co. for $3,057,545.00 with a 10% contingency for $305,754.00 for a total not to exceed $3,363,299.00 for the Laney Leaks Remediation, Buildings A, F, and G Phase II at Laney College. Presenter: Vice Chancellor Ikharo
Resolution: Approve Contract Agreement with W.E. Lyons Construction Co. for $3,057,545.00 and a 10% contingency for $305,754.00 for a total not to exceed $3,363,299.00 on the Laney Leak Remediation Buildings A, F, and G, Phase 2 Project at Laney College.

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

Action (Consent): 9.2 Consider Approval of Contract Agreement with Marina Mechanical Co. for $116,090.00 and a 10% contingency for $11,609.00 for a total not to exceed $127,699.00 on the Laney Bistro Kitchen Equipment Exhaust System Modifications Project at Laney College. Presenter: Director Lynch McMahon.
Resolution: Approve Contract Agreement with Marina Mechanical for $116,090.00 and a 10% contingency for $11,609.00 for a total not to exceed $127,699.00 on the Laney Bistro Kitchen Equipment Exhaust Systems Modification Project at Laney College


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

Action (Consent): 9.3 Consider Approval of Change Order No. 3 for BHM Construction Inc. in the amount of $3,375 on the Laney Leak Remediation, Courtyard B, Project at Laney College. Presenter: Director Lynch McMahon.
Resolution: Approve Change Order No. 3 for BHM Construction, Inc. in the amount of $3,375.00 on the Laney Leak Remediation, Courtyard B, Project at Laney College.


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

Action (Consent): 9.4 Consider Approval of Change Order No. 2 for Rodan Builders, Inc in the amount of $4,655 for additional abatement repairs at College of Alameda. Presenter: Director Lynch McMahon.
Resolution: Approve Change Order in the amount of $4655.00 for the repairs related to abatement work at College of Alameda (COA).

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

Action (Consent): 9.5 Consider Approval of Change Order No. 1 for Maktinta Energy for Phase 2 of the Laney College Pool Heating and Chlorination Upgrades in the amount of $2,050.
Presenter: Vice Chancellor Ikharo.
Resolution: Approve Change Order #1 for Maktinta Energy, Inc. for $2,050.00 including additional professional services of the Laney College Pool Heaters Upgrades Project.


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

Action (Consent): 9.6 Consider Approval of Agreement For Professional Services with YEI Engineers, Inc. for $12,795 to provide construction administration services at Laney College.
Presenter: Director Lynch McMahon
Resolution: Approve Agreement For Professional Services with YEI Engineers, Inc. for $12,795.00 for construction administration services at Laney College.


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

10. CONSENT CALENDAR - HUMAN RESOURCES
Action (Consent): 10.1 Consider Approval of Short-term assignments.
Presenter: Vice Chancellor Largent

Motion by Bill Withrow, second by Karen Weinstein.
Final Resolution: Motion Carries
Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, William Riley
11. CONSENT CALENDAR - INFORMATION TECHNOLOGY
Action (Consent): 11.1 Consider Approval of Gartner Services Agreement for PCCD for $39,500
Presenter: Vice Chancellor Cole
Resolution: Recommend Approval of contract with Gartner, Inc.


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

12. ACTION ITEMS
Action: 12.1 Consider Approval of Resolution 17/18-40, Excusing Student Trustee Absence.
Presenter: Board President Brown
Approval of Action Agenda Item 12.1, approving Resolution 17/18-40, excusing Student Trustee Absence.

Motion by Nicky Gonzalez Yuen, second by Julina Bonilla.
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 Resolution 17/18-41, Excusing Student Trustee Absence.
Presenter: Board President Brown
Approval of Action Item 12.2, Resolution 17/18-41, excusing Student Trustee Absence.

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

Action: 12.3 Consider Approval of Resolution 17/18-43 in support of Measure A, Alameda County's Ballot Measure for Child Care and Early Education. Presenter: Board President Brown
Approve Resolution 17/18-43 in support of Measure A, Alameda County's Ballot Measure for Child Care and Early Education.

Motion by Nicky Gonzalez Yuen, second by Julina Bonilla.
Final Resolution: Motion Carries
13. INFORMATIONAL ITEMS
Information: 13.1 Sunshining of Contract Reopeners for Negotiations from the District to the International Union of Operating Engineers (Local 39) for Regular Employees. Presenter: Vice Chancellor Largent

14. REPORTS
Information: 14.1 Board of Trustees' Reports

Board of Trustees' Reports can be viewed in detail on video.

15. ANNOUNCEMENTS
- The next regular Board meeting will be held in four weeks on June 12th at the District Office Boardroom. Tonight is the only Board meeting in May, due to the College Graduations being held on May 23rd - 25th.
- Congratulations to all of our graduates, as well as to all of our faculty and staff for all of their hard work to make this school year successful for our students.
- Best wishes to our student trustees as this is their last board meeting and congratulations to our new student trustees who will be sworn in at our June 12th board meeting.

16. ADJOURNMENT
Action: 16.1 Meeting Adjournment
Meeting adjourned at 10:19 p.m.