CLOSED SESSION (5:00 p.m.) Topics to be discussed include: Conference with Labor Negotiator Largent, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6) Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9) * Conference with Legal Counsel (54956.9(a)), Williams v. PCCD, Alameda County Superior Court, Case No. HG-14730396. * Conference with Legal Counsel (54956.9(a)), In re Municipal Derivatives Antitrust Litigation, U.S. District Court, Southern District of New York, Case No. 1:08-cv-02516-VM-GWG.

* R. Young v. Peralta Community College District, Case No. 14-cv-05351-JD. * Nunez et al. v. Peralta Community College District et al.; Case No. RG16827433 * Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (1 cases) Public Employee Appointment (Government Code Section 54957) *Recommendation to appoint a CTE Dean, College of Alameda. Public Employee Evaluation (The Board is provided respective salaries in closed session for information purposes only, if any. The Board is reminded not to discuss personnel matters outside of closed session.) * Chancellor

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE

ROLL CALL Trustees Bonilla Pr_ Ab_, Brown, Pr_ Ab_, González Yuen Pr_ Ab_, Gulassa Pr_ Ab_, Handy Pr_ Ab_, Riley Pr_ Ab_, Withrow Pr_ Ab , and, Student Trustee Cruz Pr_ Ab_ and Student Trustee Price Pr_ Ab_.

Present: Student Trustee Price, Student Trustee Cruz, Trustee Bonilla, Trustee Gonzalez Yuen, Trustee Handy, Trustee Withrow, Trustee Riley, Trustee Brown, Student Trustee Abuyen, and Student Trustee Hyche.

Absent: None.

REPORT OF ACTION TAKEN IN CLOSED SESSION (7:01 P.M.) (Any public employee contracts are subject to contractual agreement by the Chancellor, and provided salaries are for informational purposes only.)

Read out

APPROVAL OF THE AGENDA (Please state the Agenda Item Number and Identify the Issue) (7:05 P.M.) At this time, Board members or the Chancellor may request to modify the agenda. Board members may request that items on the consent calendar be removed to be addressed separately on the Action Calendar. Subsequent to the approval of the consent calendar, the items removed from the consent calendar are discussed and voted on separately. Changes to the agenda are to be approved by a majority of the Board. The Board may move to the Action Calendar items with public speakers.
Agenda

MOTION: Motion by Trustee Withrow, second by Trustee Gonzalez Yuen to approve the November 15, 2016 board agenda with the following amendments:

*Agenda Items 14, 15, 27 - 32 were removed from the agenda.

AYES: Trustee Bonilla, Trustee Gonzalez Yuen, Trustee Handy, Trustee Withrow, Trustee Riley, and Trustee Brown.
NOES: None
ABSTAIN: None
ABSENT: and Trustee Gulassa.

The motion passed.

APPROVAL OF THE MINUTES (7:07 P.M.)

1. Consider Approval of the Board Minutes of October 11, 2016 and Board Retreat Minutes of October 25, 2016 Consider approval of the Board Minutes of October 11, 2016 and Board Retreat Minutes of October 25, 2016. The minutes are posted on Granicus.

Minutes - October 11, 2016

Minutes - October 25, 2016

MOTION: Motion by Trustee Bonilla, second by Trustee Handy to approve the Board Minutes of October 11, 2016 and Board Retreat Minutes of October 25, 2016. The minutes are posted on Granicus.

AYES: Trustee Bonilla, Trustee Gonzalez Yuen, Trustee Handy, Trustee Withrow, Trustee Riley, and Trustee Brown.
NOES: None
ABSTAIN: None
ABSENT: and Trustee Gulassa.

The motion passed.

PUBLIC COMMUNICATION (7:08 P.M.) At this time, the Board of Trustees will listen to communication from the public on matters that are not on the agenda and are within the Board’s jurisdiction. Under provisions of the Brown Act, the Board and District staff are prohibited from discussing or taking action on oral requests that are not part of the agenda, but may respond briefly. A maximum of 15 minutes (up to 3 minutes per individual) will be provided for speakers under this agenda section, at the Board President’s discretion. A speaker’s card must be completed to request to address the Board. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Persons addressing items included on the agenda will be heard at the time the item is considered, and comments on tangential issues not directly related to the item may be ruled out of order. Cards must be received prior to the Board’s consideration of the item and are honored in the order the cards are received. A speaker may yield time to another speaker up to a limit of 6 additional minutes, with no more than 5 speakers on the issue, where both have completed a speaker’s card, and the yielder must identify him/herself to the Board. Speakers are asked to submit any materials to the Board Clerk and shall not approach the dais during meetings. (Please line-up when your name is called.) Further direction is provided in Board Policy and Administrative Procedure 2345 Public Participation at Board Meetings. http://web.peralta.edu/trustees/board-policies/
Speaker Lewis spoke on her concerns over the new health insurance policy that will be implemented.

Speaker Price advocated in support of retaining the acupuncture program.

Speaker Young advocated in support of the health services acupuncture program.

Speaker Thedani, Director of Health Services, thanked the board for continuing the acupuncture program.

Speaker Suarez, ESL Students, spoke in support of acupuncture.

Speaker Jaramillo, Peralta Federation of Teachers (PFT), thanked the Board and administration for support of Proposition 55 and addressed the Chancellor's contract.

Speakers Focant, Liu, Egeley, Lemaire, Nguyen, Zheng, Ishii, Xu, Campos, Chen & Zoulaf discussed the new health insurance policy implemented for international students and requested that there be a fee waiver for international students.

REPORTS (7:23 P.M.) The Board requests that constituent group reports and presentations be brief and concise, and that only electronic copies be provided for posting. All open session reports and meeting materials have been submitted to the Board electronically, and are available for public viewing on Granicus.

2. Associated Student Government Reports Representatives of the Associated Student Governments will be afforded an opportunity to address the Board. (Please provide your Name, College, and Position, and line-up to speak.)

Speaker Claypool, ASLC, discussed student events at Laney College.

Speaker Lewis, spoke on the process, benefits and shortcomings of student government.

Speaker Maria, ASCOA, provided student government updates and events at the College of Alameda campus.

Speaker Johnson, ASMC, provided student government updates and shared events at Merritt College.

3. Chancellor’s Reports Chancellor’s Report Dr. Jowel C. Laguerre Chief of Staff Dr. Yashica J. Crawford

Chancellor Laguerre sent an open letter to faculty, staff, students and the public and is happy with how we reacted on the result of the elections. Chancellor Laguerre updated on recent visits from the accreditation teams and we are waiting for the results of the visits.

Berkeley City College Ms. Rowena Tomaneng

College of Alameda Dr. Frances White

COA Report

Laney College Dr. Patricia Stanley
Merritt College Dr. Marie-Elaine Burns

Merritt College Report

4. Board of Trustees’ Reports  At this time, members of the Board of Trustees will report on matters related to attendance at conferences, professional affiliations, and community involvement directly related to their functions as Board members.

5. Peralta Classified Senate Report  Presenter: PCS President Timothy Brice

Thank You Trustee Riley and Good Evening Trustees, Chancellor, Administrators, Faculty, Students, and Classified Staff.

I'd first like to welcome and congratulate Karen Weinstein on her election to the Board of Trustees seat previously held by, I believe I can say, everyone’s friend and a friend to everyone Cy Gulassa. Well wishes to Cy from the Classified Staff. Trustee Weinstein has shown she has the best interest of all at heart, especially the Classified Professionals here at Peralta when she spoke to us about 6 months ago at our last PCS meeting of the fiscal year in June. We look forward to her work here on the Board.

The Executive members of the PCS had our initial meeting with the Chancellor about 10 days ago and it was a productive hour and we could have gone two. We look forward to our conversations in the future to give him a clearer insight as to what is happening on the campuses.

The next meeting of the Peralta Classified Senate will be this Thursday from 3:00-4:30pm here at the District Office.

6. District Academic Senate Report  Presenter: DAS President Cleavon Smith  PRESENTATIONS (7:45 P.M.)

7. 2016 CBC Delegation Presentation (20 minutes)  Presenter: Dr. Herbert Kitchen, Interim Director, Student Activities and Campus Life  Peralta’s 2016 Congressional Black Caucus Student Delegation will present their experience at the Annual Leadership Conference.

Presentation

CONSENT CALENDAR  (8:05 P.M.) All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board’s vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

BOARD MATTERS

MOTION:Motion by Trustee Withrow, second by Trustee Bonilla to approve Agenda Items 1 - 13, 16 - 26 and 33.

AYES: Trustee Bonilla, Trustee Gonzalez Yuen, Trustee Handy, Trustee Withrow, Trustee Riley, and Trustee Brown.

NOES: None

ABSTAIN: None

ABSENT: and Trustee Gulassa.
The motion passed.

8. Consider approval of Resolution 16/17-15, Excusing Trustee Absence Presenter: Board President Riley It is recommended that Trustees approve Resolution 16/17-15 excusing Trustee Gulassa from the October 11, 2016 Board meeting due to illness. The Chancellor recommends approval.

Resolution


Out of State Travel


Background Material

11. Consider Approval of Board Policies for Final Reading Presenter: Chancellor Laguerre Consider approval of final reading for the following board policies: * Board Policy 1100, The Peralta Community College District * Board Policy 2010, Board Membership * Board Policy 2710, Conflict of Interest * Board Policy 3520, Local Law Enforcement * Board Policy 4020, Program, Curriculum, and Course Development * Board Policy 4220, Standards of Scholarship * Board Policy 5140, Disabled Student Programs and Services * Board Policy 6700, Civic Center and Other Facilities Use * Board Policy 7335, Health Examinations * Board Policy 7340, Leaves * Board Policy 7500, Volunteers * Board Policy 7700, Whistleblower Protection

Background Material
12. Consider Approval of an Amendment to the Chancellor’s Employment Agreement  Presenter: President Riley  Consider Approval of an Amendment to the Chancellor’s Employment Agreement. The term of the proposed agreement for Chancellor Laguerre shall be for the three (3) year period commencing on July 1, 2016 and ending on June 30, 2019.

Background Material

13. Consider Approval of a Memorandum of Understanding between Contra Costa Community College District and Peralta Community College District for $15,000 to support High School Articulation Efforts (from SB1070)  Presenter: Associate Vice Chancellor King  The SB 1070 offers regional technical assistance and funding for K-14 transitions; College and Career Pathways Trust applied for funding to assist with updating High School Articulation policies, forms, and practices. The dates of the contract are from November 16, 2017 - June 30, 2017. Deliverables and Scope of Work: * Define and document PCCD’s high school articulation process * Identify opportunities for articulated classes * Facilitate dialogue between K-12 teachers and college faculty to develop/renew articulation agreements for Spring 2017 and Fall 2017 * Support local teachers with the implementation of the Career & Technical Education Management Application (CATEMA) * Serve as point of contact for articulation process questions.

Background Material 1

Background Material 2

(Agenda Item 14 was removed from the agenda)

(Agenda Item 15 was removed from the agenda)

16. Consider Approval of Course and Program Additions, Deactivations and Changes  Presenter: Interim Vice Chancellor Pedraja  Included for Approval are proposed curriculum actions as recommended by the Council for Instruction, Planning and Development (CIPD). The spreadsheet entitled "Oct 2016 CIPD Report" contains course and program additions, changes and deactivations as approved by the colleges’ curriculum committees and CIPD. The Chancellor recommends approval.

Background Material 1

Background Material 2

Background Material 3

HUMAN RESOURCES

17. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Short-Term Employees  Presenter: Vice Chancellor Largent  Pursuant to California Education Code Section 88003, the below list contains the name, date of hire, assignment end date, position title, and site location of candidates recommended for short-term assignments in non-academic classified positions. Each candidate’s assignment will not exceed the position title into which the candidate is assigned. Last Name First Name Date of Hire End Date Position Title Site Ali Wafa 11/16/16 6/30/17 Staff Asst/CalWORKs L Aunelle Devon 11/16/16 12/16/16 Instructional Asst/English B Brown Kevin 11/16/16 6/30/17 Staff Asst/Veteran Affairs L Cardenas Elizabeth 12/5/16 5/12/17 Senior Clerical Assistant L Casey Gerald 11/16/16 6/30/17 Department Network Coord L Chen Qingxiu 11/16/16 3/6/17 Senior Clerical Assistant L Davaasuren Darkhijav 12/5/16 6/30/17 Senior Clerical Assistant L Espinas James 11/16/16 6/30/17 Coordinator L
The District has complied with the applicable provisions of the Education Code.

18. Consider Recommendation to Increase existing Professional Services Agreement (ICC#21307) with American Fidelity Administrative Services, LLC by $25,000 to continue to provide consulting, analysis and support in compliance with the new Affordable Care Act (ACA) reporting and monitoring requirements. Presenter: Vice Chancellor Largent

As an employer with more than 500 employees, the District is required to report and keep track of hours worked for each type of pay, according to federally-defined guidelines. While the Federal IRS Form W-2 reports wages, new reporting requirements which became effective in 2016, have introduced IRS Form 1095 which the District is required to submit on behalf of those covered under a group health plan in the preceding calendar year. IRS Form 1095 reports benefits enrollment for employees and retirees covered under a Peralta plan. This is a new business process which impacts the District and other employers with an employee base of 500 or more. The new contract amount will be $50,000, and the District anticipates using the services of American Fidelity Administrative Services, LLC through June 30, 2017.

Background Material

FINANCIAL SERVICES


The Purchase Order Report is being presented for review in accordance with Education Code Section 81656 which states, "All transactions entered into by the officer or employee (designated employees enumerated in AP 6330) shall be reviewed by the Board of Trustees every 60 days." This Purchase Order Report contains all orders issued from September 24, 2016 through October 28, 2016, which have been issued in accordance with applicable policies, procedures and laws by an authorized officer of the District. The Purchase Order Report is brought to the Board for informational purposes only.

Background Material 1

Background Material 2

20. Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register Presenter: Vice Chancellor Little

Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register from September 24, 2016 through October 28, 2016. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

Background Material

21. Consider Approval of the Monthly Budget Transfer Report Presenter: Vice Chancellor Little

Consider Approval of the Monthly Budget Transfer Report covering the period from September 24, 2016 through October 28, 2016. The budget transfers presented are requests originating from the Colleges’ or District’s departments during the ordinary course of operations and do not significantly alter the final budget that was approved by the Board of Trustees on September 8, 2015. California Code of
Regulations Section 58307 limits the District’s expenditures to the amount appropriated for each major expenditure classification as approved by the Board of Trustees through the adoption of the District’s annual budget or as amended by subsequent budget transfers or revisions. Due to this statutory control language, budget transfers that move budget authority between major object codes or classifications must be approved by the Board of Trustees. The Chancellor recommends approval.

Background Material 1

Background Material 2

22. Consider Approval of Change Order for Laney Welding Shop Repairs and Completion. Presenter: Vice Chancellor Little. Consider Approval is requested for the acceptance of completed work, Change Order No. 1 in the amount of $4,220, and the release of the 5% retention ($3,633) for the Laney College Welding Shop Repairs Project. The Chancellor recommends approval. Funding Source: Measure A.

Background Material

23. Consider Approval of a Change Order for the Laney Theater Renovation Project. Presenter: Vice Chancellor Little. Consider Approval for the acceptance of completed work, deductive Change Order No. 1 ($16,954.65), and the release of the 5% retention in the amount of $13,383.57 for the Laney College Theater Renovation Project. The Chancellor recommends approval. Funding Source: Measure A.

Background Material

24. Consider Approval of a Change Order for the Laney College Tower Improvements Project. Presenter: Vice Chancellor Little. Consider Approval for the acceptance of completed work, Deductive Change Order No. 1 ($64,008.77), and the release of the 5% retention for the Laney College Tower Improvements Project. The Chancellor recommends approval. Funding Source: Measure A.

Background Material

25. Consider Approval of a Change Order for the Laney Student Center Kitchen Emergency Repairs Project. Presenter: Vice Chancellor Little. Consider Approval for the acceptance of completed work, Change Order No. 1 in the amount of $36,148.70 and the release of the 5% retention ($18,701.17) for the Laney Student Center Kitchen Emergency Repairs Project. The Chancellor recommends approval. Funding Source: Measure A.

Background Material

26. Consider Approval of an Agreement with Bay Construction Company for College of Alameda Hardware Upgrades for the Veterans Center Phase 2. Presenter: Vice Chancellor Little. Consider Approval to enter an agreement with Bay Construction Company for door and hardware upgrades for the Veterans Center Phase 2 Project at COA in the amount of $67,000. The Chancellor recommends approval. Funding Source: Measure A.

Background Material

FACILITIES

(Agenda Item 27 was removed from the agenda)
Consider Amendment No. 2 to the Existing Contract Services with KONE Inc. to Continue to Provide Districtwide Elevator Inspection and Maintenance Program at Berkeley City College, College of Alameda, Laney College, and Merritt College. Presenter: Vice Chancellor Ikharo. Approval is requested for an Amendment No. 2 to the existing contract with KONE Inc., to continue to provide Districtwide Elevator Inspection and Maintenance Program at Berkeley City College, College of Alameda, Laney College, Merritt College, in the amount not-to-exceed $87,574. Currently, KONE Inc. has an existing elevator inspection and maintenance contract from October 1, 2013, to September 30, 2016. Their contract for Berkeley City College expired on June 30, 2016. Under the original Request for Proposal, the District have the option to renew KONE Inc.’s contract for another two years up to five (5) years. About a year ago, KONE Inc. did an internal reorganization to better service the District. The District was assigned a dedicated Account Manager (Gabriel Paz), dedicated Elevator Technicians, and dedicated State Compliance Work Technicians. Ever since the reorganization KONE Inc. has been performing extremely well. Gabriel Paz meets with the District Chief Engineer once each month in an effort for continuous improvement. They discuss KONE’s performance and any trouble equipment or issues. KONE Inc. brings a call out sheet which shows elevator calls for the month per elevator. Since the reorganization, the call outs (elevator malfunctions) have drastically reduced and elevator up time and reliability has increased. Gabriel Paz is always responsive and is able to have issues resolved nearly immediately. This requested amount will pay for continued services for another two (2) years. Additionally, KONE Inc. will service the new elevator in the Merritt College Barbara Lee Center and Berkeley City College that was not included in the original contract.

Background Material

Merritt College Barbara Lee Center (2 years of service) until September 30, 2018 $1230.00 $14,760.00/year

Berkeley City College (2 years of service until September 30, 2018) $1724.44 $20,693.28/year TOTAL: $7297.76 $87,573.12/year

The terms of the original agreement for the District-wide Elevator Inspection and Maintenance Program at College of Alameda, Laney College, and Merritt College, was approved by the Governing Board of Trustees at the September 10, 2013, meeting. Then the original contract was amended for a Districtwide Integrated Premium Services, to pay for parts and labor for all four (4) colleges ($55,693) that were not included in the original contract, which was approved on May 13th, 2014. If this amendment is approved, the total contract will accumulate to $295,115.80 for a five (5) year service term. Staff evaluated the performance of the vendor and recommends to the Chancellor and the Governing Board of Trustees satisfactory performance. Board approval is required since this total contract amount exceeds the $25,000 threshold to purchase goods and services. The Chancellor recommends approval. Funding Source: General Fund. ACTION ITEMS The Action Calendar lists non-routine items that the Board of Trustees may wish to discuss and/or debate. The list below may be supplemented by items removed from the Consent Calendar. The Board may move to the Action Calendar items with public speakers, and Board-sponsored Resolutions. The Board will hear public comments prior to taking any action on these items.
ADJOURNMENT (8:41 p.m.)

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours prior to the meeting to the Board Clerk, Chancellor's Office, 333 East 8th Street, Oakland, CA, (510) 466-7203, bmartinez@peralta.edu at least 48 hours prior to the meeting.

ANNOUNCEMENTS

1. The next regular Board meeting will be held on November 15th in the District Boardroom.
2. The Board wishes all a Happy Thanksgiving Holiday. As a reminder, Peralta will be closed on Thursday, November 24th and Friday, November 25th in observance.

Jowel C. Laguerre, Ph.D., Chancellor
Secretary to the Board of Trustees
PERALTA COMMUNITY COLLEGE DISTRICT