CALL TO ORDER (5:00 p.m.)

CLOSED SESSION (5:01 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)), Johnson v. PCCD, U.S. District Court, Northern District of CA Case No. C08-4152 * Conference with Legal Counsel (54956.9(a)), Payne v. PCCD, United States District Court, Case No. C08-03133. * Conference with Legal Counsel (54956.9(a)), Abdur-Rasheed v. PCCD, United States District Court, Case No. CV 11-1744. * Conference with Legal Counsel (54956.9(a)), Vogt v. PCCD, Alameda County Superior Court, Case No. RG11-573757. * Conference with Legal Counsel (54956.9(a)), Aboud v. PCCD, Alameda County Superior Court, Case No. RG11-572374. * 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. * Conference with Legal Counsel (54956.9(a)), PCCD v. KYJ Associates, Alameda County Superior Court, Case No. RC08376707. * Conference with Legal Counsel (54956.9(a)), Jackson v. PCCD, Alameda County Superior Court, Case No. RG1101534. * Conference with Legal Counsel (54956.9(a)), Kogo v. PCCD et al., Alameda County Superior Court, Case No. RG12613106. * Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (8 cases). Conference with Real Property Negotiator (Government Code § 54956.8): * Negotiator Ikharo, 2120 University Avenue, Berkeley, California, 94704. * Negotiator Ikharo, 2025 Center St, Berkeley, California, 94704. * Negotiator Ikharo, 1950 Addison Street, Berkeley, California, 94704. * Negotiator Ikharo, 1950 Addison Street, Berkeley, California, 94704. Public Employee Appointment - Employment, Performance, Evaluation, Discipline, Dismissal, Release - All Employees (Government Code § 54957). * Consider Approval of Payroll Manager, District Offices.

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE (7:00 P.M.)

ROLL CALL
Trustees González Yuen Pr, Ab, Guillén Pr, Ab, Handy Pr, Ab, Hodge Pr, Ab, Riley Pr, Ab, Withrow Pr, Ab, and Gulassa Pr, Ab, Student Trustees Clegg Pr, Ab, Cervantes Pr, Ab.

REPORT OF ACTION TAKEN IN CLOSED SESSION (7:01 P.M.)
At tonight's closed session, the Board (unanimously) voted to approve the appointment of the following public employee contract, which is subject to contractual agreement by the Chancellor.

1. Payroll Manager, District Offices, Frederick O'Yang, $90,000/year, July 2, 2012 through June 30, 2013. AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Riley)

2. The Board also unanimously voted to authorize the Chancellor and General Counsel to file a lawsuit against Johnson Control Inc. AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Riley)
APPROVAL OF THE AGENDA (Please state the Agenda Item Number and Identify the Issue) (7:02 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.

Agenda

Item 7 – Will return to the next Board meeting for review.

Item 27 – Turtle Contract amount should read up to $130,000 for a term of six months through 12-31-12.

Items 26, 27, 28, 29, 30, and 37 were pulled for action.

Item 30 – Don Charate

Item 30 – Here are some added names as short-term hourlies. All are from July 1, 2012 through June 30, 2013:

- Koung Chaiyasane Lifeguard Laney
- Yeon Choi Lifeguard Laney
- Carnell Jones Senior Clerical Assistant District
- Sarah Laureta Lifeguard Laney
- Kenneth Lee Lifeguard Laney
- Iliana Oliveros Lifeguard Laney
- Theresa Rumjahn Instructional Assistant/Unspecified Berkeley City College
- Jamie Wiemer Lifeguard Laney
- Alice Yu Admissions and Records Clerk Merritt

MOTION: Motion by Trustee Bill Withrow, second by Trustee Nicky Gonzalez Yuen to approve the agenda as amended.

AYES: Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

NOES: None

ABSTAIN: None

ABSENT: and Trustee Bill Riley.

The motion passed.

APPROVAL OF THE MINUTES (7:03 P.M.)

MOTION: Motion by Trustee Bill Withrow, second by Trustee Abel Guillen to approve.

AYES: Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

NOES: None

ABSTAIN: None

ABSENT: and Trustee Bill Riley.
The motion passed.

Trustee Gonzalez Yuen was absent for the vote on agenda item 41 at the last meeting.

1. Consider Approval of the Regular Board meeting Minutes of June 12, 2012. Consider approval of the regular Board meeting minutes of June 12, 2012. The minutes are posted on Granicus.

Minutes

RECOGNITION OF OUTGOING CHANCELLOR ALLEN (7:04 P.M.)

PUBLIC COMMUNICATION
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 (3 minutes per individual maximum) will be provided for speakers under this agenda section. 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, where both have completed a speaker's card, and the yielder must identify him/herself to the Board. Written statements can be submitted for inclusion into the Board minutes to the Board Clerk, and members of the public 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.)

REPORTS The Board requests that constituent group reports be brief and concise, and that only electronic copies be provided for posting. All open session reports and meeting materials are available for 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.)

3. Chancellor's Reports Dr. Wise E. Allen (7:45 P.M.) Vice Chancellor’s Reports Budget Update Vice Chancellor Gerhard Enrollment Update Vice Chancellor Budd Childcare Update Vice Chancellor Ng General Services Update Vice Chancellor Ikharo College Reports

Financial Aid Data 11-12

Financial Aid Data 12-13

Merritt College Interim President Herring

Laney College President Webb

College of Alameda President Jackson

Berkeley City College President Inclan
BOARD COMMUNICATION

At this time, 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.

4. District Academic Senate Report
   Presenter: DAS President Karolyn van Putten

5. Annual Report from Measure A Citizens’ Bond Oversight Committee (10 minutes)
   Presenters: Committee Chair Nyeisha DeWitt and Vice Chancellor Ikharo

Background Material

6. Presentation to Outgoing Measure A Citizens’ Bond Oversight Committee Members (5 minutes)
   Presenter: Vice Chancellor Ikharo

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<tr>
<th>Name</th>
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<td>Polly Amrein</td>
<td>Senior Citizens’ Organization</td>
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<tr>
<td>Jim Stonehouse</td>
<td>Tax Payers’ Organization</td>
<td>2008 - 2012</td>
</tr>
<tr>
<td>Jurena Storm</td>
<td>Student College Group</td>
<td>2010 - 2012</td>
</tr>
<tr>
<td>Bill Patterson</td>
<td>Peralta College Foundation</td>
<td>2008 - 2012</td>
</tr>
<tr>
<td>Stephanie Casenza</td>
<td>Peralta College Foundation</td>
<td>2010 - 2012</td>
</tr>
</tbody>
</table>

SPECIAL RECOGNITION

Helene Lecar 2008-2011, Committee Chair

CONSENT CALENDAR

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.

Executed resolutions

Motion on the Consent Calendar

MOTION: Motion by Trustee Bill Withrow, second by Trustee Bill Riley to approve Motion on the Consent Calendar, including agenda items 8 through 25, 31 through 36, and 38 as amended.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

Public Comments on the Consent Calendar

Vote on the Consent Calendar
BOARD MATTERS

7. Consider Approval of Resolution 11/12-54 on President Obama’s Executive Order on Immigration
Presenter: Trustee González Yuen  Consider approval of Resolution 11/12-54 on President Obama’s Executive Order on Immigration. (Item removed from the agenda, and will return to the next Board meeting for review.)

Background Materials


Background Materials

Trustee Gulassa shared that there were some minor editing modifications made to some of the draft policies, which are posted. There was a request for a double-reading for complicated Board bond matters.

9. Consider Approval of Board Policy 3440 Service Animals (new policy) Presenter: Chancellor Allen  Consider approval of Board Policy 3440 Service Animals (new policy). The Chancellor recommends approval.

Background Materials


Background Materials


Background Materials


Background Materials

13. Consider Approval of Board Policy 5010 Admissions and Enrollment (replaces BP 4.05 Admission of Students, BP 4.10 Admissions Requirements, BP 4.12 Registration, BP 4.14 Dropping Classes and Withdrawing from College) Presenter: Chancellor Allen  Consider approval of Board Policy 5010 Admissions and Enrollment (replaces BP 4.05 Admission of Students, BP 4.10 Admissions Requirements, BP 4.12 Registration, BP 4.14 Dropping Classes and Withdrawing from College) The Chancellor recommends approval.


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**EDUCATIONAL AND STUDENT SERVICES**

18. Consider an Amendment to the MOU between PCCD and the Contra Costa Community College District (CCCCCD) for the East Bay Career Advancement Academies Grant (EBCAA) Presenter: Vice Chancellor Budd. Consider an amendment to the MOU between PCCD and the Contra Costa Community College District for the East Bay Career Advancement Academies Grant not to exceed $120,000 through February 28, 2014. Funding Source: Chancellor's Office, California Community Colleges. The original MOU went to the Board on June 14, 2011 for $620,000, taking the total MOU amount to $740,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

19. Consider Approval to Apply for the U.S. Federal Government Advanced Manufacturing Jobs and Innovation Accelerator Challenge (AMJIAC) Grant for Laney College Presenter: Vice Chancellor Budd. Consider approval to apply for the U.S. Federal Government Advanced Manufacturing Jobs and Innovation Accelerator Challenge (AMJIAC) Grant for Laney College not to exceed $400,000 from November 1, 2012 up to three years through 2015. Funding Source: Economic Development Administration (EDA) and the National Institute of Standards and Technology (NIST), Department of Commerce (DOC); Advanced Manufacturing Office, Department of Energy (DOE); Employment and Training Administration (ETA), Department of Labor (DOL); and, Small Business
Administration (SBA). The grant purpose is acceleration of innovation to support advanced manufacturing. The AMJA will foster collaboration and forge partnerships among diverse stakeholders including industry, labor, academia, and government, at the national, state and regional levels. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Background Materials

20. Consider Approval to Apply to the Chancellor's Office of California Community Colleges for Economic and Workforce Development Program funds: Responsive Training Funding, for the Laney College CTE Division and the Laney College Green Jobs Training Programs Presenter: Vice Chancellor Budd Consider approval to apply to the Chancellor's Office of California Community Colleges for Economic and Workforce Development Program funds: Responsive Training Funding, for the Laney College CTE Division and the Laney College Green Jobs Training Programs not to exceed $640,000 from October 1, 2012 through December 31, 2013. Funding Source: The Chancellor’s Office of California Community Colleges’ Economic and Workforce Development Program funds, specifically Job Development Incentive Funding. The grant purpose is to support training and upgrades for incumbent workers in the clean energy services sector. Laney will partner with several key segments of the industry to support upgrades of workers to higher level engineering positions designing systems and installations. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Background Materials

21. Consider Approval to Apply for Chancellor's Office of California Community Colleges for Economic and Workforce Development Program funds, for the Job Development Incentive Funding, for the Laney College CTE Division and the Laney College Green Jobs Training Programs Presenter: Vice Chancellor Budd Consider approval to apply for Chancellor's Office of California Community Colleges for Economic and Workforce Development Program funds, for the Job Development Incentive Funding, for the Laney College CTE Division and the Laney College Green Jobs Training Programs not to exceed $330,000 from October 1, 2012 through December 31, 2013. Funding Source: The Chancellor’s Office of California Community Colleges’ Economic and Workforce Development Program funds, specifically Job Development Incentive Funding. The grant purpose program is designed to provide support for job development activities within the clean energy sector for graduates of Laney’s clean energy programs; in particular, to provide solar and energy efficiency training as well as wrap-around student services, professional/entrepreneurial development, and job placement. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Background Materials

22. Consider Ratification and Approval of the Youth Empowerment Program (YEP) Grant for Laney College Presenter: Vice Chancellor Budd Consider ratification and approval of the Youth Empowerment Program (YEP) grant for Laney College. The Chancellor approved the intent to apply during the Board recess, which now returns to the Board for ratification. The YEP grant will create a partnership among Laney College, the American Indian Child Resource Center (AICRC), Emiliano Zapata Street Academy, and Alameda County Health Care Services Agency to provide comprehensive and culturally appropriate Youth Empowerment Program (YEP) interventions for American Indian/Alaska Native youth through a project titled 21 Generations: Creating Healthy Outcomes In Native Youth not to exceed $300,000 from September 1, 2012 through August 31, 2017. Funding Source: Office of the Secretary, Office of Minority Health. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.
23. **Consider Ratification of Purchase Order Report**
Presenter: Vice Chancellor Gerhard

Consider ratification of purchase order report. This item is for informational purposes only. This report is being presented for review in accordance with Education Code section 81656 which states, "All transactions entered into by the District shall be reviewed by the governing board every 60 days". All Purchase Orders listed have been issued in accordance with the District’s policies and procedures by an authorized officer of the District and have been budgeted. The Chancellor recommends ratification.

24. **Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register**
Presenter: Vice Chancellor Gerhard

Consider ratification of the AP, Travel, and Consulting Contract Warrant Register. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

25. **Consider Approval of Budget Transfer Report**
Presenter: Vice Chancellor Gerhard

Consider approval of budget transfer report. Budget transfers shall be made in accordance with California Code of Regulations Section 58307. The Chancellor recommends approval.

26. **Tentative Budget 2012-2013**
Presenter: Vice Chancellor Gerhard

It is recommended that the Tentative Budget be approved for the following funds: General Fund-Unrestricted, General Fund-Restricted, Student Center Fee Fund, Student Financial Aid, Workers’ Compensation, Child Development, Capital Outlay, General Obligation Bonds, Self-Insurance, Contract Education, Parking Fund, Special Reserve Fund-Retiree Health Premiums, and Bookstore Funds for the 2012-2013 fiscal year. California Code Regulations Section 58305(a) requires that, on or before the first day of July, each community college district shall file a tentative budget with the County Superintendent of Schools. The Chancellor recommends approval.

**MOTION:** Motion by Trustee Bill Withrow, second by Trustee Abel Guillen to approve.

**AYES:** Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

The motion passed.

27. **Consider Approval of Contract with Turtle, Inc (Tony Tortorice)**
Presenter: Vice Chancellor Gerhard

Request approval of contract with Turtle, Inc., including Tony Tortorice, from July 2, 2012 to June 30, 2013 to serve as project manager on priority "A" projects identified in the Information
Technology Strategic Plan. The purpose of the contract is to provide project management leadership and oversight of the projects defined in the Peralta IT Strategic Plan. The contract amount is not to exceed $260,000 and is included in the budgets approved by the Board of Trustees at the February 28, 2012 Board meeting. Turtle Inc. will:

- Assist the district in recruiting project managers from within the organization.
- Assist the district in identifying and contracting with consultant project managers when necessary.
- Establish a training program to develop district project managers.
- Provide mentoring to trainee project managers.
- Provide the district with an evaluation framework so that district project managers can be evaluated at the completion of each project.
- Establish project standards and methodology.
- Establish an escalation path process for project issues.
- Provide a simple source of data gathering for costs, time, and resource demands.
- Produce standard reports on the status of projects.
- Provide a mechanism for managing changes to project scope.
- Establish a process to define priorities among projects.
- Assist project managers in negotiating for needed resources.
- Implement project management tools such as project management software.
- Provide templates for project management deliverables such as the project charter and the project plan.

Standards-based IT procurement:
- Rationalize IT spend with a consolidated IT budget
- Reduce TCO with lease/service agreements

Web-based e-mail:
- Student financial aid

Institutionalize IT staff training and professional development:
- Implement ITIL-Lite at the colleges and at the District
- Develop a strategy for eventual migration to the cloud (Priority B)
- Develop virtual PC architecture and standards for colleges and District (Priority B)

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. (Item amended to read that the contract shall not exceed $130,000 for a term of six months through 12-31-12.)

Background Materials 1

Background Materials 2

MOTION: Motion by Trustee Linda Handy, second by Trustee Bill Withrow to approve the contract for up to six months at $130,000.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

Trustee Handy feels that the next Chancellor should decide next steps for this position. She doesn’t feel the position has gone through the competitive process. She supports the contract proceeding for up to six months agreement. She believes that financial aid should be outsourced to professionals, and to allow our counselors to return to just counseling our students. The Chancellor shared that the incoming Chancellor
supports continuing this contract. Chancellor Allen shared the urgency to proceed with this contract to ensure that our students continue timely receiving financial aid.

STUDENT SERVICES

28. **Consider Ratification of an Addendum and Contract Approval for Hicks Consulting Group**

   **Presenter:** Vice Chancellor Ng  
   Consider ratification of an addendum for $5,000 for fiscal year 2011-2012, and a contract for $190,000 for fiscal year 2012-2013 to the Hicks Consulting Group. Funding Source: Measure E. The Chancellor approved the addendum under his authority during Board recess, so it returns to Board now for ratification. The project costs will be covered by Measure E funds which have been approved for Financial Aid Infrastructure Technology. The funds are critical to maintain PeraltaCard Disbursement processing, creating and submitting Gainful Employment (GE) Disclosure data, Management Information Systems (MIS), National Student Loan Data System (NSLDS), Participation Agreement (PPA) and to prepare for the Financial Aid audit in July, 2012. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

   **Background Materials**

   **MOTION:** Motion by Trustee Nicky Gonzalez Yuen, second by Trustee Bill Withrow to approve Item 28 and 29.

   **AYES:** Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

   **NOES:** None

   **ABSTAIN:** None

   **ABSENT:** None

   The motion passed.

   Trustee Gonzalez Yuen asked to know the principle’s names associated with these contracts, and asked this information be provided in the future. Trustee Handy is concerned about concurrent contracts to support our systems to help support us until PeopleSoft is fully operational. She feels these systems should be outsourced to expedite services for our students, and doesn’t think things are improving for our students. Trustee Hodge agrees. She asked for a Board workshop on financial aid to discuss other possible options, such as outsourcing. Tom Cluster, John Walker, Judy Cohen, and Beth Tripp are the principles. Trustee Gonzalez Yuen asked why added funds were needed. The lead person had two support people, and there was more work necessary for the contractors with a lack of DBAs last year.

29. **Consider Approval of an Independent Contractor Agreement Addendum for Pinetree Ridge**

   **Presenter:** Vice Chancellor Ng  
   Consider approval of an independent contractor agreement addendum for Pinetree Ridge not to exceed $25,000. An additional $25,000 to the original contract of $190,400 brings the total contract amount to $215,400. Funding Source: Measure E. Pinetree Ridge has provided consultant services to Peralta’s PeopleSoft student advisement module project to implement the Student Academic Advisement Module. Due to unforeseen technical problems in establishing necessary database environments, Pinetree needed to spend additional time and resources in order to complete the project. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

   **Background Materials**

HUMAN RESOURCES
Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified 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. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

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<th>Last Name</th>
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<td>6/30/13</td>
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<td>Rachel</td>
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<td>6/30/13</td>
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<td>Bishop</td>
<td>Judith</td>
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<td>6/30/13</td>
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<td>Bolesh</td>
<td>Peter</td>
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<td>6/30/13</td>
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<td>Brown</td>
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<td>12/30/12</td>
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<td>Galbraith</td>
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<td>Harding</td>
<td>June</td>
<td>7/1/12</td>
<td>8/31/12</td>
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<td>Dolores</td>
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<td>9/30/12</td>
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<td>Helfand</td>
<td>Lauren</td>
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<td>6/30/13</td>
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<td>All</td>
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<td>Kristine</td>
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<td>6/30/13</td>
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This item was amended with the following added names as short-term hourlies. All are from July 1,
MOTION: Motion by Trustee Nicky Gonzalez Yuen, second by Trustee Bill Riley to approve.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

Trustee Withrow asked if the Chancellor's authority can approve these position in the future.

FACILITIES

31. Consider Approval of Resolution 11/12-50, Accept Bid and Award Contract, Building "E" Stair Repair for Laney College (Bid No. 11-12/18), Rodan Builders, Inc. Presenter: Vice Chancellor Ikharo

Approval is requested to accept the bid and award a contract to Rodan Builders, Inc., in the amount of $44,800, for the Building "E" Stair Repair project at Laney College (Bid No. 11-12/18). Funding Source: Bond Measure A.

This project includes the repair of external concrete stairs at Laney College located at Buildings "E" and "G." In addition, an external concrete beam located at the Laney College Student Center will also be fixed. A formal bid was conducted for this project (Bid No. 11-12/18), and a bid opening was held on May 31, 2012. Two bids were received, as follows:

<table>
<thead>
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<th>CONTRACTOR</th>
<th>LOCATION</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rodan Builders,</td>
<td>Burlingame,</td>
<td>$44,800</td>
</tr>
<tr>
<td>Inc.</td>
<td>CA</td>
<td></td>
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<tr>
<td>Ashron Construction</td>
<td>Sunnyvale,</td>
<td>$48,888</td>
</tr>
<tr>
<td></td>
<td>CA</td>
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</tbody>
</table>

The lowest responsible and responsive bid was submitted by Rodan Builders, Inc., in the amount of $44,800. This resolution formally accepts the bid and authorizes the contract award to Rodan Builders, Inc. for the Building E Stair Repair project at Laney College (Bid No. 11-12/18). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Background Materials

32. Consider Approval of Resolution 11/12-51, Acceptance and Retention, HVAC Modernization for Buildings F and G Computer Labs at Laney College, Chevron Energy Solutions Company Presenter: Vice Chancellor Ikharo

On January 26, 2010, this Board approved entering into a design-build contract with Chevron Energy Solutions Company for HVAC Modernization for Buildings F and G Computer Labs at Laney College. Funding Source: Bond Measure A. The scope of work included the replacement of existing air handling units in the F and G Building penthouses with four new units. The new units provide cooling as well as heating, which is required for the many...
computer labs in Building F and G. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and the Laney College President and Business Manager have signed the Project College Acceptance Form. Approval by the Board of Trustees is recommended. This resolution accepts the work as complete and provides for a retention payment of $183,669.60, which is 10% of the contract price. There have been no change orders to the original contract amount ($1,836,696.00). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Background Materials

33. Consider Approval of Change Order No. 2, District-Wide Security Surveillance Project, Increment 2 (Cameras, Servers & Infrastructure), Central Sierra Electric Company Inc. Presenter: Vice Chancellor Ikharo Approval is requested for Change Order No. 2 to the contract with Central Sierra Electric Company Inc. for the District-Wide Security Surveillance Project, Increment 2 (Cameras, Servers & Infrastructure), in the amount of $144,001.03. Including the previously Board approved Change Order No. 1, the cumulative change order total to date is $211,759.47, which is 4.0% of the original contract amount ($5,282,849.00). Funding Source: Bond Measure E (30%) and Measure A (70%). The original project scope consists of: Installation of a total of 461 surveillance cameras to be located at each campus and District Administrative Complex exterior locations, Interior surveillance cameras in smart classrooms and other interior areas at each campus that contain high value equipment, Associated cabling and electrical installation, Integration of existing analog and digital cameras (102 existing cameras), Installation and configuration of a new IT infrastructure including wireless access points, Signage at designated areas, Coordination and integration of Increment 2 with Increment 1 at the District Sheriff's Office Command Center for monitoring 24/7. Change Order No. 2 includes the following scope of work: Merritt College parking lots do not have adequate power supplies required for the external cameras, necessitating extensive trenching and installation of conduit and 110 volt cables. The Self-Reliant House and athletic field at Merritt College do not have fiber cables or power supplies required for the external cameras, necessitating extensive trenching and installation of cables and 24-strand fiber. Upgraded UPS systems are required at Berkeley City College, College of Alameda, the COA Aviation Facility, 860 Atlantic Avenue and the District Administrative Center to handle the new Pivot 3 servers. College of Alameda parking lots do not have adequate power supplies for the external cameras, necessitating extensive trenching and installation of conduits and 10 volt cables. It is in the best interests of the District and financially prudent to authorize this change order. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Background Materials 1

Background Materials 2

34. Consider Approval to Enter into an Agreement for Architectural Services with Murakami/Nelson Architectural Corporation for Six-Month Modernization Project at Berkeley City College Presenter: Vice Chancellor Ikharo Approval is requested to enter into an agreement with Murakami/Nelson Architectural Corporation for architectural and engineering design services required for the Six-Month Modernization Project at Berkeley City College, at a not-to-exceed fee of $29,400. Funding Source: Bond Measure A. This agreement covers architectural and sub-consultant design services for work requested by Berkeley City College under the Six-Month Modernization Project. The construction scope of work includes: Additional outlets in the 5th floor student lounge, AV level 3 upgrade to the Auditorium Room 125: Present electrical and data outlets on the south wall as an additive alternate to the bid Room 165: Align new electrical and data outlets to the furniture in the wall and/or provide power and data in the furniture systems, Add a door between Room 324 and 321A, modify electrical wiring and change lockset at existing door to Room 321A. Install hand dryers...
in large Men’s and Women’s restrooms on ground floor, 1st, 2nd 3rd, 4th and 5th floors. The following services will be provided by Murakami/Nelson under this agreement: Retaining the services of the District’s recommended AV consultant Preparing bid documents Obtaining DSA approval for the bid documents Assist with bidding the project Attending pre-bid meeting Providing construction administration services for the work. The fee proposal is as follows: Murakami/Nelson $12,000 BWF Consulting Engineers/TeeCom Design Group $10,500 Rosen Goldberg Der & Lewitz, Inc. $ 6,900 Total: $29,400 Murakami/Nelson was selected from the previously Board approved short list of architectural firms and has provided architectural services for the Berkeley City College Build-Out project. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

**Background Materials**

35. **Consider Approval to Enter into an Agreement with NBBJ for Architectural/Engineering Services Required for the Library/Learning Center, Phase II Project at Merritt College**

**Presenter:** Vice Chancellor Ikharo

Approval is requested to enter into an agreement with NBBJ for architectural and engineering design services required for the Library/Learning Center, Phase II project at Merritt College, at a not-to-exceed fee of $36,500. Funding Source: Bond Measure E. This new project for the Library/Learning Center at Merritt College will consist of several deferred maintenance items, the need for which was discovered during the Library/Learning Center project. The construction project scope will include: Cleaning and encapsulation of existing interior lined mechanical ducts Replacing security barriers and gates in the Library Repairing leaks in the existing Library storefront Other small repairs/replacements around the Library building A small lighting control replacement in the Library swing space area located in Building A. Under this agreement, NBBJ will provide the following design services: Preparation of contract documents for bidding DSA (Division of the State Architect) submittal phase Bid phase services Construction administration NBBJ was selected from the previously Board approved short list of architectural firms and has provided architectural services for the recently completed Merritt Library/Learning Center, Phase I, which will ensure continuity of the entire Library project. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

**Background Materials**

36. **Consider Approval of Bond Measure Budget Transfers and Appropriations (Nos. 41 and 42)**

**Presenter:** Vice Chancellor Ikharo

Approval is requested for two bond measure budget transfers and appropriations (Nos. 41 and 42). The budget actions have been approved by the appropriate College President, Vice Chancellor of General Services, Vice Chancellor of Finance & Administration, and the Chancellor. With the intent of full disclosure, they are now presented to the Board of Trustees for approval. Funding Source: Bond Measures A and E. On June 23, 2009, the Board of Trustees approved the Bond Measure (A and E) Spending Plan, which included budget appropriations, cash flow projections and budget transfer procedures. The Measure A budget included all current and future projects totaling the $390 million bond amount. At that time the Board also approved the process for future budget transfers from one project to another, which included District and College approvals and subsequent approval by the Board of Trustees. Since that time, project scopes have been refined, and some new projects have been created. In accordance with the Board approved Bond Measure Spending Plan, a budget transfer form has been prepared for each budget transaction. The two transactions indicate the current budget, revised or new budget and the transfer amount, for both the budget that is being increased (credit) and the budget that is being decreased (debit). Following are the budget transfer summaries: Transfer Number Project/Budget Name Current Budget Revised Budget Transfer Amount 41 (Measure E) To: Project #2968 ? Merritt Learning Center/Library, Phase II $0 $ 350,000.00
Description: Implementation of Merritt Learning Center/Library, Phase II project, including duct cleaning, wall for access entry and other minor changes. Transfer Number Project/Budget Name Current Budget Revised Budget Transfer Amount 42 (Measures A & E) To: Project #2700 ? Overhead, Measure E $2,390,984.00 $6,518,984.00 $4,128,000.00 Project #2300 ? Overhead, Measure A $14,000,000.00 $15,172,000.00 $1,172,000.00 Total: $5,300,000.00 From: Unallocated Meas. E Funds $5,295,096.00 $1,167,096.00 ($4,128,000.00) District-Wide Interest $1,172,000.00 $0 ($1,172,000.00) Total: ($5,300,000.00) Description: Increase overhead to accommodate work required for bond programs A & E. The new revised total represents only 3% of the total project and bond packages. The total of Measures A, E and State funds is $639,002,484. Due to delays in State funding for projects, the sequence of many project schedules was impacted, thereby delaying the completion of the overall program. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Background Materials

37. Consider Approval of the Merritt College Trail Exchange Resolution 11/12-52 to Facilitate Moving a Pedestrian/Equestrian Trail at Merritt College Presenter: Vice Chancellor Ikharo Consider approval of the Merritt College Trail Exchange Resolution 11/12-52 which will facilitate the moving of a pedestrian/equestrian trail at Merritt College by having the City of Oakland grant the existing trail to the District, in exchange for the District granting the location of the new trail to the City. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. (This item was later pulled from the agenda, and will return to a future Board meeting for possible action.)

Background Materials 1

Background Materials 2

Background Materials 3

Background Materials 4

MOTION: Motion by Trustee Nicky Gonzalez Yuen, second by Trustee Bill Withrow to approve.

Trustee Gonzalez Yuen asked for more information on this agenda item. The item will return to the next Board meeting for possible action. Trustee Handy shared that the media misrepresented what had previously occurred related to this matter. She agrees that it should be clearer to the public what occurs.

38. Consider Approval to Appoint the Following Individuals to Serve on the Measure A Citizens’ Bond Oversight Committee Presenter: Vice Chancellor Ikharo Consider approval to appoint the individuals listed below to serve on the Measure A Citizens’ Bond Oversight Committee. The Citizens’ Bond Oversight Committee By-Laws, Section 5 - Membership, Number 5-1, states that the committee shall consist of a minimum of seven (7) members appointed by the Board of Trustee from a list of candidates submitting written applications based on criteria established by Prop. 39: "One (1) member active in a business organization representing the business community located in the District. One (1) member active in a senior citizen’s organization. One (1) member active in a bona-fide taxpayer’s organization. One (1) member shall be a student who is both currently enrolled in the District and active in a community college group, such as student
government. One (1) member shall be active in the support and organization of the community college or the community colleges of the district, such as a member of an advisory council or foundation. Two (2) members of the community at-large, appointed by the Board."

NEW APPOINTMENTS - COMMITTEE MEMBERS
Name Category Term
Odell Johnson Senior Citizens’ Organization 2 year term (July 1, 2012 through June 30, 2014)
Don Sherratt Community-at-Large 2 year term (July 1, 2012 through June 30, 2014)
Sharon Clegg Student College Group 2 year term (July 1, 2012 through June 30, 2014)
Karen Freidman Peralta College Foundation 2 year term (July 1, 2012 through June 30, 2014)

NEW APPOINTMENT - ALTERNATE
Name Category Term
Michael Mills Peralta College Foundation 2 year term (July 1, 2012 through June 30, 2014)

Other members of the committee include:

COMMITTEE MEMBERS
Name Category Term
Nyeshia DeWitt Community-at-Large 2 year term, expires 6/30/13
Reappointment
Arthur Kurrasch Taxpayers' Association 2 year term, (July 1, 2012 through June 30, 2014)
Eduardo Jimenez Business Organization 2 year term, expires 6/30/13

ALTERNATES
Name Category Term
Miguel A. Rodriguez Community-at-Large 2 year term, expires 6/30/13
Esteem Brumfield Student College Group 2 year term, expires 6/30/13
The Chancellor recommends approval. (This list was amended, with added names read during the approval of the agenda.)

Action Calendar 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.

Motion on each Action Calendar Item

Public Comments on each Action Calendar Item

Vote on each Action Calendar Item

Announcements

1. The next regular Board meeting will be held on July 17th at 7 p.m. in the City of Albany at Club Montero's at San Pablo and Solano, with a meet and greet public reception there from 6-7 p.m.