



## PERALTA COMMUNITY COLLEGE DISTRICT

### REGULAR MEETING OF THE BOARD OF TRUSTEES

**Tuesday, March 14, 2017**

**5:00 p.m. Closed Session**

**7:00 p.m. Public Session**

**Laney College, Fieldhouse**

**900 Fallon Street**

**Oakland, CA 94607**

**Welcome** to a meeting of the Peralta Community College District Board of Trustees. Meetings of the Peralta Community College District Governing Board are Broadcast Live on KGPC, 96.9FM, and Peralta TV on Cable Channel 27 in Alameda and Berkeley, Cable Channel 28 – Oakland, Emeryville, and Piedmont and Channel 99 on AT&T U-Verse. Listed agenda times are estimates. Live stream video of the meetings, agendas, minutes, and all open session reports and meeting materials are available for viewing on Granicus:

**Link on the Peralta Board Website:** <http://web.peralta.edu/trustees/meetings-votelog/>

**PLEASE TURN OFF YOUR CELL PHONES DURING THE MEETING - THANK YOU!**

### AGENDA

**PUBLIC COMMENT ON CLOSED SESSION MATTERS (7:00 p.m.)**

**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.
- Conference with Legal Counsel (54956.9(a)), R. Young v. Peralta Community College District, Case No. 14-cv-05351-JD.
- Conference with Legal Counsel (54956.9(a)), Nunez et al. v. Peralta Community College District et al.; Case No. RG16827433
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (2 cases)

Public Employee Appointment (Government Code Section 54957)

- Recommendation to appoint the Risk and Safety Programs Manager, District Office.
- Recommendation to extend the appointment of the Interim Project Manager of Maintenance & Operations, District Office.
- Correction to the February 21, 2017 Report of Closed Session Read Out Regarding Contract Extensions:  
Error: *Recommendation to extend the Director of Business & Administrative Services, College of Alameda.*  
Title Correction: *Recommendation to extend the Director of Workforce Systems, College of Alameda.*

Public Employee Discipline/Dismissal/Release (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.)

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\_, Weinstein Pr\_ Ab\_, Handy Pr\_ Ab\_, Riley Pr\_ Ab\_, Withrow Pr\_ Ab\_, and, Student Trustee Cruz Pr\_ Ab\_ and Student Trustee Price Pr\_Ab\_.

**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.)

**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. The Board may move to the Action Calendar items with public speakers.

1. **Tenure Track Faculty Recognition** (7:05 P.M.) At tonight's meeting, the Board of Trustees will formally recognize tenure track faculty. A reception honoring these tenure track faculty members will be held just prior to convening the regular Board meeting.

**APPROVAL OF THE MINUTES** (7:10 P.M.)

2. Consider Approval of the Regular Board meeting Minutes of February 21, 2017.

Consider approval of the Regular Board meeting Minutes of February 21, 2017. The minutes are posted on Granicus.

**PUBLIC COMMUNICATION** (7:12 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/>

## REPORTS (7:27 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.**

### 3. 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.)

### 4. Chancellor's Reports

Chancellor's Report Dr. Jowel C. Laguerre

- Laney College Highlights

Chief of Staff Dr. Yashica J. Crawford

#### Vice Chancellors' Reports

Academic Affairs	Dr. Luis Pedraja
Education Services	Dr. Michael Orkin
Finance	Mr. Ronald Little
General Services	Dr. Sadiq Ikharo
Human Resources	Dr. Trudy Largent
Information Technology	Dr. Jason Cole
Strategic Partnerships/ Advancement	Dr. Elñora Webb
Student Services	Dr. Norma Ambriz-Galaviz

#### College Presidents' Reports

Berkeley City College	Ms. Rowena Tomaneng
College of Alameda	Mr. Timothy Karas
Laney College	Dr. Audre Levy
Merritt College	Dr. Marie-Elaine Burns

### 5. 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.

### 6. Peralta Classified Senate Report **Presenter: Roberto Gonzalez**

### 7. District Academic Senate Report **Presenter: DAS President Cleavon Smith**

**PRESENTATIONS (8:30 P.M.)**

8. Presentation of the Citizens’ Oversight Committee Annual Report **Presenter: Chair Michael Mills** (5 minutes)

Chair Michael Mills will present the Annual Report of the Citizens’ Oversight Committee reflecting Measure A general obligation bond expenditures for fiscal year 2015-2016.

9. Scorecard Report Presentation **Presenter: Chancellor Jowel C. Laguerre** (5 minutes)

Education Code, Section 84754.5(d), mandates that each year the Board of Trustees “review and adopt its contribution to the segment wide annual report as part of a regularly scheduled and noticed public meeting at which public comment shall be invited”. Chancellor Laguerre will present the 2016 score card results and answer questions.

**CONSENT CALENDAR (8:40 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**

10. Consider *Ratification* for Out of State Travel pursuant to Board Policy 7400 **Presenter: Chancellor Laguerre**

Consider *ratification* for Out of State Travel pursuant to Board Policy 7400 for the following faculty:

Name	Travel Location	Travel Dates
Janine Fujioka	Middlebury, VT	June 22, 2015 – August 10, 2015
Brenda Johnson	San Antonio, TX	November 12, 2016 – November 18, 2016
Pratiksha Thakor	Las Vegas, NV	February 26, 2017 – March 2, 2017

11. Consider Approval of Out of State Travel pursuant to Board Policy 7400  
**Presenter: Chancellor Laguerre**

Consider approval of Out of State Travel pursuant to Board Policy 7400 for the following faculty:

Name	Travel Location	Travel Dates
Mary Beth Benvenuti	Seattle, WA	April 29, 2017 – May 3, 2017
Sean Brooke	Tokyo, Japan	April 14, 2017 – April 19, 2017
Jacqueline Burgess	Ghana	July 28, 2017 – August 13, 2017
Esther Cheng	Seattle, WA	March 31, 2017 – April 3, 2017
Matthew Jones	Las Vegas, NV	April 4, 2017 – April 7, 2017
Andrea Lee	Ghana	July 28, 2017 – August 13, 2017
Gregory Schwartz	Boston, MA	April 5, 2017 – April 9, 2017
Thomas Torres-Gil	Summerlin, NV	April 5, 2017 – April 7, 2017
Thomas Torres-Gil	Buenos Aires, Argentina	May 2, 2017 – May 6, 2017

12. Consider Approval of Board Policies for Final Reading **Presenter: Chief of Staff Crawford**

Consider approval of final reading for the following board policies:

- **BP 3410 Nondiscrimination** – This policy was updated to add a citation related to the U.S. Department of Fair Employment and Housing (DFEH) regulations governing discrimination in employment.
- **BP 3430 Prohibition of Harassment** – This policy was updated to add a citation regarding the DFEH regulations governing discrimination in employment.
- **BP 6300 Fiscal Management** – This policy was updated to include a requirement that a district’s CEO establish procedures to satisfy the U.S. Education Department General Administrative Regulations (EDGAR) Second Edition for any federal funds received by the District. Further, the Office of Finance has added a statement that is needed as part of the District’s response to a National Science Foundation (NSF) program review, as well as a required update needed for compliance with Uniform Grant Guidance, effective July 1, 2016.
- **BP 6340 Bids and Contracts** – This policy was updated to include a citation regarding the EDGAR Second Edition requirements governing procurement standards.
- **BP 7120 Recruitment and Hiring** – This policy was updated to include the citation for Education Code Section 87458, which addresses the conditions under which an administrator may become a first-year probationary faculty member.
- **BP 7310 Nepotism** – This policy was updated to add “discipline” to the list of items that constitute a personnel decision and to make non-substantive formatting edits.
- **BP 7360 Discipline and Dismissal-Academic Employees** – This policy was revised to add legal citations related to the Education Code provisions

governing academic employee discipline and dismissal and to remove a citation from the body of the policy.

13. Consider Approval of First Reading on Proposed Board Policies **Presenter: Chief of Staff Crawford**

The Board will conduct a first reading on the Board Policies. The following policies are presented for review, and will return to a future Board meeting for adoption.

- **AP 5030 Student Fees** - The changes to this AP are (1) changing the Capital Outlay fee in keeping with a recent motion passed by the Peralta Board of Trustees as recommended by the Office of Finance; and (2) including the fee amount for the International Application.
- **Peralta AP 6200 Budget Management** - Change the number to **AP 6250** to match the CCLC numbering.
- **BP 5020 Nonresident Tuition** – **Revise the board policy so that it does not cite** the specific cost for the Capital Outlay fee because the specific cost is contained in AP 5030 Student Fees.

## EDUCATIONAL SERVICES

14. Consider Approval of Recommendations Regarding the Granting of Tenure and Continued Probationary Status **Presenter: Vice Chancellor Pedraja**

The Tenure Review Committees (TRCs) of the District have essentially completed their 2016-17 cycle of evaluations and their recommendations have been forwarded to and reviewed by the Tenure Review Certification Committees (composed of the Vice Presidents of Instruction and the Faculty Academic Senate Presidents). The College Certification Committees have certified that the TRC for each candidate has followed the required procedures and timetables, and applied the expected standards, of evaluation for Tenure Review. Additionally the College Presidents have made their recommendations, with explanations in cases where their recommendation differs from that of the TRC.

The following **corrections** should be made for the following faculty:

**Laney College:**

Peter Brown	Machine Technology	Fourth Year
Danielle Odom	Counselor	Second Year

**Merritt College:**

Daniel Lawson	Mathematics	Fourth Year
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**Berkeley City College:**

Jeanine Greer	Mental Health Specialist	Second Year
Abboud Samir	Computer Science	Second Year

15. Consider Approval of the Addendum to the agreement between Randolph Belle and Laney College for professional communications/graphic design related consultation services in the amount of \$30,000. **Presenter: Interim President Levy**

Consider Approval of an addendum to the contract in the amount of \$30,000 for additional consulting contract between Randolph Belle Consulting Services and the Peralta Community College District for the professional communications related consultation services of Randolph Belle. This will bring the total amount of the contract with Mr. Belle for this fiscal year to \$60,000.

The consultant will be contracted to provide the communications-related, graphic design and photography services for Laney College. Deliverables associated with this contract include: College Catalog, College class listings, programs for the Graduation and Honors & Awards Banquet, programs for other miscellaneous college events, institutional collateral materials used for outreach and in reach, College advertisements, College event flyers, photography, etc. The Chancellor recommends approval. Mr. Belle's services to Laney College have been satisfactory. **Funding Source: Laney President's Office General Fund.**

16. Consider Approval of an addendum to the Independent Contractor Agreement with Danny Beesley (dba EcoVision Consulting) in an amount not to exceed \$40,000 for services to be rendered pursuant to project support for the operation of the Advanced Manufacturing Fabrication Lab (FabLab) and project management support for the California Community College Maker grant. **Presenter: Interim President Levy**

Consider approval of an addendum to the Independent contractor agreement for Danny Beesley (dba EcoVision Consulting) in an amount not to exceed \$40,000 for a total of \$90,000 to act as project support for the operation of the Advanced Manufacturing Fabrication Lab (FabLab), project management support for the Sierra Joint Community College Maker grant. The contract dates will be through to June 30, 2017. Laney College has developed an Advanced Manufacturing Fabrication Lab (FabLab). This lab is used to introduce and expose students from all disciplines to innovations and advancements in manufacturing technologies. These efforts include:

- Mr. Beesley will continue to be the lead in the operation of the Advanced Manufacturing Fabrication Lab (FabLab) which includes; equipment installation, working with faculty to incorporate the use of the FabLab into their departments, coordination and other support services. His services to the College have met our standards.

EcoVision Consulting will perform project management and reporting requirements for the Sierra Joint Community College Maker grant. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: California Community College Maker Grant.**



17. Consider approval of a sub-award agreement for Skyline College/San Mateo County Community College District in the amount of an additional \$20,000 to the previously authorized amount of \$68,000 for a total of \$88,000 for the Year 3 grant period **Presenter: Interim President Levy**

Consider approval of a sub-award agreement for Skyline College/San Mateo County Community College District in the amount of an additional \$20,000 to the previously authorized amount of \$68,000 to total \$88,000 for the Year 3 grant period. Allocation of program improvement funding under Prop 39 was based in part upon 2015-2016 certificates awarded to students enrolled in participating energy related programs and listed in the Chancellor's Office MIS system or documentation of third party certification provided to the regional project director and approved by the Chancellor's Office.

The Program Improvement funds are to be used for:

- Creation of an Energy and construction high school dual credit bridge program.
- ESTM Marketing and Outreach.
- Enhancement of existing certificate and degree programs for careers in Energy Efficiency.
- Purchasing energy efficiency and clean energy related supplies and equipment, which include laboratory instructional supplies, purchase parts, conduits & wires for Solar PV Installation and Solar Thermal classes, and supplies for Intro to HVAC for Building Performance class and demo solar kits.
- Faculty professional development activities, curriculum or professional development or other activities that aid to the growth or strengthening of a program for Climate Corps Program.

Peralta Community College District as the fiscal agent for this grant has been approved the expenditure of up to \$787,907 for program improvement and regional program operations funding of which \$568,091 will be allocated among 11 colleges including Skyline College. Allocation of program improvement funding to each college was based in part upon 2015-2016 certificates awarded to students enrolled in participating energy related programs and listed in the Chancellor's Office MIS system or documentation of third party certification provided to the regional project director and approved by the Chancellor's office.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: SB-73 – Clean Energy Job Creation Fund of the California Clean Energy Jobs Act.**

18. Consider approval of a sub-award agreement for Full Capacity Marketing Inc. in the amount of \$42,425 for the Year 3 grant period. Videos will be used to market Clean Energy programs at community colleges within the Bay Region. **Presenter: Interim President Levy**

Consider approval of a sub-award agreement for Full Capacity Marketing Inc. in the amount of \$42,425 for the Year 3 grant period. Videos will be used to market Clean Energy programs at community colleges within the Bay Region. Allocation of program improvement funding under Prop 39 was based in part upon 2015-2016 certificates awarded to students enrolled in participating energy related programs and listed in the Chancellor's Office MIS system or documentation of third party certification provided to the regional project director and approved by the Chancellor's Office.

The Program Improvement funds will be used for the development and production of 4 educational videos which includes the following tasks:

- In depth discussion on potential interviews/shots
- Development of standardized intro/outro
- Schedule for interviews and b-roll capture schedule
- 4 videos; 3 interviews per video: day by day shot schedule
- Four locations - 2 1/2 day shoot which includes travel/hotel for crew/equipment
- Infographics/graphics/transition slides: 4 videos
- Rough cuts & customer input: 4 videos
- Revisions: 4 videos
- Music rights, stock photos, additional b-roll
- Voice over for 4 videos and studio.

Peralta Community College District as the fiscal agent for this grant has been approved the expenditure of up to \$787,907 for program improvement and regional program operations funding of which \$568,091 will be allocated among eleven (11) colleges including Diablo Valley College. Allocation of program improvement funding to each college was based in part upon 2015-2016 certificates awarded to students enrolled in participating energy related programs and listed in the Chancellor's Office MIS system or documentation of third party certification provided to the regional project director and approved by the Chancellor's office.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: SB-73 – Clean Energy Job Creation Fund of the California Clean Energy Jobs Act.**

19. Consider approval of a sub-award agreement for Diablo Valley College/Contra Costa Community College District in the amount of an additional \$8,000 to the previously authorized amount of \$75,591.29 to total \$83,591.29 for the Year 3 grant period. **Presenter: Interim President Levy**

Allocation of program improvement funding under Prop 39 was based in part upon 2015-2016 certificates awarded to students enrolled in participating energy related programs and listed in the Chancellor's Office MIS system or documentation of third party certification provided to the regional project director and approved by the Chancellor's Office.

The Additional Program Improvement funds will be used for:

- Additional new equipment which will be integrated into the existing modules for energy systems and electricity/electronics courses, construction craft technology, electrical, drafting technology, and architectural drafting, and industrial and occupational safety and health.
- Additional sensors and other devices to increase capability and complexity of student projects.
- Enhancement of existing certificate and degree programs for careers in Energy Efficiency.
- Faculty professional development activities, curriculum or professional development or other activities that aid to the growth or strengthening of a program.

Peralta Community College District as the fiscal agent for this grant has been approved the expenditure of up to \$787,907 for program improvement and regional program operations funding of which \$568,091 will be allocated among 11 colleges including Diablo Valley College. Allocation of program improvement funding to each college was based in part upon 2015-2016 certificates awarded to students enrolled in participating energy related programs and listed in the Chancellor's Office MIS system or documentation of third party certification provided to the regional project director and approved by the Chancellor's office.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: SB-73 – Clean Energy Job Creation Fund of the California Clean Energy Jobs Act.**

20. Consider approval of a sub-award agreement for Cabrillo College/Cabrillo Community College District for an additional \$22,000 to the previously authorized amount of \$61,000 to total \$83,000 for the Year 3 grant period. **Presenter: Interim President Levy.**

Allocation of program improvement funding under Prop 39 was based in part upon 2015-2016 certificates awarded to students enrolled in participating energy related programs and listed in the Chancellor's Office MIS system or documentation of third party certification provided to the regional project director and approved by the Chancellor's Office.

The Program Improvement funds are to be used for:

- Creation of Online Course Development to assist in the planning and implementation of proposed Articulation Agreement(s) between Cabrillo College, the Regional Occupational Program (ROP), and the local High Schools within Santa Cruz County.
- Offering of Online courses includes partial funding for the development of a combination of high school and Cabrillo courses and pathways for college credits including: the Cabrillo College Summer Energy Academy for credit; the Tiny Home Design and Construction courses for credit; Extension or Adult Education courses; and for the collaboration and development of other Construction and Energy Management design and construction courses between the high schools and Cabrillo College departments.
- Continue efforts in Energy Technology courses which will be offered online in an effort to increase enrollments. Develop the CEM Program will include the Etech and Welding Programs within its Marketing and Outreach efforts.

Peralta Community College District as the fiscal agent for this grant has been approved the expenditure of up to \$787,907 for program improvement and regional program operations funding of which \$568,091 will be allocated among 11 colleges including Cabrillo College. Allocation of program improvement funding to each college was based in part upon 2015-2016 certificates awarded to students enrolled in participating energy related programs and listed in the Chancellor's Office MIS system or documentation of third party certification provided to the regional project director and approved by the Chancellor's office.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: SB-73 – Clean Energy Job Creation Fund of the California Clean Energy Jobs Act.**

21. Consider Approval of the Renewal Contract with Department of Rehabilitation College of Alameda Workability III Program (WAIll) **Presenter: President Karas**

The College of Alameda Workability III Program (WAIll) will provide employment services such as employment preparation, job search instruction, employment services, job development and on-going support activities for up to 90 days after job placement to student referred by the Department of Rehabilitation (DOR). At least 75 students per year from WAIll program enroll in a 1 unit job search class as well as any other classes related to their job goal. All services, funded directly or through certified expenditures, provided in this agreement shall be exclusively for students who have been referred by a DOR counselor as part of their IPE. This is a renewal of a contract for a program that has successfully met all t goals each year since 1994. The total certified amount over a 2 year period is \$733,054 to be disbursed over the 2016-2017 and 2017-2018 fiscal years. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Department of Rehabilitation.**

22. Consider Board Approval for the Addendum of the Independent Contractor/Consultant Contract (ICC# 13581) with EcoVision Consulting (Danny Beesley) at the College of Alameda for additional \$15,000 and a grand total of \$65,000 for FY 2016-17. **Presenter: President Karas**

The College of Alameda has complied with the requirements of the California Community Colleges (CCC) Maker grant and will be awarded \$20,000 for the development of a Makerspace/FabLab implementation plan and will receive another \$20,000 upon submission of the plan by May 17, 2017. The CCC Maker initiative will drive innovation in education and prepare students for success in STEM/STEAM careers that demand 21st century skills. EcoVision consulting will lead the work necessary for complying with the grant and preparing an implementation plan. The Chancellor recommends approval. **Funding Source: California Colleges Maker Grant.**

23. Consider Approval of the Amended and Restated Independent Consultant Contract (ICC) with Henry W. Taylor dba Legacy Consulting at Merritt College for an additional \$15,750. **Presenter: Interim President Burns**

Consider Approval of an amended and restated Independent Consultant Contract with Henry W. Taylor dba Legacy Consulting at Merritt College for an additional \$15,750. Henry W. Taylor will continue to provide professional fundraising services to Merritt College by establishing partnerships that will generate external revenue resources. This will include establishing facility rental options with external investors/partners, conducting fundraising activities, creating cultivation events that showcase our programs, and designing a signature event to strengthen Merritt's connection with its community. The original ICC#20938 and amendment has a completion date of March 31, 2017 however, Merritt College requests additional funding be added to the contractual amount of \$23,250 for a total of \$39,000 in order to complete further identified projects that will conclude by June 30, 2017.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Unrestricted Funds.**

24. Consider Approval of a Piggyback-Complaint Contract and Purchase with NetXperts, through a Foundation for California Community College Administrative Services Agreement (CB 15-013), to upgrade the Wireless Network at the College of Alameda in an amount not to exceed \$450,000. Presenter: Vice Chancellor Cole

Consider Approval of a piggyback-complaint Contract and Purchase with NetXperts, through a Foundation for California Community College Administrative Services Agreement in an amount not to exceed \$450,000. The Contract will include the procurement, installation, and configuration of all Cisco equipment and to provide a fully operational wireless network at College of Alameda, in the amount not-to-exceed \$450,000. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

25. Consider Approval of a Contract in an amount not to exceed \$100,000 with SYSOREX to design, configure and migrate all-district on-premises email to Microsoft 365 cloud email. Presenter: Vice Chancellor Cole

Consider Approval of a Contract in an amount not to exceed \$100,000 with SYSOREX to design, configure and migrate all district on-premises email to Microsoft 365 cloud email. This project will provide a modern, resilient email system for all faculty and staff throughout the District. The deliverables include but are not limited to the following: cleanup and upgrade staff and faculty directory, migrate initial mailboxes, decommission legacy environment, train district staff and provide 90 days of ongoing support. The anticipated completion date is June 30, 2017. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measures A and E.**

## HUMAN RESOURCES

26. 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
Callahan	Chase	3/27/17	6/30/17	Interpreter II	All
Chow	Teresa	3/15/17	6/30/17	Staff Asst/Instruction	L
Downing	Christopher	3/16/17	6/30/17	Sci Lab Tech/Landscape Hort	M
Esse	Genavive	3/27/17	6/30/17	Interpreter III	All
Germain	David	3/15/17	4/4/17	Inst Asst/Diesel Mechanics	A
Gildea	Juanita	3/15/17	6/30/17	Senior Secretary	D
Gota	Jazzmin	3/15/17	6/30/17	Staff Asst/Admin (General)	B
Quizhpe	Birhon	3/15/17	6/30/17	Clerical Assistant II	M
Rivera Cordova	Sandi	3/15/17	6/30/17	Staff Asst/Student Services	M

*"The District has complied with the applicable provisions of the Education Code"*

## FINANCIAL SERVICES

27. Review of Purchase Order Report **Presenter: Vice Chancellor Little**

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 February 1, 2017 through February 28, 2017, 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.

28. 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 February 1, 2017 through February 28, 2017. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

29. Consider Approval of Budget Transfer Report **Presenter: Vice Chancellor Little**

Consider approval of budget transfer report covering the period from February 1, 2017 through February 28, 2017. 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 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 13, 2016. The Chancellor recommends approval.

30. Consider Approval for Blanket Purchase Order for Official Payments Corporation  
**Presenter: Vice Chancellor Little**

Consider approval of an open purchase order for Official Payments Corporation (OPC) in the amount not to exceed \$400,000. The contract is needed to pay for student credit card processing fees through fiscal year-end, June 30, 2017. The District provides students with a variety of payment options in effort to collect student fees timely (i.e. debit card, electronic check and credit card). Peralta has had an agreement with Official Payments to provide credit card processing services since Fiscal Year 2007-08. An approval agenda item for a blanket purchase order has been established every year, starting in 2010.

OPC currently offers Peralta Community College District electronic check payment and processing transaction services and credit/debit card payment transaction services through an Internet interface over the web, an interactive telephone voice response system, and a point of sale interface. This service includes the validation of student's bank account routing numbers, ACH eligibility, determination of dollar amount specified by students, and the creation of transaction files that are then forwarded to the Automated Clearing House. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Unrestricted General Fund.**

31. Consider Approval of Budget Transfer for Measure A & Measure E **Presenter: Vice Chancellor Little**

Consider Approval of Measures A & E Budget Appropriation and Transfer No. 107 in the amount of \$400,625, required to move funds for the following projects: Measure E Projects – \$5,391 to Classroom Scheduling, \$26,464 to Districtwide Network Upgrade, \$82,024 to Web Based Email, \$206,146 Technology Infrastructure, (\$113,879) from Financial Aid System, (\$515) from Document Management, (\$15,405) from Student Financial Aid, and (\$190,226) from VOIP; Measure A Projects - \$70,000 to Web Based Email, \$10,600 to IT Infrastructure, and (\$80,600) from IT/Time and Labor. This will cover any overages on the project



and allow for the completion of the Web Based Email and Districtwide Wi-Fi Projects. The Chancellor recommends approval.

32. Consider Approval of Amendment #1 to the Agreement for Professional Legal Services with Dannis Woliver Kelly (DWK). **Presenter: Vice Chancellor Little**

Consider approval of Amendment #1 to the Agreement for Professional Legal Services for an additional amount not-to-exceed \$90,000. This brings the total contract amount not to exceed \$120,000 through June 30, 2017. DWK is assisting the District with potential claims analysis related to leaks at Laney College, construction and delay consultation and review of construction and bond related contract review. DWK's services have been satisfactory. The Chancellor recommends approval. **Funding Source: Measure A bond funds.**

33. Consider Approval of Amendment #1 to the Agreement with KDI Consultants, Inc. for Division of the State Architect (DSA) Certified Inspection Services on the Laney College BEST Center Project. **Presenter: Vice Chancellor Little**

Approval is requested for Amendment No. 1 to the Agreement with KDI Consultants, Inc. for an extension of Division of the State Architect (DSA) Certified Inspection Services on the Laney College BEST Center Project through June 30, 2017, in the not-to-exceed amount of \$33,682.50. KDI has been providing DSA inspection services on the Laney College BEST Center project since the beginning of construction. The project has experienced delays that have extended the project completion date and consequently there is a need to extend the DSA inspection services. This amendment addresses a time extension for this contract for inspection services that are required by DSA and additional compensation for services to be provided. The Chancellor recommends approval. **Funding source: Measure A bond funds.**

34. Approval of Change Order No. 2 for the Laney College BEST Center Project (BID No. 14-15/11), W.E. Lyons Construction Company. **Presenter: Vice Chancellor Little**

Consider approval of Change Order #2 to the contract with W.E. Lyons Construction Company, in the amount of \$54,459.83. This Change Order is a result of following: Mechanical Changes \$32,365.57, Added Ceiling Gyp Board around radiant Walls \$6,214.54, Balcony Waterproofing \$5,207.13, PG&E Gas Line Delay, \$6,944.39 (to be reimbursed by PG&E), and Revised Ramp and Railing \$3,728.20. This Change Order #2 of \$54,459.83 is 2.4% of the original contract sum. The Chancellor recommends approval. **Funding Source: Measure A bond funds.**

35. Approve Contract to enter into an agreement with Swinerton Builders dba Swinerton Management & Consulting for project management services for the Corrective Infrastructure Projects at Laney College. **Presenter: Vice Chancellor Little**

Approval is requested to enter into a contract with Swinerton Builders dba Swinerton Management & Consulting (“Swinerton”) in an amount not to exceed \$85,000 for Project Management Services for urgent health and safety corrective infrastructure projects at Laney College. After completion of a selection process compliant with Government Code section 4525 et seq., Swinerton was selected as having the demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. The Chancellor recommends approval. **Funding Source: Capital Outlay – Fund 61.**

36. Consider Approval for Professional Legal Services for OPEB and Bond Related Support by Curls Bartling, P.C. **Presenter: Vice Chancellor Little**

Curls Bartling, P.C. currently provides legal services for the District and colleges on multiple matters and general legal support. The services provided include support of OPEB and Bond-related matters. The original retainer agreement was funded only by the District’s General Fund. It is appropriate for the legal services related to OPEB and Measure A (Fund 63) and Measure E (Fund 65) to be paid for through those funds. Accordingly, it is recommended that the Board approve that legal services provided related to OPEB and Measure A and Measure E be paid for by the appropriate fund accounts in an additional amount not to exceed \$60,000. The payment for legal services will cover the period from July 1, 2015 through June 30, 2017. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Sources: OPEB Reserve (Fund 69), Measure A (Fund 63) and Measure E (Fund 65).**

## **FACILITIES**

37. Consider Approval of Amendment #3 with KONE Inc. for the Installation of ADA Phone Devices at Merritt College, Laney College, College of Alameda, and the Installation of Isolation Pads at Berkeley City College. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Amendment #3 with KONE Inc. for the installation of elevator ADA phone devices at Merritt College, Laney College, College of Alameda, and the installation of isolation pads at Berkeley City College, the amount not-to-exceed \$60,000. About one year ago when the Information Technology Department changed phones from the Mitel to Cisco VoiP, the elevator phones were not changed, which are required for public safety. To achieve reliable phone connectivity to Peralta Police Services (PPS) and a two-way communication from inside the elevator cab to police (sheriff) dispatch for assistance, KONE Inc. will install ADA phone devices in the elevators. The existing emergency phones

are over 25 years old and have exceeded their useful life, which cannot be programmed to be compatible with the new VOiP system. Therefore, the ADA phones need to be replaced. KONE Inc. will furnish and install ADA compliant communication devices that meet the current California Code of Regulations (Title 24).

The original contract (\$151,849.68) was approved on September 10, 2013; Amendment #1 (\$55,693) was approved on March 13, 2014; and Amendment #2 (\$87,574) was approved on November 15, 2016. If this Amendment is approved, then their total contract amount is \$354,677.68. Staff will conduct a new request for proposals (RFP) for elevator services during the 2017-2018 school year that will be comprehensive and anticipate future needs of the District. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund and/or 30 Day Maintenance Fund.**

38. Consider Approval of Amendment No. 3 to the Existing Agreement with Security By Design, Inc. (SBD) for the Provision of Technical Services to Develop the Scope of Work, Preparation of Bid Documents, Bid and Construction Administration for the Installation of the Districtwide Code Blue Emergency Phones. **Presenter: Vice Chancellor Ikharo.**

Approval is requested of Amendment No. 3 to the existing agreement with SBD to continue to provide technical services to develop scope of work, prepare the bid documents, complete construction administration for the installation of the Districtwide Code Blue Emergency Phones, in the amount-not-exceed \$32,865. The administration requests to extend the contractual completion date to December 31, 2017. The extension of the contract terms will allow SBD to continue and complete the design and construction administration of existing emergency blue phone system to attain Enhanced Functionality, meet or exceed requirements of existing statutes regarding campus public and security safety. The requested amount will pay for additional services for extended construction document and bid support phases, and pay for the construction administration phase extension period from 21 weeks to 39 weeks.

The original contract was in the amount of \$39,550; Amendment #1 was for a time extension only; and Amendment #2 was in the amount of \$116,095, board approved on April 12, 2016. If this amendment is approved, the vendor's total contract amount will be \$188,510. The Chancellor recommends approval. **Funding Source: Measure A.**

39. Consider Approval of Maintenance & Operation (M&O) Contracts and Amendments to Pay 2015/2016 Outstanding Invoices. **Presenter: Vice Chancellor Ikharo.**

Approval is requested of M&O contracts and amendments relating to services provided in Fiscal Year 2015/2016 in order to pay outstanding invoices, in the

aggregate amount not to exceed \$4,208. The following contractors have completed the outlined work.

<b>Contractor / Scope of Work</b>	<b>Contract Amendments / Project Name</b>	<b>Amounts</b>
Netronix Integration purchased and installed Lenel 900 hz to 10/100 Wireless Gateway with POE converter.	Amendment #1 - Districtwide Installation of Lenel Wireless Gate	\$2042.18
Roto Rooter certified backflow test: 13 devices tested, 9 passed, and 4 failed.	Amendment #3 – Districtwide Plumbing and Drain Services	\$2165.00
<b>TOTAL:</b>		<b>\$4,207.18</b>

The Chancellor recommends approval. **Funding Source: General Funds.**

40. Consider Approval of Change Order #2 on the Laney College Library LED Lighting Upgrade, Energy Conservation Options (ECO). **Presenter: Vice Chancellor Ikharo.**

Consider approval of Change Order No. 2 to the contract with Energy Conservation Options (ECO), in the amount of \$16,372 on the Laney College Library LED Lighting Upgrade. The administration expanded the scope of services requiring additional lighting retrofit in the Library and the Forum. ECO will complete the following additional scope of work:

- Remove (14) existing fluorescent (4L) 2x4 tandem fixtures and housings; Install (14) LED Troffer 2x4 tandem fixtures and surface mount kits.
- Repair 3-way light switch
- Troubleshoot A/B switching for proper operation

The project completion date was scheduled for February 29, 2017. Forty-Five (45) days is extended to allow the contractor to complete this scope of work under Change Order #2. On September 13, 2016, the Governing Board of Trustees ratified ECO's original contract, in the amount of \$398,644. After the approval of this Change Order #2, their total contract will amount to \$415,016, which is funded by Proposition 39 Funds. Change Order #1 (\$21,460) was 5.3% of the original contract amount approved on October 13, 2017. Change Order #2 (\$16,372) was 4.1% the original contract. If this Change Order #2 is approved, then the Change Orders total is \$37,831, which is 9.4% of the original contract. The Chancellor recommends approval. **Funding Source: General Fund and Proposition 39 Funds.**

## 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.

41. Consider Approval of Resolution 16/17-34 for an Emergency Service Contract with American Technologies, Inc. to Detail, Clean, and Air Scrub Polluted Offices at the District Administrative Center. **Presenter: Vice Chancellor Ikharo.**

Approval is requested to approve an emergency service contract with American Technologies, Inc. to detail, clean, and air scrub polluted offices at the District Administrative Center, in the amount not-to-exceed \$127,067. In September 2016, due to fogging in office spaces in the Purchasing Department, Department of General Services, Information Technology Department, Warehouse, and the International Department. Employees complained about the strong odor lingering in the air that caused them headaches and discomforts to work. To prevent harmful exposures and protect employee's health and well-being, the administration evacuated employees from their offices to work at the District board room until the odor was mitigated. To mitigate the polluted office environment, the administration requested American Technologies, Inc. to detail, clean, and air scrub working spaces until the air quality was tested and deemed safe. Then employees were authorized to return to their work spaces. Dan Ward is the manager at the company; the company is located in Hayward, CA. The Chancellor recommends approval. **Funding Source: General Fund.**

## ANNOUNCEMENTS

## ADJOURNMENT

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 8<sup>th</sup> Street, Oakland, CA, (510) 466-7203, [bmartinez@peralta.edu](mailto:bmartinez@peralta.edu) at least 48 hours prior to the meeting.