



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT
MINUTES
JUNE 28, 2011

CALL TO ORDER

PLEDGE OF ALLEGIANCE 7:00 P.M.

ROLL CALL Trustees González Yuen Pr Ab Gulassa Pr Ab Handy Pr Ab Hodge Pr Ab Guillén Riley Pr Ab Withrow Pr Ab and Riley Pr Ab , Student Trustees Storm Pr Ab and Brumfield Pr Ab . 7:00 P.M. The Regular Meeting of the Board of Trustees will commence at 5:00 P.M. in the Boardroom, District Administrative Center, 333 East Eighth Street, Oakland, at which time the Board Roll Call will be taken. Immediately following the Board Roll Call at 5:00 P.M., the Board will enter Closed Session. The Regular Meeting in Open Session will convene at 7:00 P.M. The first item of business upon convening in open session after the Pledge of Allegiance will be to report on Closed Session actions, if any, or to announce that Closed Session is in recess. Listed agenda times are estimates.

REPORT OF CLOSED SESSION ACTIONS 7:01 P.M.

At tonight's closed session, the Board voted to approve the appointment of the following public employee contracts, which are subject to contractual agreement by the Chancellor: 1. Energy and Environmental Sustainability Manager, District Offices, Charles Neal, July 5, 2011 through June 30, 2012, annual salary \$85,000/year. AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Yuen – recused) 2. Vice Chancellor of Finance and Administrative Services, District Offices, Ron Gerhard, contract extension, July 1, 2012 through June 30, 2015, \$165,000/year. AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0 3. Vice Chancellor of Human Resources and Employee Relations, District Offices, Trudy Largent, contract extension, July 1, 2012 through June 30, 2015, \$165,000/year. AYES: 5 NOES: 2 (Yuen and Handy) ABSTAIN: 0 ABSENT: 0 4. Interim Chief Administrative Officer, Technology and Information Systems, District Offices, Anthony Tortorice, July 5, 2011 through June 30, 2012, or until the permanent position is filled, \$155,000/year. AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0 5. Interim Vice President of Instruction, Laney College, Dr. Eileen White, July 1, 2011 through June 30, 2012, or until the permanent position is filled, \$133,000/year. AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0 6. Interim Vice President of Student Services, Laney College, Dr. Donald Moore, July 1, 2011 through August 19, 2011, \$129,000/year. AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0 7. Interim Director of AANAPISI, Grant funded, Laney College, Lilia Celhay, July 1, 2011 through June 30, 2012, or until the permanent position is filled, \$87,000/year. AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0 8. The Board also voted to Uphold the Administration's Decision in the Academic Appeal of Student Jeanette Gutierrez. AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

Trustee Withrow announced that he will vote no on this entire agenda. He had requested that a resolution on Board committees proceed onto this agenda, and feels that it was withheld by the Board leadership. There was a scheduled Board audit and finance workshop, and the agenda he presented was not included. He feels that the minimum amount of audit trail was excluded and blocked by the Board Chair, and is concerned about the Board's factfinding responsibilities. Trustee Gulassa shared that a proposal for suggested items

may not occur at the very next meeting, but could be postponed to a future meeting. He invites Trustee Withrow's participation in future issues, and apologizes if there was any miscommunication about his proposed agenda item.

APPROVAL OF THE AGENDA 7:02 P.M. (Please state the agenda item number and identify the issue.)

1. For Item 15, there is an additional hourly-employee name added to the list of Pat Jameson from 7/1/2011 to 6/30/2012, as Executive Assistant/Vice Chancellor's Office in the District. 2. Item 18 (ELS contract for Eleanor Liu) has been removed from the agenda.

MOTION: Motion by Trustee Abel Guillén, second by Trustee Cy Gulassa to approve the agenda, as amended.

AYES: Trustee Bill Riley, Trustee Abel Guillén, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky González Yuen.
NOES: and Trustee Bill Withrow.
ABSTAIN: None
ABSENT: None

MINUTES 7:03 P.M.

MOTION: Motion by Trustee Cy Gulassa, second by Trustee Abel Guillén to approve.

AYES: Trustee Bill Riley, Trustee Abel Guillén, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky González Yuen.
NOES: and Trustee Bill Withrow.
ABSTAIN: None
ABSENT: None

1. Consider Minutes of the Board Meeting of June 14, 2011. Copies of the minutes of the Board of Trustees' Meetings are posted on Granicus. Please submit all minute corrections to the Board Clerk.

[Minutes 6-14-11](#)

IDENTIFICATION OF ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR FOR DEBATE 7:04 P.M. (Please state the agenda item number and identify the issue.)

Items 11, 19, and 28.

IDENTIFICATION OF ITEMS TO REMAIN ON THE CONSENT CALENDAR AND PULLED FOR DISCUSSION 7:05 P.M.

(Please state the agenda item number and identify the issue.)

Items 9, 10, 21, and 31.

IDENTIFICATION OF ITEMS WITH PUBLIC SPEAKERS 7:06 P.M.

None.

ASSOCIATED STUDENT GOVERNMENT REPRESENTATIVES REPORT 7:07 P.M.

At this time in the meeting, representatives of the associated student governments will be afforded an opportunity to address the Board. (Please provide your name and position, and line-up to speak.) Speaker Lin, ASCOA, shared that they held a planning session to improve access to student government.

COMMUNICATIONS FROM MEMBERS OF THE PUBLIC 7:15 P.M. (Please line-up to speak when your name is called.) This portion of the agenda provides an opportunity for members of the public to address the Board on matters not included on this agenda. A maximum of 15 minutes (3 minutes per individual maximum) will be provided for speakers under this agenda item. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Under the Brown Act, Trustees and District staff are not allowed to discuss

and/or take formal action at today's meeting on items brought before them under this item. Trustees and District staff are only allowed to respond briefly. Persons submitting cards to address an item included on the agenda will be called upon at the time the agenda item is considered by the Board, 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 by the recording secretary. Written statements can be submitted to the Board Clerk for inclusion in the Board minutes.

Speaker Maxwell spoke about the sign language interpreter position, and requested that the position be reinstated for the summer. Speaker DuBois spoke about the valuable interpreting services she provides for the District and Colleges, and asked that her position be reconsidered for summer funding.

Chancellor commented that Ms. DuBois did an outstanding job, and he appreciates very much what she has accomplished. He is reviewing her position. The Chancellor is looking at the position. Chancellor Allen thanked Ms. DuBois for her services, and will review her contract and funding options. Speaker Sharifi, COA student, asked the Board to retain the coordinator of learning position. She has been involved with student government, and has found the position to be vital to the school.

PRESENTATIONS 7:30 P.M.

2. Presentation on Accomplishments in Achieving our Goals and Objections 2009 - 2011, a SLO/Assessment Update, and an Update on On-line/Open Source Textbooks Presenters: Vice Chancellor Budd, Faculty, and Staff (45 minutes)

Background Material

Trustee Withrow asked about the college goals for student learning outcomes (SLOs) and the percentage of completion. The fall 2012 ACCJC goals have been developed for 6 years, and the goals and targets will continue to be pursued. Many of the colleges are at 100% of their goals, but ACCJC wants to see several cycles of success. Trustee Guillén sees a connection between SLOs and technology, where some schools provide handheld mobile devices. Short-term Bond programs could assist to pay for similar pilot programs. Student Trustee Brumfield asked about the academic learning module, which will be automated for counselors in the future, and word press will be used on the website. Textbooks can't be scanned, but options will be evaluated during the new McGraw Hill system in the future. Trustee González Yuen thanked everyone for their hard work, and thanked the faculty for their progress on SLOs. SLOs are an unfunded mandate, but an opportunity to help students. He suggested that students donate their textbooks back at the end of the term, with reserve sets available in the library for future students. Trustee Gulassa is impressed by the comradery exhibited amongst the faculty on these detailed components. Learning doesn't occur by itself, and he's impressed with all the adjusting to improve our classes. Student Trustee Copenhagen asked about discrepancies in course sections. Student Trustee Brumfield asked about how free textbooks will impact student government budget, if the bookstore donates funds back based upon purchases. Trustee Withrow commended all those who participated in the process.

ACTION ITEMS 8:15 P.M. As a matter of policy (Board Policy 1.10), no action shall be taken on any item not identified as an "action item." INFORMATIONAL ITEMS AND WRITTEN REPORTS

CHANCELLOR

BOARD OF TRUSTEES' ANNOUNCEMENTS

Trustee Hodge announced that Youth Uprising is conducting summer hiring. Trustee Guillén reported on the NALEO conference he attended in Texas, and he will share the meeting materials on achievement gap models with Educational services.

DAS PRESIDENT REPORT Presenter: DAS President van Putten

DAS President Report

CONSENT CALENDAR (FOR ACTION) 9:00 P.M. All action items are to be considered to be a part of a consent calendar. Trustees are given the opportunity to pull specific items off of the

consent calendar for discussion and action. All items that have not been pulled by a Trustee will be considered in a block for comments by the public and action by the Board. All Board approved contracts are subject to final negotiation and execution by the Chancellor. Items pulled for Debate by the Trustees will be addressed later in the meeting, at approximately 9:00 p.m. Meeting times are estimates.

MOTION: Motion by Trustee Abel Guillén, second by Trustee Cy Gulassa to approve the Consent Calendar, including agenda items 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15 as amended, 16, 17, 19 as amended, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31.

AYES: Trustee Bill Riley, Trustee Abel Guillén, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky González Yuen.

NOES: and Trustee Bill Withrow.

ABSTAIN: None

ABSENT: None

FINANCIAL SERVICES

4. 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.

Background Material

5. 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.

Background Material

11. Consider Approval of the Creation of Two Advisory Committees to the Retirement Board Presenter: Vice Chancellor Gerhard To promote and encourage participation and general awareness of the operations of the Peralta Community College District Other Post Employment Benefit Trust, the Retirement Board is recommending the creation of two advisory committees each composed of three representatives. The first advisory committee would be comprised of current retirees representing the entire retirement community. The second advisory committee would be comprised of representatives from each of the three bargaining units within the Peralta Community College District. At present, the bargaining units include Local 39, Local 1021, and Peralta Federation of Teachers. The scope of the advisory committees would be to: 1) advise the Retirement Board on all issues related to the investments and operations of the Peralta Community College Other Post Employment Retirement Benefit Trust; and 2) to make recommendations to the Retirement Board concerning items that will enhance the efficiency of the operations of the Trust and maintain and preserve the continued viability of the negotiated health and welfare benefits provided to current and future retirees of the Peralta Community College District. Both advisory committees would be recommending bodies whose recommendations would be nonbinding. The Chancellor recommends approval.

Background Material

12. Consider Receipt and Filing of the Peralta Community College District Other Post Employment Benefits Program Final Report Prepared by KNN Presenter: Vice Chancellor Gerhard In the fall of 2010, the Peralta Community College District formally engaged KNN Public Finance to review the District's Other Post Employee Benefits Program (OPEB). This review primarily focused on the issuance of \$153,749,832.25 of OPEB Bonds in 2005, as well as the subsequent bond transactions in 2006 and 2009 and two related swap transactions. The report also reviews the Retiree Health Benefit Program, investments, and a complete break-down of all costs of issuance. All Board approved contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

13. Consider Approval of Board Policy 6.02, Budget Preparation and Administration (revised) Second and Final Reading Presenter: Vice Chancellor Gerhard Consider approval of revisions made to Board Policy 6.02. The recommended revisions are in accordance with and incorporate Education Code Section 70902(b)(5); Title 5, 58300 et seq. This revision went through the shared governance process and is now presented to the full Board for a second and final reading. The Chancellor recommends approval.

[Background Material](#)

EDUCATIONAL SERVICES

14. Consider Approval to Increase the Oakland PIC Grant Funds with the Department of Labor Presenter: Vice Chancellor Budd Consider approval to increase the Oakland PIC grant funds with the Department of Labor not to exceed \$42,000. This increases the original request submitted on December 15, 2009 of \$35,000 with an additional \$6,000.00. Funding Source: DOL Grant. All Board approved contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

15. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees on an Emergency Basis Presenter: Vice Chancellor Largent Pursuant to AB500, attached is a report that contains the name, classification, and date of hire, assignment end date, hourly rate, classification, position title, location, background and experience department, and fund source of candidates recommended for short-term assignments in non-academic classified positions. Below are the names, and classifications of these candidates. Each candidate's assignment will not exceed the category in which hired. The Chancellor recommends approval. Last Name First Name Date of Hire End Date Position Title Site Brown Drue 7/1/11 6/30/12 Project Manager M Cook Christopher 7/1/11 6/30/12 Sr Clerical Asst D Derek Mattox 7/1/11 6/30/12 Child Care Asst II L Diouf Madiou 7/1/11 6/30/12 Instructional Asst/Accompanist L Evans Kevin 7/1/11 6/30/12 Instructional Asst/PE L Harding June 7/1/11 7/31/11 Academic Spt Svcs Specialist M Hill Taji 7/1/11 6/30/12 Instructional Assistant L Jones Matthew 7/1/11 6/30/12 International Student Support Spec D Kwok Qian Lan 7/1/11 6/30/12 Child Care Asst II L Laiche Nacira 7/1/11 6/30/12 Instructional Asst/Chemistry B Laniohan Aurora 7/1/11 6/30/12 Instructional Assistant III A Lara Diana 7/1/11 6/30/12 Dist. Telecom. Syst. Coord. D Lay Siu Fung 7/1/11 6/30/12 Sr Clerical Asst B Lewis Azul 7/1/11 6/30/12 Instructional Asst/Chemistry B Miller Aprill 7/1/11 6/30/12 Clerical Asst II B Nga Ngoc Cam 7/1/11 6/30/12 Child Care Asst II L Omar Sahra 7/1/11 6/30/12 Sr Clerical Asst A Pavlos Andrea 7/1/11 9/30/11 District Accounting Tech D Seay Jamar 7/1/11 6/30/12 Sr Clerical Asst L Segerberg Von 7/1/11 6/30/12 Clerical Asst II M Spencer Vacca Laura 7/1/11 6/30/12 Instructional Assistant IV/DSPS A Stallings Gwen 7/1/11 6/30/12 Sr

Clerical Asst L Tran Kevin 7/1/11 7/29/11 Clerical Asst II A Van Buhler Belinda 7/1/11 6/30/12
Instructional Assistant III A Vo Diep Hoang 7/1/11 6/30/12 Child Care Asst II L Washington-
Diouf Naomi 7/1/11 6/30/12 Instructional Asst/ Accompanist L Wright Wanda 7/1/11 6/30/12
Instructional Assistant III A

16. Item Removed from the Agenda
17. Consider Approval of an Independent Contractor Extension with The ELS Group, LCC for Professional Consultation Services of George Kozitza in the Laney College Business Office Presenter: President Webb Consider Approval for Contracted Services with the ELS Group LLC, George Kozitza consultant, from July 1, 2011 through December 30, 2011 at a rate not to exceed \$11,500 per month. Funding Source: General Funds. Contract services includes strategic planning for fiscal solvency and operational efficiency; analyses of business operations as part of documenting progress in advancing the Laney College Educational Master Plan agenda; completion of institutional protocols; role out of the College standard operating procedures to the College community; assist planning for the operation needs of Laney College as well as insuring adherence to applicable statutes, regulations and internal accounting, purchasing, payroll, fiscal, and facilities reporting policies and procedures; and review and make recommendations regarding the work of the Division related to capital improvement projects, facilities maintenance and operations and leased facilities to assure optimum utility. All Board approved contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

18. Consider approval of the Independent Contractor Agreement with The ELS Group, LCC for professional consultation services of Eleanor Liu in the Laney College Offices of the President and Academic and Student Affairs Presenter: President Webb Consider approval of an Independent Contractor Agreement with The ELS Group, LCC for professional consultation services of Eleanor Liu within the Offices of the President and Academic and Student Affairs. Funding Source: General Funds. The amount to be approved shall not exceed \$52,800 through June 30, 2012. The monthly fee for consulting services shall be \$4,400. All Board approved contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

19. [Consider Approval of the Chancellor Job Description Brochure Presenter: Vice Chancellor Largent Consider approval of the Chancellor Job Description Brochure. This brochure is the culmination of input from public forums, constituent groups, and the Governing Board. The Chancellor recommends approval.](#)

[Background Material](#)

FACILITIES

20. Consider Approval to Appoint Members to Serve on the Measure A Citizens' Bond Oversight Committee Presenter: Vice Chancellor Ikharo Consider approval for re-appointments and new appointments of the individuals listed below to serve on the Measure A Citizens' Bond Oversight Committee. The Citizens' Bond Oversight Committee By-Laws, Section 5-1 - Membership, states that the committee shall consist of a minimum of seven (7) members appointed by the Board of Trustees from a list of candidates submitting written applications and based on criteria established by Prop 39, to wit: One (1) member active in a business organization representing the business community located in the District. One (1) member active in a senior citizens' organization. One (1) member active in a

bona-fide taxpayers' 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. RE-APPOINTMENTS: Odell Johnson, alternative representing a senior citizens' organization, for a two-year term (7/1/11 - 6/30/13); and Jurena Storm, representing a student college group, for a one-year term (7/1/11 - 6/30/12). NEW APPOINTMENTS: Esteem Brumfield, alternative representing a student college group, for a two-year term (7/1/11 - 6/30/13); Eduardo Jimenez, representing a business organization, for a two-year term (7/1/11 - 6/30/13); Nyeisha DeWitt, representing the community at large, for a two-year term (7/1/11 - 6/30/13); Miguel A. Rodriguez, alternative representing the community at large, for a two-year term (7/1/11 - 6/30/13) and Chantal Reynolds, alternative representing the community at large, for a two-year term (7/1/11 - 6/30/13). Other members of the committee include Bill Patterson, representing a foundation (6/30/12); Stephanie Casenza, alternative representing a foundation (6/30/12); Polly Amrein, representing a senior citizens' organization (6/30/12); and Jim Stonehouse, representing a taxpayers' organization (6/30/12). The Chancellor recommends approval.

[Background Material](#)

28. [Consider Approval of Bond Measure Budget Transfer and Appropriation Presenter: Vice Chancellor Ikharo Approval is requested for one \(1\) bond measure budget transfer and appropriation. The budget action has been approved by Vice Chancellor for General Services, Vice Chancellor for Finance & Administration, and the Chancellor. With the intent of full disclosure, it is now presented to the Board of Trustees for approval. Funding Source: Bond Measures A. 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 approvals and subsequent ratification 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, budget transfer forms have been prepared for each budget transaction. This Transfer #24 will create a budget for District-Wide emergency planning. Following is the budget transfer summary: Transfer Number Project/Budget Name Current Budget Revised Budget Transfer Amount 24 \(Measure A\) To: District-Wide Emergency Plan \\$100,000 \\$100,000 From: District-Wide Contingency Reserve \\$4,646,000 \\$4,546,000 \(\\$100,000\) Description: Create a new project to enhance the District's emergency planning process. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.](#)

[Background Material](#)

[Budget transfer form](#)

Trustee González Yuen asked if an emergency plan can be legally funded under Measure A. General Counsel Nguyen shared that this is a legal Measure A project.

29. Consider Approval to Enter into a Contract with NetXperts Inc. for IT Services for Peralta TV Presenter: Vice Chancellor Ikharo Approval is requested to enter into a contract in the amount of \$25,038.39 with NetXperts Inc. to install, terminate, test and label CAT 6 and fiber optic cables for Peralta TV. Funding Source: Bond Measures A. NetXperts Inc. was selected through a competitive process. Proposals were solicited from three vendors, as follows: Vendor Location Amount of Quote NetXperts Inc. San Ramon, CA \$25,038.39 Beliveau Engineering Services Oakland, CA \$27,585.00 Megalectric Electrical Services Alameda, CA \$31,600.00 NetXperts Inc. submitted the lowest

responsible quote for the scope of work and is the recommended vendor. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

30. Consider Approval to Enter into an Agreement with Salas O'Brien for Engineering Design Services for the Merritt College Chiller Plant Project Presenter: Vice Chancellor Ikharo Approval is requested to enter into an agreement with Salas O'Brien for engineering design services for the Merritt College Chiller Plant project, in the not-to-exceed amount of \$499,000. Funding Source: Bond Measures A. Engineering services are required to design a chiller plant at Merritt College to serve the Administration Building Q, the Library Building L, and the future Allied Health Sciences Building. The District has previously retained the services of an energy management consultant firm to provide a preliminary equipment needs assessment for the Merritt chiller plant. Based on the assessment, a formal Request for Qualifications (RFQ No. 10-11/07) was conducted for engineering design services, and proposals were received from six firms. The proposals were evaluated and scored with rankings from 1 to 100 using the following criteria: Evaluation Criteria Weights Knowledge and Experience 10 Client References 10 Plan and Approach 10 Environmental Sustainability 10 Proposed Costs 50 85.33 Interface Engineers San Francisco, CA 82.67 Hibser Yamauchi Oakland, CA 80.00 Timmons San Francisco, CA 76.67 AlfaTech Engineers San Francisco, CA 74.67 Raymond Brooks Engineering San Francisco, CA 54.33 Salas O'Brien received the highest evaluation score. The fee was negotiated by staff, and an agreement in the not-to-exceed amount of \$499,000 is recommended. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

6. [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.](#)

[Background Material](#)

Trustee Gulassa thanked those involved with reviewing the itinerary budgets. He noted that one employee paid for the conference registration and plane fare for themselves as well as another employee, and he requested the travel request form for the other employee, as well. He asked the Chancellor to review this matter.

7. Consider Approval of KNN Public Finance Contract Amendment Presenter: Vice Chancellor Gerhard Consider approval of KNN Public Finance contract amendment not to exceed \$25,000. KNN provides the District with general financial advisory and strategic financial planning services in all ongoing financial matters related to the District. The previously approved contract was for a not-to-exceed amount of \$25,000. The new contract amount shall not exceed \$50,000 for fiscal year 2010-2011. Funding Source: General Fund Unrestricted. The Chancellor recommends approval.

[Background Material](#)

8. Consider Approval of the Tentative Budget 2011-2012 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 2011-2012 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.

[Background Material](#)

9. Consider Approval of the Year-end Appropriation Transfers 2010-2011 Presenter: Vice Chancellor Gerhard It is recommended that the Board of Trustees authorize the District to make appropriate transfers necessary at the close of the 2010-2011 fiscal year to permit the payment of budgeted and other obligations of the District during such fiscal year. The Chancellor recommends approval.

[Background Material](#)

10. [Consider Approval of the GANN Limit for 2011-2012 Presenter: Vice Chancellor Gerhard It is recommended that the Board of Trustees adopt the resolution establishing the Appropriation Limit for the 2011-2012 fiscal year. Article XIII B of the State Constitution as approved by the voters in November 1979 requires the establishment of an Appropriation Limit on "Proceeds of Taxes" revenues for public agencies, including school districts. The Governing Board must approve each year the appropriation limit for the District. The Chancellor recommends approval.](#)

[Background Material](#)

[Background Materials 2](#)

Trustee González Yuen feels that the GANN limit is an obscure issue, and he asked for better descriptions on obscure matters in the future.

21. [Consider Approval to Submit 2013-17 Five-Year Construction Plan to State Chancellor's Office Presenter: Vice Chancellor Ikharo In accordance with the provisions of Section 81820 of the California Education Code, each year community college districts are required to submit a Five-Year Construction Plan to the Chancellor of the California Community Colleges. Funding Source: No fiscal impact. The five-year plan communicates to the State Chancellor's Office and other State agencies the anticipated capital outlay needs of a district for the next five years. The five-year plan includes information on current enrollment, projected enrollment, and instructional staff. This information, together with actual college space utilization, is analyzed to develop load-capacity ratios, which are measures of a college's needs in certain facility areas. The load-capacity ratio is one factor that is considered in State funding of a capital project. The 2013-17 Five-Year Construction Plan for the District is due to the California Community Colleges Chancellor's Office by July 1, 2011. A component of the five-year plan is the project priority list for the five-year period. This list is presented to the Board of Trustees for review and approval each year. The priority list includes all facilities needs of the District based on the Educational Master Plans and Facilities Master Plan, regardless of whether State funding will be requested. The proposed Project Priority List is included with Board members' materials. All Board approved contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.](#)

[Background Material](#)

[District Plan](#)

[Construction Plan](#)

[BCC Plan](#)

[COA Plan](#)

[Laney Plan](#)

[Merritt Plan](#)

Trustee González Yuen thanked staff for coordinating this better and improved plan. He observed that the Laney College science building funds are small, compared to the other campus science buildings. He urged staff to have an even better plan next year. Trustee Withrow asked about our 30% online targets, and if that will impact the facilities we'll build in the future. The Chancellor shared that we don't know how long it will take for such a shift to occur, and that it will also depend upon the economy and the shift in education in America. Vice Chancellor Budd will take this matter into consideration in future plans.

22. Consider Approval of Resolution 10/11-83, Authorization to Submit Final Project Proposals
Presenter: Vice Chancellor Ikharo The Administration plans to "roll over" the Final Project Proposal (FPP) for one project, which is due to the California Community Colleges State Chancellor's Office on July 1, 2011. Funding Source: Measure A. The FPPs are the final step in the process to request State funding for the 2013-14 year. The District's objective is to leverage local bond funds with State funding. Below is the project and cost estimates, which will be finalized before the submittal date:
- | PROJECT | STATE SHARE | DISTRICT SHARE | TOTAL BUDGET |
|---------------------------------|--------------|----------------|---------------|
| Laney College Modernize Theater | \$ 7,573,000 | \$11,217,000 | \$ 18,790,000 |
- The State Chancellor's Office requires a resolution substantiating approval of the FPPs and promising to fulfill the standard Project Terms and Conditions. All Board approved contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

23. Consider Approval of Third Amendment to Agreement with Alameda County Sheriff's Office to Provide Police Services to the Peralta Community College District
Presenter: Vice Chancellor Ikharo Approval is requested for an extension of the agreement with the Alameda County Sheriff's Office to provide police services to the District from July 1, 2011 until June 30, 2012. Estimated services are provided at a not-to-exceed cost for the year of \$2,728,628, under the same terms and conditions as the original agreement, with the exception that police services are not provided on District holidays. Funding Source: District General Funds. The Administration is utilizing Securitas to provide security services on District holidays to reduce police services expenditures. (The not-to-exceed estimated total for services under the previous agreement was \$2,667,517.74.) The current total 2011/2012 budget for Police Services is \$3,537,309. In addition to the services provided by the Sheriff's Office, other security costs for the fiscal year include Securitas and the college safety aides, as follows: Services Estimated Cost for 2011/2012 Fiscal Year Alameda County Sheriff's Office \$2,728,628 Securitas (BCC, weekends and holidays) \$ 409,681 Safety Aides (* funded with parking lot fees) \$ 399,000 TOTAL: \$3,537,309 All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

24. Consider Approval of Resolution 10/11-85, Acceptance and Retention, Laney Tower Swing Space Package #2, JUV Inc. Presenter: Vice Chancellor Ikharo On September 28, 2010, this Board ratified a contract award to JUV Inc. for the Administrative Tower Swing Space Package #2 at Laney College. Funding Source: Bond Measure A. 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. This resolution formally accepts the work as complete and provides for a retention payment of \$25,745.08, which is 5% of the contract price. The Board previously approved three change orders to this contract, totaling \$7,201.69, which is 1.4% of the base contract amount (\$507,700.00). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

25. Consider Ratification of Change Order No. 2, ADA Improvements at Laney College, IMR Contractors Corporation Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order No. 2 to the contract with IMR Contractors Corporation for the ADA Improvements at Laney College, in the amount of \$105,715. Including the previously Board approved Change Order No. 1, the cumulative total is \$199,616, which is 8.6% of the original contract amount (\$2,318,000). Funding Source: Bond Measure A. About 75% of the project is now complete, and the remaining 25% is expected to be complete by the end of August 2011. This project is comprised of nineteen (19) separate work increments with extensive demolition of concrete ramps, renovations to the Theater, Library and Women's Locker Room restrooms, accessible parking lots, the road crossing at Fallon Street and East 7th Street, various door closers, thresholds, eighteen (18) drinking fountains, and the construction of two new elevators and an inclined lift. Most of the items comprising this change order were necessary due to: The complexity of scheduling construction work around the college educational requirements in various and numerous areas Due to the aged infrastructure, unforeseen conditions were encountered during the demolition of walls, floors and ceilings, including: Numerous replacements of damaged and corroded cast iron drains Many changes that were required to meet code compliance for the plumbing systems Schedule delays due to various water intrusion problems Although every effort has been made to reduce the change order work on this project, because of the number of spaces throughout the campus that require ADA improvements and the age of the infrastructure, these changes were unavoidable. It was necessary for the contractor to perform this work so that the project schedule would not be delayed and the sequencing of the work would not be adversely affected. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 2 is now brought before the Board for ratification. 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 ratification.

[Background Material](#)

26. Consider Ratification of Change Order No. 1, Building Q Improvements at Merritt College, Rockaway Construction Inc. Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order No. 1 to the contract with Rockaway Construction Inc. for the Building Q Improvements at Merritt College, in the amount of \$46,845.49, which is 3.6% of the original contract amount (\$1,290,874.00). Funding Source: Bond Measure A. Change Order No. 1 primarily includes items necessary to address unforeseen conditions discovered during construction. Prior access to many areas was not possible, and the problems were not apparent until demolition occurred. Additionally, the data scope of work was upgraded to make Building Q "IP phone ready." It was necessary for the contractor to perform this work so that the project schedule would not be delayed and the sequencing of the work would not be adversely affected. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 1 is now brought before the Board for ratification. 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 ratification.

[Background Material](#)

27. Consider Ratification of Change Order No. 2, Exterior Lighting Improvements at Merritt College, John Plane Construction, Inc. Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order No. 2 to the contract with John Plane Construction, Inc. for the Exterior Lighting Improvements at Merritt College, in the amount of \$58,092. Including the previously Board ratified Change Order No. 1, the cumulative change order total to date is \$115,832, which is 8.5% of the original contract amount (\$1,356,234). Funding Source: Bond Measure A. The items comprising this change order were primarily necessary due to the following reasons: Unforeseen underground issues that had to be resolved in order to meet code requirements and provide a fully functional lighting system to the campus Unforeseen conditions at the existing base light pole anchorage due to existing improper installation and difficulty in marrying the new systems to the old A time extension of 14 days due to rainy weather It was necessary for the contractor to perform this work so that the project schedule would not be delayed and the sequencing of the work would not be adversely affected. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 2 is now brought before the Board for ratification. 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 ratification.

Background Material

31. Consider Approval of Amendment No. 2 to Agreement for Construction Management Services with Stegeman & Kastner, Inc. for Laney College ADA Renovation Project Presenter: Vice Chancellor Ikharo Approval is requested for Amendment No. 2 to the agreement for construction management services with Stegeman & Kastner, Inc. for the Laney College ADA Renovation Project, in the amount of \$120,500. Funding Source: Bond Measures A. The amendment will provide services from March 1, 2011 to July 15, 2011. To facilitate cost savings, after July 15, 2011, construction management services will be provided in-house by District project manager staff. The services provided under Amendment No. 2 include: Monthly reports on project construction activities Bringing items of concern on scope, cost issues and scheduling to the District's attention Field surveys Development of additional scopes of work Assistance in final project closeout with DSA (Division of the State Architect) The original agreement, in the amount of \$220,300 was approved at the meeting of May 12, 2009. Amendment No. 1, the amount of \$44,000 was approved at the Board meeting of December 15, 2009. Including this Amendment No. 2, the total agreement amount will be \$384,800. There have been delays in completing this project due to the contractor having to work around classes so instruction would not be disturbed and also due to aged infrastructure. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Background Material

Trustee González Yuen feels this item should be a ratification and not an approval, and he doesn't see a justification for the expense. Vice Chancellor Ikharo can provide this information upon his return from vacation.

CHANCELLOR

3. Chancellor's Report Presenter: Chancellor Allen Vice Chancellors' Reports State Budget Update Presenter: Vice Chancellor Gerhard Enrollment Update Presenter: Vice Chancellor Budd EasyPass, Financial Aid, Student Health Fee, and Health Services Initiative Update Presenter: Vice Chancellor Ng General Services' Update Presenter: Vice Chancellor Ikharo

[COA New Buildings C&D](#)

[Fi Aid Count 2011-2012](#)

[Fi Aid Data 2010-2011](#)

College Reports

Merritt College Presenter: President Adams

Laney College Presenter: President Webb

College of Alameda Presenter: President Jackson

Berkeley City College Presenter: President Inclan

[BCC President's Report](#)

Announcements

Board meetings are recorded and stored for viewing on Granicus, posted on the Peralta Board website. The public can always view recorded Board meeting presentations here at your leisure. The next Board meeting will be held here on July 19th at 7 p.m. here in the District Boardroom, which is the third Tuesday night of the month. The District Offices and Colleges will be closed on Fridays, Saturdays, and Sundays in June and July to conserve energy and cost savings, and will fully reopen in August. Wishing everyone a Happy 4th of July celebration, a restful summer, and a successful Summer School session. The meeting was adjourned in memory of community member Thomas William, Jr., who graduated from Merritt College in 1968.

ADJOURNMENT OF THE REGULAR BOARD MEETING

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 466-7203 repstein@peralta.edu

Wise E. Allen, Chancellor
Secretary to the Board of Trustees
PERALTA COMMUNITY COLLEGE DISTRICT