



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT
MINUTES
FEBRUARY 28, 2012

CALL TO ORDER (5:00 p.m.)
CLOSED SESSION (5:01 p.m.)

Topics to be discussed include:

Conference with Labor Negotiator Largent, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)

Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)

* Conference with Legal Counsel (54956.9(a)), Johnson v. PCCD, U.S. District Court, Northern District of CA Case No. C08-4152

* Conference with Legal Counsel (54956.9(a)), Payne v. PCCD, United States District Court, Case No. C08-03133.

* Conference with Legal Counsel (54956.9(a)), Abdur-Rasheed v. PCCD, United States District Court, Case No. CV 11-1744.

* Conference with Legal Counsel (54956.9(a)), Vogt v. PCCD, Alameda County Superior Court, Case No. RG11-573757.

* Conference with Legal Counsel (54956.9(a)), Abboud v. PCCD, Alameda County Superior Court, Case No. RG11-572374.

* Conference with Legal Counsel (54956.9(a)), Block v. PCCD, Alameda County Superior Court, Case No. RG11570116.

* Conference with Legal Counsel (54956.9(a)), In re Municipal Derivatives Antitrust Litigation, U.S. District Court, Southern District of New York, Case No. 1:08-cv-02516-VM-GWG.

* Conference with Legal Counsel (54956.9(a)), PCCD v. KYJ Associates, Alameda County Superior Court, Case No. RC08376707.

* Conference with Legal Counsel (54956.9(a)), Jackson v. PCCD, Alameda County Superior Court, Case No. RG11601534.

* Conference with Legal Counsel (54956.9(a)), Kogo v. PCCD et al., Alameda County Superior Court, Case No. RG12613106.

* Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (8 cases).

Conference with Real Property Negotiator (Government Code § 54956.8):

* Negotiator Ikharo, 2120 University Avenue, Berkeley, California, 94704.

* Negotiator Ikharo, 2025 Center St, Berkeley, California, 94704.

* Negotiator Ikharo, 1950 Addison Street, Berkeley, California, 94704.

Public Employee Appointment - Employment, Performance, Evaluation, Discipline, Dismissal, Release - All Employees (Government Code § 54957 and BP 3.62 Temporary Assignments - Interim and Acting definitions).

* Consider Public Employee Tenure Dismissal of Faculty

[OPEN SESSION \(7:00 P.M.\)](#)

[PLEDGE OF ALLEGIANCE \(7:00 P.M.\)](#)

ROLL CALL

Trustees González Yuen Pr Ab , Guillén Pr Ab , Handy Pr Ab , Hodge Pr Ab , Riley Pr Ab , Withrow Pr Ab , and Gulassa Pr Ab , Student Trustees Brumfield Pr Ab and Copenhagen Pr Ab .

REPORT OF ACTION TAKEN IN CLOSED SESSION (7:01 P.M.)

The Board voted unanimously in closed session to support the administration's recommendation to issue a faculty member a March 15th letter.

APPROVAL OF THE AGENDA (Please state the Agenda Item Number and Identify the Issue) (7:02 P.M.)

At this time, Board members or the Chancellor may request to modify the agenda. Board members may request that items on the consent calendar be removed to be addressed separately on the Action Calendar. Subsequent to the approval of the consent calendar, the items removed from the consent calendar are discussed and voted on separately. Changes to the agenda are to be approved by a majority of the Board.

Agenda 2-28-12

MOTION: Motion by Trustee Bill Withrow, second by Trustee Marcie Hodge to approve the agenda as modified.

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

The motion passed.

Items 23, 24, 25, 26, 27, 28, 29, and 36 are removed from the consent calendar to the action calendar. There are minor revisions to the background materials for Items 25, 26, and 27, posted on Granicus.

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

MOTION: Motion by Trustee Bill Withrow, second by Trustee Marcie Hodge to approve the minutes.

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

The motion passed.

1. Consider Approval of the Regular Board meeting of February 14, 2012. Consider approval of the regular Board meeting of February 14, 2012. The minutes are posted on Granicus.

Minutes 2-14-12

PUBLIC COMMUNICATION 7:04 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 (3 minutes per individual maximum) will be provided for speakers under this agenda section. A speaker's card must be completed to request to address the Board. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Persons addressing items included on the agenda will be heard at the time the item is considered, and comments on tangential issues not directly related to the item may be ruled out of order. Cards must be received prior to the Board's consideration of the item and are honored in the order the cards are received. A speaker may yield time to another speaker, where both have completed a speaker's card, and the yielder must identify him/herself to the Board. Written statements can be submitted for inclusion into the Board minutes to the Board Clerk, and members of the public are asked to submit any materials to the Board Clerk and shall not approach the dais during meetings. (Please line-up when your name is called.)

Speaker Goldstein thanked the Board for their work on BP 3900 on Free Speech. He gave an update on the surveillance cameras and auto locks in classrooms. He encouraged participation in the March on March. He asked the Board to pass a resolution against the Morgan Stanley SWAPs.

Speaker Parmach spoke on behalf of the Marco Polo Food Carts. They are grateful to the students, faculty, and Chancellor Allen for letting them stay, and thanked the Board for their support. They will continue to operate and serve the Peralta community.

Speaker Amed spoke on behalf of Mr. Abdul, another food vendor near Laney College. He thanked those who helped him to allow his business to continue to serve the college community.

Speaker Ochoa, ASLC Senator, shared student concerns about the student association office space being reduced on campus at Laney College and Merritt College. He feels that the culinary program should contribute something to students in return for using the student center facilities.

Speaker Bosneaga, ASLC Vice President, feels students have lost some control on their student center, and has no access to the student use fee at Laney College and BCC. He feels that Ed Code section 76375 applies to the student center fund. He feels that funds are taken without proof of student approval. They asked for documentation that proves this issue was supported by the students. They asked for the amount in this account, and how it's spent. The Board asked the Chancellor to investigate these issues.

Speaker Anderson, ASMC President, used to share space in the student center in building R shares space with other college service centers. She feels they should operate there, as well. They had their own well-equipped area, which has now been usurped. They would like to be included in the decisions related to the student center.

Speaker Cervantes, ASLC President, surveyed students who are concerned about the financial aid process. He feels the financial aid employees are overworked, and that student workers don't receive enough training. Students are getting very frustrated with the delays.

Speaker Lehr is a student worker in financial aid Laney College office. She feels our students are suffering, and that it takes 6 months to process some files. Higher one check distribution doesn't fix the issue to timely get paperwork processed. She feels the staff are overworked and understaffed. She asked for the financial aid People Soft module to be implemented to process files faster, despite the expensive cost.

Student Alvarez is concerned that students don't have a student advisor to help coordinate their events. She used to work in the financial aid office, and thinks the system is pathetically slow and that students are desperate for their financial aid. She feels the counselors she's seen are not knowledgeable about transfer information.

Trustee González Yuen requested that the Chancellor place the issue of financial aid on a future agenda to help the Board understand the financial aid delays and the plan to shorten the distribution time.

Speaker Dixon thanked the Board for the wellness center. She spoke on behalf of the food cart vendors who provide a service to the community. They are friendly, help poor students, and have been here since 1991, and cause no harm.

[CA Education code section](#)

REPORTS 7:20 P.M.

The Board requests that constituent group reports be brief and concise, and that only electronic copies be provided for posting onto Granicus.

Speaker Alvine, ASCOA President, reported on recent college student events.

Speaker Seremi, BCC, gave an update on the Persian culture club and recent events.

Speaker Murphy, ASBCC President, provided an update on their welcome week programs which were successful. They will help post monitors for frequently asked questions in financial aid, counseling, and event information. Elections are upcoming, and all candidates are welcome.

Speaker Munoz, ASL, reported that only one male bathroom works in the student center. He feels they need at least two added financial aid paid staff are needed, rather than student workers, to better assist the students.

Speaker Cervantes announced the March in March and there will be a bus on March 5th. She asked that the administration organize all of the buses next year. She has a sign-up sheet if anyone wants to sit on the bus to Sacramento with them. She asked that a competent advisor be hired to give adequate guidance to the students.

Speaker Anderson, ASMC President, is preparing for their March on March. She thanked the faculty and PFT for their help and support. She also asked people to sign-up on her sheet to sit with them on their bus. She thanked Chancellor Allen for speaking at Black History month. She invites the Board and everyone to visit Merritt College. Due to a lack of student advisors, their election process has been delayed.

2. Associated Student Government Reports Representatives of the Associated Student Governments will be afforded an opportunity to address the Board. (Please provide your Name, College, and Position, and line-up to speak.)
3. Chancellor's Reports Dr. Wise E. Allen (7:30 P.M.) Vice Chancellor's Reports Budget Update Vice Chancellor Gerhard Enrollment Update Vice Chancellor Budd Easy Pass, Financial Aid/Higher One, Student Health Fees, and Health Services Initiative Update Vice Chancellor Ng (5 minutes) General Services Update Vice Chancellor Ikharo College Reports

[Financial Aid Data](#)

[Higher One Presentation](#)

Merritt College Interim President Herring

[Merritt College President Report](#)

Laney College President Webb

College of Alameda President Jackson

Berkeley City College President Inclan

[BCC President Report](#)

REPORTS 7:20 P.M.

The Board requests that constituent group reports be brief and concise, and that only electronic copies be provided for posting onto Granicus.

Reports and background materials are all posted on Granicus for the public review. The District sympathizes with those students who spoke here tonight about Financial Aid. The Chancellor reviewed the Financial aid data to date, which is also posted online. We haven't met all of our financial aid goals, but we're getting checks out faster than ever before. The SAFE system is antiquated, and we hope to implement a new system in the next few years. This is included in the IT plan for the future, within tonight's presentation. A video and presentation were shared about the new HigherOne financial aid program. Students are asked to activate their HigherOne card online and to provide any updated home address information. Trustee Guillén asked for the Financial aid numbers to improve so that our students get their Financial aid at the beginning of the semester rather than when school is in session, perhaps with students needing to apply even earlier, or through some other mechanism. Trustee González Yuen congratulated the administration for the successes made with this system, and he asked for a report on the entire process in order to understand the delays, what needs fixing, best practices, and benchmarks toward future success. The Chancellor will conduct a future study session on Financial aid to evaluate those issues. Student Trustee Brumfield shared that the voice of the report should also include data from college officials and the students' perspectives, rather than just from the District.

4. [ACCJC Mid Term District and Four Colleges' Reports Presenter: Vice Chancellor Budd \(30 minutes\)](#)

[District Report](#)

Trustee Gulassa feels that the District report was very well done, and he congratulates all the authors. He feels the OPEB data was very thorough. Trustee González Yuen echoed those comments, and the Board appreciates all of the very hard work done.

5. [Presentation of Information Technology Strategy Plan \(re: Item 24\) \(15 minutes\)](#)

[Background Material](#)

Trustee Withrow asked about the total number of computers, the bulk of which come from classroom labs. We don't have a districtwide inventory system on each campus, which is a future goal. Measure B funds are relatively depleted or earmarked for current capital projects. Measure E has a portion allocated to fund many of the IT projects, such as the three contracts on tonight's agenda. Measure A spending plan from June 2009 budgetted \$390 million on various projects. Funds can be moved between projects, but the vast majority have already been earmarked for capital projects and to refresh IT lab equipment at the colleges. Trustee González Yuen feels there's a lot of thought in the plan on the business end, but that the education

section is thinner. He'd like to see faculty training for smart classrooms, web development and content for faculty. He asked that those areas be integrated or re-examined in the plan. He feels the team involved with the plan was heavy on administration, and asked for more future faculty and dean involvement. Trustee Hodge asked about institutional trainings, which is occurring. Some trainings can't be recorded or they infringe upon copyrights, but others can be shared. Trustee Handy shared the District has talked about these issues for many years, and she doesn't see an instrument for change into the future. She asked for the next steps after Tony Tortorice leaves the District, as she fears future steep, repeated learning curves. She wants to see progress and training where needed. She's frustrated with this process, and wants to see a timeline and deliverables, with a step-by-step plan. Student Trustee Copenhagen feels it's an excellent report that includes the necessary steps and deliverables. Trustee Gulassa feels it's a through report. Speaker Tortorice clarified on the IT contracts before the Board. The Chancellor shared that the Board now has a plan and suggested actions to work towards upgrading the PeopleSoft system. With the upgrade, the new web-based financial aid system can proceed. The administration knows what needs to be occur in order to succeed, and these IT contracts are the first steps.

6. [District Academic Senate Report Presenter: DAS President Karolyn van Putten Consent Calendar 8:30 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.](#)

[DAS President Report](#)

[BOARD COMMUNICATION 7:35 P.M.](#)

[At this time, the Board of Trustees will report on matters related to attendance at conferences, professional affiliations, and community involvement directly related to their functions as Board members.](#)

Student Trustee Copenhagen provided an update on the Cal Student Aid Commission on the Cal Grant program in Sacramento. He announced the March in March. March 6th is an advocacy day with the Board of Governors for legislator visits. March 7th will be a hearing on Cal Grants with the Assembly Higher Education Committee. He feels providing college student advisors would help improve community college public support with greater student activism.

CONSENT CALENDAR (8:15 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.

MOTION: Motion by Trustee Abel Guillén, second by Trustee Bill Withrow to approve **the consent calendar, including agenda Items 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 30, 31, 32, 33, 34, 35, and 37.**

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

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

7. Consider Approval of Board Policy 3100 Organizational Structure (Replaces Board Policy 2.02) Presenter: Chancellor Allen Consider approval of Board Policy 3100 Organizational Structure (Replaces Board Policy 2.02). The Chancellor recommends approval.

Background Material

23. Consider Approval of the Contract Addendum for TBWB Strategies Presenter: Vice Chancellor Gerhard Consider approval of the Contract Addendum for TBWB Strategies. The District is gathering information and collecting data to assist with the decision of requesting the voters to approve a parcel tax at an upcoming election that would support the District in fulfilling our institutional mission of serving the community and students. Funding Source: General Funds. Under the initial contract approved by the Board of Trustees in July 2011, TBWB would provide the District with a feasibility assessment, voter demographic analysis, assist with the development of the ballot measure, and general advice with regard to the parcel tax. The previous contract amount was \$50,000. Since that time, the District has conducted a second voter demographic analysis during December 2011 and sent literature and information to constituents informing them of the current economic environment and the related impact upon sections and services to students. At no time did TBWB Strategies provide campaign advocacy services under the initial contract nor this contract addendum. We are requesting an additional \$47,000 that covers these additional services provided. The new not to exceed amount is \$97,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Background Material

Contract

MOTION: Motion by Trustee Abel Guillén, second by Trustee Nicky González Yuen to approve Item 23.

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

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

Trustee González Yuen asked if items had General Counsel approval, which it does.

8. Consider Approval of Board Policy 3200 Accreditation (Replaces Board Policy 1.28) Presenter:

[Chancellor Allen Consider approval of Board Policy 3200 Accreditation \(Replaces Board Policy 1.28\). The Chancellor recommends approval. \(Item removed from the agenda.\)](#)

[Background Material](#)

Trustee Gulassa requested pulling this item from the agenda, and it will return to the Board at the next meeting.

9. Consider Approval of Board Policy 3250 Institutional Planning (Replaces Board Policy 1.26) Presenter: Chancellor Allen Consider approval of Board Policy 3250 Institutional Planning (Replaces Board Policy 1.26). The Chancellor recommends approval.

[Background Material](#)

10. Consider Approval of Board Policy 3300 Public Records (new) Presenter: Chancellor Allen Consider approval of Board Policy 3300 Public Records (new). The Chancellor recommends approval.

[Background Material](#)

11. Consider Approval of Board Policy 4226 Multiple and Overlapping Enrollments (new) Presenter: Chancellor Allen Consider approval of Board Policy 4226 Multiple and Overlapping Enrollments (new). The Chancellor recommends approval.

[Background Material](#)

12. Consider Approval of Board Policy 4230 Grading and Academic Record Symbols (Replaces Board Policy 5.22) Presenter: Chancellor Allen Consider approval of Board Policy 4230 Grading and Academic Record Symbols (Replaces Board Policy 5.22). The Chancellor recommends approval.

[Background Material](#)

13. Consider Approval of Board Policy 6700 Civic Center and Other Facilities Use (Replaces Board Policy 6.64) Presenter: Chancellor Allen Consider approval of Board Policy 6700 Civic Center and Other Facilities Use (Replaces Board Policy 6.64). The Chancellor recommends approval.

[Background Material](#)

14. Consider Approval of Resolution 11/12-38 on Budget Shortfall Backfill Presenter: Trustee Gulassa Consider approval of Resolution 11/12-38 to support backfill of \$149 million property tax and fee revenue shortfall statewide (\$3.259 million shortfall for the Peralta Colleges). The Chancellor recommends approval.

[Background Material](#)

[Executed resolution](#)

EDUCATIONAL AND STUDENT SERVICES

15. Consider Approval of an Agreement between Peralta Community College District at Merritt College and the Superior Court of California, County of Alameda Presenter: Vice Chancellor Budd Consider approval of an agreement between Peralta Community College District, Merritt College and the Superior Court of California, County of Alameda for the "Educational Services at Merritt College for

Parolees" agreement not to exceed \$97,520.00. Funding Source: State of California. The Parolee Reentry Court Program (PRCP) is a collaborative effort between the Superior Court of California, County of Alameda, the Alameda County District Attorney and Public Defender, CDCR Division of Adult Parole Operations, and local community based organizations. The contractor will operate under supervision of Dr. Eric Gravenberg, Vice President of Student Services. Contractor will assign Mr. Carlos McLean, (later changed to Horace Graham), who will serve as the Project Manager who will have responsibility for: activities including establishing standardized intake and data collection and management tools; liaison with the Superior Court to furnish quarterly reports; and overall oversight of program implementation, including working with partners to review the achievement of benchmarks, milestones and outcomes. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

16. Consider Approval of a City of Berkeley Earmark for College of Alameda Green Diesel Technology Presenter: Vice Chancellor Budd Consider approval of a City of Berkeley earmark for College of Alameda green diesel technology not to exceed \$80,000. Funding Source: City of Berkeley. The key objective of the East Bay Green Jobs Project is to manage and implement education and job training programs to teach applicable skills in the energy efficiency, alternative energy, clean technology and other emerging green industry sectors through the College of Alameda ATLAS program. This project will serve Berkeley, Oakland, Richmond and Emeryville residents. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

17. Consider Approval of Intent to Apply with Area Consortium for Pathways to Shared Prosperity/Workforce Innovative Fund Grant Presenter: Vice Chancellor Budd Consider approval of Intent to Apply with area consortium for Pathways to Shared Prosperity/Workforce Innovative Fund Grant. Funding Source: Department of Labor. The total amount of the nationwide grant is \$98.5 million, with an estimated \$1 million per region per year for up to three years. The three target regions chosen for this statewide application are the Bay Area, Sacramento, and Los Angeles. The purpose of the grant is to support innovative approaches to the design and delivery of employment and training services that generate long-term improvements in the performance of the public workforce system, both in terms of outcomes for job seekers and employer customers. The grant focuses on expanding and building career pathway programs geared toward advanced manufacturing, health care, or energy. Peralta will be part of a consortium applying for the grant that includes Career Ladders, regional community colleges, adult education programs, Workforce Investment Boards, CBO's, and cities. Peralta's planned contributions would be Advanced Manufacturing (Laney), Health Care (Merritt), and Alternative Fuel Technologies (College of Alameda). All Board-approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

18. Consider Approval of Course and Program Additions, Deactivations and Changes Presenter: Vice Chancellor Budd Included for approval are proposed curriculum actions as recommended by the Council for Instruction, Planning and Development (CIPD). The packet entitled "Curriculum and Instruction Recommendations - February 2012" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

[Background Material](#)

FINANCIAL SERVICES

19. 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](#)

20. 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](#)

21. 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](#)

22. Consider Approval of the Multifunction Color Copiers Lease for Peralta Community College District Presenter: Vice Chancellor Gerhard Consider approval of to Award Bid No. 11-12/13, Multifunction Color Copiers Lease for Peralta Community College, to Ricoh Business solutions, in the amount of \$88,083.24. Funding Source: General Funds. A formal bid was conducted for the lease of five (5) new multifunction color copiers for Peralta Community College District. The five (5) copiers put out to bid were to replace current copiers which have been in use for five (5) years or more years and are no longer functioning at a level required by Peralta Staff. The District established minimum standards for the new copiers up for bidding. The District received six (6) formal bids from responsive and responsible bidders, and recommends that the bid be awarded to Ricoh Business Solutions, who was the lowest, responsive and responsible bidder. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

[Bid tabulation](#)

[Bid](#)

24. [Consider Approval of the Information Technology Strategy Plan; Presenter: Vice Chancellor Gerhard Consider approval of the District Information Technology Strategy Plan. The Strategy Plan is a culmination of three months of work by members of the District Technology Committee members and an adhoc committee. It represents the best thinking of the Peralta community's most technologically-engaged members and will be used to guide the District's investments in technology for the next three years. The Chancellor recommends approval.](#)

[Background Material](#)

MOTION:Motion by Trustee Nicky González Yuen, second by Trustee Bill Riley to approve the IT plan as a perpetual, draft plan.

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

The motion passed.

25. [Consider Approval of Contract with Oracle Consulting Presenter: Vice Chancellor Gerhard Consider approval of contract with Oracle Consulting that will assist the District with implementing an upgrade to the PeopleSoft ERP system. Funding Source: Measure E. The current version of the District's Student Administration and Human Resource modules within PeopleSoft is outdated and will no longer be supported by Oracle as of 12/31/2012. Additionally, through the use of the District's Information Technology Strategy Plan, additionally functionality has been identified that is only available in more up-to-date versions of these modules. The not to exceed cost of this contract is approximately \\$375,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.](#)

[Background Material](#)

[Proposal](#)

MOTION:Motion by Trustee Abel Guillén, second by Trustee Bill Withrow to approve Item 25.

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

The motion passed.

Trustee González Yuen spoke to agenda items 25, 26, 27. He asked for contracts to show who the principals who are in the companies. Trustee Handy asked for information on all the consulting contracts related to IT districtwide. On agenda Item 26, she asked if these projects have been bid, or how the companies were chosen. She asked for time-specific scope of services, deliverables, with feedback if they are meeting their goals and timeframe. She is concerned about fixing problems created from past mistakes and an imperfect implementation. The Chancellor shared that the contracts are based upon their knowledge base. In these cases, no bidding is required. The Chancellor interviewed these people and was very impressed with the specialists. Some problems in the past occurred when there was no transfer of knowledge, but we now have an infrastructure established for the future as we put the IT plan into practice. Trustee Guillén is also concerned with agenda items 25, 26, 27 that there are no contracts included, and he feels Item 27 is a ratification. Trustee Handy feels that the CIO should eliminate the need for some other contracts we are now bringing in. The Chancellor shared that we're not paying anything for the Higher One project. Vice Chancellor Gerhard shared that we only have two programmers at this time, and that those and other IT positions won't be highered until the IT study is complete. The CIO management functions were reviewed, and Vice Chancellor Gerhard further explained the presented projects.

MOTION:Motion by Trustee Bill Riley, second by Trustee Abel Guillén to approve to extend the meeting

time by 15 minutes.

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

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

MOTION: Motion by Trustee Abel Guillén, second by Trustee Bill Withrow to approve agenda Items 25, 26, and 27.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Linda Handy, Trustee Marcie Hodge, and Trustee Cy Gulassa.

NOES: None

ABSTAIN: Trustee Abel Guillén, and Trustee Nicky González Yuen.

ABSENT: None

The motion passed.

Trustee González Yuen asked for clarification on the requested budgets. He asked for an overall budget, fitting into an overall IT budget, so that they know what's needed. He can't figure where these issues relate to the full budget. For agenda item 27, he also asked to see the overall costs for project management on the project.

Trustee González Yuen and Guillén abstained.

26. Consider Approval of Contract with Everge Presenter: Vice Chancellor Gerhard Consider approval of contract with eVerge Consulting Group that will assist the District with implementing a BI repository for financial reporting and upgrading the existing BI repository used for institutional research and enrollment management. Funding Source: Measure E. These BI tools will be used to gather, report, and communicate data that will assist with decision making and improve the operations of programs and services. The not to exceed cost of the contract is \$100,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. (Vote taken with agenda Item 25.)

[Background Material](#)

[Proposal](#)

27. Consider Approval of Contract with EB5C Presenter: Vice Chancellor Gerhard Consider approval of contract with EB5C that will provide the District with information technology project management services for three projects. Funding Source: Measure E. The District will be embarking upon three IT project for which project management services are required as these skill sets are currently not available with internal resources. The three projects are: implementation of the electronic disbursement of student financial aid awards (Higher One project), implementation of electronic document management system, and implementation of an electronic Personnel Action (PA) form. The not to exceed cost of this contract is approximately \$300,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

28. [Consider Approval of Resolution Authorizing the Refunding of Outstanding District General Obligation Bonds Presenter: Vice Chancellor Gerhard Consider approval of resolution no.11/12-37 authorizing the refunding of outstanding general obligation bonds that will result in savings to tax payers. Due to historically low interest rates, the District has an opportunity to refund some of the outstanding bonds sold as part of Measures A, E and B. If the District were to refund today, estimated savings to tax payers would be approximately \\$21 million \(in today's dollars\) dollars or 12.92% of the bonds to be refunded. A common benchmark used to evaluate if a district should refund is if the present value of the savings to the taxpayers would be greater than 3%. As conditions currently stand, we would be able to save the taxpayers more than three times this amount. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.](#)

[Background Material](#)

[Resolution](#)

[Executed resolution](#)

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

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

The motion passed.

Speaker Gamble appreciates the District using local resources on this refunding to keep local participation and employment within the community.

Trustee González Yuen asked to know who the vendors are in this process, and who is making the profit as the process unfolds. Trustee Guillén feels this is a timely refunding. Moving forward, he asked for an open bid process with justified savings and comparisons.

29. [Receive and file quarterly report from the Retirement Board to the Board of Trustees Presenter: Vice Chancellor Gerhard This report is being provided to the Board of Trustees of the Peralta Community College District in accordance with article 2.16 of the Other Post-Employment Benefits \(OPEB\) Retirement Board Bylaws, which states, "The Board \(Retirement Board\) shall provide information and copies of investment statements and other similar reports regarding the Trust and its applicable investment performance to the governing body on a not-less-than quarterly basis."](#)

[Background Material](#)

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

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

The motion passed.

Trustee González Yuen asked to see a list of the committee members' and advisory members' names all listed, so it's clear who is reviewed the report.

HUMAN RESOURCES

30. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees Presenter: Vice Chancellor Largent Pursuant to California Education Code Section 88003, the below list contains the name, date of hire, assignment end date, position title, and site location of candidates recommended for short-term assignments in non-academic classified positions. Each candidate's assignment will not exceed the position title into which the candidate is assigned.

Last Name	First Name	Date of Hire	End Date	Position	Title	Site
Chan	Judy	2/29/12	6/30/12	Account Clerk	II	L
Cromer	James	2/29/12	6/30/12	Interpreter/Fully Certified	All	campuses
Dulaney	Rachel	2/29/12	6/30/12	Interpreter, Fully Certified	All	campuses
Huang	Jian	2/29/12	6/30/12	Interpreter	I	All campuses
Pearson	Ariel	2/29/12	6/30/12	Master Interpreter	All	campuses
Taing	Cynthia	3/1/12	6/30/12	Clerical Assistant	II	M
Tran	Ben	2/29/12	6/22/12	Instructional Asst	IV/DSPS	L
Turner	Alonzo	3/3/12	5/19/12	Instructional Asst/Diesel	Mechanics	A
White	Donald	2/29/12	6/30/12	Facilities Services Specialist	L	

FACILITIES

31. Consider Approval of Resolution 11/12-34, Acceptance and Retention, and Ratification of Deductive Change Order No. 1, PCCD Smart Classroom Electrical & Low Voltage Project, Ray's Electric Presenter: Vice Chancellor Ikharo On September 28, 2010, this Board awarded a contract to Ray's Electric for the PCCD Smart Classroom Electrical & Low Voltage Project at all four campuses?College of Alameda, Laney College, Merritt College and Berkeley City College. This project provided for the installation of electrical and low voltage infrastructure that was required for the PCCD Smart Classroom Systems throughout the District. The work has now been completed and a Notice of Completion has been filed with the County of Alameda. This resolution accepts the work as complete and provides for a retention payment of \$183,550.65, which is 5% of the contract price as adjusted by the deductive change order. Funding Source: Bond Measure A. Ratification is also requested for Change Order No. 1, a deduction in the amount of (\$293,263.00), which is a reduction of 13.4% to the original contract amount of \$2,194,247.00. Because of the nature of the project, it was decided to include unit pricing and alternatives so that the colleges could participate in the final design of the audiovisual equipment. Some of the unit prices, alternates and allowance amounts were not needed or only partially used. Costs were tracked throughout the project, and this deductive change order is a credit for the unused portions of allowances or alternates that were included in the contract price. Change Order No. 1 also extended the contract completion date to December 31, 2011. This deductive change order returns \$293,263.00 to the District. It is the only change order for this project. It is in the best interests of the District and financially prudent to authorize this change order. Approval to accept the project as complete and ratification of Deductive Change Order No. 1 are recommended. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

[Background Material 2](#)

[Executed resolutions](#)

32. Consider Approval of Resolution 11/12-35, Acceptance and Retention, Peralta TV Site Package, Beliveau Engineering Contractors, Inc. Presenter: Vice Chancellor Ikharo On September 28, 2010, this Board ratified the contract award to Beliveau Engineering Contractors, Inc. for the Peralta TV Site Package project. Funding Source: Bond Measure A. The project provided for site preparation and connection of two modular structures to house Peralta TV at the District Administrative Center site. The work has now been completed and the Notice of Completion has been filed with the County of Alameda. Approval by the Board of Trustees is recommended. This resolution accepts the work as complete and provides for a retention payment of \$27,532.26, which is 10% of the contract price. The Board previously ratified two change orders to this contract totaling \$12,122.53, which is 4.6% of the original contract amount (\$263,200.00). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

[Background Material 2](#)

33. Consider Approval of Resolution 11/12-36, Acceptance and Retention, Peralta TV Building Package, Enviroplex, Inc. Presenter: Vice Chancellor Ikharo On September 28, 2010, this Board ratified the contract award to Enviroplex, Inc. for the Peralta TV Building Package. Funding Source: Bond Measure A. The project provided two modular structures to house Peralta TV at the District Administrative Center site. The work has now been completed and the Notice of Completion has been filed with the County of Alameda. Approval by the Board of Trustees is recommended. This resolution accepts the work as complete and provides for a retention payment of \$23,765.63, which is 10% of the contract price. The Board previously ratified one change order to this contract in the amount of \$13,995.26, which is 6.3% of the original contract amount (\$223,661.00). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

[Background Material 2](#)

34. Consider Approval of Amendment No. 1 to the Independent Consultant Contract with B-G Consulting Company for Additional Construction Oversight for Capital Projects Presenter: Vice Chancellor Ikharo Approval is requested for Amendment No. 1 to the independent consultant contract for B-G Consulting Company for additional construction oversight for capital projects, in the not-to-exceed amount of \$45,000. Funding Source: Bond Measure A. Under this amendment, the following services will be provided for the period from January 24, 2012 to June 30, 2012: Contract negotiations and execution, Budget cost/budget transfer process Assistance with the College of Alameda C & D Building design-build project including: Preparation of Request for Qualifications (RFQ), Pre-qualification process, Interviews and selection ,Legal interface on contract issues, Budget transfers between projects, Modifications required to consolidate the PeopleSoft budgets with those approved by the Board of Trustees, Bi-monthly budget/cost reports, Team member on reconciliation of the Merritt Science and Allied Health design-build contractor to the District budgets Assistance with the semi-annual presentation on bond activities Other assignments as required by the District. B-G Consulting Company has been providing consulting services under an independent contract in the amount of \$78,500 for the current fiscal year. The original estimate for the year of \$78,500 will be exceeded due to additional consultant hours required in working with the District Finance staff to

reconcile project budgets and to prepare reports for the Measure A Bond Oversight Committee. This consultant also provided interim services after the former Director of Capital Projects resigned. The time period until the new director was hired was longer than originally estimated, thus incurring additional hours. Including this Amendment No. 1, the total not-to-exceed contract amount will be \$123,500. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

[Evaluation form](#)

[Background Material 2](#)

35. Consider Approval to Accept Proposal from SimplexGrinnell for Upgrades to Fire/Life Safety System in the District Sheriff's Office Presenter: Vice Chancellor Ikharo Approval is requested to accept a proposal from SimplexGrinnell for upgrades to the fire/life safety system in the District Administrative Center Sheriff's Office, in the amount of \$36,750. Funding Source: District General Funds. The District utilizes a SimplexGrinnell fire/life safety system. In addition, SimplexGrinnell is under contract to maintain this system. In this latter capacity, recent inspections advise that the fire system hardware and software in the Sheriff's Office require an upgrade to operate properly and to accommodate new buildings. The SimplexGrinnell District Master Network Display Unit is saturated with information from existing and recently added buildings and has no additional capacity. This situation will not permit additional buildings (860 Atlantic Avenue, Laney Field House, Merritt Science and Allied Health, etc.) to be monitored by the Sheriff's Office. In addition, the present number of devices/points reporting to the master unit exceeds the number recommended, resulting in intermittent corruption of incoming data. SimplexGrinnell has provided the District with a proposal to eliminate these problems through replacement of these degraded and inundated devices with new modern, higher capacity systems at the two critical communication locations (Nodes #1 and #42) in the Sheriff's Office. Their proposal has been evaluated by staff and deemed comprehensive and reasonable. The SimplexGrinnell fire system is proprietary. The hardware and software required for this upgrade can only be supplied and installed by SimplexGrinnell. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

[Background Material 2](#)

36. [Consider Approval of Bond Measure Budget Transfers and Appropriations \(Nos. 35 and 36\) Presenter: Vice Chancellor Ikharo Approval is requested for two bond measure budget transfers and appropriations \(Nos. 35 and 36\). The budget actions have been approved by the appropriate College President, Vice Chancellor for General Services, Vice Chancellor for Finance & Administration, and the Chancellor. With the intent of full disclosure, they are now presented to the Board of Trustees for approval. Funding Source: Bond Measures A and E. On June 23, 2009, the Board of Trustees approved the Bond Measure \(A and E\) Spending Plan, which included budget appropriations, cash flow projections and budget transfer procedures. The Measure A budget included all current and future projects totaling the \\$390 million bond amount. At that time the Board also approved the process for future budget transfers from one project to another, which included District and College approvals and subsequent approval by the Board of Trustees. Since that time, project scopes have been refined, and some new projects have been created. In accordance with the Board approved Bond Measure Spending Plan, a budget transfer form has been prepared for each budget transaction. The two transactions indicate the current budget, revised or new budget and the transfer amount, for both the budget that is being increased \(credit\) and the budget that is being](#)

decreased (debit). Following are the budget transfer summaries: Transfer (T) # Project/Budget Name
 Current Budget Revised Budget T Amount 35 (Measure E) To: Project #2359?Merritt Bldg
 A Heating Renovations \$0 \$ 273,500.00 \$273,500.00 From: Unallocated Meas. E Funds
 \$5,752,529.00 \$5,479,029.00 (\$273,500.00) Description: Create a project for design and construction
 of heating system renovations in Building A at Merritt College. Transfer (T)# Project/Budget Name
 Current Budget Revised Budget T Amount 36 (Measure A) To: Project #2353 -
 Merritt Science/Allied Health Bldg. \$46,247,038.00 \$49,826,090.00* \$3,579,052.00
 From: Project #2425 - Child Care Center \$ 2,268,352.00 \$0 (\$2,268,352.00) Project
 #2427 - "A" Trade Tech \$ 60,000.00 \$0 (\$ 60,000.00) Project 2428 -
 Unallocated Measure E Funds \$ 2,200,000.00 \$1,000,000.00 (\$1,200,000.00) Project
 2342 - Swing Space \$ 62,000.00 \$ 11,300.00 (\$ 50,700.00) Total: (\$3,579,052.00)
 Description: Increase the scope and budget to accommodate the Merritt College Science and Allied
 Health Building. *In addition to this Measure A budget, there is \$9,195,150 from Measure E
 committed to this project. The total budget including the Measure E commitment is \$59,021,240. All
 Board approved contracts are subject to final negotiation and execution by the Chancellor. The
 Chancellor recommends approval.

Background Material

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

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

The motion passed.

Trustee González Yuen asked what is not being funded with this budget transfer, if any. The Chancellor shared the colleges have decided not to pursue other projects to complete this funding. President Herring shared that the college had many meetings about the Science building plan, since they feel this project is critical for the college. Vice Chancellor Ikharo shared that each college received their block of funds to then decide their projects, and that some unallocated funds were marked for contingencies at Merritt College. This is also a design bid project.

37. Consider Approval to Purchase Furniture for College of Alameda, 860 Atlantic Avenue Swing Space through Piggyback Contracts with KI Presenter: Vice Chancellor Ikharo and Vice Chancellor Gerhard Approval is requested to purchase furniture for College of Alameda, 860 Atlantic Avenue Swings Space through piggyback-able contracts with KI in the estimated amount of \$125,008.57. Funding Source: Bond Measure A. The furniture purchased will complement the major remodel of College of Alameda, 860 Atlantic Swing Space. The furniture will be purchased for science laboratories and classrooms (i.e. biology, chemistry, etc.). The furniture is necessary to provide a habitable working space for the college staff, faculty and students. Under Public Contract Code Section 20652, the governing board of any community college district without advertising for bids, and when that board has determined it to be in the best interest of the District, may authorize purchase of materials and equipment utilizing piggyback-able contracts. Two furniture vendors who have competitively bid piggyback-able contract were requested to provide quotes for the required furniture for College of Alameda, 860 Atlantic Avenue Swing Space. Both vendors met with users and the College Furniture Selection Committee to determine which furniture best met the college's needs. Following are the resulting quotes:
- | VENDOR | LOCATION | TOTAL | BID |
|--------|----------|-------|-----|
|--------|----------|-------|-----|

KI San Francisco \$ 125,008.57
Commercial Services Group/ Sam Clar San Francisco \$ 125,285.26
The lowest quote was submitted by KI in the amount of \$125,008.57. KI quoted under the National Joint Powers Alliance Contract (NJPA #102098-KII) and TCPN/Allsteel, Contract #RR971, CMAS/WorkRite, Contract #4-05-71-0041A and CMAS/WorkRite Contract #4-08-01-0067B. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Background Material

38. [Consider Approval of Board Policy 3900 Speech: Time, Place, and Manner \(Replaces Board Policy 2.30\) Presenter: Chancellor Allen Consider approval of Board Policy 3900 Speech: Time, Place, and Manner \(Replaces Board Policy 2.30\). The Chancellor recommends approval.](#)

Background Material

MOTION: Motion by Trustee Nicky González Yuen, second by Trustee Cy Gulassa to approve Item 38.

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

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

Announcements 1. Board meetings are recorded and stored for viewing on Granicus, posted on the new Peralta Board website. The public can always view recorded Board meeting presentations here at your leisure. 2. The next regular Board meeting will be held here on March 13th at 7 p.m. here in the District Boardroom, which is the second Tuesday night of the month. The meeting will also honor those faculty members receiving tenure. 3. The regular Board meeting on March 27th will be held in Albany at Montero's Mexican restaurant at the corner of San Pablo and Solano Avenues. 4. The Board wishes to send the following Condolences to the family and friends of: a. Retired Professor Robert C.M. Chin, foreign languages and accounting instructor, who taught at Peralta for more than 25 years; and b. COA Student Senator and activist Brian Berg. Brian spoke frequently at Board meetings on behalf of other students. Thank you for ending the meeting with a moment of silence in their memory.

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 8th Street, Oakland, CA, \(510\) 466-7203, repstein@peralta.edu at least 48 hours prior to the meeting.](#)

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