



BOARD OF TRUSTEES  
OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT  
MINUTES  
MARCH 27, 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\(b\)-\(c\)\) \(9 cases\). 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 \(Government Code § 54957\).](#)

[\\* Consider Public Employee Appointment, Dean of Academic Pathways and Student Success, Berkeley City College.](#)

[\\* Consider Public Employee Appointment, Dean of Academic Pathways and Student Success, Merritt College.](#)

[\\* Consider Public Employee Appointment, Dean of Workforce Development and Applied Sciences, Merritt College.](#)

[\\* Consider Public Employee Appointment, Acting Associate Vice Chancellor for Finance, District](#)

Office.

\* Consider Public Employee Appointment, Internal Auditor.

\* Consider Public Employee Appointment, Interim Director of Gateway to College Pathways, District Office.

\* Consider Public Employee Appointment, Vice Chancellor for Educational Services, District Office.

\* Consider Public Employee Appointment, Interim Director of AANAPISI\* (grant funded position), Laney College.

\* Consider Public Employee Appointment, Director of Capital Projects, District Office.

\* Consider Public Employee Appointment, Assistant to the Chancellor, District Office.

\* Consider Public Employee Appointment, College President, Berkeley City College.

\* Consider Public Employee Appointment, Interim College President, Merritt College.

\* Consider Public Employee Appointment, College President, Laney College.

\* Consider Public Employee Appointment, Dean of Disabled Student Programs & Services (DSPS) and TRIO Student Success\* (a partially grant funded position), Berkeley City College.

\* Consider Public Employee Appointment, Dean of Academic Pathways\* (grant funded), College of Alameda.

\* Consider Public Employee Appointment, Dean of Enrollment Services\* (grant funded) , College of Alameda, Alexis Montevirgen.

\* Consider Public Employee Appointment, Energy and Environmental Sustainability Manager, District Office.

\* Consider Public Employee Appointment, Vice Chancellor of Student Services, District Office.

\* Consider Public Employee Appointment, Budget Director, District Office.

\* Consider Public Employee Appointment, Interim Dean of Academic & Student Affairs, Laney College.

\* Consider Public Employee Appointment, Director of Financial Aid, District Office.

\* Consider Public Employee Appointment, TRIO Student Support/Success Director, Laney College.

\* Consider Public Employee Appointment, Interim Director of Purchasing, District Office.

\* Consider Public Employee Appointment, Interim Dean of Special Programs & Grants\* (grant funded), Merritt College.

\* Consider Public Employee Appointment, Vice President of Student Services, Berkeley City College.

\* Consider Public Employee Appointment, Interim Executive Vice President of Student Learning, Laney College.

\* Consider Public Employee Appointment, Interim Vice President of Instruction, College of Alameda.

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 from Closed Session

At tonight's closed session, the Board unanimously voted to approve the appointment of the following public employee contracts, which are subject to contractual agreement by the Chancellor.

1. Dean of Academic Pathways and Student Success, Berkeley City College, Dr. Harinder Singh,

\$115,000/year, April 30, 2012 through April 29, 2014.

2. Dean of Academic Pathways and Student Success, Merritt College, Dr. Stacy Thompson, \$119,000/year, June 1, 2012 through May 30, 2014.

3. Dean of Workforce Development and Applied Sciences, Merritt College, Dr. Gina La Monica, \$115,000/year, May 1, 2012 through April 30, 2014. If these individuals are present, please stand so that we can welcome you into your new positions. The Board also unanimously voted to approve the appointment of the following continuing public employee contracts, which are subject to contractual agreement by the Chancellor. The Board was provided the respective salaries in closed session for information purposes only.

4. Acting Associate Vice Chancellor for Finance, District Office, Sarah Schrader, July 1, 2012 to September 6, 2012 or until permanent position is filled, whichever occurs first, salary \$130,000.

5. Internal Auditor, Sarah Schrader, April 4, 2012 to April 4, 2014 (to resume the position after serving as Acting Associate Vice Chancellor for Finance) salary \$100,000.

6. Interim Director of Gateway to College Pathways, District Office, Anthony Flores, April 18, 2012 to April 18, 2013 salary \$85,000.

7. Vice Chancellor for Educational Services, District Office, Dr. Deborah Budd, July 1, 2012 to June 30, 2014, salary \$165,000.

8. Interim Director of AANAPISI\* (subject to grant funding), Laney College, Lilia Celhay, July 1, 2012 to June 30, 2013, or until the permanent position is filled, whichever occurs first, salary \$87,000.

9. Director of Capital Projects, District Office, Robert Dias, July 1, 2012 to June 30, 2014, salary \$145,000.

10. Assistant to the Chancellor, District Office, Roxanne Epstein, July 1, 2012 to June 30, 2014, salary \$100,000.

11. College President, Berkeley City College, Dr. Betty Inclan, July 1, 2012 to June 30, 2014 salary \$165,000.

12. College President, Laney College, Dr. Elnora Webb, July 1, 2012 to June 30, 2014, salary \$165,000.

13. Dean of Disabled Student Programs & Services (DSPS) and TRIO Student Success\* (subject to partial grant funding), Berkeley City College, Brenda Johnson, July 1, 2012 to June 30, 2014, salary \$119,000.

14. Dean of Academic Pathways\* (subject to grant funding), College of Alameda, Maurice Jones, July 1, 2012 to June 30, 2014, salary \$119,000.

15. Dean of Enrollment Services\* (subject to grant funding), College of Alameda, Alexis Montevirgen, July 1, 2012 to June 30, 2014, salary \$114,000.

16. Energy and Environmental Sustainability Manager, District Office, Charles Neal, July 1, 2012 to June 30, 2014, salary \$85,000.

17. Vice Chancellor of Student Services, District Office, Jacob Ng, July 1, 2012 to June 30, 2014, salary \$165,000.

18. Budget Director, District Office, Susan Rinne, July 1, 2012 to June 30, 2014, salary \$110,000.

19. Interim Director of Financial Aid, District Office, Gary Nicholes, August 1, 2012 to August 1, 2013, or until the permanent position is filled, whichever occurs first, salary \$110,000.

20. Vice President of Student Services, Berkeley City College, May Chen, July 1, 2012 to June 30, 2014, salary \$140,000.

21. Interim Vice President of Instruction, Merritt College, Anita Black, July 1, 2012 to June 30, 2013, salary \$150,000.

The Board welcomes these individuals back into their current positions.

**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

MOTION: Motion by Trustee Abel Guillen, second by Trustee Bill Riley to approve the agenda, with Items 15 and 17 removed from the agenda, and Item 22 moved to the action calendar.

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

The motion passed.

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

Minutes 3-13-12

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

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

The motion passed.

1. Consider Approval of the Regular Board meeting Minutes of March 13, 2012. Consider approval of the regular Board meeting minutes of March 13, 2012. The minutes are posted on Granicus.

### 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 Hampton asked the Board for leadership relevant to the Morgan Stanley SWAP matter. Speaker Marisol Zavala Suarez Laney student has continued to apply for Financial Aid and hasn't received anything for the last year and a half. She went to Chabot also and received Financial Aid there quickly. She asked for assistance with this process.

Speaker Tristan Nguyen reported that it took one year for him to receive Financial Aid. He felt it was ridiculous for him to fight for funds to pay for his books. He has failed some of his classes, since it's taken so long for him to receive his aid.

Speaker Obyatare Ubebejen asked that Financial aid be delivered timely.

Speaker Diego Jimenez shared that he waited six months to receive financial aid. He had no choice to copy the book in the library. He felt he wasn't given proper information at the Fi aid office.

Speaker William Ochoa helped students with Higher One ATM debit card refund, stating that there was a problem with the pin number, which takes 24 hours to reactivate. It took him 7 months to get his fi aid last year, taking one month to receive and process the paperwork.

Speaker Terry Guillory is also trying to get his financial aid. He's had problems getting his paperwork submitted. He feels a student at the counter gave him the wrong information. Also, he feels that his paperwork information was also later changed in the system related to him.

Speaker Luis Nunez thanked Trustee Guillen for supporting the Cesar Chavez event.

Speaker Stout read a letter from Joy Yumi to the Board. The student feels that higher one is a burden. She needs her full Pell Grant award, so she will have to wait longer to receive all of her funds, rather than using Higher One.

Speaker Jessica Alvarez feels that students shouldn't be working at the Fi aid counter. She feels that Higher One isn't a safe process, and that there's no guarantee that private information won't end up in the hands of others. She suggested that more ATMs be installed on campus for students to receive their funds, so that there aren't fees when a student goes to another bank. She feels ATMs should be open on nights and weekends, as well.

Speaker Goldstein spoke about the PFT tentative agreement. There will be a forum on health benefits after spring break. He spoke about the Millionaire's tax compromise. He shared that there's a long historical record on accreditation, and a spirit of positive coordination.

Speaker Bosnega shared that the student life funds are still not accessible on campus.

Trustee Handy is distressed to hear about these students' financial aid problems. Trustee Hodge asked the Chancellor to examine how the other Bay Ten community colleges work to streamline their financial processes. There will be upcoming meetings to try to evaluate the process from the ground level up. This issue will return to the Board, and this issue will be moved to the top of the Chancellor's agenda. Trustee Gonzalez Yuen shared that this issue is agendaized under the Chancellor's report, and he thanked the students for speaking out to the Board.

[Public Handout on SWAPs](#)

### **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. All open session reports and meeting materials are available for viewing on Granicus.**

2. [Associated Student Government Reports](#) Representatives of the Associated Student Governments will be afforded an opportunity to address the Board. (Please provide your Name, College, and Position, and line-up to speak.)
  
3. 

<a href="#">Chancellor's Reports</a>	<a href="#">Dr. Wise</a>	<a href="#">E. Allen</a>	<a href="#">(7:30 P.M.)</a>	<a href="#">Vice Chancellor's Reports</a>
<a href="#">Budget</a>	<a href="#">Update</a>	<a href="#">Vice</a>	<a href="#">Chancellor</a>	<a href="#">Gerhard</a>
<a href="#">Enrollment</a>	<a href="#">Update</a>	<a href="#">Vice</a>	<a href="#">Chancellor</a>	<a href="#">Budd</a>
<a href="#">Easy Pass, Financial Aid/Higher One, Student Health Fees, and Health Services Initiative</a>	<a href="#">Update</a>	<a href="#">Vice</a>	<a href="#">Chancellor</a>	<a href="#">Ng</a>
<a href="#">General Services</a>	<a href="#">Update</a>	<a href="#">Vice</a>	<a href="#">Chancellor</a>	<a href="#">Ikharo</a>
<a href="#">College Reports</a>				

[Financial Aid Data](#)

[Budget Update](#)

[Educational Services Memo](#)

[Educational Services Accreditation Overview](#)

**Merritt College Interim President Herring**

[Merritt President Report](#)

**Laney College President Webb**

**College of Alameda President Jackson**

**Berkeley City College President Inclan**

[BCC 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.

4. Presentation of Rebate Check for District Participation in the Demand Response Program Presenters: Vice Chancellor Ikharo and Carlos Lamas-Babbini of Converge Alternate Energy Resources, Inc. A check in the amount of \$6,324.20 will be presented to the District from Converge Alternate Energy Resources, Inc. (PG&E's administrator for the Demand Response Program). The check is a PG&E incentive for voluntary energy reduction during peak periods identified by PG&E when electrical energy demand is highest.
5. District Academic Senate Report Presenter: DAS President Karolyn van Putten

### Consent Calendar 8:00 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 Marcie Hodge, second by Trustee Abel Guillen to approve the consent calendar, including Items 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34.

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

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

6. Consider Approval of Board Policy 3310 Records Retention and Destruction (new) Presenter: Chancellor Allen Consider approval of Board Policy 3310 Records Retention and Destruction (new). The Chancellor recommends approval.

### Background Material

7. Consider Approval of Board Policy 4010 Academic Calendar (new) Presenter: Chancellor Allen Consider Approval of Board Policy 4010 Academic Calendar (new). The Chancellor recommends approval.

### Background Material

8. Consider Approval of Board Policy 4106 Nursing Programs (new) Presenter: Chancellor Allen Consider Approval of Board Policy 4106 Nursing Programs (new). The Chancellor recommends approval.

[Background Material](#)

9. Consider Approval of Board Policy 4110 Honorary Degrees (new) Presenter: Chancellor Allen Consider Approval of Board Policy 4110 Honorary Degrees (new). The Chancellor recommends approval.

[Background Material](#)

10. Consider Approval of Board Policy 4225 Course Repetition (replaces portions of BP 5.22) Presenter: Chancellor Allen Consider Approval of Board Policy 4225 Course Repetition (replaces portions of BP 5.22). The Chancellor recommends approval.

[Background Material](#)

11. Consider Approval of Board Policy 4230 Grading and Academic Record Symbols (replaces portions of BP 5.22) Presenter: Chancellor Allen Consider Approval of Board Policy 4230 Grading and Academic Record Symbols (replaces portions of BP 5.22). The Chancellor recommends approval.

[Background Material](#)

12. Consider Approval of Board Policy 4235 Credit by Examination (replaces portions of BP 5.22) Presenter: Chancellor Allen Consider Approval of Board Policy 4235 Credit by Examination (replaces portions of BP 5.22). The Chancellor recommends approval.

[Background Material](#)

13. Consider Approval of Board Policy 4240 Academic Renewal (replaces portions of BP 5.22) Presenter: Chancellor Allen Consider Approval of Board Policy 4240 Academic Renewal (replaces portions of BP 5.22). The Chancellor recommends approval.

[Background Material](#)

14. Consider Approval of Board Policy 4250 Probation, Disqualification, and Readmission (replaces portions of BP 5.22) Presenter: Chancellor Allen Consider Approval of Board Policy 4250 Probation, Disqualification, and Readmission (replaces portions of BP 5.22). The Chancellor recommends approval.

[Background Material](#)

15. Consider Approval of Board Policy 4400 Community Service Programs (replaces BP 6.65) Presenter: Chancellor Allen Consider Approval of Board Policy 4400 Community Service Programs (replaces BP 6.65). The Chancellor recommends approval. (Removed from the agenda.)

[Background Material](#)

16. Consider Approval of Board Policy 7400 Travel (revision) Presenter: Chancellor Allen Consider Approval of Board Policy 7400 Travel (revision). The Chancellor recommends approval.

[Background Material](#)

17. Consider Approval of Independent Contract Extension for EdMac Recovery Team and Tom Henry,



CEO Presenter: Chancellor Allen Consider approval of independent contract extension for Education Management and Assistance Corporation (EdMAC) Recovery Team and Tom Henry, President/CEO, as fiscal advisor, for District financial support services in the amount not to exceed \$250,000.00 through June 30, 2013. Funding Source: General Funds. This action is endorsed by the WASC and ACCJC. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. (Removed from the agenda.)

[Background Material](#)

18. Consider Approval of an Updated Board Workshop Meeting Calendar Presenter: Trustee Gulassa The Governing Board will hold special workshops in various service area locations in order to encourage greater community participation and input. The special workshops will also allow the Board to focus on particular topics in depth, based upon Trustee requests. The Chancellor recommends approval.

[Background Material](#)

[Regular Board Meeting Calendar 2012](#)

## **EDUCATIONAL AND STUDENT SERVICES**

19. Consider Approval of the Trade Adjustment Assistance Community College and Career Training (TAACCCT) Application for Laney College Presenter: Vice Chancellor Budd Consider approval for Laney College's Intent to Apply to the Trade Adjustment Assistance Community College and Career Training (TAACCCT) grant as part of a national consortium headed by the National Association of Manufacturer's (NAM) Institute. Funding Source: Department of Labor (DOL) in partnership with the Department of Education (DOE). The amount requested is \$350,000 over a three year period. The TAACCCT grant provides funds to expand and improve the college's ability to deliver education and career training programs that can be completed in two years or less. The funding will help adults succeed in acquiring the skills, degrees, and credentials needed for high-wage, high-skill employment while also meeting the needs of employers for skilled workers. The Manufacturing Institute is developing a national proposal for the grant. Their proposal is entitled Right Skills Now: Bridge to Employment and represents a nationwide effort to align education programs with the National Association of Manufacturers-Endorsed Skills Certification System (SCS), thereby improving the skills of the workforce and meeting the stated needs of manufacturing employers. The Chancellor recommends approval.

[Background Material](#)

20. Consider Approval of a Department of Labor (DOL) Grant Application Serving Young Adult Ex-Offenders through Training and Service-Learning for Merritt College Presenter: Vice Chancellor Budd Consider approval for Merritt College's Intent to Apply for the Serving Young Adult Ex-Offenders through Training and Service-Learning Grant. Funding Source: Department of Labor (DOL) and the Employment and Training Administration (ETA). The amount requested is up to \$1.5 million to cover a 30-month period of performance. The Employment and Training Administration (ETA), and the U.S. Department of Labor (DOL), will fund approximately \$30 million in grant funds authorized by the Workforce Investment Act for Reintegration of Ex-Offenders (RExO) Training and Service-Learning grants to serve young adult offenders ages 18 through 21 who have been involved in the juvenile justice system from the age of 14 or above and have never been convicted as an adult under Federal or State law. Training provided through these grants is expected to lead to credentials recognized by in-demand industries in the grantee's geographic area to be served. Service-learning projects conducted through these grants must integrate meaningful community service with

instruction and reflection that enrich the learning experience, teach civic responsibility, and encourage lifelong civic engagement. Such projects can help rebuild severed relationships between the returning offender and members of the community while developing the participant's workplace skills, such as leadership and time management. Through service-learning, returning offenders are offered the opportunity to reestablish community-based trust while enhancing their work-based skills and status in their communities. The Department expects to award a minimum of 20 grants of various amounts. The Chancellor recommends approval.

[Background Material](#)

21. Consider Approval of Workforce Innovation Funding (WIF) for the College of Alameda Presenter: Vice Chancellor Budd Consider approval for College of Alameda to apply for the Pathways to Shared Prosperity Initiative Grant, funded by the Workforce Innovation Fund (WIF). Funding Source: Department of Labor. The grant will be between \$3 - 6 million dollars statewide over a three-year period. The purpose of the grant is to support innovative approaches to the design and delivery of employment and training services. This will 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 will focus on expanding and building career pathway programs. The Chancellor recommends approval.

[Background Material](#)

22. [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 - March 2012" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.](#)

[Background Material](#)

MOTION: Motion by Trustee Nicky Gonzalez Yuen, second by Trustee Abel Guillen to approve.

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

The motion passed.

**FINANCIAL SERVICES**

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

[Background Material](#)

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

[Background Material](#)

25. Consider Approval of Budget Transfer Report Presenter: Vice Chancellor Gerhard Consider approval of budget transfer report. Budget transfers shall be made in accordance with California Code of Regulations Section 58307. The Chancellor recommends approval.

[Background Material](#)

26. Consider Approval of Vavrinek Trine Day & Co. Contract Presenter: Vice Chancellor Gerhard Consider approval of contract with Vavrinek Trine Day & Co., LLP (VTD) in the amount of \$135,000 to perform the District's annual audit for the fiscal year ended June 30, 2012. Funding Source: General Fund Unrestricted. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

27. Consider Approval of Computers for Machine Technology Department at Laney College Presenter: Vice Chancellor Gerhard Consider approval of Award of Computers for Machine Technology Department, to Hewlett-Packard, in the amount of \$227,011.00. Funding Source: Bond Measure A. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

[Background Material 3](#)

28. Consider Approval of Resolution #11/12-40 for Tax & Revenue Anticipation Notes Presenter: Vice Chancellor Gerhard Consider approval of Resolution #11/12-40 authorizing the issuance of the Fiscal Year 2012-13 Tax and Revenue Anticipation Notes (TRANS) in an amount not to exceed \$22 million. The issuance of these TRANS will address temporary cash flow shortfalls arising from fluctuations in month apportionment payments from the State during the fiscal year. It is anticipated that the total cash deferrals from the State during Fiscal Year 2012-13 will not exceed \$22 million. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

[Executed resolution](#)

## **HUMAN RESOURCES**

29. 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
Fischer	Caitlin	3/28/12	6/30/12	Instructional Asst/English	B
Nuckols	Cynthia	3/28/12	6/30/12	Instructional Asst/Multimedia	B

30. Consider Approval of a Tentative Agreement for a Three-year Successor Agreement Between the Peralta Community College District and IUOE Local 39 Permanent Employees Presenter: Vice Chancellor Largent Consider approval of a Tentative Agreement for a Three-year Successor Agreement between the Peralta Community College District and IUOE Local 39 Permanent Employees, which will be for July 1, 2012 through June 30, 2012, and a Side Letter of Agreement regarding the District's Summer Work Schedule from June 4, 2012 through August 10, 2012. The IUOE Local 39 is scheduled to take a ratification vote with its membership on March 21, 2012 for the tentative agreement for a three-year successor agreement from July 1, 2012 through June 30, 2015, and for the Summer Work Schedule from June 4, 2012 through August 10, 2012. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

**FACILITIES**

31. Consider Ratification of Change Order No. 3, Building Q Improvements at Merritt College, Rockaway Construction Inc. Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order No. 3 to the contract with Rockaway Construction Inc. for the Building Q Improvements at Merritt College, in the amount of \$36,919.00. Including the previously Board approved Change Orders No. 1 and No. 2, the cumulative total is \$129,086.92, which is 9.9% of the original contract amount (\$1,290,874.00). Funding Source: Bond Measure A. The Building Q Improvements project is complete, with the exception of minor punch list items. Merritt College has also taken occupancy of this building. This final Change Order No. 3 primarily consists of District requested changes, including: Upgrades to the HVAC system for better functionality and efficiency. An upgrade to from CAT5 to CAT6 cabling from the network room to the third floor. This data scope was not a part of the original contract documents. The existing CAT5 cabling was damaged during construction, and rather than replace with the existing CAT5, the District opted to upgrade to the new current standard CAT6 cabling. This change order item represents the difference in the cabling cost. The value of this work was negotiated by the District from the original contractor's quote of \$31,210 down to \$24,337, a cost savings of 22%. 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. 3 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 1](#)

[Background Material 2](#)

32. Consider Approval of Bond Measure Budget Transfers and Appropriations (Nos. 37, 38 and 39) Presenter: Vice Chancellor Ikharo

Approval is requested for three bond measure budget transfers and appropriations (Nos. 37, 38 and 39). 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								
Number								
Project/Budget								Name
Current								Budget
Revised								Budget
Transfer								Amount
37								
(Measure								A)
To:	Project #2435—Access Control & Motion Detection Alarm Monitoring Modifications for							
BCC	and			Laney				College
\$0								
\$								440,000.00
\$ 440,000.00								

From:	Project #2432	—District-Wide	Unallocated	Funds	–	Meas.	A
\$1,278,116.00							
\$838,116.00							
(\$ 440,000.00)							

Description: Create a project for motion detection alarm monitoring modifications for Berkeley City College and Laney College for security.

Transfer								
Number								
Project/Budget								Name
Current								Budget
Revised								Budget
Transfer								Amount
38								
(Measure								A)
To:	Project #2345	–	860	Atlantic	Swing		Space	
\$7,999,730.00								
\$9,440,730.00								

\$1,441,000.00

From:	Project	#2356	–	Genomics Center
\$1,350,000.00				
\$				15,000.00
(\$1,335,000.00)				

	Project	#2431–	District-Wide	for	860	Atlantic
\$						106,000.00
\$0						
(\$ 106,000.00)						

Total:

(\$1,441,000.00)

Description: Consolidation of funding sources into one for the 860 Atlantic Avenue Swing Space project.

Transfer Number Project/Budget Current Revised Transfer 39 (Measure To:	Project	#2740	–	IT/PeopleSoft	Name Budget Budget Amount E) Services
\$0					
\$					775,000.00
\$ 775,000.00					

From:	Unallocated	Funds	–
Measure			E
\$5,479,029.00			
\$4,704,029.00			
(\$ 775,000.00)			

Description: Creation of a project that includes services with Oracle Consulting, eVergo Consulting, and EB5C to provide IT and PeopleSoft services. These three items were approved by the Board of Trustees on 2/28/12.

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

[Background Materials 3](#)

33. Consider Approval of Payment to AT&T to Cover Fees Associated with the Infrastructure for the WAN (Wide Area Network) Fiber Network Required for the District-Wide Security Surveillance Project and Information Technology Use Presenter: Vice Chancellor Ikharo Approval is requested for the District to make a payment in the amount of \$111,699.98 to cover fees associated with the infrastructure required for the WAN (wide area network) for the District-Wide Security Surveillance project and Information Technology use. Funding Source: Measure E. A pricing contract schedule was entered into with AT&T in July 2010 to facilitate and provide the required WAN for the District-Wide Security Surveillance project. This network, referred to as a GigaMAN service, is a high speed, fiber optic based transport service designed to offer connection of the District's Local Area Network/Wide Area Network (LAN/WAN) at the native speed of the LAN backbone. GigaMAN service provides physical layer transport and is monitored by AT&T network operations 24 hours per day, seven days per week, using the in-bank network monitoring channel. The District-Wide Security Surveillance project was initiated in 2008, and the final construction contract was awarded in November 2011 to Central Sierra Electric Company. Originally, the primary use for the GigaMAN service was to support the security camera project. The initial design had the GigaMAN used in a physically separate network for the security cameras. The network design was subsequently changed to an IT shared design, which allows the GigaMAN to be used to dramatically increase the bandwidth among the colleges and District Office. Currently, T-1 lines are used and have significantly limited capacity. By sharing the GigaMAN circuit with the security camera network, high bandwidth applications such as Voice-Over-IP and videoconferencing become possible. In July 2010, a contract for GigaMAN service pricing schedule and required infrastructure networks was entered into with AT&T for a 60-month term. The fees required to be paid will facilitate the implementation of the Local and Wide Area Networks required for the District-Wide Security Surveillance project. The payment of \$111,699.98 will cover the installation and service costs to date. The monthly fee is approximately \$11,500. However, this monthly expenditure must be budgeted as part of Measure E or the operational budget. The services required have been reviewed and approved by the project design consultant, project construction manager, and the District Information Technology staff. This service will become an integral component of the District-Wide Security Surveillance project. The installation of this service was completed to facilitate ongoing District network needs, and Board approval is requested. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

34. Consider Approval to Apply for a PG&E Zero Net Energy Pilot Program Grant for Technical and Design Assistance for the Laney Sustainability Center Presenter: Vice Chancellor Ikharo

Approval is requested to apply for a PG&E Zero Net Energy Pilot Program Grant for Technical and Design Assistance for the proposed Laney Sustainability Center. The maximum amount of the grant is \$300,000. Funding Source: Submission of the grant application does not obligate the District financially. If the grant is awarded and accepted, the District is obligated by terms of the grant to commit funds for the project. The District has engaged a consultant to prepare a construction cost estimate.

The Zero Net Energy Pilot Program is a PG&E grant program that will provide detailed technical assistance, design assistance, performance evaluation and possible cost sharing for projects that:

- \* Have aggressive energy efficiency goals and plan to have on-site renewable generation
- \* Are grid-tied and served by PG&E
- \* Have an energy performance target of at least 50% beyond Title 24 requirements

Zero net energy means that the amount of energy conserved, through efficient building design and occupant behavior, combined with onsite renewable energy production does not exceed the amount of energy that the building consumes from the grid (i.e., in this case, PG&E supplied energy).

The grant would be used for the proposed Laney College Sustainable Building Center. This center, which is in the conceptual stage, will serve as a comprehensive training center and showcase for energy efficiency and sustainability. It will include classrooms and laboratories for student studies in energy efficiency/renewables technologies and sustainable building methods. The total square footage for the center will be approximately 5,000, with a total assignable square footage (ASF) of approximately 4,000. The center will consist of two buildings, a 2,000 ASF demonstration home and a 2,000 ASF multi-purpose/exhibit hall to provide additional classroom or meeting space for multiple departments. Fulfilling the “living classroom” concept, the structures will be designed and constructed in a collaborative process among the departments of Carpentry, Environmental Controls Technology, Architecture, Electricity and Electronics, and Construction Management. The project will serve as an interdisciplinary design-build project and provide an experiential process for students. Once completed, the living classrooms will serve as ongoing testing labs for energy efficiency, electric, HVAC and solar installation courses. The center will be built to meet certification mandates of the Living Building Challenge. Among other stringent qualifications, the Living Building Challenge mandates zero net energy project performance and elevates sustainability requirements beyond LEED Platinum certification.

The funding provided under this grant would be used to provide design and technical assistance through firms selected by PG&E. The firms would work in coordination with the District project design team. A grant would be beneficial to the District by significantly reducing the design costs for the Laney College Sustainability Center in the immediate term and our energy costs over the long term. The District submitted a placeholder application for this grant on March 16, 2012. Additional documentation must be submitted in order to complete the application. It is anticipated that the grants will be awarded at the end of this year. Board approval of the grant application submittal is requested. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material 1](#)



## Background Material 2

35. [Consider Board Vote for the CCCT Board Elections Presenter: Trustee Gulassa Included in Trustee packets for consideration and action is a slate of candidates for the CCCT Board of the Community College League of California, due by April 25, 2012. The Board can vote for eight \(8\) CCCT Board candidates. Votes are recommended for: Incumbents: Janet Chanot, Mendocino-Lake CCD, Doug Otto, Long Beach CCD, Manny Ontiveros, North Orange County CCD, Bernard "Bee Jay" Jones, Allan Hancock Joint CCD. Marcia Zableckis, Barstow CCD, Chris Stampolis, West Valley-Mission CCD, and Non-incumbents Tina Park, and Deborah LeBlanc, Compton CCD.](#)

## Background Material

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

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

The motion passed.

## Official Ballot

### Announcement

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 April 24th at 7 p.m. here in the District Boardroom, which is the fourth Tuesday night of the month.
3. The regular Board meeting on April 10th will be cancelled, to allow for Chancellor interviews, with public forums occurring on April 9th. Further details are posted on the Peralta website.
4. The regular Board meeting on May 8th will be held in Emeryville at the Emeryville City Hall, City Council Chambers.
5. The Board offers congratulations to COA President Jackson for receiving a "Women Who Dare Award" sponsored by Girls Inc. of the Island City.
6. The Board offers condolences to the family and friends of retired instructor and volunteer Charles Keilin from Laney College, who started teaching at Peralta in 1965.

### 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.](#)

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