



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT
MINUTES
MARCH 28, 2017

CLOSED SESSION (6:00 p.m.)

Topics to be discussed include:

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

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

*** Conference with Legal Counsel (54956.9(a)), Williams v. PCCD, Alameda County Superior Court, Case No. HG-14730396.**

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

*** Conference with Legal Counsel (54956.9(a)), R. Young v. Peralta Community College District, Case No. 14-cv-05351-JD.**

*** Conference with Legal Counsel (54956.9(a)), Nunez et al. v. Peralta Community College District et al.; Case No. RG16827433**

*** Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (2 cases)**

Public Employee Appointment (Government Code Section 54957)

*** Recommendation to approve the reclassification of the Budget Director, District Office position.**

*** Recommendation to appoint the Interim Director of Enterprise Services, District Office.**

Public Employee Discipline/Dismissal/Release (The Board is provided respective salaries in closed session for information purposes only, if any. The Board is reminded not to discuss personnel matters outside of closed session.)

Public Employee Evaluation (The Board is provided respective salaries in closed session for information purposes only, if any. The Board is reminded not to discuss personnel matters outside of closed session.)

*** Chancellor**

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE

ROLL CALL Trustees Bonilla Pr_Ab_, Brown, Pr_Ab_, González Yuen Pr_Ab_, Weinstein Pr_Ab_, Handy Pr_Ab_, Riley Pr_Ab_, Withrow Pr_Ab_, and, Student Trustee Cruz Pr_Ab_ and Student Trustee Price Pr_Ab_.

Present: Student Trustee Cruz, Trustee Bonilla, Trustee Gonzalez Yuen, Trustee Handy, Trustee Withrow, Trustee Riley, Trustee Brown, and Trustee Weinstein.

Absent: Student Trustee Price.

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

(Any public employee contracts are subject to contractual agreement by the Chancellor, and provided salaries are for informational purposes only.)

At tonight's closed session, the Board voted to ratify the appointment of the following public employee contract, which is subject to contractual agreement by the Chancellor:

1. Recommendation to approve the reclassification of the position of Luther Aaberge (Budget Director, District Office) from Range 2 to Range 3. Mr. Luther's new salary will be placed at Range 3, Step 2 at \$125,877 annually, effective February 16, 2017.

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

2. Recommendation to appoint Kyu Lee as Interim Director of Enterprise Services, District Office, effective March 29, 2017 through December 31, 2017 at \$131,350 annually.

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

APPROVAL OF THE AGENDA (Please state the Agenda Item Number and Identify the Issue) (7:02 P.M.) At this time, Board members or the Chancellor may request to modify the agenda. Board members may request that items on the consent calendar be removed to be addressed separately on the Action Calendar. Subsequent to the approval of the consent calendar, the items removed from the consent calendar are discussed and voted on separately. Changes to the agenda are to be approved by a majority of the Board. The Board may move to the Action Calendar items with public speakers.

[Agenda](#)

MOTION: Motion by Trustee Riley, second by Trustee Gonzalez Yuen to approve the March 28, 2017 board agenda with the following amendments:

Agenda Item 11 has been moved to the action calendar.

AYES: Trustee Bonilla, Trustee Gonzalez Yuen, Trustee Handy, Trustee Withrow, Trustee Riley, Trustee Brown, and Trustee Weinstein.

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

APPROVAL OF THE MINUTES (7:05 P.M.)

1. Consider Approval of the Regular Board meeting Minutes of March 14, 2017. Consider approval of the Regular Board meeting Minutes of March 14, 2017. The minutes are posted on Granicus.

[Minutes](#)

MOTION: Motion by Trustee Riley, second by Trustee Brown to approve the Regular Board meeting Minutes of March 14, 2017. The minutes are posted on Granicus.

AYES: Trustee Bonilla, Trustee Gonzalez Yuen, Trustee Handy, Trustee Withrow,
Trustee Riley, Trustee Brown, and Trustee Weinstein.
NOES: None
ABSTAIN: None
ABSENT: None

The motion passed.

PUBLIC COMMUNICATION (7:07 P.M.) At this time, the Board of Trustees will listen to communication from the public on matters that are not on the agenda and are within the Board's jurisdiction. Under provisions of the Brown Act, the Board and District staff are prohibited from discussing or taking action on oral requests that are not part of the agenda, but may respond briefly. A maximum of 15 minutes (up to 3 minutes per individual) will be provided for speakers under this agenda section, at the Board President's discretion. A speaker's card must be completed to request to address the Board. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Persons addressing items included on the agenda will be heard at the time the item is considered, and comments on tangential issues not directly related to the item may be ruled out of order. Cards must be received prior to the Board's consideration of the item and are honored in the order the cards are received. A speaker may yield time to another speaker up to a limit of 6 additional minutes, with no more than 5 speakers on the issue, where both have completed a speaker's card, and the yielder must identify him/herself to the Board. Speakers are asked to submit any materials to the Board Clerk and shall not approach the dais during meetings. (Please line-up when your name is called.) Further direction is provided in Board Policy and Administrative Procedure 2345 Public Participation at Board Meetings. <http://web.peralta.edu/trustees/board-policies/>

REPORTS (7:22 P.M.) The Board requests that constituent group reports and presentations be brief and concise, and that only electronic copies be provided for posting. All open session reports and meeting materials have been submitted to the Board electronically, and are available for public viewing on Granicus.

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 Chancellor's Report Dr. Jowel C. Laguerre Chief of Staff Dr. Yashica J. Crawford

[Gateway to College Achievement Report](#)

Berkeley City College Ms. Rowena Tomaneng

College of Alameda Mr. Timothy Karas

Laney College Ms. Tammeil Gilkerson

Merritt College Dr. Marie-Elaine Burns

4. Board of Trustees' Reports At this time, members of the Board of Trustees will report on matters related to attendance at conferences, professional affiliations, and community involvement directly related to their functions as Board members.

5. Peralta Classified Senate Report Presenter: Roberto Gonzalez
6. District Academic Senate Report Presenter: DAS President Cleavon Smith

PRESENTATIONS (7:52 P.M.)

7. Environmental Sustainability Report (5 minutes) Presenter: Charles Neal

CONSENT CALENDAR (7:57 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 Handy, second by Trustee Brown to approve Consent Calendar Agenda Items 1 - 10 and 12 - 21.

AYES: Trustee Bonilla, Trustee Gonzalez Yuen, Trustee Handy, Trustee Withrow, Trustee Riley, Trustee Brown, and Trustee Weinstein.
 NOES: None
 ABSTAIN: None
 ABSENT: None

The motion passed.

BOARD MATTERS

8. Consider Ratification of Out of State Travel pursuant to Board Policy 7400 Presenter: Chancellor Laguerre Consider ratification for Out of State Travel pursuant to Board Policy 7400 for the following faculty:

Name	Travel Location	Travel Dates
John Beam	Nashville, TN	January 7, 2017 - January 11, 2017
Elizabeth Cowan	Washington, DC	February 8, 2017 - February 12, 2017
Derrick Gardner	Tampa, FL	February 9, 2017 - February 12, 2017
Steven Zetlan	Seattle, WA	March 21, 2017 - March 24, 2017

[Background Material](#)

9. Consider Approval of Out of State Travel pursuant to Board Policy 7400 Presenter: Chancellor Laguerre Consider approval of Out of State Travel pursuant to Board Policy 7400 for the following faculty:

Name	Travel Location	Travel Dates
Herbert Albright	Hillsboro, OR	April 12, 2017 - April 15, 2017
Cynthia Correia	Boston, MA	March 28, 2017 - April 1, 2017
Si Yazid Kahil	Hillsboro, OR	April 12, 2017 - April 15, 2017
Amany Masry	Portland, OR	July 16, 2017 - July 20, 2017
Blair Norton	Hillsboro, OR	April 12, 2017 - April 15, 2017
Peter Olds	Havana, Cuba	April 1, 2017 - April 17, 2017
Carla Pegues	Baltimore, MD	June 2, 2017 - June 6, 2017
Shirley Slaughter	Seattle, WA	April 29, 2017 - May 3, 2017
Cleavon Smith	Portland, OR	June 7, 2017 - June 10, 2017
John Taylor	Hillsboro, OR	April 12, 2017 - April 15, 2017
Elaine Wallace	Austin, TX	March 26, 2017 - April 1, 2017
Lavalle White	Austin, TX	March 26, 2017 - March 31, 2017

[Background Material](#)

10. Consider Approval of Board Policy BP 5020 for Final Reading Presenter: Chief of Staff Crawford Consider approval of final reading for the following board policy: * BP 5020 Nonresident Tuition - Revise the board policy so that it does not cite the specific cost for the Capital Outlay fee because the specific cost is contained in AP 5030 Student Fees.

[BP 5020](#)

11. CCCT Board Election Slate Presenter: Board President Bonilla 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 April 25, 2017. Recommended for the slate are: * Stephen Blum, Ventura County CCD * Laura Casas, Foothill-De Anza CCD * Stephan Castellanos, San Joaquin Delta CCD * Adrienne Grey, West Valley-Mission CCD * Andra Hoffman, Los Angeles CCD * Pam Haynes, Los Rios CCD * Jim Moreno, Coast CCD

[Background Material](#)

Trustee Brown added recommended Greg Pensa, Allan Hancock CCD AND John Leal, State Center CCD for the two vacancies.

MOTION: Motion by Trustee Withrow, second by Trustee Gonzalez Yuen to approve 11. CCCT Board Election Slate Presenter: Board President Bonilla 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 April 25, 2017. Recommended for the slate are:

- * Stephen Blum, Ventura County CCD
- * Laura Casas, Foothill-De Anza CCD
- * Stephan Castellanos, San Joaquin Delta CCD
- * Adrienne Grey, West Valley-Mission CCD
- * Andra Hoffman, Los Angeles CCD
- * Pam Haynes, Los Rios CCD
- * Jim Moreno, Coast CCD

AYES: Trustee Bonilla, Trustee Gonzalez Yuen, Trustee Handy, Trustee Withrow, Trustee Riley, Trustee Brown, and Trustee Weinstein.

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

12. Consider Approval of Resolution 16/17-35, Excusing Student Trustee Absence Presenter: Board President Bonilla It is recommended that Trustees approve Resolution 16/17-35 excusing Student Trustee Price from the March 14, 2017 Board meeting due to a business meeting. The Chancellor recommends approval.

[Background Material](#)

13. Consider Approval of Course and Program Additions, Deactivations and Changes Presenter: Interim Vice Chancellor Pedraja Consider Approval of Course and Program Additions, Deactivations and Changes. Included for approval are proposed curriculum actions as recommended by the Council for Instruction, Planning and Development (CIPD). The spreadsheets entitled "Feb 2017 CIPD Report" and "Mar 201& CIPD Report" contain course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

[Background Material 3](#)

[Background Material 4](#)

[Background Material 5](#)

14. Consider Approval of an Addendum of the Independent Contractor/Consultant Contract with Stephanie Green in the amount of \$12,750. Presenter: President Tomaneng Consider Approval of an Addendum of the Independent Contractor/Consultant Contract with Stephanie Green in the amount of \$12,750. In addition to the Original ICC #21469 in the amount of \$12,750, for a total amount of \$25,500. The original ICC #21469 has a beginning date of 08/22/16 to end date 12/16/16. Berkeley City College would like to extend the ICC's anticipated completion date to 05/18/17. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Career Advancement Academy Funds.

[Background Material 1](#)

[Background Material 2](#)

15. Consider Approval of an Independent Contractor/Consultant Addendum with Alejandra B. Landin at Laney College's Gateway to College Program for an additional \$20,000. Presenter: Interim President Levy Consider Approval of an Independent Contractor/Consultant Addendum with Alejandra B. Landin at Laney College's Gateway to College Program for an additional \$20,000. Currently, Alejandra is an ICC with the Restoring Out Communities Initiative (ROCI) at Laney College. Based on Alejandra's current duties with ROCI and her experience, Gateway to College wants to hire her as their contract Retention Specialist. For this fiscal year, under her ICCs with ROCI, Alejandra is to be paid \$17,952. Gateway to College will pay her \$20,000 for her services. Combining the two ICCs, Alejandra's total payments are not to exceed \$37,952. As part of the nationwide Gateway to College initiative to monitor and support spring and fall 2017 graduating students, Alejandra will work with the director of the Gateway to College program to develop strategies and implement retention systems to prevent students stopping out or otherwise not graduating on their scheduled date. Alejandra will work with the director of the Gateway to College program to develop and implement a student retention/success program based of the Gateway to College National model. Alejandra will develop and maintain a student contact/intervention database that tracks student progress as well as parental contact/involvement. Amongst Alejandra's core responsibilities: Maintain a caseload of 39 students with once per week contact. Bi-weekly parental contact; Hold two monthly cohort groups top develop peer support; Provide the director of Gateway to College with a bi-weekly track report to identify "red-flagged" students who may need more comprehensive intervention. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Gateway to College Budget.

[Background Material](#)

16. Consider Approval of a data-sharing agreement with The East Bay College Fund. Presenter: Executive Vice Chancellor King Consider Approval of a data-sharing agreement with The East Bay College Fund. The purpose of the agreement is to facilitate the collection, analysis, and sharing of student data in order to track performance and improve success from elementary school through college. Specifically, by confidentially sharing student transcript and identification information of

graduating East Bay College Fund students, PCCD can streamline its admissions process, lowering barriers to entry and enabling the educational organizations to facilitate the movement of students from secondary to post-secondary education. To that end, educational organizations sharing academic performance data concerning students who have or who are attending their institutions ensure the confidentiality of records and their consistency with FERPA (Family Education Rights and Privacy Act). The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

HUMAN RESOURCES

17. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Short-Term Employees Presenter: Vice Chancellor Largent Pursuant to California Education Code Section 88003, the below list contains the name, date of hire, assignment end date, position title, and site location of candidates recommended for short-term assignments in non-academic classified positions. Each candidate's assignment will not exceed the position title into which the candidate is assigned. Last Name First Name Date of Hire End Date Position Title Site
- | Last Name | First Name | Date of Hire | End Date | Position Title | Site |
|------------|--------------|--------------|----------|----------------------------------|------|
| Brown | Christopher | 3/29/17 | 6/30/17 | Staff Asst/Admin (General) | L |
| Cen | Muting | 3/29/17 | 6/30/17 | Senior Clerical Assistant | L |
| Dea | Amanda | 3/29/17 | 6/30/17 | Staff Asst/Student Services | B |
| Doan | Bree | 3/29/17 | 6/30/17 | International Studt Suppt Spec D | |
| Garret | Vincent | 3/29/17 | 6/30/17 | Senior Clerical Assistant | M |
| Gilbert | Gery | 3/29/17 | 6/30/17 | Staff Asst/Comm Services | L |
| Guo | Wanpeng | 3/29/17 | 5/26/17 | Inst Asst/Music | L |
| Hess | Stephanie | 3/29/17 | 6/30/17 | Financial Aid & Placmt Asst | A |
| Idrisov | Kemal | 4/1/17 | 6/30/17 | Staff Asst/Student Services | L |
| Lagmay | Raytina | 3/29/17 | 6/30/17 | Science Lab Tech/Bio | M |
| Li | Lili | 3/29/17 | 5/26/17 | Inst Asst/Music | L |
| Liu | Qiaowu | 3/29/17 | 5/26/17 | Inst Asst/Music | L |
| Liu | Hecheng | 3/29/17 | 5/26/17 | Inst Asst/Music | L |
| Lu | Xian | 3/29/17 | 5/26/17 | Inst Asst/Music | L |
| Nakhonthap | Vicki | 3/29/17 | 5/26/17 | Inst Asst/Cosmetology | L |
| Peng | Lu | 3/29/17 | 5/26/17 | Inst Asst/Music | L |
| Shi | Tao | 3/29/17 | 5/26/17 | Inst Asst/Music | L |
| Simmons | Deshonda | 4/3/17 | 6/30/17 | Inst Asst/LRC | L |
| Thao | Karla | 4/1/17 | 6/30/17 | Clerical Assistant II | L |
| Tang | Lena | 4/12/17 | 6/30/17 | Principal Accounting Tech | L |
| Tsehai | Wessenyelesh | 3/29/17 | 5/26/17 | Staff Asst/Admin (General) | D |
| Wilkes | Deborah | 3/29/17 | 5/26/17 | Clerical Assistant II | L |
- L "The District has complied with the applicable provisions of the Education Code"
18. Consider Approval to increase an existing professional services agreement with Chris Reynolds Investigations in the amount of \$28,000. Presenter: Vice Chancellor Largent Consider Approval to increase an existing professional services agreement with Chris Reynolds Investigations by \$28,000 to continue providing independent, investigative services. The current contract amount is \$22,000. The new contract amount will be \$50,000. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

19. Consider Approval of a request from Nola Torres Hadley to participate in the Reduced Workload Program. Presenter: Vice Chancellor Largent Consider Approval of a request from Nola Torres Hadley, a full-time instructor at Berkeley City College, to participate in the Reduced Workload Program in accordance with California Education Code Section 87483 and Article 27 of the Collective Bargaining Agreement between the District and the Peralta Federation of Teachers as follows: 60% effective Fall 2017 Semester 60% effective Spring 2018 Semester

[Background Material](#)

FINANCIAL SERVICES

20. Consider Approval of Budget Transfer for Measure A Presenter: Vice Chancellor Little Consider Approval of Measure A Budget Appropriation and Transfer No. 108 in the amount of \$735,000 is required to move funds for the following projects: Measure A Projects - \$35,000 to Merritt College Obstacle Course Fence, and \$700,000 to Merritt College Parking Lot G, (\$35,000) from Merritt College Unallocated Funds, and (\$700,000) from Barbara Lee Center. This will allow for the completion of the Merritt College Obstacle Course Fence and Parking Lot G Projects. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

21. Consider Approval of the purchase of CommVault backup and recovery software in the amount of \$62,472.53. Presenter: Vice Chancellor Cole Consider Approval of the purchase of CommVault backup and recovery software with two-year support services in the amount of \$62,472.53. The software is a critical new component of the District's Information Technology Services disaster recovery project that began in November 2016. The software provides backup and recovery services required to protect Peralta's data and recover it in the event of a disaster by securely storing critical data in the cloud. The software has been successfully tested. This item will purchase the licenses necessary to enable the system to go live and begin protecting critical data through replication. The Chancellor recommends approval. Funding Source: Measure E.

[Background Material 1](#)

[Background Material 2](#)

[Background Material 3](#)

[Background Material 4](#)

[Background Material 5](#)

ACTION ITEMS The Action Calendar lists non-routine items that the Board of Trustees may wish to discuss and/or debate. The list below may be supplemented by items removed from the Consent Calendar. The Board may move to the Action Calendar items with public speakers, and Board-sponsored Resolutions. The Board will hear public comments prior to taking any action on these items.

ANNOUNCEMENTS

1. The next regular Board meeting will be held on April 11th at the District Office, boardroom
2. A reminder that Peralta will observe the Cesar Chavez Day Holiday next Friday, March 31st with closed offices at the District and Colleges.
3. On behalf of the Trustees, we would like to wish our students a Happy Spring and a restful spring break.

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, bmartinez@peralta.edu at least 48 hours prior to the meeting.

Jowel C. Laguerre, Ph.D., Chancellor
Secretary to the Board of Trustees
PERALTA COMMUNITY COLLEGE DISTRICT