



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, April 12, 2016

5:45 p.m. Closed Session

7:00 p.m. Public Session

Merritt College

12500 Campus Drive

Newton/Seale Student Lounge R-110

Oakland, CA 94619

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

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

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

AGENDA

PUBLIC COMMENT ON CLOSED SESSION MATTERS (5:45 p.m.)

CLOSED SESSION (5:45 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.
- R. Young v. Peralta Community College District, Case No. 14-cv-05351-JD.
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (1 cases)

Public Employee Appointment (Government Code Section 54957)

- Recommendation to ratify the Chancellor's approval to appoint Interim Vice President of Student Services, Laney College.
- Recommendation to appoint Vice President of Instruction, Merritt College.
- Recommendation to appoint Dean of Special Programs and Grants, Merritt College.

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

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.)

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE

ROLL CALL Trustees Bonilla Pr_ Ab_, Brown, Pr_ Ab_, González Yuen Pr_ Ab_, Gulassa Pr_ Ab_, Handy Pr_ Ab_, Riley Pr_ Ab_, Withrow Pr_ Ab_, and, Student Trustee Abuyen Pr_ Ab_ and Student Trustee Rogers Pr_Ab_.

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

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

APPROVAL OF THE AGENDA (Please state the Agenda Item Number and Identify the Issue) (7:05 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.

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

1. Consider Approval of the regular Board meeting Minutes of March 22, 2016.

Consider approval of the regular Board meeting Minutes of March 22, 2016. The minutes are posted on Granicus.

PUBLIC COMMUNICATION (7:11 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 (7:20 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

- Enrollment Management Update

Chief of Staff Dr. Yashica J. Crawford

Vice Chancellor's Reports

Strategic Planning and Advancement	Executive Vice Chancellor Webb
Budget Update	Vice Chancellor Little
Enrollment and Student Services Update	Vice Chancellor Orkin
General Services	Vice Chancellor Ikharo
• Environmental Sustainability Report	
Human Resources	Vice Chancellor Largent

College Reports

Berkeley City College	Interim President Johns
College of Alameda	President Blake
Laney College	Interim President Stanley
Merritt College	President Ambriz-Galaviz

4. Board of Trustees' Reports

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.

5. Peralta Classified Senate Report **Presenter: PCS President Timothy Brice**

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

PRESENTATIONS (7:45 P.M.)

7. Africana Center Presentation (10 minutes) **Presenter: Dr. Siri Brown**

CONSENT CALENDAR (7:55 P.M.)

All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

BOARD MATTERS

8. Consider approval of Resolution 15/16-35, Excusing Trustee Absence **Presenter: Board President Riley**

It is recommended that Trustees approve Resolution 15/16-35 excusing Trustee Gulassa from the March 22, 2016 Board meeting due to illness. The Chancellor recommends approval.

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

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

Name	Travel Location	Travel Dates
Josh Ramos	San Antonio, TX	January 9, 2016 – January 13, 2016
David Simon	Newark, DE	January 8, 2016 – May 26, 2016 (online)

10. 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
Matthew Jones	Denver, CO	May 28, 2016 – June 3, 2016
Nha Le	Denver, CO	May 30, 2016 – June 3, 2016

11. CCCT Board Election Slate **Presenter: Board President Riley**

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, 2016. The Chancellor recommends approval.

EDUCATIONAL AND STUDENT SERVICES

12. Consider approval of the revised Berkeley City College Mission, Vision and Values Statement. **Presenter: Interim President Johns**

Consider approval of the revised Berkeley City College Mission, Vision and Values Statement. The Chancellor recommends approval.

13. Consider Approval of an Independent Contractor Extension for Roy Robles to produce a college wide CTE career video for use for recruitment of high school graduates as the primary target market, and including job seekers, career changers, and undecided current Laney students. **Presenter: Interim President Stanley**

Consider approval of an independent contractor extension for Roy Robles in an amount not to exceed \$14,000 to develop a career video designed to market Laney College's CTE departments and programs across the college. The target market for the video will be high school students and recent high school grads to include also job seekers, undecided majors at the college, career changers, and displaced workers. The contract extension will support effort for 2.5 months, from April 15, 2015 to June 30, 2015. The contractor has current contracts with the District totaling up \$24,000. The extension will increase to contracts by \$14,000 for a revised total of \$38,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. **Funding Source: Categorical Funds for Career Transitions.**

14. Consider Approval of an Independent Contractor Extension for Danny Beesley (dba EcoVision Consulting) in the amount not to exceed \$30,500. **Presenter: Interim President Stanley**

Consider Approval of an Independent Contractor Extension for Danny Beesley (dba EcoVision Consulting) for services to be rendered pursuant to project management support for the Laney Career Day CTE Open House and updates to Laney College CTE program webpages, and development of Laney's advanced Fabrication Laboratory.

Consider approval of an independent contractor extension for Danny Beesley (dba EcoVision Consulting) in an amount not to exceed \$30,500 to provide project management support for the Laney Career Day CTE Open House, updates to Laney College CTE department webpages, and continued support for the development of Laney's advanced Fabrication Laboratory. The contract extension will support effort for 2.5 months, from April 15, 2015 to June 30, 2015. The contractor has current contracts with the District totaling up \$54,250. The extension will increase to contracts by \$30,500 for a revised total of \$84,750. All Board approved contracts are subject to final negotiation and execution by the Chancellor. **Funding Source: Categorical Funds for Career Transitions, PASS, and Career Pathways Trust.**

15. Consider Contract Amendments to Board Resolution 15/16-37 with the California Department of Education to Provide Child Care and Development Services **Presenter: Associate Vice Chancellor Esquivel-Swinson**

Consider Contract Amendment with the California Department of Education to provide child care and development services at Laney & Merritt College. Amend the maximum reimbursable amount payable pursuant to the provisions of this agreement to \$815,612.00. Amend the maximum rate per child day of enrollment

payable pursuant to the provisions of the agreement to \$38.53. Amend the minimum child days of enrollment requirement to 21,168.00. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: State of California, Department of Education Child Development Division.**

HUMAN RESOURCES

16. 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
Albertini	Sophia	4/13/16	6/30/16	Interpreter II	All
Ali	Wafa	4/16/16	6/30/16	Clerical Assistant II	L
Flores	Ashley	4/13/16	6/30/16	Staff Asst/Student Services	A
Hsieh	Paula	4/18/16	6/30/16	Staff Asst/Admin (Instruction)	B
Idrisova	Sarinaz	4/13/16	6/30/16	Clerical Assistant II	L
Jauregui	Jewel	4/13/16	6/30/16	Interpreter, Fully Certified	All
Lemke	Pascal	4/13/16	6/30/16	Interpreter III	All
Martin	Leonardo	4/13/16	6/30/16	Research Data Specialist	M
McCarthy	Sina	4/13/16	6/30/16	Master Interpreter	All
McGriff	Traci	4/18/16	6/30/16	Staff Asst/Student Services	L
Ng	Sukyee	4/13/16	6/30/16	Clerical Assistant II	L
Okundaye	Osafran	4/13/16	6/30/16	Facilities Project Coordinator	D
Tsehai	Wessenyesh	4/13/16	6/30/16	Staff Asst/Admin	D
Walker	Latrice	4/13/16	6/30/16	Duplicating Technician	L
Werner	Peter	4/13/16	6/30/16	Inst Asst/Biotechnology	M
Willis Henry	Rachel	4/13/16	6/30/16	Staff Asst/CalWORKS	M

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

17. Request Board Authorization to approve the initial salary placement of Ms. Mary Ciddio, a full-time DSPS Counselor, Merritt College, at Column E, Step 13, in accordance with the PFT Collective Bargaining Agreement's Salary Exception Process. **Presenter: Vice Chancellor Largent**

FACILITIES

18. Consider Approval of Amendment No. 2 to the Existing Agreement with Security By Design (SBD) to continue to Provide Professional Design Services and Construction Administration for the Installation of the Code Blue Emergency Blue Phones. **Presenter: Vice Chancellor Ikharo.**

Approval is requested of Amendment No. 2 to the existing agreement with Security By Design to provide professional design services and construction administration for the Installation of the Code Blue Emergency Blue Phones, in the amount not-to-exceed \$116,095. Under Amendment No. 2, SBD will provide the following scope of services that were not included in the original agreement: bid support; design for additional video and construction support; and implementation support (Construction Administration)/ operation and project close-out. This updated design requirements is in line with the Ferrilli's recommendation to the District.

As required by the District Purchasing Procedures, the administration obtained three price quotes to procure the original professional services agreement. Under the original agreement, SBD provided design services for \$39,550, which did not require Board approval because the amount was below the \$87,800 threshold for professional services. Under Amendment No. 1, the contract time was extended to December 31, 2015. If this Amendment No. 2 is approved, then the accumulative contract amount will be \$155,645. The Chancellor recommends approval. **Funding Source: Measure A.**

19. Consider Approval of Amendment No. 2 to the Original Agreement with BEARCOM Wireless Worldwide for the District-wide Two-Way Radio System (RFP No. 14-15/13). **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Amendment No. 2 to the Original Agreement with BEARCOM Wireless Worldwide Original Agreement for the District-wide Two-Way Radio System (RFP No. 14-15/13), in the amount not-to-exceed \$27,961.00. The amount will pay for the State sales tax that the vendor did not include under the original agreement and Amendment #1 for the two way radio purchases. At the July 14, 2015, the Governing Board of Trustees awarded BEARCOM Wireless Worldwide the contract to provide new radios District-wide, in the amount of \$259,033. If Amendment No. 2 is approved, the accumulative contract amount will be \$334,080. Please note that this bid for this project was awarded based on "best value." Therefore, the tax amount that was excluded would not have had a material change to the scores. The Chancellor recommends approval. **Funding Source: Measure A.**

20. Consider Approval for Change Order No. 3 for W.E. Lyons Construction on the Veterans Center and Athletics Offices Remodel Project at the College of Alameda (Bid No. 13-14/24). **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Change Order No. 3 to the contract with W.E. Lyons Construction, a no-cost time extension of 36 days. Under this Change Order No. 3, the contractor will complete the required scope of work within the approved contract period. Additionally, the time extension is needed to obtain a custom exit sign and for the contractor to install it. The original contract amount was \$286,663 approved on March 10, 2016; Change Order No. 1 in the amount of \$22,020 was approved on September 8, 2015; and Change Order No. 2 in the amount of \$6315.92 was approved on December 8, 2015. The total accumulated change order is \$28,335.92, which is 9.9% of the base contract amount of \$286,663. If Change Order No. 3 is approved, the vendor's contract amount will remain at \$314,998.92. The Chancellor recommends approval. **Funding Source: Measure A.**

21. Consider Approval for Change Order No. 1 for Kaelin Construction on the Chemistry Hoods in Existing Building "D" Project at College of Alameda (RFP No. 15-16/16). **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Change Order No. 1 to the contract with Kaelin Construction, in the amount of \$2,770.00. Change Order No. 1 is a 3.3% change to the original contract amount of \$82,889.00. The change is for the cost of required performance and payment bonds into the contract price, which was not included in the solicitation bid package. If Change Order No. 1 is approved, the vendor's cumulative contract amount will be \$85,659. The Chancellor recommends approval. **Funding Source: Measure A.**

22. Consider Approval of Resolution No. 15/16-36, Acceptance of Completed Work and Release of 5% Retention for the Merritt College Hardscape Project (Bid No. 14-15/20), Sposeto Engineering. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for acceptance of completed work and release of 5% retention for the Merritt College Hardscape Project (Bid No. 14-15/20), Sposeto Engineering, not to exceed \$51,261.72. The Governing Board of Trustees approved a contract award (Bid No. 14-15/20) to Sposeto Engineering at the April 14, 2015 meeting, in the amount of \$989,000. A notice to proceed (NTP) was issued with a start date of May 26, 2015. The District has filed a Notice of Completion (NOC) with the County of Alameda, and project acceptance is recommended. This resolution accepts the project as complete and staff is requesting final acceptance of the project and release of the remaining 5% retention, in the amount of \$51,261.72.

There was one (1) change order on the project for a total of \$41,192.42 or 4.16% of the original contract amount. The College President and Business Manager have signed the Project Final Acceptance. Approval to accept this project as

complete and release of retention is recommended by the Chancellor. **Funding Source: Measure A.**

23. Consider Approval of Measure A Budget Appropriation and Transfer for Health Clinics at Berkeley City College, College of Alameda, and Merritt College (No. 89) **Presenter: Vice Chancellor Ikharo.**

Approval is requested to appropriate and transfer Measure A Bond Budget no. 89. This budget transfer was sent to the Vice Chancellor of Finance and Administration for approval for January 26, 2016 Regular Board of Trustees Meeting upon review by the Chancellor. Staff has obtained signatures and consent from the Administration (Vice Chancellor of Finance and Administration, Vice Chancellor of General Services, and the Chancellor) for these budget transfers and appropriations. 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.

Budget Transfer No. 89 (\$1,200,000) allocates \$400,000 to each of the following colleges: Berkeley City College, College of Alameda, and Merritt College. On June 26, 2009, the Board of Trustees approved the allocation of \$2,000,000 to build a Districtwide Health Center at Laney College or in the immediate area. Three (3) colleges have developed and submitted a comprehensive health services plan for the Chancellor to review. After the success of the Laney College Wellness Center, the demand for health services has dramatically increased. Additionally, the use of mental health counseling has more than quintupled. Each college opted to provide health care services to students in their campus environment that is more suitable for their needs. Therefore, decentralizing and expanding the range of medical services available at Berkeley City College, College of Alameda, and Merritt College has become desirable

The fund is apportioned from the Laney College Health Clinic account (#2460) to create project accounts for College of Alameda Health Clinic (#2472), Berkeley City College Health Clinic (#2474), and Merritt College Health Clinic (#2473).

Measure A Budget Transfer No. 89

Project No.	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2472	COA Health Clinic	\$0.00	\$400,000.00	\$400,000.00
2473	Merritt College Health Clinic	\$0.00	\$400,000.00	\$400,000.00
2474	BCC Health Clinic	\$0.00	\$400,000.00	\$400,000.00
			TOTAL:	\$1,200,000.00
Transfer From:				
2460	Laney College Health Clinic	\$2,000,000.00	\$800,000.00	\$1,200,000.00

The Chancellor recommends approval. **Funding Source: Measure A.**

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

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.