



BOARD OF TRUSTEES  
OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT  
MINUTES  
APRIL 28, 2015

**CALL TO ORDER (7:00 p.m.)**

**CLOSED SESSION (5:00 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)), Liao v. PCCD, Alameda County Superior Court Case No. RG14717733 \* Conference with Legal Counsel (54956.9(a)), BAP Events LLC v. PCCD, Alameda County Superior Court, Case No. RG14-728878. \* Conference with Legal Counsel (54956.9(a)), Adcock v. PCCD, Alameda County Superior Court, Case No. RG14733487. \* Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (3 cases) Public Employee Appointment (Government Code Section 54957) \* Recommendation to appoint acting Vice President of Student Services, Merritt College. \* Chancellor Emeritus 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.) \* Interim Deputy 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.) Conference with Real Property Negotiator (Government Code § 54956.8): \* Negotiator Ikharo, 2118 Milvia Street, Berkeley, California, 94704**

**OPEN SESSION (7:00 P.M.)**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Trustees Bonilla Pr Ab\_, Brown, Pr\_ Ab\_, González Yuen Pr\_ Ab\_, Handy Pr\_ Ab\_, Riley Pr\_ Ab\_, Withrow Pr\_ Ab , and Gulassa Pr\_ Ab\_, Student Trustees Oliver Pr\_ Ab\_ and Rolley Pr\_ Ab\_.

Present: Student Trustee Oliver, Trustee Bonilla, Trustee Gonzalez Yuen, Trustee Gulassa, Trustee Handy, Trustee Withrow, Trustee Riley, and Trustee Brown.

Absent: Student Trustee Rolley.

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

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 appoint Dr. Lilia Chavez as the acting Vice President of Student Services, Merritt College, effective April 22, 2015 through May 11, 2015, or until the incumbent returns, at \$134,128 annually.**

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

(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) (7:02 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.

MOTION: Motion by Trustee Riley, second by Trustee Gulassa to approve Board Agenda of April 28, 2015.

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

The motion passed.

**APPROVAL OF THE MINUTES (7:08 P.M.)**

1. Consider Approval of the Regular Board meeting Minutes of April 14, 2015. Consider approval of the regular Board meeting Minutes of April 14, 2015. The minutes are posted on Granicus.

MOTION: Motion by Trustee Gulassa, second by Trustee Riley to approve the Regular Board meeting Minutes of April 14, 2015. The minutes are posted on Granicus.

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

The motion passed.

**PUBLIC COMMUNICATION (7:10 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/>

MOTION: Motion by Trustee Gonzalez Yuen, second by Trustee Riley to approve Public Comment to 2 minutes per individual.

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

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

Speaker Goldstein - document attached.

Speaker Kantor asked that the PFT contract be settled.

Speaker Doyle spoke on faculty compensation.

Speaker Mahabir spoke on faculty compensation and the principle of equal pay for equal work.

Speaker Hubbard spoke on faculty compensation.

Speaker Mean spoke on the APASS program.

Speaker Tien spoke on the APASS program.

[Speaker Goldstein's public comment remarks](#)

### **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.)

Speaker Banks, Associated Students of Berkeley City College (ASBCC), spoke on events at the campus.

Speaker Canler, Associated Students of College of Alameda (ASCOA), spoke on events at the campus.

3. Chancellor's Reports  
Chancellor's Report Dr. José M. Ortiz Interim Deputy Chancellor Dr. Eric Gravenberg  
Vice Chancellor's Reports Budget Update Interim Vice Chancellor Rinne  
Enrollment and Vice Chancellor Orkin Student Services Update General Services  
Vice Chancellor Ikharo Human Resources Vice Chancellor Largent \* Minimum Wage

## Update College Reports

Chancellor Ortiz appeared before a special panel for the California Department of Education advocating for a Career Pathways Grant which will supplement our current CPT grant and focus on students in continuation school and incarcerated.

Interim Vice Chancellor of Finance Susan Rinne provided an update on the implementation of minimum wage.

### **Berkeley City College President Budd**

### **College of Alameda President Blake**

#### [Report](#)

### **Laney College President Webb**

### **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.

Speaker Bonilla had an opportunity to attend the horticulture event at Merritt College and attended an immigration forum by City of Oakland.

Speaker Handy attended the Peralta eco festival.

Speaker Gonzalez Yuen attended the Peralta eco festival and thanked Charles Neal, Pinar Alscher, Dr. Sadiq Ikharo for their hard work and Laney College for playing host to the event.

Trustee Oliver shared his concerns regarding not following the ed code and requested a change in policy procedure that there is an additional box for student input in the board materials.

5. District Academic Senate Report Presenter: DAS President Karolyn van Putten

#### [Report](#)

### **PRESENTATIONS (7:30 P.M.)**

6. Enrollment Management Overview (10 minutes) Presenter: Interim Deputy Chancellor Gravenberg and Vice Chancellor Orkin This two-part presentation will describe the District's Enrollment Management Initiatives. Dr. Gravenberg will provide the rationale for and scope of the district's comprehensive enrollment management efforts. These efforts encompass both short and long-range enrollment management strategies to meet the districts' enrollment targets. Dr. Gravenberg will highlight the establishment of an Enrollment Management Institute which is designed to be data-driven, assess current practices, provide professional development, and to create holistic plans that are built on recognized best practices. Dr. Orkin's presentation will provide a snapshot of the district and colleges enrollment targets, productivity, and the re-formatting and reporting of data from our BI tool to make enrollment decisions. Dr. Orkin will also mention Peralta's pilot of multiple measures

assessment consistent with the Statewide Common Assessment Initiative, designed to use high school GPA as an alternative to standardized tests and thereby increase the number of students who bypass basic skills and are allowed to directly enter college level courses. This is being done in conjunction with our Career Pathways Trust grant.

[Background Material 1](#)

[Background Material 2](#)

[Background Material 3](#)

Trustee Gulassa thanked them for the reports and asked if we have the staff and the resources to make this operational? Deputy Chancellor Gravenberg said no but the steering committee will work with the Chancellor and staff is to figure out what are the resources in terms of staffing and the institute will begin to look at what resources we need, and if the BAM model is appropriate for our needs.

Trustee Riley - thanked them for the reports and asked about retention. Deputy Chancellor says not only is it about keeping the students that we have but also recruiting other students.

Trustee Bonilla asked what the thought process is with CPT, Career ladders, and working with high schools. Deputy Chancellor says they are going to be integrated and aligned with the center.

Trustee Gonzalez Yuen thanked them for the presentation and liked the level of detail. Trustee Gonzalez Yuen feels that students and peer mentoring are one of the more critical sources of student success.

Student Trustee Oliver is impressed that the retention is also being looked at.

### **CONSENT CALENDAR (7:40 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

MOTION: Motion by Trustee Gonzalez Yuen, second by Trustee Gulassa to approve Consent Agenda Items 1 - 17.

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

The motion passed.

7. Consider Approval of Out of State Travel pursuant to Board Policy 7400 Presenter: Chancellor Ortiz Consider approval of Out of State Travel pursuant to Board Policy 7400 for the following faculty: Name Travel Location Travel Dates Maeve K. Bergman Orlando, FL May 5, 2015 - May 8, 2015 Mary Clark-Miller Orlando, FL May 5, 2015 - May 8, 2015

[Background Material](#)

8. Consider Approval of Resolution 14/15-39, Excusing Trustee Absence Presenter: Board President Brown It is recommended that Trustees approve Resolution 14/15-39 Excusing Trustee Bonilla from the April 14, 2015 Board meeting due to illness. The Chancellor recommends approval.

[Background Material](#)

9. Consider Approval of Resolution 14/15-40, Excusing Trustee Absence Presenter: Board President Brown It is recommended that Trustees approve Resolution 14/15-40 Excusing Trustee Withrow from the April 14, 2015 Board meeting due to illness. The Chancellor recommends approval.

[Background Material](#)

## **EDUCATIONAL AND STUDENT SERVICES**

10. Consider Approval of the Merritt College Substantive Change Report for adding 28 associate degrees and 11 certificates of achievement to Merritt College's online learning portfolio. Presenter: President Ambriz-Galaviz Consider Approval of the Merritt College Substantive Change Report for adding 28 associate degrees and 11 certificates of achievement to Merritt College's online learning portfolio. To comply with accreditation policies and standards, colleges are required to assure to ACCJC the educational quality and institutional effectiveness of their programs and services. ACCJC reviews the quality of distance education during its institutional visits and follow-up visits, and substantive change reviews. This substantive change proposal complies with this eligibility requirement and seeks approval for adding 28 associate degrees and 11 certificates of achievement to Merritt College's online learning portfolio. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

11. Consider Approval of the Laney College Substantive Change Proposal for Distance Education Presenter: President Webb Consider approval of the Laney College Substantive Change Proposal for Distance Education (DE) that will be considered by the Accrediting Commission for Community and Junior Colleges in May 2015. This proposal will be submitted at the urging of the ACCJC visitors who evaluated the College during their March 9-12, 2015 comprehensive visit. This action responds to, and is a necessary step in addressing, one of the recommendations assigned to the College from the visiting team lead. The Chancellor recommends approval

[Background Material 1](#)

[Background Material 2](#)

12. Consider approval of a six-month extension (through December 2015) and a \$100,000 augmentation to the 2014-15 Laney College Deputy Sector Navigator grant from the Chancellor's office. Presenter: Dean Peter Crabtree

**Laney College has previously been awarded the Advanced Manufacturing Deputy Sector Navigator (DSN) grant. This \$200,000 grant was for the 2014-15 fiscal year (July 1, 2014 - June 30, 2015). The State Chancellor's Office has given all Deputy Sector Navigator grants throughout the state a six-month extension (through December 31, 2015) to this grant. In addition, they have also augmented it with an additional \$100,000 in SB1070 funds (also through December 31).**

The Deputy Sector Navigator grant for Advanced Manufacturing is to be used to coordinate and collaborate regionally, and to develop effective sector partnerships with employers, regional consortium, community colleges, high schools, ROPs, Workforce Investment Boards (WIBS), and other regional organizations to ensure a skilled workforce in support of the regional economy and industry sector and to establish career pathways for the regional community into those economies. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: CCCCCO.

[Background Material](#)

## **FINANCIAL SERVICES**

13. Review of Purchase Order Report Presenter: Interim Vice Chancellor Rinne The Purchase Order Report is being presented for review in accordance with Education Code Section 81656 which states, "All transactions entered into by the officer or employee (designated employees enumerated in AP 6330) shall be reviewed by the Board of Trustees every 60 days." This Purchase Order Report contains all orders issued from February 28, 2015 through April 10, 2015 which have been issued in accordance with applicable policies, procedures and laws by an authorized officer of the District. The Purchase Order Report is brought to the Board for informational purposes only.

[Background Material 1](#)

[Background Material 2](#)

14. Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register Presenter: Interim Vice Chancellor Rinne Consider ratification of the AP, Travel, and Consulting Contract Warrant Register from February 28, 2015 through April 10, 2015. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

[Background Material](#)

15. Consider Approval of Budget Transfer Report Presenter: Interim Vice Chancellor Rinne Consider approval of budget transfer report covering the period from February 28, 2015 through April 10, 2015. California Code of Regulations Section 58307 limits the District's expenditures to the amount appropriated for each major expenditure classification as approved by the Board of Trustees through the adoption of the District's annual budget or as amended by subsequent budget transfers or revisions. Due to this statutory control language, budget transfers that move budget authority between major object codes or classifications must be approved by the Board of Trustees. The budget transfers presented are requests originating from the Colleges' or District's departments during the ordinary course of operations and do not significantly alter the final budget that was approved by the Board of Trustees on September 9, 2014. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

## **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  
 Bayibansa Alain 4/29/15 6/30/15 Program Spec/Studt Services L Fleming Robert 4/29/15 6/30/15 Student Employment Spec L Hill Corey 4/29/15 6/3/15 Staff Asst/Admin (General) M Padilla Luis 4/29/15 6/30/15 Program Spec/Studt Activities A Pinilla Maria 4/29/15 6/30/15 Clerical Assistant II A Sims Tara 4/29/15 6/30/15 Staff Asst/Business Services L

17. Recommendation to approve a request from Juana Alicia Araiza, a full-time member at Berkeley City College, to participate in the Reduced Workload Program Presenter: Vice Chancellor Largent Recommendation to approve a request from Juana Alicia Araiza, a full-time faculty member at Berkeley City College, to participate in the Reduced Workload Program, also known as the "Willie Brown Act" 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:

69.33 % effective Fall 2015 Semester

69.33 % effective Spring 2016 Semester Ms. Araiza meets the qualifications to participate in the Reduced Workload Program. The Chancellor recommends approval.

[Background Material](#)

**ACTION CALENDAR 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. BOARD MATTERS

18. Consider Approval of short term Employment Agreement with Dr. Jose M. Ortiz, Ed.D for the position of Chancellor Emeritus for the Peralta Community College District Presenter: Board President Brown The term of the employment agreement with Chancellor Ortiz ends on June 30, 2015. The District seeks to prepare for a transition to a new incoming chancellor (or interim chancellor, if necessary) by employing Dr. Ortiz to assist in the transition by providing advice and assistance to the District for a four week period in the position of Chancellor Emeritus. The term of the proposed agreement for the Chancellor Emeritus is from July 1, 2015 through July 31, 2015. A copy of the "Agreement of Employment of Chancellor Emeritus" is posted on Granicus.

[Background Material](#)

MOTION: Motion by Trustee Withrow, second by Trustee Gulassa to approve Agenda Item 18. Consider Approval of short term Employment Agreement with Dr. Jose M. Ortiz, Ed.D for the position of Chancellor Emeritus for the Peralta Community College District.

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

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

19. Consider Approval of Addendum to the Employment Contract between Peralta Community College



District and Dr. Eric Gravenberg, Interim Deputy Chancellor. Presenter: Chancellor Ortiz The term of the employment agreement with Interim Deputy Chancellor Gravenberg currently ends on June 30, 2015. It is recommended that the Board consider extending the term of the contract to December 31, 2015. The addendum also provides for a change in salary placement from Step 4 to Step 5 of the approved salary range and allows for the Interim Deputy Chancellor to telecommute one day per week. Extending the Interim Deputy Chancellor's term of employment will provide significant support to the new incoming chancellor and District leadership on a number of key District initiatives. A copy of the "Addendum to Agreement for Employment" for the Interim Deputy Chancellor is posted on Granicus. The Chancellor recommends approval.

#### Background Material

MOTION: Motion by Trustee Withrow, second by Trustee Gonzalez Yuen to approve Agenda Item 19.

Consider Approval of Addendum to the Employment Contract between Peralta Community College District and Dr. Eric Gravenberg, Interim Deputy Chancellor.

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

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

#### **FACILITIES**

20. PUBLIC HEARING (8:00P.M.) and ACTION ITEM: Notice of Intent to Adopt a Mitigated Negative Declaration for the New Berkeley City College Facility Project. Presenter: Vice Chancellor Ikharo In compliance with the provisions of section 15072 of the California Environmental Quality Act (CEQA) Guidelines, public comments will be heard at tonight's meeting prior to consideration of Resolution 14/15-41 Adoption of Mitigated Negative Declaration and Purchase of the 2118 Milvia Property in Berkeley. A Notice of Public Hearing was advertised in the Oakland Tribune and other newspaper of general circulation and posted for public review for a minimum of thirty days on the District website and was also available at the District's Department of General Services for review.

MOTION: Motion by Trustee Gulassa, second by Trustee Withrow to approve Agenda Item 20. PUBLIC HEARING (8:00P.M.) and ACTION ITEM: Notice of Intent to Adopt a Mitigated Negative Declaration for the New Berkeley City College Facility Project.

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

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

21. Consider Resolution No. 14/15-41, for the Adoption of the Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Reporting Program for the 2118 Milvia Street Property in Berkeley. Presenter: Vice Chancellor Ikharo Adoption is requested for the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 2118 Milvia Street Property, pursuant to the California Environmental Quality Act (CEQA). In accordance with the provisions of Public Resources Code section 21081.6(a), all public agencies are required to adopt monitoring mitigation measures or reporting programs when they approve or adopt projects, requiring

a Mitigated Negative Declaration. This MND was prepared to evaluate the potential environmental consequences of construction improvements to the property. The Mitigation Monitoring and Reporting Program prepared for the project is designed to ensure compliance during project implementation to mitigate or avoid any environmental effects. CEQA requires the District to specify findings related to each of the significant or potentially significant environmental effects considered in the Mitigated Negative Declaration/Initial Study (MND/IS). The District must analyze project impacts to different environmental resource factors: aesthetics, air quality, cultural resources, geology and soils, hydrology/water quality, noise, agricultural resources, and biological resources, and greenhouse gases. As a result, the MND/IS indicated no potentially significant impacts on these environmental resources when construction improvements are done in the property. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Measure A.

[Background Material 1](#)

[Background Material 2](#)

MOTION: Motion by Trustee Gulassa, second by Trustee Withrow to approve Agenda Item 21. Consider Resolution No. 14/15-41, for the Adoption of the Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Reporting Program for the 2118 Milvia Street Property in Berkeley.

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

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

22. Consider Adoption and Approval of Resolution No. 14/15-42 for the Acquisition of Property located at 2118 Milvia Street in Berkeley, California. Presenter: Vice Chancellor Ikharo Adoption and approval is requested of resolution No. 14/15-42 by the Board of Trustees to authorize final acquisition of the 2118 Milvia Street Property, Berkeley, (APN/Parcel ID 057-2022-005-01) in accordance with the purchase and sale agreement for the amount of \$6,180,000. At the regular Board of Trustees Meeting on November 18, 2014, the Board of Trustees approved (i) the Purchase and Sale Agreement ("Agreement") and (ii) initial approved the acquisition of the property pending the completion of the requisite due diligence and Board acceptance of the associated due diligence findings. In accordance with the Agreement, the administration has completed its due diligence review, which includes the Seller's deliveries, preliminary title report, soils reports (including all soils, engineering, and environmental reports and materials), tests, surveys, maps, plans (including all grading plans), permits, leases, licenses, easements, and entitlements in Seller's possession concerning the Property and its improvement, and development and operation. The administration is seeking final approval from the Board of Trustees to purchase the property. Therefore, the \$6,180,000 will pay for the second deposit and final payment of all amounts due on the purchase price. On December 2014, the District deposited \$309,000 as a first deposit. As part of the due diligence, the Total Cost of Ownership and Operational Expenditures report is posted and available on <http://web.peralta.edu/measurea/files/2015/04/04-28-15-BOT-Board-of-Trustees-Mtg-2118-Milvia-Property-TCO1.pdf> The property is an existing three-story office building, which will be renovated to provide additional educational facilities to serve the District's existing student population. Pursuant to Education Code Section 81330, the Board of Trustees ("Board") of the Peralta Community College District ("District") is authorized to acquire real property and buildings.

[Background Material 1](#)

## [Background Material 2](#)

Speakers Gonzalez, Bergman, Mau, Ghosh and Williams spoke in support of the Acquisition of property located at 2118 Milvia Street, Berkeley and encouraged the board to approve the acquisition.

MOTION: Motion by Trustee Gulassa, second by Trustee Withrow to approve Agenda Item 22. Consider Adoption and Approval of Resolution No. 14/15-42 for the Acquisition of Property located at 2118 Milvia Street in Berkeley, California.

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

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

## **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](mailto:bmartinez@peralta.edu) at least 48 hours prior to the meeting.

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José M. Ortiz, Chancellor  
Secretary to the Board of Trustees  
PERALTA COMMUNITY COLLEGE DISTRICT