



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, April 28, 2015

5:00 p.m. Closed Session

7:00 p.m. Public Session

333 East 8th Street

Oakland, CA 94606

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 Peralta TV – Cable Channel 27 – Alameda and Berkeley, Cable Channel 28 – Oakland, Emeryville, and Piedmont. 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

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 Ikhara, 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_.

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) (7:02 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.

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.

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/>

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. 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

Berkeley City College	President Budd
College of Alameda	President Blake
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.

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

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.

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

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

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.

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.

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.

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

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: CCCC.**

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.

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*.

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.

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.

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.

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.

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.

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.

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.

In accordance with the Agreement and subsequent mutual approvals of the District and Seller, the District has until April 29, 2015 to complete other due diligence review on the Property, and to determine whether the Property and all matters pertaining to the Property are satisfactory for the District's purchase of the Property and use for community college purposes. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

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.