



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT
MINUTES
APRIL 26, 2016

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.

*** 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 appoint Director of Student Activities and Campus Life, College of Alameda. * Recommendation to appoint Interim President of Berkeley City 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_.

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

Absent: None.

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 appoint Fong Tran as Director of Student Activities and Campus Life, College of Alameda, effective April 29, 2016 through June 30, 2018 at \$98,513 annually.

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

2. Recommendation to appoint Fran White as Interim President of Berkeley City College, effective May 2, 2016 through June 30, 2016 at \$ 207,971 annually.

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

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.

Agenda

MOTION: Motion by Trustee Gonzalez Yuen, second by Trustee Gulassa to approve the April 26, 2016 Board Agenda.

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 (7:10 P.M.)

1. Consider Approval of the regular Board meeting Minutes of April 12, 2016. Consider approval of the regular Board meeting Minutes of April 12, 2016. The minutes are posted on Granicus.

MOTION: Motion by Trustee Gulassa, second by Trustee Gonzalez Yuen to approve the regular Board meeting Minutes of April 12, 2016. 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 (7:11 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/>

Speaker Martinez, full-time Laney College student, spoke on the treatment of African Americans at Merritt College.

Speaker Jaramillo, President, Peralta Federation of Teachers, provided updates on negotiations.

Speaker Munoz spoke on undocumented students and families and the need to secure funding and resources to continue the program at the undocumented community resource center.

Speaker Gonzalez provided updates on student events at College of Alameda.

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.

Chancellor Laguerre thanked Krista Johns for her service as Interim Berkeley City College President and provided a monthly enrollment management report.

Student Trustee Abuyen congratulated students on spring elections and attended the Peralta Eco Fest and congratulated students on their acceptance to UC's.

Trustee Gonzalez Yuen congratulated Thuy Nguyen who was selected as the President at Foothill College. Trustee Gonzalez Yuen also attended the eco fest and was happy to hear the great news on the EZ Pass.

Trustee Bonilla took a tour of the Aviation facility at the College of Alameda.

Trustee Handy attended the Peralta Eco Fest.

Student Trustee Rogers attended the SSCCC General Assembly.

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

[Chancellor's Executive Summary](#)

Berkeley City College Interim President Johns

[BCC Report](#)

College of Alameda President Blake

[COA Report](#)

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. Ferrilli Status Report (10 minutes) Presenter: Vice Chancellor Little Ferrilli will present our accomplishments, current state of Information Technology, and future plans.

Trustee Gulassa took a tour of IT recently and asked if there were any major differences since he took a tour and if inventory has been accomplished.

George from Ferrilli stated that progress has been made and he secured a number of quotes and that the storage room has been cleaned and inventoried. Additionally, he is working with Vice Chancellor Ikharo on the AC system and has secured some quotes for the security access door.

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.

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BOARD MATTERS

MOTION: Motion by Trustee Gulassa, second by Trustee Gonzalez Yuen to approve Agenda Items 1 - 24.

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.

8. Consider Approval of Resolution 15/16-41 in favor of Proposition 30 Presenter: Board President Riley

[Background Material](#)

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 Paul Kalbach Las Vegas, NV April 17, 2016 - April 20, 2016

[Background Material](#)

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 Jennifer Briffa Baltimore, MD June 4, 2016 - June 8, 2016 Dwayne Cain Columbus, OH June 6, 2016 - June 9, 2016 Cynthia Correia Greenville, SC May 2, 2016 - May 4, 2016 Marisha Farnsworth Greenville, SC May 2, 2016 - May 4, 2016 Elena Givalent Beijing, China August 17, 2016 - August 25, 2016 Alexander Lee Chicago, IL June 29, 2016 - July 3, 2016 Cynthia Taing Chicago, IL June 29, 2016 - July 3, 2016

[Background Material](#)

EDUCATIONAL AND STUDENT SERVICES

11. Consider approval for three annual ICC's for Peralta TV and Community Radio Contractors. Presenter: Executive Director Heyman. The Department of Public Information seeks approval for three annual ICC's totaling \$110,000 for the continued provision of video and radio productions. An independent contractor, Joe Sullivan dba Sullivan Video (\$40,000 per year), records events and classroom lectures at the Peralta Colleges, including the college graduations, for broadcast on Peralta TV's P-Span and P-Span II programs and posting to social media. Additional independent contractors are needed on both a full and part-time basis to assist with the running of Peralta's student/community radio station (Aaron Harbour, \$40,000 per year and Katherine Mondo, \$30,000 per year). The unusual hours of events and radio shifts precludes using regular staff. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Department of Public Information General Fund

[Background Material](#)

12. Consider acceptance of California Apprenticeship Initiative Grant. Presenter: Interim President Stanley and President Blake Accept a total of \$120,000 on behalf of Laney College and College of

Alameda via the Chancellor's Office California Apprenticeship Initiative New and Innovative Grant and approve a MOU with Contra Costa Community College District (CCCCD), the fiscal agent for the grant award, describing the project and the use of the funds.

[Background Material](#)

13. Consider Approval of Course and Program Additions, Deactivations and Changes Presenter: Executive Vice Chancellor Webb Included for approval are proposed curriculum actions as recommended by the Council for Instruction, Planning and Development (CIPD). The spreadsheet entitled "Apr 2016 CIPD Report" contains 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](#)

14. Request approval to increase the ICC #16350 for Jennifer Lough Kennedy from \$24,900 to a total of \$34,900 for the Fiscal Year 15-16. Presenter: President Ambriz-Galaviz An extension of this contract will allow Jennifer Lough Kennedy to continue to serve as a Team Writer/Editor for Merritt College's ACCJC Accreditation Follow-up Report Project. As a key member of the Core Team, Ms. Kennedy will continue to attend project related meetings as appropriate while reviewing project background materials, including college self-study, external evaluation report, ACCJC materials, etc. Ms. Kennedy will also continue to assist the core team in planning strategy, tasks, and timeline for preparing the AFR. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

[Background Material 2](#)

15. Consider approval for Laney College to accept the Chancellor's Office Deputy Sector Navigator Grant for Advanced Manufacturing. Presenter: Interim President Stanley Consider approval to receive a grant from the California Community College Chancellor's Office for the Deputy Sector Navigator grant for Advanced Manufacturing. The grant is for \$200,000 for the period of July 1, 2016 - June 30, 2017. 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. Funding Source: California Community College Chancellor's Office - SB 1402 (Lieu), Economic and Workforce Development Program funding.

[Background Material](#)

FINANCIAL SERVICES

16. Review of Purchase Order Report Presenter: Vice Chancellor Little 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 March 5, 2016 through April 6, 2016, 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](#)

17. Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register Presenter: Vice Chancellor Little Consider ratification of the AP, Travel, and Consulting Contract Warrant Register from March 5, 2016 through April 6, 2016. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

[Background Material](#)

18. Consider Approval of Budget Transfer Report Presenter: Vice Chancellor Little Consider approval of budget transfer report covering the period from March 5, 2016 through April 6, 2016. 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 8, 2015. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

19. Consider Approval Hanson Bridgett Contract Amendment Vice Chancellor Little Consider approval to amend the contract for Hanson Bridgett by \$20,000. The previous contract amount was \$65,000. The new contract amount shall not exceed \$85,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: OPEB Reserve.

[Background Material](#)

HUMAN RESOURCES

20. 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 Carbajal Irma 4/27/16 6/30/16 Library Technician II L Fatoorehchi Robabeh 5/1/16 6/30/16 Super, Admin & Bus Suppt Svc L Harrington Eileen 4/27/16 6/30/16 Inst Asst/Writing Center L Tucker Leonora 4/27/16 6/30/16 Sr Clerical Assistant/Typing D "The District has complied with the applicable provisions of the Education Code"

21. Request Board Authorization to approve the initial salary placement of Ms. Marion Martin, a full-time faculty at Laney College, at Step 16 Column D, in accordance with the PFT Collective Bargaining Agreement Salary Placement Exception Process. Presenter: Vice Chancellor Largent Request Board Authorization to approve the initial salary placement of Ms. Marion Martin at Step 16, Column D. The Chancellor recommends approval.

[Background Material](#)

22. Request Board authorization to approve a request by Merritt College faculty member Newt McDonald to participate in the Reduced Workload Program (also known as "Willie Brown Act") in accordance with California Education Code Section 87483 and Article 17 of the Collective Bargaining Agreement. Presenter: Vice Chancellor Largent The Office of Human Resources and Employee Relations reviewed the request by Newt McDonald to participate in the Reduced Workload Program, and determined that Newt McDonald meets the qualifications pursuant to Education Code 87483 as follows: * Newt McDonald is at least 55 years old. * Newt McDonald has been a full-time instructor for 20.949 years * Newt McDonald has been employed on a full-time basis in an academic position for at least five years, with no break in service.

[Background Material](#)

FACILITIES

23. Consider Approval of Resolution No. 15/16-39, Acceptance of Completed Work and Release of 5% Retention for the Veterans Center and Athletics Offices Remodel Project at College of Alameda (Bid No. 13-14/24), W.E. Lyons Construction. Presenter: Vice Chancellor Ikharo. Approval is requested for acceptance of completed work and release of 5% retention for the Veterans Center and Athletics Offices Remodel Project at College of Alameda (Bid No. 13-14/24), W.E. Lyons Construction. The Governing Board of Trustees approved a contract award to W.E. Lyons Construction at the March 10, 2015 meeting in the amount of \$286,663.00. A notice to proceed (NTP) was issued with a start date of April 3, 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 \$15,749.43. There were three change orders on the project for a total of \$28,335.92, which is 9.88% of the original contract amount. The total cumulative contract amount is \$314,998.92 for this project. 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.

[Background Material](#)

24. Consider Approval of Resolution No. 15/16-40, Acceptance of Completed Work and Release of 5% Retention for the Installation of Chemistry Fume Hoods and Associated Ductwork Modifications at College of Alameda (RFP No. 15-16/16), Kaelin Construction. Presenter: Vice Chancellor Ikharo. Approval is requested for acceptance of completed work and release of 5% retention for the Installation of Chemistry Fume Hoods and Associated Ductwork Modifications at College of Alameda (RFP No. 15-16/16). On January 26, 2016, the Governing Board of Trustees approved a contract award to Kaelin Construction, in the amount of \$86,533.35. A notice to proceed (NTP) was issued with a start date of January 15, 2016. Project acceptance is recommended; the District has filed a Notice of Completion (NOC) with the County of Alameda. 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 \$8,288.90. The contract sum was reduced to \$82,889.00 at award. There

was one change order on the project for a total of \$2,770.00, which is 3.3% of the executed contract amount. The total cumulative contract amount is \$85,659.00 for this project. 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.

[Background Material](#)

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.

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.

ANNOUNCEMENTS

- 1. The next regular Board meeting will be held on May 10th here at the District Offices.**
- 2. A reminder that the Peralta Colleges Foundation's 13th Annual Charity Golf Tournament will be taking place on Monday, May 2, 2016. For more information, please contact the Peralta Colleges Foundation.**

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