



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT
MINUTES
OCTOBER 9, 2012

CALL TO ORDER (5:00 p.m.)

CLOSED SESSION (5:01 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)), Johnson v. PCCD, U.S. District Court, Northern District of CA Case No. C08-4152 * Conference with Legal Counsel (54956.9(a)), Payne v. PCCD, United States District Court, Case No. C08-03133. * Conference with Legal Counsel (54956.9(a)), Abdur-Rasheed v. PCCD, United States District Court, Case No. CV 11-1744. * Conference with Legal Counsel (54956.9(a)), Vogt v. PCCD, Alameda County Superior Court, Case No. RG11-573757. * 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)), PCCD v. KYJ Associates, Alameda County Superior Court, Case No. RC08376707. * Conference with Legal Counsel (54956.9(a)), Jackson v. PCCD, Alameda County Superior Court, Case No. RG11601534. * Conference with Legal Counsel (54956.9(a)), Kogo v. PCCD et al., Alameda County Superior Court, Case No. RG12613106. * Conference with Legal Counsel (54956.9(a)), Burk v. PCCD, Alameda County Superior Court Case No. RG12633720. * Conference with Legal Counsel (54956.9(a)), PCCD v. Johnson Controls, Alameda County Superior Court Case No. RG12644402. * Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (8 cases). Conference with Real Property Negotiator (Government Code § 54956.8): * Negotiator Ikharo, 2120 University Avenue, Berkeley, California, 94704. * Negotiator Ikharo, 2025 Center St, Berkeley, California, 94704. * Negotiator Ikharo, 1950 Addison Street, Berkeley, California, 94704. Public Employee Appointment - Employment, Performance, Evaluation, Discipline, Dismissal, Release - All Employees (Government Code § 54957). * Consider Employee Discrimination Claims.

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE

ROLL CALL

Trustees González Yuen Pr Ab , Guillén Pr Ab , Handy Pr Ab , Hodge Pr Ab , Riley Pr Ab , Withrow Pr Ab , and Gulassa Pr Ab , Student Trustees Clegg Pr Ab and Cervantes Pr Ab .

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

There was no read out of action taken in closed session.

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 will move to the Action Calendar items with public speakers.

Agenda

MOTION: Motion by Trustee Bill Riley, second by Trustee Bill Withrow to approve the agenda with the following edits:

Item 8 is moved to the action calendar.

Item 19 – BP 7210 Academic Employees replaces BP 3.26 Faculty Hiring Policy for Tenure Track and Categorically/Specially-Funded Positions and BP 5.50

Lecturers, and not BP 3.18. Item 29 - The following names are additions to the short-term hourly list for this meeting: Rebecca Cisneros 10/10/12 - 12/31/12

Athletic Trainer-Equipment Mgr. Laney

McCabe Jones 10/10/12 - 6/28/13 Instructional Assistant/English Berkeley City College

AYES: Trustee Bill Riley, Trustee Linda Handy, Trustee Abel Guillen, Trustee Nicky Gonzalez Yuen, Trustee Bill Withrow, Trustee Cy Gulassa, and Trustee Marcie Hodge.

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

APPROVAL OF THE MINUTES (7:03 P.M.)

MOTION: Motion by Trustee Bill Withrow, second by Trustee Bill Riley to approve with the edit that Trustee Gonzalez Yuen had made a comment about prestige when discussing BP 2715.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

1. Consider Approval of the Regular Board meeting Minutes of September 25, 2012. Consider approval of the regular Board meeting minutes of September 25, 2012. The minutes are posted on Granicus. Public Communication 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 (3 minutes per individual maximum) will be provided for speakers under this agenda section. 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, where both have completed

a speaker's card, and the yielder must identify him/herself to the Board. Written statements can be submitted for inclusion into the Board minutes to the Board Clerk, and members of the public 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.)

Minutes

Communications from Members of the Public

Speaker Young shared his dismay about a personnel matter. He shared that he received letters stating that there is no nexus between his current and prior claims, and that the investigation couldn't reach back before 2006 when he received a settlement. He's disappointed with the politics behind his case. Trustee Gonzalez Yuen asked that the Chancellor brief the Board in closed session on the Young matter.

Speaker Flores yielded his time to Speaker Allums. Speaker Allums asked that a scholarship be started in memory of Laney student Mr. Isaac Jamal White. He was the first Oakland homicide this year. Mr. White had wanted to follow his dream to complete college, and he was a very hard working student.

Speaker Allums also reported to the Board problems he sees with the Higher One program, such as charging high fees for their services. He feels that many students don't know that they can get their fees waived, which they also can't afford. He feels that no bank will cash the check without charging large fees. He feels they are charging too much for their services. He announced that Laney College provides a workshop for students to learn about the Higher One fees, and he suggests this for the other campuses, as well. Trustee Riley asked the Chancellor to provide further information about Higher One to the Board.

Speaker Goldstein shared that there have been agreements and side letters with the District, and he thanked Marc Greenside, and Vice Chancellors Largent and Gerhard for their hard work. He sent sympathies to Sara Conners upon the passing of her father who was also a leading labor activist.

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 Bailey ASBCC President, shared that they are conducting classroom outreach, and a survey on admissions and financial aid services. Speaker Alvarez, ASLC, shared that they need a student advisor at Laney College. Speaker Flores, ASCOA, announced their campus events of Hispanic awareness month and a bone marrow drive. The Chancellor visited campus last week with students, faculty, and staff. The student counsel will host Sweet Thursdays, a platform for students to voice any concerns or suggestions, and they hope to bring faculty, students and staff together to try to tackle any concerns.

3. [Chancellor's Reports _____ Chancellor's Report Dr. José M. Ortiz \(7:30 P.M.\) Vice Chancellor's Reports Budget Update Vice Chancellor Gerhard Enrollment Update Interim Vice Chancellor Orkin Student Services Update Vice Chancellor Ng General Services Update Vice Chancellor Ikhara Human Resources Vice Chancellor Largent](#)

Budget Memo

The Chancellor gave an update on some of his recent activities: He was present at the news media event at the State Chancellor's Office in Sacramento to introduce the new system-wide Chancellor to the news media on September 27, 2012; He spoke to community leaders at their monthly Insiders Breakfast with the Oakland Chamber of Commerce on September 28, 2012; Congresswoman Barbara Lee will hold a short media event tomorrow at Laney College, 10:00 – 10:30 a.m., Wednesday, October 10, The Laney College Machine

Technology Lab, Room G-100. The Congresswoman will talk about the latest job numbers, and how the recent TAACCCT grant helps move the country forward creating a workforce equipped to meet the demands of advanced manufacturing, logistics and engineering fields; He will attend the Gateways East Bay STEM (science, technology, engineering, and mathematics) Network Community Stakeholders Retreat on October 10, 2012, plenary session at the Chabot Space & Science Center in Oakland; He met with COA students, faculty, and staff at COA upon the invitation of President Jackson. Thanks also to Bob Grill for his hard work on the event.

Vice Chancellor Ikharo announced the LEED certification award on the Laney College Athletics fields and field house projects.

[LEED Certification](#)

College Reports

Berkeley City College Interim President Budd

[BCC President Report](#)

College of Alameda President Jackson

Laney College President Webb

Merritt College Interim President Stanley

[Merritt College President Report](#)

4. Board of Trustees' Reports (7:35 P.M) 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.

Student Trustee Cervantes updated the Board on the District and student meetings he's recently attended. He shared that there was good student feedback from the orientations held at the student success task force meeting. He visited Los Medanos CCD which has good update reader boards, and he shared that some of ours have outdated information.

Trustee Gonzalez Yuen shared there's an effort to raise the minimum wage in San Jose, and he hopes these efforts can occur in this regions. His union hired 10 student interns for this work, and he challenged PFT to beat that.

Trustee Gulassa invited everyone to attend the Barbara Lee event, and he thanked her for her hard work on our behalf of the Distirct.

Trustee Guillen shared that he attended a sustainability conference.

5. [District Academic Senate Report Presenter: DAS President Karolyn van Putten Presentations](#)

[DAS President Report](#)

6. [Legislative Update from the McCallum Group Presenter: Patrick McCallum \(30 minutes\)](#)

[Legislative Update](#)

Trustee Gulassa asked if online courses can assist as a supplemental way to educate our students if there are further budget cuts, such as University Now, which has proposed to have online courses for the same cost as tuition. Speaker McCallum shared they charge \$280/unit, they are accredited, and they would offer free remedial classes. The Brain Trust is verifying the quality of the program. Trustee Gonzalez Yuen shared that our federal work study allocation isn't as large as the east coast colleges, which is based on the age of the college rather than a per capita standard. He asked that it be placed on McCallum's legislative agenda, as it impacts Western colleges' work study funds. McCallum wasn't aware of this, and suggested we also inform our Federal lobbyist, as well. Trustee Guillen asked about Higher One debit card programs. McCallum feels that they do have a high cost model, but he shared that faculty also pay high costs for their 403b managed programs. He shared that PIRG did a study on Sally Mae and Higher One providers, and that there is also one model that charges the vendor rather than the students.

Trustee Hodge arrived at the meeting at 8:11 p.m.

7. [Update on Student Learning Outcomes \(SLO\) Presenters: Vice Chancellor Orkin and Diana Bajrami \(10 minutes\) Consent Calendar](#)

Background Material

Trustee Withrow is alarmed with the initial matrix which has inconsistent figures for the colleges. Speaker Bajrami explained the differences. Merritt College only recently implemented task stream, and the data is only based upon the inception of that system, with prior assessment existing only on paper. Some of the colleges only assessed high impact courses, while Laney College did more work given the magnitude of courses provided. She is confident that we'll be successful and would receive a grade of A+ from the accreditation commission, because the faculty are all involved with updating the figures. Trustee Gonzalez Yuen asked if we quantify the ongoing time invested in these projects, which takes away from other vital tasks. He thinks it's a very high cost and that the accreditation commission should know this information. At COA, she keeps track of these hours where they have frequent institutional effectiveness committee meetings where each of the 16-18 members have worked 60-80 hours. She sees the hours as an investment in the colleges that will improve student success rates. Trustee Guillen asked if there is any evidence showing student population progress. It has been documented that contextualized learning helps student success, and it's changing the way we operate. He thanked the faculty for this huge undertaking, as well as Trustee Withrow for emphasizing this work.

Trustee Gulassa feels we're more efficient with a better return on the dollars used in the institution with data driven, measurable success that is affecting decisions. He asked about the divergence in the figures. When the assessment first started, it didn't focus on programs, but rather on courses and student learning outcome. There have been seven years working on SLOs, and only two years working on PLOs, which includes certificate programs. VC Orkin shared that we don't have good data of where students get jobs after they leave our system. Assessment tracking through the system and measuring success is essential to improving student learning, and tracking is the goal before they leave the system. Trustee Gonzalez Yuen wants to measure the cost, if every faculty member is spending an extra 3 hours, for example, on SLOs. This should help student success, but we should know how much it costs. Trustee Gulassa shared that faculty aren't being paid directly for this work, but that it's a commitment to the college.

The Chancellor thanked all of the faculty for this hard work on this major effort and for their commitment to learning. The progress is evident, and we are at the vanguard of this process, and he thanked our faculty to their commitment to learning. Professor Bajrami is an amazing leader helping the faculty to comply and progress.

MOTION: Motion by Trustee Bill Riley, second by Trustee Bill Withrow to approve the Consent Calendar,

including agenda items 9 - 32.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

[Executed resolutions](#)

BOARD MATTERS

8. [Consider Approval of the Board Meeting Calendar for 2013 Presenter: Assistant Epstein Consider approval of the Board Meeting Calendar for 2013. The Chancellor recommends approval.](#)

[Background Material](#)

Trustee Gonzalez Yuen shared that the Tuesday meeting should be July 16th not the 17th. Also, he noted that Veteran's Day is prior to November 12th, but that day could be considered for that month's Board meeting.

MOTION: Motion by Trustee Nicky Gonzalez Yuen, second by Trustee Abel Guillen to approve the proposed meeting calendar, with the noted change to July 16th.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Marcie Hodge, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

9. Consider Approval of Board Policy 2435 Evaluation of the Chancellor (new policy) Presenter: Chancellor Ortiz Consider approval of Board Policy 2435 Evaluation of the Chancellor (new policy). The Chancellor recommends approval.

[Background Material](#)

10. Consider Approval of Board Policy 2715 Code of Ethics and Standards of Practice (replaces BP 1.06 Board of Trustees Code of Ethics and Behavior) Presenter: Chancellor Ortiz Consider approval of Board Policy 2715 Code of Ethics and Standards of Practice (replaces BP 1.06 Board of Trustees Code of Ethics and Behavior). The Chancellor recommends approval.

[Background Material](#)

[BP 1.06](#)

11. Consider Approval of Board Policy 2740 Board Education (replaces BP 1.22 Board Development) Presenter: Chancellor Ortiz Consider approval of Board Policy 2740 Board Education (replaces BP 1.22 Board Development). The Chancellor recommends approval.

[Background Material](#)

[BP 1.22](#)

12. Consider Approval of Board Policy 2745 Board Evaluation (replaces BP 1.23 Board Self-Evaluation) Presenter: Chancellor Ortiz Consider approval of Board Policy 2745 Board Evaluation (replaces BP 1.23 Board Self-Evaluation). The Chancellor recommends approval.

[BP 1.23](#)

[Background Material](#)

13. Consider Approval of Board Policy 5030 Student Fees (replaces BPs 6.41 Charge for Transcripts, 6.43 Parking and Transportation Services Fees, 6.45 Enrollment Fee, Financial Assistance, and Deferred Payment Policy; 6.46 Non-Resident Tuition Policy; 6.47 Refund Policy; 6.48 Non-Payment of Enrollment Fees, Other Fees and Obligations; 6.55 Instructional and Other Materials Fees) Presenter: Chancellor Ortiz Consider approval of Board Policy 5030 Student Fees (replaces BPs 6.41 Charge for Transcripts, 6.43 Parking and Transportation Services Fees, 6.45 Enrollment Fee, Financial Assistance, and Deferred Payment Policy; 6.46 Non-Resident Tuition Policy; 6.47 Refund Policy; 6.48 Non-Payment of Enrollment Fees, Other Fees and Obligations; 6.55 Instructional and Other Materials Fees). The Chancellor recommends approval.

[Background Material](#)

[BP 6.41](#)

[BP 6.43](#)

[BP 6.45](#)

[BP 6.47](#)

[BP 6.48](#)

[BP 6.55](#)

[BP 6.46](#)

14. Consider Approval of Board Policy 5050 Matriculation (replaces BPs 7.01, 7.02, 7.03 Matriculation Services, 7.11, 7.12 Matriculation Procedures, 7.21 Orientation, 7.31 Assessment, 7.41 Counseling/Advising, 7.51 Follow-Up, 7.61 Research, 7.71 Faculty Training, 7.81, 7.82, 7.83 Student Responsibilities, 7.92 Educational Plan Presenter: Chancellor Ortiz Consider approval of Board Policy 5050 Matriculation (replaces BPs 7.01, 7.02, 7.03 Matriculation Services, 7.11, 7.12 Matriculation Procedures, 7.21 Orientation, 7.31 Assessment, 7.41 Counseling/Advising, 7.51 Follow-Up, 7.61 Research, 7.71 Faculty Training, 7.81, 7.82, 7.83 Student Responsibilities, 7.92 Educational Plan. The Chancellor recommends approval.

[Background Material](#)

[BP 7.01](#)

[BP 7.02](#)

[BP 7.03](#)

[BP 7.11](#)

[BP 7.12](#)

[BP 7.21](#)

[BP 7.31](#)

[BP 7.41](#)

[BP 7.51](#)

[BP 7.61](#)

[BP 7.71](#)

[BP 7.81](#)

[BP 7.82](#)

[BP 7.83](#)

[BP 7.92](#)

15. Consider Approval of Board Policy 5110 Counseling (replaces BPs 4.30 Counseling and Guidance, 4.31 Counseling Services, and 7.41 Counseling/Advising) Presenter: Chancellor Ortiz Consider approval of Board Policy 5110 Counseling (replaces BPs 4.30 Counseling and Guidance, 4.31 Counseling Services, and 7.41 Counseling/Advising). The Chancellor recommends approval.

[Background Material](#)

[BP 4.30](#)

[BP 4.31](#)

[BP 7.41](#)

16. Consider Approval of Board Policy 5120 Transfer Center (new policy) Presenter: Chancellor Ortiz Consider approval of Board Policy 5120 Transfer Center (new policy). The Chancellor recommends approval.

[Background Material](#)

17. Consider Approval of Board Policy 7110 Delegation of Authority (new policy) Presenter: Chancellor Ortiz Consider approval of Board Policy 7110 Delegation of Authority (new policy). The Chancellor recommends approval.

[Background Material](#)

18. Consider Approval of Board Policy 7120 Recruitment and Hiring (replaces BP 3.18 Employment of Certificated and Classified Personnel) Presenter: Chancellor Ortiz Consider approval of Board Policy 7120 Recruitment and Hiring (replaces BP 3.18 Employment of Certificated and Classified Personnel). The Chancellor recommends approval.

[Background Material](#)

[BP 3.18](#)

19. Consider Approval of Board Policy 7210 Academic Employees (replaces BP 3.18 Employment of Certificated and Classified Personnel) Presenter: Chancellor Ortiz Consider approval of Board Policy 7210 Academic Employees (replaces BP 3.18 Employment of Certificated and Classified Personnel). The Chancellor recommends approval.

[Background Material](#)

[BP 3.26](#)

[BP 5.50](#)

20. Consider Approval of Board Policy 7230 Classified Employees (replaces BPs 3.32 Definition of Classified Personnel, 3.34 Employment of Temporary Classified Staff, 3.35 Out-of-Class (Acting) Assignments and Compensation Presenter: Chancellor Ortiz Consider approval of Board Policy 7230 Classified Employees (replaces BPs 3.32 Definition of Classified Personnel, 3.34 Employment of Temporary Classified Staff, 3.35 Out-of-Class (Acting) Assignments and Compensation. The Chancellor recommends approval.

[Background Material](#)

[BP 3.32](#)

[BP 3.34](#)

[BP 3.35](#)

EDUCATIONAL AND STUDENT SERVICES

21. Consider Approval of Resolutions 12/13-11 and 12/13-12 to Designate Signature Authority to Chancellor Ortiz for the Department of Rehabilitation Workability III Program Contracts at College of Alameda and Laney College Presenter: Vice Chancellor Orkin Consider approval of Resolutions 12/13-11 and 12/13-12 to designate Chancellor Ortiz or his designee the authority to approve, sign, and execute the Department of Rehabilitation contracts for College of Alameda and Laney College Workability III grants. The Chancellor recommends approval.

[Background Materials - Part 1](#)

[Background Materials - Part 2](#)

22. Consider Approval of an Agreement with Lawrence Berkeley National Laboratory for the Laney College National Center for Building Efficiency for a Sustainable Tomorrow (BEST Center) Presenter: Vice Chancellor Orkin Consider approval of an agreement with Lawrence Berkeley National

Laboratory not to exceed \$25,000 through June 30, 2012 to carry out activities in fulfillment of project objectives for the Laney College National Center for Building Efficiency for a Sustainable Tomorrow (BEST Center). Funding Source: National Science Foundation Advanced Technology Education (ATE) Grant. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

23. Consider Approval of an Agreement with Georgia Piedmont Technical College for the Laney College National Center for Building Efficiency for a Sustainable Tomorrow (BEST Center) Presenter: Vice Chancellor Orkin Consider approval of an agreement with Georgia Piedmont Technical College not to exceed \$76,309 through June 30, 2013 to carry out activities in fulfillment of project objectives for the Laney College National Center for Building Efficiency for a Sustainable Tomorrow (BEST Center). Funding Source: National Science Foundation Advanced Technology Education (ATE) Grant. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. (A typo listing this as 2012 was later corrected.)

[Background Material](#)

24. Consider Approval of an Agreement with the Milwaukee Area Technical College for the Laney College National Center for Building Efficiency for a Sustainable Tomorrow (BEST Center) Presenter: Vice Chancellor Orkin Consider approval of an agreement with the Milwaukee Area Technical College not to exceed \$71,292 through June 30, 2012 to carry out activities in fulfillment of project objectives for the Laney College National Center for Building Efficiency for a Sustainable Tomorrow (BEST Center). Funding Source: National Science Foundation Advanced Technology Education (ATE) Grant. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

FINANCIAL SERVICES

25. Consider Ratification of Purchase Order Report Presenter: Vice Chancellor Gerhard Consider ratification of purchase order report. This item is for informational purposes only. This report is being presented for review in accordance with Education Code section 81656 which states, "All transactions entered into by the District shall be reviewed by the governing board every 60 days". All Purchase Orders listed have been issued in accordance with the District's policies and procedures by an authorized officer of the District and have been budgeted. The Chancellor recommends ratification.

[Background Material](#)

26. Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register Presenter: Vice Chancellor Gerhard Consider ratification of the AP, Travel, and Consulting Contract Warrant Register. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

[Background Material](#)

27. Consider Approval of Budget Transfer Report Presenter: Vice Chancellor Gerhard Consider approval of budget transfer report. Budget transfers shall be made in accordance with California Code of Regulations Section 58307. The Chancellor recommends approval.

[Background Material](#)

28. Consider Approval of the Annual CCFS 311A. Presenter: Vice Chancellor Gerhard Consider approval of the Annual CCFS-311A: Community College Annual Financial (Fiscal Year 2011-12 and Budget (Fiscal Year 2012-13) Report, in accordance with the California Code of Regulations Section 58300. This report is due to the State Chancellor's Office on or before October 15, 2012. The Chancellor recommends approval.

[Background Material](#)

HUMAN RESOURCES

29. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified 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. The Chancellor recommends approval. Last Name First Name Date of Hire End Date Position Title Site Evans Kevin 10/10/12 5/24/13

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Harper	Joolia	10/10/12	12/14/12	Instructional Assistant/Multimedia	Evans
Livey	Andrew	10/10/12	12/20/12	Instructional Assistant IV/DSPS	Kevin
Lockett	Aaron	10/10/12	12/14/12	Instructional Assistant/English	10/10/12
Manierre	Lauren	10/10/12	1/11/13	Instructional Assistant III/DSPS	5/24/13
Pursley	George	10/10/12	12/14/12	Instructional Assistant/English	L
Singer	Judith	10/10/12	5/30/13	Senior Library Technician	B

FACILITIES

30. Consider Approval of Resolution 12/13-13, Acceptance and Retention, Building "E" Stair Repair for Laney College, Rodan Builders, Inc. Presenter: Vice Chancellor Ikharo On June 26, 2012, this Board awarded a contract to Rodan Builders, Inc. for the Building "E" Stair Repair for Laney College project. Funding Source: Bond Measure A. The scope of work included the repair of external concrete stairs at Laney College located at Buildings "E" and "G" and repair of an external concrete beam located at the Laney College Student Center. The work has now been completed, and a Notice of Completion has been filed with the County of Alameda. Approval by the Board of Trustees is recommended. This resolution accepts the work as complete and provides for a retention payment of \$4,480, which is 10% of the contract price. There have been no change orders to the original contract amount (\$44,800). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

[Background Materials - Part 2](#)

31. Consider Approval of Resolution 12/13-14, Acceptance and Retention, Photovoltaic System Installation Project at Merritt College, Chevron Energy Solutions Company Presenter: Vice Chancellor Ikharo The District engaged Chevron Energy Solutions Company as a design-build contractor for the Photovoltaic System Installation Project at Merritt College. Funding Source: Bond Measure A. The project included installation of a ground mounted photovoltaic array located on the hillside by the athletic field at Merritt College and a parking shade system structure at a subsection of

Merritt College Parking Lot C. The total size of the photovoltaic system is 1.2 MW and will provide approximately 45% of the total energy usage for the college from clean, renewable onsite energy generation. This project was undertaken in keeping with the District's comprehensive and aggressive sustainability policy and as championed by the Sustainable Peralta Initiative. Photovoltaic systems produce the most electricity during peak hours of the day when electric rates are highest. By installing a photovoltaic system on the Merritt campus, the District will reduce its energy bills by displacing power purchased at peak rates. The primary benefits of the Merritt College solar photovoltaic system are cost savings in electricity and CO2 avoidance. On average, the photovoltaic system saves the District \$21,718 each month. The District's savings will increase with each electricity rate increase. The savings are combined with a monthly average CO2 reduction of 168,011 lbs. Installing the solar photovoltaic system also created jobs in the six cities that the District serves. Additional benefits include community goodwill (essential for bond funding) and improved energy conservation awareness for students, faculty and staff, which should lead to some degree of behavior modification as it relates to energy use. The photovoltaic array project went through the shared governance process in 2009. The Photovoltaic System Installation Project is 100% complete, and a Notice of Completion has been filed with the County of Alameda. Approval by the Board of Trustees is recommended. This resolution accepts the work as complete and provides for a retention payment of \$293,648.90 to Chevron Energy Solutions Company. There have been no change orders on this project. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

[Background Materials - Part 2](#)

32. Consider Approval of an Amendment to the Independent Contractor Agreement with Sam Clar Office Furniture for Rental of Furniture for Counseling Portable Buildings (Interim Swing Space) at Laney College Presenter: Vice Chancellor Ikharo Approval is requested for an amendment to the independent contractor agreement with Sam Clar Office Furniture, in the not-to-exceed amount of \$37,335.00, which extends the time period for rental of furniture for the counseling portable buildings (interim swing space) at Laney College. The furniture rental is required until completion of the major remodel of the Tower Building at Laney College. Source of Funds: Bond Measure A. The cost is \$3,111.25 per month, with the total furniture rental amount not to exceed \$37,335.00 for fiscal year 2012-2013. The college has already relocated its staff from the Administrative Tower building to the portable buildings to accommodate the construction project, and the continued furniture rental is necessary to provide a habitable working space environment for the temporarily relocated college staff. In March of 2011, the District approved the original independent contractor agreement in the not-to-exceed amount of \$47,061.75 for the 2011-2012 fiscal year. This amendment to the independent contractor agreement in the amount of \$37,335.00 brings the total contract amount to \$84,396.75. All Board approved contracts are subject to final negotiation and execution by the Chancellor. 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 will 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.

[Background Material](#)

Motion on each Action Calendar Item

Public Comments on each Action Calendar Item

Vote on each Action Calendar Item

ANNOUNCEMENTS

1. The next regular Board meeting will be held on October 23rd on the road in the City of Piedmont at their City Hall with a public reception from 6-7 p.m.
2. The Board is planning a special retreat for the weekend of October 26 – 27 with further details to follow.
3. The Board sends sympathy to the family and friends of Merritt College employee Pamela Price upon her untimely passing.

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

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