



**Tuesday, January 8, 2019**  
**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**5:00 p.m. Closed Session**  
**7:00 p.m. Public Session**

**333 East 8th Street**  
**Oakland, CA 94606**

**Per CA Government Code 54953(b)(1),**  
**Trustee Cindi Napoli-Abella Reiss will be participating in the meeting via**  
**teleconference location Hyatt Regency, 2424 Kalakaua Ave, Honolulu, HI 96815**  
**Per CA Government Code 54953(b)(1),**  
**Trustee Bill Withrow will be participating in the meeting via**  
**teleconference location from 9003 Shadow Ridge Road, Palm Desert, CA 92211**

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

<https://www.boarddocs.com/ca/peralta/Board.nsf>

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

The meeting can also be viewed Live on Peralta College's YouTube link:

[https://www.youtube.com/channel/UCTEVyZCQ1p\\_yqMRafmQFUww](https://www.youtube.com/channel/UCTEVyZCQ1p_yqMRafmQFUww)

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

## **1. CLOSED SESSION**

**Subject**

### **1.1 Public Comment on Closed Session Items**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Access

Public

Type

**Subject**

**1.2 Conference with Labor Negotiator Whittaker, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Access

Public

Type

Information

**Subject**

**1.3 Public Employee Appointment (Government Code Section 54957)**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Access

Public

Type

Information

- Recommendation to extend the appointment of the Interim Director of Fiscal Services, District Office.
- Recommendation to extend appoint of the Interim Director of Capital Projects and Facilities, District Office.

**Subject**

**1.4 Public Employee Discipline/Dismissal/Release**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Access

Public

Type

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.

**Subject**

**1.5 Public Employee Evaluation**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Access

Public

Type

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

**Subject**

**1.6 Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Access

Public

Type

Information

- Conference with Legal Counsel (54956.9(a)), Toscano, et al v. Peralta Community College District, Alameda County Superior Court, Case No. RG16827433.

- Conference with Legal Counsel (54956.9(a)), Delson v. Peralta Community College District, U.S. District Court, Northern District of CA, Case No. 3:17-CV-07367-JD.
- Conference with Legal Counsel (54956.9(a)), Brooke v. Peralta Community College District, Alameda County Superior Court Case No. RG18895297.
- Conference with Legal Counsel (54956.9(a)), Webb v. Peralta Community College District, Alameda County Superior Court Case No. RG18909473.
- Conference with Legal Counsel (54956.9(a)), Margoiles v. Peralta Community College District, Alameda County Superior Court Case. RG18905036.
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (1 case).

## **2. OPEN SESSION**

### **Subject**

#### **2.1 Call to Order**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Procedural

### **Subject**

#### **2.2 Pledge of Allegiance**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Procedural

### **Subject**

### **2.3 Roll Call**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Procedural

### **Subject**

#### **2.4 Report of Action Taken in Closed Session**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Information

### **Subject**

#### **2.5 Approval of the Agenda**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Action

Recommended Action

Recommend Approval

**Subject**

**2.6 Approval of the Minutes**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Action

Preferred Date

Dec 11, 2018

Absolute Date

Dec 11, 2018

Fiscal Impact

No

Budgeted

No

Recommended Action

Motion to approve the November 13, 2018 Board Minutes.

**Subject**

**2.7 Associated Student Government Reports**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Information

**Subject**

**2.8 Peralta Classified Senate Report**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Information

**Subject**

**2.9 District Academic Senate Report**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

## 2. OPEN SESSION

Access

Public

Type

Information

### **Subject**

#### **2.10 Public Communication**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

## 2. OPEN SESSION

Access

Public

Type

Information

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/>**

### **Subject**

#### **2.11 Chancellor's Reports**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

## 2. OPEN SESSION



Access

Public

Type

Information

- ACCJC Response
- FCMAT
- State Legislative Audit Request

File Attachments

Legislative Audit Request for Support.pdf (118 KB)

FCMAT 12-14-18.pdf (124 KB)

### 3. PUBLIC HEARING - HUMAN RESOURCES

Subject

**3.1 Public Hearing: Sunshining of Contract Reopeners from the District to the SEIU Local 1021. Presenter: Vice Chancellor Whittaker**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. PUBLIC HEARING - HUMAN RESOURCES

Access

Public

Type

Information

**Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

Pursuant to Government Code 3547, the public shall have an opportunity to comment on the District's notice to SEIU Local 1021 for full contract negotiations. This item was sunshined at the December 11, 2018, regular Board meeting pursuant to Government Code 3547(a).

The District reserves the right to amend, modify, or delete any proposal during the negotiations process.

**Deliverables and Scope of Work:**

N/A

**Anticipated Completion Date:**

N/A

**Evaluation and Recommended Action:**

All Board-recommended contracts are subject to negotiations and execution by the Chancellor.

### 4. PRESENTATIONS

**Subject**

**4.1 Bond Presentation. Presenter: Chancellor Laguerre**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

4. PRESENTATIONS

Access

Public

Type

Information

**Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

Bond Presentation

The Board will hear a presentation on the District's Bond projects. The presentation will be divided into three parts:

1) An update on the current bond and its projects – Emphasis on finishing the projects funded with Measure A – and projects that will combine Measure A and Measure G funds.

2) Measure G

- o Review of the measure and its content
- o Tentative list of projects
- o Timeline and steps to roll out the Measure

3) Timeline

- o Competitive selection of Bond staff
- o Competitive selection of expert companies to support the Bond project roll out

This will be the first of a series of workshops for the community, the board and the district to facilitate effective communication and understanding of the Bonds projects. The presentation will feature considerations on housing and public private partnerships.

**Deliverables and Scope of Work:**

N/A

**Anticipated Completion Date:**

N/A

**Evaluation and Recommended Action:**

N/A

File Attachments

MEASURE G PRESENTATION.010819.pdf (93 KB)

**Subject**

**4.2 Information Technology One Peralta Report. Presenter: Vice Chancellor Lam**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

4. PRESENTATIONS

Access

Public

Type

Information

**Background/Analysis:**

**Information Technology Report (OnePeralta)**

- Assessment of OnePeralta
  - Challenges/Considerations
- Development of Governance Structure
  - District/Colleges Involvement
- Next steps to make the project successful

**Subject**

**4.3 Analysis of In House Security Services and Contracted Services Models. Presenters: Vice Chancellor Whittaker**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

4. PRESENTATIONS

Access

Public

Type

**Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

**Deliverables and Scope of Work:**

N/A

**Anticipated Completion Date:**

N/A

**Evaluation and Recommended Action:**

N/A

File Attachments

Campus Safety Study Bay 10 Community Colleges.pdf (114 KB)

2019-01-02 Peralta CCD Jan 8 Board Presentation.pdf (172 KB)

**5. CONSENT CALENDAR - BOARD MATTERS**

**Subject**

**5.1 Consider Approval of Out of State Travel pursuant to Board Policy 7400. Presenter: Chancellor Laguerre**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

5. CONSENT CALENDAR - BOARD MATTERS

Access

Public

Type

Action (Consent)

Preferred Date

Jan 08, 2019

Absolute Date

Jan 08, 2019

Fiscal Impact

Yes

Budgeted

Yes

Recommended Action

Motion to Approve Out of State Travel pursuant to Board Policy 7400.

**Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

Name	Travel Location	Dates
John Beam	San Antonio, TX - AFCA National Convention	January 6, 2019 January 9, 2019
Siri Brown	Philadelphia, PA - The American Council on Education's Annual Meeting	March 8, 2019 March 2019
Sharon Coleman	Portland, OR - Associated Writers and Writing Programs Conference	March 27, 2019 2019
Tammeil Giilkerson	Atlanta, GA - Association of American Colleges and Universities Annual Meeting	January 23, 2019 January 26, 2019

**Anticipated Completion Date:**

N/A

**Evaluation and Recommended Action:**

Recommend Approval

Administrative File Attachments  
Out of State Travel - 1-08-19.pdf (755 KB)

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**Subject**

**5.2 Consider Approval of Final Reading on Proposed Board Policies. Presenter: Chancellor Laguerre**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

5. CONSENT CALENDAR - BOARD MATTERS

Access

Public

Type

Action (Consent)

Preferred Date

Jan 08, 2019

Absolute Date

Jan 08, 2019

Fiscal Impact

No

Budgeted

No

**Background/Analysis:**

Consider Approval of final reading for the following board policies:

- **BP 3410 Nondiscrimination** - This policy was updated to add legal citation Labor Code Section 1197.5 (Equal Pay Act). AB 46 extended the Equal Pay Act to public employers and prohibits sex, race, and ethnicity-based wage differentials.
- **BP 4220 Standards of Scholarship** – This policy was updated to include legal citations Title 5 Sections 51002 and 55050 et seq.
- **BP 4250 Probation, Dismissal, and Readmission** – This policy was updated to remove legal citation Title 5 Section 55030, which was repealed.
- **BP 7310 Nepotism** – This policy was updated to add registered domestic partner to the definition of “immediate family.”
- **BP 2315 Closed Sessions** – This policy was updated to add a citation to Government Code Section 54957.1.
- **BP 2330 Quorum and Voting** – This policy was updated to add the requirement from Education Code Section 15266 for a 2/3 majority vote by all members of the Board for a resolution to pursue the authorization and issuance of bonds pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution
- **BP 2720 Communications Among Board Members** – This policy was updated to reflect the language of Government Code Section 54952.2 that prohibits Board Members from using any form of communication to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. While this is an existing CCLC policy, it will be new for Peralta.
- **BP 2740 Board of Trustees Education** – This policy was locally updated to provide additional information regarding board education. This type of detail is common in board policies at other California Community College District.
- **BP 3550 Drug Free Environment and Drug Prevention Program** – This policy was updated to reflect new legal citations for the Drug Free Schools and Communities Act and the Drug Free Workplace Act.
- **BP 3900 Speech: Time, Place, and Manner** – This policy was updated to reflect recent court decisions and trends.
- **BP 4100 Graduation Requirements for Degrees and Certificates** – This policy was updated to reflect an amendment to Title 5 Section 55070 regarding the number of units required for a certificate of achievement.
- **BP 6750 Parking** – This policy was updated to add Vehicle Code Section 40220.

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*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.*

## **6. CONSENT CALENDAR - ACADEMIC AFFAIRS**

### **Subject**

**6.1 Consider Approval of Course and Program Additions, Deactivations and Changes Presenter: Vice Chancellor Brown**  
Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

6. CONSENT CALENDAR - ACADEMIC AFFAIRS

Access

Public

Type

Action (Consent)

Preferred Date

Jan 08, 2019

Absolute Date

Jan 08, 2019

Fiscal Impact

No

Budgeted

No

Budget Source

N/A

Recommended Action

Approve Course and Program Additions, Deactivations and Changes that were approved at Dec 3 and Dec 10 2018 CIPD meetings.

**Background/Analysis:** The attached PDF entitled "Dec 3 2018 CIPD Report" , "Dec 10 2018 CIPD Report", "Dec 3 2018 Program Proposals" , and "Dec 10 2018 Program Proposals" contain course and program additions, changes and deactivations as approved by the colleges' curriculum committees and The Council for Instruction, Planning and Development (CIPD).

**Deliverables and Scope of Work:**

**Anticipated Completion Date:**

**Evaluation and Recommended Action:**

The Chancellor recommends approval.

**File Attachments**

Dec 3 2018 Program Proposals.pdf (2,160 KB)  
Dec.10. 2018 Program Proposals.pdf (324 KB)  
December 3 2018 CIPD Report.pdf (1,389 KB)  
December 10 2018 CIPD Report.pdf (410 KB)

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**7. CONSENT CALENDAR - FINANCE**

**Subject**

**7.1 Review of Purchase Order Report for the period covering from December 1, 2018 through December 31, 2018.**

**Presenter: Vice Chancellor Johnson**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

7. CONSENT CALENDAR - FINANCE

Access

Public

Type

Action (Consent)

Preferred Date

Jan 08, 2019

Absolute Date

Jan 08, 2019

Recommended Action

Review of Purchase Order Report.



**Background/Analysis:**

All payments from the funds of a community college district are made by the use of Purchase Orders and within the parameters prescribed in Board Policy 6330 and Administrative Procedures 6330 & 6340. The Purchase Order Report presented for review is being done so in accordance with Education Code Section 81656 which states, "All transactions entered into by the officer or employee shall be reviewed by the governing board every 60 days."

The table below provides a summary by funding source of number of orders issued and total dollar value.

<b>Fund</b>	<b>Number of Orders Issued</b>	<b>Total Dollar Value</b>
<b>Fund Code: 01 General Unrestrict Oper</b>	200	174,614.16
<b>Fund Code: 11 General Restricted Fund</b>	674	425,288.45
<b>Fund Code: 10 College Designated Funds</b>	44	65,773.01
<b>Fund Code: 63 Bond Measure A</b>	14	284,712.04
<b>Fund Code: 61 Cap. Out. Proj .Funds-State</b>	9	1,148,623.85
<b>Fund Code: 68 Child Development Fund</b>	5	41,582.40
<b>Fund Code: 71 Trust And Agency Funds</b>	7	2,271.30
<b>Fund Code: 07 Coll. Fds On Bookstore Comm.</b>	4	7,987.23
<b>Fund Code: 30 Contract Education</b>	5	997.96
<b>Fund Code: 12 Parcel Tax, Measure B</b>	4	2,062.33
<b>Fund Code: 69 Sp Reserve Fd #2 Redev &amp; Healt</b>	2	1,004,843.49
<b>Fund Code: 81 Student Repres. Fee-Alameda</b>	5	4,895.61
<b>Fund Code: 03 Comm. Service-Fee Based Course</b>	2	8,370.98
<b>Total</b>	<b>975</b>	<b>3,172,022.81</b>

**Deliverables and Scope of Work:**

N/A

**Anticipated Completion Date:**

N/A

**Evaluation and Recommended Action:**

The Chancellor recommends review.

## File Attachments

Purchase Order Report 123118.pdf (212 KB)

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### Subject

#### **7.2 Consider Ratification of the Warrant/Payment Report for the period covering December 1, 2018 through December 31, 2018. Presenter: Vice Chancellor Johnson**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

7. CONSENT CALENDAR - FINANCE

Access

Public

Type

Action (Consent)

Preferred Date

Jan 08, 2019

Absolute Date

Jan 08, 2019

Fiscal Impact

Yes

Budgeted

Yes

Recommended Action

Approve ratification of the Warrant/Payment Report.

**Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

Consider ratification of the AP, Travel, and Consulting Contract Warrant Register from December 1, 2018 through December 31, 2018. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only.

**Deliverables and Scope of Work:**

N/A

**Anticipated Completion Date:**

N/A

**Evaluation and Recommended Action:**

The Chancellor recommends ratification.

**File Attachments**

Warrant Report 123118.pdf (469 KB)

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**Subject**

**7.3 Consider Approval of Budget Transfer Report for the period covering from December 1, 2018 through December 31, 2018. Presenter: Vice Chancellor Johnson**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

7. CONSENT CALENDAR - FINANCE

Access

Public

Type

Action (Consent)

Preferred Date

Jan 08, 2019

Absolute Date

Jan 08, 2019

Fiscal Impact

No

Recommended Action

Consider approval of Budget Transfer Report covering the period from December 1, 2018 through December 31, 2018.

**Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

Consider approval of Budget Transfer Report covering the period from December 1, 2018 through December 31, 2018.

**Deliverables and Scope of Work:**

N/A

**Anticipated Completion Date:**

N/A

**Evaluation and Recommended Action:**

The Chancellor recommends approval.

**File Attachments**

Budget Transfer Report 123118.pdf (354 KB)

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## **8. CONSENT CALENDAR - FACILITIES**

### **Subject**

**8.1 Consider Approval of ACC Environmental Consultants Contract in the amount of \$33,975.00 for Mandatory Environmental Testing, Reporting, and Planning. Presenter: Director Lynch McMahon**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

8. CONSENT CALENDAR - FACILITIES

Access

Public

Type

Action (Consent)

Preferred Date

Jan 08, 2019

Absolute Date

Jan 08, 2019

Dollar Amount

\$33,975.00

Budgeted

Yes

Budget Source

Capital Outlay-Fund 61

Recommended Action

Ratify ACC Environmental Consultants Contract in the amount of \$33,975.00 for Mandatory Environmental Testing, Reporting, and Planning

**Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

Under this agreement, ACC Environmental Consultants (ACC) will provide the professional services needed to study and respond to an Alameda County Department of Environmental Health (ACDEH) request regarding water quality in areas located at the District Administration Complex and adjacent property of Laney College Baseball Fields. The District is working closely with the The County of Alameda Office of Environmental Compliance and Department of Health and Environment on this effort. The Department of General Services (DGS) is requesting approval to enter into an agreement with ACC Environmental to continue required investigation and reporting of potential hazards that may exist on PCCD property.

ACC Environmental is an Oakland based company and has worked with PCCD for over 20 years. The company is an employee owned organization. PCCD Contract Manager is Ms. Kimberly Bunting. The Northern CA office is located at 7977 Capwell Drive, Oakland ca 94621. email: general@accenv.com

**Deliverables and Scope of Work:**

Peralta Community College District will work with the Alameda County Department of Health and Environment to mitigate and conduct studies to determine if long standing toxins are still present on District Property. The County of Alameda Office of Environmental Compliance has requested a full study to determine if PCCD is responsible for high level of contaminants found in the local water in or near the estuary. The study will monitor and determine if there are existing environmental issues resulting from fuel tanks previously located at the District Administration Complex and adjacent property of Laney College Baseball Fields. The Department of General Service (DGS) will hire ACC Environmental Consultants to assist the District for the service fee \$33,975.50 to complete this study, applicable groundwater testing and provide an action plan and reports for submission to the Alameda County and City of Oakland Office of the Environment.

**Anticipated Completion Date:**

December 31, 2019

**Evaluation and Recommended Action:**

After review and approval by the Director of Facilities and Capital Projects; VC Of General Services; VC of Finance, the Chancellor recommends approval of the contract submitted by ACC Environmental Consultants for the amount of \$33,975.00.

**File Attachments**

ACC Environmental Tank (18-19).pdf (1,881 KB)

COI-ACC.PERALTA.pdf (40 KB)

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## **9. CONSENT CALENDAR - HUMAN RESOURCES**

**Subject**

**9.1 Consider Approval of Addendum 1 to ICC #22080 for Sloan Sakai Yeung and Wong, LLP. Presenter: Vice Chancellor Whittaker**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. CONSENT CALENDAR - HUMAN RESOURCES

Access

Public

Type

Action

Preferred Date

Jan 08, 2019

Absolute Date

Jan 08, 2019

Fiscal Impact

Yes

Dollar Amount

\$50,000.00

Budgeted

Yes

Budget Source

General Fund

Recommended Action

Approve Addendum 1 to ICC#22080 for Sloan Sakai Yeung and Wong, LLP in the amount of #50,000.

**Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

Contractor: Sloan Sakai Yeung and Wong, LLP.

District administration requests authorization to increase the existing Independent Contractor/Consultant Services Contract #22080 with Sloan Sakai Yeung and Wong, LLP to continue to provide to the District legal services in matters related to Employee Relations and Human Resources. The current contract amount is \$25,000. The new contract amount will not exceed \$75,000.

Description	Amount	Board Approval Date
Independent Contractor/Consultant Services Contract #22080 (Attachment A)	\$25,000	N/A
Amendment #1 to increase contract amount (Attachment B)	\$50,000	Needs approval at the January 8, 2019 Board Meeting
TOTAL:	\$75,000	

**Deliverables and Scope of Work:**

The scope of work includes a wide range of legal services related to personnel matters.

**Anticipated Completion Date:**

June 30, 2019

**Evaluation and Recommended Action:**

The District's Office of the Vice Chancellor for Human Resources and Employee Relations has evaluated the deliverables to date for Sloan Sakai Yeung and Wong, LLP and found them to be satisfactory.

The Chancellor recommends approval.

**File Attachments**

01-08-19 Sloan Sakai Yeung and Wong, LLP Attachment A.pdf (569 KB)  
01-08-19 Sloan Sakai Yeung and Wong, LLP Attachment B.pdf (297 KB)

## 10. ACTION ITEMS

**Subject**

**10.1 Consider Approval of Resolution 18/19-42 Regarding Constitution, Membership, And Duties of Bond and Parcel Tax Measures Oversight Committees. Presenter: Chancellor Laguerre**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

10. ACTION ITEMS

Access

Public

Type

Action

Preferred Date

Dec 11, 2018

Absolute Date

Dec 11, 2018

Fiscal Impact

No

Budgeted

No

Recommended Action

Motion to Approve Resolution 18/19-42 Regarding Constitution, Membership, And Duties of Measure Oversight Committees.

**Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

Consider Approval of Resolution 18/19-42 Regarding Constitution, Membership, and Duties of Measure Oversight Committees. In 2006 and 2012, District voters adopted Measure A (bond measure) and Measure B (parcel tax measure). The Board is required to establish oversight committees for both measures.

Following passage of Measure A, the Board adopted bylaws for a "Citizens Bond Oversight Committee." Following passage of Measure B, the Board adopted Resolution 12/13-20 establishing a "Citizens' Committee for Oversight of Measure B Expenditures." Currently, the two oversight committees operate as one committee. This has led to conflicts in the current governing documents and to concerns regarding the ability of members of the Committee to fulfill their duties under both measures.

To clarify the operation and membership of the two committees, the Resolution would modify the existing bylaws for the remainder of this calendar year and implement new bylaws for the committees beginning on January 1. Attached to the Resolution are the new Bylaws for both committees. The Bylaws clarify the roles of both committees and indicate that while the two committees are separate, where desirable they may hold joint meetings.

Finally, the Resolution declares that the terms of all current Committee members will end on December 31, 2018. The Board will appoint the members of both Committees for terms beginning on January 1, 2019. Current Committee members are eligible to be appointed to either or both Committees, subject to any term limits. Members of one Committee will not be prohibited from sitting on the other Committee, however, the Board will seek to appoint different members to each Committee where possible.

**Deliverables and Scope of Work:**

N/A

**Anticipated Completion Date:**

N/A

**Evaluation and Recommended Action:**

The Chancellor recommends approval.

**Subject**



**10.2 Consider Approval of Resolution 18/19-44 to Reduce/Eliminate Certain Services Due to Lack of Work and Provide Related Layoff Notices. Presenter: Vice Chancellor Whittaker**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

10. ACTION ITEMS

Access

Public

Type

Action

Preferred Date

Jan 08, 2019

Absolute Date

Jan 08, 2019

Fiscal Impact

Yes

Budgeted

Yes

Recommended Action

Adopt the Resolution to eliminate a classified position due to lack of work, effective March 9, 2019.

**Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

The Governing Board complies with California Education Code Section 88117 in eliminating affected positions, and the District is required by California Education Code §88017 to notify affected classified incumbents no earlier than 60 calendar days prior to the effective date of layoff.

The following classified position allocation is hereby affected by lack of work, effective March 9, 2019:

Position Title: Student Personnel Services Specialist  
Layoff FTE: 1.0  
Site/Department: Assessment, College of Alameda

The State Chancellor's Office is mandating that all community colleges be in compliance with eliminating assessment no later than Fall 2019 (AB705):

AB 705 was written to clarify existing regulation and ensure that students are not placed into remedial courses that may delay or deter their educational progress unless evidence suggests they are highly unlikely to succeed in the college-level course. Assessment instruments and placement policies have serious implications for equity, as students of color are far more likely to be placed into remedial courses; students placed into remediation are much less likely to reach their educational goals.

Every college is required to maximize the probability that a student will enter and complete transfer-level coursework in English and math within a one-year timeframe and use, in the placement of students into English and math courses in order to achieve this goal, one or more of the following measures:

- High school coursework
- High school grades
- High school grade point average

In an effort to be in compliance with AB705, it is recommended that the position of Student Personnel Services Specialist/Assessment at College of Alameda be eliminated due to lack work.

The Chancellor or his designee is directed to:

1. Immediately notify all affected employee organizations of the issues, directions, and concerns set forth in this Resolution, in order to allow any affected organization to request to meet and negotiate any resulting effects of layoff;
2. Comply with all applicable sections of the California Education Code in preparing any, and all required layoff and/or reassignment notices to classified incumbents so affected by lack of work, and any and all notices as required by the Collective Bargaining Agreement.

**Deliverables and Scope of Work:**

N/A

**Anticipated Completion Date:**

N/A

**Evaluation and Recommended Action:**

The Chancellor recommends approval.

Administrative File Attachments  
01-08-19 Resolution to eliminate Student Personnel Services Specialist Position at COA.pdf (86 KB)

**Subject**

**10.3 Consider Approval of Amendment #1 for 5-1/2 months contract extension with ABC Security Service Inc., for District-Wide Security Guard and Patrol Services (RFP No. 16-17/21), in the amount not-to-exceed \$367,531.40. Presenter: Vice Chancellor Ikharo.**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

10. ACTION ITEMS

Access

Public

Type

Action (Consent)

Preferred Date

Dec 11, 2018

Absolute Date

Dec 11, 2018

Fiscal Impact

Yes

Dollar Amount

\$367,531.40

Budgeted

Yes

Budget Source

General Fund

Recommended Action

Approve an Amendment #1 for 5-1/2 months contract extension with ABC Security Service Inc., for District-Wide Security Guard and Patrol Services (RFP No. 16-17/21), in the amount not-to-exceed of \$367,531.40.

**Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

On October 10, 2017, the Governing Board of Trustees approved an annual (1 year) agreement with ABC Security Services from January 15, 2018 to January 15, 2019. To procure the original contract, the District Purchasing conducted competitive bidding by advertising and publishing a Request for Proposal (RFP) and applied a shared governance process utilizing the steering committee to review proposals. The administration conducted a competitive Request for Proposal (RFP No. 16-17/21) on April 28, 2017. A total of six (6) vendors submitted proposals.

The current structure is not effective district-wide and is expensive. A committee of ex-police officers and current faculty member at Merritt College Justice Program in collaboration with the Department of General Service have been researching the best optional security methodology for the District. After an analysis is completed, recommendations on the future of police services will be provided to the Chancellor in January 2019, to be presented to the Governing Board of Trustees.

**Deliverables and Scope of Work:**

ABC Security's contract will terminate on January 15, 2019, the administration requests for a contract extension from January 16 to June 30, 2019 for the vendor to continue to perform the following scope of services as outlined in the original contract. During this period, the administration will also implement a cost-saving security plan that is more comprehensive for public safety district-wide.

ABC Security Service Inc. will continue to provide comprehensive security services at the District Administrative Center, Laney College, College of Alameda, Merritt College, and Berkeley City College. ABC Security personnel will patrol the campus at each location unarmed with a two-way communication radio. The vendor will provide security services on the following days at each campus location:

January 16 to June 30, 2019 Patrol Hours				
Colleges	Monday - Friday	Saturday	Sunday	Holidays
Berkeley City College (BCC) and BCC Annex Building	7:00 a.m. to 11:00 p.m.	7:00 a.m. to 7:00 p.m.	Closed	Closed
Laney College District Administrative Center	7:00 a.m. to 11:00 p.m.	7:00 a.m. to 11:00 p.m.	7:00 a.m. to 11:00 p.m.	
Merritt College College of Alameda	7:00 a.m. to 11:00 p.m.	7:00 a.m. to 11:00 p.m.	Closed	Closed
Laney College	Provide Graveyard Shifts Only (11:00 p.m. to 7:00 a.m.)			

ABC Security Services will maintain equipment and all necessary labor during the time indicated and provide additional security services for special assignments or events as requested. Further, the company will keep a pool of substitutions and/or reserve of security personnel. This company will furnish all the materials; equipment, labor and supervision needed to fulfill the contract.

**ABC Security's personnel will perform the following duties:**

- SilvaTrac real time guard reporting system and vehicle ground positioning system (VGPS) automated guard locator and cellular communication.
- Ensuring main doors are opened and disarmed
- Classrooms are opened as needed
- Provides student / visitor information
- Patrol buildings and provide escort service to parking lot as needed
- Shall wear uniforms provided by the company
- Maintain log and report of all criminal activity to the appropriate law enforcement agencies
- Responsible for providing training in the appropriate response to unsafe conditions, emergency situations and/or criminal activity
- Secure the building in the event of damage and destruction, such as broken windows.
- Provide security services until an administrator/designee arrives to secure property.

Vice Chancellor of General Services will continue to oversee public safety, Peralta police services, and training for student safety aid.

The cost of security guard and patrol services is as follows for 5-1/2 months (Attachment #1).

Cost from January 16 to June 30, 2019	
Colleges	Costs
Berkeley City College	\$139,920.00
Laney College/District	\$164,229.90
Merritt College	\$21,021.12
College of Alameda	\$21,021.12
Motor Patrol	\$21,339.40
<b>Total Cost:</b>	<b>\$367,531.40</b>

Contract History	
Original Contract (Year #1 – January 15, 2018 to January 15, 2019)	\$641,762.42
Contract Amendment #1	\$367,531.40
<b>Accumulative Contract Amount</b>	<b>\$1,009,293.80</b>

The City of Berkeley and City of Oakland passed ordinances increasing minimum wage. As a result, ABC Security Service Inc. personnel rate increased. Therefore, the vendor will bill the District based on the new personnel rate under this contract extension. (See page 3 in Attachment #1).

Ana Chretien is the president and CEO and Ray Thrower is the general manager of the company.

**Company Location:**

1840 Embarcadero  
Oakland, CA 94606  
(510) 436-1869

**Anticipated Completion Date:**

ABC Security Services, Inc. will provide District-wide security services for 5-1/2 months, effective January 16, 2019 until June 30, 2019.

**Evaluation and Recommended Action:**

The District's Facilities Project Manager has evaluated the deliverables to date and found them to be satisfactory. Therefore, the Vice Chancellor of General Services, Vice Chancellor of Finance and Administration, and Chancellor recommend this contract extension.

**File Attachments**

Attachment #1- ABC Security-Amend #1.pdf (595 KB)

Attachment #2- ABC Security-Original Contract.pdf (1,831 KB)

*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.*

**Subject**

**10.4 Consider Ratification of Amendment No. 1 for a Contract with Ray & Associates for Laney College for Deep Cleaning and Waxing in the amount of \$4,950.00: Presentor: Director Lynch McMahon**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

10. ACTION ITEMS

Access

Public

Type

Action (Consent)

Preferred Date

Jan 08, 2019

Absolute Date

Jan 08, 2019

Fiscal Impact

Yes

Dollar Amount

\$4,950.00

Budgeted

Yes

Budget Source

Measure E 65

Recommended Action

Ratify Amendment#1 for \$4,950.00 for Ray & Associates for Laney College Deep Cleaning and Waxing.

**Background/Analysis: (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)**

Three bids were solicited deep cleaning of classrooms and bathrooms which included American empire Building Services, Lew & Taylor Building Service Contractors, and Ray & Associates. Ray & Associate selected as the lowest bidder and awarded the contract for services for Deep Cleaning and Waxing at Laney College. The Original Agreement dated August 15, 2017, was for the amount of \$49,000. Subsequently, an additional scope of work was added which included Deep Cleaning of the Laney Child Care Center which is considered necessary to meet requirements for continued function and cleanliness to areas of the Child Care Center.

The amendment was signed by the Chancellor on August 15, 2018. Pursuant to BP 2430 delegating sign off authority to the Chancellor when the Board of Trustees are on recess.

Ray & Associates is located at 5013 Chaparral Ct. Antioch, CA 94531. Their email address is roiyemhonlan@yahoo.com

**Deliverables and Scope of Work:**

The Contractor provided all labor, materials, tools, equipment and services necessary to deep clean the Laney Child Care Center in accordance with Amendment No.1.

**Anticipated Completion Date:**

June 30, 2018

**Evaluation and Recommended Action:**

The administration recommends the approval of Amendment #1 to the contracted service agreement with Ray & Associates Cleaning System.

**File Attachments**

Ray & Associates Amendment#1 & Contract.pdf (1,807 KB)

*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.*

## 11. INFORMATIONAL ITEMS

## 12. REPORTS

### Subject

#### 12.1 Board of Trustees' Reports

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

12. REPORTS

Access

Public

Type

Information

### **13. ANNOUNCEMENTS**

### **14. ADJOURNMENT**

**Subject**

#### **14.1 Meeting Adjournment**

Meeting

Jan 8, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

14. ADJOURNMENT

Access

Public

Type

Action

Recommended Action

Meeting adjourned at