



**Tuesday, January 22, 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**

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 22, 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 22, 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 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Access

Public

Type

Information

**Subject**

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

Meeting

Jan 22, 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 Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)**

Meeting

Jan 22, 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).

**Subject**

**1.6 Public Employee Evaluation**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Access

Public

Type

- Chancellor

**2. OPEN SESSION**

**Subject**

**2.1 Call to Order**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Procedural

**Subject**

**2.2 Pledge of Allegiance**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Procedural

**Subject**

**2.3 Roll Call**

Meeting

Jan 22, 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 22, 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 22, 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 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Action

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

No

Budgeted

No

Recommended Action

Motion to approve the January 8, 2019 Board Minutes.

**Subject**

**2.7 Associated Student Government Reports**

Meeting

Jan 22, 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 22, 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 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Information

**Subject**

**2.10 Public Communication**

Meeting

Jan 22, 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 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

## 2. OPEN SESSION

Access

Public

Type

Information

- Bond update

## **3. PRESENTATIONS**

**Subject**

**3.1 Budget 2018-19 Amendment Presentation. Presenter: Budget Director Ahmed**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES



Category

### 3. PRESENTATIONS

Access

Public

Type

Information

#### **Subject**

**3.2 Peralta Community College District's June 30, 2018 Annual Audit Report. Presenter: Vavrinek, Trine, Day & Co., LLP (VTD)**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

### 3. PRESENTATIONS

Access

Public

Type

Information

#### **PRESENTATION**

Vavrinek, Trine, Day & Co., LLP. (VTD) will present on the Peralta Community College District's June 30, 2018 Annual Audit Report. The Annual Audit Report is being presented to the Board of Trustees for acceptance. This annual financial and compliance audit is a requirement under Education Code 84040 and provides for an examination of the District's annual financial statements to assess their fairness and reliability. The audit will be posted on the Finance Department's website.

#### File Attachments

Peralta CCD 2018 Final Report.pdf (1,186 KB)

#### **Subject**

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

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

### 3. 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

## **4. CONSENT CALENDAR - BOARD MATTERS**

**Subject**

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

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

4. CONSENT CALENDAR - BOARD MATTERS

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 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
Neil Dunlop	Las Vegas, NV - Visual Studio Live	March 3, 2019 - March
Jowel Laguerre	Washington, DC - United States Air Force Conference	January 28, 2019 - February 2019

**Anticipated Completion Date:**

N/A

**Evaluation and Recommended Action:**

Recommend Approval

File Attachments

Out of State Travel - 1-22-19.pdf (349 KB)

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## 5. CONSENT CALENDAR - ACADEMIC AFFAIRS

### Subject

**5.1 Consider Approval of Agreement with Educational Student Tours to arrange participation in the 2019 HBCU Tour for Umoja students district-wide in the amount of \$65,762.00; presented by Vice Chancellor Brown**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

5. CONSENT CALENDAR - ACADEMIC AFFAIRS

Access

Public

Type

Action

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

Yes

Dollar Amount

\$65,762.00

Budgeted

Yes

Budget Source

Fund 11: Equity funds from all four colleges

Recommended Action

Approve agreement with Educational Student Tours to arrange participation in the 2019 HBCU Tour for Umoja students District-wide in the amount of \$65,762.00.

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

PCCD transfer-ready Umoja students and faculty chaperones will attend a Historically Black Colleges and University (HBCU) tour to visit and potentially apply to HBCUs. The tour provides for a maximum of thirty-two transfer-ready Umoja students to expand their transfer options and inspire them to continue on a path of educational completion and success.

Educational Student Tours is a travel company that focuses solely on coordinating such tours for students. The company's mission is to increase the number of African-American students who enroll in, and graduate from, a Historically Black College or University. Beginning in 1987 with a vision to be the premiere Black College Tour program, the success of their vision is evidenced by 100% satisfaction on surveys administered to students at the end of every tour.

PCCD sent eighteen students and two staff in 2018 and twenty-five students and staff in 2017. The aim this year is to expand the number of students attending as this aligns with Guided Pathways and the new Student Centered Funding Formula. The 2019 tour will take place on March 31 - April 5.

**Deliverables and Scope of Work:**

Educational Student Tours is being contracted to coordinate six days of a Historically Black College Tour that consists of traveling to Atlanta to visit Morehouse College, Spelman College, and Clark Atlanta University, to New Orleans to visit Dillard University, to Baton Rouge to visit Southern University, and to Louisiana to visit Grambling State University. This vendor will be responsible for all aspects of the tour including setting up information sessions and admissions presentations; checking group into the hotel; assisting chaperones and students as needed to maintain a timely tour schedule; providing bus driver with day-to-day coordination activities (i.e. bus pick-up and drop off times and locations, etc.); checking in with each hotel, restaurant, and college at least 24 hours prior to arrival to ensure that room keys, seating, and recruitment ambassadors are available to receive the group at the designated time, and being responsible for collecting and calling in meal selections at designated restaurants.

**Anticipated Completion Date:**

April 5, 2019

**Evaluation and Recommended Action:**

The Chancellor recommends approval.

File Attachments

## 6. CONSENT CALENDAR - FINANCE

### Subject

**6.1 Consider Approval of Resolution# 18/19-46 for 2019-20 Nonresident Tuition Fees. Presenter: Vice Chancellor Johnson**  
Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

6. CONSENT CALENDAR - FINANCE

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

No

Budgeted

No

Budget Source

N/A

Recommended Action

Approve Resolution# 18/19-46 for nonresident tuition fee of \$265.00 per semester unit to be effective July 1, 2019.

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

Education Code Section 76140 requires the Board of Trustees to annually adopt the nonresident tuition fee for the next fiscal year by February 1st. Determination of this fee is based on the Statewide average which is lower than the District's 2017-18 expenses. It is recommended that the Board of Trustees approve Resolution# 18/19-46 for 2019-20 Nonresident Tuition Fee of \$265.00 per semester unit. The worksheet used to arrive at the nonresident fee is attached. A statement noting that this fee will not be waived is included in the resolution.

**Deliverables and Scope of Work:**

Not applicable

**Anticipated Completion Date:**

Upon approval, adopted fee will be effective July 1, 2019

**Evaluation and Recommended Action:**

Approve Resolution# 18/19-46 for nonresident tuition fee of \$265.00 per semester unit to be effective July 1, 2019. The Chancellor recommends approval.

**File Attachments**

Nonresident Tuition Fee Resolution.pdf (74 KB)  
2019-20 Nonresident Fee Worksheet.pdf (26 KB)

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**Subject**

**6.2 Consider Approval of Resolution# 18/19-45 for 2019-20 Nonresident Capital Outlay Fee - Presented by: Vice Chancellor Johnson**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

6. CONSENT CALENDAR - FINANCE

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

No

Budgeted

No

Budget Source

N/A

Recommended Action

Approve Resolution# 18/19-45 for Capital Outlay fee of \$7 per semester unit to be effective July 1, 2019.

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

In addition to the nonresident tuition fee, Education Code 76141(A) states a community college district may charge to nonresident students an amount not to exceed the amount that was expended by the district for capital outlay in the preceding fiscal year divided by the total full-time equivalent students of the district in the preceding fiscal year. Consider Approval of Resolution# 18/19-45 for the 2019-20 Nonresident Capital Outlay Fee.

**Deliverables and Scope of Work:**

Not applicable.

**Anticipated Completion Date:**

Upon approval, adopted fee will be effective July 1, 2019

**Evaluation and Recommended Action:**

Approve Resolution# 17/18-26 for Nonresident Capital Outlay Fee of \$7 per semester unit to be effective July 1, 2018. The Chancellor recommends approval.

File Attachments

Nonresident Capital Outlay Fee Resolution.pdf (75 KB)

2019-20 Nonresident Fee Worksheet.pdf (26 KB)

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## **7. CONSENT CALENDAR - FACILITIES**

**Subject**

**7.1 Consider Approval of Contract with JPB Design, Inc. for Renovations of Laney Childcare Center RFP 18-19/13 in the amount of \$170,000. Presenter: Vice Chancellor Jason Cifra and Director Lynch McMahon**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

7. CONSENT CALENDAR - FACILITIES

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

Yes

Dollar Amount

\$170,000.00

Budgeted

Yes

Budget Source

Laney Childcare Reserve Fund

Recommended Action

Approve the contract for JPB DESIGN, Inc. in the amount of \$170,000 for modernization and repair work at Laney Childcare Center.

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

The Laney Childcare Center Renovation project was first advertised for bidding on 9/21/18 and 9/28/18 with a bid closing date of October 18, 2018. Only a single bid was received on the appointed bid closing date, and that bid was subsequently rejected because that particular bid exercise was deemed a non-competitive process by the District's Purchasing Department. The project was re-advertised on 11/02/18 and 11/09/18 with a bid closing date of November 21, 2018 (Thanksgiving eve) and this re-bid process was considered very successful and deemed extremely competitive because five (5) bid proposals were received, and two bids were almost identical in bid amounts - only \$2,716 separates the two lowest bids. The two lowest bids are (i) \$170,000 by JPB Design, Inc. and (ii) \$172,716 by GreenTech Industry, Inc.

In light of the foregoing, the District staff is recommending JPB DESIGN, Inc. as the presumptive winner of the just concluded bidding round, while GREENTECH INDUSTRY, Inc., a local SLBE/SELBE with representative offices in Oakland and Concord, CA will be an alternate in the event of bid withdrawal, disqualification and/or other qualifying events such as bid protests.

JPB DESIGN, Inc. has representative offices in Sacramento and Orangevale, CA and its President is Mr. Artyom Ponomarenko. Mr. Ponomarenko and other principals of the firm have more that 20 years experience in the construction industry.

The following is a chart showing the various vendors that submitted bids and the bid amounts.

CONTRACTOR NAME	VENDOR LOCATION	SLBE/SELBE	BID AMOUNT
JPB DESIGN, Inc.	Sacramento/Orangvale, CA	No	\$170,000.00
GreenTech Industry,	Oakland/Concord, CA	No	\$172,716.00



Inc.			
T Amarals Done Right Construction	Brentwood, CA	No	\$220,000.00
EVRA Construction, Inc.	Brisbane, CA	No	\$189,700.00
BAY Construction, Inc.	Oakland, CA	Yes	\$198,000.00

**Deliverables and Scope of Work:**

The proposed scope of work includes and is not limited to the following:

1. Fence (a) Installation of ornamental fence (b) Installation of a galvanized chain link fence.
2. Doors (a) Replacement of 23 door closers (b) Replacement of door hinges (c) Replacement of door kick-plates.
3. Flooring (a) Removal of existing carpet and PVC tiles and replacement with VCT tiles throughout the childcare center.
4. Painting - Touch up exterior painting in an area of approximately 2,000sf.
5. Ceiling - Replacement of 12-15 acoustic ceiling tiles.
6. Wood Work (a) Bevel the edges of 20 exterior wall mounted panels (b) Install a new 2"x6" wood plate along the length of 1/2 wall (c) Re-anchor a full length of wood hand grip along the 1/2 wall.
7. Landscape (a) Trim hanging tree branches (b) Dig up and remove wild plants (c) Add Tan bark to play area (d) Add sand to sand boxes.
8. Bathrooms (a) Remove and replace existing rusted stainless steel grip bars (b) Replace rusted stainless steel collapsible shelving (c) Replace rusted stainless steel toilet paper dispensers.

**Anticipated Completion Date:**

June 30, 2019

**Evaluation and Recommended Action:**

Based on the review by the Director of Capital Projects & Facilities, Vice Chancellor for General Services and Vice Chancellor for Student Affairs, please approve contract. The Chancellor recommends approval.

**File Attachments**

- Resolution of Board - JPB Design Contract 12-27-18.docx (13 KB)
- Contract Documents LC Childcare Project - JPB Design, Inc.pdf (1,802 KB)

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**8. CONSENT CALENDAR - HUMAN RESOURCES**

**Subject**

**8.1 Consider Approval of Short-term Assignments**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

8. CONSENT CALENDAR - HUMAN RESOURCES

Access

Public

Type

Action (Consent)

Consider Approval of Short-Term Assignments - Hiring of Non-Academic Short-Term Employees

**Presenter: Interim Vice Chancellor Whittaker**

Pursuant to California Education Code Section 88003, the list below contains the name, scope of service, position title, site location, and service end date of the candidates recommended for short-term assignments in non-academic short-term positions.

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**Xiong, Zhenyu**, Lifeguard, Laney College, 6 hours per week, not to exceed 500 through June 30, 2019. The lifeguard is responsible for managing all aspects of safety around the Laney College Pool and pool participants. Duties also include monitoring of all pool activities and performance of preventative measures to ensure participant safety, and performance of any lifeguard rescues or first aid needed in an emergency. Responsible for maintaining and organizing pool equipment and monitoring pool chemical levels.

State law mandates that there must be a lifeguard certified individual over any aquatic activity in a public pool. It can be an instructor, if they have no other duties to perform other than to supervise the safety of participants in water-contact activities. (California Health and Safety Code section 116028). Laney instructors are required to take roll, perform individual testing, and instruct students individually which conflicts with the "no other duties" part of the state code."

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## **9. ACTION ITEMS**

**Subject**

### **9.1 Consider Approval of CEQA Consulting Services for Amy Skews Cox Environmental Planning Consultant for \$85,053 Merrit College Childcare Center. Presenter Director McMahon**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. ACTION ITEMS

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

Yes

Dollar Amount

\$85,053.00

Budgeted

Yes

Budget Source

Measure A and State Matching Funds

Recommended Action

Consider approval of contract in the amount of \$85,053 with Amy Skews Cox Environmental Planning Consulting to complete the required CEQA documentation for the Merritt Child Care Modernization.

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

Merritt Childcare Modernization was awarded full State matching Funds in July 2018. Funds were received in October 2018 for the initial project phase work to be completed. The project has been on the list of projects for Peralta Community College Five year plans for more than 12 years. After initial starts, and then stoppage due to insufficient funds from the district, the project was put on hold. Now state matching dollars have been allocated and distributed to PCCD, and we are now required to begin work on the project and meet the milestones established by the State Chancellors Office. Due to the short time frame required for PCCD to perform, we solicited specialty firms that provide CEQA services specifically for educational institutions.

In December 2018, a informal RFP solicitations process was completed by the DGS and Amy Skews Cox was the apparent low bidder and awarded the CEQA contract for the Merritt Childcare Modernization. There were four firms contacted and only two forms were responsive. We reached out to firms found on the website for Water resource Board for the State of California. These firms were already identified as being qualified firms to perform CEQA Services.

The results are as follows:

Vendor	Cost Proposal	Score
Amy Skews Cox	\$85,053.00	89
York Engineering	Hourly rates submitted	Non-Responsive
Carollo Engineers Inc.	0	Non-Responsive

Amy Skews Cox, ACIP Environmental Planning is a small local woman owned business located in Ross, CA 94957.

Contract total was \$80,000. for the Liberal Arts Center at the College of Alameda. There is no current contract in this fiscal year that has been executed to date.

**The Merritt Childcare Center proposed project budget is \$85,053.00**

**FY 18/19 budget will be \$85,053.00**

**Deliverables and Scope of Work:**

The scope of work will include a final report that describes the following:

- Assemble and Review Background information
- Complete Site Visits
- Meet with District Staff
- Prepare draft project description
- Complete Scope Meetings with Stakeholders
- Prepare initial Study Checklist
- Prepare draft of initial findings
- Attend public Hearing
- Complete mitigation monitoring and reporting program
- Initial draft findings
- Prepare notice of Determination

Details outlining all the specifics of the tasks can be found in the proposal attached below.

**Anticipated Completion Date:**

Estimated June 2019

**Evaluation and Recommended Action:**

She has worked with the district previously and has provided satisfactory service.

**File Attachments**

WORK PROGRAM FOR CHILD CARE CENTER AT MERRITT COLLEGE (1).pdf (211 KB)  
 Independent Consultant Services Agreement -Amy Skews COX Environmental- Merritt College\_3202703\_1 (DMS).pdf (993 KB)  
 Exhibits Merritt College -Amy Skews Cox Scope of Work Peralta College 2018.pdf (118 KB)

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**Subject**

**9.2 Consider Approval of Contract for Architectural Services for AE3 Partners, Inc. for the Merritt Childcare Center in the amount of \$1,159,739. Presentor: Director Lynch McMahon**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. ACTION ITEMS

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

Yes

Dollar Amount

\$1,159,739.00

Budgeted

Yes

Budget Source

Measure A and State Matching Funds

Recommended Action

Approve contract for AE3 Partners in the amount of \$1,159,739 for architectural services for the Merritt Childcare Center.

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

The Merritt Childcare Center was submitted to the State of CA in 2009 for matching funds for full building replacement. At that time, Noll & Tam provided facility planning services that were necessary for document submission to the State of CA for matching funds request for the project. The Facility Project Plan(FPP) was prepared and submitted, but due to lack of funding the project was not funded at that time. The project was put on hold, and the work was halted to accommodate the lack of proper funding.

In July 2018, the State awarded PCCD the full amount of matching funds to initiate the project. The project budget is \$16 Million with \$6 million in matching funds from the State. Due to the short amount of time available to complete the required documentation for the project and retain the funds from the State of CA, a decision was made to solicit architectural firms that were from the previously approved vendor list. This was done so that PCCD could move forward with the required remaining work for the project in a timely fashion. **A deadline of February 2, 2019** is required for PCCD to have design and programming documents complete and submitted to the State for review and release of the next series of remaining funds allocated.

DGS completed a solicitation of architects chosen from the pre-approved list of vendors, to provide proposals for design services for the Merritt Childcare Center. An informal meeting was held via Skype and we reviewed project parameters and scope of work in detail. Several vendors responded with proposals, and we chose AE3 Partners based on the criteria identified in the Request For Qualifications. They represent the best value for the district to complete this project on time and they possess valuable knowledge of the project of this nature that is beneficial to the overall development and completion of the program.

The responses for the RFQ were as follows:

Vendor	Cost Proposal	Score
WLC Architects	Hourly rates	75
Noll & Tam Architects	\$ 2,002,612	85
AE3 Partners	\$ 1,159,739	94
BDWK	\$ 1,274,905	81

**AE3 Partners is a local Oakland based company . They qualify as small local and minority owned and have an internship program that they stated will allow PCCD students to participate in. They are located 11 Embarcadero West, Oakland CA 94603 website: www.ae3partners.com. The principal partners are Rick Dumas, and Douglas A. Davis AIA**

**Deliverables and Scope of Work:**

The scope of work includes and is not limited to:

- Schematic Design
- Design Development
- Construction Documentation
- Bidding assistance
- Construction administration
- Construction Closeout
- State of CA required forms submission
- DSA plan check and back check edits as required
- Solicitation support for specialty services
- Development of plans and Specifications for Construction
- And other various activities required for project completion

**Anticipated Completion Date:**

Anticipated completion of the project is forecasted for December 2022

**Evaluation and Recommended Action:**

The District's Department of General Services has evaluated the deliverables to date for AE3 Partners and found them to be satisfactory. The Chancellor recommends approval.

**File Attachments**

- AE3\_Proposal Summary Merritt CCDC email.pdf (3,516 KB)
- Combined Proposals for review- Merritt Childcare.pdf (22,039 KB)
- AE3 Partners Merrit Childcare Center Architect Agreement 1082019(DMS).docx (54 KB)
- Exhibit A AE3 Agreement\_3202879\_1(DMS) w AE3 Edits 1-10-19.pdf (328 KB)
- AE3 Partners- Exhibits B - G ( No F) to Architect Agreement\_3202884\_1(DMS)[2].pdf (101 KB)

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**Subject**

**9.3 Consider Ratification of the contract with Vavrinek Trine Day & Co., LLP (VTD) Contract Presenter: Vice Chancellor Johnson**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. ACTION ITEMS

Access

Public

Type

Action (Consent)

Preferred Date

Jan 08, 2019

Absolute Date

Jan 08, 2019

Fiscal Impact

Yes

Dollar Amount

\$201,300.00

Budgeted

Yes

Budget Source

Fund - 01 General Fund

Recommended Action

Consider ratifying the contract with Vavrinek Trine Day & Co., LLP (VTD) in the amount of \$201,300 to perform the District's annual audit for the fiscal year ended June 30, 2018, Parcel Tax and Measure A General Obligation Bonds Financial Audit Report for fiscal years ended June 30, 2017 and June 30, 2018 (payments in current FY2018-19).

**BACKGROUND/ANALYSIS:**

The annual financial and compliance audit, as required by Education Code Section 84040 and Office of Management and Budget (OMB) Circular A-133, is the final examination of the annual financial statements' fairness and reliability. Education Code Section 84040 requires that the District provide for an annual audit of all funds, books, and accounts of the District in accordance with regulations established by the Board of Governors and Generally Accepted Auditing Standards. The audit is conducted by certified public accountants licensed by the State Board of Accountancy. Vavrinek Trine Day & Co., LLP (VTD) is an auditing firm licensed by the California Board of Accountancy and qualified to perform such services. VTD will audit the financial statements of the business-type activities, which collectively comprise the basic financial statements of the District as of and for the year ended June 30, 2018.

On December 13, 2016 the Board of Trustees approved the selection of VTD as our independent auditor to perform audits for fiscal years ending in June 30, 2017, June 30, 2018, and June 30, 2019.

The contract with Vavrinek Trine Day & Co., LLP (VTD) to perform the basic financial statements for the fiscal year ending June 30, 2018 was for \$145,300 with an additional \$14,000 for expanded audit procedure. The auditors also needed to perform audits for the Parcel Tax and Measure A General Obligation Bonds Financial Audit Report for fiscal years ended June 30, 2017 and June 30, 2018. The total contracted amount is not to exceed \$201,300 (service rendered in FY2018-19).

**DELIVERABLES/SCOPE OF WORK:**

Audit opinion expressed on the District's June 30, 2018 financial statements; Parcel Tax and Measure A General Obligation Bonds Financial Audit Reports for June 30, 2017 and June 30, 2018; as well as required state and federal compliance reports.

**ANTICIPATED COMPLETION DATE:**

January 31, 2019

**ALTERNATIVES/OPTIONS:**

Not applicable

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends ratification.

**File Attachments**

Peralta CCD Addendum to Engagement Letter.pdf (104 KB)

Engagement Letter - signed.pdf (1,900 KB)

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**Subject**

**9.4 Consider Acceptance of the Peralta Community College District's June 30, 2018 Annual Audit Report - Presented by: Vice Chancellor Johnson**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. ACTION ITEMS

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact



No

Budgeted

No

Budget Source

N/A

Recommended Action

Review and accept Peralta Community College District's June 30, 2018 Annual Audit Report from Vavrinek, Trine, Day & Co., LLP. (VTD).

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

Receive and accept Peralta Community College District's June 30, 2018 Annual Audit Report. The June 30, 2018 annual audit report is being presented to the Board of Trustees for acceptance. This annual financial and compliance audit is a requirement under Education Code 84040 and provides for an examination of the District's annual financial statements to assess their fairness and reliability. The audit will be posted on the Budget and Finance website.

**Deliverables and Scope of Work:**

Not applicable.

**Anticipated Completion Date:**

Not applicable.

**Evaluation and Recommended Action:**

Review and accept Peralta Community College District's June 30, 2018 Annual Audit Report. The Chancellor recommends acceptance.

#### File Attachments

Peralta CCD 2018 Final Report.pdf (1,186 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**

**9.5 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 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. ACTION ITEMS

Access

Public

Type

Action

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

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 until March 14<sup>th</sup>, and implement new bylaws for the committees beginning on March 15<sup>th</sup>, 2019. 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 terms of the majority of Committee members ended on December 31, 2018. The Board will appoint the members of both Committees for terms beginning on January 1, 2019. The terms of all then-current Committee members will end on March 14, 2019. The Board will appoint the members of both Committees for terms beginning on March 15, 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.

File Attachments

Resolution Regarding Constitution Membership and Duties of Measure Oversight Committees w\_Exhibits\_3340118\_1(DMS).pdf (121 KB)

Oversight Committee Bylaws Presentation\_3339821\_1(DMS).pdf (132 KB)

**Subject**

**9.6 Consider authorizing Vice President Weinstein to work with the representative firm Ackerman to draft a letter on behalf of the Peralta Board of Trustees to Education Secretary Betsy Devos opposing changes proposed in Title IX regulations as they would roll back advances made so far to ensure protections for students from gender discrimination or sexual harassment. Presenter: Trustee Weinstein**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. ACTION ITEMS

Access

Public

Type

Action

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

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

Consider authorizing Vice President Weinstein to work with the representative firm Ackerman to draft a letter on behalf of the Peralta Board of Trustees to Education Secretary Betsy Devos opposing changes proposed in Title IX regulations as they would roll back advances made so far to ensure protections for students from gender discrimination or sexual harassment.

**Deliverables and Scope of Work:**

N/A

**Anticipated Completion Date:**

N/A

**10. INFORMATIONAL ITEMS**

**11. REPORTS**

**Subject**

## **11.1 Board of Trustees' Reports**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

11. REPORTS

Access

Public

Type

Information

## **12. ANNOUNCEMENTS**

## **13. ADJOURNMENT**

**Subject**

### **13.1 Meeting Adjournment**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

13. ADJOURNMENT

Access

Public

Type

Action

Recommended Action

Meeting adjourned at



**Tuesday, January 22, 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**

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 22, 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 22, 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 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Access

Public

Type

Information

**Subject**

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

Meeting

Jan 22, 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 Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)**

Meeting

Jan 22, 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).

**Subject**

**1.6 Public Employee Evaluation**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Access

Public

Type

- Chancellor

## **2. OPEN SESSION**

**Subject**

### **2.1 Call to Order**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Procedural

**Subject**

### **2.2 Pledge of Allegiance**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Procedural

**Subject**

### **2.3 Roll Call**



Meeting

Jan 22, 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 22, 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 22, 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 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Action

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

No

Budgeted

No

Recommended Action

Motion to approve the January 8, 2019 Board Minutes.

**Subject**

## **2.7 Associated Student Government Reports**

Meeting

Jan 22, 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 22, 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 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Information

**Subject**

## **2.10 Public Communication**

Meeting

Jan 22, 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 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. OPEN SESSION

Access

Public

Type

Information

- Bond update

### **3. PRESENTATIONS**

**Subject**

**3.1 Budget 2018-19 Amendment Presentation. Presenter: Budget Director Ahmed**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. PRESENTATIONS

Access

Public

Type

Information

**Subject**

**3.2 Peralta Community College District's June 30, 2018 Annual Audit Report. Presenter: Vavrinek, Trine, Day & Co., LLP (VTD)**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. PRESENTATIONS

Access

Public

Type

Information

#### **PRESENTATION**

Vavrinek, Trine, Day & Co., LLP. (VTD) will present on the Peralta Community College District's June 30, 2018 Annual Audit Report. The Annual Audit Report is being presented to the Board of Trustees for acceptance. This annual financial and compliance audit is a requirement under Education Code 84040 and provides for an examination of the District's annual financial statements to access their fairness and reliability. The audit will be posted on the Finance Department's website.

File Attachments

Peralta CCD 2018 Final Report.pdf (1,186 KB)

**Subject**

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

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. 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

**4. CONSENT CALENDAR - BOARD MATTERS**

**Subject**

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

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

4. CONSENT CALENDAR - BOARD MATTERS

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 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
Neil Dunlop	Las Vegas, NV - Visual Studio Live	March 3, 2019 - March
Jowel Laguerre	Washington, DC - United States Air Force Conference	January 28, 2019 - February 2019

**Anticipated Completion Date:**

N/A

**Evaluation and Recommended Action:**

Recommend Approval

File Attachments  
 Out of State Travel - 1-22-19.pdf (349 KB)

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## 5. CONSENT CALENDAR - ACADEMIC AFFAIRS

**Subject**

**5.1 Consider Approval of Agreement with Educational Student Tours to arrange participation in the 2019 HBCU Tour for Umoja students district-wide in the amount of \$65,762.00; presented by Vice Chancellor Brown**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

## 5. CONSENT CALENDAR - ACADEMIC AFFAIRS

Access

Public

Type

Action

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

Yes

Dollar Amount

\$65,762.00

Budgeted

Yes

Budget Source

Fund 11: Equity funds from all four colleges

Recommended Action

Approve agreement with Educational Student Tours to arrange participation in the 2019 HBCU Tour for Umoja students District-wide in the amount of \$65,762.00.

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

PCCD transfer-ready Umoja students and faculty chaperones will attend a Historically Black Colleges and University (HBCU) tour to visit and potentially apply to HBCUs. The tour provides for a maximum of thirty-two transfer-ready Umoja students to expand their transfer options and inspire them to continue on a path of educational completion and success.

Educational Student Tours is a travel company that focuses solely on coordinating such tours for students. The company's mission is to increase the number of African-American students who enroll in, and graduate from, a Historically Black College or University. Beginning in 1987 with a vision to be the premiere Black College Tour program, the success of their vision is evidenced by 100% satisfaction on surveys administered to students at the end of every tour.

PCCD sent eighteen students and two staff in 2018 and twenty-five students and staff in 2017. The aim this year is to expand the number of students attending as this aligns with Guided Pathways and the new Student Centered Funding Formula. The 2019 tour will take place on March 31 - April 5.

**Deliverables and Scope of Work:**



Educational Student Tours is being contracted to coordinate six days of a Historically Black College Tour that consists of traveling to Atlanta to visit Morehouse College, Spelman College, and Clark Atlanta University, to New Orleans to visit Dillard University, to Baton Rouge to visit Southern University, and to Louisiana to visit Grambling State University. This vendor will be responsible for all aspects of the tour including setting up information sessions and admissions presentations; checking group into the hotel; assisting chaperones and students as needed to maintain a timely tour schedule; providing bus driver with day-to-day coordination activities (i.e. bus pick-up and drop off times and locations, etc.); checking in with each hotel, restaurant, and college at least 24 hours prior to arrival to ensure that room keys, seating, and recruitment ambassadors are available to receive the group at the designated time, and being responsible for collecting and calling in meal selections at designated restaurants.

**Anticipated Completion Date:**

April 5, 2019

**Evaluation and Recommended Action:**

The Chancellor recommends approval.

File Attachments

HBCU Tour 2019 Supporting Documents.pdf (324 KB)

## **6. CONSENT CALENDAR - FINANCE**

**Subject**

**6.1 Consider Approval of Resolution# 18/19-46 for 2019-20 Nonresident Tuition Fees. Presenter: Vice Chancellor Johnson**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

6. CONSENT CALENDAR - FINANCE

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

No

Budgeted

No

Budget Source

N/A

Recommended Action

Approve Resolution# 18/19-46 for nonresident tuition fee of \$265.00 per semester unit to be effective July 1, 2019.

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

Education Code Section 76140 requires the Board of Trustees to annually adopt the nonresident tuition fee for the next fiscal year by February 1st. Determination of this fee is based on the Statewide average which is lower than the District's 2017-18 expenses. It is recommended that the Board of Trustees approve Resolution# 18/19-46 for 2019-20 Nonresident Tuition Fee of \$265.00 per semester unit. The worksheet used to arrive at the nonresident fee is attached. A statement noting that this fee will not be waived is included in the resolution.

**Deliverables and Scope of Work:**

Not applicable

**Anticipated Completion Date:**

Upon approval, adopted fee will be effective July 1, 2019

**Evaluation and Recommended Action:**

Approve Resolution# 18/19-46 for nonresident tuition fee of \$265.00 per semester unit to be effective July 1, 2019. The Chancellor recommends approval.

File Attachments

Nonresident Tuition Fee Resolution.pdf (74 KB)

2019-20 Nonresident Fee Worksheet.pdf (26 KB)

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**Subject**

**6.2 Consider Approval of Resolution# 18/19-45 for 2019-20 Nonresident Capital Outlay Fee - Presented by: Vice Chancellor Johnson**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

6. CONSENT CALENDAR - FINANCE

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

No

Budgeted

No

Budget Source

N/A

Recommended Action

Approve Resolution# 18/19-45 for Capital Outlay fee of \$7 per semester unit to be effective July 1, 2019.

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

In addition to the nonresident tuition fee, Education Code 76141(A) states a community college district may charge to nonresident students an amount not to exceed the amount that was expended by the district for capital outlay in the preceding fiscal year divided by the total full-time equivalent students of the district in the preceding fiscal year. Consider Approval of Resolution# 18/19-45 for the 2019-20 Nonresident Capital Outlay Fee.

**Deliverables and Scope of Work:**

Not applicable.

**Anticipated Completion Date:**

Upon approval, adopted fee will be effective July 1, 2019

**Evaluation and Recommended Action:**

Approve Resolution# 17/18-26 for Nonresident Capital Outlay Fee of \$7 per semester unit to be effective July 1, 2018. The Chancellor recommends approval.

#### File Attachments

Nonresident Capital Outlay Fee Resolution.pdf (75 KB)  
2019-20 Nonresident Fee Worksheet.pdf (26 KB)

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## 7. CONSENT CALENDAR - FACILITIES

Subject

**7.1 Consider Approval of Contract with JPB Design, Inc. for Renovations of Laney Childcare Center RFP 18-19/13 in the amount of \$170,000. Presenter: Vice Chancellor Jason Cifra and Director Lynch McMahon**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

7. CONSENT CALENDAR - FACILITIES

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

Yes

Dollar Amount

\$170,000.00

Budgeted

Yes

Budget Source

Laney Childcare Reserve Fund

Recommended Action

Approve the contract for JPB DESIGN, Inc. in the amount of \$170,000 for modernization and repair work at Laney Childcare Center.

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

The Laney Childcare Center Renovation project was first advertised for bidding on 9/21/18 and 9/28/18 with a bid closing date of October 18, 2018. Only a single bid was received on the appointed bid closing date, and that bid was subsequently rejected because that particular bid exercise was deemed a non-competitive process by the District's Purchasing Department. The project was re-advertised on 11/02/18 and 11/09/18 with a bid closing date of November 21, 2018 (Thanksgiving eve) and this re-bid process was considered very successful and deemed extremely competitive because five (5) bid proposals were received, and two bids were almost identical in bid amounts - only \$2,716 separates the two lowest bids. The two lowest bids are (i) \$170,000 by JPB Design, Inc. and (ii) \$172,716 by GreenTech Industry, Inc.

In light of the foregoing, the District staff is recommending JPB DESIGN, Inc. as the presumptive winner of the just concluded bidding round, while GREENTECH INDUSTRY, Inc., a local SLBE/SELBE with representative offices in Oakland and Concord, CA will be an alternate in the event of bid withdrawal, disqualification and/or other qualifying events such as bid protests.

JPB DESIGN, Inc. has representative offices in Sacramento and Orangevale, CA and its President is Mr. Artyom Ponomarenko. Mr. Ponomarenko and other principals of the firm have more that 20 years experience in the construction industry.

The following is a chart showing the various vendors that submitted bids and the bid amounts.

CONTRACTOR NAME	VENDOR LOCATION	SLBE/SELBE	BID AMOUNT
JPB DESIGN, Inc.	Sacramento/Orangvale, CA	No	\$170,000.00
GreenTech Industry, Inc.	Oakland/Concord, CA	No	\$172,716.00
T Amarals Done Right Construction	Brentwood, CA	No	\$220,000.00
EVRA Construction, Inc.	Brisbane, CA	No	\$189,700.00
BAY Construction, Inc.	Oakland, CA	Yes	\$198,000.00

**Deliverables and Scope of Work:**

The proposed scope of work includes and is not limited to the following:

1. Fence (a) Installation of ornamental fence (b) Installation of a galvanized chain link fence.
2. Doors (a) Replacement of 23 door closers (b) Replacement of door hinges (c) Replacement of door kick-plates.
3. Flooring (a) Removal of existing carpet and PVC tiles and replacement with VCT tiles throughout the childcare center.
4. Painting - Touch up exterior painting in an area of approximately 2,000sf.
5. Ceiling - Replacement of 12-15 acoustic ceiling tiles.
6. Wood Work (a) Bevel the edges of 20 exterior wall mounted panels (b) Install a new 2"x6" wood plate along the length of 1/2 wall (c) Re-anchor a full length of wood hand grip along the 1/2 wall.
7. Landscape (a) Trim hanging tree branches (b) Dig up and remove wild plants (c) Add Tan bark to play area (d) Add sand to sand boxes.
8. Bathrooms (a) Remove and replace existing rusted stainless steel grip bars (b) Replace rusted stainless steel collapsible shelving (c) Replace rusted stainless steel toilet paper dispensers.

**Anticipated Completion Date:**

June 30, 2019

**Evaluation and Recommended Action:**

Based on the review by the Director of Capital Projects & Facilities, Vice Chancellor for General Services and Vice Chancellor for Student Affairs, please approve contract. The Chancellor recommends approval.

**File Attachments**

- Resolution of Board - JPB Design Contract 12-27-18.docx (13 KB)
- Contract Documents LC Childcare Project - JPB Design, Inc.pdf (1,802 KB)

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**8. CONSENT CALENDAR - HUMAN RESOURCES**

**Subject**

## 8.1 Consider Approval of Short-term Assignments

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

8. CONSENT CALENDAR - HUMAN RESOURCES

Access

Public

Type

Action (Consent)

Consider Approval of Short-Term Assignments - Hiring of Non-Academic Short-Term Employees

**Presenter: Interim Vice Chancellor Whittaker**

Pursuant to California Education Code Section 88003, the list below contains the name, scope of service, position title, site location, and service end date of the candidates recommended for short-term assignments in non-academic short-term positions.

---

**Xiong, Zhenyu**, Lifeguard, Laney College, 6 hours per week, not to exceed 500 through June 30, 2019. The lifeguard is responsible for managing all aspects of safety around the Laney College Pool and pool participants. Duties also include monitoring of all pool activities and performance of preventative measures to ensure participant safety, and performance of any lifeguard rescues or first aid needed in an emergency. Responsible for maintaining and organizing pool equipment and monitoring pool chemical levels.

State law mandates that there must be a lifeguard certified individual over any aquatic activity in a public pool. It can be an instructor, if they have no other duties to perform other than to supervise the safety of participants in water-contact activities. (California Health and Safety Code section 116028). Laney instructors are required to take roll, perform individual testing, and instruct students individually which conflicts with the "no other duties" part of the state code."

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## 9. ACTION ITEMS

**Subject**

**9.1 Consider Approval of CEQA Consulting Services for Amy Skews Cox Environmental Planning Consultant for \$85,053 Merrit College Childcare Center. Presenter Director McMahon**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. ACTION ITEMS

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

Yes

Dollar Amount

\$85,053.00

Budgeted

Yes

Budget Source

Measure A and State Matching Funds

Recommended Action

Consider approval of contract in the amount of \$85,053 with Amy Skews Cox Environmental Planning Consulting to complete the required CEQA documentation for the Merritt Child Care Modernization.

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

Merritt Childcare Modernization was awarded full State matching Funds in July 2018. Funds were received in October 2018 for the initial project phase work to be completed. The project has been on the list of projects for Peralta Community College Five year plans for more than 12 years. After initial starts, and then stoppage due to insufficient funds from the district, the project was put on hold. Now state matching dollars have been allocated and distributed to PCCD, and we are now required to begin work on the project and meet the milestones established by the State Chancellors Office. Due to the short time frame required for PCCD to perform, we solicited specialty firms that provide CEQA services specifically for educational institutions.

In December 2018, a informal RFP solicitations process was completed by the DGS and Amy Skews Cox was the apparent low bidder and awarded the CEQA contract for the Merritt Childcare Modernization. There were four firms contacted and only two forms were responsive. We reached out to firms found on the website for Water resource Board for the State of California. These firms were already identified as being qualified firms to perform CEQA Services.

The results are as follows:

Vendor	Cost Proposal	Score
--------	---------------	-------

Amy Skews Cox	\$85,053.00	89
York Engineering	Hourly rates submitted	Non-Responsive
Carollo Engineers Inc.	0	Non-Responsive

Amy Skews Cox, ACIP Environmental Planning is a small local woman owned business located in Ross, CA 94957.

Contract total was \$80,000. for the Liberal Arts Center at the College of Alameda. There is no current contract in this fiscal year that has been executed to date.

**The Merritt Childcare Center proposed project budget is \$85,053.00**

**FY 18/19 budget will be \$85,053.00**

**Deliverables and Scope of Work:**

The scope of work will include a final report that describes the following:

- Assemble and Review Background information
- Complete Site Visits
- Meet with District Staff
- Prepare draft project description
- Complete Scope Meetings with Stakeholders
- Prepare initial Study Checklist
- Prepare draft of initial findings
- Attend public Hearing
- Complete mitigation monitoring and reporting program
- Initial draft findings
- Prepare notice of Determination

Details outlining all the specifics of the tasks can be found in the proposal attached below.

**Anticipated Completion Date:**

Estimated June 2019

**Evaluation and Recommended Action:**

She has worked with the district previously and has provided satisfactory service.

**File Attachments**

WORK PROGRAM FOR CHILD CARE CENTER AT MERRITT COLLEGE (1).pdf (211 KB)  
 Independent Consultant Services Agreement -Amy Skews COX Environmental- Merrit College\_3202703\_1(DMS).pdf (993 KB)  
 Exhibits Merritt College -Amy Skews Cox Scope of Work Peralta College 2018.pdf (118 KB)

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**Subject**

**9.2 Consider Approval of Contract for Architectural Services for AE3 Partners, Inc. for the Merritt Childcare Center in the amount of \$1,159,739. Presentor: Director Lynch McMahan**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. ACTION ITEMS



Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

Yes

Dollar Amount

\$1,159,739.00

Budgeted

Yes

Budget Source

Measure A and State Matching Funds

Recommended Action

Approve contract for AE3 Partners in the amount of \$1,159,739 for architectural services for the Merritt Childcare Center.

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

The Merritt Childcare Center was submitted to the State of CA in 2009 for matching funds for full building replacement. At that time, Noll & Tam provided facility planning services that were necessary for document submission to the State of CA for matching funds request for the project. The Facility Project Plan(FPP) was prepared and submitted, but due to lack of funding the project was not funded at that time. The project was put on hold, and the work was halted to accommodate the lack of proper funding.

In July 2018, the State awarded PCCD the full amount of matching funds to initiate the project. The project budget is \$16 Million with \$6 million in matching funds from the State. Due to the short amount of time available to complete the required documentation for the project and retain the funds from the State of CA, a decision was made to solicit architectural firms that were from the previously approved vendor list. This was done so that PCCD could move forward with the required remaining work for the project in a timely fashion. **A deadline of February 2, 2019** is required for PCCD to have design and programming documents complete and submitted to the State for review and release of the next series of remaining funds allocated.

DGS completed a solicitation of architects chosen from the pre-approved list of vendors, to provide proposals for design services for the Merritt Childcare Center. An informal meeting was held via Skype and we reviewed project parameters and scope of work in detail. Several vendors responded with

proposals, and we chose AE3 Partners based on the criteria identified in the Request For Qualifications. They represent the best value for the district to complete this project on time and they possess valuable knowledge of the project of this nature that is beneficial to the overall development and completion of the program.

The responses for the RFQ were as follows:

Vendor	Cost Proposal	Score
WLC Architects	Hourly rates	75
Noll & Tam Architects	\$ 2,002,612	85
AE3 Partners	\$ 1,159,739	94
BDWK	\$ 1,274,905	81

**AE3 Partners is a local Oakland based company . They qualify as small local and minority owned and have an internship program that they stated will allow PCCD students to participate in. They are located 11 Embarcadero West, Oakland CA 94603 website: www.ae3partners.com. The principal partners are Rick Dumas, and Douglas A. Davis AIA**

**Deliverables and Scope of Work:**

The scope of work includes and is not limited to:

- Schematic Design
- Design Development
- Construction Documentation
- Bidding assistance
- Construction administration
- Construction Closeout
- State of CA required forms submission
- DSA plan check and back check edits as required
- Solicitation support for specialty services
- Development of plans and Specifications for Construction
- And other various activities required for project completion

**Anticipated Completion Date:**

Anticipated completion of the project is forecasted for December 2022

**Evaluation and Recommended Action:**

The District's Department of General Services has evaluated the deliverables to date for AE3 Partners and found them to be satisfactory. The Chancellor recommends approval.

**File Attachments**

- AE3\_Proposal Summary Merritt CCDC email.pdf (3,516 KB)
- Combined Proposals for review- Merritt Childcare.pdf (22,039 KB)
- AE3 Partners Merrit Childcare Center Architect Agreement 1082019(DMS).docx (54 KB)
- Exhibit A AE3 Agreement\_3202879\_1(DMS) w AE3 Edits 1-10-19.pdf (328 KB)
- AE3 Partners- Exhibits B - G ( No F) to Architect Agreement\_3202884\_1(DMS)[2].pdf (101 KB)

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**Subject**

**9.3 Consider Ratification of the contract with Vavrinek Trine Day & Co., LLP (VTD) Contract Presenter: Vice Chancellor Johnson**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. ACTION ITEMS

Access

Public

Type

Action (Consent)

Preferred Date

Jan 08, 2019

Absolute Date

Jan 08, 2019

Fiscal Impact

Yes

Dollar Amount

\$201,300.00

Budgeted

Yes

Budget Source

Fund - 01 General Fund

Recommended Action

Consider ratifying the contract with Vavrinek Trine Day & Co., LLP (VTD) in the amount of \$201,300 to perform the District's annual audit for the fiscal year ended June 30, 2018, Parcel Tax and Measure A General Obligation Bonds Financial Audit Report for fiscal years ended June 30, 2017 and June 30, 2018 (payments in current FY2018-19).

**BACKGROUND/ANALYSIS:**

The annual financial and compliance audit, as required by Education Code Section 84040 and Office of Management and Budget (OMB) Circular A-133, is the final examination of the annual financial statements' fairness and reliability. Education Code Section 84040 requires that the District provide for an annual audit of all funds, books, and accounts of the District in accordance with regulations

established by the Board of Governors and Generally Accepted Auditing Standards. The audit is conducted by certified public accountants licensed by the State Board of Accountancy. Vavrinek Trine Day & Co., LLP (VTD) is an auditing firm licensed by the California Board of Accountancy and qualified to perform such services. VTD will audit the financial statements of the business-type activities, which collectively comprise the basic financial statements of the District as of and for the year ended June 30, 2018.

On December 13, 2016 the Board of Trustees approved the selection of VTD as our independent auditor to perform audits for fiscal years ending in June 30, 2017, June 30, 2018, and June 30, 2019.

The contract with Vavrinek Trine Day & Co., LLP (VTD) to perform the basic financial statements for the fiscal year ending June 30, 2018 was for \$145,300 with an additional \$14,000 for expanded audit procedure. The auditors also needed to perform audits for the Parcel Tax and Measure A General Obligation Bonds Financial Audit Report for fiscal years ended June 30, 2017 and June 30, 2018. The total contracted amount is not to exceed \$201,300 (service rendered in FY2018-19).

**DELIVERABLES/SCOPE OF WORK:**

Audit opinion expressed on the District's June 30, 2018 financial statements; Parcel Tax and Measure A General Obligation Bonds Financial Audit Reports for June 30, 2017 and June 30, 2018; as well as required state and federal compliance reports.

**ANTICIPATED COMPLETION DATE:**

January 31, 2019

**ALTERNATIVES/OPTIONS:**

Not applicable

**EVALUATION AND RECOMMENDED ACTION:**

The Chancellor recommends ratification.

**File Attachments**

Peralta CCD Addendum to Engagement Letter.pdf (104 KB)

Engagement Letter - signed.pdf (1,900 KB)

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**Subject**

**9.4 Consider Acceptance of the Peralta Community College District's June 30, 2018 Annual Audit Report - Presented by: Vice Chancellor Johnson**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

**9. ACTION ITEMS**

Access

Public

Type

Action (Consent)

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

Fiscal Impact

No

Budgeted

No

Budget Source

N/A

Recommended Action

Review and accept Peralta Community College District's June 30, 2018 Annual Audit Report from Vavrinek, Trine, Day & Co., LLP. (VTD).

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

Receive and accept Peralta Community College District's June 30, 2018 Annual Audit Report. The June 30, 2018 annual audit report is being presented to the Board of Trustees for acceptance. This annual financial and compliance audit is a requirement under Education Code 84040 and provides for an examination of the District's annual financial statements to assess their fairness and reliability. The audit will be posted on the Budget and Finance website.

**Deliverables and Scope of Work:**

Not applicable.

**Anticipated Completion Date:**

Not applicable.

**Evaluation and Recommended Action:**

Review and accept Peralta Community College District's June 30, 2018 Annual Audit Report. The Chancellor recommends acceptance.

#### File Attachments

Peralta CCD 2018 Final Report.pdf (1,186 KB)

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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.*

**Subject**

**9.5 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 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. ACTION ITEMS

Access

Public

Type

Action

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

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 until March 14<sup>th</sup>, and implement new bylaws for the committees beginning on March 15<sup>th</sup>, 2019. 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 terms of the majority of Committee members ended on December 31, 2018. The Board will appoint the members of both Committees for terms beginning on January 1, 2019. The terms of all then-current Committee members will end on March 14, 2019. The Board will appoint the members of both Committees for terms beginning on March 15, 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.

File Attachments

Resolution Regarding Constitution Membership and Duties of Measure Oversight Committees w\_Exhibits\_3340118\_1(DMS).pdf (121 KB)

Oversight Committee Bylaws Presentation\_3339821\_1(DMS).pdf (132 KB)

**Subject**

**9.6 Consider authorizing Vice President Weinstein to work with the representative firm Ackerman to draft a letter on behalf of the Peralta Board of Trustees to Education Secretary Betsy Devos opposing changes proposed in Title IX regulations as they would roll back advances made so far to ensure protections for students from gender discrimination or sexual harassment. Presenter: Trustee Weinstein**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. ACTION ITEMS

Access

Public

Type

Action

Preferred Date

Jan 22, 2019

Absolute Date

Jan 22, 2019

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

Consider authorizing Vice President Weinstein to work with the representative firm Ackerman to draft a letter on behalf of the Peralta Board of Trustees to Education Secretary Betsy Devos opposing changes proposed in Title IX regulations as they would roll back advances made so far to ensure protections for students from gender discrimination or sexual harassment.

**Deliverables and Scope of Work:**

N/A

**Anticipated Completion Date:**

N/A

## **10. INFORMATIONAL ITEMS**

### **11. REPORTS**

**Subject**

#### **11.1 Board of Trustees' Reports**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

11. REPORTS

Access

Public

Type

Information

## **12. ANNOUNCEMENTS**

### **13. ADJOURNMENT**

**Subject**

#### **13.1 Meeting Adjournment**

Meeting

Jan 22, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

13. ADJOURNMENT

Access

Public



Type

Action

Recommended Action

Meeting adjourned at