



REGULAR MEETING OF THE BOARD OF TRUSTEES (Tuesday, February 26, 2019)

Members present

Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, Cindi Napoli-Abella Reiss

Meeting called to order at 2:34 PM

1. CLOSED SESSION

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

Information: 1.3 Public Employee Appointment (Government Code Section 54957)

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

2. OPEN SESSION

Procedural: 2.1 Roll Call

Present: Student Trustee Aisha Jordan

Not Present: Student Trustee Nick Galan

Procedural: 2.2 Call to Order

Procedural: 2.3 Pledge of Allegiance

Information: 2.4 Report of Action Taken in Closed Session

Recommendation to approve Dr. Frances L. White as Acting Chancellor beginning March 1, 2019 with salary and terms to be determined.

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

Action: 2.5 Approval of the Agenda

Yea: Student Trustee Jordan

Recommend Approval of the Agenda with the following amendments:

Agenda Items 9.1 and 10.1 were removed from the agenda and will return to a future board agenda.

Agenda Items 4.3, 5.1 and 7.4 were moved to the Action calendar.

Motion by Nicky Gonzalez Yuen, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, Cindi Napoli-Abella Reiss

Action: 2.6 Approval of the Minutes

Yea: Student Trustee Jordan

Motion to approve the February 5, 2018 Board Minutes.

Motion by Bill Withrow, second by Linda Handy.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Nicky Gonzalez Yuen, Cindi Napoli-Abella Reiss

Information: 2.7 Associated Student Government Reports

Students from Berkeley City College, College of Alameda, Laney College and Merritt College provided campus reports.

Information: 2.8 Peralta Classified Senate Report

Information: 2.9 District Academic Senate Report

Information: 2.10 Public Communication

Speaker Thoele - spoke on Item 5.1. and recommends the web content developer position stay at the district level and is a classified position that falls within the bargaining unit.

7.4 - not against it but proposes it is done district-wide. Would like to see a common goal in moving forward at other campuses so they mesh.

Speaker King ask that future chancellor is always held accountable and negotiations in fair and productive manner. Ask that the public funds are used for the public's good and urge you to guarantee that students are seen as the priority.

Speaker Weidenbach appreciates the direction of the board.

Information: 2.11 Chancellor's Reports

Fire Watch Report from Laney and Laney Pool update from President Gilkerson which discussed the status on the fire watch at Laney College. Laney College has remained on fire watch at a cost of \$12,000 per week and continue until alarm panels are clear of trouble . As of March 1st over \$63,000 would have been spent just over the fire watch. Currently, the estimate is just over \$43,000 and Laney is hoping to be off fire watch by end of next week.

Trustee Brown said the life safety system is part of our facilities master plan and on call contract and this was done a few years ago. Dr. Ikharo says that last year DGS asked the board to approve the contract for Johnson controls. The contract however, was not funded. The Director for M&O was looking for funding so PO can be issued for vendor. Now they do have a contract for all campuses. The other part is that the vendor is saying that communication is intermittent.

Trustee Napoli-Abella Reiss - On June 27th, there was a contract approved by the board and June 8th and contract terminated and we've paid for them to fix and covered for them to cover this so there is confusion.

Trustee Withrow - asked if the project order was funded? Vice Chancellor Ikharo says it was not funded.

Student Trustee Jordan asked for clarification on who dropped the ball for item.

Trustee Bonilla asked for clarification on whether we have a contract right now. Is this a different scope of work?

Trustee Gonzalez-Yuen left the meeting at 8:15 p.m.

Laney Pool Update - the co2 tank is too far away from where it needs to go and expect to have an answer at the 1st of march. Held 2 open forums and spoke to end users and to see how to keep pool open and setting up a continual communication system.

Trustee Bonilla said it is customary and routine for boards to receive regular communication on schedule of maintenance, schedule of programs, progress made and issues and where the red flags are and this board has not received this on a regular basis especially for high priority items. This board will be looking for regular reports on schedule of maintenance, progress and regularly schedule of maintenance. As a trustee, she received calls from irate Mills pool users who were misplaced out of their pool as a result of our pool issues so the ripple effect is overwhelming and impedes and infringes on others.

ACCJC Verbal Update on Laney

3. PRESENTATIONS

4. CONSENT CALENDAR - CHANCELLOR

Action (Consent): 4.1 Consider Ratification of Out of State Travel pursuant to Board Policy 7400. Presenter: Chancellor Laguerre

Yea: Student Trustee Jordan

Resolution: Motion to Ratify Out of State Travel pursuant to Board Policy 7400 for the following:

Approve Consent Agenda Items 4.1 - 4.2, 5.2, 6.1 - 6.7, 7.1 - 7.3 & 8.1.

Motion by Bill Withrow, second by Karen Weinstein.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

Action (Consent): 4.2 Consider Approval of Out of State Travel pursuant to Board Policy 7400.

Presenter: Chancellor Laguerre

Yea: Student Trustee Jordan

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

Approve Consent Agenda Items 4.1 - 4.2, 5.2, 6.1 - 6.7, 7.1 - 7.3 & 8.1.

Motion by Bill Withrow, second by Karen Weinstein.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss
Not Present at Vote: Nicky Gonzalez Yuen

Action: 4.3 Consider Approval of a Contract with the Collaborative Brain Trust (CBT) in the amount of \$254,325. Presenter: Chancellor Laguerre
Trustee Brown says the CBT will help us to find a bridge because we are in a silo. There are ways to discuss our declining enrollment. That we meet the matrix for AB 840 and those underrepresented in higher education but we are not changing our reality. We need to engage with our community.

Trustee Bonilla says this is a proactive step in moving forward to find issues we may be deficient in.

Trustee Napoli Abella-Reiss says we're not doing it just for the document but rather we are wanting to create structure that will manifest in a document but the document is not the reason we are doing this. We are going to embed it and hope that everyone feels that we are a board that is interested in accountability and that walks the participatory governance road.

Trustee Weinstein strongly supports this and likes the data analysis part of this and student success and retention is also outlined in this reported and excited.

Yea: Student Trustee Jordan

Approve a Contract with the Collaborative Brain Trustee (CBT) in the amount of \$254,325.

Motion by Bill Withrow, second by Meredith Brown.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

5. CONSENT CALENDAR - ACADEMIC AFFAIRS

Action: 5.1 Consider Approval of a Independent Contractor/Consultant Contract (ICC) for Conrad Seto in the Amount of \$2,500 to Provide Technical and Design expertise on the Laney College Website. Presenter: President Gilkerson

Trustee Bonilla asked that we be cautious in our outside consultants especially in our current bargaining agreements.

Yea: Student Trustee Jordan

Approve the Independent Contractor/Consultant Contract (ICC) for Conrad Seto in the amount of \$2,500 to provide technical and design expertise on the Laney College website.

Motion by Bill Withrow, second by Meredith Brown.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Meredith Brown, Cindi Napoli-Abella Reiss

Nay: Karen Weinstein

Not Present at Vote: Nicky Gonzalez Yuen

Action (Consent): 5.2 Consider Approval of Course and Program Additions, Deactivations and Changes Presenter: Vice Chancellor Brown

Yea: Student Trustee Jordan

Resolution: Approve Course and Program Additions, Deactivations and Changes that were approved at Feb 4, 2019 CIPD meeting.

Approve Consent Agenda Items 4.1 - 4.2, 5.2, 6.1 - 6.7, 7.1 - 7.3 & 8.1.

Motion by Bill Withrow, second by Karen Weinstein.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

6. CONSENT CALENDAR - FINANCE

Action (Consent): 6.1 Review of Purchase Order Report for the period covering from January 1, 2019 through January 31, 2019. Presenter: Vice Chancellor Johnson

Yea: Student Trustee Jordan

Resolution: Review of Purchase Order Report.

Approve Consent Agenda Items 4.1 - 4.2, 5.2, 6.1 - 6.7, 7.1 - 7.3 & 8.1.

Motion by Bill Withrow, second by Karen Weinstein.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

Information: 6.2 Community College Financial Statement (CCFS) 311 Q1 Report. Presenter: Vice Chancellor Johnson

Yea: Student Trustee Jordan

Action (Consent): 6.3 Community College Financial Statement (CCFS) 320 Apportionment Attendance Report (P1) FTES Update. Presenter: Vice Chancellor Johnson
Yea: Student Trustee Jordan

Resolution: Consider approval of the District's Community College Financial Statement (CCFS) 320 Apportionment Attendance Report (P1) FTES Update.

Approve Consent Agenda Items 4.1 - 4.2, 5.2, 6.1 - 6.7, 7.1 - 7.3 & 8.1.

Motion by Bill Withrow, second by Karen Weinstein.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

Information: 6.4 Community College Financial Statement (CCFS) 311A for 2017-18. Presenter: Vice Chancellor Johnson
Yea: Student Trustee Jordan

Information: 6.5 California Community Colleges (CCC) 323 Enrollment Fee Revenue Report. Presenter: Vice Chancellor Johnson
Yea: Student Trustee Jordan

Action (Consent): 6.6 Consider Ratification of the Warrant/Payment Report for the period covering January 1, 2019 through January 31, 2019. Presenter: Vice Chancellor Johnson
Yea: Student Trustee Jordan

Resolution: Approve ratification of the Warrant/Payment Report.

Approve Consent Agenda Items 4.1 - 4.2, 5.2, 6.1 - 6.7, 7.1 - 7.3 & 8.1.

Motion by Bill Withrow, second by Karen Weinstein.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

Action (Consent): 6.7 Consider Approval of Budget Transfer Report for the period covering from January 1, 2019 through January 31, 2019. Presenter: Vice Chancellor Johnson
Yea: Student Trustee Jordan

Resolution: Consider approval of Budget Transfer Report covering the period from January 1, 2019 through January 31, 2019.

Approve Consent Agenda Items 4.1 - 4.2, 5.2, 6.1 - 6.7, 7.1 - 7.3 & 8.1.

Motion by Bill Withrow, second by Karen Weinstein.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

7. CONSENT CALENDAR - FACILITIES

Action (Consent): 7.1 Consider Ratification of Change Order No. 2 for a Contract Time Extension with Maktinta Energy, Inc. for Phase 2 of the Laney College Pool Heating and Chlorination Upgrades, with no fiscal impact. Presenter: Vice Chancellor Ikharo
Yea: Student Trustee Jordan

Resolution: Ratify Change Order No. 2 for a contract Time extension with Maktinta Energy, Inc., for design services and construction management for the replacement and installation of Laney College swimming pool heating pumps, VFDs and chlorination equipment.

Approve Consent Agenda Items 4.1 - 4.2, 5.2, 6.1 - 6.7, 7.1 - 7.3 & 8.1.

Motion by Bill Withrow, second by Karen Weinstein.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

Action (Consent): 7.2 Consider Ratification of Change Order No. 3 for a Contract term time extension with Tricon Aquatics for the Laney College Pool Heaters Upgrades (Bid No. 17-18/21), with no fiscal impact. Presenter: Vice Chancellor Ikharo
Yea: Student Trustee Jordan

Resolution: Approve Change Order No. 3 for a contract term time extension with Tricon Aquatics for the Laney College Pool Heaters Upgrades (Bid No. 17-18/21), with no fiscal impact.

Approve Consent Agenda Items 4.1 - 4.2, 5.2, 6.1 - 6.7, 7.1 - 7.3 & 8.1.

Motion by Bill Withrow, second by Karen Weinstein.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

Action (Consent): 7.3 Consider Approval of a Contracted Services Agreement with Johnson Controls for the Districtwide Alarm & Detection – Monitoring Simplex 4100 Systems, in the amount not-to-exceed \$18,880. Presenter: Vice Chancellor Ikharo.

Yea: Student Trustee Jordan

Resolution: Approve a contracted services agreement with Johnson Controls for the Districtwide Alarm & Detection – Monitoring Simplex 4100 Systems from March 1, 2019 to February 28, 2021, in the amount not-to-exceed \$18,880.

Approve Consent Agenda Items 4.1 - 4.2, 5.2, 6.1 - 6.7, 7.1 - 7.3 & 8.1.

Motion by Bill Withrow, second by Karen Weinstein.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

Action: 7.4 Consider Approval of Contract with Security by Design Inc. for College of Alameda Emergency Phone Design Consultant in the amount of \$88,000. Presenter: Vice Chancellor: Ikharo

Trustee Brown suggests that we go back to our facilities master plan and we need to look at the big picture.

Trustee Napoli Abella Reiss is on board with the design and the idea but they are not working. We are carrying it forward but we're not dealing with the issue as to why it is not working. Vice Chancellor Ikharo says that several phones at Laney College are working right now and this time next week, all phones next week will be operational. At Merritt College, construction is currently in progress. This item is to do similar design for College of Alameda to contract out their own project to be done.

Trustee Napoli-Abella Reiss requested that at the next board meeting, that the Board receives confirmation that the phones are working.

Yea: Student Trustee Jordan

Approve contract for COA Emergency Phone Design between Security By Design, Inc., and Peralta Community College District in the amount Not-TO-Exceed \$88,000:00 (Eighty Eight Thousand Dollars).

Motion by Bill Withrow, second by Julina Bonilla.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

8. CONSENT CALENDAR - HUMAN RESOURCES

Action (Consent): 8.1 Consider Approval of Short-term Assignments. Presenter: Vice Chancellor Whittaker

Yea: Student Trustee Jordan

Approve Consent Agenda Items 4.1 - 4.2, 5.2, 6.1 - 6.7, 7.1 - 7.3 & 8.1.

Motion by Bill Withrow, second by Karen Weinstein.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

9. PUBLIC HEARING

Action: 9.1 Hold Public Hearing and Accept Bid and Award an Energy Conservation Service Contract to ENGIE Services for the College of Alameda LED Lighting Retrofit Project (included in RFQ/P 18-19 / 23), in the amount not-to-exceed \$1,105,450. Presenter: Vice Chancellor Ikharo and Director of Energy and Sustainability, Charles Neal
Agenda Item 9.1 was removed from the agenda

10. ACTION ITEMS

Action: 10.1 Consider Approval of Resolution 18/19-49, Accept Bid and Award an Energy Conservation Service Contract to ENGIE Services for the College of Alameda LED Lighting Retrofit Project (included in RFQ/P 18-19 / 23), in the amount not-to-exceed \$1,105,450.

Presenter: Vice Chancellor Ikharo and Director of Energy and Sustainability, Charles Neal

Agenda Item 10.1 was removed from the agenda.

Yea: Student Trustee Jordan

Action: 10.2 Consider Ratification of Amendment No. 2 to an Existing Contracted Services Agreement with PACIFIC COAST TRANE for the District-wide Scheduled Maintenance HVAC Repairs, Replacement Services and contract extension. Presenter: Vice Chancellor Ikharo
Yea: Student Trustee Jordan

Ratify Amendment No. 2 to an Existing Contracted Services Agreement with PACIFIC COAST TRANE for the District wide Scheduled Maintenance HVAC Repairs, Replacement Services and contract extension until June 30, 2019, in the amount not-to-exceed \$56, 483.00

Motion by Bill Withrow, second by Meredith Brown.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

Action: 10.3 Consider Ratification of Change Order #1/Amendment #1 with Lincoln Aquatics for the Laney College Pools Lateral Replacement Project, in the amount not-to-exceed \$2,350.
Presenter: Vice Chancellor Ikharo.
Yea: Student Trustee Jordan

Ratify Change Order #1/Amendment #1 with Lincoln Aquatics for the Laney College Pools Lateral Replacement Project, in the amount not-to-exceed \$2,350.

Motion by Meredith Brown, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

Action: 10.4 Consider Approval of Resolution 18/19-50 Declaring Results and Certifying Proceedings of Parcel Tax Election and Establishing the Citizens' Oversight Committee.
Presenter: Chancellor Laguerre

Trustee Bonilla clarified that this is not establishing the committees but rather is a formal process that we have to report back to the registrar of voters and there will be a public process that allows for the interested parties to solicit us with their intention to serve on the committee.

Yea: Student Trustee Jordan

Approve Resolution 18/19-XX Declaring Results and Certifying Proceedings of Parcel Tax Election and Appointing the Parcel Tax Citizens' Oversight Committee.

Motion by Meredith Brown, second by Karen Weinstein.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss
Not Present at Vote: Nicky Gonzalez Yuen

Action: 10.5 Consider Approval of Resolution 18/19-51 Declaring Results and Certifying Proceedings of the School Bond Election and Establishing the Citizens' Oversight Committee.
Presenter: Chancellor Laguerre

Trustee Bonilla clarified that this is not establishing the committees but rather is a formal process that we have to report back to the registrar of voters and there will be a public process that allows for the interested parties to solicit us with their intention to serve on the committee.

Yea: Student Trustee Jordan

Approve Resolution 18/19-51 Declaring Results and Certifying Proceedings of the School Bond Election and Appointing the Citizens' Oversight Committee.

Motion by Bill Withrow, second by Meredith Brown.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss
Not Present at Vote: Nicky Gonzalez Yuen

Action: 10.6 Consider Approval of Final Reading on Proposed Board Policies. Presenter: Chancellor Laguerre
Yea: Student Trustee Jordan

Approve the Final Reading on the Proposed Board Policies.

Motion by Karen Weinstein, second by Bill Withrow.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss
Not Present at Vote: Nicky Gonzalez Yuen

Action: 10.7 Consider Approval of the Planning and Budget Integration Model Annual Integrated Planning Calendar for Fiscal Year 2019-20. Presenter: Vice Chancellor Johnson
Trustee Napoli-Abella Reiss asked if the item went through participatory governance which Chancellor Laguerre said it did.

Yea: Student Trustee Jordan

Consider Approval of the Fiscal Year 2019-20 Planning and Budget Integration Model Annual Integrated Planning Calendar.

Motion by Bill Withrow, second by Meredith Brown.

Final Resolution: Motion Carries

Yea: Bill Withrow, Julina Bonilla, Linda Handy, Karen Weinstein, Meredith Brown, Cindi Napoli-Abella Reiss

Not Present at Vote: Nicky Gonzalez Yuen

11. REPORTS

Information: 11.1 Board of Trustees' Reports

Handy - attended the ACCT conference in Washington D.C. , met with Kamala Harris, mark de saulnier office, Diane Feinstein and Barbara lee's office.

12. ANNOUNCEMENTS

13. ADJOURNMENT

Action: 13.1 Meeting Adjournment