



Tuesday, September 24, 2019

REGULAR MEETING OF THE BOARD OF TRUSTEES

5:00 p.m. ACCJC Board Workshop

6:00 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_vqMRafmQFUww

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

1. CLOSED SESSION

Subject

1.1 Public Comment on Closed Session Items

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Type

Subject

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

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Type

Information

Subject

1.3 Public Employee Appointment (Government Code Section 54957)

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Type

Information

- Recommendation to appoint the Director of College Research & Planning, College of Alameda.
- Recommendation to appoint the Associate Vice Chancellor for Planning and Institutional Research, District Office.
- Recommendation to appoint the Vice President of Student Services, Merritt College.

Subject

1.4 Public Employee Evaluation

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

Type

The Board is provided respective salaries in closed session for information purposes only, if any. The Board is reminded not to discuss personnel matters outside of closed session.

- Chancellor

Subject

1.5 Public Employee Discipline/Dismissal/Release

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

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

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

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

1. CLOSED SESSION

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)), 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.
- Stanford Health Care v. Peralta Community College Dist. Pre 7/2004 Retiree Benefit Plan, Santa Clara County Superior Court case no. 19CV342458
- Herrera v. Peralta Community College District et.al, Alameda Superior Court case no. RG18932402
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (4 cases).

2. BOARD WORKSHOP - 5:00 P.M.

Subject

2.1 ACCJC Training Session. Presenter: Stephanie Droker, Accrediting Commission for Community and Junior Colleges.

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

2. BOARD WORKSHOP - 5:00 P.M.

Type

Information

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

Dr. Stephanie Droker, Senior Vice President, Accrediting Commission for Community and Junior Colleges will be conducting a workshop to the Board of

Trustees on Accreditation's Purposes, Processes, Standards and the roles and responsibilities of a governing board.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

N/A

File Attachments

[Peralta CCD Board Training.pdf \(367 KB\)](#)

[Guide-to-Accreditation-for-Governing-Boards-September-2018 .pdf \(323 KB\)](#)

[Accreditation-Standards -Adopted-June-2014.pdf \(191 KB\)](#)

3. OPEN SESSION

Subject

3.1 Call to Order

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. OPEN SESSION

Type

Procedural

Subject

3.2 Pledge of Allegiance

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. OPEN SESSION

Type

Procedural

Subject

3.3 Roll Call

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. OPEN SESSION

Type

Procedural

Subject

3.4 Report of Action Taken in Closed Session

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. OPEN SESSION

Type

Information

Subject

3.5 Approval of the Agenda

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. OPEN SESSION

Type

Action

Subject

3.6 Approval of the Minutes

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. OPEN SESSION

Type

Action (Consent), Minutes

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

No

Budgeted

No

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

3.7 Associated Student Government Reports

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. OPEN SESSION

Type

Information

Subject

3.8 Peralta Classified Senate Report

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. OPEN SESSION

Type

Information

Subject

3.9 District Academic Senate Report

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. OPEN SESSION

Type

Information

Subject

3.10 Public Communication

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. OPEN SESSION

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

3.11 Chancellor's Reports

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

3. OPEN SESSION

Type

Information

- Enrollment Update
- Facilities Update
- ASCIP presentation

File Attachments

[190924 DGS Board Update v.2a FINAL.pdf \(5,742 KB\)](#)

COA Presidents report 9-24-19.pdf (2,613 KB)

4. PRESENTATIONS

Subject

4.1 Clery Act Presentation. Presenter: Vice Chancellor Leigh Sata

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

4. PRESENTATIONS

Type

Information

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

Clery Act Reports are federally mandated annual reports submitted to the U.S. Department of Education as evidence of disclosure of Campus Security statistics to assure continued eligibility for participation in the Department's financial aid programs. An annual report is developed with the collaboration of College and District personnel.

The Clery Act has a goal to inform the public, personnel and students of the various colleges and/or universities of safety and security issues.

Peralta takes several steps to ensure the safety and security of its students and personnel. The following illustrates steps the District is taking or has taken:

- Bluelight phone system replacement, phase one: Bluelight phones were not operational at all sites. Approximately half of the phones at Laney and Merritt colleges were modernized and replaced as part of the phase one project. Phase two will include the

balance of the phones at Laney and Merritt, installation of a system at the College of Alameda, and new interior phones at Berkeley City College.

- Replacement of security cameras: Cameras are installed in various places on the campuses and the District Office. Investigations are underway for replacing and upgrading the cameras.
- Exterior Lights: The district is replacing older lighting systems on campus with new LED technology. The lights are brighter and more energy efficient.
- Safety and Security Committee: A workgroup has been created to evaluate the safety and security protocols throughout the District.
- Public safety contracts: The District contracts with the Alameda County Sheriff Office (ACSO) to provide policing services at Laney and Merritt College, and the College of Alameda. Berkeley City College is served by the Berkeley City police department. Security is augmented at all sites by a combination of ABC Security, a private security company, and the Student Safety Aide program.

Despite the efforts of law enforcement officers, certain criminal activities have taken place. In comparison to the environment around our sites, and based on the published data, however, Peralta remains a relatively safe place for students.

Several activities took place this year and are scheduled to take place this coming year in support of Peralta's safety and security efforts:

- Workshop: Presented by the Office of the Attorney General, California Department of Justice: What administrators and Adjudicators Should know About Campus Sexual Assault.
- ACSO has updated a Memorandum of Understanding, to enable the District's law enforcement to:
 - Participate in "mutual aid" as necessary
 - Assist with any crime defined under the Clery Act within the geographic definition of areas surrounding the Colleges.
- The ACSO contract was renewed for FY 2019-20 with stipulations for additional outreach to the campus communities, de-escalation tactics and cultural competency training, as requested by the Board.
- ACSO is conducting "coffee with a cop" sessions at each College as part of an outreach program.
- Peralta CCD has a compassionate practice of reserving time when homeless students can shower on campus in an effort to keep the students safe, as well as during periods of housing insecurity or homelessness. This practice is in compliance with state law.

Peralta has prioritized and will continue to prioritize items that support safety and security of our employees and students.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

Informational Only

File Attachments

[09-24-19 BOT Clery Act Overview ver1.pdf \(1,411 KB\)](#)

5. CONSENT CALENDAR - BOARD MATTERS

Subject

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

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

5. CONSENT CALENDAR - BOARD MATTERS

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

Yes

Budgeted

Yes

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
Adil Ahmed	Dallas, TX - ACCRAO	November 2, 2019 - November 6, 2019
Aja Butler	Reno, NV - 2019 ACUI Regions I & IV Joint Regional Conference	November 14, 2019 - November 17, 2019
Diane Chang	Portland, OR - NASPA Western Regional Conference	November 1, 2019 - November 5, 2019
Larry Chang	Washington, DC - 2019 NSF Advanced Technological Education Conference	October 23, 2019 - October 26, 2019
Peter Crabtree	Washington, DC - 2019 ATE National Principal Investigators' Conference	October 23, 2019 - October 26, 2019
Charles Frost	Washington, DC - 2019 ATE National Principal Investigators' Conference	October 23, 2019 - October 26, 2019

Mildred Lewis	Washington, DC - 2019 ATE National Principal Investigators' Conference	October 23, 2019 - October 26, 2019
Carla Pegas	Chicago, IL - OSAP Boot Camp	January 27, 2020 - January 29, 2020
Melissa West	Washington, DC - 2019 ATE National Principal Investigators' Conference	October 23, 2019 - October 26, 2019

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

Recommend Approval

File Attachments

[Out of State Travel approval 9-24-19.pdf \(1,793 KB\)](#)

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

5.2 Consider Ratification of Out of State Travel pursuant to Board Policy 7400. Presenter: Chancellor White

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

5. CONSENT CALENDAR - BOARD MATTERS

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

Yes

Budgeted

Yes

Name	Travel Location	Dates
Herbert Kitchen	Washington, DC - 49th Annual Legislative Conference - Congressional Black Caucus	September 11, 2019 - September 15, 2019

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

File Attachments

[Out of State Travel Ratify 9-24-19.pdf \(246 KB\)](#)

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

**5.3 Consider Approval of the Board Meeting Calendar for 2020. Presenter:
Board Clerk Brenda Martinez**

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

5. CONSENT CALENDAR - BOARD MATTERS

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

No

Budgeted

No

Consider Approval of the Board Meeting Calendar for 2020.

File Attachments

[2020 Governing Board Meeting Schedule.pdf \(66 KB\)](#)

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.

6. CONSENT CALENDAR - ACADEMIC AFFAIRS

Subject

6.1 Consider Approval of an Independent Contractor Agreement for Jack Chung to Provide Program Comprehensive Evaluation Services in the Amount of \$30,000 for the Laney Restoring Our Communities Program through the California Community College State Chancellor's Innovation Award. Presenter: President Gilkerson

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

6. CONSENT CALENDAR - ACADEMIC AFFAIRS

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

Yes

Dollar Amount

\$30,000.00

Budgeted

Yes

Budget Source

California Community College State Chancellor's Innovation Award

The California Community Colleges Board of Governors awarded \$1.1 million to Laney College to promote the institution's work with formerly incarcerated adults over the next three years. Laney was one of 11 community colleges to receive the Chancellor's Higher Education Innovation Award which totals \$20 million. The awards recognize innovations that improve student success and are sustainable and capable of being scaled across the state.

Deliverables of the Innovation Award specifies "Perform comprehensive evaluation of ROC Program". This contract will allow Laney College's Restoring Our Communities ("ROC") to provide the Comprehensive Evaluation of ROC Program, a specified deliverable of the Innovation Award. The results of the comprehensive evaluation will inform the content of the "How-to Toolkit", which is the final deliverable of the Innovation Award.

Jack Chung worked with Laney's ROC as an Evaluation Consultant during 2017-18. Mr. Chung designed and implemented the mixed methods data gathering which measured the impact of the services ROC provided on its participants. The results

of his evaluation informed ROC's decision on areas of emphasis that best meet the needs of the participants given the limited resources. Mr. Chung's Masters in Public Health and City Planning from University of California, Berkeley contributes to his program evaluation, research methodology, and data analysis expertise in social service programs such as ROC.

Deliverables and Scope of Work:

Upon completion of the contract, the following outcomes will be delivered:

1. Evaluation plan applicable to past three years, and adjustable for future years
2. Quantitative analysis of student experience
3. Qualitative analysis of student experience
4. Comprehensive findings on various program outcomes, particularly in relationship to Student Equity (now SEAP) outcomes such as: successful enrollment, retention fall to spring, completion of transfer Math and English, and vision goal completion.
5. Usable data visuals for program website and Innovation Tool-kit
6. Evaluation Report Document
7. Recommendations for change

The evaluation plan will be itemized into three phases for invoicing:

Phase 1 (October 1 – November 15, 2019): Development of Evaluation Plan and Assessments tools:

- Contractor will begin organizing existing programmatic data and develop a comprehensive evaluation plan inclusive of definition of variables, identification data sources, data collection instruments, and identification of program components to be assessed.
- Contractor will meet with program staff and director once a week to discuss development and finalization of the plan.
- Plan will be completed by the end of Phase 1

\$7,000.00 to be invoiced by contractor

Phase 2 (November 15, 2019 – March 31, 2020): Collection and Analysis of Evaluation Data:

- Contractor will begin collecting and organizing data associated with the program components to be assessed.
- Quantitative and qualitative data collection
- Compilation of data
- Analysis of data collected

\$14,000.00 to be invoiced by contractor

Phase 3 (April 1 - June 30, 2020): Compilation of evaluation data and report:

- Completion of evaluation report document
- Recommendations for improvement
- Program growth and change areas in comprehensive findings
- Contribute to the online website and innovation tool-kit with completed data visuals

\$9,000.00 to be invoiced by contractor

Anticipated Completion Date:

June 30, 2020

Evaluation and Recommended Action:

Approve the Independent Contractor Agreement with Jack Chung to provide comprehensive evaluation services in the amount of \$30,000 for the Laney Restoring Our Communities Program.

File Attachments

[Chung, Jack DOCS 09-04-19.pdf \(1,142 KB\)](#)

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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

6.2 Consider Approval of an Independent Contractor Agreement for Design Action Cooperative Inc. d/b/a Design Action Collective to Provide Design Services for Program Literature and Collateral in the Amount of \$50,000 for the Laney Restoring Our Communities Program through the California Community College State Chancellor's Innovation Award. Presenter: President Gilkerson

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

6. CONSENT CALENDAR - ACADEMIC AFFAIRS

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

Yes

Dollar Amount

\$50,000.00

Budgeted

Yes

Budget Source

California Community College State Chancellor's Innovation Award

The California Community Colleges Board of Governors awarded \$1.1 million to Laney College to promote the institution's work with formerly incarcerated adults over the next three years. Laney was one of 11 community colleges to receive the Chancellor's Higher Education Innovation Award which totals \$20 million. The awards recognize innovations that improve student success and are sustainable and capable of being scaled across the state.

Deliverables of the Innovation Award specifies developing a "how-to guide or toolkit that can be shared with others who want to implement this innovation." The contract with Design Action Collective will integrate the innovative practices into the toolkit as well as improve ROC website and update ROC literature.

Design Action Collective is an independent design and communications worker-owned cooperative. Design Action Collective, established since 2002, offers graphic design services to non-profit, grassroots, and activist organizations under the same roof as its print shop. Design Action Collective also provides web and other online services, as well as strategic visual communications. Design Action Collective is a union shop, affiliated with the Pacific Media Workers Guild, Communication Workers of America, AFL-CIO. Design Action Collective is also active members of Grassroots Global Justice, the Network of Bay Area Worker Cooperatives, and the U.S. Federation of Worker Cooperatives.

Deliverables and Scope of Work:

Upon completion of the contract, the following outcomes will be delivered:

Phase 1: Sep-Dec 2019

- Logo Refresh \$5,000
- Style Guide \$2,000
- Brochure Refresh \$1,500
- Brochure Printing (1000 pieces) and Delivery \$1,000
- Toolkit data graphic/illustrations (7 total) \$7,000

Phase 2: Feb-May 2020

- Toolkit Development (3 concepts, 4-6 rounds of revisions) \$12,000
- Photography services and coordination \$2,500
- WordPress website creation (Intake, wireframing, rounds) \$10,000

Phase 3: Jun-Dec 2020

- Toolkit Refinement/Finalizing (Final round, files to printer, web files to client) \$3,000
- Toolkit Printing and Delivery including coordination w/ printer (400 pieces) \$4,000
- WordPress website training (for client to do their own updates) \$2,000

Total: \$50,000

Anticipated Completion Date:

December 31, 2020

Evaluation and Recommended Action:

Approve the Independent Contractor Agreement with Design Action Collective to provide design services for program literature and collateral in the amount of \$50,000 for the Laney Restoring Our Communities Program.

File Attachments

[DAC Docs 09-04-19.pdf \(1,406 KB\)](#)

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Subject

6.3 Consider Approval of Focus EduVation Instructional Design Services contract in an amount not-to-exceed \$360,000. Presenter: President Karas

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

6. CONSENT CALENDAR - ACADEMIC AFFAIRS

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

Yes

Dollar Amount

\$360,000.00

Budgeted

Yes

Budget Source

Improving Online CTE Pathways grant

Goals

D: Strengthen Accountability, Innovation and Collaboration

C: Build Programs of Distinction

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

The Online CTE Pathways Grant from the State Chancellor's Office is a one-year grant ending in June 2020. As part of the grant application CoA proposed utilizing an outside company to ensure grant deliverables can be met on the short time span (1 year) of the grant. This is a critical path item for the completion of the grant objectives. The company will work in tandem with CoA faculty to develop CE online courses.

Focus EduVation has the capacity to deploy a team of Twenty-Nine (29) in-house professionals to execute this project and deliver the required online courses by end of June 2020. The project team shall be comprised of professionals experienced in similar online program development projects. The above team structure shall ensure an effective online course development project execution for College of Alameda. Focus EduVation's project team composition for College of Alameda has proven ability to work together toward a common vision.

Focus EduVation has the experience and the ability to meet deadlines and deliver quality products. With judicious use of project planning and best practices in the industry, it can develop and deliver as many as 195 to 225 courses in a calendar year. The process entails the presence of a robust in-house design and development team consisting of qualified and experienced instructional designers, visualizers, course developers/programmers, graphic designers, animators, and QA professionals. Focus EduVation also has a bench staff strength of 22 percent, as additional resources for every project.

Deliverables and Scope of Work: See Exhibit A –Operational Document, for detailed description.

Deliverables and Scope of Work:

Areas of emphasis for the proposed project:

- to improve the quality of existing online certificates, credentials or programs
- to fill gaps in existing on-ground certificates, credentials or programs
- to support students staying on their existing academic pathways

Focus EduVation Scope of Work- Grant Funded: (Details in Exhibit A)

- - Complete the development of 17 new online CTE courses and update 2 existing hybrid or online CTE courses.
 - Orient participating faculty to the process of creating and/or enhancing online curricula including the use of simulations, embedded multimedia and adaptive learning.
 - Create a workflow and timeline for the completion of online courses.
 - Collaborate with COA faculty to determine the content of the online courses and create the courses.

- Develop templates to be used by faculty to convey information and design decisions to the designers, who will iteratively build the courses and integrate feedback from faculty.
- Provide expertise in online instructional innovation including use of simulation, embedded multimedia, and adaptive learning as faculty serve as experts in the course content. In all cases, the CVC-OEI Course Design Rubric will be used as a resource to inform quality online instruction.
- In Preparation for the course Launch Phase, Focus Eduvation will integrate new and updated courses into the Canvas Learning Management System (LMS), with faculty continuing to provide feedback and recommendations for improvements made by the design firm.

Anticipated Completion Date:

June 30, 2020

Evaluation and Recommended Action:

The **College of Alameda** has evaluated the deliverables to date for Focus Eduvation and found them to be satisfactory.

The Chancellor recommends approval.

File Attachments

[EduVation College of Alameda and FEV-EDJLast \(Clean\).pdf \(182 KB\)](#)

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7. CONSENT CALENDAR - FINANCE

Subject

7.1 Consider Approval of the Amended and Restated Agreement with Backstrom McCarley Berry & Co., LLC and Public Financial Management Inc. for Three Years for the Provision of Financial Advisory Services and Support relating to the District's General Obligation Bond, OPEB Bond and

**Parcel Tax Matters in an Aggregate Amount Not to Exceed \$409,000.
Presenter: Vice Chancellor Harrison**

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

7. CONSENT CALENDAR - FINANCE

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

Yes

Dollar Amount

\$409,000.00

Budgeted

Yes

Budget Source

General Bonds, OPEB Bonds or General Fund, as applicable

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

The Administration conducted an informal Request for Proposal (RFP 17-18/25) for financial advisors with skills and knowledge in ballot measures, bond funded capital programs, parcel tax and bond financing. Three (3) firms were contacted. An evaluation committee was established to assess the bid proposals using the best value procurement process permitted by the California Public Contract Code. Each proposal was evaluated based on the following criteria: vendor's experience, price for services, small local business enterprise status and references, all of which were defined in the RFP. A formal interview was also conducted with each of the three (3) firms to better assess their skills and ideas and the support that they could provide to the District.

Following those interviews, it was determined that it would be beneficial both financially and strategically to have Backstrom McCarley Berry & Co., LLC ("Backstrom") and Public Financial Management Inc. ("PFM") serve together as Co-Financial Advisors to the District. The Board of Trustees approved the agreement with Backstrom and PFM for these Co-Financial Advisor services at its meeting on March 27, 2018. Based on the services provided and the skills and experience of Backstrom and PFM, their Co-Financial Advisor Services were subsequently amended to include serving as municipal advisor to the District in connection with all of its outstanding, and to be issued, general obligation bonds. The amended agreement reflecting these additional services was approved by the Board at its September 25, 2018 meeting.

Based on this team's collective support, quality of service and breadth of knowledge, the administration has determined to subsequently amend and restate the agreement with the Co-Financial Advisors to increase their scope of services to include also serving as the District's municipal financial advisor in connection with its outstanding OPEB Bonds, as described below.

Vincent McCarley is the Chief Executive Officer of Backstrom. The firm's headquarters is located at 115 Sansome Street, San Francisco, CA 94104 and has several offices throughout the nation, including one located in Oakland, California. Backstrom is a minority owned, small business enterprise certified by the State of California as a Disadvantaged Business Enterprise. David Olson is a Director in PFM's San Francisco office. PFM has several offices throughout the nation, including a San Francisco office which is located at 50 California Street, Suite 2300, San Francisco, CA 94111. Public Financial Management.

Deliverables and Scope of Work:

The Co-Financial Advisors scope of services will continue to include:

- a. Providing the District with expert financial advice and assistance on deciding the feasibility of bond and parcel tax matters, financing techniques and options on matters pertaining to structuring a general obligation bond program, sizing of the bond program, reviewing the Facilities Master Plan and bond funded projects and debt service scenarios.
- b. Providing the District with available financing options by conducting studies and analyses to determine the most appropriate and cost-effective financing terms and methods. Financing options and accompanying studies and analyses shall be presented to the District within an agreed upon timeline.
- c. Working cooperatively and coordinate the work with bond counsel and other consultants, selected by the District, in connection with the election authorizing the bonds and the issuance and sale thereof, as well as the election authorizing a parcel tax.
- d. Having representatives present at meetings, when requested or notified, on matters concerning financing techniques and bond issues.
- e. Preparing other analyses that may be utilized by the District in connection with these activities; foster project financial management and planning with the purpose of improving bond program management practices.
- f. Reviewing and making recommendations for updating the District's debt policy, bond reserve policy and other bond-related financial policies.
- g. Providing staff training on project and bond spend planning and tracking.
- h. Assisting the District in their initial and annual filing required under newly enacted California SB1209, if requested.
- i. Serving as a periodic resource to the District's bond oversight committee (as requested).
- j. Developing and implementing a credit and rating agency strategy on behalf of the District, to the extent desired by the District.
- k. Performance of such functions as requested by the District normally contemplated to be within the scope of qualified municipal financial advisor relating to all outstanding and to be issued (refunding and new money) 1992 Election Measure B, 1996 Election Measure A, 2000 Election Measure E, 2006 Election Measure A, and 2018 Election Measure G.

In addition, their services will also include:

1) Reviewing current OPEB program, recommend potential changes, assist in implementing such changes, deliver status reports as appropriate or as desired by District.

2) Interfacing and managing relationship with investment advisor, swap advisor, counterparties, letter of credit bank (or other credit enhancement providers), remarketing agent, trustee, bond counsel, and other OPEB bond service providers.

3) Providing reports, as requested to the District, and OPEB Board.

4) Engaging as subcontractor a Qualified Independent Representative (QIR) as defined under Dodd-Frank for representation with swap counterparties, quarterly mark to market (or as needed) valuations, and derivative strategies.

4) Assisting the District in their annual continuing disclosure filing requirement and related material event disclosures in compliance with securities laws and regulations (that are made known to the Co-Financial Advisors).

The not-to-exceed fees associated with these services are as follows:

	<u>1st 12-mos⁽²⁾</u>	<u>2nd 12-mos</u>	<u>3rd 12-mos⁽³⁾</u>
GO Bonds and Parcel Tax Retainer⁽¹⁾	\$40,000	\$35,000	\$35,000
Continuing Disclosure and Annual Reporting	3,000	3,000	3,000
OPEB Bonds Retainer⁽¹⁾	90,000	70,000	70,000
QIR Subcontractor	<u>20,000</u>	<u>20,000</u>	<u>20,000</u>
	\$153,000	\$128,000	\$128,000

(1) Fees related to an actual bond issuance are not included in these numbers and would be presented for approval by the Board in connection with the approval of such bond transaction.

(2) 1st 12 mos for the GO Bonds /Parcel Tax Retainer began December 2018 and 1st 12 mos for the OPEB Bond Retainer and the QIR Subcontractor began June 2019.

(3) If the Agreement ends in the middle of a 12 month period, these amounts would be pro-rated.

Anticipated Completion Date:

The term of the original agreement began on February 1, 2018 and expires January 31, 2021. The District (at its sole discretion) has the option to extend the agreement for two (2) additional one (1) year periods.

Evaluation and Recommended Action:

The District's has evaluated the deliverables to date for Backstrom McCarley Berry & Co., LLC and Public Financial Management Inc. and found them to be satisfactory.

The Chancellor recommends approval.

File Attachments

[BMcB PFM FA Scope of Services Peralta Community College District 190828 Amended and Restated.pdf \(232 KB\)](#)

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

7.2 Consider Approval of Contract for Bond Counsel Services by Orrick, Herrington & Sutcliffe in connection with the District's Bonds. Presenter: Vice Chancellor Harrison

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

7. CONSENT CALENDAR - FINANCE

Type

Action

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

Yes

Dollar Amount

\$120,000.00

Budgeted

Yes

Budget Source

General Obligations Bonds and OPEB Bonds, as applicable

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

In 2014, Peralta Community College District solicited requests for qualifications from firms to provide Bond Counsel services for its General Obligation Bond program and Other Post-Employment Benefit (OPEB) Bonds. The RFQ was sent to a broad range of law firms (20) and the District received responses from 6 firms.

In terms of breadth and depth of experience for Bond Counsel responsibilities, Orrick, Herrington & Sutcliffe LLP ("Orrick") stood out with across the board experience with all types of municipal obligations in California, including general obligation bonds, bond anticipation notes, tax and revenue anticipation notes and pension obligation bonds, as well as significant expertise in connection with swaps and the provision of general securities and municipal tax advice. The committee recommended Orrick as Bond Counsel and Orrick, Herrington & Sutcliffe has been serving the District in this capacity since that time. The District desires to continue its engagement with Orrick as Bond Counsel.

Deliverables and Scope of Work:

1) As Bond Counsel to the District, Orrick's ongoing services will include, but are not limited to, providing training for District staff, ongoing programmatic advice, ballot measure and document interpretation, support and guidance relating to the citizen oversight committees, guidance on how events at the District may affect the bond program, including, but not limited to, whether an event may require disclosure to the market, and such other counsel as the District may require separate from the bond issuance-specific services described below. Such ongoing services will be performed only as requested by the District, and Orrick will bill the District at its then current hourly rate not to exceed \$60,000 per fiscal year.

2) In connection with each bond issuance, Orrick's Bond Counsel services will include, but not be limited to:

a) consultation with representatives of the District, the District's financial advisors, the underwriter and underwriter's counsel concerning each proposed financing and its timing, terms and structure, including the rendering of legal advice with respect to the proceedings deemed necessary or desirable to comply with all requirements of law related to the authorization, issuance and sale of the bonds;

b) attendance at the meeting of the Board of Trustees of the District at which the Bonds are authorized and approved, attend working group meetings or conference calls as the

District may reasonably request, and assistance to District staff in preparation of such explanations or presentations to the Governing Board as such staff may reasonably request;

c) preparation of the resolution of the Governing Board requesting the County to issue Bonds on its behalf, or preparation of the resolution of the County directing County officers to issue and sell the Bonds;

d) preparation of any paying agent agreement, indenture, supplements, bond purchase agreement or other requisite bond documents;

e) reviewing materials submitted to ratings agencies and participating in meetings with ratings agencies at the District's request;

f) review or preparation of summaries of the Bonds and the Bond resolutions included in the official statement; and

g) preparation of final closing papers required to effect delivery of the Bonds (including the tax certificate and requisite opinions) and coordination of the closing.

Orrick's fees for such service will turn on the type and complexity of the bond issuance, as further described in its Bond Counsel agreement, attached to this item. The exact fees and expenses related to a bond issuance will be presented and approved by the Board in connection with such bond issuance, will be conditioned upon the sale and closing of the related bond issuance and will be paid from the cost of issuance of such bonds. **Such fees and expenses are not reflected in the dollar amount for this agenda item.**

Anticipated Completion Date:

The Agreement will expire June 30, 2022. The District has the right to discontinue legal services at any time.

Evaluation and Recommended Action:

The District has evaluated the deliverables to date for Orrick, Herrington & Sutcliffe LLP and found them to be satisfactory.

The Chancellor recommends approval.

File Attachments

[Agreement for Legal Services - Peralta CCD \(Bond Counsel Only\) PCCD edits 20190920.pdf \(128 KB\)](#)

Subject

7.3 California Community Colleges (CCC) 323 Enrollment Fee Revenue Report. Presenter: Vice Chancellor Harrison

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

7. CONSENT CALENDAR - FINANCE

Type

Information

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

The Peralta Community College District's California Community Colleges (CCC) 323 Enrollment Fee Revenue Report is presented for information purposes.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

N/A

File Attachments

[Actual Enrollment Fee Revenue Report 323 091519 Recalculation.pdf \(479 KB\)](#)

Subject

7.4 Consider Approval of a Pool of Law Firms for Disclosure Counsel Services for District Bond and Municipal Debt Financings. Presenter: Vice Chancellor Harrison

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

7. CONSENT CALENDAR - FINANCE

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

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

In 2014, Peralta Community College District solicited requests for qualifications from firms to provide Disclosure Counsel services in connection with its General Obligation Bond program and its Other Post-Employment Benefit (OPEB) bonds. The RFQ was sent to a broad range of law firms (20) and the District received responses from 6 firms.

The RFQ review committee determined that 3 firms, Orrick Herrington & Sutcliffe LLP (who also serves as the District's bond counsel), Norton Rose Fulbright LLP and Nixon Peabody LLP, demonstrated strong capabilities and community college experience and selected them to provide disclosure counsel services to the District, if and as requested. The District desires to re-approve these firms for disclosure counsel services.

Deliverables and Scope of Work:

If selected to from the pool to provide disclosure counsel services in connection with a bond issuance, the law firm's services would include, but not be limited to, preparation of the applicable preliminary official statement and official statement for the bonds and preparation of the continuing disclosure agreement to be entered into in connection with the issuance of the bonds. In addition, one of the law firm's may be called upon to provide other bond disclosure-related services in connection with the District's obligations under federal securities law related to its outstanding bonds, such as training of District personnel regarding disclosure (primary and continuing) obligations and assisting with annual disclosure reporting obligation and event notice preparation and filings. The District will invite the firms to provide responses to request for quotes for in connection with bond financings or disclosure-related services when the need arises.

The fees for these services will turn on the type and complexity of the bond issuance or project and will be subject to negotiation with the Chancellor and/or Vice Chancellor of Finance and Administration. All projects in the amount of \$25,000 or more will require Board approval. In addition, the exact fees and expenses related to a bond issuance will be presented and approved by the Board in connection with such bond issuance, will be conditioned upon the sale

and closing of the related bond issuance and will be paid from the cost of issuance of such bonds.

Anticipated Completion Date:

The pool will be ongoing for 3 years, ending June 30, 2022.

Evaluation and Recommended Action:

The District has evaluated the deliverables to date for Orrick, Herrington & Sutcliffe LLP and Nixon Peabody LLP and found them to be satisfactory. (It has not yet had an opportunity to engage Norton Rose Fulbright).

The Chancellor recommends approval.

File Attachments

[Nixon Peabody Peralta CCD Disclosure Counsel Qualifications.pdf \(272 KB\)](#)

[Norton Rose Fulbright PCCD Disclosure Counsel Services.pdf \(3,181 KB\)](#)

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.

8. CONSENT CALENDAR - FACILITIES

Subject

8.1 Consider Approval of Amendment #1 to an Independent Consultant Agreement for Professional Services With Amy Skewes-Cox Environmental Consulting to Grant a Time Extension and Increase Funding for the CEQA Services for the Merritt College Child Care Center. Presenter: Vice Chancellor Sata.

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

8. CONSENT CALENDAR - FACILITIES

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

Yes

Dollar Amount

\$6,140.00

Budgeted

Yes

Budget Source

Measure A

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

At the regular Board of Trustees Meeting on January 22, 2019, Amy Skewes-Cox Environmental Consulting was approved as the apparent low bidder and awarded the CEQA consultant contract for the Merritt College Child Care Development Center Modernization. Due to a change in the project location, a contract fee increase of \$6,140 is requested. In addition, a contract time extension from July 6, 2019, to June 30, 2020, is also needed.

The not-to-exceed amount of this Amendment No.1 is \$6,140 which results in a total contract price of \$91,193.

Contract Summary		
Original Contract	\$85,053	Board Approved: January 22, 2019
Amendment No. 1	\$6,140	Pending: September 24, 2019
Total	\$91,193	

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

Amy Skewes-Cox

Environmental Planning

P.O. Box 422

Ross, CA 94957

(415) 203-0454

amysc@rtasc.com

Deliverables and Scope of Work:

A comprehensive California Environmental Quality Act Report for the newly constructed Merritt College Child Care Development Center. The final report requires 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

Anticipated Completion Date:

June 30, 2020

Evaluation and Recommended Action:

The Administration has reviewed the current services being provided from this vendor and has recommended approval of the extension of the contract term and the increase in compensation for services provided by Amy Skewes-Cox Environmental Planning. After review by Director of Facilities Planning and Development, Vice Chancellor of General Services and Vice Chancellor of Finance, the Chancellor recommends approval for the time extension and increase in compensation in the amount of \$6,140.

File Attachments

[PSDGS - Amy Skewes-Cox Environmental \\$85,053.00 \(FW approved 5-7-19\) 3444696 1\(DMS\).PDF \(3,833 KB\)](#)

[Amy Skewes-Cox Amendment 1 Independent Consulting Agreement \(DWK.9.12\).pdf \(27 KB\)](#)

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.

9. CONSENT CALENDAR - HUMAN RESOURCES

Subject

9.1 Consider Approval of Short-term Assignment. Presenter: Vice Chancellor Whittaker

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

9. CONSENT CALENDAR - HUMAN RESOURCES

Type

Action (Consent)

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.

Ross, Lakesha, Instructional Assistant III/DSPS, Merritt College, up to 30 hours per week, not to exceed 184 working days through June 30, 2020. Hire to provide reasonable accommodation for staff member in Counseling Department.

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.

10. ACTION ITEMS

Subject

10.1 Consider Appointment of Members to the Parcel Tax Measures Oversight Committee and Re-Open the Application Period to Accept Additional Applications for the Committee. Presenter: Vice Chancellor Harrison

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

10. ACTION ITEMS

Type

Action

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

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

In 2006 and 2012, District voters adopted Measure A (bond measure) and Measure B (parcel tax measure). In 2018, District voters adopted Measure G (bond measure) and Measure E (parcel tax measure.) All of these measures required establishment of oversight committees. Previously, the Board adopted “Resolution 18/19-42 Regarding Constitution, Membership, and Duties of Measure Oversight Committees.”

Resolution 18/19-42 created a Bond Measures Oversight Committee and a Parcel Tax Measures Oversight Committee. It also indicated that the terms of the current members of the existing oversight committee would end on March 15, 2019, but that such members could seek reappointment to either/both of the newly established committees.

The District received five applications for the Parcel Tax Measures Oversight Committee. This includes the applications of three prior oversight committee members, Debra Weintraub, Oscar Porter, and Zac Unger, seeking to be re-appointed to the Parcel Tax Measures Oversight Committee. Additionally, the District received applications of Aisha Jordan and Bernard Ayanruoh for initial appointment to the Committee.

Oscar F. Porter[^]

Zac Unger^{^^}

Debra Weintraub^{^^}

Bernard Ayanruoh

Aisha K.L. Jordan

[^] - May serve until 2023 pursuant to term limits.

^{^^} - May serve until 2021 pursuant to term limits.

The applications of these individuals are attached. The District recommends acceptance of these applicants as members of the Committee. As the Parcel Tax Measures Oversight Committee Bylaws require staggered terms for the initial appointments, once the Committee is appointed, the Chancellor shall assign the initial terms by lot to the members so that the end date of the initial term (either February 28, 2020 or February 28, 2021) will be staggered.

The Parcel Tax Measures Oversight Committee Bylaws indicate that the Committee is to consist of at least seven members. As the District has only received five applications to date, it is recommended that the Board re-open the application period to accept additional applications for the Committee.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

The Chancellor recommends appointment of these applicants as members of the Parcel Tax Measures Oversight Committee and to re-open the application period to accept additional applications for the Committee.

Subject

10.2 Consider Appointment of Members to the Bond Measures Oversight Committee and Re-Open the Application to Accept Additional Applications for the Committee. Presenter: Vice Chancellor Harrison

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

10. ACTION ITEMS

Type

Action

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

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

In 2006 and 2012, District voters adopted Measure A (bond measure) and Measure B (parcel tax measure). In 2018, District voters adopted Measure G (bond measure) and Measure E (parcel tax measure.) All of these measures required establishment of oversight committees. Previously, the Board adopted "Resolution 18/19-42 Regarding Constitution, Membership, and Duties of Measure Oversight Committees."

Resolution 18/19-42 created a Bond Measures Oversight Committee and a Parcel Tax Measures Oversight Committee. It also indicated that the terms of the current members of the existing oversight committee would end on March 15, 2019, but that such members could seek reappointment to either/both of the newly established committees.

The District received nine applications for the Bond Measures Oversight Committee. Pursuant to state law and the Bond Measures Oversight Committee Bylaws, the Committee shall have at least seven members. The members of the Committee need to include one member who represents each of five categories as well as two at-large members.

The categories and applicants are summarized below:

Representation	Minimum Members Required	Applicant Name
Business Organization	1	Eddie R. Dillard Yusef Herbert
Senior Citizen's Organization	1	Andrea Dawson
Taxpayer Organization	1	Marcus Crawley
Student Enrolled in District and Active in Community College Group	1	Ariana Brown

Community College Supporter (Advisory Council or Foundation)	1	None
At-Large Member	2	Andrea Dawson Jeffrey Heyman Kevin Jenkins Patricia Ellis

The Board may appoint more than the required number of members to any slot or the Committee as a whole. Additionally, any applicant for a specific slot on the Committee may also be considered for appointment as an “at-large member.”

The applications of these individuals are attached. The District recommends acceptance of all of these applicants as members of the Committee. As the Bond Measures Oversight Committee Bylaws require staggered terms for the initial appointments, once the Committee is appointed, the Chancellor shall assign the initial terms by lot to the members so that the end date of the initial term (either February 28, 2020 or February 28, 2021) will be staggered.

As the District has not received any applications for the “Community College Supporter” member, it is recommended that the Board re-open the application period to accept applications, especially for that slot.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

The Chancellor recommends appointment of these applicants as members of the Bond Measures Oversight Committee and to re-open the application period to accept additional applications for the Committee.

Subject

10.3 Consider Ratification of Contract Agreement with Parking Concepts, Inc. in the amount not to exceed \$425,000.00 for Parking for Berkeley City College's Faculty, Staff, Administrators and Certain Guests. Presenter: President Tomaneng

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

10. ACTION ITEMS

Type

Action (Consent)

Preferred Date

Sep 10, 2019

Absolute Date

Sep 10, 2019

Fiscal Impact

Yes

Dollar Amount

\$425,000.00

Budgeted

Yes

Budget Source

Unrestricted General Fund

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

Berkeley City College currently pays for monthly parking at a rate of \$210 per person for ninety-four full-time employees. In addition, throughout the year, the College pays for daily parking for part-time instructors (approximately 200) along with guest speakers/lectures, art models, interpreters and other guests conducting business related to the college. The cost of daily parking for part-time instructors and guests range from \$17K to \$21K monthly. To lessen cost, BCC negotiated a lower maximum daily rate of \$16 down from the prior discount of \$19 and the market rate of \$23. Further reductions will be achieved by having district-wide personnel pay for their parking and seek reimbursement from their respective campuses/the District.

Deliverables and Scope of Work:

Provide daily parking to Berkeley City College Faculty, Staff, Administrators and guests.

Anticipated Completion Date:

June 30, 2020

Evaluation and Recommended Action:

Approve contract with Parking Concepts, Inc. in the amount not to exceed \$425,000.00 for daily parking to Berkeley City College Faculty, Staff, and Administrators.

The College has evaluated the deliverables to date for Parking Concepts, Inc. and found them to be satisfactory.

The Chancellor recommends approval.

File Attachments

[ICC #18907 Parking Concepts, Inc.pdf \(1,453 KB\)](#)

All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

Subject

10.4 Consider Approval for Laney College to Accept the Advanced Manufacturing Regional Director Grant of \$200,000 from the State of California Community Colleges Chancellor's Office. Presenter: President Gilkerson

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

10. ACTION ITEMS

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

No

Dollar Amount

\$200,000.00

Budgeted

Yes

Budget Source

California Community College Chancellor's Office. Economic and Workforce Development Program funding.

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

This Regional Director grant is part of the Chancellor's Office statewide career education program to have experts working on industry and K-12 engagement within specific sectors. The grant is to be used to coordinate and collaborate regionally, and to develop effective sector partnerships with employers, regional consortium, community colleges, high schools, ROPs, Workforce Development Boards (WDB's), and other regional organizations to ensure a skilled workforce in support of the regional economy and industry sector and to establish career pathways for the regional community into those regional economies.

The grantee will support and improve regional workforce training within the sector (advanced manufacturing) for entry level and incumbent workers; and partner with regional employers, community colleges, high schools and Regional Occupation Centers and Programs (ROCPs) on curriculum and certificate development and program alignment, and offering contract education, credit, and non-credit training.

Laney College has been awarded the Advanced Manufacturing Regional Director (RD) grant for a seventh year. This \$200,000 grant is for 2019-20 (July 1, 2019 – September 30, 2020). The grant is part of the Chancellor's Office Strong Workforce Program and is used to hire a regional director to coordinate workforce development activities within the advanced manufacturing sector for the Bay Area community colleges. The regional director position is hosted at Laney College. Note that this grant was formerly known as a Deputy Sector Navigator grant.

Laney College benefits from close collaboration with the Regional Director, from events that are hosted at Laney, and from industry relationships leveraged for the benefit of the college.

Deliverables and Scope of Work:

1. The Regional Director will work collaboratively in a network comprised of the statewide sector navigator and other Regional Directors within the sector. The Regional Director will work collaboratively with the Chair and/or Co-Chairs of the Regional Consortia to align the needs of sector employers with the program and curriculum offered by colleges within the regional consortium. Additionally, the Regional Director will work with the Regional Consortium, and individual colleges within the region offering courses and programs within the sector, to develop faculty collaboratives, connect programs and employers, and promote and strengthen curriculum and program alignment.

2. The Regional Director will work with employers, industry and labor organizations, and Workforce Investment Boards within the region to determine gaps in the workforce; promote integration of workforce training and employment; strengthen

programs within the sector at regional colleges and high schools; provide incumbent worker training; promote opportunities for contract education and faculty professional growth; and thereby, promote and support growth of the sector within the regional economy.

3. Gaps within the workforce will be identified and prioritized and strategies developed and implemented using SB 1402 funding. Examples of strategies to address workforce gaps include: creating community collaboratives, professional development opportunities, curriculum development, articulation of curriculum in a career pathway, career lattice, or in a system of stackable credentials, career guidance module development, seminars, workshops, and collaboration between faculty, with an outcome of integrating the needs of employers and addressing within the curriculum and programs the job skills and competencies required for employment and advancement.

4. The Regional Director will work with representatives of business, labor, and professional trade associations to develop and implement courses and programs to train incumbent workers in the regional industry sector. A key objective is to enable incumbent workers to become more competitive in their region's labor market, increase competency, and identify career pathways to economic self-sufficiency. Sector strategies may be implemented using articulated career pathways or career lattices and a system of stackable credentials. Curriculum can be offered through a variety of methods including credit, non-credit, or contract education depending on the needs of the employer.

5. The Regional Director will collect and report data on all required accountability measures working with common metrics and accountability measures.

Anticipated Completion Date:

The grant is for the period July 1, 2019 – September 30, 2020

Evaluation and Recommended Action:

Approve Laney College to accept the Advanced Manufacturing Regional Director Grant from the California Community College Chancellor's office.

File Attachments

[DSN.Adv Mfg \(Bay Area\).2019-20.Workplan & Budget.Appendix B DSN Project Application.SIGNED.pdf \(256 KB\)](#)

All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

Subject

10.5 Consider Approval of an Industry Specific Projects-In-Common (ISPIC) Grant for Advanced Manufacturing at Laney College from the California Community College Chancellor's Office in the Amount of \$131,000. The advanced manufacturing Regional Director (hosted at Laney) will coordinate the use of these funds to implement statewide improvements in manufacturing programs throughout the state. Presenter: President Gilkerson

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

10. ACTION ITEMS

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

No

Dollar Amount

\$131,000.00

Budgeted

Yes

Budget Source

California Community Colleges Chancellor's Office Industry Specific Projects-In-Common (ISPIC) Grant

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

Laney College has been awarded a grant of \$131,000 from the CCCCCO Workforce and Economic Development Division's Industry Sector Projects-In-Common (ISPIC) grant. ISPIC funds are grants offered by the Chancellor's Office to assist colleges throughout the state collaborate on projects of common interest related to workforce development.

For this ISPIC grant, the Advanced Manufacturing Sector team, consisting of the Regional Directors (RD's) and Sector Director in Advanced Manufacturing will work with the Bay Area RD (hosted at Laney College) to facilitate this project. This grant will specifically be used to support colleges throughout the state in implementing National Institute of Metalworking Skills (NIMS) accreditation and the American Welding Society's (AWS) online educational library, as well as develop internships in the manufacturing sector.

Deliverables and Scope of Work:

The Advanced Manufacturing Sector (AMS) Team consists of:

Regional Directors

Mark Martin Bay Area

John Schmidt Far North

Michael Bell Greater Sacramento

Alan Braggins Inland Empire / Desert

Marlene Swider Orange County

Ruishan Chow San Diego & Imperial Counties

Michael Bastine South Central Coast

Sector Director position currently vacant

The AMS team outlined three main deliverables for the 2019-20 ISPIC. The main deliverables of this ISPIC grant are:

1) Implement National Institute of Metalworking Skills (NIMS) in college machining programs

<https://www.nims-skills.org/accreditation>

The grant will provide funds (\$2500/college) for CA community colleges to go through the NIMS accreditation process, and to implement NIMS credentialing for their students. The goal is to have up to fifteen colleges begin the NIMS accreditation process by June 2020. It is planned that Laney College will receive funding for NIMS testing for student credentialing.

2) Implement the American Welding Society's (AWS) online educational library

<https://www.aws.org/education/page/online-educational-library>

The grant will provide funds for CA community colleges to implement the AWS online educational library. The goal is to have up to eighteen colleges implement the AWS library by June 2020. The cost for the AWS library is \$3700/college for 2 years of access by students. It is planned that Laney College will receive funding for Welding's online AWS library.

3) Internships for students in manufacturing programs.

The grant will be used to support part-time internships with manufacturing companies throughout the state while students are attending college classes. The AMS team will work with faculty at colleges throughout the state to identify interested manufacturing students to place in part-time internships. Advanced Manufacturing DSN's will work in collaboration with manufacturing companies throughout the state needing assistance in the fields of Industrial Maintenance, Industrial Automation, Machining, Welding, Electronics etc. It is anticipated that Laney students will benefit from participation in funded internships.

The target is to place up to ten interns in paid, part-time internships during Spring semester for up to 150 hours. ISPIC funds would be used to reimburse the companies for up to 50% of their costs - not to exceed \$1500.

4) Work-based learning activities.

The grant will support schools throughout the state (a total of \$5000 - \$10,000 for all schools) to promote work-based learning activities related to manufacturing – such as tours of manufacturing facilities.

Note: One-to-one match is required to access the ISPIC funds. Strong Workforce Program funds and other funds from the various colleges receiving support will be used as a match along with in-kind contributions from industry.

Anticipated Completion Date:

The grant covers the period from September 1, 2019 to June 30, 2020.

Evaluation and Recommended Action:

Approve acceptance of an Industry Specific Projects-In-Common (ISPIC) grant for Advanced Manufacturing at Laney College from the California Community College Chancellor's Office in the amount of \$131,000.

File Attachments

[PRELIM.ISPIC - Advanced Manufacturing Sector \(2019-20\).pdf \(97 KB\)](#)

All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

Subject

10.6 Consider Approval of Legal Services in the Aggregate Amount of \$375,000 with Certain Law Firms for Fiscal Year 2019-2020. Presenter: Chancellor White

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

10. ACTION ITEMS

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

Yes

Dollar Amount

\$375,000.00

Budgeted

Yes

Budget Source

General Fund

Background/Analysis:

PCCD relies on external counsel for legal services and support. The District utilizes several law firms to assist the District with general and specialized legal matters as they arise. The firms listed below have been providing legal services to the District for some time, and the Chancellor is recommending continued support from these firms. The Board is asked to consider re-approval of the legal service agreements for the firms listed below.

Legal services are provided to the campus and district administrators and offered as a centralized service. Upon request from college/district office administrators, the firms provide legal services, and the district service center legal department is allocated a budget to cover legal expenses. These firms primarily offer services in support of matters related to Board governance and legal matters impacting the campuses, academic affairs, general services, capital projects, finance, and maintenance. The general legal services budget for these outside firms is \$375,000.00 for the 2019-2020 fiscal year.

Deliverables and Scope of Work:

Garcia Hernandez Sawhney, LLP (GHS)

GHS specializes in representing public education institutions. GHS provides general counsel services for PCCD, with an emphasis on assisting the District with governance and Brown Act compliance, personnel matters, litigation management, and grievance administration.

Rates: \$255.00 an hour for services rendered by Nitasha Sawhney and partners with eight or more years of experience, \$240.00 for attorneys with less than eight years of experience, \$165.00 an hour for law clerks and \$130.00 an hour for paralegals.

Curls Bartling, P.C.

Curls Bartling provides general counsel services, with an emphasis on assisting the District with support in connection with complex agreements, MOUs and contracts, finance-related matters, municipal finance and other legal matters.

Rates: \$269.24 an hour for services rendered by Ericka Curls Bartling and attorneys with ten (10) or more years of experience, \$238.76 per hour for attorneys with less than ten (10) years experience, and at \$142.24 per hour for legal assistants/paralegals.

Dannis Woliver Kelley (DWK)

DWK provides general legal services to the District, with a focus on construction, facilities and general services related matters.

Rates: \$310 to \$250 per hour for shareholders, special counsel and of counsel; \$225 to \$185 per hour for associates, and \$140 to \$120 per hour for paralegals and law clerks.

Law Offices of Edwin Prather

Mr. Prather's firm provides general legal services and assists the District with inquiries from outside agencies and with investigations such as grand jury inquiries and other matters.

Rates: \$375 per hour for services rendered by Edwin Prather.

Hanson Bridgett LLP

Hanson Bridgett provides employee benefits and retirement-related legal services to the District.

Rates: \$370.00 for services rendered by Liz Masson and \$555.00 per hour for services provided by Judith Boyette. The rates for other partners and senior attorneys are \$545 to \$370 per hour and \$370-\$350 for associates.

Stice Block

Stice Block assists the District in assessing and resolving environmental issues.

Rates: \$480 per hour for services rendered by Stuart Block and Nicole Martin.

The proposed agreements for legal services will remain in effect until terminated by either party and will be brought back to the Board annually for consideration. The Board can discontinue services of any firm at any time.

Anticipated Completion Date: June 30, 2020

Evaluation and Recommended Action:

The District's Chancellor's Department has evaluated the deliverables to date for the listed legal firms and found them to be satisfactory.

The Chancellor recommends approval.

File Attachments

[Prather Law Offices Retainer Agreement 2018-19.pdf \(387 KB\)](#)

[GHS Law Retainer Agreement 2018-19.pdf \(315 KB\)](#)

[Curls Bartling 2018-19 Retainer Agreement \(Final\).pdf \(1,667 KB\)](#)

[Stice & Block, LLP \(CL approved 12-3-18\).pdf \(2,094 KB\)](#)

[Hanson Bridgett 2018-19 Retainer Agreement.pdf \(774 KB\)](#)

All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

Subject

10.7 Consider Approval of Funds to Pay for Additional Legal Services Provided During Fiscal Year 2018-2019. Presenter: Chancellor White

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

10. ACTION ITEMS

Type

Action (Consent)

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

Yes

Dollar Amount

\$127,780.00

Budgeted

Yes

Budget Source

General Fund

Background/Analysis:

The Legal services and budget for the listed firms for FY 2018-19 were approved at the September 25, 2018, regular meeting of the Board of Trustees. The initial approved budget was in the amount of \$550,000.00. The District's use of legal services from these law firms exceeded the approved budget by \$127,780.00. The District is seeking funds to pay these outstanding balances.

Deliverables and Scope of Work:

	Vendor	Invoice	Date	Amount	Type	Comments
	Danis Woliver Kelley	235812	5/31/2019	\$ 14,977.50	Construction Issues	May Services
	Danis Woliver Kelley	228224	9/30/2018	\$ 3,793.50	Energy Service	September Services
	Danis Woliver Kelley	229236	10/31/2018	\$ 9,167.32	Energy Service	October Services
	Danis Woliver Kelley	231135	12/31/2018	\$ 2,889.50	Energy Service	December Services
	Danis Woliver Kelley	232182	1/31/2019	\$ 2,380.50	Energy Service	January Services

	Danis Woliver Kelley	233450	2/28/2019	\$ 10,746.00	Energy Service	February Services
	Danis Woliver Kelley	233861	3/31/2019	\$ 4,329.00	Energy Service	March Services
	Garcia Hernandez Sawhney	11959	7/23/2019	\$ 23,636.00	Acting General Counsel	April Services
	Stice Block	27538	4/18/2019	\$ 27,764.31	Environmental Service	March Services
	Stice Block	27717	5/13/2019	\$ 6,645.71	Environmental Service	April Services
	Curls Bartling	11276	8/14/2019	\$ <u>21,449.00</u>	Acting General Counsel	June Services
				\$ 127,778.34		

Anticipated Completion Date: June 30, 2019

Evaluation and Recommended Action:

The District's Chancellor's Office has evaluated the deliverables to date for the listed firms and found them to be satisfactory.

The Chancellor recommends approval.

File Attachments

[Legal Cost Center 114 Liability List - \(for 9.24.19 BOT approval\).xlsx \(13 KB\)](#)

All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard

prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

Subject

10.8 Consider Approval of Resolution No. 19/20-09 urging Senate Approval of the FUTURE Act. Presenter: Trustee Nicky Gonzalez-Yuen

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

10. ACTION ITEMS

Type

Action

Preferred Date

Sep 24, 2019

Absolute Date

Sep 24, 2019

Fiscal Impact

No

Budgeted

No

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 No. 19/20-09 urging Senate Approval of the FUTURE Act, strongly supporting the uninterrupted continuation of federal funding to minority-serving institutions and urges members of the United States Senate to take speedy action to pass H.R. 2486, the FUTURE Act prior to September 30, 2019.

Deliverables and Scope of Work:

N/A

Anticipated Completion Date:

N/A

Evaluation and Recommended Action:

The Chancellor recommends approval.

File Attachments

[PCCD Resolution FUTURE Act.pdf \(13 KB\)](#)

11. REPORTS

Subject

11.1 Board of Trustees' Reports

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

11. REPORTS

Type

Information

12. ANNOUNCEMENTS

13. ADJOURNMENT

Subject

13.1 Meeting Adjournment

Meeting

Sep 24, 2019 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Category

13. ADJOURNMENT

Type

Action