

PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING MINUTES

Regular Meeting of March 15, 2011, 7:00 P.M.,

Berkeley City College Auditorium, 2050 Center Street, Berkeley, California, Ground Floor

PLEASE NOTE

CALL TO ORDER:

PLEDGE OF ALLEGIANCE 7:00 P.M.

ROLL CALL Trustees González Yuen Pr_ Ab_ Gulassa Pr_ Ab_ Handy Pr_ Ab_ Hodge Pr_ Ab_ Guillén Riley Pr_ Ab_ Withrow Pr_ Ab_ and Riley Pr_ Ab_, Student Trustees Storm Pr_ Ab_ and Brumfield Pr_ Ab_. **7:00 P.M.**

Trustee Hodge was absent from the meeting due to illness.

REPORT OF CLOSED SESSION ACTIONS 7:01 P.M.

At the February 15, 2011 closed session, the Board voted to approve the non-reemployment of public appointments for the following public employee contracts, which are subject to contractual agreement by the Chancellor, all of which received the following votes:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Riley)

1. Director of Atlas Program (grant funded), College of Alameda.
2. Dean of Student Support, Services, DSPS, Merritt College.
3. Dean of Student Support Services, EOPS, Berkeley City
4. Dean of Student Support Services, EOPS, College of Alameda
5. Division Dean II, Math, Science, and Vocational Programs
6. Interim Division Dean II, Community Partnerships, Grants Initiatives and Workforce Development, Laney College
7. Division Dean II, College of Alameda
8. Interim Division Dean II, College of Alameda
9. Division Dean II, Laney College
10. Division Dean II, Merritt College
11. Interim Division Dean II, Math, Science, and Vocational Programs, Merritt College
12. Interim Assistant Vice Chancellor for Budget & Finance
13. Interim Vice President of Instruction, Laney College
14. Vice President of Student Support Services, Laney College
15. Director of Alameda County Small Business Development Center (grant funded)

APPROVAL OF THE AGENDA 7:02 P.M.

MOTION: Trustee Withrow, second Trustee Gulassa to approve the agenda. **APPROVED**

MINUTES 7:04 P.M.

1. Consider Minutes of the Board Meeting of February 15, 2011.
Copies of the minutes of the Board of Trustees' Meetings are posted on Granicus. Please submit all minute corrections to the Board Clerk.

MOTION: Trustee Guillén, second Trustee Gulassa to approve the minutes. **APPROVED**

As a matter of policy (Board Policy 1.10), no action shall be taken on any item not identified

as an “action item.”

ASSOCIATED STUDENT GOVERNMENT REPRESENTATIVES REPORT 7:05 P.M.

At this time in the meeting, representatives of the associated student governments will be afforded an opportunity to address the Board. (Please provide your name and position, and line-up to speak.)

Speaker Marlen, Merritt College associated students, shared that students participated in the Sacramento march yesterday which was very successful.

Speaker Kleigh, BCC associated students, provided information to the Board on their Fulbright program, which received an excellent reception by the student leadership.

Speaker COA associated students reported on the successful march and rally in Sacramento, and offered thanks to Student Trustee Storm, and Trustees Guillén and González Yuen for their support and participation.

The Laney College associated student President was ill today.

COMMUNICATIONS FROM MEMBERS OF THE PUBLIC 7:15 P.M.

Speaker Sanchez spoke about a real estate course at Merritt College, and the possible cuts for that program the Fall. Many of the students from the class were present at this meeting. She came here from L.A. to participate in this program. She feels that taking the course online would not provide her with as good of an educational experience as participating in the classroom. Many of the program students only have four to seven classes remaining until they complete the program, and she asked if the program could remain for the students to complete those courses.

Speaker Hernández is new to the area from the East Coast. He is a Puerto Rican. He heavily relies on financial aid for his family's rent and food. He feels there are no solutions for a “worst-case scenario”. He asked that the Board bring these issues to State decision makers, and he feels that there's no excuse for politicians to cut the education budget.

Speaker Anderson is a student at Merritt College and she spoke about the school possibly cutting night-hours in the library. She is very involved as a student, and she uses the evening hours and library books on reserve to do her homework. She worries that it would be a travesty to the students who wouldn't then be able to succeed in their classes if the library night hours are reduced.

Speaker Woodard was born in Oakland, started getting in trouble with the law, and would wander the streets at night because he didn't want to go home. He's had a long process of being in and out of prison. He was in special education classes throughout his education. He went to Merritt College as a last resort, and was placed into DSPS and EOPS classes, and then everything started to work out for him. He has a 4.0 GPA, and he started to embrace his life and is now involved in student government. He doesn't know what he'd do without the great programs here, and fears more people may return to the streets if programs are cut.

Speaker Lonay spoke in support of the Merritt College real estate program.

Speaker Copenhagen reported on the great student march which occurred yesterday in Sacramento. He thanked student trustee Storm for organizing Peralta's participation in the event, Trustees Guillén and González Yuen for their help, PFT for funding their buses and food, and the organizers for getting the students there.

Speaker Doyle thanked the trustees for attending the march in Sacramento and for lobbying our legislators. He asked for a second State master plan to help with an education and economic democracy plan, where education is free for all.

Speaker LeBlanc shared that Laney students were invited to participate in an Edinburgh theatre event. While he knows that art programs are being cut, and he knows that more severe matters are also being cut. The art programs contribute by producing plays on the budget cuts, community voices, and stories about the school system in Oakland. Art reflects life, and he asked for any possible support to achieve their fundraising goals for this event.

Speaker Turner-Riley spoke about the Merritt college real estate program possible reduction from two courses to one course, which she feels will be a loss for that entire field of experts, as well as losing very qualified instructors.

IDENTIFICATION OF ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR FOR DEBATE 7:30 P.M.

Items 8 and 9.

IDENTIFICATION OF ITEMS TO REMAIN ON THE CONSENT CALENDAR AND PULLED FOR DISCUSSION 7:32 P.M.

Items 4, 10, 11, 12, 13, and 31.

PRESENTATIONS 7:35 P.M.

2. Presentation by Berkeley City College **Presenters: President Inclan and BCC Staff**
Presentation will include a brief video about Berkeley City College, including the college's increased transfer rates, student experiences and success stories, and innovative approaches to teaching basic skills. (10 minutes)

Berkeley City College was commended for their fabulous presentations.

ACTION ITEMS 7:45 P.M.

INFORMATIONAL ITEMS AND WRITTEN REPORTS

3. **CHANCELLOR**
Chancellor's Report **Presenter: Chancellor Allen**
Vice Chancellors' Reports
State Budget Update **Presenter: Vice Chancellor Gerhard**
Enrollment Update **Presenter: Vice Chancellor Budd**
General Services' Update **Presenter: Vice Chancellor Ikharo**
College Reports (2 minutes)
Merritt College **Presenter: President Adams**
Laney College **Presenter: President Webb**
College of Alameda **Presenter: President Jackson**
Berkeley City College **Presenter: President Inclan**

COMMENTS FROM THE BOARD OF TRUSTEES

Student Trustee Storm thanked all those who helped to get students to the march in Sacramento yesterday.

Trustee González Yuen also thanked those who helped with the march. He was very moved by the comments that students made about how Peralta has changed their lives, and the Board is doing everything they can to stem the tidal wave of funding cuts. The Board funded one of the buses that went to Sacramento. He will visit Sacramento again this week for a recent, third time. He was very proud of our students who went to Sacramento to fight for the community college budgets. Trustee Gulassa thanked President Inlan, staff, and students for the important presentations given tonight, especially for the student success stories. He thanked Trustee Guillén for his outstanding leader in the community, and he was commended for his bus brigade organization. Trustee Guillén was very moved by what he heard at BCC tonight, which strengthens his resolve to fight on the students' behalf. It's hard to hear that the Merritt real estate program may be reduced, as the course positively impacted his life. He visited San Mateo College recently, and they are opening new facilities, using innovative project delivery systems, and delivering projects and hiring locally on a fast timeline. They are struggling to maintain those buildings, and he hopes we can expedite some of our building projects to put people back to work and help to improve people's lives. Laney College is hosting a March 31st student event to recognize the life of Cesar Chavez, and the Board and faculty were thanked for supporting that District holiday, and he asked the other colleges to consider similar events. Student Trustee Brumfield thanked BCC and the Board for hosting the meeting at the campus, to help students to meet the Board. We know that the budget cuts are forthcoming, and now is an opportunity for students and the government to assess how basic skill students will be impacted due to limited-funded spots in the classroom. Trustee Handy was also happy to hear about the students' first-hand experiences, and for students to hear from the Board. Peralta does so much to touch students' lives, and she commends all of the staff and faculty who put their hearts into their work. She commended all those who got on the bus to Sacramento to fight for our valuable programs.

DAS PRESIDENT REPORT Presenter: DAS President van Putten

The DAS President report is attached to the minutes on Granicus.

CONSENT CALENDAR (FOR ACTION) 8:20 P.M.

All action items are to be considered to be a part of a consent calendar. Trustees are given the opportunity to pull specific items off of the consent calendar for discussion and action. All items that have not been pulled by a Trustee will be considered in a block for comments by the public and action by the Board. All Board approved contracts are subject to final negotiation and execution by the Chancellor. Items pulled for Debate by the Trustees will be addressed later in the meeting, at approximately 8:20 p.m. Meeting times are estimates.

BOARD POLICIES

4. Consider Approval of Board Policy 1.25, Policy Development (revised) Presenter: Chancellor Allen

Consider approval of Board Policy 1.25, Policy Development (revised) for inclusion in the District's April 1, 2011 Follow-Up Report to ACCJC. The revisions address ACCJC Recommendation 3, and Standard IV (Leadership and Governance) regarding Board Policy and Administrative Procedure development, and the concern of ACCJC for the District to separate administrative procedure from policy. The policy would then be consistent with ACCJC recommendations and Standard IV as referenced in their January 31, 2011 letter. The Chancellor recommends approval.

Trustee Gulassa shared that this is the first reading for this policy, and asked that it return at the next meeting. The Chancellor asked if this can be incorporated into our ACCJC report, conveying that the Board agrees with the policy in principle, but that some modifications may follow by the next

meeting. The Board concurred.

5. Consider Approval of Board Policy 4.40, Student Code of Conduct, Discipline, and Due Process (revised) **Presenter: Chancellor Allen**

Consider approval of Board Policy 4.40, Student Code of Conduct, Discipline, and Due Process (revised) for immediate inclusion in the college student catalogues which are being prepared for publication. The revisions mostly clarify the current process. The revisions were requested from various sources, including Peralta Federation of Teachers, and Deans and Vice Presidents of Student Services. The revisions have also been reviewed by the Deans and Vice Presidents of Student Services. On September 16, 2008, the governing board approved a complete reorganization of the Student Code of Conduct (Board Policy 4.40) which includes provisions on the disciplinary process should a student violate such code of conduct. The overhaul of such code at the time involved the Vice Presidents of Student Services, Deans of Student Services, and General Counsel, and were approved by the Board Student Services Standing Committee. The Chancellor recommends approval.

6. Consider Approval of Board Policy 4.43, Student Grievance (revised) **Presenter: Chancellor Allen**

Consider approval of Board Policy 4.43, Student Grievance (revised) for immediate inclusion in the college student catalogues which are being prepared for publication. The revisions mostly clarify the current process. The revisions were requested from and reviewed by the Deans and Vice Presidents of Student Services. On September 16, 2008, the governing board approved a complete reorganization of the Student Grievance Policy (Board Policy 4.43) which includes provisions on the disciplinary process should a student violate such code of conduct. The overhaul of such code at the time involved the Vice Presidents of Student Services, Deans of Student Services, and General Counsel, and approved by the Board Student Services Standing Committee. The Chancellor recommends approval.

7. Consider Approval of Peralta TV MOU with the City of Oakland for PEG funds
Presenters: General Counsel Nguyen and Director Heyman

Consider approval of Peralta TV MOU, as a PEG recipient, with the City of Oakland. The City's Local Franchise, SVSF and DIVCA, requires the cable and video service providers to pay to the City quarterly 1% Gross revenue, to be used for capital expenses for PEG cable and video television facilities ("PEG funds"), payable to Peralta TV through the City of Oakland as part of a 1/3 equal division with the city, Oakland Unified School District, and Peralta CCD. Peralta is estimated to receive \$200,000 per year for fiscal years '10-'11 and '11-'12. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

FINANCIAL SERVICES

8. Consider Approval of Resolution 10/11-62 to Create and Establish a Retirement Board and Trust for the Peralta Community College District's Other Post Employment Benefits (OPEB) program **Presenter: Vice Chancellor Gerhard**

Consider approval of Resolution 10/11-62 to create and establish a Retirement Board and trust for the Peralta Community College District's other post employment benefits (OPEB) program. The Chancellor recommends approval.

MOTION Trustees Withrow, second by Trustee Gulassa to approve Item 8.

Speaker Weintraub, PFT President, is pleased that there will be a retirement board and trust for the bond funds. Since the resolution didn't state who would be a committee member, she asked that the committee include retirees, as she feels that the fund is their retirement and future. She asked that the committee members have financial planning experience or experience with managing complex bonds, and that the members speak up and ask for more information before voting on complicated matters. She asked the retirement board to report to the full Board in a timely manner, so that decisions don't need to be made quickly, and can be done thoughtfully.

Trustee González Yuen is glad that there's a resolution in this direction. He would also like to see some additional issues flushed out in the resolution. He agrees that retiree involvement should be on the committee. He feels that the full Board should be able to override the retirement board's decisions, as the Governing Board is the ultimate authority. He feels that all of the retirement board's meetings should conform to the Brown Act with full Board notice, and he'd like to see a 4/5th majority vote for the retirement board to make decisions. He doesn't think that quarterly reports are timely enough, and he feels the last resolution paragraph is complicated and confusing. He'd like the administration to respond to these issues, and return with a revised resolution. Trustee Withrow shared that a retirement board is required by State law and that it needs to be put into place immediately, and he concurs that revisions can be made in the future. Trustee Gulassa agrees that this resolution has to be instituted, but he also asked for additional time about the delegated authorities. Trustee Guillén agreed that the resolution needs to be clarified further.

MOTION Trustee Guillén, second Trustee González Yuen to table this item until the next Board meeting on March 29th, for the listed suggestions to be incorporated into the resolution.

The Chancellor shared that we're trying to ensure that the Board meets this legal requirement, and to get control of the OPEB bonds, and he shared that the Board first needs to have this oversight committee. He explained his proposal for the retirement board, to have the CFO and the Vice Chancellor of HR as two members of the committee, and to have the Governing Board appoint the other three members, which could include Board members. Then, that group would establish the direction of the investments and the policy, which is legally defined. That group would direct the investment, and then the group can expand to the community constituency group. We have to report to the accreditation body on April 1st, and need something in place by then. He shared that all of the Board concerns can be taken into consideration after the body is formed. Trustee Gulassa shares that the Board is in agreement that the resolution should proceed, that it has passed its first general reading, but needs to return for some refinement. The Chancellor shared that there will also be a recommendation to the Board at its next meeting on OPEB bond process options.

MOTION Trustee Withrow to approve Item 8 with the recommended suggestions, to approve the committee membership as the CFO, Vice Chancellor of Human Resources and the old Board financial committee, to submit the matter to the ACCJC, and to have the other revisions return to the Board.

The motion died for lack of a second.

Roll Call vote on the Motion to table Item 8.

AYES: 4 NOES: 2 (Withrow and Riley) ABSENT: 1 (Hodge) **PASSED**

9. Consider Approval of a Board Investment Policy (new) **Presenter: Vice Chancellor Gerhard**

Consider approval of a Board investment policy (new). Investments shall be made in accordance with California Government Code Sections 53600, et seq. This is a first reading of the policy at the Board level. The policy will return to the Board for a second reading at its next meeting. The Chancellor recommends approval.

Trustee González Yuen asked for a set of criteria to be used for these investments. About three years ago, he asked that socially responsible investment plans be created. He asked that this resolution return with criteria that don't just involve profits, but also include other criteria. He asked that this policy return to the Board at the next meeting. Chancellor agreed to the recommendation.

10. Consider Approval of Budget Transfer Report **Presenter: Vice Chancellor Gerhard**

Consider approval of budget transfer report. Budget transfers shall be made in accordance with California Code of Regulations Section 58307. The Chancellor recommends approval.

Trustee Gulassa asked if there are items that the Board needs to be made aware of within this report. Vice Chancellor Gerhard shared that there's nothing controversial in the submitted report. Trustee González Yuen shared that we spend funds on Sierra Springs and Alhambra, and he asked if it's in compliance with Board Policy that discourages purchasing bottled water. Trustee Handy shared that we have the highest tap water quality in the area, and that bottled water doesn't comply with the tap water high standards. Some of our facilities don't have compliance to running water in their departments, and thus need to use bottled water.

11. Consider Ratification of Purchase Order Report **Presenter: Vice Chancellor Gerhard**

Consider approval of purchase order report. This report is being presented to the Board for review in accordance with Education Code section 81656 which states, "All transactions entered into by the District shall be reviewed by the Governing Board every 60 days". All Purchase Orders listed have been issued in accordance with the District's policies and procedures by an authorized officer of the District and have been budgeted. This item is for informational purposes only. The Chancellor recommends *ratification*.

12. Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register
Presenter: Vice Chancellor Gerhard

Recent AP, Travel and Consulting Contract warrant registers are presented to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

Trustee Gulassa felt there was a temporary freeze on travel at this time. He feels the policy should have more appropriate expenses for travel, and asked for a clear statement of why staff are attending travel events, and he suggested a follow-up report after travel at the colleges.

EDUCATIONAL SERVICES

13. Consider Approval of Berkeley City College Accreditation Report **Presenter: President Inclan**

Consider approval of Berkeley City College Accreditation Report. The Chancellor recommends approval.

Trustee González Yuen congratulated the BCC staff, faculty, and administrators for doing a fabulous job and accreditation report with limited resources. On library staffing, BCC has the second highest enrollment, but has half the library staff as the other colleges. When a staff member gets sick, the library has to be closed during regular hours. The Board asked for an equitable strategy for college staffing. None of the colleges are wasting funds, but there are unique struggles at BCC. This has become a past accreditation issue, and the issue needs to be addressed. He embraces the idea of working with some of the other college or city library schedules, as well.

14. Consider Approval of Course and Program Additions, Deactivations and Changes
Presenter: Vice Chancellor Budd

Included for approval are proposed curriculum actions as recommended by the Council for Instruction, Planning and Development (CIPD). The packet entitled “Curriculum and Instruction Recommendations – February 2011” contains course and program additions, changes and deactivations as approved by the colleges’ curriculum committees and CIPD. The Chancellor recommends approval.

Speaker Suen spoke about the real estate program at Merritt College. She only has a few classes left to finish the program. 500 students are enrolled in the program. She feels that this program is especially important due to the housing crisis.

15. Consider Approval of Resolution 10/11-60 Granting Authority for the Workability III Grant between the California Department of Rehabilitation and College of Alameda
Presenter: Vice Chancellor Budd

Consider approval of Resolution 10/11-60 granting authority for the Workability III grant between the California Department of Rehabilitation and College of Alameda. This resolution authorizes Chancellor Allen or his designee the authority to approve, sign, and execute the Workability – College of Alameda agreement on behalf of the Governing Board. Any contract approval is subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

16. Consider Approval of Resolution 10/11-61 Granting Authority for Workability III Grant between the California Department of Rehabilitation and Laney College **Presenter: Vice Chancellor Budd**

Consider approval of Resolution 10/11-61 granting authority for the Workability III grant between the California Department of Rehabilitation and Laney College. This resolution authorizes Chancellor Allen or his designee the authority to approve, sign, and execute the Workability – Laney College on behalf of the Governing Board. Any contract approval is subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

17. Consider Approval for Merritt College to Accept a Grant from Alameda County’s Innovative Grants Program **Presenter: Vice Chancellor Budd**

Consider approval for Merritt College to accept a grant not to exceed \$220,000 from Alameda County’s innovative grants program. **Funding Source: Alameda County Innovative Grants Program.** The purpose of the 18 month grant is to target 20-25 students in the Maximum Achievement Program (MAP) at Merritt College who have expressed an interest in the mental health profession. Students will be paired with adult males working successfully in the mental health field in the Bay Area. The grant will provide funds for a program coordinator, volunteer coordinator and

peer counselor to identify mentors, provide educational workshops and other experiences to engage and prepare targeted youth to pursue careers in the mental health sector. The program will be under the aegis of the Vice President for Student Services at Merritt College. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Trustee Handy spoke about this grant. She asked if we working to identify people in the field to fill those positions, or if existing Merritt staff will be moved into this position. President Adams shared that MAP program has national attention, and there will be a combination of existing staff as well as national staff brought in. Trustee Handy feels MAP is doing a great job to retain students. An innovation grant hasn't been pursued before, and it's an opportunity to bring young men of color into the health field services. Student of color are attracted to staff that are also people of color. She asks the program to look at experts in the field and to collaborate to ensure that the program succeeds. There are currently no men of color in this field, so she's so excited to see this program proceed. Of 300 applicants, Merritt came out in the top three to participate in the program.

18. Consider Approval to Submit a Letter of Intent to Apply for the Career Advancement Academies: TAACCT (Trade Adjustment Assistance Community College and Career Training) Grant **Presenter: Vice Chancellor Budd**

Consider approval to submit a Letter of Intent (LOI) to apply for the Career Advancement Academies: TAACCT (Trade Adjustment Assistance Community College and Career Training) Grant. **Funding Source: American Recovery and Reinvestment Act (ARRA).** Participating colleges will identify key programs to strengthen and expand in any of three sector clusters: Health Care, Transportation/Logistics and Industrial Technologies. They will implement complete pathways aligned to their core CAA programs that can move TAA eligible and dislocated workers and low income adults through training and into placement with sustainable wage employment. This consortium will include colleges in the San Francisco Bay Area, California Central Valley, and the Los Angeles area. These colleges will form both a strategic implementation team and learning community, sharing strategies for service delivery, employer engagement, and pedagogy related to both core instruction and workforce strategies. The Career Ladders project will provide a key coordinating role in this consortium through technical assistance, support for peer to peer learning, coaching for individual colleges, and leading the statewide evaluation with Public Private Ventures, who has committed to be the project evaluator. CLP and the consortium partners will be convening colleges in each region to begin work on employer engagement, community surveys, and college level planning. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

19. Consider Approval of Notice of Award for the Career Advancement Academy Fund **Presenter: Vice Chancellor Budd**

Consider approval of notice of award for the Career Advancement Academy Fund. **Funding Source: California Community Colleges Chancellor's Office, Division of Economic and Workforce Development.** The purpose of the Career Advancement Academy is to establish pipelines for undereducated, underemployed youth and young adults (18-30 year olds) who have dropped out of school or lack basic skills needed to complete a certificate or degree. The pipelines offer career technical training skills in various high demand CTE Industry Sectors, while continuing to provide academic preparation to increase performance levels in reading, writing, and mathematics in a real world, experiential learning context. Contra Costa Community College District will be the lead. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

20. Consider Approval of Independent Contractor Agreement Extension for Anthony Flores **Presenter: Vice Chancellor Budd**

Extension is requested for an independent contractor agreement with Anthony Flores to render consulting services to the Gateway to College program at Laney College. **Funding Source: Gateway to College Categorical Grant Funds and OUSD Reimbursement.** The extension will allow for continued operational support of the Gateway program while the hiring of the director position is finalized. The amount to be approved shall not exceed \$10,000. The prior extension approved was in the amount of \$16,600, and the initial contract was for \$21,400. Increasing the contract amount by \$10,000 brings the total contract amount for the fiscal year to \$48,000. The scope of work includes: Specify and develop systems for operational processes, reporting of student performance to the Gateway to College Network and the Oakland Unified School System. Continue work on completing alignment with OUSD student records system, AERIES. Work with the external evaluator to create procedures and protocols for documenting project progress, and create and maintain quantitative data files and qualitative documentation for project evaluation. Maintain program statistics relating to enrollments, success rates, attendance, and other data. Coordinate efforts to ensure that curriculum is aligned to meet school district diploma requirements while meeting college degree requirements. Coordinate curriculum development with faculty to assure that it meets state content standards and while maintaining the essential elements of the Gateway to College model. Provide management for the Gateway to College outreach, recruitment, orientation, and selection process. Plan, develop, implement, and evaluate programs in compliance with project contract. Act as a liaison to the Gateway to College National Network in coordinating program updates. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

21. Consider Approval of a Proposal Application to the Department of Labor for a Career Pathway Innovation Fund Grant for Peralta Community College District to Apply as a Collaborative with all Four Colleges in the District; Laney, Alameda, Merritt, and Berkeley
Presenter: Vice Chancellor Budd

Consider approval of application for a proposal to the Department of Labor requesting not to exceed \$5 million for a 3-year Career Pathway Innovation Fund grant for Peralta Community College District to apply as a collaborative with all four colleges in the district; Laney, Alameda, Merritt, and Berkeley. **Funding Source:** Department of Labor – Career Pathways Innovation (CPI) Fund – Categorical Funds – no fiscal impact. CPI will fund creation and support for Career Pathway Programs that help individuals with varying skill levels earn credentials valued by employers, enter rewarding careers in in-demand and emerging industries and occupations and advance to increasingly high levels of education and employment. Areas of potential focus for applications include:

1. Secondary to Post-Secondary Education Strategies.
2. Pre-College Bridge Programs that provide low-skilled adults with on-ramps to post-secondary education and training. This is a required component for this SGA.
3. Post-secondary education for individuals to upgrade their skills and attain industry-recognized credentials that are in-demand in the local labor market. This is a required component for this SGA.
4. Community College to 4 year college transition and articulation strategies.

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

22. Item Removed from the Agenda

PERSONNEL

23. Consider Approval of Independent Contractor Agreement Extension for Larry Frierson

Consider approval of the Office of Human Resources and Employee Relations Department’s request to increase the independent contractor agreement of Larry Frierson, Attorney at Law, who currently provides counsel to the District for personnel and employee relations matters reviewed and managed by the District’s Vice Chancellor for Human Resources. **Funding Source: General Funds.** A contract extension is requested in an amount not to exceed \$75,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Speaker Weintraub, PFT President, drew attention to this expenditure from general funds for a position to help manage union contracts, which comes at the same time that there are layoff notices. She shared that there have been no full-time hires this year, and none slated for next year. The position will earn more than a full-time faculty member, and she doesn’t feel it’s the best use of general funds at this time.

24. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees on an Emergency Basis **Presenter: Vice Chancellor Largent**

Pursuant to AB500, attached is a report that contains the name, classification, and date of hire, assignment end date, hourly rate, classification, position title, location, background and experience department, and fund source of candidates recommended for short-term assignments in non-academic classified positions. Below are the names, and classifications of these candidates. Each candidate’s assignment will not exceed the category in which hired. The Chancellor recommends approval.

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Carr	Alexandra	3/16/11	6/30/11	Instructional Asst/Biology	B
Colston	Tobey	3/16/11	6/30/11	Instructional Asst/Biology	M
Cook	Christopher	3/16/11	6/30/11	Admissions & Records Clerk	D
Esquivel	Anel	3/16/11	6/30/11	Science Lab Tech/Bio Science	B
Herrera	Catalina	3/16/11	6/30/11	Library Technician I	B
Ho	Jenny	3/16/11	6/30/11	Instructional Asst/Biology	B
Lyons	Laura	3/16/11	4/30/11	Student Personnel Services Spec.	B
McGinn	Martin	3/16/11	6/30/11	Senior Library Technician	B
Pang-Sagara	Pauline	3/16/11	6/30/11	Senior Clerical Assistant	B
Phan	Vu	3/16/11	5/27/11	Computer Network Technician	L
Segeberg	Von	3/16/11	6/14/11	Clerical Assistant II	M

25. Sunshining of Initial Proposal for Successor Agreement for Peralta Federation of Teachers

to the Peralta Community College District **Presenter: Vice Chancellor Largent**

Pursuant to Educational Employment Relations Act, Section 3547, the Peralta Federation of Teachers (PFT) hereby gives public notice of its initial proposal for a Successor Agreement with the Peralta Community College District. This item will introduce the initial proposal of PFT to the District for the purpose of public notice (sunshining). Pursuant to Governing Code Section 3547, public comment on such proposal shall be received at the next regular Governing Board meeting of March 29, 2011.

Speaker Weintraub shared that this proposal was the result of multiple faculty meetings at the colleges, membership meetings, and the result of voiced member concerns. All of the potential issues are sunshined. They have established a negotiation team for interest based bargaining, with eleven faculty members on the team, and they will meet four more times this semester.

FACILITIES

26. Consider Approval of Resolution 10/11-63, Acceptance and Retention, Student Health Services Swing Space at Laney College, On Point Construction **Presenter: Vice Chancellor Ikharo**

On September 28, 2010, this Board ratified the contract award to On Point Construction for the Student Health Services Swing Space at Laney College. **Funding Source: Bond Measure A.** The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and the Laney College President and Business Manager have signed the Project College Acceptance Form. This resolution accepts the work as complete and provides for a retention payment of \$7,480, which is 10% of the contract price (\$74,800). The Board previously ratified one deductive change order to this contract, in the amount of (\$57,880), which was a reduction of 43.6% to the original contract price of \$143,680. The change order reduced the scope of work not critical to the operational needs of the swing space. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

27. Consider Ratification of Change Order No. 1, ADA Improvements at Laney College, IMR Contractors Corporation **Presenter: Vice Chancellor Ikharo**

Ratification is requested for Change Order No. 1 to the contract with IMR Contractors Corporation for the ADA Improvements at Laney College, in the amount of \$93,901, which is 4.1% of the original contract amount (\$2,318,000). **Funding Source: Bond Measure A.** This project is comprised of nineteen separate work increments with extensive demolition of concrete ramps, renovations to the Theater, Library and Women's Locker Room restrooms, accessible parking lots, the road crossing at Fallon Street and East 7th Street, various door closers, thresholds, and drinking fountains, and the construction of two new elevators and an inclined lift. Most of the thirty items comprising this change order were necessary due to:

- The complexity of scheduling construction work around the college educational requirements in various and numerous areas
- Due to the aged infrastructure, unforeseen conditions were encountered during the demolition of walls, floors and ceilings, including:
 - Numerous replacements of damaged and corroded cast iron drains
 - Many changes that were required to meet code compliance for the plumbing systems

Although every effort has been made to reduce the change order work on this project, because of the number of spaces throughout the campus that require ADA improvements and the age of the

infrastructure, these changes were unavoidable, and it is anticipated that further change order work will be necessary as the project continues (it is approximately 50% complete at this time). In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 1 is now brought before the Board for *ratification*. It is in the best interests of the District and financially prudent to authorize this change order. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends *ratification*.

28. Consider *Ratification of Change Order No. 1, Emergency Construction at Laney College for Repair of a Gas Leak, Performance Mechanical, Inc.* **Presenter: Vice Chancellor Ikharo**

Ratification is requested for Change Order No. 1 to the contract with Performance Mechanical, Inc. for Emergency Construction at Laney College for Repair of a Gas Leak, in the amount of \$2,926.94, which is 3.2% of the original contract amount (\$92,331.00). **Funding Source: Bond Measure B.** At the meeting of October 26, 2010, the Board approved awarding a contract for emergency construction to replace a leaking gas line at Laney College. At the meeting of November 9, 2010, the Board of Trustees ratified the contract award to Performance Mechanical, Inc. for this work. The project is now complete, and this is the only change order that will be presented to the Board for *ratification*. Change Order No. 1, which is the result of unforeseen conditions and an owner requested change, includes the following two items:

- Additional excavation and shoring (unforeseen conditions)
- Additional concrete work (owner requested change)

In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 1 is now brought before the Board for *ratification*. It is in the best interests of the District and financially prudent to authorize this change order. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends *ratification*.

29. Consider Approval of a Lease Agreement with Mobile Modular for Portable Building for Interim Housing Needs at Laney College **Presenter: Vice Chancellor Ikharo**

Approval is requested for a two-year lease with Mobile Modular for a portable building for interim housing needs at Laney College, at a cost of \$19,681. **Funding Source: Bond Measure A.** An additional portable building is required to meet the need for interim housing at Laney College during the modernization of the Administrative Tower Building. The majority of the Tower Building occupants, including the Counseling Department, will be relocated to the portable buildings as interim housing. The lease amount of \$19,681 for this 24' x 40' portable building includes charges for delivery, set-up and return. Staff investigated the cost to purchase the portable, so that it could be compared with the lease costs. The cost to purchase would be approximately \$42,000, which would be \$22,319 more than the lease cost. Staff recommends leasing this portable building, because it will not be needed for swing space after the two-year period. Although this lease amount is only \$22,319, Board approval is required because the cumulative total of purchase orders to Mobile Modular exceeds the annual threshold amount. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

30. Consider Approval to Piggyback on CMAS (California Multiple Award Schedules) Contract with D&D Security Resources, Inc. for Purchase and Installation of Computer Mounting and Security Devices for Resident Computers for the Smart Classroom Project **Presenter: Vice Chancellor Ikharo**

Approval is requested to piggyback on the CMAS contract with D&D Security Resources, Inc. to provide and install the mounting hardware for wall and desk mounted computers and associated security devices for computers for the Smart Classroom project, in the amount of \$179,098.75. **Funding Source: Bond Measure A.** Also included is the purchase of three lecterns for classrooms that cannot accommodate a desk or wall mount due to existing dimensional constraints. Under the Smart Classroom project, resident computers will be provided for all smart classrooms District-wide. (The contract for the computers will be presented as two separate future Board items.) In order to accommodate secure mounting of the computers, each classroom was assessed to determine the location and means of mounting the computer. Emphasis was given on securing the computer in the classroom to prevent damage and possible theft, as well as complying with ADA clearances and requirements. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

31. Consider Approval of Amendment No. 1 to the Agreement for PLA (Project Labor Agreement) Management Services, Davillier-Sloan, Inc. **Presenter: Vice Chancellor Ikharo**

Approval is requested for Amendment No. 1 to the agreement for PLA (Project Labor Agreement) Management Services with Davillier-Sloan, Inc. (DSI), in the not-to-exceed amount of \$72,000 for a one-year period (\$6,000 per month) from March 2011 through February 2012. **Funding Source: Bond Measure A.** These administration services are required for the implementation, enforcement, management and operation of the District's Project Labor Agreement. The Board approved entering into an agreement with DSI at the meeting of March 23, 2010. They were selected through a formal Request for Qualifications process. The agreement was prepared for a one-year term, at a not-to-exceed fee of \$72,000. It was stipulated and noted in the Board report that the agreement could be extended for two additional one-year periods at the same fee based on a favorable annual performance review and Board of Trustees' approval. DSI has performed satisfactorily, and it is recommended that the contract be extended for a one-year period. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Trustee Guillén wanted to highlight the PLA agreement which is in force. He reminded the Board that one element of the PLA involves local hiring. He requested a project report on the breakdown of what goes back to the local community, and he asked for ways to move the projects ahead faster. Trustee González Yuen shared there was a general review of local hires, and added statistics with the numbers of women, ethnicity groups, and area data were requested for the future.

MOTION Trustee Withrow second by Trustee Gulassa to approve the Consent Calendar, including agenda items 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, and 31. **PASSED**

Trustee González Yuen abstained on Item 23.

Announcements

A Faculty tenure celebration will be held on March 29th at 6 p.m. in the District offices Atrium to which everyone is invited, with the Regular Board meeting to follow at 7 p.m. Happy St. Patrick's day wishes are sent to the community. Sympathy is sent to the family and friends of Bill McMillin, CCCT Board member and Ohlone Community College District Trustee.

ADJOURNMENT OF THE REGULAR BOARD MEETING

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours prior to the meeting.