



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT
MINUTES
OCTOBER 12, 2010

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 Riley Pr Ab Withrow Pr Ab and Guillén Pr Ab , Student Trustees Davis Pr Ab and Storm Pr Ab . 7:00 P.M. The Regular Meeting of the Board of Trustees will commence at 7:00 P.M. in the Boardroom, District Administrative Center, 333 East Eighth Street, Oakland, at which time the Board Roll Call will be taken. Immediately following the Board Roll Call at 5:00 P.M., the Board will enter Closed Session. The Regular Meeting in Open Session will convene at 7:00 P.M. The first item of business upon convening in open session after the Pledge of Allegiance will be to report on Closed Session actions, if any, or to announce that Closed Session is in recess. Listed agenda times are estimates.

Present: Trustee Hodge, Trustee Riley, Trustee Withrow, Trustee Guillén, Trustee Handy, Trustee González Yuen, Trustee Gulassa, and Student Trustee Jurena Storm.
Absent: Student Trustee Darnice Davis.

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

At tonight's closed session, the Board voted to approve the extension of the following public employee contract: 1. Acting Vice President of Instruction, Laney College, Dr. Eileen White, \$140,000/year, January 1, 2011 through June 30, 2011, or until the permanent position is filled. AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

APPROVAL OF THE AGENDA 7:02 P.M. (Please state the agenda item number and identify the issue.) Item 1 - The minutes submitted for approval are for September 28, 2010. Item 30 - Last Name First Name Date of Hire End Date Position Title Site Bingham Sharonda 10/13/10 5/31/11 Instructional Asst/Psychology M Brown Harold 10/13/10 5/31/11 Instructional Asst/Psychology M Watkins Janis 10/13/10 5/31/11 Instructional Asst/Psychology M

Items 24 and 25 are postponed.

MOTION: Motion by Trustee Withrow, second by Trustee González Yuen to approve the agenda, as amended.

AYES: Trustee Hodge, Trustee Riley, Trustee Withrow, Trustee Guillén, Trustee Handy, Trustee González Yuen, and Trustee Gulassa.

NOES: None

ABSTAIN: None

ABSENT: None

MINUTES 7:03 P.M.

MOTION: Motion by Trustee Withrow, second by Trustee Guillén to approve the minutes. Trustee González Yuen abstained.

1. Consider Minutes of the Board Meeting of September 14, 2010. Copies of the minutes of the Board of Trustees' Meetings are posted on Granicus. Please submit all minute corrections to the Board Clerk. (This should read September 28, 2010. Corrected under approval of the agenda.) As a matter of policy (Board Policy 1.10), no action shall be taken on any item not identified as an "action item."

Background Materials

ASSOCIATED STUDENT GOVERNMENT REPRESENTATIVES REPORT 7:04 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. If you have a hard copy of your report, please submit it to the Board Clerk so that it can be attached to the minutes.)

Speaker Thompson from BCC gave an update on student events. Speaker Washburn gave her report about campus student life activities. They had an event protesting budget cuts, a national "coming out" day celebration, and a Latina heritage day celebration. Speaker Marlin from Merritt College Associated Students reported that their Peet's coffee fundraising project is under way. Student Trustee Storm was thanked for being a strong advocate for the students. Speaker Williams from Laney College announced the Eagle alumni night, as well as an event about the budget cuts and its impact on students. The movie "Gerrymandering" was previewed on redistricting. Their October 14th voter registration drive will host Barbara Lee and mayoral candidates from Oakland.

COMMUNICATIONS FROM MEMBERS OF THE PUBLIC 7:10 P.M. (Please line-up to speak when your name is called.) This portion of the agenda provides an opportunity for members of the public to address the Board on matters not included on this agenda. A maximum of 15 minutes (3 minutes per individual maximum) will be provided for speakers under this agenda item. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Under the Brown Act, Trustees and District staff are not allowed to discuss and/or take formal action at today's meeting on items brought before them under this item. Trustees and District staff are only allowed to respond briefly. Persons submitting cards to address an item included on the agenda will be called upon at the time the agenda item is considered by the Board, 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 by the recording secretary. Written statements can be submitted to the Board Clerk for inclusion into the Board minutes.

Speaker Maxwell, DSPS coordinator at COA, sent a letter to the Trustees and the administration outlining what she sees as the current budget problems. This week is disability history week and the anniversary of ADA legislation passage. She feels that our current budget practice goes against these standards and the District's goal.

Speaker Fulsaas shared that he wouldn't be in school were it not for funding to the DSPS program.

The alternative media program helps to place his textbooks onto tapes for him.

Speaker Kawas is an honor student at Merritt College who has benefited from the DSPS services with test proctors and extra test time allowed, areas where services have now been reduced. There are fewer counselors, so it's hard to get accommodations prior to school starting, which affects the services he can receive. He thanks the Board for funding these past services and requests that they continue into the future.

Speaker Franeta, faculty senate President at Laney College, reported good news that the ESL and wood technology program won finalist position in Washington DC and was recognized nationally. She feels that cuts are done without long-term planning, and that the faculty should be involved with this process. She also feels that if the numbers of classes are going down in the District, she'd like to know how the administration can justify adding District staff. Her goal is for students to succeed and transfer.

Speaker Lecar from the League of Women Voters shared that it's election season again and people are encouraged to vote. She brought election materials for distribution. This year it is especially important that everyone participate by voting in the elections. The issues are designed to be complicated, and she advises that people examine them carefully. First generation college students should ask their family members if they are registered to vote, as next Monday is the last day to register to vote.

IDENTIFICATION OF ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR FOR DEBATE 7:25 P.M. (Please state the agenda item number and identify the issue.)

Items 11, 12, 15, 16, and 17.

IDENTIFICATION OF ITEMS TO REMAIN ON THE CONSENT CALENDAR AND PULLED FOR DISCUSSION 7:28 P.M. (Please state the agenda item number and identify the issue.)

Item 35.

PRESENTATIONS 7:30 P.M.

Trustee Withrow thanked everyone for their great work on the report. He asked if staff if the recommendations have been integrated into our culture. Speaker Berry confirmed that this is happening at Merritt College. This process has been in place since 2005, starting with a four page document. They realize that they have been implementing this system, with the smart classroom project being a top priority and a fine example of this process, working all of the way through the presented cycle.

President Jackson concurred that the COA faculty have embraced this plan and are following the process. Everyone was thanked for their immense labors.

Trustee Gulassa was really impressed by the sheer quantity of work and data compiled. He asked what it costs to go through accreditation, and he feels this would be important information for the proper authorities to know all of the time and labor involved.

2. Presentation on the ACCJC Follow-Up Reports from the District, Merritt College and College of Alameda Vice Chancellor Budd and College Presidents (15 minutes) ACTION ITEMS

[Merritt Presentation](#)

INFORMATIONAL ITEMS AND ORAL REPORTS 7:45 P.M.

3. [CHANCELLOR](#)

Chancellor's Report Presenter: Chancellor Allen

The Colleges are doing an excellent job educating our students and staying within budget. We closed last years' books, completed the 2008-9 audit, the multi-year recovery plan, the corrective action plan, sustained the credit bond ratings, and FTES revenue-flow has been maintained. These are tough times, but we are up to the task. The Board was thanked for addressing the governance issues. The administration team was thanked for doing their jobs well, and for willingly taking a pay-cut for the team. Faculty and leadership were thanked for their support, as well as the classified senate and students. Mr. Tom Henry and his team helped us to meet all of these goals. Future focus will be on addressing issues in these documents, and more, to help Peralta to get us off of probation. Vice Chancellor Budd gave an enrollment update. Vice Chancellor Ng shared that the online transcript ordering service has commenced. \$5M has been collected during the implementation of the Board's payment plan. Health services will commence tomorrow in the Laney College tower health clinic, which will be expanded once student services space becomes available. A financial aid update was given.

Trustee Gulassa asked why we don't break out non-resident tuition in our budget, and he requested this in the future. He congratulated the Chancellor on his success in these areas. Resident and non-resident are combined to calculate productivity in that data.

Vice Chancellor Gerhard gave an update. We have \$17.8M in deferrals which we need to absorb, which is a cash flow issue. This does not include payroll. Trustee Withrow asked if we have a line of credit with the county. We have to trigger that prior to the fiscal year to use those similar advances. We can get 85% of our anticipated tax revenues, and Finance will create a plan to contend with this, and then request a Board resolution to authorize that advance. Trustee González Yuen shared that we might have some growth in our budget, and he asked if it was budgeted as dollar revenue. It was not, as it was our funded on base growth from last year. He asked what the impact on Peralta in terms of income projections might be. If we generate the FTES to meet our new growth cap, we'll have \$3M in general funds. There may be an additional \$35M statewide for categorical, to help restore the prior significant cuts taken in the last 2 years. There will be a revision of the budget to incorporate the anticipated \$3M in November, as we won't get the allocations from categorical until after November 3rd.

Trustee Guillén thanked Chancellor Allen and his staff who have worked very hard to get us here, as well as the College Presidents, and he realizes that everyone is under extreme pressure.

Vice Chancellors' Reports Budget Report Presenter: Vice Chancellor Gerhard Enrollment Update Presenter: Vice Chancellor Budd Easy Pass, Financial Aid, Student Health Fee, and Health Services Initiative Update Presenter: Vice Chancellor Ng Distribution of Technology Master Plan The plan will be distributed and a presentation given. Presenter: Associate vice Chancellor Lam

[VC Budd Report](#)

[VC Ng Report](#)

[VC Gerhard Report](#)

[College Reports](#)

[Merritt College Presenter: President Adams](#)

President Adams announced that Dr. Vincent Tinto will speak on success and retention on October 22nd, funded with a Title III grant. October 23rd will be a MAP African American male conference. Dr. Thompson have given ESL Fruitvale students book bags, which were also presented to the Board.

[Laney College Presenter: President Webb](#)

President Webb thanked the 600 Laney employees who work hard for their 14,000 students. She sees how education increases the economy dramatically. Laney College has aligned its efforts with state and national goals.

[College of Alameda Presenter: President Jackson](#)

President Jackson shared how COA's 40 years of excellence celebrations will bring-in the community. In October, retired Dean Simon will speak about his travels to Thailand and Tibet. The Board was thanked for their help to pursue a NSF GeoStep grant application. Their online and hybrid classes are increasing, and the counseling department will have an e-counseling site, as a pilot program.

[Berkeley City College Presenter: President Inclan](#)

President Inclan acknowledged Debbie Budd and Joseph Bielanski for their comprehensive recommendations and great work on the District accreditation report. Dr. Ikharo was acknowledged for his excellent work on smart classrooms. BCC has also been involved with the Commission on the Future. Transfer day was today with 50 colleges in attendance. LWV debate will occur on Measure R. The civic engagement student club will host a panel on CA election issues. Their artist showcase is closing on October 14th, and the fabulous faculty artists were recognized. Fabian Banga has been working diligently on their website design. On Friday, there will be a presentation on the college Title III federal grant, showcasing their work.

[**COMMENTS FROM THE BOARD OF TRUSTEES \(Please announce any upcoming Board committee meetings and give any Board committee reports.\)**](#)

Trustee Riley announced the passing of Dr. Israel Dunn.

Trustee Guillén announced that the Chancellor search committee recommended eleven candidates for interviews which will occur this Thursday and Friday. The Board does not have a set timeline to get the next Chancellor in place, and has no start date in mind. When appropriate, the Board will take action. November 30th will be the second level interviews with the Board, and public forums with the candidates.

Trustee Guillén is often approached by citizens who are thankful for the great education they've received at Peralta. Some people have asked if they can make a donation to the college on our

website when they enroll, which is a suggestion for IT, perhaps with a link to the Foundation site or the college class or program.

Trustee González Yuen noted that last Sunday was "350 nationally" where participants attended Laney college for a sustainable Peralta event, and helped to rebuild the Laney College garden. This event was held to revitalize Laney College's community garden, offer skill-building workshops, pass the microphone to dynamic speakers, and bring together local leaders for climate justice, and to support Oakland's climate action plan by building community access to healthy, affordable food.

Student Trustee Storm thanked the student leaders who are making so much progress districtwide, and she is seeing more students as activists. Drs. Inclan and Webb were thanked for sending students to the San Jose conference at the 20-20 vision CCLC conference.

Trustee Gulassa acknowledged the upcoming Foundation dinner on October 21. He's very excited about the new approach to the event, and he encouraged others to attend.

Trustee Withrow announced the Board Audit and Finance committee meeting on the 14th from 5-7 pm. This regular Board meeting agenda included the last committee meetings agendas and minutes, as well.

4. Board Standing Committee Meetings Upcoming Board Committee Meetings and Recent Board Committee Meeting Agendas and Minutes. Facilities and Land Use Planning: October 21st 3 - 5 p.m. District Office, Physical Plant Conference Room. Audit and Finance: October 14th 5 - 7 p.m. District Chancellor's Conference Room.

[Background Materials](#)

[DAS PRESIDENT REPORT Presenter: DAS President van Putten](#)

[DAS President Report](#)

CONSENT CALENDAR (FOR ACTION) 8:15 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 recommended contracts are subject to negotiation and execution by the Chancellor. Items pulled for Debate by the Trustees will be addressed later in the meeting, at approximately 8:15 p.m. Meeting times are estimates.

MOTION: Motion by Trustee Withrow, second by Trustee Handy to approve the consent calendar, including Items 8, 9, 10, 13, 14, 18, 19, 20, 21, 22, 23, 26, 27, 28, 30 as amended, and 31.

AYES: Trustee Gulassa, Trustee González Yuen, Trustee Guillén, Trustee Hodge, Trustee Handy, Trustee Withrow, and Trustee Riley.
NOES: None
ABSTAIN: None
ABSENT: None

[Executed resolutions](#)

5. [PUBLIC HEARING: Sunshine of the Peralta Community College District Initial Proposal for Successor Agreement to the Peralta Federation of Teachers \(PFT\) Presenter: Vice Chancellor Largent Pursuant to Government Code 3547\(a\) the public shall have an opportunity to comment upon the District's Initial Proposal for a Successor Agreement with the Peralta Federation of Teachers \(PFT\) that was received at the September 28, 2010 Board meeting. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends adoption of the District's initial proposal.](#)

[Background Materials](#)

Speaker Schacker, part-time (PT) faculty at Laney, was shocked with the District's proposal to eliminate PT faculty office hours, as it would have a terrible effect on students. Students have already lost access to counselors, DSPS, and office hours, and she doesn't want things to get worse for our students. Speaker Weintraub, PFT President, asked for the faculty present at the meeting to stand. They feel there is nothing in the District proposal offered, with many take-aways. She listed what she felt were unfair clauses. Still, the faculty keep giving concessions, and they are now feel demoralized and angry. Speaker Seigel shared that the English department is always there for its students. She shared that not getting a raise and a COLA increase is in effect a cut. They are passionate about the jobs they do, and they have to go to conferences on their own dime, with their load added to each day. Speaker Grill, CIS instructor COA, feels that multi-tasking is a way of life. He feels privileged to have a job. He feels that half of the District proposal is take-away, and that nothing has been offered to faculty. We have a budget and resource problem, and feels that proposal is not collegial or cooperative from the onset. He doesn't feel appreciated, but now feels this is a competitive environment. Speaker Brem shared that faculty are concerned. He feels that the District proposal included only take-aways, and not a cooperative stance, and that faculty efforts to step-up haven't been recognized. He doesn't want to see a death cycle in this scenario. Faculty are working extremely hard, and that they've stepped up with increased class sizes. He asked for the District to re-group and for the contract to return.

Vice Chancellor Largent spoke to the District's initial proposal with PFT.

MOTION: Motion by Trustee Withrow, second by Trustee Handy to approve Agenda items 5, 6, and 7.

AYES: Trustee Gulassa, Trustee González Yuen, Trustee Guillén, Trustee Hodge, Trustee Handy, Trustee Withrow, and Trustee Riley.

NOES: None

ABSTAIN: None

ABSENT: None

6. [PUBLIC HEARING: Sunshine of the Peralta Community College District Initial Proposal for Successor Agreement to the International Union of Operating Engineers \(IUOE\) Local 39 Presenter: Vice Chancellor Largent Pursuant to Government Code 3547\(a\) the public shall have an opportunity to comment upon the District's Initial Proposal for a Successor Agreement with International Union of Operating Engineers \(IUOE\) Local 39 that was received at the September 28, 2010 Board meeting. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends adoption of the District's initial proposal.](#)

[Background Materials](#)

7. [PUBLIC HEARING: Sunshine of the Peralta Community College District Initial Proposal for Successor Agreement to the Service Employees International Union Local \(SEIU\) 1021](#)
[Presenter: Vice Chancellor Largent Pursuant to Government Code 3547\(a\) the public shall have an opportunity to comment upon the District's Initial Proposal for a Successor Agreement with the Service Employees International Union Local \(SEIU\) Local 1021 for a Successor Agreement that was received at the September 28, 2010 Board meeting. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends adoption of the District's initial proposal.](#)

[Background Materials](#)

Trustee Gulassa shared that the proposals are beginning concepts. From the beginning, we are in a partnership relationship, and will take appropriate steps through mutual examination of the issues and agreement of how the issues are to be handled. PFT will take special training to deal with the issues, rather than the usual type of exchange. He is surprised by the faculty response, and deplores divisions from the beginning of a process. Chancellor Allen recommends that we engage in the training to learn how to negotiate and respect each other's interests, in interest based bargaining. Negotiations will start after both sides have been trained during the two day training, based on mutual interests, which is to take away the adversarial stance. Trustee Gulassa appreciates the shared comments, and he has found that training to very valuable. He suggests that perhaps they should have been trained first prior to now. Vice Chancellor Largent has had preliminary discussions with the unions, and mutual goals are viable health benefits plan and fiscal stability of the District. Before we can enter negotiation, there must be this sunshining process and a public hearing, which are legal steps to open negotiations. Trustee González Yuen commented that it's challenging as both a Board member and faculty member where he has an institutional role to sit back and allow the administration do their bargaining for them. The Board doesn't have the role to negotiate. Trustee Guillén shared that this is the proper protocol that is supposed to be followed, even though it hasn't always been followed strictly in past few years.

8. Consider Approval of Board Policy 2.23, Role of Academic Senates in District and College Governance (revised) Presenter: Trustee Gulassa Consider approval of Board Policy 2.23, Role of Academic Senates in District and College Governance (revised). This revision comes to the full Board upon the approval and recommendation of the Board Policy Review Committee. This is a second and final reading at the Board level. The Chancellor recommends approval.

[Background Materials](#)

9. Consider Approval of Board Policy 6.86, Conflict of Interest for Biennial County Report, (revised) Presenter: General Counsel Nguyen In accordance with the biennial requirements set forth by Alameda County Board of Supervisors, the Board will consider approval of amendments to Board Policy 6.86. Titles revised, deleted, and added are marked in Exhibit A of Board Policy 6.86. The Chancellor recommends approval.

[Background Materials](#)

10. Consider Approval of Board Policy 1.20 Chancellor Selection (revised) Presenter: Trustee Gulassa Consider approval of Board Policy 1.20 Chancellor Selection (revised). This revision comes to the full Board upon the approval and recommendation of the Board Policy Review Committee. This is a second and final reading at the Board level. The Chancellor recommends approval.

[Background Materials](#)

11. [Consider Approval of Board Policy 1.21 Committees \(revised\) Presenter: Trustee Gulassa Consider approval of Board Policy 1.21 Committees \(revised\). This revision comes to the full Board upon the approval and recommendation of the Board Policy Review Committee. The Chancellor recommends approval.](#)

[Background Materials](#)

[Suggested edits](#)

Trustee Gulassa clarified the policy review committee view on Board committees. These revisions help to correct the accreditation's mistaken belief about the Board committees. This is the first reading at the Board, and will return to the Board for the second reading at the next meeting. It had initially been placed on the agenda for action to meet the accreditation report deadline, but the Chancellor shared that it is not critical at this time. Trustee González Yuen asked that all future policy changes come with track changes, when possible. Trustee Gulassa shared that the proposals are often new, so that's not always possible. The changes were underlined, and that will be explained better in the future.

12. [Consider Approval of Board Policy 1.05 Board Duties and Responsibilities \(revised\) Presenter: Trustee Gulassa Consider approval of Board Policy 1.05 Board Duties and Responsibilities \(revised\). This revision comes to the full Board upon the approval and recommendation of the Board Policy Review Committee. The Chancellor recommends approval.](#)

[Background Materials](#)

[Trustee Withrow edits](#)

Trustee Gulassa reviewed these policies. Trustee Guillén spoke to the Chancellor and Withrow on these matters. The administration has the responsibility of running the District, and the Chancellor's recommendation is the best practices, and he doesn't feel we need the specificity in Trustee Withrow's version at this time. At the next Board meeting, we hope to have Warren Kinsler speak about Board oversight, and meeting our accreditation requirements. Other comments about the institution could be incorporated in the Chancellor's evaluation. Trustee Gulassa feels that both versions should be sent back to committee. The Board sets policies that establish compliance via Board authority. Trustee Withrow feels this is a communiqué to the Chancellor and the Board. The Chancellor wasn't concerned with the listed items, but feels that Trustee Withrow's draft is a combination of policy and procedure. Trustee Withrow feels that the Chancellor's version doesn't communicate the Board duties. Many other Districts also use a similar board policy as the Chancellor's draft, some of which are also on probation, and this is recommended for our accreditation process from our fiscal advisor. The accreditation report could include that this issue is in progress of refinement.

MOTION: Motion by Trustee Gulassa, second by Trustee González Yuen have the policy to return to the Board policy review committee.

AYES: Trustee Gulassa, Trustee González Yuen, Trustee Guillén, Trustee Hodge, Trustee Handy, Trustee Withrow, and Trustee Riley.

NOES: None

ABSTAIN: None

ABSENT: None

Trustee Gulassa asked about the differences in policy and prescription, and how the Board should perform at a concrete and not an abstract level. This discussion could occur in a workshop or at the policy review committee meeting.

13. Consider Approve of the Subordination of the Redevelopment Agency, City of Oakland's Obligation to Pay Statutory Pass-through Payments to the District in Connection with the Broadway/MacArthur/San Pablo Redevelopment Project Area Presenter: General Counsel Nguyen The City of Oakland, Redevelopment Agency is developing the MacArthur Transit Village and preparing to issue bonds for the Agency's contribution to such project. Pursuant to the California Health and Safety Code, the Agency may subordinate current debt obligations provided that the affected entity has approved the subordination. Under the Code, the District can only disapprove of the subordination request if it finds, based upon substantial evidence, that the Agency will not be able to pay its debt payments. Analysis shows that the debt service coverage (the ratio of funds available to debt obligations) ranges from 2.33 to 4.95; that is, the Agency will have over two times (2x) to approximately five times (5x) the amount of funds necessary to pay its debt obligations. Currently, the District receives roughly 2.64% of all Tier 1 tax sharing payments - equating to roughly \$25,929 this year. The Chancellor recommends approval.

[Background Materials](#)

FINANCIAL SERVICES

14. Consider Approval for Blanket Purchase Order for Official Payments Corp. Presenter: Vice Chancellor Gerhard Request approval for a blanket purchase order in the amount of \$150,000 to pay for student credit card convenience fees for Fiscal Year 2010-11. Official Payments Corp. currently offers Peralta Community College District electronic check payment and processing transaction services and credit/debit card payment transaction services through an Internet interface over the web, an interactive telephone voice response system, and a point of sale interface. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Materials](#)

EDUCATIONAL SERVICES

15. [Consider Approval of the District ACCJC Follow-up Report Presenter: Vice Chancellor Budd Consider Approval of the District ACCJC follow-up report. The Chancellor recommends approval.](#)

[Background Materials](#)

MOTION: Motion by Trustee Withrow, second by Trustee Handy to approve agenda Items 15, 16, and 17.

AYES: Trustee Hodge, Trustee Riley, Trustee Withrow, Trustee Guillén, Trustee Handy, Trustee González Yuen, and Trustee Gulassa.

NOES: None

ABSTAIN: None

ABSENT: None

Trustee González Yuen expressed gratitude to all those who performed the incredible work undertaken in the documents. He received an e-mailed version of the documents, and prefers a hard copy in his Board packet in the future. He's not happy with the first section of the document, and preferred Trustee Gulassa's draft version. He will support these items, but he's not happy with that one component.

16. Consider Approval of the Merritt College ACCJC Follow-up Report Presenter: President Adams Consider Approval of the Merritt College ACCJC follow-up report. The Chancellor recommends approval.

[Background Materials](#)

17. Consider Approval of the College of Alameda ACCJC Follow-up Report Presenter: President Jackson Consider Approval of the College of Alameda ACCJC follow-up report. The Chancellor recommends approval.

[Background Materials](#)

18. Consider Approval to Submit a Grant Application to Local Initiatives Support Corporation (LISC) for a Financial Opportunity Center Social Innovation Fund Grant for Merritt College Presenter: Vice Chancellor Budd Request Approval to Submit a Grant Application to Local Initiatives Support Corporation (LISC) for a Financial Opportunity Center Social Innovation Fund Grant for Merritt College. The funder has encouraged this grant application and the amount of the request will range from \$100,000 to 200,000. If funded, the Centers will provide individuals and families with services across three critical and interconnected areas: employment placement, job retention and skill improvement; financial coaching and counseling; and accessing income supports/public benefits. The Chancellor recommends approval.

[Background Materials](#)

19. Consider Approval of Independent Contract with Peter Simon for the ATLAS Program Presenter: Vice Chancellor Budd Request Authorization to enter into a contract agreement with Peter Simon to provide assistance with strategic planning for the ATLAS program, act as a liaison to regional community colleges to satisfy Department of Labor grant requirements, develop and submit a plan for 'blended funding' to institutionalize the ATLAS program certificate and degree programs. The contract period is from September 1, 2010 to June 30, 2011 and not to exceed \$30,000. This is a categorically funded project and there will be no budgetary impact to Peralta as a result of the requested action. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Materials](#)

20. 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 - October 2010" contains course and program additions, changes and deactivations as approved by the colleges' curriculum

committees and CIPD. The Chancellor recommends approval.

[Background Materials](#)

21. Consider Approval of Independent Contractor Agreement for Paula Groves to Render Consulting Services to the Alameda County Small Business Development Center Presenter: Vice Chancellor Ng Approve an increase in the Independent Contractor Agreement for Paula Groves to render consulting services to the Alameda County Small Business Development Center ("ACSBDC") in the amount not to exceed \$73,000, subject to the availability of ACSBDC funding. The currently approved amount is \$25,000 (of which \$24,392 has been spent). With the increase, Ms. Groves' contract will be approved for a total amount not to exceed \$98,000 through June 30, 2011. The ACSBDC is a categorically funded project and there will be no budgetary impact to Peralta as a result of the requested action. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Materials](#)

22. Consider Marketing Department Contractor. Presenter: Executive Director Heyman. Approval is sought for a contract in the amount of \$25,000 for ongoing communications and public affairs support for the Peralta Community College District by GCA Strategies, on an as-needed basis, with the continuation of the contract based on performance. This new contract, continues services that began on July 1, 2010, with a 3-month contract through September 30, 2010, which was for \$24,000, equaling a fiscal year contractual amount that will exceed \$25,000, and thus, requiring Board approval. The purpose of this new contract is continuation of the work relative to implementation of the strategic communications plan. The primary objective of this project is: Public affairs advocacy communications and litigation support (press statements, talking points, blogs, FAQ, crisis communications counsel) Public relations (develop, draft or pitch success stories) Social media releases and electronic messaging Website message and thematic development Outreach training Media fact book development Additional materials development Strategic and media planning Community Advisory Council planning Additional community outreach Media reference guide Other strategic communications and public affair initiatives GCA Strategies proposes to provide public affairs and communications services to the Peralta Community College District from November 1, 2010 - April 30, 2011 on a retainer basis, at a set cost of \$4,000 per month, for a total of \$24,000. GCA Strategies will provide an estimated 25-40 hours per month within the limits of the monthly retainer under the direction of the Executive Director of Marketing, Public Relations and Communications. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Materials](#)

23. Consider Approval of Resolution 10/11-28, Acceptance and Retention, Roof Replacements at Laney College Gymnasium and Merritt College Building D, State Roofing Systems, Inc. Presenter: Vice Chancellor Ikharo On June 9, 2009, this Board awarded a contract to State Roofing Systems, Inc. for the Roof Replacements at Laney College Gymnasium and Merritt College Building D. The work has now been completed, and project acceptance is recommended. The Notice of Completion has been filed with the County of Alameda, and the Laney and Merritt College Presidents and Business Managers have signed the College Project Acceptance Form. This resolution accepts the work as complete and provides for a retention payment of \$32,248.60, which is 10% of the contract price. The Board previously

approved a change order to this contract in the amount of \$3,486.00, which is 1.1% of the original contract amount (\$319,000.00). Of the original contract amount, the bid for the Laney College Gymnasium roof was \$72,000.00, and the bid for the Merritt College Building D was \$247,000.00. Funding Source: Measure E. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Materials](#)

24. Consider Ratification of Change Order Nos. 1, 2, 3 and 4, College of Alameda Parking Lot A Landscape Improvements, Galedrige Construction, Inc. Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order Nos. 1, 2, 3 and 4 to the contract with Galedrige Construction, Inc. for the College of Alameda Parking Lot A Landscape Improvements. The change orders total \$22,687.45, which is 9.9% of the original contract amount (\$226,929.00). Change Order Nos. 1, 2, 3 & 4 include work requested by the District to address unforeseen issues during construction, which involved: Unforeseen soils conditions (asphalt beneath planting areas, low water table, etc.) requiring: Revised drainage and irrigation plans Additional spoils required to be removed and transported off-site In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and the items are now brought before the Board for ratification. It has been determined that it is in the best interests of the District and financially prudent to authorize these change orders. This project was discussed at the Board Facilities and Land Use Committee meeting on May 20, 2010 and at two College Facilities Committee meetings, receiving recommendations (native species incorporated) and endorsement. Funding Source: Parking Lot Fund. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. (Removed from the agenda.)

[Background Materials](#)

25. Consider Ratification of Change Order No. 1, Site Improvements and Modular Replacement at the District Administrative Center, JUV, Inc. Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order No. 1 to the contract with JUV, Inc. for the Site Improvements and Modular Replacement (for the International & Distance Education Center) at the District Administrative Center site. Change Order No. 1 totals \$99,055.98, which is 9.9% of the original contract amount (\$999,700.00). Change Order No. 1 includes additional owner requested renovation of the existing parking and landscape areas around the District Administration Center. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and the items are now brought before the Board for ratification. It has been determined that it is in the best interests of the District and financially prudent to authorize this change order. Funding Source: Measure A, as approved by the voters in Peralta's constituency and authorized under Resolution 05/06-45, and verified by the Finance Department as a qualifying expenditure in accordance with the language of this resolution and further described on the bond project crossover list for implementation. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends ratification. (Removed from the agenda.)

[Background Materials](#)

26. Consider Ratification of Change Order No. 3, Carpentry Shop Upgrade at Laney College, Kudsk Construction, Inc. Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order No. 3 to the contract with Kudsk Construction for the Carpentry Shop Upgrade at Laney College, in the amount of \$1,933.79. Including the previously Board approved change orders, the cumulative total is \$16,096.79, which is 8.0% of the original

contract amount (\$200,800.00). The scope of work included in Change Order No. 3 includes: Relocation of an electrical panel, necessary because existing field conditions would not allow the panel to be installed per plan Installation of a substitute eyewash fountain, necessary because the originally specified eye fountain was no longer available A credit in the amount of \$1,276.21 for mechanical as-built drawings that were never submitted by the contractor as part of the closeout package In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and the items are now brought before the Board for ratification. It has been determined that it is in the best interests of the District and financially prudent to authorize this change order. This project is one of the previously approved Laney College Modernization and Short-Term Projects, funded by Measure A. The modernization and short term project allocations were discussed by the Board Facilities and Land Use Committee and approved by the Board of Trustees at the meetings of March 13, 2007 and October 9, 2007. Funding Source: Measure A, as approved by the voters in Peralta's constituency and authorized under Resolution 05/06-45, and verified by the Finance Department as a qualifying expenditure in accordance with the language of this resolution and further described on the bond project crossover list for implementation. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends ratification.

[Background Materials](#)

27. Consider Approval of Independent Contract with Catalyst Consulting Group for Security Engineering Services to Develop the District Access Control and Alarm Monitoring System Standard Presenter: Vice Chancellor Ikharo Approval is requested for an Independent Consultant Contract (ICC) in the amount of \$8,350 with Catalyst Consulting Group (Catalyst) for security engineering services for the District Access Control and Alarm Monitoring System (ACAMS) Standard. On July 29, 2010, the District entered into an independent contract with Catalyst in the amount of \$75,750 for replacement design of the Johnson Controls, Inc. (JCI) entry access system with an improved system which will utilize the new picture ID keycards. This system will also be non-proprietary, and this open-access operating system will save the District significant lifetime funds over the JCI proprietary system. The bridging document for Merritt College's Allied Health Building is currently under development, and there is an immediate need for the District's access standard. The Allied Health Building will be the first new building to utilize the non-proprietary Lenel system. This \$8,350 fee will produce the new standard to be initially utilized on the Allied Health Building, but subsequently on any future building project. Because this \$8,350 raises Catalyst's total contract amount this Fiscal Year above the allowable independent contract amount of \$78,500, Board approval is requested. Including the currently requested fee, the total contract amount this Fiscal Year for Catalyst will be \$84,100. Catalyst was originally selected to design the replacement for the proprietary JCI system through an informal request for proposal process. District staff solicited quotes from three qualified firms for the work. Upon evaluation of the quotes, it was determined that Catalyst was the most qualified firm with confirmed references for similar work from other local community colleges. Funding Source: Measure E and State Scheduled Maintenance Funds. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Materials](#)

28. Consider Approval of Resolution 10/11-25 Clarification and Reinforcement of Board Positions Presenter: Trustee Withrow Consider approval of Resolution 10/11-25, Clarification and Reinforcement of Board Positions.

[Background Materials](#)

29. Consider Approval of the Regular Board Meeting Calendar for 2011 Assistant Epstein Consider approval of the Regular Board meeting calendar for 2011. The Chancellor recommends approval. (Removed from the agenda.)

[Background Materials](#)

[Suggested edits](#)

30. 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.
- | Last Name | First Name | Date of Hire | End Date | Position Title | Site |
|-----------------|-----------------|--------------|----------|---------------------------------------|-----------------------------------|
| De Saussure | Laura | 10/13/10 | 6/30/11 | Instructional Asst/English B | Jones |
| Mattew | Matthew | 10/15/10 | 6/30/11 | International Student Support Spec. D | Laniohan |
| Aurora | Aurora | 10/13/10 | 6/30/11 | Instructional Asst III/DSPS A | Pharr |
| Phasasha | Phasasha | 10/13/10 | 6/30/11 | Senior Clerical Assistant | L Seay |
| Jamar | Jamar | 10/15/10 | 6/30/11 | Clerical Assistant II | D Solomon |
| Adam | Adam | 10/15/10 | 6/30/11 | International Student Support Spec. D | Solomon |
| Felix | Felix | 10/15/10 | 5/27/11 | Instructional Asst/Journalism | L Suen |
| Suen (Michelle) | Suen (Michelle) | 10/15/10 | 6/30/11 | Sr. Admissions & Records Clerk | D names read into the agenda are: |
| Last Name | First Name | Date of Hire | End Date | Position Title | Site |
| Bingham | Sharonda | 10/13/10 | 5/31/11 | Instructional Asst/Psychology | M Brown |
| Harold | Harold | 10/13/10 | 5/31/11 | Instructional Asst/Psychology | M Watkins |
| Janis | Janis | 10/13/10 | 5/31/11 | Instructional Asst/Psychology | M |
31. Sunshining of Initial Proposal for Successor Agreement for Service Employees International Union (SEIU) Local 1021 (Permanent and Hourly) to the Peralta Community College District Presenter: Vice Chancellor Largent Pursuant to Educational Employment Relations Act, Section 3547, the Service Employees International Union (SEIU) Local 1021 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 the SEIU Local 1021 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 October 26, 2010.

CONSENT CALENDAR (NON-ACTION) INFORMATIONAL ITEMS

32. Consider Board Policy 6.47 Refund Policy (revised) Presenter: Trustee Gulassa Consider Board Policy 6.47 Refund Policy (revised). This revision comes to the full Board upon the approval and recommendation of the Board Policy Review Committee. This is a first reading of two necessary at the Board level, and the item will return to the next Board meeting for final adoption. The Chancellor recommends approval.

[Background Materials](#)

33. Consider Board Policy 5.22 Standards of Scholarship (revised) Presenter: Trustee Gulassa Consider Board Policy 5.22 Standards of Scholarship (revised). This revision comes to the

full Board upon the approval and recommendation of the Board Policy Review Committee. This is a first reading of two necessary at the Board level, and the item will return to the next Board meeting for final adoption. The Chancellor recommends approval.

[Background Materials](#)

34. [Consider Elimination of Board Policy 4.15 Tuition Refund Policy for Out-of-State and Foreign Students Presenter: Trustee Gulassa Consider elimination of Board Policy 4.15 Tuition Refund Policy for Out-of-State and Foreign Students. This elimination comes to the full Board upon the approval and recommendation of the Board Policy Review Committee. Language from this policy will be incorporated into an Administrative Procedure. This is a first reading of two necessary at the Board level, and the item will return to the next Board meeting for final elimination. The Chancellor recommends approval.](#)

[Background Materials](#)

5. [PUBLIC HEARING: Sunshine of the Peralta Community College District Initial Proposal for Successor Agreement to the Peralta Federation of Teachers \(PFT\) Presenter: Vice Chancellor Largent Pursuant to Government Code 3547\(a\) the public shall have an opportunity to comment upon the District's Initial Proposal for a Successor Agreement with the Peralta Federation of Teachers \(PFT\) that was received at the September 28, 2010 Board meeting. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends adoption of the District's initial proposal.](#)

MOTION: Motion by Trustee González Yuen, second by Trustee Handy to approve Item 5.

AYES: Trustee Gulassa, Trustee González Yuen, Trustee Guillén, Trustee Hodge, Trustee Handy, Trustee Withrow, and Trustee Riley.
NOES: None
ABSTAIN: None
ABSENT: None

35. [Consider Position Paper on Governing Board Oversight Presenter: Trustee Withrow Consider position paper on Governing Board Oversight.](#)

[Background Materials](#)

Trustee Withrow reviewed his position paper. He suggested that there be annual certification that each policy has been implemented and are being followed, by the Chancellor and the College Presidents at the colleges.

Trustee González Yuen left the meeting at 9:50 pm.

36. Consider Ratification of the AP, Travel, and Consulting Contract Registers Vice Chancellor Gerhard Recent AP, Travel and Consulting Contract registers are presented to the Board for Ratification purposes only. The Chancellor recommends Ratification.

[Background Materials - part 1](#)

[Background Materials - part 2](#)

Sympathy is sent to the families of retired Laney College Math Instructor Alan George Bodine, and Dr. Israel R. Dunn, Jr. upon their passing. Committee Meetings are: Facilities and Land Use Planning: October 21st 3 - 5 p.m. District Office, Physical Plant Conference Room, and Audit and Finance: October 14th 5 – 7 pm District, Chancellor’s Conference Room. Chancellor Allen is congratulated upon his birthday today, and President Webb is congratulated for her birthday tomorrow.

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.

Wise E. Allen, Chancellor
Secretary to the Board of Trustees
PERALTA COMMUNITY COLLEGE
DISTRICT