

**PERALTA COMMUNITY COLLEGE DISTRICT** Item No. 21  
**Board of Trustees Agenda Report**

For the Trustee Meeting Date of: November 9, 2010

**ITEM TITLE:** Request Board Authorization to Increase Independent Contractor's Agreement for Legal Services for Larry Frierson, Attorney at Law

Consider Approval of Office of Human Resources and Employee Relations Department's request to increase the annual Independent Contractor's Agreement of Mr. Larry Frierson.

**BOARD ACTION REQUESTED:** District Office of Human Resources and Employee Relations requests Board approval to increase its current independent contractor's agreement for Larry Frierson, Attorney at Law, who currently provides counseling to the District for personnel and employee relations matters reviewed and managed by the District's Vice Chancellor for Human Resources. We are requesting an increase to the contract for \$25,000.

**ITEM SUMMARY:** The Vice Chancellor for Human Resources responds to a number of district-wide personnel and employer and employee relations matters including discrimination, retaliation, and sexual harassment complaints filed by students and employees, many which require the expertise of a legal professional with a background in community college matters. Because of the volume and time sensitivity of issues, the Office of Human Resources has utilized the services of this legal professional to assure District compliance in responding to numerous complex matters.

**BACKGROUND/ANALYSIS:** The current agreement will soon reach the Chancellor's approved limit of \$25,000; with this request, the agreement would increase to an amount not to exceed \$50,000 through fiscal year ending June 30, 2011.

**ALTERNATIVES/OPTIONS:** Not Applicable

**EVALUATION AND RECOMMENDED ACTION:**

**SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):** The source of funds to accommodate the increased contract would be split from Cost Centers 133 (Employee Relations) and Cost Center 135 (Human Resources). Splitting the funds would not adversely impact the District in that a contractor is needed to provide ongoing legal and other services for the multitude of Equal Employment Opportunity and other cases handled by the Vice Chancellor for Human Resources.

**OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):**

YES \_\_\_\_\_ NO       X      

**COMMENTS:** Providing legal professional services assists the District by maintaining equal employment opportunity compliance and the Board mission and goals to "Remain committed to

affirmative action and maintain employment practices that assure a superior and diverse workforce and faculty.”

**WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING?**

Trudy Largent, Vice Chancellor for Human Resources

**DID A BOARD STANDING COMMITTEE RECOMMEND THE ITEM?**

YES \_\_\_\_\_ NO  X  \_\_\_\_\_

**IF “YES”, PLEASE INCLUDE THAT INFORMATION IN YOUR SUMMARY.**

(\*\*\*\*\*Board contract approval is subject to negotiation and execution by the Chancellor.)

***PLEASE ACQUIRE SIGNATURES IN THIS ORDER:***

Prepared by: Trudy Largent Date: 11/3/10  
Trudy Largent, J.D., Vice Chancellor for Human Resources

**DOCUMENT PRESENTED BY:**  
Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_  
Trudy Largent, J.D., Vice Chancellor for Human Resources

**FINANCE DEPARTMENT REVIEW**

\_\_\_\_\_ Finance review required \_\_\_\_\_ Finance review *not* required

If Finance review is required, determination is: \_\_\_\_\_ Approved \_\_\_\_\_ Not Approved

If not approved, please give reason: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Ron Gerhard, Vice Chancellor for Finance and Administration

**GENERAL COUNSEL (Legality and Format/adherence to Education Codes):**

\_\_\_\_\_ Legal review required \_\_\_\_\_ Legal review *not* required

If Legal review is required, determination is: \_\_\_\_\_ Approved \_\_\_\_\_ Not Approved

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Thuy T. Nguyen, General Counsel

**CHANCELLOR'S OFFICE APPROVAL**

\_\_\_\_\_ Approved, and Place on Agenda \_\_\_\_\_ Not Approved, but Place on Agenda

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Wise Allen, Chancellor

**LAW OFFICES OF LARRY FRIERSON**

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Calistoga, CA 94515

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Email: [frierson\\_landm@msn.com](mailto:frierson_landm@msn.com)

October 28, 2010

Trudy Largent, J.D.  
Vice Chancellor for Human Resources  
Peralta Community College District  
333 E. 8<sup>th</sup> Street  
Oakland, CA 94606

Re: *Scope of Services*

Dear Dr Largent:

At your request, I have set out below the scope of services I would provide to the District:

**Scope of Services**

Legal counsel will provide legal and consultative services in the area of human resources and labor relations. It will include oral and written advice, and representation in administrative and legal proceedings. Such services and related services will be provided at the request of the Chancellor and/or the Vice Chancellor of Human Services, or his /her designee.

Thank you for your consideration,

Sincerely,

Larry Frierson

**Law Offices of Larry Frierson**

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Cell: 415-606-1558

Email: [frierson\\_landm@msn.com](mailto:frierson_landm@msn.com)

**RESUME OF LARRY FRIERSON**

**Education**

Claremont Mens College, 1961-1963

University of Oregon, 1963-1965, BA degree

University of California Berkley, Boalt Hall School of Law, 1965-1968, JD Degree

**Law Practice**

1968-1974 Senior Legal Counsel, California State University System

1974-1979 First General Counsel, Los Angeles Community College District

1979-1980 Partner, Paterson and Taggart

1980-2000 Founding Partner, Liebert, Cassidy & Frierson

2000-Present Solo attorney in private practice representing California Community College Districts

**Experience**

Forty-one years of providing legal services to colleges and universities

Provided services to 54 of the 72 community college districts of California

Have addressed virtually all issues faced by community colleges in a cost effective, competent, and user friendly manner

Successfully represented Peralta CCD in a federal jury trial (Garmon v. Peralta CCD)

Served as special counsel to ccd's in the drafting of reform legislation AB 1725

**References Upon Request**

