



BOARD OF TRUSTEES  
OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT  
MINUTES  
MARCH 29, 2011

**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. The Regular Meeting of the Board of Trustees will commence at 5:00 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 Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Cy Gulassa, Trustee Nicky Gonzalez Yuen, Student Trustee Jurena Storm, and Student Trustee Esteem Brumfield.  
Absent: Trustee Marcie Hodge.

Trustee Handy left the meeting at 8:00 p.m.

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

At tonight's closed session, the Board voted to approve the appointment of the following public employee contract: 1. Internal Auditor, District Administrative Center, Sarah Schrader, at an annual salary of \$100,000 from April 4, 2011 through April 4, 2012. AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Hodge)

**APPROVAL OF THE AGENDA 7:02 P.M. (Please state the agenda item number and identify the issue.)**

Item 8 and 31 - The Chancellor recommends "acceptance", rather than approval, of the PFT's initial proposal.

Item 31 - The contract extension provides contract continuity as the District and PFT continue to participate in the interest-based bargaining process. Both parties are committed to negotiate the items sunshined by both parties, including health and welfare benefits, to create a health benefits' structure that has long-term financial sustainability.

MOTION: Motion by Trustee Bill Withrow, second by Trustee Cy Gulassa to approve.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.

NOES: None  
ABSTAIN: None  
ABSENT: and Trustee Marcie Hodge.

### MINUTES 7:03 P.M.

MOTION: Motion by Trustee Abel Guillen, second by Trustee Cy Gulassa to approve the minutes.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.  
NOES: None  
ABSTAIN: None  
ABSENT: and Trustee Marcie Hodge.

1. Consider Minutes of the Board Meeting of March 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.

### Minutes 3-15-11

### PRESENTATION OF NEWLY INDUCTED TENURE RECIPIENTS 7:04 P.M.

2. Newly Inducted Tenure Recipients Annette Lee Marrs Berkeley City College Reza Majlesi College of Alameda Sarah Peterson-Guada College of Alameda Mary Shaughnessy College of Alameda Amy Boroquez Laney College Loriann Raji Laney College Diana Barrios Merritt College Melinda Downing Merritt College Tanya Ilarde Merritt College Jennifer Shanoski Merritt College Mary Louise Zernicke Merritt College 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 7:15 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 Washburn COA Associated Students had a Cesar Chavez Day celebration. April 5th will be a pre-event rally for the Hands across America event. Speaker Marlen Merritt College Associated Students reported on their Cesar Chavez Day, Peet's coffee sales, Annual Latino student conference, and student election campaigning proceeding. Speaker Williams, Laney Associated Students, reported on Women's history month, graduation-prep events with the Laney choir, Student's Choice awards, blood drive, and Cesar Chavez day.

### COMMUNICATIONS FROM MEMBERS OF THE PUBLIC 7:20 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 in the Board minutes.

Speaker Copenhagen announced the Hands across California event on April 17th to fundraise for student grants for the State Foundation, and support is requested. Speaker Ward is a BCC employee who asked why 1021 employees aren't involved in the offered early retirement program. Speaker Watson-Hajjen spoke for the COA childcare center parent's group. She thanked the Board for keeping the school open this last year, despite budget cuts. She shared that the center is diverse, with an active parent group that volunteers in the school, has CalWork's students, and a fundraising committee, and she asked for continued Board support. Speaker McMillan yielded his time to Ms. Sandy. Speaker Sandy W, coordinator at the COA childcare center, shared that they have a wonderful community, with a great supportive campus. They are working together with the head-start program, and have a wonderful work-study program. 92% of the students enter the program not speaking English, and are now all prepared for Kindergarten. They have 72 families on their waiting list, showing that there is a great need in Alameda. Speaker Mitchell, Merritt College student, spoke about the work study program. She shared how cutting work study students will hurt these students, who will be cut from 20-10 hours/week and were only given 3 days notice. They want to continue to help the students, staff, and faculty on the campus.

Speaker Wright also spoke about the work study program notice cuts. Even if the jobs can't be replaced, she asked for two-week's notice from the work, out of respect. These cuts have severely impacted the involved students and their families. Trustee Gonzalez Yuen asked the Chancellor to follow-up what happened, what can occur to assist the situation, and asked for follow-up with the students and the Board. The Chancellor shared that this program had budgetary problems, and that he's looking into restoring funds back into that category.

**IDENTIFICATION OF ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR FOR DEBATE 7:35 P.M. (Please state the agenda item number and identify the issue.)**

Item 13.

**IDENTIFICATION OF ITEMS TO REMAIN ON THE CONSENT CALENDAR AND PULLED FOR DISCUSSION 7:38 P.M. (Please state the agenda item number and identify the issue.)**

Items 10, 19, 20, 22, and 31.

**PRESENTATIONS 7:40 P.M.**

3. Presentation on the 2009-2010 Single Audit Report Presenter: Heidi White, Vavrinek, Trine, Day & Co. (5minutes)
4. Presentation on OPEB Recommendations (30 minutes) Presenter: Vice Chancellor Gerhard

**Background Material**

Trustee Withrow asked about the manipulated LIBOR rate, and asked if we've been impacted by that. KNN will research this inquiry. Trustee Guillen feels this plan will give the District needed,

immediate income relief, and also allow us to make payments into the future. He asked how the current amount of 12.5% charged is accounted for in our payment structure. Vice Chancellor Gerhard shared that our 2008 pay-as-you-go study brought us within compliance, and that estimated medical benefits are charged to departments, not directly tied to a debt service. New actuarial study figures are estimated at twice as much, at 25%. Trustee Guillen shared that this plan will come under the advisement of the Board advisory group, but that the figures aren't exclusively being agreed-upon at this time. The advisory group will be brought into these discussions. Vice Chancellor Gerhard shared that any future proposals and resolutions will return to the Board for approval.

5. [Presentation on the ACCJC Follow-up Report Presenter: Vice Chancellor Budd \(10 minutes\)](#)

[Background Material](#)

[Presentation](#)

Trustee Gulassa thanked the team for a well-written document, with an excellent narrative summary. Pages 36-37 also provides a nice OPEB summary.

6. [Presentation on the Final Bridging Document for Merritt College New Science and Allied Health Building Presenters: Vice Chancellor Ikharo and Flad/WLC Architects \(15 minutes\)](#)

Trustee Guillen asked about the building operations plans, given our severe budget and staff cuts. Vice Chancellor Ikharo explained that plan, including extended vendor warranty contracts. Just like BCC, the building will be highly automated. Future bond measure projects could include some preventative maintenance. Other spaces may be taken off line, or there may be other additional community uses. Enterprise functions could also be built-in to help generate revenues, and the upper floor can be rented to the public. Personnel needs were reviewed. There are two stationary engineers at Merritt, which won't be increased. Another custodian assistant will be needed. Trustee Gonzalez Yuen thanked the team for the work and beautiful design. He asked if we're on budget, or if we enjoying budget savings. We're currently a bit under budget. He shared we don't take advantage of natural air and heating, if many windows don't open, and he asked for that flexibility, if needed. Opening windows reduces a building's displacement potential, but air efficiency will be incorporated into the building plan. Windows are only efficient with small buildings. In labs, staff can't open windows to ensure safety. In some office zones, windows could be opened. Student Trustees Brumfield asked about student space during construction. Trustee Guillen suggested having community outreach for upcoming projects with construction opportunities. Trustee Gonzalez Yuen hopes we can build it and attract students to attend.

**[ACTION ITEMS 8:40 P.M. INFORMATIONAL ITEMS AND WRITTEN REPORTS](#)**

7. [CHANCELLOR](#)

**Chancellor's Report Presenter: Chancellor Allen Vice Chancellors' Reports State Budget Update Presenter: Vice Chancellor Gerhard Enrollment Update Presenter: Vice Chancellor Budd EasyPass, Financial Aid, Student Health Fee, and Health Services Initiative Update Presenter: Vice Chancellor Ng General Services' Update Presenter: Vice Chancellor Ikharo**

[Update on Financial Aid and Student Financials](#)

**College Reports**

**Merritt College Presenter: President Adams**

[Merritt College President Report](#)

**Laney College Presenter: President Webb**

**College of Alameda Presenter: President Jackson**

[COA President Report](#)

**Berkeley City College Presenter: President Inclan**

[BCC President Report](#)

## **COMMENTS FROM THE BOARD OF TRUSTEES**

[Background Material](#)

Trustee Gonzalez Yuen asked why there is a large disparity of Financial Aid applicants between the Colleges. Vice Chancellor Ng will research this and report back to the Board. Additional front-line staff may be needed at BCC to facilitate their Financial Aid application process. Student Trustee Brumfield asked if all students, including BOGG waiver applicants, need to sign-up online, which was confirmed. Student Trustee Storm thanked the Chancellor for addressing the Merritt College work study program funding issues. She announced a town hall meeting in the District Boardroom on April 14th at 6 p.m. on the student fee policy. Hands across America will occur on April 17th, and she asked for District marketing assistance as Laney and BCC are directly on the route. Clear Channel is a sponsor, many celebrities have signed-up, and contributions are welcome. Trustee Gonzalez Yuen thanked the Chancellor for his clear budget communication, and asked people to get involved in budget advocacy. He and Trustee Guillen dined at the Laney Bistro, and he encourages other to enjoy the cuisine. Sustainable Peralta Day will be held on April 28th, with a culinary arts cook-off, preparing appetizers that have to be local, affordable, and sustainable. For \$5, people can choose appetizers and cast a vote for the prize winners, with music and a farmer's market. Faculty members all across the District are invited to have mini-sustainable workshops that day in their classrooms. Trustee Gulassa thanked and commended his colleagues for being so cooperative in addressing current Board concerns. Trustee Guillen concurred that this Board is working hard to build consensus, and he hopes that attitude permeates throughout our campus. The State fee increase rising to \$36/unit will impact our enrollment with additional students, which limits our purpose and mission to be an open access institution. Some community colleges have received gifts to endow student scholarships. He asked for renewed interest in philanthropic efforts by everyone, and to join the Foundation's efforts. Trustee Riley announced the passing of Raymond Dones Sr. and sympathy is sent to his family.

**DAS PRESIDENT REPORT Presenter: DAS President van Putten**

[DAS President Report](#)

**PUBLIC HEARING and ACTION ITEM 9:00 P.M.**

Speaker Weintraub reminded the Board that the sunshine list has been gathered from faculty and meetings over the last 1.5 years. 11 articles are open for negotiation. They are reviewing each in

interest-based-bargaining, examining common and different interests, as well as time-sensitive, immediate issues and long-term issues.

MOTION: Motion by Trustee Abel Guillen, second by Trustee Bill Withrow to approve Item 8.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.  
NOES: None  
ABSTAIN: None  
ABSENT: and Trustee Marcie Hodge.

8. PUBLIC HEARING: Sunshine of the Peralta Federation of Teachers (PFT) Initial Proposal for Successor Agreement to the Peralta Community College District Presenter: Vice Chancellor Largent Pursuant to Government Code 3547 (a) the public shall have an opportunity to comment upon the Peralta Federation of Teachers' (PFT) Proposal for a Successor Agreement with the Peralta Community College District that was received at the March 15, 2011 Board meeting. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends adoption of the PFT's initial proposal.

#### [Background Materials](#)

**CONSENT CALENDAR (FOR ACTION) 9:15 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 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 9:15 p.m. Meeting times are estimates.**

MOTION: Motion by Trustee Bill Withrow, second by Trustee Cy Gulassa to approve the Consent Calendar, including agenda items 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.  
NOES: None  
ABSTAIN: None  
ABSENT: Trustee Linda Handy, and Trustee Marcie Hodge.

#### **BOARD POLICIES**

9. 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. This is the second and final reading before the Board. The Chancellor recommends approval.

### Background Material

13. [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.

### Background Material

Trustee Gonzalez Yuen supports this concept, which is a legally required body. At the last Board meeting, he raised the issue of representation. He asked for a friendly amendment calling for quarterly reports to the full Board, which was accepted. He looks forward to having it established with a fuller set of recommendations on how to move forward, and to include labor and PRO (Peralta retiree's organization) representatives. Speaker Weintraub, PFT President, also asked for a PFT and PRO voting members on this Board, since it's their retirement, and that they should actively participate and understand the complex issues.

MOTION: Motion by Trustee Bill Withrow, second by Trustee Cy Gulassa to approve Item 13, with the friendly amendment that the Board receive quarterly reports.

AYES: Trustee Bill Riley, Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Cy Gulassa, and Trustee Nicky Gonzalez Yuen.  
NOES: None  
ABSTAIN: None  
ABSENT: and Trustee Marcie Hodge.

### Executed resolution

14. 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 the second reading of the policy at the Board level. The Chancellor recommends approval.

### Background Material

15. Consider Approval of Budget Transfer Report Presenter: Vice Chancellor Gerhard Consider approval of budget transfer report. Request approval from the Governing Board of the Peralta Community College District to grant the Finance and Administration Department the authority to make ongoing transfers between any expenditure classifications to accommodate program needs, and also to permit the payment of obligations of the District incurred in fiscal year 2010-2011 for all funds with the exception of the General Fund Unrestricted. Budget transfers shall be made in accordance with California Code of Regulations Section 58307. The Chancellor recommends approval.

### Background Material

16. Consider Ratification of Purchase Order Report Presenter: Vice Chancellor Gerhard Consider ratification of purchase order report. This item is for informational

purposes only. This report is being presented 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. The Chancellor recommends ratification.

[Background Material](#)

17. Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register Presenter: Vice Chancellor Gerhard Consider ratification of the AP, Travel, and Consulting Contract Warrant Register. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

[Background Material](#)

18. Consider Approval for Blanket Purchase Order for Official Payments Corporation Presenter: Vice Chancellor Gerhard Consider approval to amend the previously approved blanket purchase order for Official Payments Corporation in the amount not to exceed from \$150,000 to \$310,000. Funding Source: General Fund Unrestricted. The additional \$160,000 is needed to pay for student credit card convenience fees until the end of this 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 Material](#)

10. [CCCT Board Election Slate Presenter: Trustee Gulassa Included in Trustee packets for consideration and action is a slate of candidates for the CCCT Board of the Community College League of California, due April 25, 2011.](#)

[Background Material](#)

The name of Stephen Castellanos from San Joaquin Delta CCD was added to the recommended list. (The Board reviewed the recommended list later in the meeting.) Recommended names are: David Wheeler, Stephen Castellanos, Laura Casas Frier, Nancy Chadwick, Mary Figueroa, Robert Jones, Paul Gomez, and Pauline Larwood.

11. Consider Approval of Resolution 10/11-66, Excusing Trustee Absence Presenter: Trustee Riley It is recommended that Trustees approve Resolution 10/11-66, excusing Trustee Hodge from the March 15, 2011 Board meeting due to illness. The Chancellor recommends approval.

[Background Material](#)

12. Consider Approval of a One-Year Contract to New Era Foods for Cafeteria Food Service at the College of Alameda Presenter: President Jackson Consider approval of a one-year contract to New Era Foods for cafeteria food service at the College of Alameda. Through RFP # 10-11/20, the Peralta Community College District sought proposals from established food service providers for the College of Alameda cafeteria. This contract will generate funds for the Associated Students at College of Alameda. No funding is required. Prospective

providers were to have the capability to improve the diversity and quality of food offered, provide a creative menu at reasonable prices for day, evening students and staff, while maintaining a facility sanitized and free of debris. A committee reviewed the bids received and evaluated the proposals based on their submitted responses to Company Information, Resources, and Key Personnel; Nutritional Plan; References, Knowledge and Experience; sales commission; Menu variety, Price, and Marketing Promotions; Environmentally Sustainable Procurement and SLBE affiliation. After a detailed analysis and review, New Era Foods was the highest ranking vendor. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

#### [Background Material](#)

### **FINANCIAL SERVICES**

19. [Consider Approval of the 2009-2010 Single Audit Report Presenter: Vice Chancellor Gerhard Consider approval of the 2009-2010 single audit report. The Board is asked to receive and file the District's annual single audit report for the fiscal year ending June 30, 2010. The audit will be posted on the Budget and Finance website upon approval at: \[http://www.peralta.cc.ca.us/apps/comm.asp?\\\$1=403\]\(http://www.peralta.cc.ca.us/apps/comm.asp?\$1=403\) The Chancellor recommends approval.](#)

#### [Background Material](#)

20. [Consider Approval of the 2010 Other Post-Employment Benefits \(OPEB\) Actuarial Study Report Presenter: Vice Chancellor Gerhard Consider approval of the 2010 Other Post-Employment Benefits \(OPEB\) actuarial study report. The Board is asked to receive and file the District's OPEB actuarial study report for the fiscal year ending June 30, 2010. The actuarial study will be posted on the Budget and Finance website. The Chancellor recommends approval.](#)

#### [Background Material](#)

TPA is a third party administrator. CAFR is the District financial statement. CoreSource didn't initially include all of the retiree claims, so the 08-09 information was revised to \$9.3M. Vice Chancellor Gerhard shared that this was discussed briefly on February 15th, and the actuarial changes were shown there, here on slide 17. Liability claims were increased due to information not initially being fully provided. Full CoreSource data on pharmacy drugs, last year \$2.3M, and Medicare Part B, \$1M annually, were not initially provided. Slide 21 addresses Trustee Guillen's question about the 12.5% OPEB costs established to help with the gap between the investments and the liabilities to \$220M. Based upon the liability jump, it will rise to 16.9% from 12.5%, which will need to be built-into our future budgets. The presentation boils down to pages 17, 18, and 21 for the Board's future study. Trustee Withrow thanked the Chancellor for the transparency related to these matters. Actuarial studies were conducted in the past, and this is the first one received by the Board, and these real numbers are important to know. He asked about how the figures are valued, and what factor was used to develop the current value, and value of future dollars in return. Page 9 helps to explain the 7% discount rate. Trustee Guillen asked if there are recommendations on how to minimize the impact on future medical programs offered, which is outside of the presenter's area of expertise. He would leave it up to the outside auditors as to why this error occurred, if it's an issue to revisit with CoreSource. Trustee Withrow asked how we validate the CoreSource numbers. Vice Chancellor Largent reported that we have an internal audit process with health benefits and our broker to shadow the figures. She can't report as to why they weren't reported in the past, and we're awaiting a reply. Trustee Guillen doesn't have a basis of comparison about how our health programs compare to others, the available choices and rationale, and he'd be interested in knowing what other

entities do. Trustee Gonzalez Yuen thanked the team for the report. We have 700 active full-time employees, 700 retirees, and 700 part-timers, some of whom draw benefits. Our benefits office is run by one person, and Jennifer Seibert and HR was thanked for managing those people. The District-wide health benefits committee is also examining alternatives. He suggested Board workshops on health benefit options, and he feels that this department is understaffed. An investment in this area could help with health and wellness work and to reduce claim numbers, and he asked for a plan to reduce our health benefit costs. Trustee Gulassa asked if there are any remedies going against CoreSource for the information omission. We could hire a consultant who specializes in auditing claim information. They believe they are now getting the full information, but they may want to audit the CoreSource information. In general, it was uncommon for TPAs to review claims separately for active versus retirees in their data. Trustee Gulassa felt the presentation was a very lucid explanation of a complex topic.

21. Consider Approval of an OPEB Recommendations Presenter: Vice Chancellor Gerhard Consider Approval of OPEB recommendations. Recommendation 1 - Restructure the near term (1-5 years) principal and interest payments on the bonds. The intent and purpose behind this recommendation is to provide near-term operating budget relief. Recommendation 2 - Terminate the B-1 SWAP agreement. This recommendation is echoed by the District's SWAP advisor. The rationale is that the current day to day market changes in interest rates will not significantly change the approximately \$3 million cost to terminate the agreement. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

## **EDUCATIONAL SERVICES**

22. Consider Receipt of the ACCJC Follow-up Report Presenter: Vice Chancellor Budd Acknowledge receipt of the ACCJC Follow-up report due to the Commission on April 1, 2011. The report is posted at: [http://eperalta.org/wp/accreditation/files/2010/03/Draft-ACCJC-Follow-Up-Report-4-11-11\\_3-23-11.pdf](http://eperalta.org/wp/accreditation/files/2010/03/Draft-ACCJC-Follow-Up-Report-4-11-11_3-23-11.pdf) The Chancellor recommends approval.

[Background Material](#)

23. Consider Approval to Submit a Letter of Intent to Apply for the Environmental Education Regional Grant Presenter: Vice Chancellor Budd Consider approval to submit a letter of intent (LOI) to apply for the Environmental Education Regional Grant. Funding Source: Environmental Protection Agency. The application will either be on a college-by-college basis or as a District consortium. The grant purpose is to support environmental education projects that promote environmental stewardship and help develop knowledgeable and responsible students, teachers, and citizens. This grant provides financial support for projects that design, demonstrate, and/or disseminate environmental education practices, methods, or techniques. Funding shall not to exceed between \$15,000 to \$100,000. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

24. Consider Approval to Submit a Letter of Intent to Apply for the Expeditions in Computing Grant Presenter: Vice Chancellor Budd Consider approval to submit a letter of intent (LOI) to apply for the Expeditions in Computing Grant. Funding Source: National Science Foundation. The application will either be on a college-by-college basis or as a District

consortium. The purpose of the grant is to provide the Computer and Information Science and Engineering (CISE) research and education community with the opportunity to pursue ambitious, fundamental research agendas that promise to define the future of computing and information. In planning Expeditions, investigators are encouraged to come together within or across departments or institutions to combine their creative talents in the identification of compelling, transformative research agendas that promise disruptive innovations in computing and information for many years to come. The awards made in this program will complement projects supported by other CISE programs, which target particular computing or information disciplines or fields. Funding shall not exceed \$2,000,000 per year for five years. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

#### [Background Material](#)

25. Consider Approval to Submit a Letter of Intent to Apply for the Transforming Undergraduate Education in Science, Technology, Engineering and Mathematics (TUES) Grant Presenter: Vice Chancellor Budd Consider approval to submit a letter of intent to apply for the Transforming Undergraduate Education in Science, Technology, Engineering and Mathematics (TUES) Grant. Funding Source: National Science Foundation. The application will either be on a college-by-college basis or as a District consortium. The purpose of the grant is to improve the quality of science, technology, engineering, and mathematics (STEM) education for all undergraduate students. This grant encourages projects that have the potential to transform undergraduate STEM education. The program supports efforts to create, adapt, and disseminate new learning materials and teaching strategies to reflect advances both in STEM disciplines, teaching, and learning. Funding shall not exceed between \$200,000 to \$5,000,000. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

#### [Background Material](#)

26. Consider Approval of Independent Contractor Agreement Amendment for Jennifer Kennedy Presenter: Vice Chancellor Budd Consider approval of independent contractor agreement amending contract amount for Jennifer Kennedy, to provide ongoing grant development and post award activities. The amount to be approved shall not exceed \$42,000. Included in this total is \$12,000 for work done with Laney College on the Asian American and Native American Pacific Islander (AANAPISI) grant, which assists colleges to improve their academic quality, increase their self sufficiency, and strengthen their capacity. Ms. Kennedy is also working with Merritt College consulting and evaluating for \$5,000 on the Title III grant, which helps colleges become self-sufficient and expand their capacity to serve low-income students by providing funds to improve and strengthen their academic quality, institutional management, and fiscal stability. The prior contract amount was \$17,000, bringing the total contract amount not to exceed \$42,000. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

#### [Background Material](#)

27. 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 - March 2011" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

### [Background Material](#)

28. Consider MOU Approval between Peralta Community College District and Richmond Build (City of Richmond) Presenter: Vice Chancellor Budd Consider MOU approval not to exceed \$50,000 between Peralta Community College District and Richmond Build (City of Richmond). Funding Source: East Bay Green Job Corps. In order to support the goals and objective of the East Bay Green Job Corps, Richmond Build will provide case management during the three Berkeley and Richmond bridge program sessions; post-training case management, job placement, and follow-up services for the two Richmond bridge program sessions; and post training assistance to transition program participants into employment opportunities, enrollment in a community college, enrollment into a vocational program including RichmondBUILD and YouthBUILD, and acceptance into an apprenticeship program. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

### [Background Material](#)

29. Item removed from the agenda.

## **PERSONNEL**

30. Consider Authorization to Enter into an Agreement with Active, Regular Employees of the District to Offer an Early Retirement Incentive Program Presenter: Vice Chancellor Largent The District has reached a tentative agreement on a side letter agreement for an extension of the collective bargaining agreement between the Peralta Community College District and Peralta Federation of Teachers (PFT) which includes an agreement by PFT for budgetary concessions and an agreement on the District's proposal for an Early Retirement Incentive. Both agreements have been ratified by the Executive Council of PFT. The District has also reached a tentative agreement with IUOE Local 39 regarding budgetary concessions relative to the implementation of the 4/10 Summer Work Schedule which will be effective June 6, 2011 through July 29, 2011 and the Early Retirement Incentive offered by the District. The IUOE Local 39 will be taking a ratification vote on both tentative agreements to their membership on March 29, 2011, 3:00 p.m. Based on the tentative agreements with PFT and Local 39, the District is requesting authorization to implement the Early Retirement Incentive Program for eligible employees of PFT, Local 39, and unrepresented management and confidential employees effective April 4, 2011 which is the designated window period in which employees can begin to submit their intent to retire or resign under the program. The Peralta Community College District thereby requests authorization to implement an early retirement incentive program intended to encourage current regular, contract Faculty; regular Management employees, and regular classified employees to retire or resign from the District. The goal of this program is to generate salary savings for the 2011-2012 academic year with the retirement or resignation of 20 employees from faculty and 10 employees from Management and Classified employees of Local 39, PFT, and unrepresented Management and Classified employees. This program provides a one-time incentive based on the employee's years of service multiplied by a factor of \$300 for Managers and regular and permanent Classified employees (IUOE Local 39, and Confidential employees), and \$400 for full-time contract Faculty for each year served at Peralta. The plan will be self-administered by the District at a projected cost of \$275,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

### [Background Material](#)

31. [Consider Approval of Side Letter Agreement for Extension of the Collective Bargaining Agreement Between the Peralta Community College District and the Peralta Federation of Teachers \(PFT\) through June 30, 2012](#) Presenter: Vice Chancellor Largent Consider approval of a Side Letter Agreement for the extension of the collective bargaining agreement between the District and Peralta Federation of Teachers (PFT), extending their existing contract for one year through June 30, 2012. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

### [Background Material](#)

Speakers Weintraub shared that the PFT knows there will be health care changes in the future. Faculty remain in the middle of the Bay 10 compensation, full-timers have received good health benefits, and it will continue to be discussed at future IBB meetings. Reductions will be emotional in heated discussions, and changes take careful planning. She doesn't feel that a tiered structure should occur again. Part-timers have shared that health care is very important to them. They are working on the benefit's committee, trying to save the District funds and keep benefits intact. Trustee Gonzalez Yuen shared that this has been a difficult negotiation and budget period, with an unrelenting crush of exploitation on all working people. We have a common interest in solving the issues. In the current environment, public employees are blamed for creating the budget problems, and then we fight over the crumbs that are left. This agreement is a partnership that we have shared interests, which are more important than individual interests. He is very hopeful that we can change the tone. He recognized that the union has consistently brought forward MediCare transfer cost savings, and they were thanked for their flexibility and spirit of cooperation. Trustee Gulassa thanked the people involved in the proposal, and he appreciates the clarity and honesty with which the various members spoke about these painful issues, which will help the future environment as we enter terrible financial times.

32. 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 Chow Kwan 3/30/11 6/30/11 Instructional Assistant/Biology B Harding June 4/1/11 6/30/11 Academic Support Svcs. Specialist M Tillotson Janelle 3/30/11 6/30/11 Program Specialist/Gateway to College L Villalobos Erick 3/30/11 6/30/11 Science Lab Technician/Bioscience B Wortz Dorcas 3/30/11 5/27/11 Cashier L

### **FACILITIES**

33. Consider Ratification of Change Order No. 1, Building D Modernization at Merritt College, BHM Construction, Inc. Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order No. 1 to the contract with BHM Construction, Inc. for the Building D Modernization at Merritt College, in the amount of \$23,809, which is 2.9% of the original contract amount (\$815,730). Funding Source: Bond Measure A. The project is nearly complete, and this will be the only change order. The thirteen (13) items comprising this change order were primarily necessary due to: Specific items required by the end user to be able to provide fully functional classrooms for the students, offices to the staff Unforeseen conditions that were encountered during demolition of walls and ceilings 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.

[Background Material](#)

34. Consider Ratification of Change Order No. 1, Exterior Lighting Improvements at Merritt College, John Plane Construction, Inc. Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order No. 1 to the contract with John Plane Construction, Inc. for the Exterior Lighting Improvements at Merritt College, in the amount of \$57,740, which is 4.3% of the original contract amount (\$1,356,234). Funding Source: Bond Measure A. The six (6) items comprising this change order were primarily necessary due to unforeseen underground issues that had to be resolved in order to meet code requirements and provide a fully functional lighting system to the campus. Existing underground wiring was defective, and grounding was non-existent in various locations, that is required. The defective wiring needed to be removed and replaced to accommodate the new lighting fixtures. 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.

[Background Material](#)

**Announcements** 1. The Board would like to announce that they will proceed with efforts to hire a new Chancellor with a projected start date of June, 2012. Interest-group meetings will soon proceed, with dates posted on the Board Chancellor Search website. Chancellor Allen will remain in the position until that time. 2. Just a friendly reminder that Form 700 and the Supplemental Form 700 are due for applicable staff on April 1st, as well an ethic's training certificate. 3. The April 26th regular Board meeting will be held at College of Alameda. The meeting will not be televised, but will be recorded for later broadcast on Granicus. This meeting is also on the 4th Tuesday of the month. The next Board meeting will be held on April 12th, the 2nd Tuesday of the month, here in the District Boardroom. The meeting was adjourned in memory of Alan Dones, Jr.

**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.

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