

**PERALTA COMMUNITY COLLEGE DISTRICT**  
**Board of Trustees Agenda Report**  
**For the Trustee Meeting Date of July 19, 2011**

**ITEM # 8**

**ITEM TITLE:** *(Please define the subject; e.g., change order – Berkeley City College)*

Amended and Restated Oakland/Peralta/Rotary Agreement – training opportunities for students in Laney College's Building Trades program.

**SPECIFIC BOARD ACTION REQUESTED:**

Review and approve amended and restated agreement.

**ITEM SUMMARY:** *(PLEASE DISCUSS THIS ITEM)*

This Amended and Restated Agreement is a tri-party agreement between the City of Oakland, Peralta Community College District and Rotary Development LLC to facilitate a program for the acquisition of residential lots suitable for construction of residential structures in the City of Oakland, California, the construction of said residence(s), and the sale of said residence(s) at an affordable price to low or moderate income households. Pursuant to the agreement, the City of Oakland provides abandoned residential homes that are in poor condition (at no cost) and the Rotary takes responsibility for overseeing the rehabilitation and sale of the completed home as affordable housing to low or middle-income Oakland residents. Although Rotary as project manager will engage a general contractor to oversee and perform construction tasks, students from Laney College's Building Trades program will provide some of the labor during the construction process.

This Amended and Restated Agreement amends and replaces the existing tri-party agreement between the City of Oakland, Peralta Community College District and Rotary Club dated as of August 24, 2001. The Amended and Restated Agreement primarily:

- 1) replaces the Rotary Club as a party with the Rotary Development LLC, its subsidiary;
- 2) clarifies with more specificity the limited roles of the parties; and
- 3) corrects the insurance coverage each party must carry.

**SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):**

Neither the building trades program students nor Laney receive any compensation for the student services or training, nor does Laney make any financial contribution to the project. Laney is required to carry certain insurance coverage.

**BACKGROUND/ANALYSIS:**

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

**COMMENTS:**

This Amended and Restated Agreement was negotiated by outside legal counsel for the District and was reviewed by the District's Risk Manager. This type of contract is within the Chancellor's approval authority. Since Chancellor Wise E. Allen is a member of Oakland Rotary, he voluntarily recused himself from participating in the negotiation or approving the contract. Furthermore, since General Counsel Thuy Nguyen is also a member of Oakland Rotary, she voluntarily recused herself from participating in the negotiation or approving the contract as to legal form. The contract was negotiated, reviewed, and approved as to legal form by outside legal counsel, Ms. Ericka Curls-Bartling.

**DOCUMENT PREPARED BY:**

Prepared by: Erica Euls - Bartling, Esq. Date: 7/13/11  
by re electronically

**DOCUMENT PRESENTED AND APPROVED BY:**

Presented and approved by: \_\_\_\_\_ Date: \_\_\_\_\_

**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: Ron Gerhard, electronically by re Date: 7/18/11  
Ron Gerhard, Chief Financial Officer

**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: Wise E. Allen Date: 7/12/11  
Wise E. Allen, Chancellor