



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT
MINUTES
JULY 19, 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 Copenhagen 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.

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 contracts, which are subject to contractual agreement by the Chancellor:

1. Consider Public Employment Appointment, Gary Nicholes, Interim Director of Financial Aid, District Office, \$110,000/year, August 1, 2011 through August 1, 2012, or until the permanent position is filled, whichever occurs first.

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

If these individuals are present, please stand so that we can welcome you into your new positions. (Applause.)

2. The Board also voted to approve the SEIU 1021 Layoff Arbitration Decision by Arbitrator Fred Butler (Grievance No. 111109).

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

3. The Board also voted to accept the Administration's recommendation to dismiss an academic employee, Resolution 11/12-10.

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.)

MOTION: Motion by Trustee Abel Guillen, second by Trustee Cy Gulassa to approve the agenda as amended.

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

The motion passed.

1. Agenda Item 4, honoring Debra Weintraub, will occur at the start of the meeting. 2. For Agenda Item 6, the Resolution number is number 6 and not number 8. 3. For Agenda Item 15, JP Morgan is being recommended for the bond underwriting service contract by the Retirement Board, after 4 firms had second level interviews. The Board will consider approval of bond underwriter contract services for underwriting and investment banking services for the District related to OPEB only, and not the General Obligation bonds.

For Agenda Item 22, there are 12 additional hourly-employees to the short-term hourly list:

Last Name	First Name	Date of Hire	End Date	Position	Title	Site
Becerill	Porsha	7/20/11	6/30/12	Food Service Worker	L	
Bull	Marilyn	8/1/11	9/30/11	Sr. Clerical Assistant	M	
Casey	Jerry	7/20/11	6/30/12	Computer Network Tech	L	
Crawford	Shawna	7/20/11	6/30/12	Program Specialist/DSPS	L	
Farmer	Vivian	7/25/11	6/30/12	HR Analyst (Conf)	D	
Hamilton	Darrien	7/20/11	8/31/11	Instr Asst/Diesel Mechanics	A	
McCullough	Gloria	7/20/11	10/6/11	Accounting Tech	L	
Sunday	Roger	7/20/11	7/30/11	Instr Asst/Mach Tech	L	
Tam Hok Man		7/20/11	6/30/12	Account Clerk II	L	
Tran Thien Than		7/20/11	6/30/12	Staff Svcs Spec/Fiscal	L	
Vilchis-Lent	Leticia	7/20/11	6/30/12	Account Clerk II	L	
Yu Zhi		7/25/11	6/30/12	A&R Clerk	L	

MINUTES 7:03 P.M.

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

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

The motion passed.

1. Consider Minutes of the Board Meeting of June 28, 2011. Copies of the minutes of the Board of Trustees' Meetings are posted on Granicus. Please submit all minute corrections to the Board Clerk.

[Background Material](#)

IDENTIFICATION OF ITEMS TO BE REMOVED FROM THE CONSENT CALENDAR FOR DEBATE 7:04 P.M. (Please state the agenda item number and identify the issue.)

Items 15, 17, 21, and 24.

IDENTIFICATION OF ITEMS TO REMAIN ON THE CONSENT CALENDAR AND PULLED FOR DISCUSSION 7:05 P.M. (Please state the agenda item number and identify the issue.)

Items 4, 5, 6, 8, 11, 25, 26, 27 and 28.

IDENTIFICATION OF ITEMS WITH PUBLIC SPEAKERS 7:06 P.M.

Items 17 and 23.

ASSOCIATED STUDENT GOVERNMENT REPRESENTATIVES REPORT 7:07 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.)

Student Daisy, COA student body President, shared that she participated in the Lawrence Berkeley Laboratory event, which could bring needed jobs to the area. The students also attended a website workshop, and she hopes that the students' suggestions will be taken.

COMMUNICATIONS FROM MEMBERS OF THE PUBLIC 7:15 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.

Trustee Gulassa shared that Chancellor Allen received an excellent Trustee evaluation from the Board and thanked him for his service. There were no public speakers at this time.

PRESENTATION 7:30 P.M.

2. Update from the Peralta Foundation Presenter: Director Casenza (5 minutes)

[Background Material](#)

Trustee Guillen thanked the Foundation, led by President Karen Friedman, for their outstanding work. He appreciates the past work done as well as the current organizational steps being undertaken. He asked for a timeline from the Foundation to become self-sufficient in the future. Trustee Gulassa asked for future social setting opportunities for the two Boards to meet. It was suggested that retirees be approached for donation opportunities in the future, as well.

4. [Consider Approval of Proclamation Honoring Outgoing PFT President Debra Weintraub Presenter: Trustee Riley Consider approval of proclamation honoring outgoing PFT President Debra Weintraub. The Chancellor recommends approval.](#)

[Background Material](#)

[INFORMATIONAL ITEMS AND WRITTEN REPORTS 7:35 P.M.](#)

[CHANCELLOR](#)

3. [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 College Reports](#)

Trustee Yuen asked for the Financial aid disbursements reports. The Chancellor will provide the requested information to the Board.

[Enrollment report](#)

[Financial Aid report](#)

[Budget report](#)

Merritt College Presenter: President Adams

Laney College Presenter: President Webb

College of Alameda Presenter: President Jackson

Berkeley City College Presenter: President Inclan

[BCC President Report](#)

[BOARD OF TRUSTEES' ANNOUNCEMENTS](#)

Student Trustee Copeland announced apportionment limits from the Board of Governors that a student can take three courses with one appeal before the college no longer receives funding for that course. He hopes it can be implemented fairly so it doesn't harshly impact our students. Trustee Withrow commented on the Livermore Lab project, where COA is a possible candidate as a second campus for the labs. Trustee Yuen announced that three of the six final Lab sites being considered are in Berkeley. He visited the new mural done by BCC, visible at the Berkeley YMCA youth building on MLK, and commends our artists. BCC also will host Camp Wellstone training in July with the Ella Baker Center. He's pleased to see a student success Flex Day program, and he encourages others to attend. Trustee Guillen shared that the APALA

group is holding their national conference in Oakland this week, with a march this Friday fighting for a fair economy at 11 am. Trustee Hodge and Handy reminded the group that the Black Expo is at the Coliseum on the 23rd and 24th. Trustee Gulassa attended the Berkeley Chamber of Commerce dinner, and President Inclan was thanked for her efforts to coordinate the event.

DAS PRESIDENT REPORT Presenter: DAS President van Putten

ACTION ITEMS As a matter of policy (Board Policy 1.10), no action shall be taken on any item not identified as an "action item."

CONSENT CALENDAR (FOR ACTION) 8:00 P.M. All action items are to be considered to be a part of a consent calendar. Trustees are given the opportunity to pull specific items off of the consent calendar for discussion and action. All items that have not been pulled by a Trustee will be considered in a block for comments by the public and action by the Board. All Board approved contracts are subject to final negotiation and execution by the Chancellor. Items pulled for Debate by the Trustees will be addressed later in the meeting, at approximately 8:00 p.m. Meeting times are estimates.

MOTION: Motion by Trustee Bill Withrow, second by Trustee Abel Guillen to approve the consent calendar, including Agenda Items 4, 5, 6 as amended, 8, 9, 10, 11 as amended, 12, 13, 14, 16, 18, 19, 20, 22 as amended, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34.

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

The motion passed.

Trustee Gonzalez Yuen abstained on Items 12, 13, 14, 16, 18, and 19. Trustee Hodge abstained on Items 5 and 6.

15. Consider Approval of Bond Underwriter Contract Services Presenter: Vice Chancellor Ron Gerhard As part of our efforts to restructure the District's OPEB program, the District released Request for Qualification (RFQ) number 10-11/32 for bond underwriting services. The RFQ was issued and advertised on May 12, 2011 and closed on June 9, 2011. The scope of service sought was for qualified underwriting firms to provide underwriting and investment banking services for the District related to our General Obligation Revenue Bonds and Other Post-Employment Bonds (OPEB). The Retirement Board served as the evaluation committee. Fifteen (15) firms submitted proposals and upon evaluation by the Retirement Board () firms were invited for a second level interview. Based upon the evaluation of their proposal and the evaluation of their interview is being recommended as the successful candidate. It is recommended that the Board of Trustees award RFQ number 10-11/32 and approve contract to . This contract award is time sensitive, and cannot wait until the next Board meeting for approval. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. (JP Morgan is being recommended for the bond underwriting service contract by the Retirement Board, after 4 firms had second level interviews. The Board will consider approval of bond underwriter contract services for underwriting and investment banking services for the District related to OPEB only.)

Trustee Yuen feels that this item is not under this Board's jurisdiction, and will vote no on this item. Trustee Gulassa shared this is before the Board because it requires the Board's vote in order for the Retirement Board to proceed with its business.

MOTION: Motion by Trustee Abel Guillen, second by Trustee Bill Withrow to approve as amended under approval of the agenda. (The Board will consider approval of bond underwriter contract services for underwriting and investment banking services for the District related to OPEB only, and not the General Obligation bonds.)

AYES: Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, and Trustee Cy Gulassa.

NOES: and Trustee Nicky Gonzalez Yuen.

ABSTAIN: and Trustee Marcie Hodge.

ABSENT: and Trustee Bill Riley.

The motion passed.

16. Consider Approval of TBWB Strategies Contract Presenter: Vice Chancellor Gerhard Consider approval of TBWB Strategies Contract. The District is contemplating a parcel tax measure at an upcoming election that would support the District in fulfilling its institutional mission of serving the community and students. Under this contract, TBWB would provide the District with a feasibility assessment, voter demographic analysis, and assist with the development of the ballot measure and general advice with regard to the parcel tax. The contract amount shall not exceed \$50,000. Funding Source: General Fund Unrestricted. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

17. [Consider Approval of the Creation of Two Advisory Committees to the Retirement Board Presenter: Vice Chancellor Gerhard To promote and encourage participation and general awareness of the operations of the Peralta Community College District Other Post Employment Benefit Trust, the Retirement Board is recommending the creation of two advisory committees each composed of three representatives. The first advisory committee would be comprised of current retirees representing the entire retirement community. The second advisory committee would be comprised of representatives from each of the three bargaining units within the Peralta Community College District. At present, the bargaining units include Local 39, Local 1021, and Peralta Federation of Teachers. The scope of the advisory committees would be to: 1\) advise the Retirement Board on all issues related to the investments and operations of the Peralta Community College Other Post Employment Retirement Benefit Trust; and 2\) to make recommendations to the Retirement Board concerning items that will enhance the efficiency of the operations of the Trust and maintain and preserve the continued viability of the negotiated health and welfare benefits provided to current and future retirees of the Peralta Community College District. Both advisory committees would be recommending bodies whose recommendations would be nonbinding. The Chancellor recommends approval.](#)

[Background Material](#)

Speaker Connors spoke for on behalf of Matt Goldstein and PFT, and is happy for the creation of an oversight committee, but he wants time to consult with the other local unions on the matter. They are happy to see that it's representative of the community. Speaker Weintraub asked that the process of the roles, responsibilities, and authorities be further discussed, as they are essential issues to retirees. She asked that this not occur mid-summer when many faculty are away.

Trustee Withrow shared that the retirement board composition can be addressed and changed at any time at any future meeting, but that they are legally required to be formed at this time. They can assign and remove retirement board members at any time, with retiree and union participation. Trustee Yuen thanked our Chancellor and Vice Chancellor of Finance for moving this issue forward. He feels that labor and retirees

should have a full, formal vote on this Board. The by-laws talk about confidential documents, such as what could be discussed in closed session. He feels that the voices of labor and retirees would have been valuable and insightful. Thus, he will vote no on this matter. Trustee Guillen suggests that the by-laws not address the advisory committee at this time, and that input from others continue. He feels that section 3 should be deleted, with just a creation of the retirement board by-laws. Trustee Gulassa shared this is the final stage of establishing a retirement board with committees, and that this is a template, and the intent of the Board is to be a very transparent organization with all materials shared unless it's against the law to share the information. Trustee Withrow shared that the Board will work for the benefit of all, and he asked for the unions and retiree group to solicit names of those who may participate, so that they can be kept up to speed. He feels we're 5 years late in this process, and that he'd like for the group to proceed. Trustee Yuen is not questioning the competency or honesty of the group, but since it will continue for many future decades, he's asking for a different structure. He feels that the underwriting firm decision was held in closed session, which was a significant decision. The Chancellor asked for speed to create the group to restructure the SWAPS and debt service, which is included in our 2012 budget, and that the experts are needed to proceed with the business at hand.

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

MOTION: Motion by Trustee Abel Guillen, second by Trustee Bill Withrow to approve the bylaws, and to remove section three from motion and to let the Retirement Board handle the advisory membership issue.

AYES: Trustee Bill Withrow, Trustee Abel Guillen, Trustee Linda Handy, Trustee Marcie Hodge, and Trustee Cy Gulassa.

NOES: and Trustee Nicky Gonzalez Yuen.

ABSTAIN: None

ABSENT: and Trustee Bill Riley.

The motion passed.

EDUCATIONAL SERVICES

18. Consider Approval of a Contract Extension with Wisdom InfoTech Presenter: Vice Chancellor Budd Consider approval of a contract extension with Wisdom InfoTech to provide consultant services to the District's Business Intelligence (BI) Project. An additional amount not to exceed \$40,000 is needed for a contract extension. The scope of work remains the same. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

19. Consider Approval of Resolution 11/12-1 Granting Authority for the EDD Green Jobs Grant between the California Employment Development Department and Laney College Presenter: Vice Chancellor Budd Consider approval of Resolution 11/12-1 granting authority for the EDD Green Jobs grant between the California Employment Development Department and Laney College. The funding amount shall not exceed \$494,139. This resolution authorizes Chancellor Allen or his designee the authority to approve, sign, and execute the EDD Green Jobs grant - Laney College agreement on behalf of the Governing Board. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

20. Consider Approval to Apply for the Industry Driven Regional Collaborative Grant Presenter: Vice Chancellor Budd The IDRC grants is to meet the demand for new, innovative and emerging growth sectors and should be created for short- or long-term responses customized to the duration of the need. Programs and services provided through Industry Driven Regional Collaborative are strategic responses to the needs identified through statewide and regional environmental scanning processes. The grants are also used as pilots to guide the state in new directions that will lead the colleges to offer training in new areas that will need technical workers in the next 5 - 10 years including sectors such as biotechnologies, information technologies, nanotechnologies, digital manufacturing, and Micro-Electro-Mechanical Systems (MEMS). The skills sets developed by these projects will also lead to the integration of new processes, materials and sciences, especially those that are considered part of the "Green Economy. Funding is based on the merit and reasonable cost for the anticipated outcomes and performance. Funding for these projects is limited to two consecutive fiscal years. October 1, 2011 - June 30, 2013. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

PERSONNEL

21. [Consider Approval of Resolution 11/12-8 to Reduce/Eliminate Certain Services and Related Layoff Notices](#) Presenter: Vice Chancellor Largent Consider approval of Resolution 11/12-8 to reduce/eliminate certain services and related layoff notices. Under the Principles for Sound Fiscal Management adopted by the Community College Board of Governors, Title 5, California Code of Regulations, §58311, each District shall be responsible for the ongoing fiscal stability of the District through the responsible stewardship of available resources. Benefit costs continue to rise and the California Department of Education has proposed a 16.5% reduction to the Maximum reimbursement Rate for certain child care services. The State fiscal crisis has had a devastating impact on the District's financial condition. District-wide approaches to address the reduction of funding for Categorical-Funded positions require significant reductions and/or discontinuance/elimination of current services. The Governing Board complies with California Education Code §§88005, 88117, and 88127 in eliminating affected positions; and the District is required by California Education Code §88017 to notify affected classified incumbents no earlier than 45 calendar days prior to the effective date of lay-off. The following classified position allocations are hereby affected by lack of funds, effective September 6, 2011: Position Title Layoff FTE Site/Department Child Care Assistant II 2.0 FTE District - Children's Center. The Chancellor is directed to: 1. Immediately notify all affected employee organizations of the issues, directions and concerns set forth in this Resolution, in order to allow any affected organization to request to meet and negotiate any resulting effects of lay-off. 2. Comply with all applicable sections of the California Education Code in preparing any and all required lay-off and/or reassignment notices to classified incumbents so affected by lack of funding, and any and all notices as required by the collective bargaining agreement. The Governing Board has determined, after public input, that layoff or reduction of work years of employees are the necessary and last fiscally viable response to the District's adverse budgetary situation. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

Trustee Guillen understands that this item needs to proceed, but he feels the timing is bad when our students are away, and he asked the District to communicate the information better with the pertinent parties. Trustee Withrow shared that no one wanted to proceed with this action, but that in extreme financial times, cuts must be made. The center remained staffed one year longer than was fiscally prudent. He doesn't want the childcare center to close, but there aren't any other fiscal options. Trustee Guillen asked for information on budgeting and utility costs, and the discrepancies in savings listed to the College budgets. He doesn't feel that every possible option has been reviewed. He doesn't want it to be a summer surprise for our families, even though other services are provided for the families at other colleges.

MOTION: Motion by Trustee Marcie Hodge, second by Trustee Bill Withrow to approve.

AYES: Trustee Bill Withrow, Trustee Marcie Hodge, and Trustee Cy Gulassa.

NOES: Trustee Abel Guillen, and Trustee Nicky Gonzalez Yuen.

ABSTAIN: and Trustee Linda Handy.

ABSENT: and Trustee Bill Riley.

The motion failed.

Trustee Handy abstained from the vote. The Student Trustees voted No.

The Chancellor shared that all funding sources have already been searched, and that there are no funds for the positions. The funds will need to be taken from the general budget, in addition to mid-year cuts.

22. 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	Name	Date of Hire	End Date	Position	Title	Site
Ahmed	Munira		7/25/11	6/30/12	A&R	Clerk	M
Allen	Bennie		7/20/11	12/22/11	Library	Tech I	L
Berger	Rachel		7/20/11	6/30/12	Instr	Asst/English	B
Bynum	Lindsey		7/20/11	6/30/12	Instr	Asst/English	B
Casillas	Christine		7/20/11	6/30/12	Instr	Asst/ESL	B
Crumpton	Pamela		8/1/11	6/30/12	Clerical	Assistant I	L
Desaussure	Laura		7/20/11	6/30/12	Instr	Asst/English	B
Doan	Lan		8/18/11	6/30/12	Instr	Asst/Culinary	Arts L
Drakes	Daniel		7/20/11	6/30/12	Clerical	Asst II, Typing (Conf)	D
Dutton	William		8/18/11	6/30/12	Instr	Asst/Photography	L
Esquivel	Anel		7/20/11	6/30/12	Instr	Asst/Biology	B
Faw	Randall		8/22/11	6/30/12	Instr	Asst I/DSPS	A
Fihe	Lauren		7/20/11	6/30/12	Instr	Asst/English	B
Ganding	III	Exequiel	7/20/11	6/30/12	Instr	Asst/English	B
Herrera	Catalina		7/20/11	6/30/12	Library	Tech I	B
Ho	Jenny		7/20/11	6/30/12	Instr	Asst/Biology	B
Laiche	Nacira		7/20/11	6/30/12	Instr	Asst/Chemistry	B
Le	Connie		8/18/11	6/30/12	Instr	Asst/Culinary	Arts L
Lewis	Azul		7/20/11	6/30/12	Instr	Asst/Chemistry	B

Lewis	Francine	7/20/11	6/30/12	Secretary	B
Livsey	Andrew	8/22/11	12/16/11	Instr Asst	IV/DSPS L
Luckett	Aaron	7/20/11	6/30/12	Instr	Asst/English B
Lyons	Jeffrey	7/20/11	6/30/12	Instr	Asst/Machine Tech L
Markham	Chauncey	8/1/11	9/30/11	Secretary	M
McGinn	Martin	7/20/11	6/30/12	Sr.	Library Tech B
Meier	Philip	7/20/11	6/30/12	Instr	Asst/MMART B
Murphy	Marcella	7/20/11	6/30/12	Instr	Asst/English B
Perez	Minerva	7/20/11	6/30/12	Secretary	B
Pursley	George	7/20/11	6/30/12	Instr	Asst/ESL B
Riley	Jesse	7/20/11	7/28/11	Instr	Asst/Accompanist L
Roudebush	Tomoko	7/20/11	12/30/11	Program	Specialist/AANAPISI L
Sanchez	Jose	7/20/11	6/30/12	Instr	Asst/Biology B
Scottt	Jessica	7/20/11	6/30/12	Clerical	Asst II, Typing (Conf) D
Segerberg	Von	7/20/11	6/30/12	Clerical	Assistant II M
Smith Ann-Marie		7/20/11	6/30/12	Sign Lang. Interp.	f/t Hearing Impaired/DSPS (Full Cert) B,C,L,M
Tran	Ben	7/20/11	11/23/11	Instr	Asst IV/DSPS L
Yu	Alice	8/25/11	6/30/12	A&R	Clerk COA

(Additional names were read into the agenda under the approval section.)

FACILITIES

24. [Consider Approval of Resolution 11/12-2, Accept Bid and Award Contract, District-Wide Security Surveillance Project, Increment 2 \(Bid No. 10-11/31\), ADT Security Services Presenter: Vice Chancellor Ikharo Approval is requested to accept the bid and award a contract to ADT Security Services, in the amount of \\$4,850,553.32, for the District-Wide Security Surveillance Project, Increment 2 \(surveillance cameras and IT infrastructure\) \(Bid No. 10-11/31\). Funding Source: Bond Measures E \(35%\) and A \(65%\). The scope of work for this project includes: Installation of surveillance cameras at each campus and District Administrative Complex exterior locations Interior surveillance cameras in smart classrooms at each campus Associated cabling and electrical installation Integration of existing analog and digital cameras Installation and configuration of a new IT infrastructure including wireless access points Signage at designated areas Coordination and integration of Increment 2 with Increment 1 at the District Sheriff's Office Command Center A formal bid was conducted for this project \(Bid No. 10-11/31\), and a bid opening was held on June 30, 2011. Three bids were received, as follows: Contractor Location Total Bid ADT Security Services Pleasanton, CA \\$4,850,553.32 Applus Technologies, Inc. Chicago, IL \\$4,965,000.00 Central Sierra Electric Jackson, CA \\$4,995,552.00 The lowest responsible and responsive bid was submitted by ADT Security Services, in the amount of \\$4,850,553.32. This resolution formally accepts the bid and authorizes the contract award to ADT Security Services for the District-Wide Security Surveillance Project, Increment 2 \(Bid No. 10-11/31\). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.](#)

[Background Material](#)

Trustee Handy asked that current performance not be impacted by bandwidth.

MOTION: Motion by Trustee Linda Handy, second by Trustee Bill Withrow to approve.

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

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

The motion passed.

5. [Consider Approval of Resolution 11/12-7 in Support of SB 810 to Establish a Universal, Single-Payer Health Insurance System in California Presenter: Trustee Riley Consider approval of Resolution 11/12-7 in support of SB 810 to establish a universal, single-payer health insurance system in California. The Chancellor recommends approval.](#)

[Background Material](#)

Speaker Bernstein taught at Laney for 12 years in the English department. She is very pleased that the Board is considering this bill, with an excellent resolution.

6. [Consider Approval of Resolution 11/12-8 in Support of AB 52 to Authorize the State Insurance Commissioner to Regulate Health Insurance Rates in California Presenter: Trustee Riley Consider approval of Resolution 11/12-8 in support of AB 52 to authorize the State insurance commissioner to regulate health insurance rates in California. The Chancellor recommends approval. \(This item should read Resolution 11/12-6\)](#)

[Background Material](#)

Trustee Withrow supports these measures, and commends Trustee Yuen for the well-written resolutions.

7. Consider Approval of Resolution 11/12-9 on Board Operating Protocol Presenter: Trustee Withrow Consider approval of Resolution 11/12-9 on Board operating protocol. (This item was later removed from the agenda.)

[Background Material](#)

8. [Consider Approval of the Tri-party Agreement between the City of Oakland, Peralta Community College District, and the Rotary Development, LLC Presenter: Trustee Riley 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. Funding Source: No fiscal impact. 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. Neither the building trades program students nor Laney receives 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. 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.

Background Material

Trustee Hodge asked if the City of Oakland could possibly pay for the apprentice work. The Chancellor responded that the City provides the land, the Rotary provides the housing, and we provide the labor, and then the housing is placed on the market for low income families. This is not a new program, and this has been the existing program arrangement. The Chancellor could ask the City if this idea is possible. Some of the students may require assistance with a small stipend. Trustee Withrow asked about the insurance liability coverage, and asked if other city rotary clubs could also explore similar programs. The Chancellor will explore this issue. The General Counsel shared that the Chancellor and General Counsel recused themselves from this issue due to their membership in Rotary, and our insurance coverage does cover the program up to our limits.

FINANCIAL SERVICES

9. Consider Approval of Budget Transfer Report Presenter: Vice Chancellor Gerhard Consider approval of budget transfer report. Budget transfers shall be made in accordance with California Code of Regulations Section 58307. The Chancellor recommends approval.

Background Material

10. 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

25. Consider Approval of Resolution 11/12-4, Acceptance and Retention, Ratification of Change Order No. 1, Horticulture Complex Improvements at Merritt College, Angotti & Reilly, Inc. Presenter: Vice Chancellor Ikharo On September 28, 2010, this Board ratified a contract award to Angotti & Reilly, Inc. for the Horticulture Complex Improvements at Merritt College. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and project acceptance is recommended. This resolution accepts the work as complete and provides for a retention payment of

\$50,405.09, which is 10% of the contract price. Funding Source: Bond Measure A. Ratification is also requested for Change Order No. 1 in the amount of \$5,618.93, which is 1.1% of the original contract amount (\$498,432.00). It was necessary for the contractor to perform the change order work so that the schedule would not be delayed and the sequencing of the work would not be adversely affected. 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. The change order was necessary due to extensive dry rot found in the exterior wall of the building when the siding was removed to install the new work. Unforeseen conditions such as this are always anticipated in a modernization project, but cannot be quantified until the wall is opened to determine the extent of dry rot that needs to be replaced. It is in the best interests of the District and financially prudent to authorize this change order. Approval to accept the project as complete and ratification of Change Order No. 1 are recommended by the Chancellor. All Board recommended contracts are subject to negotiation and execution by the Chancellor.

Background Material

Trustee Withrow shared that the four named agenda items call for a ratification. The Board doesn't want to hold up logical movement, and would defer to ratifications if the Chancellor can proceed with change orders and not delay the process. He just wanted to observe the trend to have more ratifications rather than approvals. Trustee Yuen praised the General services' staff for the board item presentation, with all of the details pertaining to the item and uniform formats that are easy to understand. He shared that other agenda items lack basic information for the Board, and he encouraged staff to provide further information in the future.

26. Consider Approval of Resolution 11/12-5, Acceptance and Retention, Ratification of Change Order No. 1, District-Wide Security Project - Sheriff's Control Center, JUV Inc. Presenter: Vice Chancellor Ikharo On September 28, 2010, this Board approved awarding a contract to JUV Inc. for the District-Wide Security Project - Sheriff's Control Center. The work has now been completed, a Notice of Completion has been filed with the County of Alameda, and project acceptance is recommended. This resolution accepts the work as complete and provides a retention payment of \$62,524.29, which is 10% of the contract price. Funding Source: Bond Measure A. Ratification is also requested for Change Order No. 1, in the amount of \$42,542.91, which is 7.3% of the original contract amount (\$582,700.00). It was necessary for the contractor to perform this work so that the project schedule would not be delayed and the sequencing of the work would not be adversely affected. 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. This project expanded the current Peralta's Police Services Control Center by extending the building envelope, including foundations, roofline, and additional bulletproof windows and bulletproof wall panels. It included the installation of electrical, telephone and data infrastructure, a new console, monitors and a free standing monitor wall. In addition, the Police Services Control Center received a complete interior refurbishment with accessibility compliance in the restrooms, locker rooms and door upgrades. Expansion of the Sherriff's Control Center will support Increments 2 and 3 of the District-Wide Security Project (cameras and IT infrastructure). Most of the items comprising this change order were necessary due to code compliance by the City of Oakland and unforeseen conditions encountered during demolition of the floors, walls and ceilings. It is in the best interests of the District and financially prudent to authorize this change order. Approval to accept the project as complete and ratification of Change Order No. 1 are recommended by the Chancellor. All Board recommended contracts are subject

to negotiation and execution by the Chancellor.

[Background Material](#)

27. Consider Ratification of Change Order No. 2, Building Q Improvements at Merritt College, Rockaway Construction Inc. Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order No. 2 to the contract with Rockaway Construction Inc. for the Building Q Improvements at Merritt College, in the amount of \$45,322.43. Including the previously Board approved Change Order No. 1, the cumulative total is \$92,167.92, which is 7.1% of the original contract amount (\$1,290,874.00). Funding Source: Bond Measure A. Change Order No. 2 primarily includes the cost to address instances of unforeseen conditions discovered during construction. Prior access to many areas was not possible, and the problems were not apparent until demolition occurred. It was necessary for the contractor to perform this work so that the project schedule would not be delayed and the sequencing of the work would not be adversely affected. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 2 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](#)

28. Consider Ratification of Change Order No. 3, ADA Improvements at Laney College, IMR Contractors Corporation Presenter: Vice Chancellor Ikharo Ratification is requested for Change Order No. 3 to the contract with IMR Contractors Corporation for the ADA Improvements at Laney College, in the amount of \$29,728. Including the two previously Board approved change orders, the cumulative total is \$229,344, which is 9.9% of the original contract amount (\$2,318,000). Funding Source: Bond Measure A. Approximately 80% of the project is complete, and the remaining 20% is expected to be completed by the end of November 2011. This project is comprised of nineteen (19) separate work increments with extensive demolition of concrete ramps, renovations to the Theater, Library and Women's Locker Room restrooms, accessible parking lots, the road crossing at Fallon Street and East 7th Street, various door closers, thresholds, eighteen (18) drinking fountains, and the construction of two new elevators and an inclined lift. Most of the items comprising this change order were necessary due to: The complexity of scheduling construction work around the college educational requirements in various and numerous areas. Due to the aged infrastructure, unforeseen conditions were encountered during the demolition of concrete foundations and footings. Many changes were required to meet field changes and code compliance with DSA and the City of Oakland. Although every effort has been made to reduce the change order work on this project, because of the number of spaces throughout the campus that require ADA improvements and the age of the infrastructure, these changes were unavoidable. It was necessary for the contractor to perform this work so that the project schedule would not be delayed and the sequencing of the work would not be adversely affected. In accordance with Board Policy 6.83, approval was requested from the Chancellor for the change order work, and Change Order No. 3 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](#)

29. Consider Approval of Change Order No. 3 to the Design-Build Agreement with Gilbane Building Company for the Laney Athletic Complex Presenter: Vice Chancellor Ikharo Approval is requested for Change Order No. 3 to the design-build agreement with Gilbane Building Company for the Laney College Athletic Complex project, in the amount of \$263,367. Funding Source: Bond Measure A. The Board of Trustees originally approved negotiation of a design-build contract with Gilbane Building Company at the Board meeting of November 18, 2008, following a competitive Request for Proposal process. The amount of the original agreement was \$12,000,000. On May 25, 2010, the Board approved Change Order No. 1, which amended the project budget to a not-to-exceed amount of \$17,650,000, based on an increased scope of work as requested by the college after the initial scope of work was defined. Change Order No. 2, approved by the Board of Trustees at the meeting of July 20, 2010, formalized the design-build project contract cost at a Lump Sum amount of \$17,540,000, a reduction of \$110,000 from the amended price approved in Change Order No. 1. Although Change Orders No. 1 and 2 established a lump sum price, Change Order No. 3 is necessary to address a combination of credits to the contract and additional scope requested by the college and district. Change Order No. 3 totals \$263,367 (1.5% of the revised design-build lump sum contract amount of \$17,540,000 approved in Change Order No. 2). The largest item in Change Order No. 3 is a scope change to provide a turnkey audio visual package, in the amount of \$253,342. The provision of an audio visual package by Gilbane provides a single point of accountability with respect to design and installation, allows the scope to be performed concurrently with increment #3, and saves budget which will otherwise have to be expended if the work is performed after the building is completed. By including this scope of work under Gilbane's current contract rather than bidding it separately at a later date, an estimated \$150,000 will be saved. An extension of Gilbane's contract duration as a result of this added scope is to be determined and will be addressed under a future change order. Such time extension will not be compensable. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

30. Consider Approval to Enter into an Agreement with Noll & Tam Architects for Architectural Design Services for the District-Wide Drinking Fountain Project Presenter: Vice Chancellor Ikharo Approval is requested to enter into an agreement with Noll & Tam for Architectural services for the District Wide Drinking Fountain Project, in the not-to-exceed amount of \$200,000. Funding Source: Bond Measure E. Architectural services are required to design the installation of exterior, interior and free-standing drinking fountains at each college campus. Drinking fountains must meet the District standard and comply with the Americans with Disabilities Act, providing appropriate cane rails and barriers. Architectural services will include structural engineering requirements, MEP (mechanical, electrical and plumbing) engineering requirements, plumbing code upgrades, and the provision of a water purity certificate that meets the California State Department of Public Health for each drinking fountain. Noll & Tam Architects was selected from the previously Board approved short list of architectural firms. Noll & Tam Architects is located in Berkeley. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

31. Consider Approval of Amendment No. 3 to the Agreement for Architectural Services with George Dedekian, Architect for ADA Renovations (Disabled Barrier Removal Projects) at Laney College Presenter: Vice Chancellor Ikharo Approval is requested for Amendment No. 3 to the agreement for architectural services with George Dedekian, Architect for the ADA Renovations (Disabled Barrier Removal Projects) at Laney College, in the amount of \$39,487. Funding Source: Bond Measures A. The amendment is requested because the scope of work increased, resulting in delays to the project completion date and prompting the need for additional architectural services. The services for the additional scope of work will include: Additional requirements imposed by the City of Oakland for work in the Public-Right-of-Way including the architectural design and coordination with the civil engineering consultants at the West Campus Entry Added scope from the Injunctive Relief Settlement Agreement for Theater changing rooms, accessible parking, interior breezeway road repair, and Art Center ramp handrails The original agreement with George Dedekian, Architect, in the amount of \$226,455, was approved by the Board of Trustees at the meeting of March 24, 2009. Amendment No. 1, in the amount of \$53,790, was approved at the December 15, 2009 Board meeting. Amendment No. 2, in the amount of \$39,031, was approved at the Board meeting of February 15, 2011. Including this Amendment No. 3, the total agreement amount is \$358,763. Staff is managing the regular project meetings in lieu of the architect, with a view to minimize cost for architectural services. George Dedekian was originally selected for this project because he provided architectural services for the preparation of the Disabled Access Survey for Laney College. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

32. Consider Approval of Amendment No. 1 to the Agreement with Valley Relocation and Storage and Approval of Amendment No. 1 to the Agreement with Crown Worldwide Moving and Storage for Office and Industrial Moving Services Presenter: Vice Chancellor Ikharo Approval is requested for Amendment No. 1 to the agreement with Valley Relocation and Storage and Amendment No. 1 to the agreement with Crown Worldwide Moving and Storage for Office and Industrial Moving Services, in the amount of \$100,000 each (\$200,000 total). Funding Source: General Funds or Measure A, depending on the moving service required. The Board approved the original agreements with Valley Relocation and Storage and Crown Worldwide Moving and Storage in the not-to-exceed total of \$250,000 at the meeting of December 7, 2010. The companies were selected through a formal Request for Proposals process. Agreements were negotiated with Valley Relocation and Storage as the primary mover, in the amount of \$150,000; and Crown Worldwide Moving and Storage as the secondary mover, in the amount of \$100,000. These proposed amendments will extend the contract terms for both movers through June 30, 2012, in the amount of \$100,000 for each mover (\$200,000 total). The prices for moving services will remain the same as the originally quoted prices in the existing contracts. In the original RFP, the District indicated that it would issue a contract for moving services to the highest ranking vendor and a second contract to the next highest ranking vendor. This allowed the District to have another company available for last minute moves, in case the primary vendor was not available. Both companies have performed satisfactorily, and it is recommended that their services be extended. The anticipated moves for the upcoming fiscal year are as follows: College Move Time Schedule

[Background Material](#)

Laney College

Complete Tower Relocations (out and in) 2011/2012 Laney Athletic Field 2011

Merritt College

Building L Relocation 2012 Relocate Genomics 2011 Move Out Storage Containers 2011

College of Alameda

Move to 860 Atlantic Avenue 2011 Cougar Village Move 2012 Under the existing contracts, the following moves were completed: Laney Campus Relocation of EOPS supervisor from Student Center to new office in Building A Relocation of IT from the Tower to the Theater Building Relocation of Forum 160 (vacate for ADA compliance) Relocation of Theater Building for ADA compliance project Relocation of IT Department from Tower to Building A Relocation of 2nd floor of the Tower to upper A Building (Financial Aid) Relocation of Counseling (3rd floor Tower) to Counseling Portables Relocation of Tower floors 4 through 8 to the Eagle Village portables Removal and replacement of Nurse's Station in the Student Center for construction Relocation of Laney Nurse's station from Tower to Student Center

Merritt College:

Relocation of Business Manager's Office to portables Relocation of IT Department to Building A Relocation of electron microscope from the Department of Energy to Merritt Relocation of Merritt Library from L Building to Building A and to storage Removal of lower L Building to Storage for L Building renovation Relocation of Horticulture to portables at Merritt Relocation of Horticulture back to their original building

College of Alameda:

Relocation of Library antiquated furniture for arrival of new replacement furniture Removal of CDC surplus furniture Removal of Alameda surplus furniture for use in Laney Student Center Clinic Move of C and D Chemistry and Biology Labs (pending)

Berkeley City College:

Removal of BCC antiquated 3rd Floor furniture for arrival of new furniture Removal of furniture for floor replacement in Chemistry/Biology labs (3 phases) Relocation of Business Office from 4th floor to 1st floor Surplus furniture removal in 18 rooms at BCC and at the 2070 Allston Way Annex to accommodate arrival of new furniture Removal of furniture from Shattuck address to vacate leased facility Including Amendment No. 1 to the contract with Valley Relocation and Storage, the total will be \$250,000; and including Amendment No. 1 to the contract with Crown Worldwide Moving and Storage, the total will be \$200,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

33. Consider Approval to Purchase Computers and Related Hardware for the District-Wide Smart Classrooms through a Piggyback Contract with ComputerLand of Silicon Valley Presenter: Vice Chancellor Ikharo Approval is requested to purchase computers and related hardware for the District-Wide Smart Classroom project, in the amount of \$98,709.93, from ComputerLand of Silicon Valley through a piggyback contract. Funding Source: Bond Measure A. Under Public Contract Code Section 20652, the governing board of any community college district, without advertising for bids, and when that board has determined it to be in the best interests of the district, may authorize purchase of materials and equipment utilizing piggyback-able contracts. ComputerLand provided quotes for 45 Hewlett Packard computer workstations and related hardware under the WSCA/NASPO (Western States Contracting Alliance/National Association of StateProcurement Officials) Contract #B27164-CA, with the exception of keyboards in the total amount of \$1,958.35 that were not available under the piggyback contract. The

quotation from ComputerLand totaled \$98,709.93. They will be required to provide the computers and related equipment before the Fall 2011 semester begins, by August 22, 2011. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

Background Material

34. Consider Approval of Bond Measure Budget Transfer and Appropriation for the Africana Studies Center at Merritt College Presenter: Vice Chancellor Ikharo and President Adams Approval is requested for a bond measure budget transfer and appropriation for the Africana Studies Center at Merritt College, in the amount of \$400,000. The budget action has been approved by the Merritt College President, Vice Chancellor for General Services, Vice Chancellor for Finance & Administration, and the Chancellor. With the intent of full disclosure, it is now presented to the Board of Trustees for approval. Funding Source: Bond Measures A. Following is the budget transfer summary:
- | Transfer Number | Project/Budget Name | Current Budget | Revised Budget | Transfer Amount |
|-----------------|-----------------------------|----------------|-----------------------|-----------------|
| 24 (Measure A) | To: Africana Studies Center | \$400,000 | \$400,000 | \$400,000 |
| | From: Swing Space - Merritt | \$700,000 | \$300,000 (\$400,000) | |
- Description: Create a project to accommodate the Africana Center in the Merritt College Library. The Africana Studies Center will be located in the Merritt College Library. The Africana Center will be comprised of two main components to meet the central objectives: There will be five interactive learning modules of museum quality where students will engage with supplemental course materials through visual, touch screen, e-portfolio lessons. The modules for the center will be multilayered and highly visual and kinesthetic. They will be fully ADA compliant to ensure access. The modules will be for educational purposes and will include assessment that impacts the grade of the student. Every Afram course and instructor will link their curriculum and assessment to the modules, thus ensuring high use of the center. It is also intended to have area high school class visits as a means of teaching beyond college and as a means of recruitment to Merritt College.

Background Material

23. Consider Ratification of Change to Natural Gas Providers for the District (This item is for information purposes only) Presenter: Vice Chancellor Ikharo Independent natural gas suppliers are able to supply the commodity at a less expensive rate than PG&E's standard commercial or industrial rate. The natural gas commodity is still transmitted over PG&E gas lines, but the purchase of the natural gas itself is more economically priced by others than PG&E. SPURR (the School Project for Utility Rate Reduction) for the past few years has provided the District both the core and noncore commodity. The noncore commodity is less expensive but first to be curtailed to resolve any capacity constraint issues (i.e., over-demand), while core pricing is higher but delivery is guaranteed. Tens of thousands of dollars may be saved by the District properly balancing these deliveries. SPURR is a California joint powers authority (JPA) with 200 participating school districts, colleges, universities, and public agencies. The JPA members expect to buy low and have rates kept low. SPURR has no marketing arm to provide support, thus their service and information is marginal. In the past year, SPURR has provided a low price for the noncore gas being delivered to PCCD. The District intends to continue with SPURR for noncore deliveries, which represent approximately 70% of the District's consumption. SPURR's core pricing - the higher priced commodity, but lesser delivered - has been higher than most other commodity deliverers, since California public educational institutions need budget pricing for the next fiscal year by May, meaning that prices must be locked in and gas forward-purchased in late winter (February). For that reason, the District intends to contract with

Commercial Energy, an Oakland-based natural gas producer and supplier, for the core commodity which makes up 30% of the District's gas usage. Commercial Energy conducts business out of its 7677 Oakport Street office (near the Coliseum) and supplies over 2,000 businesses at 7,000 locations within PG&E's operating territory. Commercial's client base spans all major industries including low income housing, hospitality, healthcare, commercial property management, public and private schools, baking, food processing, and metal production enabling it to have a balanced demand regardless of whether one of the 7,000 locations which it serves has a summer or winter gas peak. This has made Commercial the #1 supplier within PG&E's Core Gas Aggregation Program. The District intends to purchase its core gas from Commercial Energy and its noncore commodity from SPURR beginning August 1, 2011, and continuing until June 30, 2012. In this way the District will benefit from the historical lower price that SPURR has delivered for noncore gas, while utilizing Commercial Energy's local presence, monthly pricing models, and historical lower priced core natural gas.

Background Material

Speaker DeMarra introduced Commercial Energy company to the Board. They serve 7,000 commercial business entities. Speaker Rochman, SPURR director, which is a joint powers' authority, and he also introduced his group to the Board.

Trustee Yuen asked that the comments be included in the record, and that the noted comment be corrected in the materials about SPURR's natural gas rates. Trustee Guillen thanked the vendors for attending. Trustee Gulassa thanked Trustee Yuen for working toward better quality in our Board packets.

SPURR comments

11. 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

Trustee Handy shared that there are challenges to the travel request form with added details needed, such as how the employee will benefit from the travel, why early-bird fees are not being taken advantage of, hard to read forms, that employees shouldn't spend more for driving than airfare, that employees share cars when driving to the same conference, where mileage starts from the workplace and not from the home, and that forms are not being submitted timely. She asked that items not proceed to the Board without further review. Trustee Handy will vote No on Item 11. Trustee Gulassa asked for a simple administrative procedure (AP) with rules on mileage and other suggestions. The Chancellor will send a memo outlining the Board's points to the Presidents, and a new AP is being developed.

MOTION: Motion by Trustee Nicky Gonzalez Yuen, second by Trustee Linda Handy reconsider the vote for agenda Item 11.

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

NOES: None

ABSTAIN: None
ABSENT: None

The motion passed.

MOTION: Motion by Trustee Linda Handy with no second required to amend that the travel packet be removed from the item, the Board's travel concerns be communicated, and that the Chancellor review and later approve the packet, should he wish.

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

NOES: None

ABSTAIN: None

ABSENT: and Trustee Bill Riley.

The motion passed.

12. Consider Approval of EB5C Contract Amendment. Presenter: Vice Chancellor Gerhard Consider Approval of EB5C Contract addendum to include Asset Management implementation. This request seeks to extend the time and scope of the existing contract to include the implementation of the Asset Management module within PeopleSoft. This implementation will bring the District into compliance with Governmental Accounting Standards Board statement number 35 and address an outstanding audit finding (finding number 2010-10) related to capital asset accounting. The existing contract is for \$425,000. This addendum would increase the contract amount by \$250,000 bringing the total contract not to exceed value to \$675,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

13. Consider Approval of Bartel & Associates Contract Amendment. Presenter: Vice Chancellor Gerhard Consider Approval of Bartel & Associates contract addendum. The Governmental Accounting Standards Board issued Accounting Standard 45 that requires public agencies to accrue the cost of retiree health benefits provided to employees and to record this liability on their financial statements. The District commissioned Bartel and Associates LLC, to conduct an actuarial study for the period ending June 30, 2010 that provides the liability valuation through fiscal year ending June 30, 2012. The additional work was required in order to complete the actuarial study. The existing contract is for \$25,000. The addendum would increase the contract amount by \$22,000 bringing the total contract not to exceed value to \$47,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

14. Contract with Hicks Consulting Group (Financial Aid Support) for the 2011-12 Fiscal Year Presenter: Vice Chancellor Ron Gerhard Request approval for a new contract with Hicks Consulting Group to transfer Peralta's Mainframe and Legacy Financial Aid application (SAFE) to an online software Financial Aid system. This agreement covers the transfer of existing mainframe software packages for Fiscal Year 2011-12. The compensation shall not exceed \$145,000. On December 7, 2010 the Board approved services through Fiscal Year 2010-11. Contractors will be responsible for developing custom reports related to Federal and State Compliance Audits, integration from SAFE to

PeopleSoft Financial (GL), and data retrieval of historical information. In addition, they will be making necessary system modification to accommodate for new Financial Aid disbursement process between SAFE and PeopleSoft Student Financials. The source of funds is Measure E.

[Background Material](#)

Announcement

1. Board meetings are recorded and stored for viewing on Granicus, posted on the Peralta Board website. The public can always view recorded Board meeting presentations here at your leisure.
2. The next Board meeting will be held here on September 13th at 7 p.m. here in the District Boardroom, which is the second Tuesday night of the month.
3. The District Offices and Colleges will be closed on Fridays, Saturdays, and Sundays in July to conserve energy and cost savings, and will fully reopen in August.
4. Wishing everyone a restful summer, and a successful Summer School session.

[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 to the Board Clerk 466-7203 repstein@peralta.edu](#)

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