

PERALTA COMMUNITY COLLEGE DISTRICT

Resolution No. 12/13-1

APPROVAL OF MERRITT COLLEGE TRAIL AGREEMENT

WHEREAS, the City of Oakland ("City") currently owns and maintains a pedestrian and equestrian trail, as described in the attached Merritt College Trail Agreement;

WHEREAS, the District believes that moving the existing trail to a new location further uphill is preferable as it will make the property more usable in the future;

WHEREAS, the District and the City have agreed to move and realign the trail as described in the attached Merritt College Trial Agreement;

NOW, THEREFORE, BE IT RESOLVED that the Merritt College Trail Agreement between Peralta Community College District and the City of Oakland, a true and correct copy of which is attached hereto as an exhibit, be approved.

BE IT FURTHER RESOLVED that Chancellor Ortiz and his designee is hereby authorized and directed to take such further action, including without limitation the execution, delivery, filing and recording of agreements and other written instruments, as shall be necessary or desirable, in their discretion, to effectuate the terms of the Merritt College Trail Agreement.

PASSED AND ADOPTED this 17th day of July, 2012 by unanimous Board vote.

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



José M. Ortiz
Chancellor and Secretary, Board of Trustees
Peralta Community College District

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 12/13-2**

**ACCEPT BID AND AWARD CONTRACT
BERKELEY CITY COLLEGE BUILD-OUT PHASE 3
BID NO. 11-12/19**

E.F. BRETT & COMPANY, INC.

WHEREAS, this Board has heretofore advertised for bids to secure all labor, material, equipment, mechanical workmanship, transportation and services for the Berkeley City College Build-Out Phase 3 (Bid No. 11-12/19); and

WHEREAS, five bids were received in response to said advertisement on the 13th day of June, 2012; and

WHEREAS, this Board does hereby accept the bid of E.F. Brett & Company, Inc.; and

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby accept the bid of E.F. Brett & Company, Inc., P.O. Box 96, Woodacre, California 94973, for Total Bid in the amount of TWO MILLION THREE HUNDRED SEVENTY-SEVEN THOUSAND SEVEN HUNDRED FOUR AND NO/100 DOLLARS (\$2,377,704.00); making the total contract price TWO MILLION THREE HUNDRED SEVENTY-SEVEN THOUSAND SEVEN HUNDRED FOUR AND NO/100 DOLLARS (\$2,377,704.00); and

BE IT FURTHER RESOLVED that the bid of the other bidders shall be and the same are hereby rejected; and

BE IT FURTHER RESOLVED that the Secretary of this Board be and he is hereby authorized and directed to enter into a contract in accordance with law with said E.F. Brett & Company, Inc. for the Berkeley City College Build-Out Phase 3 (Bid No. 11-12/19), and the bid bond of said bidder be returned to it upon the acceptance of said contract together with the bonds attached thereto.

PASSED AND ADOPTED this 17th day of July, 2012 with full Board support.

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


Secretary of the Board of Trustees
Peralta Community College District
Alameda County
State of California

Resolution No. 12/13-3
Before the Peralta Community College District Board of Trustees
Alameda County, California

**ADOPTION OF THE MITIGATED NEGATIVE DECLARATION/INITIAL STUDY FOR
THE MERRITT COLLEGE CENTER FOR SCIENCE AND ALLIED HEALTH BUILDING,
ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY
ACT, AND APPROVING THE MITIGATION MONITORING AND REPORTING PROGRAM**

WHEREAS, the Peralta Community College District Board of Trustees (“Board”) proposes to construct the Center for Science and Allied Health Building at the Merritt College campus, Oakland, California;

WHEREAS, Peralta Community College District is the lead agency for the Project, and has caused to be prepared the Mitigated Negative Declaration/Initial Study (“MND/IS,” SCH No. 2012-06-2053) for the Project, which was available for review from June 15, 2012 through July 16, 2012; and

WHEREAS, the MND/IS for the Project was prepared pursuant to and in accordance with the California Environmental Quality Act (Public Resources Code, § 21000 *et seq.*, “CEQA”) and the Guidelines for Implementation of the California Environmental Quality Act (Title 14, Cal. Code of Regs., § 15000 *et seq.*, the CEQA “Guidelines”); and

WHEREAS, pursuant to California Public Resources Section 21082.1, the Board has independently reviewed and analyzed the information contained in: (1) the MND/IS and (2) Mitigation Monitoring and Reporting Program (“MMRP”), (collectively the “MND/IS”) and the conclusions of the MND/IS reflect the independent judgment of the Board; and

WHEREAS, Peralta Community College District posted a Notice of Intent to adopt the MND/IS on the District website; and

WHEREAS, all actions required to be taken by applicable law relating to the preparation, circulation, and review of the MND/IS have been taken; and

WHEREAS, the CEQA Findings of Fact included as Exhibit “1,” attached hereto and incorporated herein, identify the following impacts: the Project will not result in any significant impacts for the topical areas of Agricultural and Forestry Resources, Biological Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Population and Housing Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems; therefore, no mitigation is required for these areas; and significant impacts will be reduced to a less-than-significant level with incorporation of the recommended mitigation measures for all of the identified significant effects for the topical areas of Aesthetics, Air Quality, Cultural Resources, Geology and Soils, Hydrology and Water Quality, and Noise.

WHEREAS, the Board has reviewed and considered the Final MND/IS and MMRP with respect to the Project.

NOW, THEREFORE, BE IT RESOLVED by the Peralta Community College District Board of Trustees at the meeting held on July 17, 2012, the following:

SECTION 1:

That the above recitals are true and correct.

SECTION 2

The MND/IS for the Project is an adequate and complete document completed in accordance with CEQA and the CEQA Guidelines.

SECTION 3

The Board hereby certifies that Peralta Community College District is the lead agency for the Project, that the Board, as the governing board of the lead agency, has reviewed and considered the MND/IS and the information contained therein prior to deciding whether to approve the proposed Project, including all comments received thereon and responses thereto; and the Board finds that the MND/IS reflects the independent judgment and analysis of the Board.

SECTION 4:

The Board hereby makes and adopts the CEQA Findings of Fact and mitigation measures set forth in Exhibit "1."

SECTION 5:

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared to meet the requirements of Public Resources Code Section 21081.6. This program is designed to ensure compliance with Project changes and mitigation measures imposed to avoid or reduce to a less-than-significant level the significant effects identified in the MND/IS. The Board hereby adopts the MMRP, as set forth in Exhibit "2."

SECTION 6:

These actions having been taken and findings having been made, the Board hereby approves, certifies, and adopts the MND/IS for the Project.

SECTION 7:

The MND/IS is on file and available at the administrative office of Peralta Community College District, 333 East 8th Street, Oakland, CA 94606.

PASSED AND ADOPTED by the Peralta Community College District on this 17th day of July, 2012
by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None



President of the Peralta Community College
District Board of Trustees

ATTESTED TO:



Secretary of the Board

Resolution No. 12/13-4
Before the Peralta Community College District Board of Trustees
Alameda County, California

**APPROVAL OF THE MERRITT COLLEGE CENTER FOR
SCIENCE AND ALLIED HEALTH BUILDING PROJECT**

WHEREAS, on July 17, 2012, following a duly noticed public hearing thereon, the Peralta Community College District Board of Trustees adopted Resolution No. 12/13-1 certifying the adequacy of the Mitigated Negative Declaration/Initial Study ("MND/IS") prepared for the Merritt College Center for Science and Allied Health Building project ("Project"), adopting findings pursuant to the California Environmental Quality Act ("CEQA"), and approving the Mitigation Monitoring and Reporting Program ("MMRP"); and

WHEREAS, approval of the Project and construction of the improvements described in the MND/IS will advance the public health, safety and welfare and further Peralta Community College District's statutory public education purposes;

NOW, THEREFORE, BE IT RESOLVED by the Peralta Community College District Board of Trustees as follows:

SECTION 1

The Peralta Community College District Board of Trustees hereby approves the Project, consisting of program facilities, which are further described in the MND/IS and in Resolution No. 12/13-1, and authorizes and directs staff to implement the Project in a manner consistent with the terms hereof.

PASSED AND ADOPTED by the Peralta Community College District Board of Trustees on this 17th day of July 2012, by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None



President of the Peralta Community College
District Board of Trustees

ATTESTED TO:



Secretary of the Board

**PERALTA COMMUNITY COLLEGE DISTRICT
RESOLUTION 12/13-5**

AUTHORIZATION TO SUBMIT FINAL PROJECT PROPOSALS

WHEREAS, under provisions of Education Code Section 81800, et al., of the California Community College Construction Act of 1980, Peralta Community College District is required to submit Final Project Proposals, as requested, for the 2014-2015 fiscal year funding; and

WHEREAS, the requested projects are part of the District's 2014-2018 Five-Year Construction Plan;

NOW, THEREFORE, BE IT RESOLVED that the President and Secretary of the Board be, and they are hereby, authorized to submit the proposed projects, as directed by the Chancellor's Office, California Community Colleges, under said Act, and to execute the necessary Project Terms and Conditions for the following projects:

Modernize Library Building 17, College of Alameda
Learning Resource Center, Laney College
Child Development Center, Merritt College

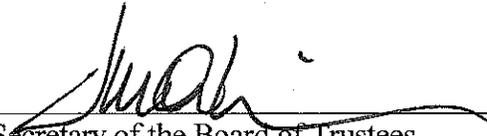
PASSED AND ADOPTED by the following called vote this 17th day of July, 2012:

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

NOES: None

ABSTAIN: None

ABSENT: None



Secretary of the Board of Trustees
Peralta Community College District
Alameda County
State of California

**Peralta Community College District Board Resolution 12/13-6
Support for Equitable Student Access for All Students**

Whereas the mission of the Peralta Community College District explicitly states that we will “provide our diverse students and communities with equitable access to educational resources, experiences, and life-long opportunities to meet and exceed their goals;” and

Whereas on February 15, 2011 the Board of Trustees of the Peralta Community College District by unanimous vote passed a resolution in support of the California Dream Act (AB 130 and AB 131) and in support of full access to Peralta’s educational resources for all students in our service area; and

Whereas, the California Dream Act was subsequently enacted into law authorizing qualifying undocumented college students to apply for institutional financial aid and Cal Grants from the University of California, California State University and Community Colleges; and

Whereas, under AB 540 many undocumented students already qualify for in-State tuition; and

Whereas, on June 15, 2012 President Barack Obama announced that his administration was taking new actions “to mend our nation’s immigration policy, to make it more fair, more efficient and more just, specifically for certain young people sometimes called DREAMers;” and

Whereas President Obama announced that “Effective immediately, the Department of Homeland Security is taking steps to lift the shadow of deportation from these young people” by suspending deportation proceedings for federal “Dream Act” students and providing a way for these students to apply for work authorization; and

Whereas the educational success of Peralta’s undocumented/AB 540 students will be enhanced to the extent that they can step out of the shadows and afford themselves of the educational and economic opportunities available to legal citizens; and

Whereas the social and educational fabric and economic well-being of our local community (as well as those of the state and nation) will be strengthened by providing educational opportunities to all students regardless of immigration status;

Whereas AB 540 students comprise a diverse and wide range of ethnic, racial, geographic and national student populations and Peralta is committed to the full success of all students;

Therefore, be it resolved that the Board of Trustees of the Peralta Colleges applauds the inclusive direction of President Obama's June 15, 2012 immigration policy statement; and

Be it further resolved that the Board of Trustees of the Peralta Colleges encourages the speedy passage of the federal Dream Act and urges that the Obama Administration use the full power of the presidency to bring about its passage; and

PASSED AND ADOPTED this 17th day of July, 2012, by a unanimous vote of the Board.

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



Secretary of the Board of Trustees
Peralta Community College District
Alameda County
State of California