



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, June 25, 2013

5:00 p.m. Closed Session

7:00 p.m. Public Session

333 East 8th Street

Oakland, CA 94606

Welcome to a meeting of the Peralta Community College District Board of Trustees. Meetings of the Peralta Community College District Governing Board are Broadcast Live on Peralta TV – Cable Channel 27 – Alameda and Berkeley, Cable Channel 28 – Oakland, Emeryville, and Piedmont. Listed agenda times are estimates. Live stream video of the meetings, agendas, minutes, and all open session reports and meeting materials are available for viewing on Granicus:

Link on the Peralta Board Website: <http://web.peralta.edu/trustees/meetings-votelog/>

PLEASE TURN OFF YOUR CELL PHONES DURING THE MEETING - THANK YOU!

**Per CA Government Code Section 54953(b)(1),
Trustees Meredith Brown and Nicky González Yuen
will be participating in the meeting via teleconference locations:
530 Baywood Drive, Seabrook, Texas (Brown),
and Premiere Hotel and Suites, 3 Long Wharf Drive,
New Haven, Connecticut (Yuen).**

AGENDA

CALL TO ORDER (4:00 p.m.)

CLOSED SESSION (5:00 p.m.)

Topics to be discussed include:

Conference with Labor Negotiator Largent, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)

Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)

- Conference with Legal Counsel (54956.9(a)), Johnson v. PCCD, U.S. District Court, Northern District of CA Case No. C08-4152
- Conference with Legal Counsel (54956.9(a)), Payne v. PCCD, United States District Court, Case No. C08-03133.
- Conference with Legal Counsel (54956.9(a)), Vogt v. PCCD, Alameda County Superior Court, Case No. RG11-573757.
- Conference with Legal Counsel (54956.9(a)), In re Municipal Derivatives Antitrust Litigation, U.S. District Court, Southern District of New York, Case No. 1:08-cv-02516-VM-GWG.
- Conference with Legal Counsel (54956.9(a)), Kogo v. PCCD et al., Alameda County Superior Court, Case No. RG12613106.
- Conference with Legal Counsel (54956.9(a)), Burk v. PCCD, Alameda County Superior Court Case No. RG12633720.
- Conference with Legal Counsel (54956.9(a)), Chabala v. PCCD; Opong-Mensah, Alameda County Superior Court Case No. RG12655323.
- Conference with Legal Counsel (54956.9(a)), First National Insurance Co. v. PCCD, U.S. District Court, Northern District of CA, Case No. CV12-5943.
- Conference with Legal Counsel (54956.9(a)), Kimberly Alexander v. Peralta Community College District, etc., Case No. RS12657695.
- Conference with Legal Counsel (54956.9(a)), Emmanuel Tril v. Laney College et al., U.S. District Court, Northern District of CA, Case No. C131464 LB
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (5 cases).

Conference with Real Property Negotiator (Government Code § 54956.8):

- Negotiator Ikharo, 2120 University Avenue, Berkeley, California, 94704.

Public Employee Appointment – Employment, Performance, Evaluation, Discipline, Dismissal, Release – All Employees (Government Code § 54957).

- Consider Student Disciplinary Appeal, Rita Elizabeth Saviotti.
- Consider Approval of Interim President, College of Alameda.
- Consider Approval of Interim Vice President of Instruction, Laney College.
- Consider Approval of Interim Vice President of Student Services, College of Alameda.
- Consider Approval of Interim Vice President of Instruction, Merritt College.
- Consider Approval of Interim Director of Student Activities & Campus Life, Laney College.

- Consider Approval of Appointment Dean of Special Programs and Grants, Merritt College.
- Consider Approval of Interim Director of Special Projects, Berkeley City College.
- Consider Approval of Business & Administrative Services Manager, Merritt College.
- Consider Approval of Interim Director of Gateway to College, Laney College.
- Consider Approval of Business & Administrative Services, College of Alameda.
- Consider Approval of Director of International Services, District Office.
- Consider Approval of Dean of Academic & Student Affairs, Laney College.
- Consider Approval of Executive Director, Public Information, Communications & Media, District Office.
- Consider Approval of Vice Chancellor for General Services, District Office.
- Consider Approval of Moving Manager, District Office.
- Consider Approval of Dean of Academic & Student Affairs, Laney College.
- Consider Approval of General Counsel, District Office.
- Consider Approval of Associate Vice Chancellor for Educational Services, District Office.
- Consider Approval of Payroll Manager, District Office.
- Consider Approval of Business & Administrative Services, Berkeley City College.
- Consider Approval of Facilities Planning & Development Manager, District Office.
- Consider Approval of Food Service Manager, Laney College.
- Consider Approval of Risk Manager, District Office.
- Consider Approval of Dean of Academics & Student Affairs, Laney College.

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE

ROLL CALL Trustees Brown, Pr_ Ab_, González Yuen Pr_ Ab_, Guillén Pr_ Ab_, Handy Pr_ Ab_, Riley Pr_ Ab_, Withrow Pr_ Ab_, and Gulassa Pr_ Ab_, Student Trustees Clegg Pr_ Ab_ and Li Pr_ Ab_.

REPORT OF ACTION TAKEN IN CLOSED SESSION (7:01 P.M.)

APPROVAL OF THE AGENDA (Please state the Agenda Item Number and Identify the Issue) (7:02 P.M.)

At this time, Board members or the Chancellor may request to modify the agenda. Board members may request that items on the consent calendar be removed to be addressed separately on the Action Calendar. Subsequent to the approval of the consent calendar, the items removed from the consent calendar are discussed and voted on separately. Changes to the agenda are to be approved by a majority of the Board. The Board will move to the Action Calendar items with public speakers.

APPROVAL OF THE MINUTES (7:03 P.M.)

1. Consider Approval of the Regular Board meeting Minutes of June 11, 2013.
Consider approval of the regular Board meeting minutes of June 11, 2013. The minutes are posted on Granicus.

PUBLIC COMMUNICATION (7:05 P.M.)

At this time, the Board of Trustees will listen to communication from the public on matters that are not on the agenda and are within the Board's jurisdiction. Under provisions of the Brown Act, the Board and District staff are prohibited from discussing or taking action on oral requests that are not part of the agenda, but may respond briefly. A maximum of 15 minutes (up to 3 minutes per individual) will be provided for speakers under this agenda section, at the Board President's discretion. A speaker's card must be completed to request to address the Board. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Persons addressing items included on the agenda will be heard at the time the item is considered, 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. A speaker may yield time to another speaker up to a limit of 6 additional minutes, with no more than 5 speakers on the issue, where both have completed a speaker's card, and the yielder must identify him/herself to the Board. Speakers are asked to submit any materials to the Board Clerk and shall not approach the dais during meetings. (Please line-up when your name is called.) Further direction is provided in Board Policy and Administrative Procedure 2345 Public Participation at Board Meetings. <http://web.peralta.edu/trustees/board-policies/>

REPORTS (7:20 P.M.)

**The Board requests that constituent group reports and presentations be brief and concise, and that only electronic copies be provided for posting.
All open session reports and meeting materials have been submitted to the Board electronically, and are available for public viewing on Granicus.**

2. Associated Student Government Reports

Representatives of the Associated Student Governments will be afforded an opportunity to address the Board. (Please provide your Name, College, and Position, and line-up to speak.)

3. Chancellor's Reports

Chancellor's Report

Dr. José M. Ortiz

Vice Chancellor's Reports

Budget Update

Vice Chancellor Gerhard

Enrollment and

Interim Vice Chancellor Orkin

Student Services Update

General Services

Vice Chancellor Ikharo

Human Resources

Vice Chancellor Largent

College Reports

Berkeley City College	President Budd
College of Alameda	President Jackson
Laney College	President Webb
Merritt College	President Ambriz-Galaviz

4. Board of Trustees' Reports

At this time, the Board of Trustees will report on matters related to attendance at conferences, professional affiliations, and community involvement directly related to their functions as Board members.

5. District Academic Senate Report **Presenter: DAS President Karolyn van Putten**

PRESENTATION (8:00 P.M.)

6. District Equal Employment Opportunity Plan Presentation **Presenter: Vice Chancellor Largent** (10 minutes)

CONSENT CALENDAR (8:10 P.M.)

All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

BOARD MATTERS

7. Consider Approval of Resolution 12/13-36 for the Acquisition of Real Property and Building located at 2015 Shattuck Avenue, Berkeley, California (location also known as 2120 University Avenue, Berkeley, California) **Presenter: Chancellor Ortiz**

Consider approval of Resolution 12/13-36 approving a Second Amended and Restated Purchase and Sale Agreement between Peralta Community College District and Alameda County for the sale by the County and purchase by the District of the real property, building and improvements located at 2015 Shattuck Avenue, Berkeley,

California also known as 2120 University Avenue, Berkeley, California (APN 057-2034-010), approving related documents and actions, and making certain findings. Prior Board action ratified the deposit of \$50,000 and authorized the additional deposit of \$50,000, for a total deposit of \$100,000 to be credited toward the purchase price of \$9,000,000. Board action authorizes the purchase of the property and payment of the balance of the purchase price for the property, which is due on the closing date, currently scheduled for June 28, 2013; directs and authorizes the District to cause to be recorded any documents required to reflect the acquisition of the property; authorizes the District to negotiate and enter into leases with two existing commercial tenants under certain terms and conditions; makes a finding that the purchase of the property and the proposed leases are exempt from CEQA and directs the filing of documents of such finding; makes a finding that the Board has been presented with reports certifying that the building can be rehabilitated to comply with the Field Act; and authorizes the District to prepare and file any notices, reports, applications, waivers or other documents required in connection with the matters approved and findings made under the Resolution. **Funding source: Measure A Bond Funds.** All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

EDUCATIONAL AND STUDENT SERVICES

8. Consider Approval of the First 5 Alameda County Grant, Merritt College **Presenter: Vice Chancellor Orkin**

Merritt College Child Development Department has received funding from the Alameda County First 5 since 2005 to provide college advising, Child Development Teachers permit advising, application/renewal support, tutoring and mentoring. The grant amount is \$175,000 through June 30, 2015. This grant is designed to increase the knowledge, skills and capacity of Early Care and Education providers who serve children 0-5 and their families while institutionalizing professional development support for Early Childhood Education (ECE) providers and students. The grant will also provide funding for the implement an AA Degrees/transfer-ready learning community, to develop and execute a sustainability plan for institutionalized professional development support for Child Development providers. To increase the number of students who receive Child Development Teacher Permit, Certificates and AA degrees by increasing their knowledge, skills and capacity. This will be accomplished by implementing an AA Degree/transfer-ready learning community and by providing Child Development Professional Development Advising: permit support, CARES Plus advising and Child Development advising that aligns with Student Education Plans. **Funding Source: First 5 Alameda County.** All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

FINANCIAL SERVICES

9. Review of Purchase Order Report **Presenter: Vice Chancellor Gerhard**

The Purchase Order Report is being presented for review in accordance with Education Code Section 81656 which states, "All transactions entered into by the officer or employee (designated employees enumerated in AP 6330) shall be reviewed by the governing board every 60 days." This Purchase Order Report contains all orders issued from May 24, 2013 through June 7, 2013 which have been issued in accordance with applicable policies, procedures and laws by an authorized officer of the District. The Purchase Order Report is brought to the Board for informational purposes only.

10. 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 from May 24, 2013 through June 7, 2013. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

11. Consider Approval of Budget Transfer Report **Presenter: Vice Chancellor Gerhard**

Consider approval of budget transfer report covering the period from May 24, 2013 through June 7, 2013. California Code of Regulations Section 58307 limits the District's expenditures to the amount appropriated for each major expenditure classification as approved by the Board of Trustees through the adoption of the District's annual budget or as amended by subsequent budget transfers or revisions. Due to this statutory control language, budget transfers that move budget authority between major object codes or classifications must be approved by the Board of Trustees. The budget transfers presented are requests originating from the Colleges' or District's departments during the ordinary course of operations and do not significantly alter the final budget that was approved by the Board of Trustees on September 11, 2012. The Chancellor recommends approval.

12. Consider Approval of the GANN Limit for 2013-14 **Presenter: Vice Chancellor Gerhard**

Consider approval of the 2013-14 Appropriation Limit (Gann Limit). It is recommended that the Board of Trustees approve the 2013-14 Appropriation Limit (Gann Limit). Article XIII B of the State Constitution, as approved by the voters in November 1979, requires the establishment of an appropriation limit on "proceeds of taxes" revenues for public agencies including community college districts. As part of the development of the tentative budget, the attached Gann Limit worksheet is required to be completed and approved by the Board of Trustees in accordance with Government Code Section 7910. The Chancellor recommends approval.

13. Consider Approval of Education Protection Account (EPA) Funding and Expenditures from Proposition 30 **Presenter: Vice Chancellor Gerhard**

Consider approval for the use of the estimated \$15,735,872 of Education Protection Account proceeds resulting from the passage of Proposition 30 to partially fund instructional salaries and benefits. Proposition 30, The Schools and Local Public Safety Protection Act of 2012 (the Act), passed in November 2012. This proposition temporarily raises the sales and use tax by .25 cents for four years, and raises the income tax rate for high income earners (\$250,000 for individuals and \$500,000 for couples) for seven years to provide continuing funding for local school districts and community colleges. The Educational Protection Account (EPA) is created in the General Fund to receive and disburse these temporary tax revenues.

The estimated EPA funds that Peralta will receive are \$15,735,872 and the entire amount will be spent on instructional salaries and benefits. The Act specifically prohibits the expenditure of EPA funds for administrative salaries and benefits or any other administrative costs. The EPA funds are not additional funds, but rather a component of computational revenue for the general fund. The Chancellor recommends approval.

HUMAN RESOURCES

14. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees **Presenter: Vice Chancellor Largent**

Pursuant to California Education Code Section 88003, the below list contains the name, date of hire, assignment end date, position title, and site location of candidates recommended for short-term assignments in non-academic classified positions. Each candidate's assignment will not exceed the position title into which the candidate is assigned. The Chancellor recommends approval.

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Abdallah	Elizabeth	7/1/13	6/30/14	Interpreter/Fully Certified	All
Basco	Mary	7/1/13	6/30/14	Master Interpreter	All
Becerril	Carla	7/1/13	6/30/14	Clerical Assistant II	D
Bishop	Judith	7/1/13	6/30/14	Master Interpreter	All
Bolesh	Peter	7/1/13	6/30/14	Interpreter, Fully Certified	All
Bollinger	Michael	8/19/13	6/30/14	Inst Asst I/DSPS	A
Brown	Gerald	7/1/13	6/30/14	Interpreter, Fully Certified	All
Cha	Joseph	7/1/13	7/26/13	Inst Asst III/DSPS	L
Chaiyasane	Koung	7/1/13	6/27/14	Lifeguard	L
Chan	Cynthia	6/26/13	6/27/13	Inst Asst I/DSPS	L
Chan	Cynthia	7/1/13	6/27/14	Inst Asst II/DSPS	L
Chan	Judy	7/1/13	6/30/14	Account Clerk II	L
Chao	Stephanie	7/1/13	6/30/14	Interpreter/Fully Certified	All
Choi	Yeon	7/1/13	6/27/14	Lifeguard	L

Cook	Shelby	7/1/13	6/30/14	Master Interpreter	All
Crawford	Shawna	6/26/13	6/27/13	Inst Asst III/DSPS	L
Crawford	Shawna	7/1/13	6/27/14	Inst Asst IV/DSPS	L
Crupmton	Pamela	7/1/13	12/31/13	Inst Asst/Computer Info Sys	L
Dadzie	Serwa	7/1/13	6/30/14	Master Interpreter	All
Danton	Rebecca	7/1/13	6/30/14	Interpreter, Fully Certified	All
Despins	Nicole	8/20/13	1/3/14	Inst Asst IV/DSPS	L
Dieckman	Deanna	7/1/13	6/30/14	Interpreter II	All
Dulaney	Rachel	7/1/13	6/30/14	Interpreter, Fully Certified	All
Edwards	Mary	7/1/13	6/30/14	Interpreter/Fully Certified	All
Epitacio	Robin	7/1/13	6/30/14	Interpreter/Fully Certified	All
Evangelista	Karen	7/1/13	6/30/14	Interpreter III	All
Fauerskov	Helle	7/1/13	6/30/14	Interpreter/Fully Certified	All
Ferreira	Richard	7/1/13	6/30/14	Financial Aid Specialist	L
Ferrell	Sarah	7/1/13	6/30/14	Interpreter I	All
Flink	Electra	7/1/13	6/30/14	Interpreter, Certified	All
Franco	Melvi	7/1/13	6/30/14	Interpreter III	All
Fries	Erika	7/1/13	6/30/14	Interpreter I	All
Gottermeyer	Lindsay	7/1/13	6/30/14	Interpreter I	All
Guenza	Colleen	7/1/13	6/30/14	Interpreter III	All
Hackler	Cathrael	7/1/13	6/30/14	Interpreter, Fully Certified	All
Hedberg	Sheri	7/1/13	6/30/14	Inst Asst II/DSPS	A
Helfand	Lauren	7/1/13	6/30/14	Interpreter, Fully Certified	All
Helmer	Kristine	7/1/13	6/30/14	Interpreter, Certified	All
Hernandez	Kimberly	7/1/13	6/30/14	Interpreter/Fully Certified	All
Herrera	Catalina	7/1/13	7/31/13	Staff Asst/Admin (Grants)	B
Ho	Pak	7/1/13	6/30/14	Fin Aid & Placement Asst	A
Huang	Jian	7/1/13	6/30/14	Interpreter II	All
Huynh	Duy-hoa	8/19/13	6/30/14	Inst Asst I/DSPS	A
Huynh	Hue	8/1/13	6/30/14	Clerical Assistant II	B
Johnson	Christian	7/1/13	6/30/14	Interpreter/Fully Certified	All
Johnson	Patricia	7/1/13	5/30/14	Clerical Assistant I	L
Kanzell	Hannah	7/1/13	6/30/14	Interpreter, Certified	All
Lambert	Mary	7/1/13	6/30/14	Interpreter, Partially Certified	All
Lane	Joshulyn	7/1/13	6/27/14	Inst Asst I/DSPS	L
Laniohan	Aurora	7/1/13	6/30/14	Inst Asst IV/DSPS	A
Lay	Siu	7/1/13	6/30/14	Senior Clerical Assistant	B
Lee	Tammy	7/1/13	6/30/14	Senior Clerical Assistant	A
Lehman	Michi	7/1/13	6/27/14	Lifeguard	L
Levine	Meg	7/1/13	6/30/14	Interpreter/Fully Certified	All
Levy	Tracy	8/12/13	12/18/13	Inst Asst/Child Development	M
Lewis	Francine	7/1/13	6/30/14	Secretary	B
Lines	Valerie	7/1/13	6/30/14	Interpreter I	All
Livsey	Andrew	8/26/13	1/10/14	Inst Asst IV/DSPS	L
Ly	Mai	7/1/13	6/30/14	Staff Asst/EOPS	L
May	Marilyn	7/1/13	6/30/14	Master Interpreter	All

Merritt	Monique	7/1/13	6/30/14	Master Interpreter	All
Moore	Lisa	7/1/13	6/30/14	Interpreter/Fully Certified	All
Nguyen Xuan	Joel	7/1/13	12/31/13	Inst Asst I/DSPS	B
O'Donnell	Jennifer	7/1/13	6/30/14	Interpreter/Fully Certified	All
Oliveros	Iliana	7/1/13	6/27/14	Lifeguard	L
Olson	Carmen	7/1/13	6/30/14	Interpreter II	All
Peel	Antonia	7/1/13	6/30/14	Interpreter/Fully Certified	All
Pickett	Sierra	7/1/13	6/30/14	Interpreter III	All
Potterveld	Theresa	7/1/13	6/30/14	Master Interpreter	All
Rasner	Maria	8/19/13	6/30/14	Inst Asst II/DSPS	A
Richardson	Denise	7/1/13	6/30/14	Inst Asst II/DSPS	A
Roby	Jacqueline	7/1/13	7/31/13	Inst Asst/Psychology	L
Rodriguez	Gina	7/1/13	6/30/14	Interpreter III	All
Rojas	Dennis	9/16/13	1/31/14	Inst Asst IV/DSPS	L
Rojas	Liliana	7/1/13	6/30/14	Clerical Assistant II	B
Roriz	Julia	7/1/13	6/27/14	Lifeguard	L
Sherman-Powell	Margaret	7/1/13	6/30/14	Interpreter, Fully Certified	All
Smith	Annmarie	7/1/13	6/30/14	Interpreter, Fully Certified	All
Spencer Vacca	Laura	7/1/13	6/30/14	Inst Asst IV/DSPS	A
Spencer Vacca	Laura	7/1/13	6/30/14	Interpreter/Partially Certified	All
Sundheim	Mary	7/1/13	6/30/14	Interpreter III	All
Tawasha	Lori	7/1/13	6/30/14	Interpreter/Fully Certified	All
Terry	Jodi	7/1/13	6/30/14	Interpreter/Fully Certified	All
Thiederman	Carrie	7/1/13	6/30/14	Interpreter III	All
Thomas	Susan	7/1/13	6/30/14	Interpreter III	All
Tran	Ben	7/1/13	11/5/13	Inst Asst IV/DSPS	L
Turner	Catherine	7/1/13	6/30/14	Interpreter, Fully Certified	All
Tyson	Benea	7/1/13	3/19/14	Studt Personnel Svcs Spec	L
VanBuhler	Belinda	7/1/13	6/30/14	Inst Asst III/DSPS	A
Vasquez	Yesenia	7/1/13	6/27/14	Lifeguard	L
Vezina	Holly	7/1/13	6/30/14	Interpreter/Fully Certified	All
Vierra	Jeremiah	7/1/13	6/30/14	Interpreter, Fully Certified	All
Vorachit	Peter	7/1/13	6/30/14	Inst Asst IV/DSPS	L
Wallace	Kim	7/1/13	6/30/14	Interpreter III	All
Watson	Kishana	7/1/13	6/30/14	Interpreter, Certified	All
Weitkemper	Malina	7/1/13	6/27/14	Lifeguard	L
Whisenton	Erica	7/1/13	5/27/14	Clerical Assistant I	L
Whitfield	Chelsea	7/1/13	6/30/14	Interpreter/Fully Certified	All
Williams	Lisa	7/1/13	6/30/14	Master Interpreter	All
Wong	Evelyn	7/1/13	6/30/14	Interpreter, Fully Certified	All
Wright	Wanda	7/1/13	6/30/14	Inst Asst III/DSPS	A
Yang	Yong	7/1/13	6/30/14	Fin Aid & Placement Asst	L
Yee	Christian	7/1/13	6/30/14	Inst Asst II/DSPS	A
York	Gwendolyn	7/1/13	12/19/13	Clerical Assistant II	B

15. Consider Approval of the District Equal Employment Opportunity (EEO) Plan
Presenter: Vice Chancellor Largent

Consider approval of the District Equal Employment Opportunity Plan. In support of equal employment opportunities and the diversification of the workforce, Title 5 requires each community college to develop an Equal Employment Opportunity Plan. Each plan must include a policy statement, information on training and notification requirements, complaint procedures, an analysis of the workforce, and measures to address equal employment opportunity. The District's EEO Plan, with guidance from the State Chancellor's Office Model EEO Plan for community colleges, was developed and supported by constituent groups through the shared governance process, including the EEO Plan Taskforce, the Policy and Budget Planning Committee, and the Chancellor's Cabinet. The plan must be submitted to the State Chancellor's Office by June 28, 2013, and shall be reviewed and updated every three years. The Chancellor recommends approval.

16. Consider Approval of the District Holiday Calendar 2013 – 2014 **Presenter: Vice Chancellor Largent**

Consider approval of the District Holiday Calendar 2013 – 2014. The Chancellor recommends approval.

17. Consider Approval of a Contract Addendum for Renee Sloan for Employee Relations' Investigations **Presenter: Vice Chancellor Largent**

Consider approval of a contract addendum for Renee Sloan in the amount of \$75,000 to conduct independent investigations involving complaints of alleged discrimination, sexual harassment, retaliation, other employee misconduct and complaints filed by students, employees or members of the public. The initial contract in the amount of \$25,000 was insufficient to address the investigative services needs of the District, and the Board approved an addendum in the amount of \$125,000. The District is required by law and District Policy to conduct investigations and resolve complaints involving discrimination, harassment, and retaliation. Due to the inordinate volume of complaints and investigations handled by the District during fiscal year 2012-2013, the additional \$75,000 will bring the amount of the consultant contract to \$225,000, and cover the costs for investigations, including those currently in progress but not yet completed, during fiscal year 2012-2013. Renee Sloan Holtzman Sakai, LLP does not provide legal counsel to the District. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

FACILITIES

18. Consider an Approval to Enter into a Contract Award for the Laney College Distribution Panel Replacement Project (Bid No. 12-13/21), BBJ Electric Inc.
Presenter: Vice Chancellor Ikharo

Approval is requested to enter into a Contract Award with BBJ Electric Inc. for the Laney College Distribution Panel Replacement Project (Bid No. 12-13/21), in the not-to-exceed amount of \$63,400. The replacement of the existing distribution panel, which was installed in 1981, is critical because the existing electricity supply system is obsolete and has deteriorated and no longer functions properly. All construction work will conform to the California Building Codes (CBC), Title 24. BBJ Electric will perform work per the Contract Documents prepared by YHLA Architects. The replacement of this panel will not impact the occupancy of the scheduled move-in month of August 2013 as this panel is located in the basement of the Laney Tower.

The construction scope of work includes but is not limited to the following:

- The replacement of a distribution panel in Laney Administrative Tower
- Removal and disposal of the existing distribution panel, provide and install, start – up, test and commission a new distribution panel

As required by the California Public Contract Code Section 20651, the Administration conducted competitive bidding and a formal request for bids (Bid No. 12-13/21) was issued for this project. A mandatory pre-bid conference and site visit occurred on May 16, 2013. The bid opening was held on June 5, 2013. Three (3) bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
BBJ Electric Inc.	San Francisco, CA	\$63,400.00
Rayo Electric	Oakland, CA	\$68,900.00
Megaelectric Electrical Services	Alameda, CA	\$93,900.00

The lowest responsive and responsible bidder was BBJ Electric Inc., in the not-to-exceed amount of \$63,400.00. BBJ Electric Inc. is registered and has an active license with California Department of Consumer Affairs – Contractors State License Board. BBJ Electric Inc. is a proud holder of a C-10 (electrical contractor) license in the State of California; the president of the company is Denis Jordan. **Funding Source: Measure A Bond Funds.** All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

19. Consider Approval of Bond Measure Budget Transfers and Appropriations (No. 49). **Presenter: Vice Chancellor Ikharo**

Approval is requested for one (1) bond measure budget transfer and appropriation (Number 49). The Administration will obtain approval from the College Presidents, Vice Chancellor of General Services, Vice Chancellor of Finance & Administration and the Chancellor for these budget transfers and appropriations. With the intent of full disclosure, these budget transfers are now presented to the Board of Trustees for approval. On June 23, 2009, the Board of Trustees approved the Bond Measure (A and E) Spending Plan, which included budget appropriations, cash flow projects and budget transfer procedures. The Measure A budget included all current and future projects totaling the \$390 million bond amount. At that time, the Board of Trustees also approved the process for future budget transfers from one project to another, which included District and College approvals and subsequent approval by the Board of Trustees. Since that time, project scopes have been refined, and some net projects have been created.

In accordance with the Board approved Bond Measure Spending Plan, a budget transfer form will be completed for the budget transaction. The transaction indicates the current budget, revised or new budget and the transfer amount for both the budget that is being increased (credit) and the budget that is being decreased (debit).

Budget Transfer No. 49 will cover the cost for Full Project Plans (FPPs) for three (3) colleges (Merritt, Laney and COA), to be submitted to the State Chancellors Office. On May 14, 2013, the Board of Trustees approved for Noll & Tam Architects to complete the Final Project Plans, in the amount not-to-exceed \$127,770 for three (3) projects. It should be noted that the costs for the above projects are actual costs received from the vendors. If the budget estimate below is exceeded, they will be brought to the College President and Chancellor, and adjustments will be made contingent upon the availability of bond funding. Any budget increases will be taken back to the Board of Trustees for approval in the form of budget transfers. The following is budget transfer summary No. 49:

Measure A - Budget Transfer Summary No. 49

Project Nos.	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2461	College of Alameda Modernization to Building 'B' (Auto Technologies)	-	\$40,970.00	\$40,970.00
2462	Laney College New Math and Science Center	-	\$44,600.00	\$44,600.00
2463	Merritt Horticulture Building Modernization	-	\$42,200.00	\$42,200.00
	SUBTOTAL:	-	\$127,770.00	\$127,770.00
Transfer From:				
2420	College of Alameda Contingency	\$1,904,500.00	\$1,863,530.00	\$40,970.00
2424	Laney College – Contingency	\$306,545.00	\$261,945.00	\$44,600.00
2428	Merritt College – Contingency	\$849,000	\$806,800	\$42,200.00
	SUBTOTAL:	\$2,254,608.00	\$2,126,838.00	\$127,770.00
Description: On May 14, 2013, the Board of Trustees approved for Noll & Tam Architects to prepare three (3) Final Project Plans (FPPs) for the following projects: 2461 College of Alameda Modernization to Building 'B' (Auto Technologies) 2462 Laney College New Math and Science Center 2463 Merritt College Horticulture Building Modernization				

Funding Source: Measure A Bond Funds. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

20. Consider Approval of Resolution No. 12/13-32, Acceptance of Completed Work and Release of Retention for the Library/Learning Resource Center Roof Replacement at Merritt College (Bid No. 11-12/08), Pioneer Contractors Inc.
Presenter: Vice Chancellor Ikharo

Approval is requested for Resolution No. 12/13-32 for completed work and release of retention for the Library/Learning Resource Center Roof Replacement at Merritt College (Bid No. 11-12/08), Pioneer Contractors Inc. On October 11, 2011, the Board of Trustees approved Bid No. 11/12-19, awarding a contract to Pioneer Contractors Inc. for the Library/Learning Resource Center Roof Replacement at Merritt College. The final completion date was on March 15, 2013 for the entire project. A Notice of Completion (NOC) has been filed with the County of Alameda, and project acceptance is recommended. This resolution accepts the project as complete and provides a retention payment of \$26,190.68 which is 10% of the original contractual price (\$261,906.80). There was one (1) credit change order implemented on this project that total (\$9,493.20), which is -3.6% of the original contractual amount \$261,906.80. An approval by the Board of Trustees is recommended to authorize the release of retention amount. **Funding Source: Measure A Bond Funds.** Approval to accept this project as complete and release of retention are recommended by the Chancellor.

21. Consider Approval to Submit 2014-18 Five-Year Construction Plan to State Chancellor's Office **Presenter: Vice Chancellor Ikharo**

In accordance with the provisions of Section 81820 of the California Education Code, each year community college districts are required to submit a Five-Year Construction Plan to the Chancellor of the California Community Colleges. The five-year plan communicates to the State Chancellor's Office and other State agencies the anticipated capital outlay needs of a district for the next five years. The five-year plan includes information on current enrollment, projected enrollment, and instructional staff. This information, together with actual college space utilization, is analyzed to develop capacity-load ratios, which are measures of a college's space utilization in certain areas. The capacity load-ratio is one factor that is considered in State funding of a capital project. The 2015-19 Five-Year Construction Plan is due to the California Community Colleges Chancellor's Office by July 1, 2013.

A component of the five-year plan is the project priority list for the five-year period. This list is presented to the Board of Trustees for review and approval each year. The priority list includes all facilities needs of the District based on the Educational Master Plans and Facilities Master Plan, regardless of whether State funding will be requested. **Funding Source: No Fiscal Impact.** All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

22. Consider an Extension to Extend the Existing Contract for Securitas Security Services USA, Inc. (Securitas) and American Guard Services to Provide District-Wide Security Services on a Month-to-Month Basis **Presenter: Vice Chancellor Ikharo**

Approval is requested to extend the existing contracts for Securitas Security Services USA, Inc. (Securitas) and American Guard Services to provide District-wide security services on a month-to-month basis, starting from July 1, 2013 to September 30, 2013. This request for District-wide security services is critical because current contracts with Securitas and American Guard Services will end June 30, 2013 and existing security services cannot be disrupted. Services with Securitas and American Guard Services will end when a new bid is awarded by the Board of Trustees and a 30 day notice is given to the current vendors. The District solicited a Request for Proposal (RFP) with the objective to establish a new contract with a selected company to provide security services. Currently, college Presidents and Vice Chancellor of General Services are reviewing and evaluating responses to the RFP from potential vendors wanting to provide security services.

Securitas will bill on an hourly basis for their security services for Berkeley City College. Also, American Guard Services will bill on an hourly basis for College of Alameda, Laney College, Merritt College and the District Administrative Center. The billing rates from Securitas and American Guard Services are consistent with the existing contracts.

Securitas and American Guard Billing Rates		
Company	Work Schedule	Billing Rate
Securitas for BCC and Annex Building	July 1, 2013 to September 30, 2013 Weekdays, Weekends & Holidays (Day & Swing Shifts)	Security Officer - \$20.65/hr, \$27.06/hr overtime rate Supervision - \$20.65, \$29.38/hr overtime rate
American Guard Services for COA, Laney, Merritt & DAC	July 1, 2013 to September 30, 2013 Weekdays, Weekends & Holidays (Day & Swing Shifts)	Security Officer - \$19.20/hr, \$28.80/hr overtime rate Supervision - \$21.37/hr, \$32.06/hr Overtime Rate

Currently the District has two (2) agreements for District-wide security services. Securitas has an agreement with the District for Berkeley City College for a period from November 1, 2012 to June 30, 2013. Whereas, American Guard Services has an agreement to provide security services for College of Alameda, Laney College, Merritt College and the District Administrative Center for the period from November 1, 2012 to June 30, 2013. Securitas is a California corporation located in Oakland, California. The business is managed by Geoff White (Branch Manager). Also, American Guard Services is a California corporation and their corporate office is located in Carson, California; the business is managed by Alan Stone (Operational Manager).

Board approval is necessary because their previous service contract will expire on June 30, 2013. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

ACTION CALENDAR ITEMS

The Action Calendar lists non-routine items that the Board of Trustees may wish to discuss and/or debate. The list below may be supplemented by items removed from the Consent Calendar. The Board will move to the Action Calendar items with public speakers, and Board-sponsored Resolutions. The Board will hear public comments prior to taking any action on these items.

ANNOUNCEMENTS

ADJOURNMENT

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, Chancellor's Office, 333 East 8th Street, Oakland, CA, (510) 466-7203, repstein@peralta.edu at least 48 hours prior to the meeting.