



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, December 9, 2014

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!

AGENDA

CALL TO ORDER (7:00 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)), Williams v. PCCD, Alameda County Superior Court, Case No. HG-14730396.
- 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)), Liao v. PCCD, Alameda County Superior Court Case No. RG14717733

- Conference with Legal Counsel (54956.9(a)), BAP Events LLC v. PCCD, Alameda County Superior Court, Case No. RG14-728878.
- Conference with Legal Counsel (54956.9(a)), Nichols v. PCCD, Alameda County Superior Court, Case No. RG14739161.
- Conference with Legal Counsel (54956.9(a)), Adcock v. PCCD, Alameda County Superior Court, Case No. RG14733487.
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (13 cases)

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

- Recommendation to appoint Interim Director of Student Activities and Campus Life, Laney College.
- Recommendation to extend the appointment of Interim Vice Chancellor for Finance and Administration.
- Recommendation to extend the appointment of Interim Budget Director.
- Recommendation to appoint Interim Director of AANAPISI Program, Laney College (a grant-funded position).
- Recommendation to appoint President, College of Alameda.
- Motion to uphold the District's administrative determination regarding an employee appeal to a complaint.

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 Oliver Pr_ Ab_ and Rolley Pr_ Ab_.

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

(Any public employee contracts are subject to contractual agreement by the Chancellor, and provided salaries are for informational purposes only.)

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 may move to the Action Calendar items with public speakers.

AWARDS (7:03 P.M.)

SWEARING-IN CEREMONY of INCOMING TRUSTEES (7:05 P.M.)

- Swearing-in of Incoming Trustees Julina Bonilla, Linda Handy and William Riley.

ANNUAL ORGANIZATIONAL MEETING (7:15 P.M.)

Election of President of the Board of Trustees, 2015

Election of Vice President of the Board of Trustees, 2015

Appointment of Secretary of the Board of Trustees, 2015

Board Self-Evaluation Review 2014

APPROVAL OF THE MINUTES (7:20 P.M.)

1. Consider Approval of the Regular Board meeting Minutes of November 18, 2014.

Consider approval of the regular Board meeting minutes of November 18, 2014. 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

- Student Equity Presentations

Vice Chancellor's Reports

Budget Update	Interim Vice Chancellor Rinne
Enrollment and	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	Interim President Gravenberg
• Intent to Apply – AANAPISI Grant	
Laney College	President Webb
• Accreditation Presentation	
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**

CONSENT CALENDAR (8:25 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

6. Consider *Ratification* for Out of State Travel pursuant to Board Policy 7400
 Presenter: Chancellor Ortiz

Consider *ratification* for Out of State Travel pursuant to Board Policy 7400 for the following faculty:

Name	Travel Location	Travel Dates
Gisele Bousquet	Washington, D.C.	December 4, 2014 – December 7, 2014
Peter Crabtree	Washington, D.C.	December 8, 2014 – December 12, 2014

7. Consider Approval of Out of State Travel pursuant to Board Policy 7400
Presenter: Chancellor Ortiz

Consider approval of Out of State Travel pursuant to Board Policy 7400 for the following faculty:

Name	Travel Location	Travel Dates
Dominique Benavides	Nashville, TN	March 15, 2015 – March 18, 2015
Mary Beth Benvenuti	Nashville, TN	March 14, 2015 – March 19, 2015
Karen Croley	Nashville, TN	March 15, 2015 – March 18, 2015
Dave Nguyen	Nashville, TN	March 15, 2015 – March 18, 2015
Nikki Washington	Nashville, TN	March 14, 2015 – March 19, 2015

EDUCATIONAL AND STUDENT SERVICES

8. Consider Acceptance of the Accreditation Report for Berkeley City College
Presenter: President Budd

Consider acceptance of the Accreditation Report for Berkeley City College. The Chancellor recommends approval.

9. Consider Acceptance of the Accreditation Report for College of Alameda
Presenter: President Gravenberg

Consider acceptance of the Accreditation Report for College of Alameda. The Chancellor recommends approval.

10. Consider Acceptance of the Accreditation Report for Laney College **Presenter: President Webb**

Consider acceptance of the Accreditation Report for Laney College. The Chancellor recommends approval.

11. Consider Acceptance of the Accreditation Report for Merritt College **Presenter: President Ambriz-Galaviz**

Consider acceptance of the Accreditation Report for Merritt College. The Chancellor recommends approval.

12. Consider Contract for Spring 2015 Enrollment Campaign for Berkeley City College, College of Alameda, Laney College and Merritt College **Presenters: Dean Crabtree/Executive Director Heyman**

Consider approval of a contract for Flying A Media, a media buying company, for a Spring 2015 enrollment advertising campaign consisting of the following elements: Outdoor billboards throughout the District service area, AC Transit bus and shelter ads on key routes, targeted radio spots on four (4) Bay Area radio stations, cable television spots aimed at key demographic groups, and themed BART train and station ads. This is a coordinated campaign featuring general enrollment advertising and targeted Laney construction program ads. The amount is not to exceed \$135,000 (\$25,000 will be paid through special categorical funds available to Laney College). The Chancellor recommends approval.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. **Funding Source: General Funds and Categorical Funding.**

13. Consider Approval to Appoint the Individuals to the Citizens Bond and Parcel Tax Oversight Committee. **Presenter: Chancellor Ortiz**

Consider approval to appoint the individuals listed below to serve on the Citizens Bond and Parcel Tax Oversight Committee (“Citizens Oversight Committee”). The Peralta Community College District Board of Trustees acted to combine the Parcel Tax Oversight Committee with the Citizens Bond Oversight Committee to form a single citizens oversight committee. The Citizens Oversight Committee membership shall consist of a minimum of eight (8) members appointed by the Board of Trustees from candidates submitting written applications and be made up by One (1) member active in a business organization representing the business community located in the District; one (1) member active in a senior citizen’s organization; one (1) member active in a bona-fide taxpayer’s organization; one (1) member shall be a student who is both currently enrolled in the District and active in a community college group, such as student government; one (1) member shall be active in the support and organization of the community college or the community colleges of the district, such as a member of an advisory council or foundation; and two (2) members of the community at-large.

- John Caner (Business Organization), 2-year term, 1/1/15-12/31/16;
- Debra Weintraub (Senior Citizens Organization), 2-year term, 1/1/15-12/31/16;
- Arthur Kurraasch (Tax Payer Organization), 2-year term, 1/1/15-12/31/16;
- Sharon Clegg (Active Student), 1-year term, 1/1/15-12/31/15;
- Michael Mills (Foundation), 1-year term, 1/1/15-12/31/15;
- Zac Unger (Non-Peralta Labor Organization), 1-year term, 1/1/15-12/31/15; and
- Chantal Reynolds (At-Large), 2-year term, 1/1/15-12/31/16

One additional at-large member is to be appointed at a future date. The Chancellor recommends approval.

14. Consider Approval of Independent Contractor Agreement for SHM Communications. **Presenter: President Ambriz-Galaviz**

Consider Approval of Independent Contractor Agreement for SHM Communications to provide professional community employer services for Merritt College in the amount of \$15,000 (Restricted Funds) to support Merritt’s workforce preparation efforts. SHM currently has contracts that total \$31,960. The requested additional \$15,000 will increase the total amount of contracts for SHM to \$46,960. SHM Communications will provide community employer outreach strategies and support for Merritt’s CTE Programs.

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Restricted Funds.**

15. Consider approval for Laney College to extend the contract of Kathi Roisen to provide project management services. **Presenter: President Webb**

Consider approval for Laney College to extend the contract of Kathi Roisen to provide project management services. Kathi's total contract amount for the fiscal year will increase from \$20,250 to \$52,875 (20,250+ 725 hours x \$45/hour) and the end date will change from 12/31/2014 to 6/30/2015. Ms. Roisen will provide project management support for the TAACCCT grant. Ms. Roisen will manage student support services, as well as outreach and program enhancement. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Federal Department of Labor TAACCCT grant.**

16. Consider approval of an Independent Contractor Agreement for Energy Innovation Center, co-PI for Laney's National Center for Building Efficiency for a Sustainable Tomorrow (BEST Center) **Presenter: President Webb**

Consider Approval of a contract for Energy Innovation Center (EIC), in an amount up to \$30,000 to carry out activities in fulfillment of project objectives for Laney College's National Center for Building Efficiency for a Sustainable Tomorrow (BEST Center). EIC is a sub-awardee of the BEST Center, and BEST Center Co-PI Dr. Joseph Jacobsen is the lead developer of EIC's Sustainable Energy Technologies Education program. On behalf of BEST Center, EIC will host a Spring 2015 Instructor's Workshop on *New Energy Engineering Technology and Practices* and provide curriculum and lab exercise documentation; in addition, EIC will promote the Center and participate in BEST Center's 2015 Winter Workshop and other industry advisory meetings.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: National Science Foundation (NSF) grant.**

17. Consider approval of an Independent Contractor Agreement for Georgia Piedmont Technical College, co-PI for Laney's National Center for Building Efficiency for a Sustainable Tomorrow (BEST Center) **Presenter: President Webb**

Consider Approval of a contract for Georgia Piedmont Technical College (GPTC), in an amount up to \$142,260 to carry out activities in fulfillment of project objectives for Laney College's National Center for Building Efficiency for a Sustainable Tomorrow (BEST Center). GPTC is a sub-awardee of the BEST Center for their Building Automation Systems (BAS) program. On behalf of BEST Center, GPTC will host a Summer 2015 Instructor's Workshop on *Building Automation Systems Technology*; in addition, GPTC will promote the Center, provide technical assistance to colleges developing BAS programs across the

country, and participate in BEST Center's 2015 Winter Workshop and other industry advisory meetings.

GPTC is critical to our Technical Assistance Program providing technical support on setting up labs and implementing Building Automation Programs in other community colleges across the nation. They will provide training packages working with three BAS industry partners to develop training solutions packages complete with several lesson plans, equipment and drawings for use within the BEST Center Community. They will also participate in webinars and Program Solutions Conference Calls with the BEST Center community of colleges nationwide.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: National Science Foundation (NSF) grant.**

18. Consider Approval to extend an Independent Contractor Agreement for Dr. Mark Martin for Project Management Services for the Deputy Sector Navigator (DSN) grant. **Presenter: President Webb**

Consider Approval to extend an independent contractor agreement for Dr. Mark Martin (doing business as Design4X, Inc.) to act as regional director for the State of California Chancellor's office Deputy Sector Navigator (DSN) grant for advanced manufacturing. Dr. Martin's contract for the fiscal year will increase from \$85,500 to an amount not to exceed \$171,000 and the end date will change from 12/31/14 to 6/30/2015.

The role of the Deputy Sector Navigator regional director is to coordinate and collaborate regionally among the twenty-eight (28) Bay Area community colleges, workforce organizations and industry within the advanced manufacturing sector. The DSN works to develop effective sector partnerships with employers, regional consortium, community colleges, high schools, ROPs, Workforce Investment Boards (WIBS), and other regional organizations to ensure a skilled workforce in support of the regional economy and industry sector and to establish career pathways.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: State of California Community College Chancellor's Office grant.**

19. Consider Approval of Contract Extension for McCallum Group Inc. for State Legislative Advocacy. **Presenter: General Counsel Nguyen**

For the past five years, Patrick McCallum and Mark MacDonald has been providing legislative advocacy, lobbying services for Peralta Colleges. The request is to extend the lobbying firm's contract for three (3) additional years at \$5,000 per month in order to continue the advocacy work with the Governor's Office, State

Legislature, California Community Colleges' Chancellor's Office, and Board of Governors of the California Community Colleges.

FINANCIAL SERVICES

20. Consider Approval to Purchase Equipment and Services for the Merritt College Core Network Infrastructure Refresh **Presenter: Associate Vice Chancellor Madlock**

Approval is requested to purchase equipment and services for the Merritt College Core Network Infrastructure Refresh Project from NE-Systems using the piggyback-able contract California Multiple Awards Schedules (CMAS) in the not-to-exceed amount of \$160,000. District IT (IT), in collaboration with Merritt College IT (MIT), evaluated Merritt College's current core network infrastructure in preparation of the upcoming Science & Allied Health building. At the completion of the assessment, IT identified the following end of life equipment: 2 core switches and 2 firewalls that the College is utilizing. This equipment must be replaced in order to support the additional capacity and bandwidth requirements for the new Science & Allied Health building.

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

21. Review of Purchase Order Report **Presenter: Interim Vice Chancellor Rinne**

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 Board of Trustees every 60 days." This Purchase Order Report contains all orders issued from November 1, 2014 through November 28, 2014 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.

22. Consider *Ratification* of the AP, Travel, and Consulting Contract Warrant Register **Presenter: Interim Vice Chancellor Rinne**

Consider *ratification* of the AP, Travel, and Consulting Contract Warrant Register from November 1, 2014 through November 28, 2014. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

23. Consider Approval of Budget Transfer Report **Presenter: Interim Vice Chancellor Rinne**

Consider approval of budget transfer report covering the period from November 1, 2014 through November 28, 2014. 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 9, 2014. The Chancellor recommends approval.

HUMAN RESOURCES

24. 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
Ahoy	Alan	12/10/14	6/30/15	Inst Asst/Machine Technology	L
Apodaca	Carmen	1/12/15	3/11/15	Inst Asst II/DSPS	L
Campos	Marcia	1/5/15	6/30/15	Inst Asst IV/DSPS	A
Cornelius	Melissa	12/10/14	6/30/15	Inst Asst/Machine Technology	L
Feeney	Jacqueline	12/10/14	6/30/15	Inst Asst/Machine Technology	L
Freed	Nancy	1/12/15	5/22/15	Inst Asst IV/DSPS	A
Gagnon	Erika	12/10/14	6/30/15	Inst Asst/Multimedia	B
Gerber	Elaine	1/20/15	5/22/15	Inst Asst III/DSPS	A
Gottermeyer	Lindsay	12/16/14	6/30/15	Interpreter III	All
Johnson Malone	Chandra	1/20/15	5/22/15	Senior Clerical Assistant	L
Lemes	Rodrigo	12/10/14	6/30/15	Senior Clerical Assistant	B
Livsey	Andrew	1/19/15	3/20/15	Inst Asst IV/DSPS	L
Lontoc	Arlene	12/10/14	12/19/14	Senior Clerical Assistant	L
Manning	Terri	1/16/15	6/30/15	Master Interpreter	All
Marshall	Amy	12/15/14	6/30/15	Supv, Admin & Support Svcs	L
Ndiaye	Ndeye	12/10/14	5/22/15	Inst Asst II/DSPS	A
Perez	Maria	1/5/15	5/22/15	Inst Asst I/DSPS	M
Richardson	Denise	1/5/15	6/30/15	Inst Asst III/DSPS	A
Rippberger	Bonnie	1/12/15	5/29/15	Inst Asst/Child Development	M
Saechao	Chai	12/10/14	6/30/15	Program Spec/Student Svcs	A
Sargin	Johanna	12/10/14	6/30/15	Staff Asst/Orientation Intake	A
Spencer Vacca	Laura	1/5/15	6/30/15	Inst Asst IV/DSPS	A
Teer	Jamille	12/19/11	1/20/12	Executive Asst/General Svcs	D
Teer	Jamille	7/30/12	8/14/12	Executive Asst/General Svcs	D
Thach	Justin	1/15/15	6/30/15	Inst Asst III/DSPS	A

Tran	Ben	1/15/15	5/22/15	Inst Asst IV/DSPS	L
Tran	Vy	1/5/15	5/22/15	Inst Asst II/DSPS	A
Van Valkenburgh	Ke	12/10/14	6/30/15	Staff Asst/Admin (General)	L

25. Recommendation to approve the Agreement of the Employee Benefits Insurance Broker and Consulting Services Contract between Keenan & Associates and the District, effective December 16, 2014 through December 31, 2016. **Presenter: Vice Chancellor Largent**

Recommendation to approve the Agreement of the Employee Benefits Insurance Broker and Consulting Services Contract between Keenan & Associates and the District, effective December 16, 2014 through December 31, 2016. On October 3, 2014, the District’s current consultant/broker, PSW Benefits Resources, notified the District that owner Peter Wantuch is retiring on December 31, 2014, and as a result, PSW Benefits will cease its business operations. The District, in collaboration with members of the District’s Health Benefits Committee, (“Committee”) representative of all constituency groups (Local 1021, Peralta Federation of Teachers, Local 39, Management, Confidentials and Retirees), reviewed and provided feedback to the proposed scope of services, ranked bid packages, interviewed bidders, and reviewed work samples and deliverables. Four bids were submitted. The Committee also conducted verification of references as part of the selection process, and with guidance from the Purchasing Department, engaged in the Request for Proposal Process to select a new broker.

The scope of services required by the District of our next broker includes:

- Acting as District agent to negotiate sustainable and responsible rates and renewals with our group insurance carriers and providers: Kaiser, CoreSource, Caremark, Voya Insurance Services, Delta Dental, United Health Care;
- Providing management reports;
- Providing customer service support to current and retired Peralta employees;
- Ensuring that the District is compliant with internal and external regulations;
- Supporting our compliant requirements in view of emerging changes in the benefits administration landscape;
- Incorporating technology and actively engaging electronic resources to improve record keeping sustainability efforts;
- Partnering with the District to develop short-term and long-term strategic, fiscal goals;
- Positive work relationships with internal and external constituent groups;
- Ongoing support of emerging technologies (interactive benefit enrollment, efforts to go-green); and
- Integrating the marketing and branding of voluntary benefits to our employees.

Through this process, Keenan & Associates (Keenan) was the successful bidder and was selected to be our consultant/broker effective December 16, 2014. In its role as a consultant, Keenan will partner with the District and serve as our agent

for negotiating rates for medical, dental, life, long-term disability, and employee assistance plan expenses, and deliver high-quality customer service to over 2,000 employees, retirees, and their eligible dependents. The medical (employees, retirees and eligible dependents) and dental benefits expenses for 2013-2014 were about \$30,000,000 annually.

The contract is \$135,000 annually. The current annual cost (\$40,000) for Benefits Bridge online enrollment will be included in the services provided by Keenan, and will no longer be a separate cost to the District.

The District seeks approval to execute this agreement through June 30, 2016.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Funds.**

FACILITIES

26. Approval of Resolution 14/15-19 to Accept the Bid and Award a Contract to Dryco Construction Inc. for the Alameda College Sitework Improvements Project (Bid No. 14-15/12). **Presenter: Vice Chancellor Ikharo**

Approval is requested to accept the bid and award a contract to Dryco Construction Inc. for the Alameda College Sitework Improvements Project (Bid No. 14-15/12), in the amount not-to-exceed \$97,531. The campus road at Alameda College has many potholes that have interfered with the flow of traffic at the campus. This construction work involves removal of selected failed asphalt and replacement of new asphalt and/or sub-base; repair of existing asphalt berms and concrete curbs. The contractor will perform work during the winter recess to minimize disruption to the campus and academic activities because this work is along the main roadways that serve the campus. This project provides for the partial demolition and replacement of existing asphalt pavement and asphalt curbs along the campus's roadway; including additional sub-base and related finished including but not limited to striping.

This project is one of the emergency projects that were approved by the Chancellor on February 26, 2014, and by the Board of Trustees on March 11, 2014. In compliance with the District's Purchasing Procedures and Public Contract Codes, a formal bid was conducted by the Purchasing Department. Ten (10) contractors attended the mandatory bidder's conference on November 4, 2014; only, a total of five (5) contractors submitted proposals, as follows:

Contractor	Location	Total Bid
Dryco Construction Inc.	Fremont, CA	\$97,531.00
American Asphalt Repair	Hayward, CA	\$155,935.00
Guerra Construction	Santa Clara, CA	\$191,184.00
Valentine Corporation	San Rafael, CA	\$193,369.00
Bay Construction	Oakland, CA	\$198,320.00

Dryco Construction Inc. submitted lowest responsive and responsible bid, in the amount of \$97,531. A post bid consultation was held and Dryco Construction verified that all contract work was included in their schedule of values. Dryco was able to provide a much lower cost based on a savings by construction means and methods. Daren Young is the president and Sandra Young is the secretary of the company. The company has a current and active contractor's license (No. 540379) with the California Contractors State License Board.

All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure E.**

27. Consider approval of Measure A Bond Budget Transfers and Appropriations (No. 71, 72, 74, 75, and 76). **Presenter: Vice Chancellor Ikharo.**

Approval is requested for five (5) Measure A bond budget transfers and appropriations (No. 71, 72, 74, 75, and 76). The Administration (College Presidents, Vice Chancellor of Finance and Administration, Vice Chancellor of General Services and the Chancellor) will obtain approval of these budget transfer and appropriation. 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. In accordance with the Board approved Bond Measure Spending Plan, a budget transfer form will be completed for the budget transactions.

Budget Transfer No. 71 (\$67,090) will pay for two (2) existing portable units located at the District Administrative Complex, currently occupied by the International Education and Foundation for Peralta College. The Governing Board of Trustees approved this purchase on November 18, 2014. The transfer of \$67,090 is from the District-wide Athletic Fields Renovation (project no. 2704) into to the District Administrative Complex (DAC) Modular Purchase account (project no. 2417).

Measure A Budget Transfer No. 71

	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2417	DAC Modular Purchase	-	\$67,090	\$67,090
	Total Transfer			\$67,090
Transfer From:				
2704	District-Wide Athletic Fields Renovation	\$2,622,740	\$2,555,650	\$67,090
	Total Transfer			\$67,090

Description: The funds are being re-allocated to purchase two (2) existing leased portable modulars currently located at the DAC.

Budget Transfer No. 72 (\$331,743) will cover the fund deficit for the Merritt Genomics Project because insufficient money was allocated into the project account to pay for the project cost. The budget transfer is from the 860 Atlantic Avenue project account (no. 2345) and the College of Alameda Swing Space project account (no. 2399).

Measure A Budget Transfer No. 72

	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2356	Merritt Genomics	\$15,000	\$346,743	\$331,743
	Total Transfer			\$331,743
Transfer From:				
2345	860-Atlantic Avenue	\$7,100,963	\$6,990,645	\$110,318
2399	COA Swing Space	\$2,520,037	\$2,298,612	\$221,425
	Total Transfer			\$331,743

Description: These funds are being re-allocated to cover budget deficit in project 2356 Merritt Genomics. The funds were transferred out of project 2356 and into project 2345 for the 860 Atlantic Swing Space with Budget Transfer #38, which was board approved on March 27, 2014.

Budget Transfer No. 74 (\$155,830) will pay for the furniture, fixtures and equipment (FF& E) purchase at Berkeley City College. This budget transfer will cover for insufficient allocated funding for the FF& E purchase. The transferred fund is from the Berkeley City College IT project account (no. 2413) into the Berkeley City College (BCC) FF&E project account (no. 2412).

Measure A Budget Transfer No. 74

	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2412	Berkeley City College (BCC) FF&E	\$1,276,603	\$1,432,433	\$155,830
	Total Transfer			\$155,830
Transfer From:				
2413	Berkeley City College (BCC) IT	\$1,790,773	\$1,634,943	\$155,830
	Total Transfer			\$155,830

Description: These funds are re-allocated to cover a budget deficit in project no. 2412 Berkeley City College FF&E.

Budget Transfer No. 75 (\$768,439) is to cover fund shortfalls for the following four (4) projects: District-wide Drinking Fountains (\$331), District-wide Signage (\$250,000), Financial Aid System (\$435,005), and Distance Education Moodle Apps (\$83,103). Funds transferred to project account nos. 2315, 2380, and 2379 are needed to properly re-allocate funds to the right account.

The fund for the District-wide Signage (\$250,000 – project no. 2334) will pay for electrical engineering design services and electrical construction work needed to operate the Districtwide Signage Phase II Project. On June 10, 2014, the Governing Board of Trustees approved \$669,990 for the construction and installation one (1) marquee signage at Laney College, Berkeley City College, Merritt College, and College of Alameda.

The fund will be transferred from three (3) project accounts: Recycling Program (project no. 2337), District-wide Athletic Fields Renovation (project no. 2704), and District Administrative (DAC) FF&E and IT (project no. 2418).

Measure A Budget Transfer No. 75

	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2315	District-wide Drinking Fountains	\$454,673	\$455,004	\$331
2334	District-wide Signage	\$2,680,500	\$2,930,500	\$250,000
2380	Financial Aid System	-	\$435,005	\$435,005
2379	Distance Education Moodle Apps	-	\$83,103	\$83,103
	Total Transfer			\$768,439
Transfer From:				
2337	Recycling Program	\$300,000	\$299,669	\$331
2704	District-wide Athletic Fields Renovation	\$2,555,650	\$2,305,650	\$250,000
2418	DAC FF&E and IT	\$3,199,386	\$2,681,278	\$518,108
	Total Transfer			\$768,439

Description: These funds are re-allocated to cover budget shortfalls for the District-wide Drinking Fountains, District-wide Signage, Financial Aid System, and Distance Education Moodle Apps projects. Funds are moved for the District-wide Signage Project (no. 2334).

Budget Transfer No. 76 (\$500) is to cover the budget shortage for the Merritt Swing Space Project (project no. 2342), and bring the account to a positive. The fund will be moved from African Center project account no. 2360.

Measure A Budget Transfer No. 76

	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2342	Merritt Swing Space	\$11,300	\$11,800	\$500
	Total Transfer			\$500
Transfer From:				
2360	Africana Center	\$400,000	\$399,500	\$500
	Total Transfer			\$500

Description: These funds are re-allocated to cover a budget shortfall in project 2342 Merritt Swing Space.

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

28. Consider an Approval to Include a Side Letter to the Approved Project Labor Agreement (PLA) between the District and Alameda County Building and Construction Trade Council AFL-CIO and Related Signatory Unions. **Presenter: Vice Chancellor Ikharo**

The administration is requesting to include the Side Letter to an approved Project Labor Agreement (PLA). The Governing Board of Trustees authorized the Chancellor to negotiate an extension of the Project Labor Agreement Terms on June 24, 2014 (Resolution 13/14-70). On July 15, 2014, the Governing Board of Trustees approved Resolution 14/15-06 to adopt an extension of the Project Labor Agreement (PLA), effective July 16, 2014 to June 30, 2019. After this Board approval, both parties can sign the Side Letter to be included in the approved PLA. This Side Letter modifies certain language in the previous PLA, to include four areas of mutual agreement: local hiring, committee structure, jurisdictional dispute and arbitration.

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

INFORMATIONAL ITEMS

All matters listed under the Informational Items section are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Informational 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 Informational Items for action and a separate vote. Public comment on Information Items from anyone completing a card will be heard prior to the Board's vote on the Informational Items section.

EDUCATIONAL SERVICES

29. Consider Approval of Fresh and Natural as Cafeteria Vendor **Presenter: President Gravenberg**

After completion of the RFP process (RFP #13-14/30) and through careful consideration the College of Alameda has selected Fresh and Natural to operate food services. A committee comprised of faculty, students, and administrators selected Fresh and Natural for the following reasons:

- Prior experience delivering food services to Community College Cafeteria's including but not limited to Merritt College, College of Marin, and Chabot College.
- Diverse menu selection.
- Reasonable prices for menu selections
- Quality of food
- Direct benefit to students from sales which include commission and catering credit

The combination of a quality food service vendor with the planned updating of the cafeteria will manifest itself into a successful reopening and thriving food services for the campus initiating in Spring 2015 semester.

HUMAN RESOURCES

30. Sunshining of Contract Reopeners for Negotiations for the District to the International Union of Operating Engineers Local 39. **Presenter: Vice Chancellor Largent**

Pursuant to Government Code 3547 (a), the District hereby gives public notice of its contract reopeners to the International Union of Operating Engineers Local 39 for the purpose of public notice (sunshining). This item will introduce the reopening proposals for the 2015-2018 Successor Agreement on the following articles:

- Article 12.7: Annual Shift Alignment – Elimination of a Shift
- Article 1.3 and 1.5: Contracting Out
- Article 8.6: Selection of Arbitrators:
- 8.9 Expedited Arbitration
- Summer 4/10 Work Schedule
- Health Benefits

Pursuant to Government code Section 3547, public comments on such proposal shall be received at the next regular Governing Board meeting of January 13, 2015.

31. Sunshining of Contract Reopeners for Negotiations for the District to the SEIU Local 1021. **Presenter: Vice Chancellor Largent**

Pursuant to Government Code 3547 (a), the District hereby gives public notice of its contract reopeners to the SEIU Local 1021 for the purpose of public notice (sunshining). This item will introduce the reopening proposals for the 2015-2018 Successor Agreement on the following articles:

- Article 17.2.3: Filling of Promotional Vacancies – “Rule of Three”
- Article 17.2.6: Rights of SEIU 1021 Appointment to Selection Committee Disagreement with Selection Committee Determination
- Article 1.5.1: Introduction of Technology Changes

- Article 10.7: Working out of Classification and Request for Classification/Desk Audit
- Article 7.3: Release Time
- Article 15: Holidays
- Article 5: Employee Evaluation Procedure
- 16.1: Temporary Transfers
- 22.7: Selection of Arbitrators
- 22.10: Expedited Arbitration
- Summer 4/10 Work Schedule
- Health Benefits

Pursuant to Government code Section 3547, public comments on such proposal shall be received at the next regular Governing Board meeting of January 13, 2015.

32. Sunshining of Contract Reopeners for Negotiations for the District to the Peralta Federation of Teachers (PFT). **Presenter: Vice Chancellor Largent**

Pursuant to Government Code 3547 (a), the District hereby gives public notice of its contract reopeners with the PFT for the purpose of public notice (sunshining). This item will introduce the reopening proposals for the 2015-2018 Successor Agreement on the following articles:

- Article 14: Special Assignments
- Article 17: Academic Calendar
- Article 18(F): Hours, Workload, Class Size: Compensation – 11-Month Contracts – Counselors
- Article 25: Professional Development
- Article 33: Distance Education
- Health Benefits

Pursuant to Government code Section 3547, public comments on such proposal shall be received at the next regular Governing Board meeting of January 13, 2015.

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 may 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.

33. College of Alameda Building 'C' and 'D' Project Presentation. **Presenter: Vice Chancellor Ikharo.**

College of Alameda and the administration will recommend changes to the design-build new location of Building 'C' and 'D'. The revised strategy will eliminate the need for additional portables for swing space. **Funding Source: Measure A.**

34. Consider Approval of the Student Equity Plan for Berkeley City College **Presenter: President Budd**

Consider Approval of the Student Equity Plan for Berkeley City College. The State of California is requiring all Community Colleges to Submit an Equity Plan in January 2015. The December 9, 2014 Board meeting is the opportunity for the Board to Review, Accept and Approve the Equity Plan submitted by Berkeley City College. The Plan has been shared and is embraced by all shared governance groups and has been distributed college wide. This plan will support the updating of the Educational Master Plan, the Student Success and Support Programs Plan, and is in line with our Peralta Accountability for Student Success Plan.

The Chancellor recommends approval.

35. Consider Approval of the Student Equity Plan for College of Alameda **Presenter: President Gravenberg**

Consider Approval of the Student Equity Plan for College of Alameda. The State of California is requiring all Community Colleges to Submit an Equity Plan in January 2015. The December 9, 2014 Board meeting is the opportunity for the Board to Review, Accept and Approve the Equity Plan submitted by College of Alameda. The Plan has been shared and is embraced by all shared governance groups and has been distributed college wide. This plan will support the updating of the Educational Master Plan, the Student Success and Support Programs Plan, and is in line with our Peralta Accountability for Student Success Plan.

The Chancellor recommends approval.

36. Consider Approval of the Student Equity Plan for Laney College **Presenter: President Webb**

Consider Approval of the Student Equity Plan for Laney College. The State of California is requiring all Community Colleges to Submit an Equity Plan in January 2015. The December 9, 2014 Board meeting is the opportunity for the Board to

Review, Accept and Approve the Equity Plan submitted by Laney College. The Plan has been shared and is embraced by all shared governance groups and has been distributed college wide. This plan will support the updating of the Educational Master Plan, the Student Success and Support Programs Plan, and is in line with our Peralta Accountability for Student Success Plan.

The Chancellor recommends approval.

37. Consider Approval of the Student Equity Plan for Merritt College **Presenter: President Ambriz-Galaviz**

Consider Approval of the Student Equity Plan for Merritt College. The State of California is requiring all Community Colleges to Submit an Equity Plan in January 2015. The December 9, 2014 Board meeting is the opportunity for the Board to Review, Accept and Approve the Equity Plan submitted by Merritt College. The Plan has been shared and is embraced by all shared governance groups and has been distributed college wide. This plan will support the updating of the Educational Master Plan, the Student Success and Support Programs Plan, and is in line with our Peralta Accountability for Student Success Plan.

The Chancellor recommends approval.

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, bmartinez@peralta.edu at least 48 hours prior to the meeting.