



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT
MINUTES
JANUARY 27, 2015

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 Â§ 54957.6) Conference with Legal Counsel, Multiple Cases: (Government Code Â§ 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 Â§ 54957). * Recommendation to appoint Interim Deputy Chancellor, District Office. * Recommendation to appoint East Bay Career Pathways Trust Program Director, District Office, a grant-funded position. * Employee's appeal of the District's Administrative Determination.

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE

ROLL CALL

Trustees Bonilla Pr_ Ab_, Brown, Pr_ Ab_, González Yuen Pr_ Ab_, Handy Pr_ Ab_, Riley Pr_ Ab_, Withrow Pr_ Ab , and Gulassa Pr_ Ab_, Student Trustees Oliver Pr_ Ab_ and Rolley Pr_ Ab_.

Present: Student Trustee Oliver, Student Trustee Rolley, Trustee Withrow, Trustee Brown, Trustee Riley, Trustee Handy, and Trustee Bonilla.

Absent: Trustee Gonzalez Yuen, and Trustee Gulassa.

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

At tonight's closed session, the Board voted to approve the appointment of the following public employee contracts, which are subject to contractual agreement by the Chancellor:

1. Recommendation to appoint Eric Gravenberg as Interim Deputy Chancellor, District Office, effective February 2, 2015 through June 30, 2015, at \$204,287 annually.

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

2. Recommendation to appoint Rebecca Lacocque as East Bay Career Pathways Trust Program Director, District Office, a grant-funded position, from January 28, 2015 through June 30, 2016, at \$113,493 annually.

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

3. The Board considered appeals of two Administrative determinations. In the complaint appeal #1, the Board voted to affirm the administrative determination

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

In Complain appeal #2 a&b, the Board voted to affirm the administrative determination.

AYES: 5 NOES: 0 ABSTAIN: 1 (Handy) ABSENT: 1 (Gulassa)

(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.

MOTION: Motion by Trustee Withrow, second by Trustee Riley to approve the Board Agenda with the following amendments:

Agenda Item 11 was pulled as an action item.

Agenda Item 20 was pulled as an action item.

AYES: Trustee Withrow, Trustee Brown, Trustee Riley, Trustee Handy, and Trustee Bonilla.

NOES: None

ABSTAIN: None

ABSENT: Trustee Gonzalez Yuen, and Trustee Gulassa.

The motion passed.

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

1. Consider Approval of the Regular Board meeting Minutes of January 13, 2015. Consider approval of the regular Board meeting minutes of January 13, 2015. The minutes are posted on Granicus.

[Minutes - 1/13/15](#)

MOTION: Motion by Trustee Riley, second by Trustee Withrow to approve the Regular Board meeting Minutes of January 13, 2015. The minutes are posted on Granicus.

AYES: Trustee Withrow, Trustee Brown, Trustee Riley, Trustee Handy, and Trustee Bonilla.

NOES: None

ABSTAIN: None
ABSENT: Trustee Gonzalez Yuen, and Trustee Gulassa.

The motion passed.

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/>

No public communication.

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.)

Speaker Lee, Associated Students of Berkeley City College, spoke on events at the campus.

Speaker Jackson, Associated Students of Merritt College, spoke on events at the campus.

3. Chancellor's Reports Chancellor's Report Dr. José© M. Ortiz Vice Chancellor's Reports Budget Update Interim Vice Chancellor Rinne * Student Funds update Enrollment and Vice Chancellor Orkin Student Services Update General Services Vice Chancellor Ikhara Human Resources Vice Chancellor Largent College Reports

Interim Vice Chancellor provided an update on student funds.

1. Previous meetings concerned express by Student Trustee Oliver and other students regarding the movement of their funds into Fund 71 at the County. Referred to as "The District". Depending on the location of the ASB, different set of rules to access money, build budgets, etc..

*Done without input/conversations with the Students

*Moving forward, students are a part of the conversation and will help to establish the process and procedures.

2. Board Policy 5420 states "Associated Student funds shall be deposited with and disbursed by the District"

3. Board Action

- *March 11 Board took action to establish Fund 71 (Peralta Student Trustee Fund)
- *Intent all ASB and Trust funds to be recorded in this fund, as required by BP 5420
- *Expectations - Consistency at all Colleges

4. Still researching the 501c3 status; more for booster clubs, not ASB. 501c3 is a separate entity from Peralta Community Colleges

- *Challenges
 - *Not under District umbrella for insurance, liability and technology
 - *Fiduciary responsibility lies with the District
 - *Treated the same as any other 501c3 utilizing college space

5. Audit findings

*Management letter-findings regarding bank reconciliations on ASB's not being performed and reviewed in a timely manner

6. Resolution

- *Move the funds to Fund 71, with a petty cash account at each campus for expenditures that qualify for petty cash reimbursement.
- *Procurement request form to meet the needs of the student purchases.

7. Steps taken

- *Ongoing meetings with the Directors of Business and Administration at each College to develop procedures for procurement and deposits
- *Met with ASMC yesterday, outlining where we are, answering questions
- *Planned meetings with the Directors of student life at each College
- *District wide meeting with Directors of Business, student life and student leadership at each college.

Trustee Brown asked if the petty cash process was done in coordination with the students? VC Rinne says not as of yet but it is something they are proposing to the students. This was part of the conversation with Merritt and they are continuing to discuss the process.

Chancellor Ortiz welcomed President Blake, and interim General Counsel Nitasha Sawhney. Chancellor Ortiz also welcomed two of our guests, Rick Spees and Jane Sergeant.

Berkeley City College President Budd

- * Intent to apply for 2 grants (Trio & SF Foundation)

President Budd provided the Board with an update on the intent to apply for three grants. The first grant is the career ladders project that is linked learning with local high schools. The second grant is with TRIO (Department of Education grant) which is a million dollar grant that will be spread over five years. The third grant is with the San Francisco Foundation.

College of Alameda President Blake

[COA President's Report](#)

[COA Mission Values Campaign](#)

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.

Trustee Withrow attended the CCLC legislative conference and interacted with a number of elected officials and staff members from assembly and senate and addressed a number of issues that are focused on community colleges and education.

Trustee Oliver expressed disappointment that the student government funds would be on the agenda and under Title 5 expressed that the District should not take action on a matter having a significant effect on students. Furthermore, as a student leader, he has not felt valued in relations do the concerns not being addressed regarding student funds.

Trustee Bonilla also expressed disappointment that Trustee Oliver has issues that we need to consider on how we come to resolutions on items which impacts students. Trustee Bonilla also attended the CCLC conference and was disappointed to see that our student trustees were not in attendance and looks forward to having more dialogue in the future regarding student issues.

Trustee Handy also attended CCLC and was happy to see that we are finally getting the funding that we need.

Trustee Brown also attended CCLC and had the opportunity to advocate for community colleges and met with Rob Bonta who is working issue that can provide support for staff, faculty and administrators and their delivery of education services to our students.

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

PRESENTATIONS (7:30 P.M.)

6. Federal Legislative Update (5 minutes) Presenter: Rick Spees, Akerman LLP An update will be provided on federal legislative activities.

[Background Material](#)

Trustee Riley asked about the community college reduction in fees and asked if this was modeled from the governor in Tennessee. Mr. Spees says yes and the Tennessee initiative has nuances that the White House does not.

7. Measure 'E' Bond Funds Drawdown Presentation (10 minutes) Presenter: Vice Chancellor Ikharo. The drawdown for Measure 'E' bond funds will be presented to the Governing Board of Trustees. Funding Source: No Fiscal Impact.

[Background Material](#)

Trustee Brown asked for clarifications concerning the district expenditures and asked for clarification surrounding the AC transit bus passes that is listed under district wide capital projects. VC Ikharo said that in

order to be able to fulfill the sustainability aspect of getting students out of driving cars as part of sustainability, expenditures were incurred. Part of those costs were incurred.

Trustee Withrow asked if there is a reporting mechanism on the bond issue where it was reported to someone in a governmental capacity? VC Ikharo said no and that there was no evidence to be able to report to any government and there is no requirement for reporting to government agencies. Trustee Withrow also said it is important we put this into a report to publish in a paper as we will be going back out to the public for money to complete projects that we thought we had money for.

Vice Chancellor Ikharo will be presenting the second half of the presentation (Measure 'A' Bond Funds) at the February 17th Board meeting.

CONSENT CALENDAR (7:45 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.

MOTION: Motion by Trustee Riley, second by Trustee Handy to approve Consent Calendar Items 8 - 10, 12 - 19 & 21 - 27.

AYES:	Trustee Withrow, Trustee Brown, Trustee Riley, Trustee Handy, and Trustee Bonilla.
NOES:	None
ABSTAIN:	None
ABSENT:	Trustee Gonzalez Yuen, and Trustee Gulassa.

The motion passed.

BOARD MATTERS

8. Consider Approval of updated Board meeting calendar for 2015. Presenter: Assistant Brenda Martinez. Consider approval of updated Board meeting calendar for 2015. A special board meeting has been added on February 3, 2015. The February 10, 2015 board meeting was rescheduled to February 17, 2015 and the February 24, 2015 board meeting will be a special board meeting instead of a regular meeting. The Chancellor recommends approval.

[Background Material](#)

9. Consider Approval of Independent Contract Extension for Akerman LLP. Presenter: Chancellor Ortiz. Consider Approval of a contract extension with Akerman LLC law firm, the District's legislative advocates, from March 1, 2015 through February 28, 2017, not to exceed \$6,000 per month. Akerman LLC has served the District since 2006, and has performed federal representational activities, including efforts to secure federal appropriations and agency discretionary monies, and has built strategic alliances between Peralta and the federal government. They have assisted the District to receive millions of dollars in grants and federal stimulus funds by representing our needs in Congress. All Board recommended contracts are subject to final negotiation and execution by the

Chancellor. The Chancellor recommends approval. Funding Source: General Funds.

[Background Material](#)

10. 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 Sean Brooke Ho Chi Minh City, Vietnam March 15, 2015 - March 27, 2015 Joyce Brown-Willis Nashville, TN March 15, 2015 - March 18, 2015 Thomas Torres-Gil Milwaukee, WI April 12, 2015 - April 15, 2015 Neil Dunlop Las Vegas, NV March 15, 2015 - March 20, 2015

[Background Material](#)

EDUCATIONAL AND STUDENT SERVICES

11. Consider Approval of Course and Program Additions, Deactivations and Changes Presenter: Vice Chancellor Orkin Included for approval are proposed curriculum actions as recommended by the Council for Instruction, Planning and Development (CIPD). The spreadsheet entitled "CIPD December 2014" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

[Background Material 3](#)

Student Trustee Oliver said that at Laney Colleges, students have had issues with the curriculum committee and have not been allowed to vote. In Title 5, it states that the governing board should not take action on matters that affect students. Chancellor Ortiz feels this should be addressed by Dr. Webb however, Student Trustee Oliver feels this is a policy issue and a district issue at all four campuses.

President Webb said faculty has heard the ASLC President and Trustee at the last general governance meeting and that they look forward to entertaining this matter at a future meeting.

Trustee Oliver further clarified that he would like to see a clear procedure for this.

The matter was referred back to the Chancellor for follow up. Chancellor Ortiz and district administration will follow up and come up with a conclusion to this matter as soon as possible.

MOTION: Motion by Trustee Handy, second by Trustee Riley to approve Agenda Item 11. Consider Approval of Course and Program Additions, Deactivations and Changes.

AYES: Trustee Withrow, Trustee Brown, Trustee Riley, Trustee Handy, and Trustee Bonilla.

NOES: None

ABSTAIN: None

ABSENT: Trustee Gonzalez Yuen, and Trustee Gulassa.

The motion passed.

12. Consider Acceptance of CTE Enhancement Funds from the California Community College

Chancellor's Office. Presenter: Vice Chancellor Orkin Board authorization is requested to accept a Career Technical Education (CTE) Enhancement Fund sub-grant of \$581,151 and subsequent augmentations from Cabrillo Community College District, the Bay Area Community College Consortium's (BACCC) fiscal agent responsible for distribution of the CTE Enhancement Funds from the California Community College Chancellor's Office. Acceptance of funds to each of the Peralta Colleges from the one-time Career Technical Education (CTE) Enhancement Fund creating in the state's FY 2014-15 budget for California Community Colleges to develop, enhance, retool, and expand quality career technical education offerings that build upon existing community college regional capacity to respond to regional labor market needs. Funding Source: BACCC Grant

[Background Material](#)

13. Accept a Grant of \$110,000 from The Foundation for California Community Colleges (via the Career Ladders Project) to Continue Implementation of the California Community College Linked Learning Initiative. Presenter: Vice Chancellor Orkin Accept a Grant of \$110,000 from The Foundation for California Community Colleges (via the Career Ladders Project) on behalf of Berkeley City College and Merritt College to continue implementation of the California Community College Linked Learning Initiative. The Peralta Community College District, on behalf of a partnership consisting of Berkeley City College, Merritt College, Skyline High School, Life Academy, Oakland Unified School District and the Peralta Community College District, has been awarded a grant of \$110,000 to continue implementation of the California Community College Linked Learning Initiative (CCCLLI 2.0). The Partnership is planning to build on the promising practices and lessons from our first phase of work under CCCLLI 1.0 and to sharing the benefit of our experience with our colleagues in the East Bay as well as across the State. In addition, we plan to align our efforts closely with other, related efforts that are also focusing on the following areas: (1) facilitating early college experience for Oakland high school students; (2) creating more seamless transitions from high school to the Peralta Colleges; (3) and improving academic placement. Funding Source: Foundation for CCC (via the Career Ladders Grant).

[Background Material](#)

14. Consider Acceptance of Two Grants from the Bay Area Workforce Funders Collaborative, on behalf of Laney College and Merritt College. Presenter: Vice Chancellor Orkin The Bay Area Workforce Funders' Collaborative, via the San Francisco Foundation, has awarded the Peralta Colleges two grants: \$66,350 to Merritt College for a grant period from January 1, 2015 - June 15, 2015. The purpose of this grant is to build out the program, support services and work-based learning opportunities for Merritt's new cohort-based Bridge to Healthcare Careers program that serves as a gateway to stackable credentials in the allied health fields. A \$37,500 award to Laney College for a grant period from January 1, 2015 - June 15, 2015 for a planning grant for the Jumpstart Program in bio-manufacturing. Funding Source: BAWFC Grant

[Background Material](#)

15. Consider approval of Independent Contractor Agreement Extension for SHM Communications to render professional outreach services at Merritt College Presenter: President Ambriz-Galaviz Consider Approval of independent contractor agreement extension for SHM Communications in the amount of \$19,500 in support of Merritt's outreach efforts. The initial contracted amount totaled \$24,960. The college's requested increase will bring the total contracted amount to \$44,460. Additional contracts for SHM Communications have been approved in the amount of \$22,000. The scope of work for SHM Communications provides outreach support to all programs. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: General Unrestricted.

[Background Material](#)

16. Consider Approval of an augmentation to Independent Contractor/Consultant Walnut Creek Steno Captioning services for DSPS at Merritt College. Presenter: President Ambriz-Galaviz. Consider approval of an augmentation to Independent Contractor/Consultant Walnut Creek Steno Captioning services for DSPS at Merritt College. The initial contract amount totaled \$21,410. The college is requesting to increase the amount by \$17,351.00 for a total amount of \$38,761. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: General Restricted.

[Background Material](#)

17. Consider Approval of Amendment No. 4 to the Lease for 2070 Allston Way, Berkeley, California for Berkeley City College. Presenter: President Budd. Consider approval to extend the term of the lease for 13 months, from June 1, 2015 (the "Commencement Date"), until no later than June 30, 2016 (the "Termination Date"), in the amount of \$258,500.00. This location will serve as a swing space while the college continues its efforts to procure a second permanent site. The amendment includes:
 - o The base rent shall be \$15,500.00 per month.
 - o The base rent amount will be payable through the termination date.
 - o Lessor shall have the carpets throughout lessee's premises and in the common areas near the lessee's premises professionally steam cleaned at lessor's expense.

[Background Material](#)

18. Consider Approval of a \$10,000 contract addendum to the ICC for Jennifer Kennedy. Presenter: President Budd. Consider approval of a \$10,000 contract addendum to the ICC for Jennifer Kennedy (total contracted amount increased to not exceed \$36,000 for the 14-15 fiscal year) for research and analysis support for Berkeley City College to increase institutional effectiveness through review of student success and support data of students facing multiple barriers to college and career success. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: General Fund.

[Background Material](#)

19. Consider approval of the contract between EcoVision Consulting Services and the District for the professional website related consultation services of Danny Beesley. Presenter: President Webb. The College requests the Board to approve a contract in the amount of \$10,000 for the consulting contract between EcoVision Consulting Services and the Peralta Community College District for the professional website/webmaster related day-to-day consultation services of Danny Beesley. Mr. Beesley will provide consultation related to the Laney College website project's milestones and benchmarks, the outreach and enrollment efforts of the College and conduct the general Laney webmaster duties. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Fund 10 - College President's Discretionary Funds.

[Background Material](#)

FINANCIAL SERVICES

20. Consider Approval of the Nonresident Tuition Fee Increase. Presenter: Interim Vice Chancellor Rinne. Consider approval of Resolution # 14/15-21 for the 2014-15 Nonresident Tuition Fee. Education Code Section 76140 requires the Board of Trustees to annually adopt the nonresident

tuition fee for the next year by February 1st. Determination of this fee is based on the District's 2013-14 expense of education as prescribed under the Education code. It is recommended that the Board of Trustees approve the 2015-16 Nonresident Tuition Fee of \$220.00 per semester unit. The current fee has been \$215. The worksheet used to arrive at the nonresident fee is attached. A statement noting that this fee will not be waived is included in the resolution. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

[Background Material 3](#)

Student Trustee Oliver said this was on the agenda last year and expressed concerns on how are the international students at Peralta being served. He has spoken with several international students and they don't feel that they are properly served with the amount of money that they pay. Furthermore, Student Trustee Oliver reiterated that Trustee Withrow at a past meeting had asked for a presentation on the international program.

Chancellor Ortiz responded that a non-resident tuition is charged because the state does not provide apportionment for non-resident whether it is out of state or out of the country. The tuition rates we charge is the equivalent of state apportionment and all students are treated the same.

MOTION: Motion by Trustee Riley, second by Trustee Withrow to approve Agenda Item 20. Consider Approval of the Nonresident Tuition Fee Increase.

AYES: Trustee Withrow, Trustee Brown, Trustee Riley, Trustee Handy, and Trustee Bonilla.
NOES: None
ABSTAIN: None
ABSENT: Trustee Gonzalez Yuen, and Trustee Gulassa.

The motion passed.

21. Consider Approval of the Nonresident Capital Outlay Fee Presenter: Interim Vice Chancellor Rinne Consider approval of Resolution #14/15-22 for the 2015-16 Nonresident Capital Outlay Fee. In addition to the nonresident student tuition fee, it is recommended that an additional \$6.00 per semester unit for capital outlay as allowed by Education Code 76141 (A). The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

22. Consider Approval of a Contract with Dolinka Group for the Audit of Redevelopment Agreements and Contracts Presenter: Interim Vice Chancellor Rinne Consider approval of contract with the Dolinka Group to conduct an annual audit of redevelopment pass-through payments from all 24 redevelopment agreements the District has with the 5 former redevelopment agencies (Alameda, Albany, Berkeley, Emeryville, and Oakland) in fiscal years 2014/15 and 2015/16. As part of the fiscal year 2011/12 State Budget Act, Assembly Bill 126 (AB 126) was enacted which dissolved all of California's redevelopment agencies as of February 1, 2012. As part of the dissolution effort, cities and counties that had formed redevelopment agencies are required to work with other designated agencies, i.e. schools, community colleges, and other taxing agencies, to initiate the process described

within ABx1 26 to unwind the affairs of the former redevelopment agencies, liquidate any remaining assets that may exist after the wind-down has occurred, and transfer any remaining assets to the appropriate agencies (i.e. schools and colleges). Within Peralta's CCD's boundaries there were 5 redevelopment agencies. They included: Alameda, Albany, Berkeley, Emeryville, and Oakland. Within these 5 redevelopment agencies there were approximately 24 designated project areas with reported remaining obligations and assets in excess of \$2.2 billion. As the unwinding of the former redevelopment agencies occurs, it is in the District's best interest to have an audit conducted to ensure that any past and future property tax amounts due to the District are identified and encumbered within the process so that the District's interests are secured. This audit engagement with the Dolinka group would extend through June 30, 2016 and would not exceed \$60,000. The Dolinka Group identified funds due to the District from property taxes through a prior contract with the District. They have a long history of providing redevelopment consulting services to local education agencies and have been recognized as the most comprehensive redevelopment service provider in the state. They have recently worked on a number of redevelopment studies for many other community college districts: Los Rios, Monterey Peninsula, Hartnell, Mt. SAC, San Diego, Mira Costa, Contra Costa, Rancho Santiago, Cerritos, Long Beach, Riverside, Mt. San Jacinto, as well as the State Chancellor's Office. The President and CEO of the Dolinka Group is Benjamin E. Dolinka. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding source: Restricted General Fund - Fund61.

[Background Material](#)

HUMAN RESOURCES

23. 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

Gamble Lunell	1/28/15	6/30/15	Staff Asst/Emp Relations	D
Krehl James	1/28/15	6/30/15	Inst Asst/Carpentry	L
Lunsford Ashley	1/28/15	6/30/15	Library Technician I	B
Perry Nathan	1/28/15	5/22/15	Library Technician I	B
Rodriguez Hector	1/28/15	4/24/15	Inst Asst/EMT	M
Shields Icee	3/2/15	6/29/15	Staff Asst/Admin (General)	L
Tobor Tina	1/27/15	5/22/15	Admissions & Records Clerk	L

24. Sunshining of Contract Reopeners for Negotiations for the SEIU Local 1021 to the District. Presenter: Vice Chancellor Largent Sunshining of Contract Reopeners for Negotiations for the SEIU Local 1021 to the District. Pursuant to Government Code 3547 (a), SEIU Local 1021 hereby gives public notice of its contract reopeners to the District for the purpose of public notice (sunshining). This item will introduce SEIU Local 1021's proposal for full contract negotiations for the Agreement between the District and the Union effective July 1, 2012 - June 30, 2015. Pursuant to Government code Section 3547, public comments on such proposal shall be received at the next regular Governing Board meeting of February 10, 2015.

[Background Material](#)

FACILITIES

25. Consider Approval to Enter into an Agreement to Pay 50 percent (50%) of the Approved PG&E Incentive for Completing Energy Calculation Assistance and Analysis of the Merritt College Central Plant Project with Salas O'Brien. Presenter: Vice Chancellor Ikharo. Approval is requested to execute an agreement to pay 50 percent (50%) of the approved PG&E incentive for completing energy calculation assistance and analysis of the Merritt College Central Plant Project with Salas O'Brien (in the amount not-to-exceed \$29,796). Under this agreement, Salas O'Brien applied to the CCC/IOU (California Community Colleges Investor Owned Utilities) statewide energy efficiency partnership program for energy savings due to the higher efficiency chiller, cooling tower running at lower ambient, and turbocor high efficiency chillers operating at the most efficient point. Inclusive in this agreement, the District will pay Salas O'Brien fifty percent (50%) of the approved PG&E incentive (\$59,591.24) for energy savings issued to the District on September 30, 2014. The amount provided to Salas Obrien is \$29,795.62. The scope of work completed by Salas O'Brien includes but not limited to: * Estimation of the baseline requirement of Title-24 for the Merritt College Chiller Plant project, comprising of connected systems to Building 'Q', Building 'L', and the Barbara Lee Merritt College Science and Allied Health Building; * Estimation of energy usage of high efficiency central plant; * Analyze kW (kilowatts) and kWh (kilowatts/hour) savings; and * Coordination with the utility on the calculation requirements and incentive process.

[Background Material](#)

26. Consider Approval of Resolution 14-15/23, Acceptance of Completed Work and Release of Retention for the Boiler Retrofit Project at Laney College (Bid No. 14-15/04), with R.F. MacDonald Co. Presenter: Vice Chancellor Ikharo. Approval is requested for Acceptance of Completed Work and Release of Retention for the Boiler Retrofit Project at Laney College (Bid No. 14-15/04), with R.F. MacDonald Co. The Governing Board of Trustees approved a contract award to R.F. MacDonald Co. at the October 7, 2014, board meeting, in the amount of \$210,000. A notice to proceed (NTP) was issued with a start date of November 1, 2014. The Certificate for Substantial Completion was issued on January 12, 2014 for the entire project. This resolution accepts the project as complete. The administration requests for a final acceptance of the project and release of the remaining 5% retention (\$10,500.00) to the contractor. There were no change orders on this project or a request for a time increase to complete the construction work. Final acceptance is to be filed as the date of this Board meeting. Approval to accept this project as completed and release of retention are recommended by the Chancellor. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Measure A.

[Background Material](#)

27. Consider Approval of Change Order No. 1 for Laney College Building "A" Installation of HVAC Split System, American Air Conditioning, Plumbing & Heating (Resolution 14/15-07). Presenter: Vice Chancellor Ikharo. Approval is requested to the Change Order No. 1 to the contract with American Air Conditioning, Plumbing & Heating, in the amount of \$3,434.00. Approval of this change order will bring the total contract amount to \$105,258.10, which is 1.03% of the original contract amount of \$101,825.00. Change Order No. 1 is for shift differential construction work not included in the original project scope. The administration discussed the impact of construction work with occupants before the work started. As a result, the occupants requested for certain construction work to be completed after hours. The contractor and their sub-contractor completed construction work inside the building during the night and on weekends, as follows: * Installed four (4) ceiling suspended air conditioning units; * Core drilled through the roof slab to accommodate the existing air conditioning refrigerant lines, drain lines, electrical wiring, and digital controls. It is in the best interests of the District and financially prudent to approve this change order. The anticipated completion date for the Project is January 31, 2015. The Chancellor recommends approval.

[Background Material](#)

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.

ANNOUNCEMENTS

1. The next regular Board meeting will be held on February 17th at the District Offices.
2. The Board wishes our students a wonderful semester.
3. A reminder that the Peralta Colleges Foundation Scholarship Dinner and Fundraiser will be held on Thursday, March 5th at 6p.m. at the Marriott City Center. For tickets, please contact EARP Events & Fundraising at 510-839-3100.
4. In light of the Chancellor's retirement announcement the Board is beginning the process of conducting a search to recruit and select the District's next Chancellor. The selection process will be handled as outlined in District Board Policy 2431. We are considering a timeline that will allow us to have a new Chancellor in place in July and have scheduled a special board meeting on February 3rd to consider search firms to assist the District in a nationwide search for qualified candidates.

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.

Present: Student Trustee Oliver, Trustee Withrow, Trustee Brown, Trustee Riley, Trustee Handy, and Trustee Bonilla.

Absent: Student Trustee Rolley, Trustee Gonzalez Yuen, and Trustee Gulassa.

José M. Ortiz, Chancellor
Secretary to the Board of Trustees
PERALTA COMMUNITY COLLEGE DISTRICT