



## PERALTA COMMUNITY COLLEGE DISTRICT

### REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, June 9, 2015

3:00 p.m. Closed Session

7:00 p.m. Public Session

333 East 8<sup>th</sup> 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** (3:00 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)), Adcock v. PCCD, Alameda County Superior Court, Case No. RG14733487.
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (2 cases)

Public Employee Appointment (Government Code Section 54957)

- Chancellor
- Interim/Acting Chancellor
- Recommendation to extend Interim Director of Deputy Sector Navigator Programs (a grant-funded position), College of Alameda.
- Recommendation to extend Interim Director of Workforce Systems (a grant-funded position), College of Alameda.

Public Employee Evaluation (The Board is provided respective salaries in closed session for information purposes only, if any. The Board is reminded not to discuss personnel matters outside of closed session.)

Public Employee Discipline/Dismissal/Release (The Board is provided respective salaries in closed session for information purposes only, if any. The Board is reminded not to discuss personnel matters outside of closed session.)

**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\_.

**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.

## **APPROVAL OF THE MINUTES (7:05 P.M.)**

1. Consider Approval of the Regular Board meeting Minutes of May 12, 2015.

Consider approval of the regular Board meeting Minutes of May 12, 2015. The minutes are posted on Granicus.

2. **SWEARING-IN CEREMONY FOR INCOMING STUDENT TRUSTEES (7:10 P.M.)**

Board President Brown will administer the oath of office to newly-elected Student Trustees Adrien Abuyen (College of Alameda) and Justin Hyche (Berkeley City College) who will serve as Student Trustees for the 2015–2016 academic year.

## **PUBLIC COMMUNICATION (7:20 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 (7:35 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.

3. 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.)

4. Chancellor's Reports

Chancellor's Report

Dr. José M. Ortiz

- Resolution presented to Dr. Karolyn van Putten  
Interim Deputy Chancellor

Dr. Eric Gravenberg

### 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	President Blake
Laney College	President Webb
Merritt College	President Ambriz-Galaviz

### 5. 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.

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

## PRESENTATIONS (7:45 P.M.)

### 7. Tentative Budget 2015-2016 Presentation (20 minutes) **Presenter: Interim Vice Chancellor Rinne**

Presentation of the 2015-2016 Tentative Budget.

### 8. Environmental Sustainability Report (10 minutes) **Presenter: Vice Chancellor Ikharo & Charles Neal**

Vice Chancellor Ikharo and Charles Neal will deliver an Environmental Sustainability Presentation to the Board of Trustees on the following topics: energy conservation, Public Education (Peralta Ecofest Sustainability Festival), renewable energy, water, waste management, land management, energy conservation projects, and professional development. **Funding Source: No Fiscal Impact.**

## CONSENT CALENDAR (8:15 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

9. Consider Approval of Resolution 14/15-46, Excusing Trustee Absence **Presenter: Board President Brown**

It is recommended that Trustees approve Resolution 14/15-46 excusing Trustee Withrow from the May 12, 2015 Board meeting due to illness. The Chancellor recommends approval.

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	Honolulu, HI	July 9, 2015 – July 14, 2015
Phyllis Carter	Chicago, IL	July 9, 2015 – July 19, 2015
Peter Crabtree	Atlanta, GA	June 16, 2015 – June 20, 2015
Michael Dioquino	Las Vegas, NV	June 1, 2015 – June 4, 2015
LaShaune Fitch	Denver, CO	May 31, 2015 – June 5, 2015
Charles Frost	Kennesaw, GA	June 16, 2015 – June 20, 2015
Janine Fujioka	Middlebury, VT	June 22, 2015 – August 10, 2015
Hadley Hartshorn	Atlanta, GA	June 16, 2015 – June 20, 2015
Paul Kalbach	Las Vegas, NV	April 12, 2015 – April 15, 2015
Calvin Madlock	Las Vegas, NV	June 1, 2015 – June 4, 2015

11. Consider approval of the resolution for the Phillips Refinery-Rail project **Presenter: Chancellor Ortiz**

The Board will consider a Resolution to oppose the Santa Maria Philips 66 Rail Refinery Project. The Project may ship significant quantities of toxic tar sand petroleum on mile-long trains through on tracks that run through the District's boundaries. The Project could impact the District by having train routes that go through the District boundaries and are near District facilities. Other municipalities including the Cities of Oakland, Berkeley, Richmond, San Leandro and San Jose

as well as some local school district boards have adopted similar resolutions opposing the Project.

12. Consider approval of InterJurisdictional Exchange (IJE) agreement with the California Community Colleges Chancellor's Office (CCCCO) for Thuy Nguyen  
**Presenter: Chancellor Ortiz and Board President Brown**

Consider approval of InterJurisdictional Exchange (IJE) agreement with the California Community Colleges Chancellor's Office (CCCCO) for Thuy Nguyen. California Government Code section 19050.8 states in relevant part, "The board may prescribe rules governing the temporary assignment or loan of employees within an agency or between agencies for a period not to exceed two years or between jurisdictions for a period not to exceed four years for any of the following purposes . . . (b) To enable an agency to obtain expertise needed to meet a compelling program or management need."

Pursuant to section 19050.8, an Inter Jurisdictional Exchange (IJE) agreement may be entered into to permit the temporary assignment or loan of a local community college district employee to work in a state employment capacity at the California Community Colleges Chancellor's Office. California Community Colleges Chancellor Brice Harris has requested the Peralta Colleges to loan Peralta's General Counsel Thuy Nguyen to the CCCCCO for a period of one year. Chancellor Harris identifies a compelling need for a legal expert with a strong understanding of California community college law and extensive experience working in a California community college district. The Peralta Colleges recognizes the CCCCCO's needs. Through this IJE agreement, Peralta Colleges wishes to help advance the goals and objectives of community college education in California during this critical time of expansion of programs and mission for the CCCCCO.

Nguyen remains a Peralta employee at the current Peralta salary and benefits. Under the IJE agreement, the CCCCCO shall partly reimburse Peralta Community College District in the approximate amount of \$201,850.56 for the 12 months. Currently, the top step of the Chief Counsel I, CEA is \$11,121.25 starting July 1, 2015, and with the 2.5% general increase + 37.5% for benefits + 10% factor, the total amount is approximately \$201,850.56. The IJE agreement is for July 1, 2015 to June 30, 2016. Funding Source: The difference will be paid from the Office of the General Counsel budget

## DEPUTY CHANCELLOR

13. Request Board Authorization to increase Independent Contractor's Agreement for Legal services for Gordon & Rees, LLP. **Presenter: Deputy Chancellor Gravenberg**

District administration requests Board authorization to increase an existing contractor services agreement with Gordon & Rees, LLP to provide legal services to the District. The current contract has reached its limit of \$25,000, therefore, the District requests an increase by an additional \$20,000 for a contract not to exceed \$45,000 limit for fiscal year ending June 30, 2015. All Board-approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

14. Request Board Authorization to increase Independent Contractor's Agreement for Legal services for Wendel, Rosen, Black & Dean. **Presenter: Deputy Chancellor Gravenberg**

District administration requests Board authorization to increase an existing contractor services agreement with Wendel, Rosen, Black & Dean to provide legal services to the District. The current contract has reached its limit of \$25,000, therefore, the District requests an increase by an additional \$20,000 for a contract not to exceed \$45,000 limit for fiscal year ending June 30, 2015.

All Board-approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

15. Request Board Authorization to increase Independent Contractor's Agreement for Legal services for Garcia, Hernandez, Sawhney, Bermudez. **Presenter: Deputy Chancellor Gravenberg**

District administration requests Board authorization to increase an existing contractor services agreement with Garcia, Hernandez, Sawhney, Bermudez to provide legal services to the District. The current contract has reached its limit of \$25,000, therefore, the District requests an increase by an additional \$65,000 for a contract not to exceed \$90,000 limit for fiscal year ending June 30, 2015.

All Board-approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

## EDUCATIONAL AND STUDENT SERVICES

16. 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 May 2015" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

17. 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 District requests the Board to approve a contract addendum in the amount of \$ 9,500.00 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, which will bring the total amount of the contract to \$19,500.00.

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.

Combined contract/agreement total for fiscal year 2014-2015 = \$87,900.00 (of which \$14,400.00 + \$5,980.00 is pending board approval).

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.**

## FINANCIAL SERVICES

18. 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 April 29, 2015 through May 22, 2015 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.

19. 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 April 29, 2015 through May 22, 2015. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

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

Consider approval of budget transfer report covering the period from April 29, 2015 through May 22, 2015. 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**

21. Consider Approval of Short-Term Assignments - Hiring of Non-Academic 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.

<b>Last Name</b>	<b>First Name</b>	<b>Date of Hire</b>	<b>End Date</b>	<b>Position Title</b>	<b>Site</b>
Bell	Darynell	6/16/15	6/30/15	Lifeguard	L
Bell	Darynell	7/1/15	6/30/16	Lifeguard	L
Brown	Gerald	7/1/15	6/30/16	Interpreter, Fully Certified	All
Cahn	Lisa	7/1/15	6/30/16	Interpreter III	All
Ceaser	Kirsten	7/1/15	6/30/16	Clerical Assistant II	D
Cheng	Pauline	6/10/15	6/30/15	Senior Clerical Assistant	B
Cook	Christopher	7/1/15	6/30/16	Admissions & Records Clerk	D
Cook	Shelby	7/1/15	6/30/16	Master Interpreter	All
Dadzie	Serwa	7/1/15	6/30/16	Master Interpreter	All
Danton	Rebecca	7/1/15	6/30/16	Interpreter, Fully Certified	All
Dieckman	Deanna	7/1/15	6/30/16	Interpreter III	All
Dulaney	Rachel	7/1/15	6/30/16	Interpreter, Fully Certified	All

Evangelista	Karen	7/1/15	6/30/16	Interpreter III	All
Evro	Ogheneovo	7/1/15	6/30/16	Interpreter I	All
Fatoorehchi	Robabeh	6/10/15	6/30/15	Staff Svcs Spec/Fiscal	L
Fukuchi	Daniel	7/1/15	6/30/16	Instructional Asst IV/DSPS	A
Gerber	Elaine	7/1/15	6/30/16	Instructional Asst III/DSPS	A
Gombodorj	Baatar	7/1/15	6/30/16	Admissions & Records Clerk	D
Hahn	David	7/1/15	6/30/16	Master Interpreter	All
Harshaw	Dolores	7/1/15	6/30/16	Instructional Asst III/DSPS	B
Helfand	Lauren	7/1/15	6/30/16	Interpreter, Fully Certified	All
Herbert	Chevonn	7/1/15	6/30/16	Admissions & Records Clerk	D
Horrell	Nichola	7/1/15	6/30/16	Master Interpreter	All
Horrell Schmitz	Richard	7/1/15	6/30/16	Interpreter III	All
Hu	Hai	6/15/15	6/30/15	Lifeguard	L
Hu	Hai	7/1/15	8/28/15	Lifeguard	L
Hunter	Robert	6/10/15	6/30/15	Admissions & Records Clerk	L
Jauregui	Jewel	7/1/15	6/30/16	Interpreter III	All
Johnson	Christian	7/1/15	6/30/16	Interpreter, Fully Certified	All
Kaplan	Adina	7/1/15	6/30/16	Interpreter, Fully Certified	All
Kirkeby	Kathleen	6/16/15	6/30/15	Lifeguard	L
Kirkeby	Kathleen	7/1/15	6/30/16	Lifeguard	L
Labadessa	Nino	7/1/15	6/30/16	Staff Asst/Admin	D
Lambert	Mary	7/1/15	6/30/16	Interpreter, Partially Certified	All
Laniohan	Aurora	7/1/15	6/30/16	Instructional Asst IV/DSPS	A
Lehman	Michi	6/15/15	6/30/15	Lifeguard	L
Lehman	Michi	7/1/15	6/30/16	Lifeguard	L
Levine	Meg	7/1/15	6/30/16	Interpreter, Fully Certified	All
Lewis	Francine	7/1/15	6/30/16	Secretary	B
Liang	Xiaoming	7/1/15	11/20/15	Staff Asst/Admin	L
Liu	Eleanor	6/10/15	6/30/15	Academic Suppt Svcs Spec	L
Manning	Terri	7/1/15	6/30/16	Master Interpreter	All
Marshall	Amy	7/1/15	6/30/16	Supv Admin & Bus Suppt Svc	L
McKee	Claire	6/15/15	6/30/15	Lifeguard	L
Merritt	Monique	7/1/15	6/30/16	Master Interpreter	All
Moran	Maureen	7/1/15	6/30/16	Interpreter II	All
Moser	Isabel	6/15/15	6/30/15	Lifeguard	L
Moser	Isabel	7/1/15	6/30/16	Lifeguard	L
Moshtaghi	Sima	7/1/15	6/30/16	Inst Asst I/DSPS	B
Mundeke	Okala	6/10/15	6/30/15	Program Spec/CalWORKS	L
Nabeta	Dale	7/1/15	10/23/15	Staff Asst/Admin	L
Ndiaye	Ndeye	7/1/15	5/20/15	Instructional Asst II/DSPS	A
O'Donnell	Jennifer	7/1/15	6/30/16	Interpreter, Fully Certified	All
Olson	Carmen	7/1/15	6/30/16	Interpreter III	All
Owens Rogers	Shuntel	6/10/15	6/30/15	Senior Clerical Assistant	M
Pace	Glenn	7/1/15	6/30/16	Senior Clerical Assistant	L
Phillip	Vanessa	7/1/15	6/30/16	Interpreter I	All
Potterveld	Theresa	7/1/15	6/30/16	Master Interpreter	All
Sabri	Maryam	7/1/15	6/30/16	Interpreter, Partially Certified	All
Smith	Eric	7/1/15	6/30/16	Staff Svcs Spec/Fiscal	L

Spencer	Vacca Laura	7/1/15	6/30/16	Instructional Asst IV/DSPS	A
Su	Huizhen	6/10/15	6/30/15	Clerical Assistant II	L
Swire	Kathryne	6/10/15	6/30/15	Staff Asst/Facilities Services	L
Swire	Kathryne	7/1/15	6/30/16	Staff Asst/Facilities Services	L
Tobor	Tina	6/10/15	6/30/15	Admissions & Records Clerk	L
Tong	Yoway	6/10/15	6/30/15	Library Technician I	L
Tran	Vy	8/24/15	5/20/16	Instructional Asst II/DSPS	A
Turner	Catherine	7/1/15	6/30/16	Interpreter, Fully Certified	All
VanBuhler	Belinda	7/1/15	6/30/16	Instructional Asst IV/DSPS	A
Vasquez	Yesenia	6/16/15	6/30/15	Lifeguard	L
Vasquez	Yesenia	7/1/15	12/31/15	Lifeguard	L
Vezenia	Holly	7/1/15	6/30/16	Interpreter, Fully Certified	All
Vierra	Jeremiah	7/1/15	6/30/16	Interpreter, Fully Certified	All
Vorachit	Peter	7/1/15	6/30/16	Inst Asst IV/DSPS	L
Wallace	Kim	7/1/15	6/30/16	Interpreter III	All
Watson	Kishana	7/1/15	6/30/16	Interpreter, Certified	All
Wright	Wanda	7/1/15	6/30/16	Instructional Asst IV/DSPS	A
Wong	Evelyn	7/1/15	6/30/16	Interpreter, Fully Certified	All
Yang	Yong	7/1/15	6/30/16	International Stud Suppt Spec	D

22. Recommendation to approve a Tentative Agreement for permanent and hourly employees between the District and the Service Employees International Union Local 1021. **Presenter: Vice Chancellor Largent**

On May 29, 2105, the District and SEIU Local 1021 signed a Tentative Agreement for permanent and hourly employees.

On May 29, 2015, SEIU Local 1021 ratified the Tentative Agreement.

The Chancellor recommends approval.

23. Recommendation to approve a Tentative Agreement for permanent and hourly employees between the District and the International Union of Operating Engineers Local 39. **Presenter: Vice Chancellor Largent**

On May 19, 2015, the District and IUOE Local 39 signed a Tentative Agreement for permanent and hourly employees.

On May 28, 2015, IUOE Local 39 ratified the Tentative Agreement.

The Chancellor recommends approval.

24. Recommendation to approve salary increase for unrepresented employees. **Presenter: Vice Chancellor Largent**

The District is recommending that unrepresented management and confidential employees receive the same salary increase provided to all represented employees provided for Fiscal Years 2014-2015 and 2015-2016.

### **For Fiscal Year 2014-2015:**

#### Regular and Interim Employees

- The District will provide currently employed regular or interim unrepresented employees the equivalent of a 3% across-the-board salary increase effective July 1, 2014, on the regular employees' Salary Schedule for Fiscal Year 2014-2015, only for employees who were employed with the District on or after July 1, 2014, and who were employed by the District as of January 1, 2015.

#### Short-term (Hourly) Confidential Employees

- The District will provide unrepresented employees the equivalent of a 3% across-the-board salary increase effective July 1, 2014, on the short-term (hourly) confidential employees' Salary Schedule for Fiscal Year 2014-2015, only for employees who were employed with the District during Spring of 2015.

### **For Fiscal Year 2015-2016:**

#### Regular and Interim Employees

- The District will provide currently employed regular or interim unrepresented employees the equivalent of a 3% across-the-board salary increase effective July 1, 2015, on the regular employees' Salary Schedule for Fiscal Year 2015-2016, only for employees employed with the District on or after July 1, 2015.

#### Short-term (Hourly) Confidential Employees

- The District will provide unrepresented employees the equivalent of a 3% across-the-board salary increase effective July 1, 2015, on the short-term (hourly) confidential employees' Salary Schedule for Fiscal Year 2015-2016, only for employees employed with the District on or after July 1, 2015.

## **FACILITIES**

25. Consider Ratification of an Emergency Service Agreement with Taylor Engineering LLC that Provided Engineering Analysis and Recommendations for the Laney Kitchen Ventilation Improvement Project. **Presenter: Vice Chancellor Ikharo.**

Approval to ratify an Emergency Service Agreement with Taylor Engineering LLC that provided engineering analysis and recommendations for the Laney Kitchen Ventilation Improvement Project, in the amount not-to-exceed \$30,000. The California Occupational Safety and Health Administration (CAL/OSHA) inspected

the Laney kitchen ventilation in response to several complaints. CAL/OSHA informed the District of potentially hazardous conditions to the safety and health of employees during the inspections. CAL/OSHA recommended shut down of the kitchen during the inspection. In response, the administration took immediate action to mitigate these conditions.

Public Contract Code Section 20654 allows for emergency work to proceed without advertising or inviting bids “when any repairs, alterations, work, or improvement is necessary to any facility of the college, or to permit the continuance of existing college classes, or to avoid danger to life or property...”. To improve the likelihood of a successful response, an informal request for proposal was sent to three recommended firms to inquire about capabilities, availability, and cost: Mechanical Design Studio, WHM Inc., and Taylor Engineering LLC. Only Taylor Engineering LLC was immediately available to provide this emergency service. DGS negotiated a scope of work to be completed promptly for the cost not-to-exceed \$30,000. The Chancellor has approved a staff recommended action authorizing work on an emergency basis.

Taylor Engineering, LLC was founded by Steve Taylor, P.E., and is located in the City of Alameda.

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

26. Consider Approval of an Agreement with OJO Technologies Inc. for the Districtwide Security and Safety Cameras Maintenance Training Project (Bid No. 14-15/05). **Presenter: Vice Chancellor Ikharo.**

Approval is requested for an Agreement with OJO Technologies Inc. for the districtwide Security and Safety Maintenance and Training of IT in-house staff, starting July 1, 2015 until June 30, 2018. The cost of services in the 2015-2016 fiscal year is in the amount not-to-exceed \$215,704. For three (3) years, the service cost will total \$623,111.

The District IT personnel will be trained on the updated software in order to take full control of ownership and minimize the reliance on consultant’s services. This is the total cost of ownership for the existing districtwide security cameras. This amount will pay for equipment, yearly preventive maintenance, software upgrades repair and provision of parts and labor for broken cameras.

Pursuant to the Public Contract Codes, Section 20651, a formal bid was conducted by the Purchasing Department. The bid was publicized on October 3 and 10, 2014. Three (3) companies submitted bids: 3GC Group, Ojo Technology, and CBX Technologies. Upon review of each bid package by the evaluating committee and the project professional engineer, Ojo Technology Inc. submitted the most comprehensive quote for all the required items in the bid package. Other contractor’s submitted bids excluded outlined items in the bid package. Therefore,

their bids are considered non-responsive. As allowed by Public Contract Code, Section 20651.2, “bids not presented on the forms so furnished shall be deemed non-responsive and shall be rejected.”

VENDOR	LOCATION	TOTAL BID	
Ojo Technology Inc.	Fremont, CA	Responsive	\$623,110.14
3GC Group	Dublin, CA	Non-Responsive	\$729,339.00
CBX Technologies	Oakland, CA	Non-Responsive	\$968,607.16

Angie Wong is the CEO of Ojo Technology Inc. and Ken Castle is the Director of Marketing & Business Development in the firm. Effective April 1, 2015, as required by the Senate Bill 854, the company is registered with the Department of Industrial Relations (no. 1000001115). Also, they have an active contractor’s license with the California Contractors State License Board (license no. 891252). The California prevailing wage law applies on this project. However, the Project Labor Agreement does not apply because this is a maintenance and operations project.

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

27. Consider Approval of Amendment No.1 to an Existing Agreement with Quantum Energy Services & Technologies (QUEST) to Provide Engineering Services for the Districtwide Monitoring Based Commissioning (MBCx) Project. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Amendment No.1 with Quantum Energy Services & Technologies (QUEST) to provide engineering services for the Districtwide Monitoring Based Commissioning (MBCx) Project, in the amount not-to-exceed \$191,699. Under this Amendment, QUEST will complete the following tasks:

- Develop a metering scope for procurement; Determine metering needs for Laney College and Merritt College;
- Develop design drawings for metering and scope of work for metering installation;
- Investigate Laney College specified buildings; Assess building operations; and
- Measure identification to identify savings opportunities within each building.
- Modify the calendar year schedule to Fiscal Year format.

**The requested amount breakdown is as follows:**

<b>Description</b>	<b>Fee Breakdown</b>
Amendment No. 1 - 2 <sup>nd</sup> Year Term January 2, 2015-December 31,2015	\$175,000.00
Outstanding Invoice for work completed in 2014	\$16,698.32
<b>TOTAL:</b>	<b>\$191,698.32</b>
Original ratified amount for the 2 <sup>nd</sup> Year Term January 2, 2015-December 31, 2015 on January 21, 2014.	\$63,000.00
<b>TOTAL 2<sup>ND</sup> Year Term:</b>	<b>\$254,698.32</b>

QUEST is the District’s professional commissioning engineer for energy-efficiency retrofit/upgrade projects funded by Proposition 39. Currently, QUEST has an existing Agreement with the District for a period of three (3) years from January 2, 2014 to December 31, 2016. The District may elect to renew the original Agreement for an additional two (2) years (renewable annually) for a total not-to-exceed five (5) years. Under the original Request for Proposal No. 13-14/17, the District conducted a formal competitive bid to procure QUEST services. This RFP indicated potential project types, which included Monitoring Based Commissioning (MBCx). Therefore, the administration is requesting for approval of Amendment No. 1 under the original RFP No. 13-14/17 and the Agreement.

The California Community Colleges Chancellor’s Office requires Proposition 39 funded projects to be under a contract by June 30, 2015. To meet this deadline, the District must have QUEST under a contract before June 30, 2015, and commence work right away before this date. Their findings will be used in to scope bid package for other potential vendors submit bid proposals. Approval on this Amendment No. 1 is time sensitive because the bidding process for the project must happen before June 30, 2015. Senate Bill 854 does not apply on this amendment because the original agreement was awarded prior to April 1, 2015 and this law does not apply to this type of professional services. Additionally, this is for professional engineering services, which does not impact prevailing wage requirements. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Proposition 39.**

- 28. Consider Approval to Enter into an Emergency Service Agreement with Netronix Integration Inc. for the Districtwide Security Systems Software Conversion.  
**Presenter: Vice Chancellor Ikharo.**

Approval is requested to enter into an emergency service agreement with Netronix Integration Inc. for the Districtwide Security Systems Software Conversion, the amount not-to-exceed \$45,000. Currently, there are challenges with the District’s emergency security system. The District is unable to utilize repair, program, or troubleshoot employee’s access cards to classrooms without Lenel’s platform upgrade. The Lenel proprietary software system annual license renewal requires third party installation. An upgrade to this system will allow the District’s door access to work efficiently.

To resolve these issues, Netronix Integration will perform the following project scope of work:

- Convert the existing Lenel OnGuard Enterprise platform to the OnGuard PRO series platform, bringing the Lenel license up to date.
- Troubleshoot, backup, repair, consult, modify, and upgrade the District Lenel security software.
- Compensate outstanding invoices and current annual fees (\$14,000) to make this the Lenel system operational.

The requested amount will pay for the aforementioned scope (\$36,750) and for replacement of miscellaneous outdated, inoperative, and damaged hardware and other as needed (\$8,250).

Pursuant to the Emergency Contracting Procedures, Public Contract Code, Section 22050, with four-fifths vote, the Board of Trustee may accept this sole source proposal because the District must provide a security system software and integration that protects District property, and personnel/students. Jeff Williamson is the senior account executive representing Netronix Integration. Prevailing wage laws apply on this project; however, the Project Labor Agreement does not apply because it is a maintenance and operations project.

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

29. Consider Approval of Resolution No. 14/15-48, to Enter into a Contract Agreement with Joseph Murphy Construction Inc., for the Laney College Reroofing Project (Bid No. 14-15/35). **Presenter: Vice Chancellor Ikharo.**

Approval is requested to enter into a Contract Agreement with Joseph Murphy Construction Inc. for the Laney College Reroofing Project (Bid No. 14-15/35), at the amount not-to-exceed \$243,953. The contractor will reroof two (2) separate buildings, the Forum Building with a thermoplastic membrane and the Child Care Building with a bituminous roofing material. The contractor will complete the work per the construction document prepared by Skyline Engineering.

In accordance with the Public Contract Codes, Section 20651, the Purchasing Department conducted a formal bid. The bid was advertised on May 12 and 19, 2015. A mandatory pre-bid site visit was conducted on May 19, 2015. A total of five (5) contractors submitted bids. The bid quotes are as follows:

CONTRACTOR	LOCATION	TOTAL BID
<b>Joseph Murphy Construction</b>	<b>Livermore, CA</b>	<b>\$243,953.00</b>
Western Roofing Service	San Leandro, CA	\$266,026.00
Alcal Specialty Construction	Fremont, CA	\$301,806.00
Best Contracting Services	Union City, CA	\$475,398.00
Stronger Building Services	Hayward, CA	\$655,020.00

The lowest responsible and responsive bid was submitted by Joseph Murphy Construction, in the amount of \$243,953. This price quote is within the engineering cost estimate for the project and within budget. Joseph Murphy is the President and manager of the company. The company has a current and active contractor's license (CSLB no.869285) with the California Contractors State License Board. As required by the Senate Bill 854, the company is registered with the Department of Industrial Relations (no. 1000001241). The California prevailing wage law and Project Labor Agreement apply on this project.

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

30. Consider approval of Measure A Budget Appropriation and Transfer for the Laney Kitchen Ventilation Improvements (No. 80) and the IT Virtualization of Data Center Project (No. 81). **Presenter: Vice Chancellor Ikharo.**

Approval is requested to appropriate and transfer Measure A Budget nos. 80 and 81. On June 23, 2009, the Board of Trustees approved the Bond Measure (A and E) Spending Plan, which included budget appropriations, cash flow projections, and budget transfer procedures. Staff has obtained recommendation from the Administration (Vice Chancellor of Finance and Administration, Vice Chancellor of General Services, and the Chancellor) for these budget transfers and appropriations for the June 9, 2015 Board meeting.

**Budget Transfer No. 80** (\$100,000) was approved by the Laney College Administration and District Finance Department on May 18, 2015. This fund transfer will pay for the Laney Kitchen Ventilation Improvement Emergency Project. The construction improvements are per the assessments and recommendations provided by Taylor Engineering LLC. This improvement will address and correct California Occupational Safety and Health Administration's (CAL/OSHA) citation and notification. The project construction scope includes the configuration of the kitchen hoods to better the air flow, make adjustments and corrections to the fan system to improve the exhaust capacity, and replace a motor and a fan to achieve the target airflow rates.

This allotment is transferred from the Laney Student Center account (#2318) to the Laney Emergency Kitchen Ventilation Improvements new project account (#2439).

**Measure A Budget Transfer No. 80**

#	Project Name	Current Budget	Revised Budget	Transfer Amount
<b>Transfer To:</b>				
2439	Laney Emergency Kitchen Ventilation Improvements	-	\$100,000	\$100,000
	<b>Total Transfer</b>			
<b>Transfer From:</b>				
2318	Laney Student Center	18,449,669	\$18,349,669	\$100,000
	<b>Total Transfer</b>			<b>\$100,000</b>

Description: This budget transfer will fund the new Laney Emergency Kitchen Ventilation Improvement Project.

**Budget Transfer No. 81** (\$300,000) is part of the \$525,000 (Measure A and E funds) approved by the Governing Board of Trustees on April 14, 2015, for Virtualization of Data Center Project. The District Finance Department approved the reallocation of \$300,000 on May 4, 2015. This amount is to purchase equipment and servers for the Virtualization of Data Center Project. The total amount (\$525,000) was originally placed in one project account (#2346). In order to purchase the equipment and software for this project, the project account must be adjusted. Therefore, \$300,000 (Measure A) of the original approved amount must be reallocated to a new project account (#2458). The remaining amount of \$225,000 will stay in the project account (#2346).

This Measure A budget transfer will come from the District Administrative IT Remodel Project account (#2346) into the Virtualization of Data Center Project (#2458).

**Measure A Budget Transfer No. 81**

#	Project Name	Current Budget	Revised Budget	Transfer Amount
<b>Transfer To:</b>				
2458	Virtualization of Data Center Project (iCloud & Virtualization Project)	-	\$300,000	\$300,000
	<b>Total Transfer</b>			\$300,000
<b>Transfer From:</b>				
2346	DAC IT Remodel Project	1,200,000	\$900,000	\$300,000
	<b>Total Transfer</b>			<b>\$300,000</b>

Description: This budget transfer will pay for the equipment and software purchase for the Virtualization of Data Center Project.

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

## 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 8<sup>th</sup> Street, Oakland, CA, (510) 466-7203, [bmartinez@peralta.edu](mailto:bmartinez@peralta.edu) at least 48 hours prior to the meeting.