



## PERALTA COMMUNITY COLLEGE DISTRICT

### REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, June 23, 2015

5:00 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** (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)), 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)

- Recommendation to appoint Chancellor of Peralta Community College.
- Recommendation to appoint Interim Director of Technology Services.
- Consider approval of contract extension for Interim Dean of Workforce Development & Applied Sciences, Berkeley City College.
- Consider approval of contract extension for Director of Business & Administrative Services, College of Alameda.
- Consider approval of contract extension for Dean of Special Programs and Grants, Berkeley City College.
- Consider approval of contract extension for Director of International Services & Student Support, District Office.
- Consider approval of contract extension for Director of Business & Administrative Services Laney College.
- Consider approval of contract extension for Interim Vice President of Instruction, Laney College.
- Consider approval of contract extension for Interim Director of Student Activities, Merritt College.
- Consider approval of contract extension for Dean of Academic & Student Affairs – Career & Technical Education, Laney College.
- Consider approval of contract extension for Director of Business & Administrative Services, Merritt College.
- Consider approval of contract extension for Director of Purchasing, District Office.
- Consider approval of contract extension for Vice Chancellor of Human Resources & Employee Relations, District Office.
- Consider approval of contract extension for Dean of Academic & Student Affairs – Community Leadership & Civic Engagement, Laney College.
- Consider approval of contract extension for Vice Chancellor for Educational Services, District Office.
- Consider approval of contract extension for Director of Payroll Services, District Office.
- Consider approval of contract extension for Dean of Academic & Student Affairs – Mathematics & Sciences, Laney College.
- Consider approval of contract extension for Interim Vice Chancellor for Finance & Administration, District Office.

- Consider approval of contract extension for Interim Director of TRIO SSS Programs, Laney College.
- Consider approval of contract extension for Interim Director of AANAPISI Program, Laney College.
- Consider approval of contract extension for Director of AANAIPISI (APASS Program), Laney College.
- Consider approval of contract extension for Director of Business & Administrative Services, Berkeley City College.
- Consider approval of contract extension for Interim Budget Director, District Office.
- Consider approval of contract extension for Food Service Manager, Laney College.
- Consider approval of contract extension for Dean of Academic Pathways & Student Success, Laney College.
- Consider approval of contract extension for Vice President of Student Services, Laney College.
- Consider approval of contract extension for College President, Laney College.
- Consider approval of contract extension for Internal Auditor, District Office.

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 Special Board meeting Minutes of June 2, 2015 and regular Board meeting Minutes of June 9, 2015.

Consider approval of the special Board meeting Minutes of June 2, 2015 and regular Board meeting Minutes of June 9, 2015. The minutes are posted on Granicus.

2. Presentation of plaque and resolution to Chancellor Ortiz. Presenter: Board President Brown

### **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  
Interim Deputy Chancellor  
Vice Chancellor's Reports

Dr. José M. Ortiz  
Dr. Eric Gravenberg

Budget Update  
Enrollment and  
Student Services Update  
General Services  
Human Resources

Interim Vice Chancellor Rinne  
Vice Chancellor Orkin  
Vice Chancellor Ikharo  
Vice Chancellor Largent

College Reports

Berkeley City College  
College of Alameda  
Laney College  
Merritt College

President Budd  
President Blake  
President Webb  
President Ambriz-Galaviz

- Acceptance of California Community College Linked Learning (CCLL) Work-Based Learning Development Grant

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. Addressing the Achievement Gap (15 minutes) **Presenter: Deputy Chancellor Eric Gravenberg and Vice Chancellor Michael Orkin**

In a joint presentation, Dr. Gravenberg and Dr. Orkin will discuss the Achievement Gap for African American, Hispanic, and other students, along with initiatives and programs at Peralta designed to address these disparities. Dr. Gravenberg will give an overview and discuss specific projects at the colleges that address the achievement gap as well as new initiatives and funding in this area, such as PASS and the Peralta Scholars Program. Dr. Orkin will discuss a new, Peralta multiple measures placement pilot that addresses the "under placement" problem, in which standardized tests place many students who could be taking college level courses in basic skills classes.

## 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.

8. Consider Approval of an Employment Agreement With Dr. Jowel Laguerre, Ph.D. for the Position of Chancellor for the Peralta Community College District  
**Presenter: Board President Brown**

Consider approval of an employment agreement with Dr. Jowel Laguerre, Ph.D. to serve as Chancellor for the Peralta Community College District for a three-year term commencing July 1, 2015 through July 30, 2018, subject to renewal, with a base salary in the amount of \$305,000 with benefits. On June 9, 2015, the Board of Trustees publically announced the appointment of Dr. Jowel Laguerre as the new Chancellor, pending final negotiations and Board approval of the employment contract and salary at a regularly scheduled meeting. A copy of the final "Agreement for Employment of Chancellor" is posted on Granicus. The Board's Chancellor contract negotiation team consisted of Board President Brown and Vice President Riley. **Funding Source: General Funds.**

## 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 14/15-54 Supporting the National Day of Action For Medicare's 50th Birthday **Presenter: Board President Brown & Chancellor Ortiz**

The Board will consider a Resolution to support the "Medicare Turns 50" National Campaign and National Day of Action. This campaign brings attention and support to one of the nation's largest and most successful health insurance systems. Medicare serves almost 50 million older and disabled Americans. Medicare helps address the increased retirement health care costs for public agencies including the Peralta Community College District.

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

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

Name	Travel Location	Travel Dates
Alexander Lee	Washington D.C.	June 17, 2015 – June 26, 2015
Tomoko Roudebush	Washington D.C.	June 21, 2015 – June 24, 2015
Cynthia Taing	Washington D.C.	June 17, 2015 – June 26, 2015

## EDUCATIONAL AND STUDENT SERVICES

11. Consider Approval of ICC for Linda Sanford **Presenter: Vice Chancellor Orkin**

Consider Approval of ICC for Linda Sanford for continuing her work in the areas of Accreditation, Distance Education, Budget Integration, Facilitation and Program Review. Ms. Sanford will report to the Vice Chancellor of Educational Services. The work will take place between July 1, 2015 and June 30, 2016 and will not exceed the cost of \$41,000.

12. Consider approval of a contract with Nexus Acupuncture, formerly known as Oakland Community Acupuncture, for FY 2015-16, not to exceed \$60,000 for PCCD. **Presenter: Vice Chancellor Orkin**

Nexus Acupuncture, formerly known as Oakland Community Acupuncture, has been providing acupuncture and massage since November 2011 for our students. Last year, we expanded to COA, and they will now be providing services to students at each PCCD college. The number of hours are being increased this year due to student demand. Nexus has been providing acupuncture and massage since November 2011 for our students with excellent utilization and satisfaction results.

13. Consider approval of Contract between PCCD and Healthy Communities, Inc., not to exceed \$210,000 for 2015-16FY. **Presenter: Vice Chancellor Orkin**

This is a contract between PCCD and Healthy Communities, Inc. Healthy Communities will be providing Health Services two days a week to students at Berkeley City College, Laney and College of Alameda. They will also be providing HIV testing to students at all four PCCD colleges. PCCD will have health clinics at all four PCCD campuses. Laney and BCC has requested medical services to be provided by a nurse practitioner, which will be covered through Healthy Communities. Healthy Communities provided medical services to PCCD students at Merritt College and BCC in 2014-15.

14. Consider Peralta TV and Community Radio Contractors. **Presenter: Executive Director Heyman.**

The Department of Public Information seeks approval for two (2) ICCs totaling \$80,000 for the continued provision of video and radio productions. An independent contractor is needed on a part-time basis to assist with the running of Peralta's student/community radio station (Aaron Harbour, \$40,000 per year). Another independent contractor, Joe Sullivan dba Sullivan Video (\$40,000 per year), records events and classroom lectures at the Peralta Colleges, including the college graduations, for broadcast on Peralta TV's P-Span and P-Span II programs and posting to social media. The unusual hours of events and radio shifts precludes using regular staff.

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

15. Consider Contract Approval with the California Department of Education to Provide Child Care and Development Services and to Authorize Resolution 14/15-53  
**Presenter: Vice Chancellor Orkin**

Consider Contract Approval with the California Department of Education to provide child care and development services at Laney & Merritt College not to exceed \$762,481.00, and to authorize Resolution 14/15-53 for the designated personnel to execute contract documents for Fiscal Year 2015-16.

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: State of California, Department of Education Child Development Division.**

16. Consider approval of an independent contractor agreement for Kathi Roisen for the 2015-16 fiscal year. **Presenter: President Webb**

Consider approval of an independent contractor agreement for Kathi Roisen for the 2015-16 fiscal year (7/1/2015 - 6/30/2016) to provide project management services for Laney College's TAACT grant operations for Machine Technology and Industrial Maintenance.

The contract amount will be for an amount not to exceed \$50,580.

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.**

## FINANCIAL SERVICES

17. Tentative Budget 2015-2016 **Presenter: Interim Vice Chancellor Rinne**

It is recommended that the 2015-16 Tentative Budget be approved for the following funds: General Fund-Unrestricted, General Fund-Restricted, Student Center Fee Fund, Student Financial Aid, Trust and Agency, Child Development, Capital Outlay, General Obligation Bonds, Self-Insurance, Contract Education, Parking Fund, Special Reserve Fund-Retiree Health Premiums, Bookstore Funds, and Parcel Tax Fund for the 2015-2016 fiscal year. The 2015-16 Tentative Budget was presented to the Board of Trustees at its June 9, 2015 meeting and is posted on the District's website. California Code Regulations Section 58305(a) requires that, on or before the first day of July, each community college district shall file a tentative budget with the County Superintendent of Schools. The Chancellor recommends approval.

18. Consider Approval of the GANN Limit for 2014-15 **Presenter: Interim Vice Chancellor Rinne**

Consider approval of the 2015-16 Appropriation Limit (Gann Limit). It is recommended that the Board of Trustees approve the 2015-16 Appropriation Limit (Gann Limit). Article XIII B of the State Constitution, as approved by the voters in November 1979, requires the establishment of an appropriation limit on "proceeds of taxes" revenues for public agencies including community college districts. As part of the development of the tentative budget, the attached Gann Limit worksheet is required to be completed and approved by the Board of Trustees in accordance with Government Code Section 7910. The Chancellor recommends approval.

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

Consider approval for the use of the estimated \$14,425,273 of Education Protection Account proceeds resulting from the passage of Proposition 30 to partially fund instructional salaries and benefits. Proposition 30, The Schools and Local Public Safety Protection Act of 2012 (the Act), passed in November 2012. This proposition temporarily raises the sales and use tax by .25 cents for four years, and raises the income tax rate for high income earners (\$250,000 for individuals and \$500,000 for couples) for seven years to provide continuing funding for local school districts and community colleges. The Educational Protection Account (EPA) is created in the General Fund to receive and disburse these temporary tax revenues.

The estimated EPA funds that Peralta will receive are \$14,425,273 and the entire amount will be spent on instructional salaries and benefits. The Act specifically prohibits the expenditure of EPA funds for administrative salaries and benefits or any other administrative costs. The EPA funds are not additional funds, but rather a component of computational revenue for the general fund. The Chancellor recommends approval.

**HUMAN RESOURCES**20. 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>
Abdallah	Elizabeth	7/1/15	6/30/16	Interpreter, Fully Certified	All
Baker	Bret	7/1/15	6/30/16	Interpreter II	All
Bayibansa	Alain	7/1/15	10/5/15	Prog Spec/Student Services	L
Bertuso	Jeejun	7/1/15	12/30/15	Staff Asst/Student Services	B
Bhonopha	Abubakarr	7/1/15	6/30/16	Secretary	L
Bishop	Judith	7/1/15	6/30/16	Master Interpreter	All
Boskovich	Alexandra	7/1/15	12/31/15	Program Spec/Student Serv	L
Brown	Alfred	7/1/15	6/30/16	Food Service Supervisor	L
Castro	Claudia	7/1/15	6/30/16	Clerical Assistant II	L
Castro	Steven	7/1/15	6/30/16	Instructional Asst/Multimedia	B
Cha	Joseph	6/24/15	6/30/15	Instructional Asst IV/DSPS	L
Chen	Pei Lan	7/1/15	6/29/16	Clerical Assistant II	L
Crowley	Robert	7/1/15	6/30/16	Inst Asst/PE	L
Dao	Brittany	7/1/15	6/30/16	Senior Clerical Assistant	D
Day	Carol	7/1/15	6/30/16	Master Interpreter	All
Diouf	Madiou	7/1/15	6/30/16	Inst Asst/Accompanist	L
Drakes	Daniel	7/1/15	6/30/16	Senior Clerical Asst/Typing	D
Duncan	Travis	7/1/15	6/30/16	Interpreter II	All
Duong	Justin	7/1/15	6/30/16	Staff Asst/Admin (General)	B
Evans	Kevin	7/1/15	6/30/16	Inst Asst/PE	L
Fink	Matthew	7/1/15	6/30/16	Laundry Service Worker	L
Fogarino	Shirley	7/1/15	6/30/16	Public Information Officer	B
Gilbert	Monetta	7/1/15	10/21/15	Staff Asst/CalWORKS	A
Gottermeyer	Lindsay	7/1/15	6/30/16	Interpreter III	All
Grabelsky	Shira	7/1/15	6/30/16	Master Interpreter	All
Helmer	Kristine	7/1/15	6/30/16	Interpreter, Certified	All
Holland	Cherese	7/1/15	6/30/16	Interpreter II	All
Hopkins	Monique	7/1/15	6/30/16	Cashier	L
Horrell-Schmitz	Katrina	7/1/15	6/30/16	Interpreter I	All
Horrell-Schmitz	Richard	7/1/15	6/30/16	Interpreter, Fully Certified	All
Huang	Dingyao	7/1/15	6/30/16	Staff Asst/EOPS	L
Huang	Jian	7/1/15	6/30/16	Interpreter II	All
Hutchin	Christian	7/1/15	8/14/15	Instructional Asst/English	B
Ishii	Adena	7/1/15	6/30/16	Senior Clerical Assistant	B
Jamison	Nazelah	7/6/15	6/30/16	Senior Clerical Assistant	L
Johnson-Malone	Chandra	7/1/15	6/30/16	Staff Asst/Student Services	L

Keone	Leilani	6/24/15	6/30/15	Human Resources Analyst	D
Keone	Leilani	7/1/15	9/24/15	Human Resources Analyst	D
Koo	Constance	7/1/15	6/30/16	Staff Asst/Employee Relations	D
Koo	Nancy	7/1/15	6/30/16	Executive Asst/HR	D
Kristiansen-Kayser	Kristen	7/1/15	6/30/16	Staff Asst/Admin (General)	B
Laiche	Nacira	7/1/15	6/30/16	Instructional Asst/Biotech	B
Lemes	Rodrigo	7/1/15	6/30/16	Senior Clerical Assistant	B
Lewis	Azul	7/1/15	6/30/16	Instructional Asst/Biotech	B
Lontoc	Arlene	7/1/15	6/30/16	Staff Asst/Student Services	L
Mack	Anthony	7/1/15	12/31/15	Senior Clerical Assistant	L
Mariscal	Cecelia	7/1/15	6/30/16	Interpreter, Fully Certified	All
Marquez	Anel	7/1/15	6/30/16	Science Lab Tech/Bio Sci	B
McGee	Schnita	7/1/15	6/30/16	Staff Asst/Admin (General)	D
Means	Kristopher	7/1/15	6/30/16	Food Service Supervisor	L
Meier	Philip	7/1/15	6/30/16	Instructional Asst/Multimedia	B
Moore	Lisa	7/1/15	6/30/16	Interpreter, Fully Certified	All
Mundeke	Okala	7/1/15	10/6/15	Program Specialist/EOPS	L
Nguyen Le	Phat	7/1/15	6/30/16	Staff Asst/President's Office	A
Odidika	Sochi	6/24/15	6/30/15	Staff Asst/Business Services	L
Odidika	Sochi	7/1/15	6/30/16	Staff Asst/Business Services	L
Padilla	Erika	7/1/15	6/30/16	Web Content Developer	A
Padilla Porras	Luis	7/1/15	10/6/15	Prog Spec/Student Activities	A
Pena-Lopez	Elva	7/1/15	10/22/15	Clerical Assistant II	L
Redd	Cameron	7/1/15	6/30/16	Lifeguard	L
Reyes	Jackeline	7/1/15	6/30/16	Staff Asst/Admin (General)	B
Roberts-McCain	Ronnie	7/1/15	6/30/16	Staff Asst/Employee Relations	D
Sagara	Bryan	7/1/15	6/30/16	Duplicating Services Tech II	B
Sari	Huseyin	7/1/15	6/30/16	Multimedia Services Specialist	B
Shephard	Ryan	7/1/15	6/30/16	Master Interpreter	All
Simas	Tara	7/1/15	6/30/16	Staff Asst/Business Services	L
Smith	Annmarie	7/1/15	6/30/16	Interpreter, Fully Certified	All
Spitzer	Andrew	7/1/15	8/14/15	Inst Asst/English	B
Tawasha	Lori	7/1/15	6/30/16	Interpreter, Fully Certified	All
Terry	Jodi	7/1/15	6/30/16	Interpreter, Fully Certified	All
Thi	Chin Tien	7/1/15	6/30/16	Instructional Asst/Biotech	B
Tsehai	Wessenyesh	7/1/15	10/31/15	Staff Asst/VC, Ed Svcs	D
Tumba-Longo	Alain	7/1/15	12/31/15	Clerical Assistant I	L
Tyson	Benea	7/1/15	12/18/15	Program Spec/Student Serv	L
Vilchis-Lent	Leticia	7/1/15	6/30/16	Account Clerk II	L
Warfield	Patricia	7/1/15	6/30/16	Clerical Assistant II	L
Washington-Diouf	Naomi	7/1/15	6/30/16	Inst Asst/Accompanist	L
Wilson	Caitlin	7/1/15	6/30/16	Interpreter I	All
Wortz	Dorcas	7/1/15	6/30/16	Food Service Supervisor	L
Zepel	Janet	7/1/15	10/31/15	Staff Asst/Admin (Instruction)	M

*“The District has complied with the applicable provisions of the Education Code”*

21. Consider approval of the District’s 2015-2016 Holiday Calendar. **Presenter: Vice Chancellor Largent**

**FACILITIES**

22. Consider an Approval to Enter into a Three (3) Year Contract with an Option to Renew for the Fourth (4<sup>th</sup>) and Fifth (5<sup>th</sup>) with Alameda County Sheriff’s Office to Provide Police Services to the Peralta Community College District. **Presenter: Vice Chancellor Ikharo**

Approval is requested to enter into a three (3) year agreement with an option to renew for the fourth (4<sup>th</sup>) and fifth (5<sup>th</sup>) year with the Alameda County Sheriff’s Office to provide police services to the District from July 1, 2015 until June 30, 2020. For the fiscal year 2015-16, services will be provided at an estimated amount of \$3,507,306. The cost breakdown for Alameda County Sheriff’s security services is as follows:

<b>2015-2016 Sheriff’s Cost Estimate</b>	
Personnel Cost	\$2,937,366.03
Services/Supplies Cost	\$199,831.00
Indirect Cost	\$370,108.12
<b>TOTAL:</b>	<b>\$3,507,305.15</b>

After the first year of the agreement, the County will provide the District with an estimated annual operating budget for the Chancellor’s review and approval as the County’s indirect cost and union negotiated salaries and remunerations vary from year-to-year. The terms of this agreement includes a termination clause that enables the District or the County ability to terminate this agreement for their respective convenience upon ninety (90) days written notice, or earlier upon written mutual agreement. It should be noted that the Alameda County Sheriff’s Office (ACSO) officers are members of a collective bargaining unit and 88% of the District’s security needs are met under this agreement.

The significance of having sworn police deputies to maintain law and order, safeguard life and property (assets) as urban colleges in the District cannot be overemphasized. Yet, utilizing various practices such as “community policing” and the treatment of students as academicians in a college environment must continue to be practiced.

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

23. Consider Approval of Amendment No. 2 to the 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 of Amendment No. 2 to the Agreement with QUEST, in the amount not-to-exceed \$35,000. This request will incorporate specific buildings at College of Alameda Building "L" and the District Administrative Center (DAC) in the scope of services. The scope of work for these two campuses was not included in the original agreement and Amendment No. 1:

- Develop a metering scope for procurement;
- Develop design drawings for metering and scope of work for metering installation;
- Investigate specified buildings at each college; Assess building operations; and
- Measure indices to identify savings opportunities within each building.

This is a professional engineering service contract for which SB 854 Department of Industrial Relations (DIR) registration and the Project Labor Agreement does not apply. On January 21, 2014, the Board of Trustees ratified the original Agreement with QUEST for Professional Engineering Services on the District-wide Proposition 39 Energy Retrofit Projects (RFP No. 13-14/17). Amendment No. 1 (\$191,699) was approved at the June 9, 2015, board meeting. If Amendment No. 2 is approved, the accumulative contract amount for the three (3) year term will be \$431,699. The term of the original Agreement was for a period of three (3) years, with an option to renew services in the 4<sup>th</sup> and 5<sup>th</sup> years.

All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Proposition 39.**

24. Consider approval to enter into a contract with Environmental Systems Inc. (ESI) for Phase 1, Districtwide Energy Management Control System Trouble Shoot and Upgrade Project. **Presenter: Vice Chancellor Ikharo.**

Approval is requested to enter into a contract with Environmental Systems Inc. for Phase 1, Districtwide Energy Management Control System Trouble Shoot and Upgrade Project, in the amount not-to-exceed \$49,000. The District's HVAC controls are failing, outdated, and need to be repaired and upgraded at Peralta's four (4) colleges. Also, the system is designed to evaluate HVAC operations and control from a remote location. Dedicated Local Access Network (LAN) is needed to improve reliability and controls as well as replace some of the old coaxial cable with Cat 6 wiring. Consequently, ESI will repair, upgrade, troubleshoot the existing energy management system to operate and control the District's heating, ventilation, air conditioning (HVAC), and lighting. The improvement of the system will enhance the environmental comfort and health in facilities for students and staff as well as replacing controls.

In compliance with the District's Purchasing Procedures and the Public Contract Codes, an informal competitive bid was conducted. A total of three (3) firms submitted proposals in response to the request for proposal, as follows.

VENDORS	HOURLY RATE	LOCATION
<b>Environmental Systems Inc.</b>	<b>\$135/hour</b>	<b>Santa Clara, CA</b>
Trinity EMCS	\$165/hour	Benicia, CA
EMCOR Services	\$150/hour	Hayward, CA

The lowest responsible and responsive hourly bid was submitted by Environmental Systems Inc. at \$135/hour. Heading the firm is President and CEO Chris Infantino, responsible for all operations of ESI is Chris Infantino, and the Co-owner and Chief Financial Officer is Gene Infantino. The vendor is registered with the California Department of Industrial Relations (no. 1000013004) and the California Contractors State License Board (license no. 964556). The Project Labor Agreement does not apply because this is a maintenance and operations project and it involves the repair of the software (Delta Controls) to manage the existing HVAC system.

All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: One-Time State Fund.**

- 25. Consider the Approval of Resolution 14/15-51, to Resubmit the Final Project Proposals (FPP) for the 2017/2018 Funding Cycle. **Presenter: Vice Chancellor Ikharo**

Approval of the rollover of the Final Project Proposal for the 2017-18 funding cycle, the Replacement of Building B & E (Auto & Diesel Technologies) at College of Alameda. Yearly, on July 1, 2015, the California Community College Chancellors Office (CCCCO) requires for the District to submit Final Project Proposals (FPPs) to request for state funding.

<b>2017/2018 FPP Rollover</b>			
PROJECT	DISTRICT SHARE	STATE SHARE	TOTAL BUDGET
College of Alameda - Replacement of Building B & E (Auto & Diesel Technologies)	\$11,311,375	\$11,311,374	\$22,622,749
<b>Totals</b>	<b>\$11,311,375</b>	<b>\$11,311,374</b>	<b>\$22,622,749</b>

Please note that the proposed project is for planning purposes. The District share of this proposal is subject to the District a capital project outlay bond measure. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Local bond funds for the District share.**

26. Consider Approval to Submit 2017-21 Five-Year Construction Plan to the California Community Colleges Chancellor's Office (CCCCO). **Presenter: Vice Chancellor Ikharo**

In accordance with the provisions of Section 81820 of the California Education Code, each year community college districts are required to submit a Five-Year Construction Plan to the CCCCCO. The five-year plan communicates to the State Chancellor's Office and other State agencies the anticipated capital outlay needs of a district for the next five years. The five-year plan includes information on current enrollment, projected enrollment, and instructional staff. This information, together with actual college space utilization, is analyzed to develop capacity-load ratios, which are measures of a college's space utilization in certain areas. The capacity load-ratio is one factor that is considered in State funding of a capital project. The 2017-21 Five-Year Construction Plan is due to the CCCCCO by July 1, 2015.

A component of the five-year plan is the project priority list for the five-year period. This list is presented to the Board of Trustees for review and approval each year. The priority list includes all facilities needs of the District based on the Educational Master Plans and Facilities Master Plan, regardless of whether State funding will be requested.

All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Local Bond Funds for the District share.**

27. Consider Approval of Resolution 14/51-50 for the Acceptance of Completed Work and Deductive Change Order No. 1, and Release of the 5% Retention for the Merritt College Site Improvements Project (Bid No. 14-15/17), Sposeto Engineering Inc. **Presenter: Vice Chancellor Ikharo**

Approval is requested for the acceptance of completed work and deductive change order no. 1 (\$6,880), and the release of the 5% retention for the Merritt College Site Improvements Project (Bid No. 14-15/17). The Governing Board of Trustees approved a contract award (Bid No. 14-15/17) to Sposeto Engineering Inc. at the April 14, 2015 meeting, in the amount of \$126,000. A notice to proceed (NTP) was issued with a start date of March 21, 2015. The administration requests an approval of the deductive change order no. 1 of \$6,880, which is -5.5% of the contract amount. The total contract amount is now \$119,120 due to this deductive change order. This deductive change order will reduce the remaining amount from the contract. Additionally, there was a decrease in the construction contract time of twenty-five (25) calendar days.

Acceptance of the project completion is requested. Since the project is complete, the administration requests to pay the 5 percent (5%) retention payment (\$5,956) to the contractor. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure E.**

28. Request Board Authorization to Increase Independent Contractor's Agreement for Legal Services with Fagen, Freidman, & Fulfroost for Acquisition of the 2118 Milvia Street Property in Berkeley, California. **Presenter: Vice Chancellor Ikharo.**

Authorization is requested to increase the Independent Contractor Agreement for professional legal services with Fagen Friedman and Fulfroost LLP for acquisition of the 2118 Milvia Street Property. The existing ICC is for \$80,000 and authorization to increase this by \$65,000 for an amount not to exceed \$145,000 is requested. Fagen Friedman & Fulfroost has provided the necessary legal representation and counsel to assist the District in acquiring the property and is continuing to support District staff in the negotiation of a lease for the current property with City of Berkeley. The firm assists with all aspects of the acquisition.

**The firm has assisted with the following required documentation for this transaction:**

1. Resolution Exempting the District and From Property Zoning Ordinances
2. Administrative Mitigated Negative Declaration/ Initial Study
3. Letter of Agreement to the City of Berkeley for Termination of Lease
4. Extension of Due Diligence
5. Close of Escrow Documentation
6. Due Diligence Draft Resolution
7. Correspondence for the Adoption and Approval of the Final Mitigated Negative Declaration
8. Letter of Acknowledgement Terminating the Existing Lease
9. Escrow Documents
10. Certified Copy of Grant Deed

Peralta Community College District has acquired the property and facility (\$6,180,000) located at 2118 Milvia Street. The District General Counsel initiated the due diligence processes, selected and established the original contract with Fagen Friedman & Fulfroost to provide legal representation during the due diligence activities, in the amount of \$25,000. The original ICC is funded through the general fund. The ICC supporting the acquisition is for \$80,000 and is funded through Measure A. The cost of legal services exceeds the \$86,000 threshold for professional services. Therefore, approval is requested by the Board of Trustees. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

## 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.