



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT
MINUTES
JULY 28, 2015

CALL TO ORDER (7:08 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)), BAP Events LLC v. PCCD, Alameda County Superior Court, Case No. RG14-728878. * Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (1 cases) Public Employee Appointment (Government Code Section 54957) * Recommendation to appoint Interim Vice President of Student Services, Berkeley City College. * Recommendation to appoint Interim Dean of Academic Pathways, Workforce Development and Student Success, Berkeley City College. * Recommendation to appoint Vice President of Instruction, Laney College. * Ratification of Chancellor Ortiz' approval to appoint Acting Vice President of Student Services, Laney College. 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.) * Chancellor 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.) Conference with Real Property Negotiators: (Govt. Code Section 54956.8) Agency Negotiators: Chancellor Laguerre & President Budd

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 Abuyen Pr_ Ab_ and Hyche Pr_ Ab_.

Present: Trustee Bonilla, Trustee Gonzalez Yuen, Trustee Handy, Trustee Withrow, Trustee Riley, Trustee Brown, Student Trustee Abuyen, and Student Trustee Hyche.

Absent: Trustee Gulassa.

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.)

At tonight's closed session, the Board voted to ratify the appointment of the following public employee contract, which is subject to contractual agreement by the Chancellor:

1. Recommendation to appoint Diana Bajrami as Interim Vice President of Student Services, Berkeley City College, from August 20, 2015 through December 31, 2015, or until the position is filled on a regular basis, at \$142,296 annually.

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

2. Recommendation to appoint Theresa Rowland as Interim Dean of Academic Pathways, Workforce Development and Student Success, Berkeley City College, from August 19, 2015 through December 31, 2015, or until the position is filled on a regular basis, at \$131,350 annually.

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

3. Recommendation to appoint Lilia Celhay as Vice President of Instruction, Laney College, from July 29, 2015 through June 30, 2017 at \$153,242 annually.

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

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.

Agenda

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

Agenda Item 22 was moved to the action calendar.

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

NOES: None

ABSTAIN: None

ABSENT: Trustee Gonzalez Yuen, and Trustee Gulassa.

The motion passed.

APPROVAL OF THE MINUTES (7:30 P.M.)

1. Consider Approval of the regular Board meeting Minutes of July 14, 2015. Consider approval of the regular Board meeting Minutes of July 14, 2015. The minutes are posted on Granicus.

Minutes

MOTION: Motion by Trustee Bonilla, second by Trustee Riley to approve the regular Board meeting Minutes of July 14, 2015. The minutes are posted on Granicus.

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

The motion passed.

PUBLIC COMMUNICATION (7:32 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/>

Speaker Jaramillo, (Peralta Federation of Teachers) PFT President, thanked the District for signing the new contract and working on the retro checks. In terms of the MOU between Peralta and Oakland Unified School District, PFT is happy that Peralta faculty will be teaching at Oakland Unified. PFT is not opposing the program and shares concerns with language concerning the representation of the PFT faculty. PFT looks forward to more discussions with the District to adjust some language.

REPORTS (7:45 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.

Speaker Johnson, Associated Students of Merritt College (ASMC), spoke on events happening on campus.

Speaker Rogers, Associated Students of Berkeley City College (ASBCC), is excited to serve the term and discussed the upcoming ASBCC retreat at BCC.

Speaker Jackson, Associated Students of Merritt College (ASMC), spoke on the upcoming ASMC retreat.

2. Associated Student Government Reports Representatives of the Associated Student Governments will be afforded an opportunity to address the Board. (Please provide your Name, College, and Position, and line-up to speak.)
3. Chancellor's Reports Chancellor's Report Dr. Jowel C. Laguerre 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

Chancellor Laguerre discussed the accreditation report and what the District intends to do with the recommendations. Chancellor Laguerre also met with the Mayor of Oakland. Chancellor Laguerre is excited to be here and with the connections that we are making with the community.

Berkeley City College President Budd

College of Alameda President Blake

* Aircraft donations

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 Bonilla was invited to join the East Bay Advanced Manufacturing & Logistics Advisory Group where she learned more about the role of Peralta's deputy sector navigator. She is looking forward to participating more in the ATLAS program.

Student Trustee Hyché and Student Trustee Abuyen are convening a meeting to discuss the goals and the expectations of the PSC retreat. They are also looking for speakers. Please contact Student Trustee Hyché if you are interested in speaking.

5. District Academic Senate Report Presenter: DAS President Cleavon Smith

No report given.

PRESENTATIONS (8:30 P.M.)

6. Office of Risk Management Performance Review and Roadmap (15 minutes) Presenter: Greg Valentine, Director of Risk Management The Office of Risk Management will present a historical review of the performance of major risk management programs and services, including: Insurance Procurement; Claim management; Health and Safety Programs; Loss Control Programs and Emergency Preparedness Program. The presentation also includes a summary report on current strategic areas of focus and tactical needs of risk management across the Peralta District.

[Background Material](#)

CONSENT CALENDAR (8:45 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.

BOARD MATTERS

MOTION: Motion by Trustee Withrow, second by Trustee Riley to approve Consent Agenda Items 1 - 21, 23 - 30.

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

The motion passed.

7. Consider Approval of Board Policy 5010, Admissions, Special Admissions, and Enrollment Presenter: Chancellor Laguerre Consider approval of final reading for Board Policy 5010, Admissions, Special Admissions, and Enrollment

[BP 5010](#)

8. Consider Approval of Board Policy 2010, Board Membership Presenter: Chancellor Laguerre Consider approval of final reading for Board Policy 2010, Board Membership

[BP 2010](#)

9. Consider Approval of Board Policy 3420, Equal Employment Opportunity Presenter: Chancellor Laguerre Consider approval of final reading for Board Policy 3420, Equal Employment Opportunity

[BP 3420](#)

10. Consider Approval of Board Policy 3501, Campus Security and Access Presenter: Chancellor Laguerre Consider approval of final reading for Board Policy 3501, Campus Security and Access

[BP 3501](#)

11. Consider Approval of Board Policy 3510, Workplace Violence Plan Presenter: Chancellor Laguerre Consider approval of final reading for Board Policy 3510, Workplace Violence Plan

[BP 3510](#)

12. Consider Approval of Board Policy 5030, Fees Presenter: Chancellor Laguerre Consider approval of final reading for Board Policy 5030, Fees.

[BP 5030](#)

13. Consider Approval of Board Policy 5040, Student Records, Directory Information, and Privacy Presenter: Chancellor Laguerre Consider approval of final reading for Board Policy 5040, Student Records, Directory Information and Privacy.

[BP 5040](#)

14. Consider Approval of Board Policy 5050, Student Success and Support Program Presenter:

Chancellor Laguerre Consider approval of final reading for Board Policy 5050, Student Success and Support Program.

[BP 5050](#)

15. Consider Approval of Board Policy 5110, Counseling. Presenter: Chancellor Laguerre Consider approval of final reading for Board Policy 5110, Counseling.

[BP 5110](#)

16. Consider Approval of Board Policy 5130, Financial Aid Presenter: Chancellor Laguerre Consider approval of final reading for Board Policy 5130, Financial Aid.

[BP 5130](#)

17. Consider Approval of Board Policy 6100, Delegation of Authority, Business and Fiscal Affairs Presenter: Chancellor Laguerre Consider approval of final reading for Board Policy 6100, Delegation of Authority, Business and Fiscal Affairs.

[BP 6100](#)

18. Consider Approval of Board Policy 6340, Bids and Contracts Presenter: Chancellor Laguerre Consider approval of final reading for Board Policy 6340, Bids and Contracts.

[BP 6340](#)

19. Consider Approval of Board Policy 6400, Financial Audits Presenter: Chancellor Laguerre Consider approval of final reading for Board Policy 6400, Financial Audits.

[BP 6400](#)

20. Consider Approval of Out of State Travel pursuant to Board Policy 7400 Presenter: Chancellor Laguerre Consider approval of Out of State Travel pursuant to Board Policy 7400 for the following faculty: Name Travel Location Travel Dates Drew Gephart Washington, D.C. September 29, 2015 - October 3, 2015

[Background Material](#)

EDUCATIONAL AND STUDENT SERVICES

21. Consider Approval of Contract between PCCD and LifeLong Medical Care for \$65,000 for 2015-16FY. Presenter: Vice Chancellor Orkin This is a contract between PCCD and Lifelong Medical Care (LMC). LMC will be providing a mental health counselor three days a week at BCC at a rate not to exceed \$65,000 for the 2015-16 FY for staff and expenses. The manager at LFC in charge of this service is Brenda Goldstein (510) 981-4136. LMC has been providing these services to BCC students since 2012.

[Background Material](#)

22. Consider approval of the License Agreement between the Peralta Community College District/College of Alameda and Tenacity Lacrosse Organization, Inc. Presenter: President Blake Consider approval of the License Agreement between the Peralta Community College District/College of Alameda and

Tenacity Lacrosse Organization, Inc., a community athletic organization that desires to utilize COA's fields for the purposes of it hosting lacrosse club teams, summer camps and summer leagues in the Bay Area. The term of the License to the Premises shall be from January 1, 2016 and shall continue until August 31, 2035. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

Trustee Gonzalez Yuen briefly discussed the 20 year term of the contract, has spoken to District Legal Counsel about the contract and has been assured that the Chancellor will look into the provisions and make sure that the District is properly protected. With these assurances, he is comfortable moving forward with this item.

President Blake is excited for this opportunity and will make College of Alameda the hub for Lacrosse in the Bay Area.

MOTION: Motion by Trustee Withrow, second by Trustee Bonilla to approve Agenda Item 22. Consider approval of the License Agreement between the Peralta Community College District/College of Alameda and Tenacity Lacrosse Organization, Inc.

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

NOES: None

ABSTAIN: None

ABSENT: and Trustee Gulassa.

The motion passed.

23. Consider Approval to accept the Alameda County Workforce Investment Board (ACWIB) One-Stop Career Centers contract with PCCD to operate the Alameda and North Cities One Stop Career Centers. Presenter: President Blake The Peralta Community College District (PCCD) is proud to align with the Alameda County Workforce Investment Board (ACWIB) in its vision for a regional system of integrated workforce services, education, and career and technical certified training, responsive to the local labor market. In partnership with the Adult Education division of the Berkeley Unified School District, Peralta CCD will realize this vision in the North Cities through the operation of two specialized One-Stop Career Centers (OSCCs): one continuing at its current on-campus location at the College of Alameda, and the other, a new site at the Berkeley Adult School. By supporting WIOA participant access to a full scope of training, job search and job placement services at these sites and through classroom-integrated services at Berkeley City College, Peralta CCD will increase the number of North Cities residents who obtain marketable and industry-recognized credentials or degrees, leading to meaningful employment, family-supporting careers and a vibrant East Bay economy. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: Alameda County Workforce Investment Board

[Background Material](#)

24. Consider Approval of the Memorandum of Understanding between PCCD and OUSD that would enable the Peralta Colleges to establish Course Agreements with OUSD to offer college courses on high school campuses during the 2015-16 school year. Presenter: Dr. Karen Engel Consider

Approval of the Memorandum of Understanding between PCCD and OUSD that would enable the Peralta Colleges to establish Course Agreements with OUSD to offer college courses on high school campuses during the 2015-16 school year. As part of PCCD's initiative to build and strengthen career pathway programs with our K-12 district partners in the East Bay Career Pathways Consortium, this MOU enables an official pilot project for the Peralta Colleges to work with our largest feeder district (OUSD) to scale the number of early college experiences for Oakland high school students. This is a critical part of OUSD's Linked Learning initiative. Research has demonstrated that early college experience (taking at least one college level course while still in high school) can dramatically increase a student's chances of completing high school and persisting to and through college for students. This MOU and the related Course Agreements that the Peralta Colleges will establish with local high schools will launch a deliberate effort to scale the number of early college experiences for Oakland high school students on their high school campus. It also allows our Colleges to identify and, where necessary, develop courses in a career pathway program that offer a "bridge" between high school and college level work. These bridges, or "special admission" courses, would enhance the level of preparedness of incoming Peralta students in career pathway programs. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

Speaker Thomas, Executive Director of College and Career Readiness, Oakland Unified School District spoke about the partnership with OUSD and PCCD and is excited about the partnership.

FINANCIAL SERVICES

25. Consider Contract for Fiscal Year 2015-16 Enrollment Campaign for Berkeley City College, College of Alameda, Laney College and Merritt College (Competitive Bid No. 14-15/41: District Wide Advertising and Outreach Broker Services. Presenters: Director Hampton/Executive Director Heyman. Consider approval of a contract for Associated Advertising Services, Inc., dba Flying A Media, a media buying company, for Fiscal Year 2015-16 enrollment advertising campaigns consisting of the following elements: Outdoor billboards throughout the District service area, transit ads; targeted TV and radio spots aimed at key demographic groups. This is a coordinated campaign featuring all four of the Peralta Colleges to increase enrollment for Fall 2015 and Spring and Summer 2016. The amount is not to exceed \$106,157.78 for the fall campaign. The vendor was the only responder to Competitive Bid No. 14-15/41: District Wide Advertising and Outreach Broker Services. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

26. 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 May 23, 2015 through July 10, 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.

[Background Material 1](#)

[Background Material 2](#)

27. 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 May 23, 2015 through July 10, 2015. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

[Background Material](#)

28. Consider Approval of Budget Transfer Report Presenter: Interim Vice Chancellor Rinne Consider approval of budget transfer report covering the period from May 23, 2015 through June 30, 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.

[Background Material 1](#)

[Background Material 2](#)

29. Consider Approval of the District's fiscal year 2014-15 Fourth Quarter CCFS-311Q Report Interim Vice Chancellor Rinne Consider approval of the District's fiscal year 2014-15 fourth quarter CCFS 311Q report. The CCFS-311Q is the State Chancellor's Office Quarterly Financial Status Report summarizing and communicating the results of the budgetary decisions and transactions made by the District through the fourth quarter of fiscal year 2014-15. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

HUMAN RESOURCES

30. 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.

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

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.

ANNOUNCEMENTS

- 1. The next regular Board meeting will be held on September 10th here in the District Offices Boardroom. The Board is in recess during the month of August.**
- 2. Please check the Peralta Foundation website for details about the upcoming Golf Tournament on October 5th, and Scholarship information.**

Jowel C. Laguerre, Ph.D., Chancellor
Secretary to the Board of Trustees
PERALTA COMMUNITY COLLEGE DISTRICT