



BOARD OF TRUSTEES  
OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT  
MINUTES  
FEBRUARY 23, 2016

**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) \* Ratification of the Chancellor's appointment of Acting Vice President of Student Services, Berkeley City College. \* Ratification of the Chancellor's appointment of Interim Director of Human Resources, District Office. \* Recommendation to appoint Interim Vice President of Student Services, Laney College. \* Recommendation to approve the reclassification of the position of Energy and Environmental Sustainability Manager to Director of Energy and Sustainability, Office of General Services. \* Recommendation to approve the reclassification of Facilities Planning and Development Manager to Director of Facilities Planning and Development, Office of General Services Office. \* Recommendation to approve the reclassification of the position of Director of Purchasing Services, District's Finance and Administration 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.) \* 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.)

**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 Trustee Abuyen Pr\_Ab\_.**

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

Absent: None.

**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. Ratification of the Chancellor's appointment of Hermia Yam as Acting Vice President of Student Services,

Berkeley City College, effective January 20, 2016 through January 31, 2016 at \$147,769 annually.

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

2. Ratification of the Chancellor's appointment of Venesse Metcalf as Interim Director of Human Resources, District Office, effective February 19, 2016 through June 30, 2016 at \$136,823 annually.

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

3. Recommendation to approve the reclassification of the position of Charles Neal from Energy and Environmental Sustainability Manager to Director of Energy and Sustainability, Office of General Services. Mr. Neal's new salary will be placed at Range 2, Step 4 will be \$114,932 annually, which represents 5% salary increase, effective January 1, 2016.

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

4. Recommendation to approve the reclassification of Atheria Smith from Facilities Planning and Development Manager to Director of Facilities Planning and Development, Office of General Services Office, effective January 1, 2016. There is no change in salary placement of Range 2 of the Management Salary Schedule. Salary remains at \$120,405 annually.

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

5. Recommendation to approve the reclassification of the position of Marie Hampton, Director of Purchasing Services, District's Finance and Administration Office, from Range 2 to Range 3 of the Management Salary Schedule. Ms. Hampton's new salary at Range 3, Step 1 will be \$120,405, which represents 4.8% salary increase, effective January 1, 2016.

AYES: 7 NOES: 0 ABSTAIN: 0 ABSENT: 0

**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 Gonzalez Yuen to approve the Agenda with the following amendments:

Agenda Items 20, 21, 24, 28 and 32 were removed from the agenda.

Agenda Item 29 was moved to the Action Calendar.

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.

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

1. Consider Approval of the regular Board meeting Minutes of January 26, 2016. Consider approval of the regular Board meeting Minutes of January 26, 2015. The minutes are posted on Granicus.

#### Minutes

MOTION: Motion by Trustee Withrow, second by Trustee Bonilla to approve the regular Board meeting Minutes of January 26, 2016. 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 (7:06 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 Anderson, President, Laney Entrepreneur Club provided information about the program which is a student organization that's dedicated to empowerment through entrepreneurial training and development.

Speaker Sealund thanked the Chancellor on the IT changes and introduced Angela Johnson who is taking over for former SEIU Representative Matt Lanza.

Speaker Jaramillo, President, Peralta Federation of Teachers (PFT), provided PFT negotiation updates.

Speaker Wilson, shared information about New Day for Children, a residential educational care facility for minors who have been sexually trafficked.

**REPORTS (7:20 P.M.) The Board requests that constituent group reports and presentations be brief and concise, and that only electronic copies be provided for posting. All open session reports and meeting materials have been submitted to the Board electronically, and are available for public viewing on Granicus.**

2. Associated Student Government Reports Representatives of the Associated Student Governments will be afforded an opportunity to address the Board. (Please provide your Name, College, and Position, and line-up to speak.)

Speaker Cox, Associated Students of Laney College (ASLC), provided the Board with ASLC updates.

Speaker Williams, President, Associated Students of Merritt College (ASMC) provided the Board with ASMC updates.

Speaker Jauregui, Senator, Associated Students of College of Alameda (ASCOA), provided the Board with ASCOA updates.

3. Chancellor's Reports Chancellor's Report Dr. Jowel C. Laguerre \* United States Tennis Association (USTA) Presentation Chief of Staff Dr. Yashica J. Crawford

Chancellor Laguerre introduced Henry Chang who presented the Board and the District with an award from the United States Tennis Association. Chancellor Laguerre also thanked SEIU and the great work being done in IT. The staff in IT is incredible and motivated to move forward.

**Berkeley City College Interim President Johns**

**College of Alameda President Blake**

[Report](#)

**Laney College President Webb**

**Merritt College President Ambriz-Galaviz**

4. Board of Trustees' Reports At this time, the Board of Trustees will report on matters related to attendance at conferences, professional affiliations, and community involvement directly related to their functions as Board members.

Trustee Withrow attended the ACCT Legislative Summit from along with Trustee Handy, Trustee Crawford, Trustee Bonilla and Trustee Brown. There were 53 scheduled speakers and they spoke to the College Promise issue. On behalf of the Board, Trustee Withrow congratulated Chancellor Laguerre for being a civic leader for the National Forces.

Student Trustee Abuyen attended Campus Camp Wellstone held by Trustee Yuen and had a great experience working with student government.

Trustee Gonzalez Yuen held a state wide training, Campus camp Wellstone and had a fabulous delegation at Peralta. Core areas for this training was leadership development. There were big sessions on power mapping and issue development. There was also focus on affordable housing issues. Trustee Gonzalez Yuen thanked

PFT for their support and to the Chancellor for his civic engagement work.

Trustee Bonilla traveled to the ACCT National Legislative Summit in Washington, D.C. Peralta had an amazing team that put in a solid program. Trustee Bonilla sat down and had robust talks with office of apprenticeship with a critical look at CTE development for those pathways. What role does a community college play in assisting students in the housing crisis? Trustee Bonilla saw some amazing case studies and looked at an accelerated study. She also attended the Brooklyn basin opening.

Trustee Handy attended the ACCT Legislative Summit in Washington, D.C. and had an opportunity to be there for the signing of Oakland promise. She also had a visit to Kaiser where they are taking on new health initiative. Trustee Handy is grateful to be engaged in these things and support Peralta. Trustee Brown also attended the ACCT Legislative Summit in Washington, D.C.

5. District Academic Senate Report Presenter: DAS President Cleavon Smith PRESENTATIONS (7:45 P.M.)
6. Departmental Cultures and Part-Time Faculty Presentation (5 minutes) Presenter: Cynthia Mahabir Cynthia Mahabir is a Part-Time Faculty Representative for the PFT. She has requested an opportunity to present information related to culture and climate in the district. "As the Part-Time Faculty Representative for the PFT, a survey was conducted on departmental cultures among part-time faculty members in the District.

Trustee Gonzalez Yuen felt that the report given doesn't just concern part-time faculty and that the conditions we provide for part-time faculty deeply affect the overall conditions for the institution and thanked Speaker Mahabir for her consistent work in this area.

7. Scorecard Report (5 minutes) Presenter: Nathan Pellegrin, Director of Institutional Research Education Code, Section 84754.5(d), mandates that each year the Board of Trustees "review and adopt its contribution to the segment wide annual report as part of a regularly scheduled and noticed public meeting at which public comment shall be invited". Nathan Pellegrin will present the 2015 score card results and answer questions.

#### [Background Material](#)

Trustee Gonzalez Yuen feels that the data we are presented every year is extremely outdated and there should be other more updated data we could use.

8. AC Transit Presentation (5 minutes) Presenter: Associate Vice Chancellor Adela Esquivel-Swinson and Director Sean Brooke The following presentation will present an update on student survey results.

#### [Background Material](#)

Trustee Brown asked about the number of units and the load that our students are taking on average, if the request is to lower it to 6 units, how many classes are students taking on average if they are working towards completion towards a degree or certificate program? Speaker Esquivel-Swinson did not have the numbers on

her however the number of students that are taking more than 6 units is a significant numbers and about 18,000 students would benefit if it was lowered to 6 units.

Trustee Gonzalez Yuen encouraged them to look at the Valley Transportation Authority in the South Bay at their easy pass program.

9. Presentation of the Citizens' Oversight Committee Annual Report (5 minutes) Presenter: Chair Michael Mills Chair Michael Mills will present the Annual Report of the Citizens' Oversight Committee reflecting general obligation bond expenditures for fiscal year 2014-15.

### **CONSENT CALENDAR (8:05 P.M.)**

**All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.**

MOTION: Motion by Trustee Gonzalez Yuen, second by Trustee Bonilla to approve Consent Calendar Agenda Items 1 - 19, 22 - 23, 25 - 27, and 30 -31.

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.

### **BOARD MATTERS**

10. Consider Ratification for Out of State Travel pursuant to Board Policy 7400 Presenter: Chancellor Laguerre Consider ratification for Out of State Travel pursuant to Board Policy 7400 for the following faculty: Name Travel Location Travel Dates Phyllis Carter Tempe, AZ January 15, 2016 - January 16, 2016 Yashica Crawford Washington, D.C. February 7, 2016 - February 12, 2016 Robert Crowley San Antonio, TX January 9, 2016 - January 13, 2016

#### [Background Material](#)

11. 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 Paula Armstead New Orleans, LA March 27, 2016 - April 1, 2016 Dominique Benavides Seattle, WA March 6, 2016 - March 9, 2016 Sean Brooke Bangkok, Thailand March 11, 2016 - March 22, 2016 Sean Brooke Yangon, Myanmar March 11, 2016 - March 22, 2016 Sean Brooke Ho Chi Minh City, Vietnam March 11, 2016 - March 22, 2016 Lilia Chavez

Cambridge, MA March 2, 2016 - March 6, 2016 Frank Chez Seattle, WA March 6, 2016 - March 9, 2016 Neil Dunlop Las Vegas, NV March 6, 2016 - March 11, 2016 Charles Frost Las Vegas, NV March 20, 2016 - March 23, 2016 Drew Gephart Seoul, Korea March 23, 2016 - March 28, 2016 Drew Gephart Tokyo, Japan April 14, 2016 - April 21, 2016 Hadley Hartshorn Las Vegas, NV March 20, 2016 - March 23, 2016 Matthew Jones Atlanta, GA March 7, 2016 - March 11, 2016 Nick Kyriakopedi Las Vegas, NV March 20, 2016 - March 23, 2016 Kyu Lee Seattle, WA March 6, 2016 - March 9, 2016 Dave Nguyen Seattle, WA March 6, 2016 - March 9, 2016 Carla Pegues New Orleans, LA June 3, 2016 - June 7, 2016 Charles Washington New Orleans, LA March 27, 2016 - April 1, 2016

#### [Background Material](#)

12. Consider Approval of First Reading on Proposed Board Policies Presenter: Chancellor Laguerre The Board will conduct a first reading on the Board Policies. The following policy is presented for review, and will return to a future Board meeting for adoption: \* BP 2745 Board Self-Evaluation - This policy was revised to show that the Board Self-Evaluation now occurs in June/July rather than in November/December.

#### [Background Material 1](#)

#### [Background Material 2](#)

13. Consider Approval of the Collaborative Brain Trust Agreement Presenter: Chancellor Laguerre Consider approval of the Collaborative Brain Trust contract amount for \$199,688. Peralta Community College District is interested in revising the Educational Master Plans for its four colleges. Collaborative Brain Trust will assist the District's colleges in developing and refining their respective Educational Master Plans. This will be a multi-phased approach: Discovery; Participation; Website; Data Collection, Analysis, and Synthesis; and Validation of Strategic Goals for the Education Master Plans. Proceeding from these steps, each college's Education Master Plan will be developed and refined through the shared governance process. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. Funding Source: General Fund Unrestricted.

#### [Background Material](#)

### **EDUCATIONAL AND STUDENT SERVICES**

14. Consider approval of a \$100,000 augmentation to the Laney College Deputy Sector Navigator grant from the Chancellor's office. Presenter: President Webb

#### [Background Material](#)

**Laney College has previously been awarded the Advanced Manufacturing Deputy Sector Navigator (DSN) grant. This is an augmentation to this grant of \$100,000 from SB858 funds. Funds are available from January 1, 2016 - December 31, 2016.**

The Deputy Sector Navigator grant for Advanced Manufacturing is to be used to coordinate and collaborate regionally, and to develop effective sector partnerships with employers, regional consortium, community colleges, high schools, ROPs, Workforce Investment Boards (WIBS), and other regional organizations to ensure a skilled workforce in support of the regional economy and industry sector and to establish career pathways for the regional community into those economies. The Chancellor recommends approval. Funding Source: The original funding for the Deputy Sector Navigator Package grant was available through the SB 1402 (Lieu), Economic and Workforce Development Program. This additional \$100,000 in funds is from the

Community College Chancellor's Office as appropriated by SB858. This funding source will support and improve regional workforce career pathway programs in K-12 and community colleges.

15. Consider Contract Amendments to Board Resolution 14/15-53 with the California Department of Education to Provide Child Care and Development Services Presenter: Vice Chancellor Orkin Consider Contract Amendment with the California Department of Education to provide child care and development services at Laney & Merritt College. Amend the maximum reimbursable amount payable pursuant to the provisions of this agreement to \$815,612.00. Amend the maximum rate per child day of enrollment payable pursuant to the provisions of the agreement to \$38.53. Amend the minimum child days of enrollment requirement to 21,168.0. 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.

[Background Material](#)

## **FINANCIAL SERVICES**

16. Review of Purchase Order Report Presenter: Vice Chancellor Little 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 January 9, 2016 through February 4, 2016 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](#)

17. Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register Presenter: Vice Chancellor Little Consider ratification of the AP, Travel, and Consulting Contract Warrant Register from January 9, 2016 through February 4, 2016. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for ratification purposes only. The Chancellor recommends ratification.

[Background Material](#)

18. Consider Approval of Budget Transfer Report Presenter: Vice Chancellor Little Consider approval of budget transfer report covering the period from January 9, 2016 through February 4, 2016. 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 8, 2015. The Chancellor recommends approval.

[Background Material 1](#)

[Background Material 2](#)

19. Consider Approval of the District's fiscal year 2015-16 CCFS-311 (Q2) Report Presenter: Vice Chancellor Little Consider approval of the District's fiscal year 2015-16 second 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 second quarter of fiscal year 2015-16. The Chancellor recommends approval.

[Background Material](#)

**(Agenda Item 20 was removed from the agenda)**

**(Agenda Item 21 was removed from the agenda)**

**HUMAN RESOURCES**

22. 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. Last Name First Name Date of Hire End Date Position Title Site
- |          |          |         |         |                           |             |             |         |         |                             |   |
|----------|----------|---------|---------|---------------------------|-------------|-------------|---------|---------|-----------------------------|---|
| Blue     | Noelle   | 2/24/16 | 6/30/16 | Staff Asst/Admin          | L Chambers  | Michael     | 3/2/16  | 6/2/16  | Financial Aid Specialist    | L |
| Chen     | Pei Lan  | 2/24/16 | 6/30/16 | Clerical Assistant II     | L Chen      | Wanhong     | 2/24/16 | 6/10/16 | Child Care Assistant II     | L |
| Cruz     | Darlene  | 2/24/16 | 6/30/16 | Program Spec/Studt Svcs   | L Dorsey    | Stephen     | 2/24/16 | 6/30/16 | Project Manager             | A |
| Frahm    | Casey    | 2/24/16 | 6/30/16 | Senior Clerical Assistant | L Freed     | Nancy       | 2/24/16 | 5/27/16 | Inst Asst IV/DSPS           | A |
| Frost    | Robert   | 2/24/16 | 6/30/16 | Staff Asst/VP Office      | B Gatmaitan | Christopher | 2/24/16 | 6/30/16 | Graphic Design Specialist   | D |
| Gertzman | Fedora   | 2/24/16 | 5/27/16 | Library Technician I      | A Hasse     | Geraldine   | 2/24/16 | 5/27/16 | Inst Asst I/DSPS            | A |
| He       | Jiayu    | 2/24/16 | 6/30/16 | Clerical Assistant II     | A Idrisova  | Sarinaz     | 2/24/16 | 6/30/16 | Clerical Assistant II       | L |
| Liang    | Xiaoming | 3/30/16 | 6/30/16 | Staff Asst/Admin          | L Mer       | Becky       | 2/24/16 | 6/30/16 | Staff Assistant/Admin       | B |
| Mohsen   | Wedad    | 2/24/16 | 6/30/16 | Inst Asst/English         | M Nabeta    | Dale        | 2/29/16 | 6/30/16 | Staff Asst/Admin            | L |
| Sandhu   | Sara     | 2/24/16 | 4/5/16  | Project Manager           | B Scott     | Christopher | 2/24/16 | 6/14/16 | Staff Asst/Student Services | B |
| Volny    | Nadia    | 2/24/16 | 6/30/16 | Library Technician II     | A Young     | Marissa     | 2/24/16 | 3/31/16 | Senior Library Technician   | B |
23. Consider authorization to increase an existing professional services agreement with Renne Sloan Holtzman and Sakai, LLP. Presenter: Vice Chancellor Largent Consider authorization to increase an existing professional services agreement (ICC#21633) with Renne Sloan Holtzman and Sakai, LLP by \$75,000 to provide investigative services to the General Counsel's Office and Employee Relations' Office in responding to complaints regarding discrimination and harassment. The current contract amount is \$60,000. The new contract amount will be \$135,000, and the District anticipates using the services of Renne Sloan Holtzman through June 30, 2016. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

[Background Material](#)

**FACILITIES**

**(Agenda Item 24 was removed from the agenda)**

### **Laney College Health Clinic**

\$2,000,000.00 \$74,800.00 \$1,925,200.00

The Chancellor recommends approval. Funding Source:

Measure A.

25. Consider Approval of Amendment No. 1 to the Original Agreement with KITCHELL CEM for an Extension of Time and the Additional Retro-Commissioning Services on the Merritt College Barbara Lee Center for Science and Allied Health. Presenter: Vice Chancellor Ikharo. Approval is requested for Amendment No. 1 to the Original Agreement with KITCHELL CEM for an Extension of Time until August 31, 2016 and the addition of Retro-Commissioning Services on the Merritt College Barbara Lee Center for Science and Allied Health, in the amount not-to-exceed \$297,000. The company has been the District's Construction Manager on the Barbara Lee Center project for the last several years. The administration recommends the extension of KITCHELL's existing construction management contract services in order to complete its current construction management services and to provide retro-commissioning services. KITCHELL scope of services during this extension of time will include, but is not limited to the following. \* Completing of construction management services; and \* Performance of Retro-Commission Services, which include: o Creation of Equipment and Operation Programs and Systems; o Training of the District's stationary engineers; o Creation of a Preventive Maintenance Program; and o Review and coordination of Warranty documentation from manufacturer.

#### [Background Material](#)

26. Consider Approval of Amendment No. 1 for a Contract Time Extension until March 30, 2017 with FLAD Architects, Inc. for Architectural Design Services on the Laney College B.E.S.T. Center. Presenter: Vice Chancellor Ikharo. Approval is requested for Amendment No. 1 for a contract time extension until March 30, 2017 with FLAD Architects to continue and complete architectural design services for the Laney College BEST Center. The B.E.S.T. Center project is now beginning construction. Therefore, architectural construction administration oversight is now required of FLAD Architects. This time extension to their contract has no impact on the original contract fee amount of \$593,124 as approved in the July 17, 2012 meeting by the Governing Board of Trustees. The Chancellor recommends approval. Funding Source: Measure A.

#### [Background Material](#)

27. Consider Ratification of Resolution 15/16-32 for a Chancellor Negotiated Agreement with Stevenson Mechanical Inc. to Construct the New Laney College Fire Suppression Hoods. Presenter: Vice Chancellor Ikharo. Ratification of Resolution 15/16-32 for a Chancellor Approved Agreement with Stevenson Mechanical Inc. for the Laney College Fire Suppression Hoods Project, in the amount not-to-exceed \$223,475. On August 21, 2015, the Oakland Fire Department issued a Deficiency Report regarding the fire suppression hoods at the Laney's Student Center Kitchen. This report required three of the existing hoods to be replaced with Type 1 hoods complying with U.L. 300. Further, existing fire sprinklers required compliance with Title 19 and with all aspects of the fire detection system per California Fire Codes (CFC 901.6). The District was given thirty (3) days to replace all three hoods. This work will meet the Oakland Fire Department requirements. The work is substantially completed pending inspection. As permitted under the Chancellor Authorization to Sign (Resolution 99/00-5), on January 7, 2016, the Chancellor approved the contract in order for the Contractor to start work during the Board recess. The contractor started work on January 11, 2016. The Chancellor recommends approval. Funding Source: Measure A.

#### [Background Material](#)

**(Agenda Item 28 was removed from the agenda)**

29. Consider Resolution No. 15/16-31 to Accept the Bid and Award a Contract to Future Power Corporation dba Energy Conservation Options (ECO) to Complete the Lighting Retrofit Project at Berkeley City College Main Campus (RFP No. 15-16/08). Presenter: Vice Chancellor Ikharo Approval is requested to enter into an agreement with Energy Conservation Options (ECO) to retrofit and upgrade the interior lights at Berkeley City College, in the amount not-to-exceed \$300,705. The contractor will replace 1,971 fixtures, which will offer an estimated 203,982 kWh savings. ECO will perform the following project scope of work: \* Remove and properly dispose 1,971 existing fixtures to meet relevant laws, the District's policies, and best practices; Installation of new fixtures to meet California Building Codes, Title 24; \* Train District Personnel on operating and servicing the new fixtures; Inventory existing fixtures, lights, controls, and components; \* Provide a project schedule and handle scheduling constraints with the colleges; Complete project management; and \* Secure Proposition 39 and CCC/IOU rebates.

[Background Material](#)

MOTION: Motion by Trustee Gonzalez Yuen, second by Trustee Withrow to approve Agenda Item 29. Consider Resolution No. 15/16-31 to Accept the Bid and Award a Contract to Future Power Corporation dba Energy Conservation Options (ECO) to Complete the Lighting Retrofit Project at Berkeley City College Main Campus (RFP No. 15-16/08).

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.

30. Consider Approval of Change Order No. 1 for the College of Alameda Painting Project (Bid No. 15-16/02), Color Chart Inc. Presenter: Vice Chancellor Ikharo Approval is requested for Change Order No. 1 to the contract with Color Chart Inc., in the amount of \$3,370. Since Building "B" will be painted as part of the exterior College Painting Project, the doors that were included in this project were taken off of the scope. The college asked for the window frame in some areas of Buildings "C" and "D" to be painted so those were added to the scope of the project. The Change Order No. 1 amount of \$3,370 is 9.9% of the original contract amount of \$33,750, approved on November 10, 2015. Including this Change Order No. 1, the accumulative contract amount will be \$37,120. The Chancellor recommends approval. Funding Source: General Fund.

[Background Material](#)

31. Consider Approval of Resolution No. 15/16-30, Acceptance of Completed Work and Release 5% Retention for the Merritt College Barbara Lee Science & Allied Health Center Project (RFP No. 11-12/01), Clark & Sullivan / Walsh Construction. Presenter: Vice Chancellor Ikharo. Approval is requested for Resolution No. 15/16-30 for the acceptance of completed work and release 5% retention for the Merritt College Barbara Lee Science & Allied Health Center Project (RFP No. 11-12/01), Clark & Sullivan / Walsh Construction. The Governing Board of Trustees approved a contract award to Clark & Sullivan / Walsh Construction for this project at the June 12, 2012 meeting, in the amount of \$42,760,000. The project attained Final Completion on September 30, 2015. The District has filed a Notice of Completion (NOC) with the County of Alameda, and project acceptance is recommended. This resolution accepts the project as complete and staff is requesting final acceptance of the project and release of the remaining 5% retention, in the amount of \$2,191,894. There were three (3) change orders on the project for a total of \$1,077,833 or 2.5% of the

original contract amount. The College President and Business Manager have signed the Project Final Acceptance. A notice to proceed (NTP) was issued with a start date of October 15, 2012 with the project duration of 1085 calendar days to Final Completion. The Chancellor recommends approval. Funding Source: Measure A.

[Background Material](#)

**(Agenda Item 32 was removed from the agenda)**

**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](mailto:bmartinez@peralta.edu) at least 48 hours prior to the meeting.**

**ANNOUNCEMENTS**

- 1. The next regular Board meeting will be held on March 8th here at the District Offices.**
- 2. The Board wishes the community a Happy Black History month in February, and a Happy Chinese New Year of the Monkey.**

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