



## PERALTA COMMUNITY COLLEGE DISTRICT

### REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, April 26, 2016

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 KGPC, 96.9FM, and Peralta TV on Cable Channel 27 in Alameda and Berkeley, Cable Channel 28 – Oakland, Emeryville, and Piedmont and Channel 99 on AT&T U-Verse. 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

**PUBLIC COMMENT ON CLOSED SESSION MATTERS (5:00 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.
- R. Young v. Peralta Community College District, Case No. 14-cv-05351-JD.
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (1 cases)

**Public Employee Appointment** (Government Code Section 54957)

- Recommendation to appoint Director of Student Activities and Campus Life, College of Alameda.
- Recommendation to appoint Interim President of Berkeley City 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.)

**OPEN SESSION** (7:00 P.M.)

**PLEDGE OF ALLEGIANCE**

**ROLL CALL** Trustees Bonilla Pr\_ Ab\_, Brown, Pr\_ Ab\_, González Yuen Pr\_ Ab\_, Gulassa Pr\_ Ab\_, Handy Pr\_ Ab\_, Riley Pr\_ Ab\_, Withrow Pr\_ Ab\_, and, Student Trustee Abuyen Pr\_ Ab\_ and Student Trustee Rogers 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) (7:05 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** (7:10 P.M.)

1. Consider Approval of the regular Board meeting Minutes of April 12, 2016.

Consider approval of the regular Board meeting Minutes of April 12, 2016. The minutes are posted on Granicus.



### College Reports

Berkeley City College	Interim President Johns
College of Alameda	President Blake
Laney College	Interim President Stanley
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.

#### 5. Peralta Classified Senate Report **Presenter: PCS President Timothy Brice**

#### 6. District Academic Senate Report **Presenter: DAS President Cleavon Smith**

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

#### 7. Ferrilli Status Report (10 minutes) **Presenter: Vice Chancellor Little**

Ferrilli will present our accomplishments, current state of Information Technology, and future plans.

## CONSENT CALENDAR (7:55 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**

- 8. Placeholder: Consider Approval of Resolution 15/16-41 in favor of Proposition 30  
**Presenter: Board President Riley**

- 9. 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
Paul Kalbach	Las Vegas, NV	April 17, 2016 – April 20, 2016

- 10. 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
Jennifer Briffa	Baltimore, MD	June 4, 2016 – June 8, 2016
Dwayne Cain	Columbus, OH	June 6, 2016 – June 9, 2016
Cynthia Correia	Greenville, SC	May 2, 2016 – May 4, 2016
Marisha Farnsworth	Greenville, SC	May 2, 2016 – May 4, 2016
Elena Givental	Beijing, China	August 17, 2016 – August 25, 2016
Alexander Lee	Chicago, IL	June 29, 2016 – July 3, 2016
Cynthia Taing	Chicago, IL	June 29, 2016 – July 3, 2016

**EDUCATIONAL AND STUDENT SERVICES**

- 11. Consider approval for three annual ICC’s for Peralta TV and Community Radio Contractors. **Presenter: Executive Director Heyman.**

The Department of Public Information seeks approval for three annual ICC’s totaling \$110,000 for the continued provision of video and radio productions. An 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. Additional independent contractors are needed on both a full and part-time basis to assist with the running of Peralta’s student/community radio station (Aaron Harbour, \$40,000 per year and Katherine Mondo, \$30,000 per year). 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: Department of Public Information General Fund**

12. Consider acceptance of California Apprenticeship Initiative Grant. **Presenter: Interim President Stanley and President Blake**

Accept a total of \$120,000 on behalf of Laney College and College of Alameda via the Chancellor's Office California Apprenticeship Initiative New and Innovative Grant and approve a MOU with Contra Costa Community College District (CCCCD), the fiscal agent for the grant award, describing the project and the use of the funds.

13. Consider Approval of Course and Program Additions, Deactivations and Changes **Presenter: Executive Vice Chancellor Webb**

Included for approval are proposed curriculum actions as recommended by the Council for Instruction, Planning and Development (CIPD). The spreadsheet entitled "Apr 2016 CIPD Report" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and CIPD. The Chancellor recommends approval.

14. Request approval to increase the ICC #16350 for Jennifer Lough Kennedy from \$24,900 to a total of \$34,900 for the Fiscal Year 15-16. **Presenter: President Ambriz-Galaviz**

An extension of this contract will allow Jennifer Lough Kennedy to continue to serve as a Team Writer/Editor for Merritt College's ACCJC Accreditation Follow-up Report Project. As a key member of the Core Team, Ms. Kennedy will continue to attend project related meetings as appropriate while reviewing project background materials, including college self-study, external evaluation report, ACCJC materials, etc. Ms. Kennedy will also continue to assist the core team in planning strategy, tasks, and timeline for preparing the AFR. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

15. Consider approval for Laney College to accept the Chancellor's Office Deputy Sector Navigator Grant for Advanced Manufacturing. **Presenter: Interim President Stanley**

Consider approval to receive a grant from the California Community College Chancellor's Office for the Deputy Sector Navigator grant for Advanced Manufacturing. The grant is for \$200,000 for the period of July 1, 2016 – June 30, 2017. 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. **Funding Source: California Community College Chancellor's Office – SB 1402 (Lieu), Economic and Workforce Development Program funding.**

## 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 March 5, 2016 through April 6, 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.

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 March 5, 2016 through April 6, 2016. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

18. Consider Approval of Budget Transfer Report **Presenter: Vice Chancellor Little**

Consider approval of budget transfer report covering the period from March 5, 2016 through April 6, 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.

19. Consider Approval Hanson Bridgett Contract Amendment **Vice Chancellor Little**

Consider approval to amend the contract for Hanson Bridgett by \$20,000. The previous contract amount was \$65,000. The new contract amount shall not exceed \$85,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: OPEB Reserve.**

## 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.

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Carbajal	Irma	4/27/16	6/30/16	Library Technician II	L
Fatoorehchi	Robabeh	5/1/16	6/30/16	Super, Admin & Bus Suppt Svc	L
Harrington	Eileen	4/27/16	6/30/16	Inst Asst/Writing Center	L
Tucker	Leonora	4/27/16	6/30/16	Sr Clerical Assistant/Typing	D

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

21. Request Board Authorization to approve the initial salary placement of Ms. Marion Martin, a full-time faculty at Laney College, at Step 16 Column D, in accordance with the PFT Collective Bargaining Agreement Salary Placement Exception Process. **Presenter: Vice Chancellor Largent**

Request Board Authorization to approve the initial salary placement of Ms. Marion Martin at Step 16, Column D. The Chancellor recommends approval.

22. Request Board authorization to approve a request by Merritt College faculty member Newt McDonald to participate in the Reduced Workload Program (also known as "Willie Brown Act") in accordance with California Education Code Section 87483 and Article 17 of the Collective Bargaining Agreement. **Presenter: Vice Chancellor Largent**

The Office of Human Resources and Employee Relations reviewed the request by Newt McDonald to participate in the Reduced Workload Program, and determined that Newt McDonald meets the qualifications pursuant to Education Code 87483 as follows:

- Newt McDonald is at least 55 years old.
- Newt McDonald has been a full-time instructor for 20.949 years
- Newt McDonald has been employed on a full-time basis in an academic position for at least five years, with no break in service.

The request for a reduced workload by faculty member Newt McDonald meets the requirements of Education Code 87483. The Chancellor recommends approval.

## FACILITIES

23. Consider Approval of Resolution No. 15/16-39, Acceptance of Completed Work and Release of 5% Retention for the Veterans Center and Athletics Offices Remodel Project at College of Alameda (Bid No. 13-14/24), W.E. Lyons Construction. Presenter: Vice Chancellor Ikharo.

Approval is requested for acceptance of completed work and release of 5% retention for the Veterans Center and Athletics Offices Remodel Project at College of Alameda (Bid No. 13-14/24), W.E. Lyons Construction. The Governing Board of Trustees approved a contract award to W.E. Lyons Construction at the March 10, 2015 meeting in the amount of \$286,663.00. A notice to proceed (NTP) was issued with a start date of April 3, 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 **\$15,749.43**. There were three change orders on the project for a total of \$28,335.92, which is 9.88% of the original contract amount. The total cumulative contract amount is \$314,998.92 for this project. The College President and Business Manager have signed the Project Final Acceptance. Approval to accept this project as complete and release of retention is recommended by the Chancellor. **Funding Source: Measure A.**

24. Consider Approval of Resolution No. 15/16-40, Acceptance of Completed Work and Release of 5% Retention for the Installation of Chemistry Fume Hoods and Associated Ductwork Modifications at College of Alameda (RFP No. 15-16/16), Kaelin Construction. Presenter: Vice Chancellor Ikharo.

Approval is requested for acceptance of completed work and release of 5% retention for the Installation of Chemistry Fume Hoods and Associated Ductwork Modifications at College of Alameda (RFP No. 15-16/16). On January 26, 2016, the Governing Board of Trustees approved a contract award to Kaelin Construction, in the amount of \$86,533.35. A notice to proceed (NTP) was issued with a start date of January 15, 2016. Project acceptance is recommended; the District has filed a Notice of Completion (NOC) with the County of Alameda.

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 **\$8,288.90**. The contract sum was reduced to \$82,889.00 at award. There was one change order on the project for a total of \$2,770.00, which is 3.3% of the executed contract amount. The total cumulative contract amount is \$85,659.00 for this project. The College President and Business Manager have signed the Project Final Acceptance. Approval to accept this project as complete and release of retention is recommended by the Chancellor. **Funding Source: Measure A.**

## **ACTION 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 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.