



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, September 27, 2016

5:00 p.m. Closed Session

7:00 p.m. Public Session

333 East 8th 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 the Vice President of Student Services, Laney College.
- Recommendation to appoint the Interim Associate Dean of Educational Success, College of Alameda (grant funded).
- Recommendation to appoint the Interim Associate Dean of Educational Success, Merritt College (grant funded).
- Recommendation to appoint the Interim Director of Student Activities and Campus Life, 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 Cruz Pr_ Ab_ and Student Trustee Price 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 (7:07 P.M.)

1. Consider Approval of the Board Minutes of September 13, 2016.

Consider approval of the Board Minutes of September 13, 2016. The minutes are posted on Granicus.

PUBLIC COMMUNICATION (7:08 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 (7:23 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.)

3. Chancellor's Reports

Chancellor's Report Dr. Jowel C. Laguerre

Chief of Staff Dr. Yashica J. Crawford

Vice Chancellors' Reports

Academic Affairs Dr. Luis Pedraja

- Dual Enrollment Report

Education Services Dr. Michael Orkin

- Distance Education Update

Finance Mr. Ronald Little

General Services Dr. Sadiq Ikhara

Human Resources Dr. Trudy Largent

Strategic Partnerships/ Dr. Elñora Webb

Advancement

Student Services Dr. Norma Ambriz-Galaviz

- Common Assessment Issues

College Presidents' Reports

Berkeley City College Ms. Rowena Tomaneng

College of Alameda Dr. Frances White

Laney College Dr. Patricia Stanley

Merritt College Dr. Marie-Elaine Burns

4. Board of Trustees' Reports

At this time, members of 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**

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

- 7. Consider approval of Resolution 16/17-08, Excusing Trustee Absence **Presenter: Board President Riley**

It is recommended that Trustees approval Resolution 16/17-08 excusing Trustee Bonilla from the September 13, 2016 Board meeting due to illness. The Chancellor recommends approval.

- 8. Consider approval of Resolution 16/17-09, Excusing Trustee Absence **Presenter: Board President Riley**

It is recommended that Trustees approval Resolution 16/17-09 excusing Trustee Handy from the September 13, 2016 Board meeting due to business. The Chancellor recommends approval.

- 9. Consider approval of Resolution 16/17-11, Excusing Student Trustee Absence **Presenter: Board President Riley**

It is recommended that Trustees approval Resolution 16/17-11 excusing Student Trustee Price from the September 13, 2016 Board meeting due to business. The Chancellor recommends approval.

- 10. Consider approval of Resolution 16/17-12, Excusing Student Trustee Absence **Presenter: Board President Riley**

It is recommended that Trustees approval Resolution 16/17-12 excusing Student Trustee Cruz from the September 13, 2016 Board meeting due to business. The Chancellor recommends approval.

- 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
Barbara Widhalm	Tacoma, WA	October 19, 2016 – October 24, 2016

- 12. Consider approval of Resolution 16/17-10 to encourage California Community Colleges to participate in the California Students Vote Project. **Presenter: Trustee González Yuen**

Consider approval of Resolution 16/17-10 to encourage California Community Colleges to participate in the California Students Vote Project. The Chancellor recommends approval.

13. Consider Approval of Retainer Agreement for an amount not-to-exceed \$150,000 with Ericka Curls–Bartling of Curls Bartling, P.C. to provide General Counsel Services for 2016-2017. Presenter: Chancellor Laguerre

Consider Approval of Retainer Agreement for an amount not-to-exceed \$150,000 with Ericka Curls-Bartling of Curls Bartling P.C. at the discounted rate of \$265.00 an hour, \$250.00 attorneys with ten (10) or more years of experience, \$235.00 an hour for attorneys with less than ten (10) years of experience, and \$120.00 for paralegals. While this agreement will stay in place until terminated by either party, the rates set forth above will remain in effect through June 30, 2017. After that date the firm is authorized to annually increase its rates by the amount of the increase in the California consumer price index (CPI) for the prior 12 months. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Funds.**

14. Consider Approval of a Contract and Purchase with NetXperts through a Foundation for California Community College Administrative Services Agreement (CB 15-013) to upgrade the Voice over IP (VoIP) telephone system and to refresh the Local Area Network (LAN) to include the procurement, installation, and programming of all equipment and to provide a fully operational network at Laney College in the amount not-to-exceed \$1,800,000.00. Presenter: Chancellor Laguerre

Education Code Section 20654 provides that in an emergency when any repairs, alterations, work, or improvement to any facility of the college, or to permit the continuance of existing college classes, or to avoid danger to life or property, the Board may by unanimous vote contract in writing or otherwise on behalf of the District for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids.

The Laney College computer networks and phone system continue to fail intermittently. As a result of these occurrences, the Laney College entire computer and phone network is in danger of further property loss and constitutes a hindrance to the continuance of existing classes and daily operations; and Pursuant to the Education Code, this Board finds, for the reasons set forth above that a dire emergency exists as a result of the Laney College network failure, an immediate corrective action is required to mitigate further loss of District property and continuance of existing classes and daily operations.

The purchase will take place through an administration services agreement between the Foundation for California Community Colleges and NetXperts, Inc., an approved vendor with FCCC. This allows PCCD to obtain special pricing through the Foundation agreement. All Board recommended contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

EDUCATIONAL SERVICES

15. Consider approval of the agreement between Randolph Belle and Laney College for professional communications/graphic design related consultation services.
Presenter: Interim President Stanley

Laney College requests the Peralta Board of Trustees approve a contract in the amount of \$30,000 for consulting contract between Randolph Belle Consulting Services and the Peralta Community College District for the professional communications related consultation services of Randolph Belle. The contract completion date is December 31, 2016.

The consultant will be contracted to provide the communications-related, graphic design and photography services for Laney College (see attached scopes of work).

Deliverables associated with this contract include: College Catalog, College class listings, programs for the Graduation and Honors & Awards Banquet, programs for other misc. college events, institutional collateral materials used for outreach and in reach, College advertisements, College event flyers, photography, etc. Board contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Funds.**

HUMAN RESOURCES

16. 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
Brune	James	10/3/16	6/30/17	Master Interpreter	All
Dones	Mary Ann	9/28/16	12/22/16	Inst Asst IV/DSPS	L
Gebre	Roseanne	9/28/16	6/30/17	Program Spec/Outreach	B
Herbert	Yusef	10/28/16	3/26/17	Executive Asst/Finance	D
Idrisova	Sarinaz	10/3/16	6/30/17	Staff Asst/Admin (General)	L
Jones	Donna	9/28/16	6/30/17	Staff Asst/Admin (Grants)	A
Lee	Kenneth	9/28/16	6/30/17	Inst Asst/Machine Technology	L
McWhorter	Quentin	9/28/16	5/26/17	Inst Asst/EMT	M
Oliver	Carl	9/28/16	6/30/17	Principal Clerk	L
Ramirez	Jorge	9/28/16	1/13/17	Inst Asst IV/DSPS	L
Thompson	Darrah	10/14/16	6/30/17	Clerical Assistant I	L
Vilchis-Lent	Leticia	9/28/16	2/2/17	Principal Accounting Tech	L

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

17. Consider approval to increase an existing professional services agreement with Renne Sloan Holtzman and Sakai, LLP by \$50,000. **Presenter: Vice Chancellor Largent**

Consider approval to increase an existing professional services agreement (ICC#16128) with Renne Sloan Holtzman and Sakai, LLP by \$50,000 to provide investigative services to the Office of Employee Relations in responding to complaints regarding discrimination and harassment. The current contract amount is \$25,000. The new contract amount will be \$75,000, and the District anticipates using the services of Renne Sloan Holtzman through June 30, 2017. The Chancellor recommends approval.

FACILITIES

18. Consider *Ratification* of a Chancellor Approved Amendment No. 1 to an Existing Contracted Services Agreement with Lincoln Aquatics for Districtwide Pool Maintenance Services. **Presenter: Vice Chancellor Ikharo**

Ratification is requested of a chancellor approved Amendment No. 1 to an existing contracted services Agreement with Lincoln Aquatics for Districtwide Pool Maintenance Services, in the amount not-to-exceed \$14,998.00. During the Governing Board of Trustees recess, the Chancellor approved this contract amendment on August 23, 2016. The Board has authorized the Chancellor to conduct business while they are on recess in accordance with Resolution 99/00-5. The requested amount will pay for completed pool maintenance work in the 2015/2016 fiscal year. Lincoln Aquatic's contract amount accrued to \$20,390.27 in the 2015/2016 fiscal year, including this Amendment No.1 their total contract amount is \$35,388.27. Board contract approval is subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund.**

19. Consider *Ratification* of a Chancellor Approved Amendment No. 2 to an Existing Contracted Services Agreement with EMCOR Service Mesa Energy Systems (EMCOR) for Districtwide Chiller Repair Services. **Presenter: Vice Chancellor Ikharo**

Ratification is requested of a chancellor approved Amendment No. 2 to an existing contracted services Agreement with EMCOR for Districtwide Chiller Repair Services, in the amount not-to-exceed \$5502. During the Governing Board of Trustees recess, the Chancellor approved this contract amendment on August 23, 2016. The Board has authorized the Chancellor to conduct business while they are on recess in accordance with Resolution 99/00-5. This amendment approval will pay outstanding expenditures during the 2015/2016 fiscal year. The contractor's contract amount accumulated to \$35,677 in 2015/2016. If the Board approves this

amendment, their total contract amount is \$41,179. Board contract approval is subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund.**

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 8th Street, Oakland, CA, (510) 466-7203, bmartinez@peralta.edu at least 48 hours prior to the meeting.