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## PERALTA COMMUNITY COLLEGE DISTRICT



A Closed Session is scheduled at 5:00 P.M., July 12, 2005, Chancellor's Conference Room, District Administrative Center, 333 East Eighth Street, Oakland, California. Topics to be discussed include:

- Conference with Labor Negotiators Harris and Largent, Peralta Federation of Teachers, Local 39 and Local 790
- Conference with General Counsel, Multiple Cases:
  - Conference with Legal Counsel (54956.9(a)), Carl v. Coast Community College, Orange County Superior Court Case No. 02 CC 18921
  - Conference with Legal Counsel (54956.9(a)), Darden v. PCCD, U.S. District Court, Northern District of CA Case No. C02 1388
  - Conference with Legal Counsel (54956.9(a)), SEIU Local 790 et al v. PCCD, Alameda County Superior Court Case No. RG04147470
  - Conference with Legal Counsel (54956.9(a)), Garmon v. PCCD, U.S. District Court, Northern District of CA Case No. C043772
  - Conference with Legal Counsel (54956.9(a)), Piper v. PCCD, Alameda County Superior Court Case No. RG04171795
  - Conference with Legal Counsel (54956.9(a)), CampusWorks v. Bernard, Alameda County Superior Court Case No. RG04166249
  - Conference with Legal Counsel (54956.9(a)), PCCD v. United National Insurance, U.S. District Court, Northern District of CA Case No. 04-CV-03287-SC
  - Conference with Legal Counsel (54956.9(a)), Cruz v. PCCD, Alameda County Superior Court Case No. RG04163956
  - Conference with Legal Counsel (54956.9(a)), Perez v. PCCD, Alameda County Superior Court Case No. RG05210034
  - Conference with Legal Counsel (54956.9(a)), People of the State of California v. Highsmith, Alameda County Superior Court Case No. 509133
  - Conference with Legal Counsel (54956.9(a)), SEIU Local 39 v. PCCD, PERB Case #SF-CE-2497-E
  - Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (10 cases)
- Consider Public Employment, Risk Manager, District Office
- Public Employment, Dismissal, Release
- Public Employment - Request to Advertise

### REGULAR MEETING AGENDA

Regular Meeting of, July 12, 2005, 7:00 P.M.,  
Board Room, District Administration Center  
333 East Eighth Street, Oakland, California

**PLEASE NOTE**

Members of the public may address the Board on any item within the Board's jurisdiction. Cards which must be completed to request to address the Board, and a summary of Board rules concerning communications from the public, are available from the recording secretary at the meetings. Persons addressing items included on the agenda will be heard at the time the item is considered. Persons requesting to address items or subjects which are not on this agenda will be heard under the agenda item "Communications from Members of the Public."

**CALL TO ORDER:** Time: \_\_\_\_\_

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Clifton Pr\_\_ Ab\_\_ Handy Pr\_\_ Ab\_\_ Watkins-Tanner Pr\_\_ Ab\_\_  
González Yuen Pr\_\_ Ab\_\_ Hodge Pr\_\_ Ab\_\_ Riley Pr\_\_ Ab\_\_  
Gulassa Pr\_\_ Ab\_\_ Withrow Pr\_\_ Ab\_\_

The Regular Meeting of the Board of Trustees will begin at 5:00 P.M. in the Chancellor's Conference Room, District Administrative Center, 333 East Eighth Street, Oakland. The first item of business will be to announce items to be discussed in Closed Session. Immediately following that announcement, the Board will enter Closed Session. The Regular Meeting will reconvene at 7:00 P.M.

**REPORT OF CLOSED SESSION ACTIONS**

**7:05 P.M.**

**APPROVAL OF AGENDA**

**7:10 P.M.**

*Any and all public items brought before the Board may be voted upon today at the discretion of the Board.*

**MINUTES**

**7:15 P.M.**

1. Consider Minutes of the Board of Trustees Meetings of June 14, 2005 and June 28, 2005 and Notes from the Special Retreat Meeting of June 24 & 25, 2005

Included in agenda packets for Trustee consideration are the minutes of the June 14 and June 28, 2005 Board of Trustee meetings and notes from the special retreat meeting of June 24 & 25, 2005. The Chancellor recommends approval.

**ASSOCIATED STUDENTS PRESIDENTS**

**7:20 P.M.**

At this time in the meeting, Associated Students Presidents will be afforded an opportunity to address the Board.

**COMMUNICATIONS FROM MEMBERS OF THE PUBLIC**

**7:30 P.M.**

This portion of the agenda provides an opportunity for members of the public to address the Board on matters not included on this agenda. A maximum of 15 minutes (3 minutes per individual maximum) will be provided for speakers under this agenda item. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Under the Brown Act, Trustees and District staff are not allowed to discuss and/or take formal action at today's meeting on items brought before them under this item. Trustees and District staff are only allowed to respond briefly. Persons submitting cards to address an item

included on the agenda will be called upon at the time the agenda item is considered by the Board. Cards must be received prior to the Board's consideration of the item and honored in the order the cards are received by the recording secretary.

**ACADEMIC SENATE**  
**7:45 P.M.**

DAS President Bielanski's report this evening will address Item #2, Request for Approval of Program Additions, Deactivations and Changes and Course Additions and Deactivations.

**ACTION - ROLL CALL ITEMS**  
**7:55 P.M.**

2. Request for Approval of Program Additions, Deactivations and Changes and Course Additions and Deactivations

Included for approval are proposed course and program adjustments as recommended by the Council for Instruction, Planning and Development (CIPD) from January through May 2005. The recommended adjustments are included with agenda materials in the booklet entitled "Curriculum and Instruction Recommendations 2004 - 2005." This booklet is the annual comprehensive document of program and course activity for the 2004-2005 academic year. This item presents material approved by the college curriculum committees and CIPD during the Spring semester. Items approved by the Board in January are also included

3. Report from Policy Review Committee and Consider Approval of Board Policy Manual Chapter 1 Revisions

Board Policy Review Committee Chair González Yuen will address Trustees and forwards for Trustee consideration revisions to Chapter 1 of the Board Policy Manual. Copies of the revised policies are included in agenda packets.

4. Award of Bid No. 04-05/14, District-Wide Irrigation Controller Equipment Presenter: General Services Director Ikharo

Approval is requested to award Bid No. 04-05/14, District-Wide Irrigation Controller Equipment, to United Green Tech of Pacheco, California, in the amount of \$238,441. A grant will be received from EBMUD to augment the equipment portion of the procurement expenditures.

The two bids received were reviewed and analyzed by the project landscape architect and District staff to determine if the vendor met the bid specifications. The recommended vendor, United Green Tech, complied with the District's specifications regarding equipment that is compatible with existing District equipment and the warranty. The Chancellor recommends approval.

5. Resolution 05/06-2, Accept Bid and Award Contract, District-Wide Irrigation Controller Replacement, Bid No. 04-05/15, Arturo Solorzano Munoz, d.b.a. Solorzano Landscape Construction Presenter: General Services Director Ikharo

The project involves the continued installation of centralized irrigation system controller equipment, (office control of field controllers), weather stations to aid the central controller in calculating precise irrigation schedules on a daily basis, appropriate security enclosures, communications attachments, associated trenching and boring, landscape area restoration, walkway and paving restoration at College of Alameda, Laney and Merritt.

Centralized irrigation control will eliminate the time now required for District Grounds staff to go to

individual controllers located throughout each campus. Testing of individual zones will be accomplished remotely. It will provide a means of identifying problems in the irrigation system directly from a central location so repairs can be made quickly and efficiently. By allowing water usage to be closely monitored, measurable cost reductions in water bills will be realized.

A bid opening was held on June 28, 2005. One bid was received, from Arturo Solorzano Munoz, d.b.a. Solorzano Landscape Construction, of Hayward, California, in the amount of \$158,000. This resolution formally accepts the bid and authorizes the contract award to Arturo Solorzano Munoz, d.b.a. Solorzano Landscape Construction, for the District-Wide Irrigation Controller Replacement. The Chancellor recommends approval.

6. Resolution 05/06-4, Accept Bid and Award Contract, Concrete Deck and Membrane Replacement, Building A, West Courtyard, Laney College, Bid No. 04-05/20, Roofing Constructors, Inc., d.b.a. Western Roofing Service Presenter: General Services Director Ikharo

This project is undertaken in an effort to remedy water leaks that have occurred in the occupied spaces below the Building A West Courtyard deck. The project includes the removal of hardscape materials, waterproofing membrane, drains, and soil in the planter on the West Courtyard of Building A. It also includes reinstallation of waterproofing membrane over structural slab and within planters, and reinstallation of soil in the planter and hardscape materials.

A bid opening was held on July 6, 2005. Two bids were received, as follows:

CONTRACTOR	LOCATION	BASE BID
<u>Roofing Constructors, Inc., d.b.a. Western Roofing Service</u>	<u>San Francisco, CA</u>	<u>\$236,000</u>
<u>Bay Construction Company</u>	<u>Oakland, CA</u>	<u>\$266,000</u>

The low bid was submitted by Roofing Constructors, Inc., d.b.a. Western Roofing Service, in the amount of \$236,000. This resolution formally accepts the bid and authorizes the contract award to Roofing Constructors, Inc., d.b.a. Western Roofing Service for the Concrete Deck and Membrane Replacement, Building A, West Courtyard, Laney College.

It is necessary to award the contract at the July 12 Board meeting in order to schedule most of the work during the summer break that will be least disruptive to the college activities. The Chancellor recommends approval.

7. Approval for Modification to Project Management Services Agreement, Vanir Construction Management, Inc., Renovations to Buildings R and P, Merritt College Presenter: General Services Director Ikharo

Approval is requested for modification to the agreement with Vanir Construction Management, Inc., the project manager for the Renovations to Buildings R and P project at Merritt College.

The modification is requested as the result of:  
additional scope for work in Building P  
extended project duration

The proposed additional fee associated with the changes is \$179,102. The Chancellor recommends approval.

8. Approval for Modification to Project Management Services Agreement, Vanir Construction Management, Inc., Renovations to Building A, Laney College **Presenter: General Services Director Ikharo**

Approval is requested for modification to the agreement with Vanir Construction Management, Inc., the project manager for the Renovations to Building A project at Laney College.

The modification is requested as the result of:  
changes in the scope of the project  
additional swing space feasibility studies  
extended project duration

The proposed additional fee associated with the changes is \$190,075. The Chancellor recommends approval.

9. Approval of Cost Proposal Estimates #37R1, #46, #54, #70, #88, and #99, Vista College Permanent Facility, S. J. Amoroso Construction Co., Inc. **Presenter: General Services Director Ikharo**

Approval is requested for Cost Proposal Estimates #37R1, #46, #54, #70, #88, and #99, totaling \$31,724. Including these items, the change order total to date is \$539,363, which is 1.3% of the original contract amount (\$40,240,000). This amount is within the contingency that was built into the construction budget with 35% of total project completion. The Chancellor recommends approval.

10. Fiscal Year 2005-06 Advertising Campaigns – Professional Services Contract-Associated Advertising **Presenter: Exec. Dir. Of Marketing & Public Relations Heyman**

The Chancellor has asked that the marketing department develop advertising campaigns to assist with enrollment growth for Fiscal Year 2005-06, and to that end, a professional services contract has been negotiated for the placement of advertising, as needed, for Fiscal Year 2005-06. Approval is sought for a professional services contract in an amount not to exceed \$150,000, for advertising placement/media buying services by Associated Advertising of El Cerrito, for the first half of fiscal year 2005-06.

The source of funding for our advertising campaigns come from budgeted monies for the Department of Marketing, Public Relations and Communications from the General Fund. The Chancellor recommends approval.

11. Consider Acceptance of Donation - John Muir Mt. Diablo Health Systems to Merritt College **Presenter: Merritt College President Wesley**

Trustees are requested to approve acceptance of a donation from the John Muir Mt. Diablo Health Systems to Merritt College in the amount of \$100,000-\$105,000. John Muir has offered to donate funds

in support of the purchase of new equipment for the Merritt College Radiologic Science Program in the form of two instructional x-ray units. The Chancellor recommends approval.

12. Resolution No. 05/06-5 Authorising the Sale of Optional Redemption rights Relating to the following General Obligation Bonds: 1992 Series D; 1992 Series E; 1996 Series A; 2000 Series A; 2000 Series B; 2000 Series C.

The District requests Board authorization and approval of Resolution 05/06-5 to authorize sale of optional redemption rights of the above listed Series General Obligation Bonds. The sale in accordance with the Optional Redemption Rights Purchase Agreement, would authorize the sale of optional rights in the aggregate amount of \$85 million, to the Authority (purchasing agent).

13. Public Hearing: Determination of CalWORKs Assessment Program Layoffs

This item is brought for a public hearing and determination by the Board. Alameda County Department of Social Services will end its contract with the district effective August 31, 2005, and has decided to bring the assessment portion in-house. Pursuant to the collective bargaining unit between Local 790 and the District, Article 30.3.1 states: "Bargaining unit employees with permanent status shall not suffer disproportionately in any adverse budgetary process. During the term of this Agreement, there shall be no layoffs of classified employees with permanent status represented by Local 790, or involuntary reductions in the work years of those employees, unless the Board of Trustees has determined, after public input, that layoffs or reductions in the work years of employees are the only fiscally viable response to any adverse budgetary situation."

14. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees on an Emergency Basis

Pursuant to AB500, following is a report that contains the name, classification, and date of hire, assignment end date, hourly rate, classification, position title, location, background and experience department, and fund source of candidates recommended for short-term assignments in non-academic classified positions. Below are the names and classifications of these candidates. Each candidate's assignment will not exceed the District's established fiscal-year limit of 184 days.

		DATE OF HIRE	ASSIGNMENT END DATE	POSITION TITLE	
Bailes	Ceola	7/15/05	9/1/05	Account Clerk I	L
Boucher	Lucas	7/1/05	9/1/05	DSPS Instruct'l Asst	V
Brooka	Robyn	8/17/05	9/1/05	Instr'l Asst/English	V
Carlson	Lyle	7/1/05	9/1/05	Instr'l Asst/DSPS	V
Chang	Katie	8/1/05	9/1/05	Account Clerk I	L
Duran	Virginia	7/1/05	8/31/05	Staff Svcs Spc/Fiscal	V
Eakes	Raymond	7/1/05	9/1/05	Instr'l Asst	V
Erb	Marcella	6/1/05	6/30/05	Instr'l Asst	V
Foster	Shawn	5/6/05	5/27/05	AV Svcs Asst	A
Gey	Douglas	7/1/05	9/1/05	Instr'l Asst/MEDCO	L
Goodwin	Tiffany	1/3/05	6/30/05	Cashier	L
Hackler	cathrael	8/17/05	9/1/05	Interpreter	V
Hollis	John	7/1/05	9/1/05	Instr'l Asst/DSPS	V
Hsia	Xiao	7/15/05	9/1/05	Account Clerk I	L
Jablonski	Steven	7/1/05	9/1/05	Interpreter	L
Kawamoto	Michiko	6/1/05	6/30/05	Instr'l Asst/Biology	V
Kindblad	Lisa	8/17/05	9/1/05	Instr'l Asst	V
Lacques	Madeline	8/15/05	9/1/05	DSPS Instruct'l Asst	A
Lewis	Azul	6/1/05	6/30/05	Instr'l Asst/Biology	V
Levine	Meg	8/17/05	9/1/05	Interpreter	V
Maxie	Sandra	7/1/05	7/30/05	Instr'l Asst/Computer	L
Nielsen	Joan	8/1/05	9/1/05	Instr'l Asst/DSPS	V
Poulo	Gregory	8/15/05	9/1/05	Instr'l Asst/Computer	L
Pursley	george	6/1/05	6/30/05	Instr'l Asst/English	V
Recto	Evangelina	7/1/05	7/30/05	Instr'l Asst/Computer	L
Sanchez	Jose	6/1/05	6/30/05	Instr'l Asst/Biotech	V
Say	Samsosheap	7/12/05	8/31/05	Clerical Assistant I	V
Shah	Fatima	7/1/05	9/1/05	Clerical Asst I	V

Solomon	Felix	8/15/05	9/1/05	Instr'l Asst/Journalism	L
Stoffan	Michael	6/27/05	6/30/05	Instr'l Asst	V
Thompson	Karla	7/1/05	9/1/05	Instr'l Asst/DSPS	V
Velasquez	Diana	8/1/05	9/1/05	Instr'l Asst/DSPS	V
Willis	Curtis	7/1/05	9/1/05	Child Care Asst	A
Zepel	Janet	8/13/05	9/1/05	Instr'l Asst/Lands	M

### INFORMATIONAL ITEMS AND ORAL REPORTS

8:45 P.M.

#### CHANCELLOR

15. Overview and Review of Measure E Expenditures

Vice Chancellor Smith and General Services Director Ikharo will present an overview and review of Measure E expenditures.

8:55 P.M.

#### PRESIDENTS

Vista College President Walters will address the Board with regard to current activities/events at Vista College.

### BOARD COMMENTS

At this time in the meeting, Trustees will be afforded an opportunity to give short remarks regarding their recent community and/or district activities.

### ADJOURNMENT

