



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT

Minutes of the Board of Trustees Regular Work Session Meeting, June 28, 2005, 5:16 PM, Oakland, California, 94606

Present: Trustees Clifton, González Yuen, Gulassa, Handy, Hodge, Withrow, President Riley, Student Trustees Andrews and Watkins-Tanner
Absent: None

The regular meeting was convened into open session at 5:16 PM by Vice President Handy for the purpose of reporting to the public the topics to be discussed in closed session. The closed session was convened at 5:16 PM by Vice President Handy who presided; the closed session adjourned at 6:28 PM; the regular meeting was convened at 7:02 PM by President Riley who presided. The roll was called by the recording secretary.

REPORT OF CLOSED SESSION ACTIONS

Vice President Handy announced that at tonight's Closed Session, the Board approved an extension of the interim public appointment of Carlos McLean, as Interim Vice President, Student Services, Laney College, effective July 1, 2005 through July 26, 2005, or until the position is filled on a permanent basis, salary: \$ 100,000; at tonight's closed session, the Board approved the extension of the interim public appointment of Benjamin Hazard, Interim Dean of Fine & Applied Arts & Physical Education, Laney College, effective July 1, 2005 through July 26, 2005, or until the position is filled on a permanent basis, salary: \$86,800; at tonight's closed session, the Board approved the acting public employment of Elnora Webb, Acting Vice President-Instruction, Laney College, effective July 1, 2005, until the position is filled on a permanent basis; salary: \$103,000; at tonight's closed session, the Board approved the acting public employment of Linda Sanford, Acting Division Dean-Humanities, Arts and Social Sciences, Laney College, effective July 1, 2005 until the position is filled on a permanent basis; salary \$86,800; at tonight's closed session, the Board approved the acting public employment of Elaine Chen-Ramirez, Acting Division Dean-Business, Math and Sciences, Laney College, effective July 1, 2005 until the position is filled on a permanent basis; salary \$86,800; at tonight's closed session, the Board approved the public employment of Hector Cordova, Division Dean II, Humanities and Social Sciences, Merritt College, effective July 1, 2005, ending June 30, 2006; salary: \$92,963; at tonight's closed session, the Board approved the acting public employment of Gary Yee, Acting Division Dean-Math, Merritt College, effective July 1, 2005 until the position is filled on a permanent basis; salary \$90,000; at tonight's closed session, the Board approved the acting public employment of George Herring, Acting Business Services Manager, Merritt College, effective July 1, 2005 until the position is filled on a permanent basis; salary \$90,000, all by the following called vote: AYES: 6; NOES: 0 ABSTAIN: 0; ABSENT: 1.

APPROVAL OF AGENDA

ACTION: Upon a motion by Trustee Withrow, seconded by Trustee Clifton, the Board voted to approve the agenda as presented. Student Trustee Watkins-Tanner abstained.

COMMUNICATION FROM THE PUBLIC

Speakers Imani Williams, Jamila Williams, Gucye and Riley spoke in favor of approval of a student trip to Africa for which funds had been approved by Laney's Associated Students.

BOARD/DISTRICT COMMUNICATIONS

CHANCELLOR

1. Student Tour of Africa (Laney College)

Laney Vice President McLean made a presentation with regard to an upcoming Laney College student tour of Africa. This item was brought to Trustees for information purposes only. Vice President McLean stated that funding in the amount of \$4500 was approved in May, 2005, for 8 students to participate in the Africa tour. After some investigation, it was discovered that all participants were not Laney students, and meetings with the host institution were cancelled by the institution. District General Counsel and Risk Manager were contacted for questions of liability. The latest update is that only two students were planning to make the trip and it was stressed that there was an urgent need for a policy to address issues surrounding this type of student activity.

Serving in the capacity of Laney ASU President at the time of the vote, Student Trustee Watkins-Tanner informed that at the action meeting an itinerary was not presented and questions by Dean Kritschner were ignored. Student Trustee Watkins-Tanner questioned the benefit of the trip for the college and district and was concerned about the process used to identify the participating students.

All those making comments stressed the need for a process, policy and procedure to address the issues surrounding student travel. Student Trustee Andrews referred to a model used when Merritt College planned a student trip to Jamaica and to Africa.

ACTION ITEMS (*Time Sensitive Items*)

2. Resolution 04/05-45, Establishing the Appropriations Limit

By law, the District is required to establish its appropriations limit and make available to the public the documentation used in determining the limit for Fiscal Year 2005-2006. Additionally, by law, the Board is required to establish its appropriation limit prior to the beginning of each new fiscal year. The Limit materials for 2005-2006 were submitted for the Board's review at the June 14, 2005 meeting. Such documentation meets the requirement to have the limit available for review at least 15 days prior to the Board's action to adopt the limitation. Included with agenda materials was the District's appropriations limit and Resolution 04/05-45 for the Board's consideration and adoption in the amount of \$77,546,537.

3. Tentative Budget, 2005-2006 (Pulled for discussion)

Under provision of Education Code Section 85023(a) each community college district is required to file a tentative budget with the County Superintendent of Schools on or before July 1. Included in agenda materials is a copy of the 2005-2006 tentative budget for the Board of Trustees review. The tentative budget may be adjusted as revenue changes are known and before adoption of the final budget.

4. Consider Approval of Financial Advisory Services Agreement - Dale Scott & Company and The Pineapple Group LLC (Pulled for discussion)

The district will issue a series of bonds, including general obligation bonds, general obligation refunding bonds and limited obligation funds, and as such, seeks independent financial advisory services. Included in agenda information is a contract for such services with Dale Scott & Company, Inc., and The Pineapple Group, LLC. The service fee is per issuance, based on the size of the bond offer. The length of the contract is for five years, commencing June 29, 2005. The Chancellor recommends approval.

5. Approval of Contract with Hewlett-Packard Company to Conduct Assessment of District Information Technology (Pulled for discussion)

HP would conduct an assessment of information technology personnel, processes and technology that affect the District's ability to stay operational and highlight any gaps through the use of best practice management principles. The objective is to identify any specific risks of potential unplanned downtime within District information technology service management areas, identifying strengths and areas for improvements. The assessment includes interviews with a representative sample of District IT staff in order to identify risks to the district's technology availability and business processes. Project would start on or about July 11, 2005 and conclude four to six weeks later. HP would then present the assessment report to pre-defined Peralta representatives at a mutually agreed upon venue. Contract price is \$29,940 + tax.

6. Consider Contract Addendum and Extension Between City of Oakland and Peralta Community College District

It is recommended that Trustees approve an addendum to the current contract between the Peralta Community College District and the City of Oakland with regard to PCCD offering educational courses and curriculum through its various programs to meet the public safety training needs of the City of Oakland, entered into on September 9, 2000, as follows: "G. When district exceeds maximum FTES Eligible. In the event the District exceeds its maximum FTES eligible for state apportionment, the District shall pay for the cost of instruction at the highest salary step based on the District's 60% salary schedule for part-time instructors. The total amount for resident student registration fees and student use fees of City enrolled students shall be deducted from the cost of instruction." Additionally, it is requested that the current contract be extended from December 31, 2005 to December 31, 2007. The Chancellor recommends approval.

7. Resolution 04/05-51, Accept Bid and Award Contract, Pool Mechanical Improvements and Upgrade, Laney College, Bid No. 04-05/16, California Commercial Pools, Inc.

The project involves mechanical system renovations for the main competition pool and training pool at Laney College. It includes replacement of five pool heating units, two of which have burned out and three that are past their useful life, tile re-grouting, and installation of a wind screen. A bid opening was held on June 13, 2005. One bid was received, from California Commercial Pools, Inc., of Glendora, California, in the amount of \$250,000.

This resolution formally accepts the bid and authorizes the contract award to California Commercial Pools, Inc. for the Pool Mechanical Improvements and Upgrade project at Laney College. The Chancellor recommends approval.

8. Resolution 04/05-52, Accept Bid and Award Contract, Chlorine Generation System for Pool, Laney College, Bid No. 04-05/17, Severn Trent Water Purification, Inc.

The project involves the provision, installation, start-up and training for a chlorine generation system at Laney College, including a chlorine solution storage system, chlorine and CO-2 feeders for both pools, and control systems for both pools. The chlorine system will replace the current bromine system that has been problematic and is more expensive to operate than a chlorine system.

A bid opening was held on June 13, 2005. One bid was received, from Severn Trent Water Purification, Inc., of Torrance, California, in the amount of \$120,000. This resolution formally accepts the bid and authorizes the contract award to Severn Trent Water Purification, Inc. for the Chlorine Generation System for Pool project at Laney College. The Chancellor recommends approval.

9. Reject Bid, College of Alameda ASTI Expansion Project, Bid No. 04-05/19

The project involves ground preparation, drainage and utility connections, and associated construction, for installation of seven 24' x 40' standard DSA classroom portables and one 36' x 40' classroom portable. Seven portables will be furnished by the Alameda Unified School District for the ASTI program. The other portable will house the College of Alameda One-Stop Center and will be purchased by the City of Alameda.

A bid opening was held on June 16, 2005. One bid was received, from NBC General Contractors, in the amount of \$498,000. Because the only bid received significantly exceeded the engineer's cost estimate, it is recommended that the bid be rejected and the project be re-bid. The Chancellor recommends approval.

10. Approval of Project Scope and Budget, Renovations to Buildings R and P, Merritt College (Pulled for discussion)

Approval is requested to increase the scope and approve the project budget for the Renovations to Buildings R and P project at Merritt College. General Services Director Ikhara and the project architect will make a presentation to the Board. The revised estimated project budget is \$12,243,053. The Chancellor recommends approval.

11. Approval of Project Budget for District-Wide Roof Repair/Replacement

Approval is requested to establish a budget for District-Wide Roof Repair/Replacement projects in the amount of \$600,000. The projects will involve repair and/or replacement of various roofs throughout the District. The projects address roofs that date from original building construction and are past their useful service life or are leaking. The budget will be funded from Measure E. The Chancellor recommends approval.

12. Ratification of Change Orders 14 Through 22, District Administrative Center Renovations, Hung Construction

Approval for ratification is requested for Change Orders 14 through 22 to the contract with Hung Construction for the District Administrative Center Renovations project. These changes total \$51,420.38. Including these items, the change order total to date is \$69,182.15, which is 13.2% of the original contract amount (\$525,000.00). The change order requests were as a result of district office Finance and Human Resources requests, changes to an existing restroom facility and rerouting of an existing sewage line. The Chancellor recommends approval.

13. Request for Authorization to Submit Proposal to the Department of Labor

It is recommended that Trustees approve submittal of a proposal to the Department of Labor in the amount of \$1.7 million. Laney College will develop and deliver advanced technology curriculum, instructional labs, and computer-based educational programming in three rapidly changing areas of Environmental Control Technology, develop field placements for advanced students, support job placement of student completers and create advanced training opportunities for incumbent workers in this field.

14. Request to Advertise

Classified

Location

Account Clerk I	Merritt College
Clerical Assistant I (DSPS) (P/T)	College of Alameda
Clerical Assistant II (Counseling)	Merritt College
Clerical Assistant II (DSPS)	Merritt College
Clerical Assistant II (EOPS)	Merritt College
Clerical Assistant II (Financial Aid Office) (P/T) 4 positions	College of Alameda
Clerical Assistant II (Financial Aid Office) 3 positions	Merritt College
Clerical Assistant II (Mailroom) (P/T)	College of Alameda
Clerical Assistant II (Student Activities Office) (P/T)	College of Alameda
Clerical Assistant II (Student Activities Office)	Merritt College
Financial Aid and Placement Assistant	Laney College
Financial Aid and Placement Assistant	Merritt College
Instructional Assistant/Aviation Maintenance (P/T)	College of Alameda
Instructional Assistant/Computer Writing Center (P/T)	College of Alameda
Instructional Assistant/Diesel Mechanics	College of Alameda
Instructional Assistant/DSPS (Vocational Living Skills Program) (P/T)	College of Alameda
Instructional Assistant/DSPS (Learning Skills English/Math) (P/T) 3 positions	College of Alameda
Instructional Assistant I/DSPS 2 positions	Merritt College
Instructional Assistant III/DSPS	Merritt College
Instructional Assistant/English	Merritt College
Instructional Assistant/Math	Merritt College
Senior Clerical Assistant, Typing (DSPS)	College of Alameda
Senior Clerical Assistant (Production)	Merritt College
Student Personnel Services Specialist (Financial Aid Outreach & Recruitment) (P/T)	College of Alameda
Student Personnel Services Specialist (DSPS) (P/T)	College of Alameda

15. Hourly Employees

Pursuant to AB500, appended to this agenda 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.

ACTION: Upon a motion by Trustee González Yuen, seconded by Trustee Withrow, the Board voted to approve Items 2, 6, 7, 8, 9 (Item #9 added by Trustee Withrow; approved for addition by originator of motion), 11, 12, 13, 14 & 15, by the following called voted:

- AYES:** Trustee Clifton, González Yuen, Gulassa, Handy, Hodge, Withrow, President Riley, Student Trustee advisory vote Andrews and Watkins-Tanner
- NOES:** None
- ABSTAIN:** Student Trustees Watkins-Tanner (Item 15 only)
- ABSENT:** None

Speaking to Item 3, The Tentative Budget, 2005-2006, pulled for discussion, Vice Chancellor Smith and Asst. Vice Chancellor Dorrrough presented the tentative 2005-06 budget for Trustee approval. This budget is presented in tentative form in order for the district to begin its fiscal year on July 1; there will be two additional budget iterations, with the final budget presented in September for Trustee approval.

Asst. Vice Chancellor Dorrrough spoke about the specifics of the tentative budget and the 5% reserve that is required for all unrestricted funds, along with a salary analysis of faculty, classified and administrators (academic and classified). Next, Ms. Dorrrough spoke of the dynamic impact of increased medical benefit costs upon the district's resources. Kaiser and CoreSource will increase this year, and the district is trying to keep the rate of increase down.

A short question-and-answer period followed with Asst. Vice Chancellor Dorrrough answering Trustee questions relative to specific areas of the tentative budget. Vice Chancellor Smith and Asst. Vice Chancellor Dorrrough were complimented by members of the Board for the budget process which has become transparent and easy to understand.

ACTION: Upon a motion by Trustee Withrow, seconded by Trustee Handy, the Board voted unanimously to approve the tentative budget 2005-06 as presented.

Speaking to Item 4, Consider Approval of Financial Advisory Services Agreement-Dale Scott & Company and The Pineapple Group LLC, pulled for discussion,

ACTION: It was moved by Trustee Withrow, seconded by Trustee Handy, to approve Item 4 as presented.

In answer to a Trustee question relative to Item 4, Vice Chancellor Smith informed that the adviser fee schedule presented for this item is well within industry norms; the only change made was that the district put a cap on the fees.

Speaking to Item 5, Approval of Contract with Hewlett Packard Company to Conduct Assessment of District Information Technology, pulled for discussion, Trustee Handy stated that this assessment is brought to Trustees due to the many changes in the IT area, the need for an assessment of internet "rental space" that would generate additional funding for the district, to assure that the district is meeting industry standards, and to identify strengths and weaknesses in our planning.

MOTION: It was moved by Trustee Handy, seconded by Trustee Riley, to approve Item 5 as presented.

In answer to Trustee Withrow's inquiry regarding why Vice Chancellor Smith did not sign off on this item, Mr. Smith indicated that he supported an assessment of IT, however he had concerns about the timing of the proposed assessment and staff resources necessary to complete the assessment as well as questions about the deliverables of the contract. Additionally, Mr. Smith noted his concern that HP would be conducting the assessment, as we have an HP budget of more than \$4 million of equipment. Speaking to the same issues, Chancellor Harris agreed with the statement made by Mr. Smith elaborating that perhaps an assessment should be done after the new administrative system is in place.

Trustee Withrow indicated that in talks with an HP representative, HP indicated that they did not believe that could meet the July 11, 2005 timeframe for completion of the assessment and further indicated that HP would interview five to six members of the IT staff. The basic assessment process was one of document review as opposed to a physical review.

FRIENDLY AMENDMENT TO THE ORIGINAL MOTION (agreed to by originators of the original motion): Change date from July 11, 2005 to September 6, 2005.

In answer to an inquiry, Vice Chancellor Smith stated that he reviews all independent contractors for funding purposes, and that he must be involved when bond funds are used for assessment purposes. He further indicated that as yet, he had not reviewed a completed contract. General Counsel Nguyen indicated that HP has received her contract feedback provisions, she had concerns about deliverables in the first contract draft, and if HP accepts her conditions, she would be comfortable with the contract.

FRIENDLY AMENDMENT TO THE ORIGINAL MOTION (agreed to by originators of the original motion): To include the conditions of General Counsel and that the conditions are accepted by Hewlett Packard.

Trustee González Yuen stated that the Board has indicated that they wish to have an assessment conducted and that the price of the assessment seems good given the scope of the project. Trustee González Yuen outlined his concern that he would be more comfortable if HP did not conduct the assessment because they could return to the district indicating that more work must be done by HP.

Trustee Handy stated that she has been trying to have an assessment completed since last December, but that the process has been stalled. Individuals are concerned about the migration that will take place on July 1. HP is a major contributor to Peralta and to the Peralta Colleges Foundation and is a company of high regard within the technology community. Additionally, Trustee Handy continued that many companies have been part of the district's infrastructure project; HP would merely do an assessment of the district's documentation and of compliance within industry standards.

Speaker Queen stated that there have been concerns surrounding an outside agency conducting an assessment of IT personnel who consist of 790 members, however, Trustee Handy's explanation of the project have reassured her.

Trustee Clifton suggested that as part of the negotiated contract, perhaps there should be a stipulation that HP will not bid on any of the findings; General Counsel Nguyen stated that she will make that part of the contract. Vice Chancellor Smith stated that he believed the district would need two months of experience on the PeopleSoft system to help the district define what the scope of the work should be for the assessment.

In answer to a Trustee inquiry with regard to his opinion of the assessment, CIO DiGirolamo explained that he agreed that any assessment is a valuable tool but with the July PeopleSoft implementation, everything that can go wrong will go wrong within the first month of operation. Additionally, the IT staff has been overburdened with the PeopleSoft implementation and an early assessment may take away staff's ability to react to emergencies. Assessing the business processes at this time would provide only a "snapshot" in time and may not helpful in an overall assessment of IT. Dr. DiGirolamo also indicated that it had been his hope that IT could have been part of the negotiation of the contract regarding selection of the vendor. While HP is a good company in regard to hardware, and the fact that they have been an important partner with Peralta, he was not aware of their reputation in doing studies of institutions of higher education.

In answer to Trustee inquiries, General Counsel Nguyen stated that two issues raised by the Board at this meeting - timing and HP not bidding on future contracts - will strengthen the contract. CIO DiGirolamo, answering an inquiry indicated that IT did not have input into the framing of the assessment.

Trustee Handy stated that this is a project that was designated to come to Trustees only, not a project that goes to the Chancellor or district staff. The report would inform Trustees about how things are progressing in order to move IT forward according to industry standards and also indicate any current weaknesses now prior to moving forward with the rest of the infrastructure implementation migration.

Trustee González Yuen stated that he believed this type of work might be outside the scope of the Board.

FAILED SUBSTITUTE MOTION: The substitute motion by Trustee González, seconded by Trustee Gulassa, to direct the Chancellor to formulate a plan for an assessment that would begin no later than October 1, 2005 and to direct the Chancellor and staff to initiative a process to choose a vendor and formulate the scope of an assessment, failed by the following called vote:

AYES: Trustee González Yuen
NOES: Trustees Gulassa, Handy, Hodge, Withrow, President Riley, Student Trustee advisory vote Watkins-Tanner
ABSTAIN: Trustee Clifton, Student Trustee advisory vote Andrews
ABSENT: None

VOTE ON ORIGINAL MOTION: Upon an original motion by Trustee Handy, seconded by Trustee Riley, with the substitute motions: (1) to change the date from July 11, 2005 to September 6, 2005; (2) to include the conditions of General Counsel and that the conditions are accepted by Hewlett Packard, the Board voted to approve Item 5, by the following called vote:

AYES: Trustees Clifton, Gulassa, Handy, Hodge, Withrow, President Riley, Student Trustee advisory vote Andrews and Watkins-Tanner
NOES: None
ABSTAIN: Trustee González Yuen
ABSENT: None

ACTION: Upon a motion by Trustee Hodge, seconded by Trustee Withrow, the Board voted unanimously to approve Item 10, as presented.

Tonight's meeting was adjourned in memory of Sean Lorigo, son of Johnny Lorigo, former candidate for Board of Trustees and long time Oakland Public School educator, counselor and friend.

ADJOURNMENT: 8:53 PM

Elihu M. Harris, Chancellor
Secretary to the Board of Trustees
PERALTA COMMUNITY COLLEGE DISTRICT