



BOARD OF TRUSTEES  
OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT

Minutes of the Board of Trustees Regular Meeting, July 12, 2005, PM, 5:13 PM, 333 E. 8<sup>th</sup> Street, Oakland, California, 94606

Present: Trustees Clifton, González Yuen, Gulassa, Handy, Hodge, Withrow, Student Trustees Andrews and Watkins-Tanner  
Absent: President Riley

The regular meeting was convened into open session at 5:13 PM by Vice President Handy for the purpose of reporting to the public the topics to be discussed in closed session. The closed session convened at 5:13 PM by Vice President Handy who presided; the closed session adjourned at 6:00 PM; the regular meeting reconvened at 7:04 PM by Vice President Handy who presided. The roll was called by the recording secretary.

#### REPORT OF CLOSED SESSION ACTIONS

There were no actions to report from tonight's closed session.

#### APPROVAL OF AGENDA

ACTION: Upon a motion by Trustee González Yuen, seconded by Trustee Withrow, the Board approved the agenda, removing Items 4 & 5 to be carried over to a future meeting of the Board and moving Item 15 to follow Item 3. President Riley was absent.

#### MINUTES

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 were 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 recommended approval.

ACTION: Upon a motion by Trustee Withrow, seconded by Trustee González, the Board voted to approve Item 1 as presented. President Riley was absent.

#### ASSOCIATED STUDENTS' PRESIDENTS

Vista College Student Body President Kazami informed that the student body association has begun summer activities, one of which is to work on its constitution. Vista's student association is optimistic in part to a successful meeting with College President Walters and Vice President Rivas.

Merritt College Student Body President Andrews indicated that Merritt has created two new Student Council positions: Student Enterprises Committee Chair and Commissioner of Public Affairs. The club rush and an orientation event are scheduled for the Fall semester.

#### COMMUNICATIONS FROM MEMBERS OF THE PUBLIC

Speaker Felker addressed Trustees regarding the crime, particularly car break-ins, on the streets surrounding Laney College. Mr. Felker stated that he has spoken with Laney's College President and the Sheriff's Department and has created an organization to address the crime ([oaklandeaglesafety@yahoo.com](mailto:oaklandeaglesafety@yahoo.com)). Mr. Felker also stated that the Sheriff's Dept. has begun harassing him by writing frivolous citations.

11/24/04

Dear Mr. [Name],

I am writing to you regarding the [Project Name] project. As you know, we are currently in the process of [Project Description]. I would like to discuss the [Specific Aspect] with you and see if we can reach an agreement on the [Terms/Conditions].

I am sure that we can find a solution that works for both of us. I am looking forward to hearing from you soon.

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*ACADEMIC SENATE*

DAS President Bielanski requested that tonight's DAS report be moved to this place on the agenda in order to speak to Trustees about Item 2. Creating new programs, deleting some programs and making necessary program changes is a fundamental responsibility of faculty. All changes and additions must be approved by the State Chancellor's Office.

Dr. Bielanski walked Trustees through the report, speaking to each category of work performed by the CIPD as well as the extensive work performed at the campus level through the academic committees. DAS President Bielanski thanked Sheryl Queen and Nha Le for their work in compiling the reports.

*At 7:30 PM Student Trustee Watkins-Tanner arrived at the meeting.*

**ACTION - ROLL CALL ITEMS**

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 (Removed from the agenda)

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 (Removed from the agenda)

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

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:

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>BASE BID</u>
<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

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

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.

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

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

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.

Last Name	First Name	Date Hire	End Date	Position Title	Source
Balles	Ceola	7/15/05	9/1/05	Account Clerk I	L
Boucher	Lucas	7/1/05	9/1/05	DSPS Instruct'l Asst	V
Brooks	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 Spcl/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
Hsla	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	Madelline	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	8/1/05	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	Samsheap	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

**ACTION:** Upon a motion by Trustee González Yuen, seconded by Trustee Withrow, the Board voted to approve Items 11, 12 & 14, by the following called vote:

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

*Speaking to Item 2, pulled for discussion, Request for Approval of Program Additions, Deactivations and Changes and Course Additions and Deactivations, in answer to a Trustee inquiry, Dr. Bielanski and Laney Vice President Webb stated that the "lack of resources" noted as the cause for deactivation of Laney's TV technician program was due more to a move within the industry away from traditional broadcasting as well as grants not being secured. Trustee González Yuen commended the work done by faculty as it represents the heart of what we do within the district.*

**ACTION:** Upon a motion by Trustee Gulassa, seconded by Trustee González Yuen, the Board voted to approve Item 2 as presented. Trustee Riley was absent.

*Speaking to Item 3, pulled for discussion, Report from Policy Review Committee and Consider Approval of Board Policy Manual Chapter 1 Revisions, Trustee González Yuen, who serves as Policy Review Committee Chair, reported that the committee adopted revisions to Board Policy Chapter 1, policies are now on the district's website, and is beginning work on Chapter 2. Trustee González Yuen thanked General Counsel for her assistance in this process.*

**ACTION:** Upon a motion by Trustee González Yuen, seconded by Trustee Withrow, the Board voted to approve Board Policy Manual Chapter 1 as presented.

**FRIENDLY AMENDMENT:** Trustee Clifton amended the motion as follows (amendment accepted by originator of motion) to change BP 1.06 D, E, K and any other policy to replace the word "citizen" with the word "resident." The original motion was also amended to include minor changes to any minor awkward language in Chapter 1.

**INFORMATIONAL ITEMS AND ORAL REPORTS**

*CHANCELLOR*

15. Overview and Review of Measure E Expenditures

Vice Chancellor Smith and General Services Director Ikharo presented an overview and review of Measure E expenditures and commitments as of June 30, 2005, highlighting the unencumbered commitments for Merritt College Horticulture facility, Laney Library, Merritt Bldg. A, and COA Bldgs. C & D. There was extensive discussion with regard to how funds have been encumbered and projects



currently in the planning stages. The district has \$11.2 million remaining (plus the \$7.1 million encumbered for the above-noted projects) and the majority of the major projects of over \$10 million have been previously approved by the Board. The presentation included detailed information on the percentage and exact dollar amount of expenditures and commitments by college site. Interest income for 2004-05 was over \$400,000 and expenditures were at approximately \$9.5 million; there is \$30.1 million on hand for the projects previously discussed by Mr. Ikharo.

Vice Chancellor Smith will forward to Trustees a report on the "travel" expenditure included in the report – staff travel to Texas and Livermore, Ca. for PeopleSoft training. Per a Trustee request, information will be forthcoming delineating the overall plan for spending and a report on Board approval of Measure E funds with dates and amounts and including what projects have been staff-initiated as well as Board-approved projects. In answer to a Trustee inquiry, Mr. Ikharo stated that between February and July, the district has committed approximately \$19 million for projects. In answer to a Trustee inquiry regarding expenditures for Merritt's horticulture project, Chancellor Harris explained that funding for this project as well as other projects was set aside by the former Chancellor and Board. A future presentation will be made to the Board relative to the horticulture program.

Discussion next turned to IT project expenditures. Trustee Handy indicated that the Board must receive additional detailed project information in order to consider future IT projects.

*Speaking to Item 6, pulled for discussion, 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 and to a Trustee inquiry regarding the project bidding project, Mr. Ikharo indicated that any bid brought before Trustees has come very close to the engineering cost estimate. Bids are rejected if the Physical Plant Department feels they are inflated. Bids are published in several newspapers, sent to all Chambers of Commerce, to the firms overseeing the district's local/small business interests and to an in-house data base for vendors who have indicated interest in working with the district. Construction bids utilize different companies and trade unions in addition to such entities as the City and Port of Oakland, County of Alameda, etc. A revised bid advertisement plan will be forthcoming to Trustees.*

Addressing concerns relative to a leaking roof at Laney College, Student Trustee Watkins-Tanner will meet with the Chancellor and Laney College President Johnson to discuss these concerns.

**ACTION:** Upon a motion by Trustee González Yuen, seconded by Trustee Withrow, the Board voted to approve Item 6, by the following called vote:

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

*Speaking to Item 7, pulled for discussion, Approval for Modification to Project Management Services Agreement, Vanir Construction Management, Inc., Renovations to Buildings R and P, Merritt College, in answer to a Trustee inquiry, General Services Director Ikharo stated that in most cases, the larger the project, the lower the CM (construction manager) rate; smaller projects and modernization projects range between 5% and 9%. For this particular project, the range is between the norm and was due to the project length.*

**ACTION:** Upon a motion by Trustee Withrow, seconded by Trustee Gulassa, the Board voted to approve Item 7 as presented. President Riley was absent.

**ACTION:** Upon a motion by Trustee Withrow, seconded by Trustee Hodge, the Board approved Item 8 as presented. President Riley was absent.



*Speaking to Item 9, pulled for discussion, Approval of Cost Proposal Estimates #37R1, #46, #54, #70, #88, and #99, Vista College Permanent Facility, S. J. Amoroso Construction Co., Inc.,* Trustee González Yuen stated that it appeared the change orders were due to architecture error. Trustee González Yuen indicated that he is not in support of paying for change orders that are not the responsibility of the district or because of district error. General Services Director Ikharo indicated that this is being moved forward to Trustees for review and decision. The total of all change orders to date on the Vista project are at the 1.4% level which is very low; the level to which change orders has risen is not of concern.

It was requested that the Chancellor, General Counsel and district representatives speak with the project architect to negotiate the amount of the change order represented in this item.

**ACTION:** Upon a motion by Trustee González Yuen, seconded by Trustee Gulassa, the Board voted to table this item and bring it back to the next meeting by the following vote:  
AYES: 4; NOES: 2; ABSTAIN: 0; ABSENT: 1.

*Speaking to Item 10, Fiscal Year 2005-06 Advertising Campaigns—Professional Services Contract-Associated Advertising, Exec. Director of Marketing Heyman informed Trustees that the not to exceed \$150,000 contract included a Fall marketing campaign that would cost \$103,000 to support the enrollment goals set for the Fall semester. Radio spots, traffic sponsorships, cable TV spots and billboards comprise the marketing efforts being used for the Fall push. In answer to a Trustee inquiry, Mr. Heyman stated that the district has used Associated Advertising, El Cerrito, since 2001, and the district has been very pleased with their work.*

**ACTION:** Upon a motion by Trustee Withrow, seconded by Trustee Gulassa, the Board voted to approve Item 10 as presented. President Riley was absent.

*There was additional discussion with regard to Item 9, Approval of Cost Proposal Estimates #37R1, #46, #54, #70, #88, and #99, Vista College Permanent Facility, S. J. Amoroso Construction Co., Inc. with the following second motion and vote:*

**ACTION:** Upon a motion by Trustee González Yuen, seconded by Trustee Gulassa, the Board voted to approve directing the Chancellor and staff to go back to the architect to have a second discussion, by the following vote: AYES: 4; NOES: 2; ABSTAIN: 0; ABSENT: 1.

*Speaking to Item 13, Public Hearing: Determination of CalWORKs Assessment Program Layoffs, Vice Chancellor Largent explained that Alameda County has made the decision to bring CalWorks in-house, thus eliminating two classified positions. The district met with Local 790 to work out a plan in which employees will not be negatively affected, and two positions have been identified for said employees. Tonight's agenda item is merely a legal action that must be taken by the district.*

**ACTION:** Upon a motion by Trustee Hodge, seconded by Trustee Withrow, the Board voted to approve Item 13 as presented, by the following called vote:

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

#### **PRESIDENTS**

Vista College President Walters addressed Trustees with regard to the ongoing strategic planning process that began at Vista in 2004 and that used the appreciative inquiry process. Speaking to a meeting hand-out President Walters outlined the college's values, vision, mission, goals (strategic intentions or initiatives), and objectives (inspired action plan).





President Walters also spoke about the negotiations with the City of Berkeley to mitigate the parking issue for the new Vista facility, and to this end, a consultant is conducting a survey of student needs; Vista is hosting a transportation fair in September, and there is discussion having to do with a possible bus pass for all district students. President Walters highlighted other student activities that are taking place at Vista, including: student interns hired by Swinerton Construction; interns that are visiting from France through Vista's CITD, and youth focus groups being held regarding marketing.

ADJOURNMENT: 9:09 PM

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

