



Laney College Faculty Senate

900 Fallon St. 
Oakland, CA 94607

510-834-5740 
www.laney.edu 

Dream. Flourish. Succeed.

Vote of No Confidence in District General Services Leadership January 30, 2024

Whereas PCCD District General Services (DGS) states that it provides the “framework for a quality-driven organization, provides for more accurate reporting of diverse activities, and maintains the clear identity and integrity of the separate funds that finance [DGS] activities”¹;

Whereas, DGS is intended to serve the colleges, which generate FTES, and support the district’s stated mission of “advancing social and economic transformation for students and the community through quality education, rooted in equity, social justice, environmental sustainability, and partnerships”²; acting as the centralized conduit that operationalizes college facilities needs;

Whereas DGS representatives, including multiple independent contractors, have alluded to “long-standing” issues they have not been able to improve despite their leadership, strategy or spending;

Whereas students, classified professionals, faculty and administrators at Laney College have been experiencing ongoing unresolved problems directly related to DGS mismanagement, causing immediate OSHA, California Code of Regulations (CCR) and ADA compliance and health and safety issues, creating an unsafe environment that further marginalizes our students and community, affecting campus morale;

Whereas, in January 2019, Laney College was put on “[fire watch](#)”, costing the district and taxpayers approximately \$23,000 a month because of a broken fire alarm system with alarms that did not communicate with dispatch;

¹ <https://www.peralta.edu/generalservices>

² <https://www.peralta.edu/strategic-plan/mission#:~:text=The%20Peralta%20Community%20College%20District,%2C%20environmental%20sustainability%2C%20and%20partnerships.>





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Whereas, after the alarms were repaired, the system lapsed into disrepair once again, due to missing inspections and crucial repairs. Since then, DGS has paid for multiple contracts³ to “remedy” the problem but has yet to resolve the issue, putting our community at risk of not being able to properly evacuate or communicate in the event of a fire, creating liability for the district and putting it out of compliance with education code⁴, risking financial aid; The college also has missing fire extinguishers;

Whereas, the campus is facing long-standing issues with electricity and power supply, as explained in a Dec. 15, 2022 Electrical Modernization Project document, leaving faculty to fumble in the dark to use breakers and turn on lights, interrupting instruction when power goes out;

Whereas, despite the “new” BEST Center building receiving Department of State Architect certification in May of 2020, ongoing HVAC issues and roof leaks have kept the building underutilized;

Whereas, despite the “retirement” of the district locksmith in August 2022, there has not been sufficient planning or communication from DGS to ensure keys can be made and provided to faculty in a timely manner; In addition, the district bought a \$737k system with SecureALL

³ November 15, 2022 contract with Jensen Hughes: \$222,630
<http://go.boarddocs.com/ca/peralta/Board.nsf/goto?open&id=CKY7Y31BD654>

May 23, 2023 Contract with Fred Powell Architects: \$323,940

⁴

https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=EDC&division=1.&title=1.&part=19.&chapter=1.&article=1





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Corporation⁵ in 2017 for keyless entry, never implementing the system at the college but repeatedly recommending a new, separate system with an unknown cost⁶;

Whereas, DGS has hired multiple independent consultants to help “close out” college and district legacy projects, but many projects have not been closed out at the Division of State Architecture, pausing multiple bond projects and costing millions in escalations to the district and taxpayers⁷; Furthermore, DGS has hired Swinerton, Roebbelen and Kitchell as well as additional consultants to assist with bond project management and construction, paying full-time salaries to some, yet little to no progress has been made on stalled bond projects;

Whereas, multiple uncompleted projects are the result of lawsuits against the district, such as the women’s locker room, which was identified in a 2015 Title IX federal lawsuit, and the Payne Vs. Peralta⁸ case, which identified door pressure, amongst other accessibility issues, as a hazard to the college community⁹, only to be out of compliance with the lawsuit consent decree once again;

Whereas, although many Laney College community members have faced immediate safety risks in elevators we were told were “tagged out” due to inspection nonpayment, public records show that DGS has been aware of more serious problems with the elevators for much longer

⁵ [https://go.boarddocs.com/ca/peralta/Board.nsf/files/AVX3LJ7F2681/\\$file/Attachment%20%232-SecureAll-Exec%20Agreement-%24737%2C308.61.pdf](https://go.boarddocs.com/ca/peralta/Board.nsf/files/AVX3LJ7F2681/$file/Attachment%20%232-SecureAll-Exec%20Agreement-%24737%2C308.61.pdf)

⁶ https://www.youtube.com/watch?v=HGz6FC_X2Dc&list=PLBJy03_IbzP8JIUxHWTmqTkLEhf3-blQC&index=46 (It is unclear if there was a bid process for the new keyless entry system referenced in the video)

⁷ The fire alarm issue, which has kept campus projects stuck in the Division of State Architecture, has persisted since April 2022.

⁸ <https://casetext.com/case/payne-v-peralta-community-college-district>

⁹ <https://casetext.com/case/payne-v-peralta-community-college-district>
<https://peraltacitizen.com/2016/05/05/out-of-order/>





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and has not only not rectified these issues, but communicated unacceptably, misrepresenting problems and timelines and ignoring requests for information;

Whereas, DGS has reprioritized facilities projects without following shared governance protocols or communicating adequate rationale for changes, most recently in 2022, in violation of AB 1725¹⁰, undermining immediate, urgent health and safety concerns agreed upon by diversely representative faculty, widely noted by the senate;

Whereas, since December 2021, the Laney Facilities Committee and Laney Career and Technical Education Advisory Committee have both requested the presence of the Interim Vice Chancellor of District Facilities (or adequately informed designee) at meetings to provide updates and hear concerns from faculty, only for the Interim Vice Chancellor to not attend, send underprepared representation or “decline” the invitation altogether;

Whereas, despite the advocacy of campus leadership, DGS has not operationalized fixes at Laney College represented in participatory governance-informed work order documentation since 2021, completing only 35 out of 216 projects¹¹; severely neglecting our campus¹²;

Whereas, the general state of facilities beyond electrical issues has impacted instruction on multiple occasions due to leaks, floods, air quality, lack of hot water, heat or cooling; forcing faculty to cancel classes and employees to work remotely, affecting our ability to serve students and further marginalizing those who come to campus seeking a safe learning environment or to access crucial services;

¹⁰ <https://edsourcesource.org/wp-content/uploads/old/ab1725.PDF>

¹¹

[https://go.boarddocs.com/ca/peralta/Board.nsf/files/CXG6JR153288/\\$file/11%2014%2023%20DGS%20Project%20Update.pdf](https://go.boarddocs.com/ca/peralta/Board.nsf/files/CXG6JR153288/$file/11%2014%2023%20DGS%20Project%20Update.pdf)

¹² Since an arson on campus in 2022, for example, burned parts of the G quad have yet to be repaired.





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Be it resolved that the Laney College Faculty Senate requests an investigation and audit into the state of elevators and fire alarms not only at Laney College but districtwide, including the total amount of funds that have been expended on these projects, an accounting of completed repairs and a clear picture of the problems that remain;

Be it further resolved that with this resolution the Laney College Faculty Senate declares no confidence in DGS leadership, including Interim Vice Chancellor Atheria Smith, due to the lack of collegial consultation, lack of planning, inadequate and misleading communication and perceived ongoing mismanagement of projects that are central to OSHA, CCR and ADA compliance, our community's health and safety and student success.

