



**Tuesday, October 27, 2020**  
**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**5:00 p.m. Closed Session**  
**6:45 p.m. Public Session**  
**333 East 8th Street**  
**Oakland, CA 94606**  
**VIRTUAL MEETING VIA ZOOM WEBINAR**

---

**NOTICE OF TELECONFERENCING IN COMPLIANCE WITH EXECUTIVE ORDER N-25-20**

Those that would like to view the meeting can do so Live on Peralta College's YouTube link:  
[https://www.youtube.com/channel/UCTEVyZCQ1p\\_yqMRafmQFUww](https://www.youtube.com/channel/UCTEVyZCQ1p_yqMRafmQFUww)

---

**PUBLIC COMMENTS**

In order to equitably facilitate public comments, the following is required:

Those participating in public comment are required to register (no later than 12:00 p.m. the day of the meeting) for the webinar at the following link:

[https://zoom.us/webinar/register/WN\\_5zdAjHTNROquzi3e-GJ8DA](https://zoom.us/webinar/register/WN_5zdAjHTNROquzi3e-GJ8DA)

After registering, you will receive a confirmation email containing information about joining the webinar.

---

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 BoardDocs: <https://www.boarddocs.com/ca/peralta/Board.nsf>

Link on the Peralta Board Website: <http://web.peralta.edu/trustees/>

The meeting can also be viewed Live on Peralta College's YouTube link:

[https://www.youtube.com/channel/UCTEVyZCQ1p\\_yqMRafmQFUww](https://www.youtube.com/channel/UCTEVyZCQ1p_yqMRafmQFUww)

**PLEASE TURN OFF YOUR CELL PHONES DURING THE MEETING - THANK YOU!**

---

**1. CLOSED SESSION**

---

**Subject**

**1.1 Public Comment on Closed Session Items**

**Meeting**

Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**

**1. CLOSED SESSION**

---

Subject	1.2 Conference with Labor Negotiator Whittaker, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

**1. CLOSED SESSION**

---

Subject	1.3 Public Employee Appointment (Government Code Section 54957)
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information
	<ul style="list-style-type: none"><li>• Recommendation to appoint the Interim Dean of Student Services, Laney College.</li><li>• Recommendation to appoint the Interim Director of Student Activities &amp; Campus Life, College of Alameda.</li></ul>

**1. CLOSED SESSION**

---

**Subject**                      **1.4 Public Employee Discipline/Dismissal/Release**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type

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.

**1. CLOSED SESSION**

---

**Subject**                      **1.5 Public Employee Evaluation**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type

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.

## 1. CLOSED SESSION

---

**Subject**                      **1.6 Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)**

**Meeting**                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                          Information

- Conference with Legal Counsel (54956.9(a)), Payne v. Peralta Community College District, U.S. District Court, Northern District of CA, Case No. 3:16-cv-04390-MMC.
- Conference with Legal Counsel (54956.9(a)), Webb v. Peralta Community College District, Alameda County Superior Court Case No. RG18909473.
- Conference with Legal Counsel (54956.9(a)), Margoiles v. Peralta Community College District, Alameda County Superior Court Case. RG18905036.
- Stanford Health Care v. Peralta Community College Dist. Pre 7/2004 Retiree Benefit Plan, Santa Clara County Superior Court case no. 19CV342458
- Herrera v. Peralta Community College District et.al, Alameda Superior Court case no. RG18932402
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (2 cases).

**2. OPEN SESSION**

---

<b>Subject</b>	<b>2.1 Call to Order</b>
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural

**2. OPEN SESSION**

---

<b>Subject</b>	<b>2.2 Pledge of Allegiance</b>
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural



2. OPEN SESSION

---

Subject	2.3 Roll Call
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural

**2. OPEN SESSION**

---

<b>Subject</b>	<b>2.4 Report of Action Taken in Closed Session</b>
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

**2. OPEN SESSION**

---

<b>Subject</b>	<b>2.5 Approval of the Agenda</b>
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action

2. OPEN SESSION

---

Subject	2.6 Approval of the Minutes
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action, Minutes
Preferred Date	Oct 27, 2020
Absolute Date	Oct 27, 2020
Fiscal Impact	No
Budgeted	No

**2. OPEN SESSION**

---

<b>Subject</b>	<b>2.7 Associated Student Government Reports</b>
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

---

Subject	2.8 Peralta Classified Senate Report
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

**2. OPEN SESSION**

---

Subject	2.9 District Academic Senate Report
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

2. OPEN SESSION

---

Subject	2.10 Public Communication
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information
<p>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.</p>	

<http://web.peralta.edu/trustees/board-policies/>



2. OPEN SESSION

---

**Subject**                      **2.11 Chancellor's Reports**

**Meeting**                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                         Information

- Legislative Update

**File Attachments**

- [McCallum Peralta Presentation 10272020.pdf \(1,688 KB\)](#)
- [10.27.20 Merritt College BOT Report.pdf \(1,620 KB\)](#)
- [OCT\\_27\\_20\\_ COA Presidents\\_Report BOT.pdf \(1,734 KB\)](#)
- [NewsfortheBoard 10-27-2020.pdf \(1,841 KB\)](#)

3. PRESENTATIONS

---

**Subject**                      **3.1 Security Plan and Progress Update. Presenter: Vice Chancellor Sata**

**Meeting**                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                         Information

**TO: Peralta Board of Trustees**

**FROM: Department of General Services / Security**

**PREPARED BY: Leigh Sata, Vice Chancellor of General Services**

**BACKGROUND/ANALYSIS:**

The Governing Board approved a new Districtwide Health and Safety concept at the June 23, 2020 meeting. The new plan will include a community-based security infrastructure, featuring specialized vendors with experience in de-escalation tactics. This presentation provides an update on the status of the plan.

**EVALUATION AND RECOMMENDED ACTION:**

Informational only.

File Attachments

[201027 BOT Health&SecurityUpdate\\_FINAL.pdf \(329 KB\)](#)

## 4. PUBLIC HEARING

---

**Subject**                      **4.1 Conduct Public Hearing on the District's 2020-21 Budget; and Consider Approval of Resolution 20/21-07 Adopting the 2020-21 Budget. Presenter: Interim Vice Chancellor Adil Ahmed**

**Meeting**                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                         Action

**Preferred Date**            Oct 27, 2020

**Absolute Date**            Oct 27, 2020

**Budget Source**            N/A

**TO: Peralta Board of Trustees**

**FROM: Interim Chancellor, Dr. Carla Walter**

**PREPARED BY: Interim Vice Chancellor of Finance & Administration, Adil Ahmed**

### Background/Analysis:

The Board of Trustees is requested to approve the Fiscal Year 2020-21 Adopted Budget for all District funds. It provides an operational budget as of July 1, 2020, from the approved Fiscal Year 2020-21 Tentative Budget in order to meet the requirements of Section 58305, Title 5, of the California Code of Regulations. This is submitted under approval of Resolution 20/21-07, the Continuing Budgetary Authority and based on the State Chancellor's Executive Order 2020-06, which was issued pursuant to California Community Colleges Board of Governors Resolution No. 2020-01 and Section 52020 of Title 5 of the California Code of Regulations, which extended the deadline for community college districts to issue the 2020-2021 Tentative Budget from July 1, 2020 to August 1, 2020, and extended the deadline to issue the Fiscal Year 2020-2021 Adopted Budget from September 15, 2020 to October 31, 2020, in addition to extending other related deadlines.

The first reading of the proposed 2020-21 budget was held at the September 29, 2020 board meeting. The second reading was held at the October 13, 2020 board meeting.

The attached proposed Fiscal Year 2020-21 Adopted Budget provides a total District Budget of \$272,819,978 including income, appropriations, and expenses for all District funds. Also attached are Revision Notes showing changes since each of the readings, as well as Resolution 20/21-07.

### Deliverables and Scope of Work:

N/A

### Anticipated Completion Date:

N/A


### Evaluation and Recommended Action:

The Interim Chancellor recommends approval of Resolution No. 20/21-07 adopting the 2020-21 budget.

#### File Attachments

[FY 2020-21 Adopted Budget Draft 10052020.pdf \(19,316 KB\)](#)  
[Revision Notes to Adopted Budget October 5 2020.pdf \(230 KB\)](#)  
[Revision Notes to Adopted Budget October 13 2020 - 1.pdf \(68 KB\)](#)  
[Revision Notes to Adopted Budget October 13 2020 - 2.pdf \(63 KB\)](#)  
[2020-21 Revised Adopted Budget Resolution 10272020.pdf \(45 KB\)](#)

5. INFORMATIONAL ITEMS

Subject	5.1 First Reading on Proposed Board Policies. Presenter: Interim Chancellor Walter
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information
Goals	 D: Strengthen Accountability, Innovation and Collaboration

**TO:** Peralta Board of Trustees

**FROM:** Dr. Carla Walter, Interim Chancellor

**PREPARED BY:** Brandon Christian, Executive Assistant, Chancellor's Office

BACKGROUND/ANALYSIS:

The Board will conduct a first reading of the Board Policies. The following policies are presented for review and will return to a future Board meeting for adoption.

- **BP 3050 Student Fees** - This policy was updated in accordance with new laws pertaining to student fees.

File Attachments

[BP 5030 Student Fees.pdf \(52 KB\)](#)






## 5. INFORMATIONAL ITEMS

**Subject** **5.2 First Reading of Berkeley City College's Institutional Self-Evaluation Report.**  
**Presenter: President Garcia**

**Meeting** Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type** Discussion, Information, Reports

**Goals**

-  [A: Advance Student Access, Equity, and Success](#)
-  [B: Engage and Leverage Partners](#)
-  [C: Build Programs of Distinction](#)
-  [D: Strengthen Accountability, Innovation and Collaboration](#)
-  [E: Develop and Manage Resources to Advance Our Mission](#)

**TO:** Peralta Board of Trustees

**FROM:** Dr. Angélica Garcia

**PREPARED BY:** Dr. Angélica Garcia and Kuni Hay, Vice President of Instruction and Accreditation Liaison Officer

### BACKGROUND/ANALYSIS:

Every seven years, each college within the California Community College system undergoes an Accreditation reaffirmation process conducted by the Accrediting Commission for Community and Junior Colleges (ACCJC). It is a peer evaluation process where the College submits a comprehensive Institutional Self-Evaluation Report (ISER) to ACCJC, followed by a team site visit comprised of community college colleagues from across the state. The Berkeley City College site visit will include meetings and interviews at the College and the District to determine whether BCC meets the ACCJC standards.

Following a comprehensive participatory governance process, the ISER has been developed with the collective input from multiple key campus stakeholders, including students, classified professionals, faculty, administrators. The ISER addresses the 127 Standards, which are organized into four major sections: I) College's mission, academic quality, institutional effectiveness, and integrity, II) Instruction and student supports, III) Human, physical, technology, and financial resources, and IV) Leadership and governance. The attached draft ISER was endorsed by participatory governance groups and is available for the "first read" with the board of trustees.

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

Final ISER due to ACCJC December 2020.

### EVALUATION AND RECOMMENDED ACTION:

Trustees are encouraged to send all comments to Dr. Walter via email by October 30, 2020 at noon. The revised ISER will be presented to the Board for a second reading at its November 10, 2020 meeting.

#### File Attachments

[BCC ISER Final Draft 10-13-20 BOT.pdf \(4,809 KB\)](#)






## 5. INFORMATIONAL ITEMS

**Subject** **5.3 First Reading of College of Alameda's Institutional Self-Evaluation Report.**  
**Presenter: Interim President Miller**

**Meeting** Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type** Discussion, Information, Reports

**Goals**

-  [A: Advance Student Access, Equity, and Success](#)
-  [B: Engage and Leverage Partners](#)
-  [C: Build Programs of Distinction](#)
-  [D: Strengthen Accountability, Innovation and Collaboration](#)
-  [E: Develop and Manage Resources to Advance Our Mission](#)

**TO:** Peralta Board of Trustees

**FROM:** Dr. Don Miller, Interim President, College of Alameda

**PREPARED BY:** Dr. Miller, Interim President and Dr. Tina Vasconcellos, Accreditation Liaison Officer, Vice President of Student Services

### BACKGROUND/ANALYSIS:

Every seven years, each college within the California Community College system undergoes an Accreditation reaffirmation process conducted by the Accrediting Commission for Community and Junior Colleges (ACCJC). It is a peer evaluation process where the College submits a comprehensive Institutional Self-Evaluation Report (ISER) to ACCJC, followed by a team site visit comprising community college colleagues from across the state. The College of Alameda site visit will include meetings and interviews at the College and the District to determine whether BCC meets the ACCJC standards.

The ISER has been developed with the collective input from multiple key campus stakeholders, including students, classified professionals, faculty, administrators. It will continue to be reviewed in the next several weeks through open campus forums and the shared governance process. The ISER addresses the 127 Standards, which are organized into four major sections: I) College's mission, academic quality, institutional effectiveness, and integrity, II) Instruction and student supports, III) Human, physical, technology, and financial resources, and IV) Leadership and governance. The attached draft ISER was endorsed participatory governance groups and is available for the "first read" with the board of trustees.

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

DECEMBER 8, 2020, Final ISER due to ACCJC December 2020.

### EVALUATION AND RECOMMENDED ACTION:

Trustees are encouraged to send all comments to Dr. Walter via email by October 30, 2020 at noon. The revised ISER will be presented to the Board for a second reading at its November 10, 2020 meeting.

#### File Attachments

[COA ISER Draft 10.18.2020.pdf \(4,121 KB\)](#)

## 5. INFORMATIONAL ITEMS

---

**Subject**                      **5.4 First Reading of Laney College's Institutional Self-Evaluation Report. Presenter: Interim President Besikof**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Information

Goals                         [D: Strengthen Accountability, Innovation and Collaboration](#)

**TO: Peralta Board of Trustees**

**FROM: Rudy Besikof, Ed. D., Interim President, Laney College**

**PREPARED BY:**

Rudy Besikof, Ed. D.  
Alfred Konuwa, Ph.D., Laney College Accreditation Liaison Officer  
Professor Christopher Weidenbach, Laney College Faculty Accreditation Coordinator

**BACKGROUND/ANALYSIS:**

Every seven years, each college within the California Community College system undergoes an Accreditation reaffirmation process conducted by the Accrediting Commission for Community and Junior Colleges (ACCJC). It is a peer evaluation process where the College submits a comprehensive Institutional Self-Evaluation Report (ISER) to ACCJC, followed by a team site visit comprised of community college colleagues from across the state. The Berkeley City College site visit will include meetings and interviews at the College and the District to determine whether BCC meets the ACCJC standards.

Following a comprehensive participatory governance process, the ISER has been developed with the collective input from multiple key campus stakeholders, including students, classified professionals, faculty, administrators. The ISER addresses the 127 Standards, which are organized into four major sections: I) College's mission, academic quality, institutional effectiveness, and integrity, II) Instruction and student supports, III) Human, physical, technology, and financial resources, and IV) Leadership and governance. The attached draft ISER was endorsed by participatory governance groups and is available for the "first read" with the board of trustees.

**DELIVERABLES/SCOPE OF WORK:**

N/A

**ANTICIPATED COMPLETION DATE:**

December 8, 2020

**EVALUATION AND RECOMMENDED ACTION:**

Trustees are encouraged to send all comments to Dr. Walter via email by October 30, 2020 at noon. The revised ISER will be presented to the Board for a second reading at its November 10, 2020 meeting.

**File Attachments**

[Laney College Institutional Self-Evaluation Report FINAL READ.pdf \(4,005 KB\)](#)

## 5. INFORMATIONAL ITEMS

---

**Subject**                      **5.5 First Reading of Merritt College's Institutional Self-Evaluation Report. Presenter: President Johnson**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Discussion, Information, Reports

Goals                          [D: Strengthen Accountability, Innovation and Collaboration](#)

**TO:** Peralta Board of Trustees

**FROM:** President David M. Johnson

**PREPARED BY:** President David M. Johnson and Berenise Herrera

### BACKGROUND/ANALYSIS:

Every seven years, each college within the California Community College system undergoes an Accreditation reaffirmation process conducted by the Accrediting Commission for Community and Junior Colleges (ACCJC). It is a peer evaluation process where the College submits a comprehensive Institutional Self-Evaluation Report (ISER) to ACCJC, followed by a team site visit comprised of community college colleagues from across the state. The Berkeley City College site visit will include meetings and interviews at the College and the District to determine whether BCC meets the ACCJC standards.

Following a comprehensive participatory governance process, the ISER has been developed with the collective input from multiple key campus stakeholders, including students, classified professionals, faculty, administrators. The ISER addresses the 127 Standards, which are organized into four major sections: I) College's mission, academic quality, institutional effectiveness, and integrity, II) Instruction and student supports, III) Human, physical, technology, and financial resources, and IV) Leadership and governance. The attached draft ISER was endorsed by participatory governance groups and is available for the "first read" with the board of trustees.

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

December 8, 2020

### EVALUATION AND RECOMMENDED ACTION:

Trustees are encouraged to send all comments to Dr. Walter via email by October 30, 2020 at noon. The revised ISER will be presented to the Board for a second reading at its November 10, 2020 meeting.

#### File Attachments

[MC ISER 2021 Master File 2020-10-13 Draft.pdf \(4,416 KB\)](#)








## 5. INFORMATIONAL ITEMS

**Subject**                      **5.6 Second Reading of Berkeley City College's ACCJC Special Report (November 1, 2020 Letter). Presenter: President Garcia**

**Meeting**                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                         Discussion, Information, Reports

**Goals**                         **A: Advance Student Access, Equity, and Success**  
 **B: Engage and Leverage Partners**  
 **C: Build Programs of Distinction**  
 **D: Strengthen Accountability, Innovation and Collaboration**  
 **E: Develop and Manage Resources to Advance Our Mission**

**TO:** Peralta Board of Trustees

**FROM:** Dr. Angélica Garcia

**PREPARED BY:** Dr. Angélica Garcia and Dr. Stacey Shears

**BACKGROUND/ANALYSIS:** Berkeley City College is submitting the November Special Report to address the deficiencies and concerns raised by the Accreditation Commission for Community and Junior Colleges (ACCJC) in its January 27, 2020 letter to the College, in which probation status was imposed on the College/District. The aforementioned letter cites that insufficient information was provided in the May 2019 Special Report and the December 2019 Five-year Fiscal Plan submitted to ACCJC by the Peralta Community College District. Since being placed on probation, Berkeley City College has engaged in the necessary self-reflection and internal assessment, and has taken the necessary actions, to ensure that improved fiscal health and institutional accountability are sustained moving forward. The College's Special Report is submitted to the Board of Trustees for a second read.

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

10/27/2020

### EVALUATION AND RECOMMENDED ACTION:

N/A

#### File Attachments

[Berkeley City College ACCJC NOV Special Report 2020.pdf \(4,973 KB\)](#)






## 5. INFORMATIONAL ITEMS

---

**Subject**                      **5.7 Second Reading of College of Alameda's ACCJC Special Report (November 1, 2020 letter). Presenter: Interim President Miller**

**Meeting**                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                         Discussion, Information, Reports

**Goals**                         [A: Advance Student Access, Equity, and Success](#)  
 [B: Engage and Leverage Partners](#)  
 [C: Build Programs of Distinction](#)  
 [D: Strengthen Accountability, Innovation and Collaboration](#)  
 [E: Develop and Manage Resources to Advance Our Mission](#)

**TO:** Peralta Board of Trustees

**FROM:** Dr. Don Miller, Interim President, College of Alameda

**PREPARED BY:** Dr. Don Miller, Interim President, College of Alameda

### BACKGROUND/ANALYSIS:

The Special Report is in response to the January 27, 2020 letter that College of Alameda received from the Accrediting Commission for Community and Junior Colleges. The January 27th letter from the Commission was in response to the Special Report filed by the College in May 2019, and the Five-Year Fiscal Plan submitted in December 2019. After reviewing the Five-Year Integrated Financial Plan and other supporting documentation, the Commission informed College of Alameda that the report did not provide sufficient evidence to “verify the degree to which the deficiencies have been resolved, addressed, or corrected.” The College has been working on their Special Report that is due November 1, 2020. The College’s Special Report is submitted to the Board of Trustees for a second read.

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

N/A

### EVALUATION AND RECOMMENDED ACTION:

N/A

File Attachments  
[COA November Special Report 10-27-20.pdf\[90\].pdf \(1,997 KB\)](#)






## 5. INFORMATIONAL ITEMS

---

**Subject**                      **5.8 Second Reading of Laney College's ACCJC Special Report (November 1, 2020 letter).  
Presenter: Interim President Besikof**

**Meeting**                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                         Discussion, Information, Reports

**Goals**                         [A: Advance Student Access, Equity, and Success](#)  
 [B: Engage and Leverage Partners](#)  
 [C: Build Programs of Distinction](#)  
 [D: Strengthen Accountability, Innovation and Collaboration](#)  
 [E: Develop and Manage Resources to Advance Our Mission](#)

**TO:** Peralta Board of Trustees

**FROM:** Dr. Rudy Besikof, Interim College President, Laney College

**PREPARED BY:** Dr. Rudy Besikof, Interim College President, Laney College

### BACKGROUND/ANALYSIS:

The Special Report is in response to the January 27, 2020 letter that Laney College received from the Accrediting Commission for Community and Junior Colleges. The January 27th letter from the Commission was in response to the Special Report filed by the College in May 2019, and the Five-Year Fiscal Plan submitted in December 2019. After reviewing the Five-Year Integrated Financial Plan and other supporting documentation, the Commission informed Laney College that the report did not provide sufficient evidence to “verify the degree to which the deficiencies have been resolved, addressed, or corrected.” The College has been working on their Special Report that is due November 1, 2020. The College’s Special Report is submitted to the Board of Trustees for a second read.

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

N/A

### EVALUATION AND RECOMMENDED ACTION:

N/A

#### File Attachments

[Laney College ACCJC November Response.pdf \(1,980 KB\)](#)






## 5. INFORMATIONAL ITEMS

---

**Subject**                      **5.9 Second Reading of Merritt College's ACCJC Special Report (November 1, 2020 letter). Presenter: President Johnson**

**Meeting**                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                         Discussion, Information, Reports

**Goals**                         [A: Advance Student Access, Equity, and Success](#)  
 [B: Engage and Leverage Partners](#)  
 [C: Build Programs of Distinction](#)  
 [D: Strengthen Accountability, Innovation and Collaboration](#)  
 [E: Develop and Manage Resources to Advance Our Mission](#)

**TO: Peralta Board of Trustees**

**FROM:** President David M. Johnson

**PREPARED BY:** President David M. Johnson and Berenise Herrera

**BACKGROUND/ANALYSIS:**

The Special Report is in response to the January 27, 2020 letter that Merritt College received from the Accrediting Commission for Community and Junior Colleges. The January 27th letter from the Commission was in response to the Special Report filed by the College in May 2019, and the Five-Year Fiscal Plan submitted in December 2019. After reviewing the Five-Year Integrated Financial Plan and other supporting documentation, the Commission informed Merritt College that the report did not provide sufficient evidence to “verify the degree to which the deficiencies have been resolved, addressed, or corrected.” The College has been working on their Special Report that is due November 1, 2020. The College’s Special Report is submitted to the Board of Trustees for a second read.

**DELIVERABLES/SCOPE OF WORK:**

**ANTICIPATED COMPLETION DATE:**

N/A

**EVALUATION AND RECOMMENDED ACTION:**

N/A

**File Attachments**

[10.27.20 Merritt College Special Report 10.21.20.pdf \(13,311 KB\)](#)

## 6. CONSENT CALENDAR - Chancellor's Office

---

**Subject**                      **6.1 Consider Ratification of Monthly Contract Report in accordance with Administrative Policy 6340. Presenter: Interim Chancellor Walter**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Action

Preferred Date              Oct 27, 2020

Absolute Date              Oct 27, 2020

**TO: Peralta Board of Trustees**

**FROM:** Dr. Carla Walter, Interim Chancellor

**PREPARED BY:** Brandi Howard, Coordinator of Contracts and Legal Affairs

**BACKGROUND/ANALYSIS:** Consider Ratification of the Monthly Report of Contracts for the period of October 6, 2020, through October 14, 2020. In accordance with Administrative Policy 6340, all contracts and amendments regardless of dollar amount must be ratified by the Board of Trustees within 60 days, if not approved in advance as otherwise required herein.

**DELIVERABLES/SCOPE OF WORK:** Scope of Work and budget source for each contract can be found in the monthly report.

**ANTICIPATED COMPLETION DATE:** N/A

**EVALUATION AND RECOMMENDED ACTION:** The Interim Chancellor recommends ratification.

File Attachments

[BOT Contract Ratification for 10.27.2020.pdf \(140 KB\)](#)

## 6. CONSENT CALENDAR - Chancellor's Office

---

**Subject**                      **6.2 Consider Approval of Legal Services in the Aggregate Amount of \$735,000 with Certain Law Firms for Fiscal Year 2020- 2021. Presenters: Interim Chancellor Walter and Interim Chief of Staff Roberts**

**Meeting**                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                         Action (Consent)

**Preferred Date**            Oct 27, 2020

**Absolute Date**            Oct 27, 2020

**Fiscal Impact**            Yes

**Dollar Amount**           \$735,000.00

**Budgeted**                  Yes

**Budget Source**            1-01-114-5103-1-666000-0000-00 (75%) / 1-01-141-5103-1-672000-0000-00 (25%)

**TO: Peralta Board of Trustees**

**FROM: Interim Chancellor, Dr. Carla Walter**

**PREPARED BY: Brandi Howard, Coordinator of Contracts and Legal Affairs**

### BACKGROUND/ANALYSIS:

The District utilizes a number of law firms for specialized legal services. The Board is asked to consider the approval of legal service agreements for the firms listed below to assist the District with general legal matters and specialized legal matters as they arise. Currently, outside legal services are directed by the Chancellor, Chief of Staff and other authorized District administrators. Pursuant to the FCMAT recommendations, the District will seek to hire an in-house general counsel after the permanent Chancellor is hired. At that time, the use of outside law firms will change depending on the needs of the District and general counsel. Most of the firms listed below have been providing legal services to the District for some time and the Chancellor is recommending continued support from these firms.

These law firms provide legal services only when requested and the District is billed for work performed at the request of the Chancellor or authorized District administrator. These firms primarily provide services at the direction of the Chancellor's Office in support of matters related to Board governance, legal matters impacting the District campuses, the Department of General Services and the Department of Finance and the Department of Human Resources matters. The general legal services budget for outside firms is \$735,000.00 for 2020-2021. The Department of General Services and the Department of Human Resources also maintain legal services budgets.

### DELIVERABLES/SCOPE OF WORK:

#### **Garcia Hernandez Sawhney, LLP (GHS)**

GHS specializes in representing public education institutions. GHS provides a range of legal services for PCCD.

Rates: \$275.00 an hour for services rendered by Nitasha Sawhney and partners with 8 or more years of experience, \$250.00 for attorneys with less than 8 years of experience, \$175.00 an hour for law clerks and \$150.00 an hour for paralegals.

#### **Curls Bartling P.C.**

Curls Bartling provides special legal services and assists the District with complex agreements and other legal matters.

Rates: \$315.00 an hour for services rendered by Ericka Curls Bartling and attorneys with ten (10) or more years of experience, \$250.00 per hour for attorneys with less than ten (10) years' experience, and at \$140.00 per hour for paralegals.

#### **Law Offices of Edwin Prather**

Mr. Prather's firm provides general legal services and assists the District with inquiries from outside agencies and investigations such as grand jury inquiries and other matters.

Rates: \$325 per hour for services rendered by Edwin Prather.

#### **Julian Gross, Renne Public Law Group**

Julian Gross has recently joined the Renne Public Law Group. Mr. Gross specializes in project labor agreements and community benefits agreements.

Rates: \$350 per hour for attorneys and \$125 for paralegals.

#### **Stice Block**

Stice Block assists the District in assessing and resolving environmental issues.

Rates: \$480 per hour for services rendered by Stuart Block and Nicole Martin.

#### **Liebert Cassidy Whitmore (LCW)**

LCW represents public agencies and community colleges throughout the state. LCW will specifically support the Department of Human Resources with labor relation matters.

Rates: \$350.00 per hour for partners, \$315.00 per hour for senior counsel, \$210-\$295.00 per hour for associates, \$240.00 per hour for labor relations/HR consultants and \$135.00 for paralegals.

#### **Seyfarth Shaw**

Seyfarth Shaw provides a variety of legal services including in connection with retirement and health plans. Seyfarth will specifically support the District in connection with employee and retiree benefit and OPEB related matters.

Rates: \$525 per hour for Seong Kim and \$620 per hour Nicholas Waddles.

#### **ANTICIPATED COMPLETION DATE:**

June 30, 2021

#### **EVALUATION AND RECOMMENDED ACTION:**

The Interim Chancellor has evaluated the services provided by, or service offerings to be provided by, each of these firms and recommends approval.

##### **File Attachments**

[Legal Services MARC 10-27-2020.pdf \(380 KB\)](#)  
[GHS Peralta July 2020 Retainer.pdf \(282 KB\)](#)  
[Curls Bartling - FY 2021.pdf \(217 KB\)](#)  
[Julian Gross Contract.pdf \(217 KB\)](#)  
[Stice & Block, LLP.pdf \(2,094 KB\)](#)  
[2020 Peralta CCD Agreement LCW.pdf \(16 KB\)](#)  
[Peralta - Engagement \(Seyfarth\).pdf \(222 KB\)](#)  
[Prather Law Offices PCCD 2020 Retainer Agreement.pdf \(131 KB\)](#)

*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.*

## 7. CONSENT CALENDAR - ACADEMIC AFFAIRS

---

**Subject**                      **7.1 Consider Approval of Course and Program Additions, Deactivations and Changes.**  
**Presenter: Vice Chancellor Brown**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Action (Consent)

Preferred Date              Oct 27, 2020

Absolute Date              Oct 27, 2020

Fiscal Impact              No

Budgeted                    No

**TO:** Peralta Board of Trustees

**FROM:** Department of Academic Affairs

**PREPARED BY:** Amany Elmasry, Curriculum and System Tech Analyst

**BACKGROUND/ANALYSIS:** The role of Council on Instruction, Planning and Development (CIPD) is to review college curriculum additions, deletions, or modifications and submit them to the Board of Trustees for approval. CIPD meetings monthly throughout the academic year and is composed of college curriculum chairs (appointed by the Academic Senate), curriculum specialists, matriculation officers, the District Academic Senate President, the Vice Chancellor of Academic Affairs & Student Success, Deans and Vice Presidents of Instruction.

**DELIVERABLES/SCOPE OF WORK:** N/A

**ANTICIPATED COMPLETION DATE:** All curriculum additions, deletions and modifications are work that occurs on an ongoing basis.

### EVALUATION AND RECOMMENDED ACTION:

The attached PDF entitled "Oct 2020 CIPD Report" and "Oct 2020 Program Proposals" contains course and program additions, changes and deactivations as approved by the colleges' curriculum committees and The Council for Instruction, Planning and Development (CIPD).

The Interim Chancellor and Vice Chancellor of Academic Affairs and Student Success recommend approval.

#### File Attachments

[Oct 2020 CIPD Report.pdf \(775 KB\)](#)

[Oct 2020 Program Proposals.pdf \(282 KB\)](#)

*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.*



## 8. CONSENT CALENDAR - FACILITIES

**Subject** **8.1 Consider Approval of the Purchase Agreement with Claridge Products & Equipment, Inc. in the Amount of \$88,111.99 to Purchase and Install Whiteboards and Tackboards in the New Center for Liberal Arts Building on the College of Alameda Campus.**  
**Presenter: Vice Chancellor Leigh Sata**

**Meeting** Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type** Action (Consent)

**Preferred Date** Oct 13, 2020

**Absolute Date** Oct 27, 2020

**Fiscal Impact** Yes

**Dollar Amount** \$88,111.99

**Budgeted** Yes

**Budget Source** 1-63-391-6402-1-710000-2361-00 (Fund 63, Measure A Fund)

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Roebellen**

### BACKGROUND/ANALYSIS:

The New Center of Liberal Arts Project ("NCLA Project") includes the construction of a new classroom building at the District's College of Alameda campus. During the construction phase of the NCLA Project, the owner requested substantial changes to the AV system including the whiteboard and tackboard layouts. As a result, the Design-Build-Entity ("DBE"), Overaa and Co., was unable to purchase the necessary whiteboards and tackboards in a reasonable time and the procurement of the products was removed from the DBE's scope of work.

Although the DBE provided the District with a \$42,299.00 credit for the products, the DBE had also issued a proposed change order to cover the anticipated installation costs for the boards in an amount of approximately \$60,000.00. As such, the total cost for the District to acquire and install the desired boards was estimated at approximately \$102,499.00. Given the size of the change in the anticipated scope of work for the DBE, the NCLA Project team opted to solicit proposals from multiple vendors via the issuance of an informal request for proposals ("RFP"). Three vendors submitted proposals in response to the RFP. A summary of the suppliers and the proposal amounts are listed in the below table.

Vendor	Proposal Amount
Claridge Products & Equipment, Inc.	\$88,111.99
Interior Motions	\$185,827.84
Progress Glass Co. Inc.	\$192,665.00

While the disparity between the proposal amounts the vendors submitted is surprising on its face, the fact that Claridge Products & Equipment, Inc. ("Claridge") is the direct manufacturer of one of the approved products (all three proposals used Claridge boards) helps explain the difference. Further, as Claridge is furnishing non-construction services and the contract amount is not greater than the annually adjusted statutory limit, which is \$95,200 in 2020, Public Contract Code section 250651 (a) authorizes the District to procure a contract with Claridge through direct negotiation.

This is the District's first contract with Claridge in the fiscal year 2020-2021.

### Contact Information

Claridge Products & Equipment, Inc.  
 180 N Sherman Ave.  
 Corona, CA, 92882

Ph: (951) 734-6262  
www.claridgeproducts.com

**DELIVERABLES/SCOPE OF WORK:**

Claridge will deliver and install 107 whiteboards and 47 tackboards in the New Center for Liberal Arts Building located on the College of Alameda campus pursuant to the layouts set forth in the RFP.

**ANTICIPATED COMPLETION DATE:**

The anticipated completion date for delivery and installation of the whiteboards and tackboards is December 29, 2020.

**EVALUATION AND RECOMMENDED ACTION:**

The Project Manager, campus staff, the Facilities Planning and Development Director and the Interim Chancellor recommends approval of the Purchase Agreement with Claridge Products & Equipment, Inc. in the amount of \$88,111.99 to purchase and install whiteboards and tackboards in the New Center for Liberal Arts Building on the College of Alameda campus.

**File Attachments**

[Claridge Contract MARC signed.pdf \(7,023 KB\)](#)

[PCCD Purchase Agreement for Whiteboards\\_Tackboards Claridge\\_3606052\\_1\(DMS\).pdf \(398 KB\)](#)

*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.*

## 8. CONSENT CALENDAR - FACILITIES

**Subject**                      **8.2 Consider Approval of Amendment No. 4 to the Agreement for Architectural Design Services with AE3 Partners, Inc. for the Merritt College Child Care Center to Increase the Fee for Architectural Design Services in the Amount of \$24,493 to Cover PG&E Savings By Design Program Coordination and Design Requirements for the Project. Presenter: Vice Chancellor Leigh Sata.**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Action (Consent)

Preferred Date              Oct 13, 2020

Absolute Date              Oct 27, 2020

Fiscal Impact              Yes

Dollar Amount             \$24,493.00

Budgeted                    Yes

Budget Source              1-63-391-5105-1-710000-2425-00, (Fund 63, Measure A Fund)

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Kitchell CEM**

### BACKGROUND/ANALYSIS:

The Board is asked to consider Amendment No. 4 ("Amendment") to the Agreement for Architectural Design Services with AE3 Partners, Inc. ("Agreement") for the Merritt College Child Care Center ("CCC"). The additional scope of work memorialized in this Amendment adds services for the coordination activities, design scope and calculations required for the PG&E Savings By Design Program ("SBD Program").

In May 2020, Vice Chancellor Sata requested that the Merritt College Measure G projects pursue the SBD Program which requires energy efficiency enhancements to the project's design. To qualify, a project must exceed Title 24 Energy efficiency requirements by a minimum of 10 percent. If a project qualifies and if it meets the SBD Program energy efficiency goals, the project will receive a financial incentive for the incrementally measured cost of the efficiency upgrades up to a maximum project cap of \$150,000. The District's CCC project currently meets this requirement.

Amendment No. 4 increases the fee for architectural services in the amount of \$24,493 to cover the SBD Program coordination and design requirements for the project. The new Merritt College CCC project is state and locally funded.

This is the fourth Amendment to the Agreement. See Table 1.1 below for the history of this Agreement.

Table 1.1

Contract	Approved Amount	Board Approval Date
Agreement for Architectural Design Services	\$1,159,739	1/22/19
Amendment No. 1	\$26,589	11/12/19
Amendment No. 2	\$89,520	12/10/19
Amendment No. 3	\$325,708	4/7/20
Amendment No. 4	\$24,493	<b>This item.</b>
<b>New Contract Total</b>	<b>\$1,626,049</b>	

### Contact Information for AE3 Partners, Inc.:

AE3 PARTNERS, INC.

11 Embarcadero West Suite 205

Oakland, Ca 94607  
(510) 539 - 9991  
[www.ae3partners.com](http://www.ae3partners.com)

AE3 Partners, Inc. is a local Oakland based company, with an additional office in San Francisco (275 Battery Street, Suite 1050, San Francisco, CA 94111; 415-233-9991). They qualify as small local and minority owned and have an internship program that they stated will allow District students to participate. The principal partners are Rick Dumas and Douglas A. Davis, AIA.

**DELIVERABLES/SCOPE OF WORK:**

The additional scope of work memorialized in this Amendment No. 4 includes AE3 Partners, Inc.'s coordination of the collection of additional information and documentation required for submission for the SBD Program. If the CCC Project qualifies and if it meets the SBD Program energy efficiency goals, the project will receive a financial incentive for the incremental measure cost of the efficiency upgrades up to a maximum project cap of \$150,000.

**ANTICIPATED COMPLETION DATE:**

The CCC Project is anticipated to be completed by December of 2022.

**EVALUATION AND RECOMMENDED ACTION:**

The Construction Manager, Facilities Planning and Development Director, and Interim Chancellor recommend approval of this Amendment No. 4 to the Agreement for Architectural Design Services with AE3 Partners, Inc. for the Merritt College Child Care Center to increase the fee for architectural design services in the amount of \$24,493 to cover the PG&E Savings By Design Program coordination and design requirements for the project.

**File Attachments**

[AE3 - Service MARC Amend 4 signed.pdf \(9,974 KB\)](#)

*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.*

## 8. CONSENT CALENDAR - FACILITIES

**Subject**                      **8.3 Consider Approval of Independent Consultant Agreement for Professional Services for CEQA Consultant Services with Rincon Consulting, Inc. in the Amount of \$146,974.00 for the 2118 Milvia Street Project for Berkeley City College. Presenter: Vice Chancellor Leigh Sata**

**Meeting**                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                         Action (Consent)

**Preferred Date**            Oct 13, 2020

**Absolute Date**            Oct 27, 2020

**Fiscal Impact**            Yes

**Dollar Amount**           \$146,974.00

**Budgeted**                 Yes

**Budget Source**            1-63-391-5105-1-710000-2477-00 (Fund 63, Measure A Funds)

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Kitchell CEM**

### BACKGROUND/ANALYSIS:

This Independent Consultant Agreement for Professional Services for CEQA Consultant Services ("Agreement") with Rincon Consulting, Inc. ("Rincon") allows Rincon to perform the (CEQA) compliance services required for the new Berkeley City College 2118 Milvia Street Project ("Project").

CEQA requires that all State and local agencies consider the environmental considerations of projects over which they have discretionary authority. It is anticipated that the District will act as the "lead agency" for appropriate CEQA clearance and certifications, and it is important that all environmental issues be assessed, and if necessary, addressed in an appropriate Environmental Impact Report or other document.

An Environmental Impact Report (EIR) is intended to provide decision-makers and the public with information concerning the environmental effects of a proposed project, possible ways to reduce or avoid the possible environmental damage, and identify alternatives to the project. An EIR must also disclose significant environmental impacts that cannot be avoided; growth inducing impacts; effects found not to be significant; as well as significant cumulative impacts of all past, present and reasonably anticipated future.

The District's procurement process for this Agreement included a comprehensive outreach effort to encourage prospective firms and sub-consultants to respond to the published Request for Proposals for the Project. ("RFP No. 20-21/03"). RFP No. 20-21/03 was formally advertised and four firms submitted proposals in response to RFP No. 20-21/03. Rincon was selected as the consultant that provided the best overall value to the District after District staff and Bond Program consultants evaluated and scored the proposals. The scoring was based on firm experience, client references, staff experience, fee, and SLBE compliance.

- A summary of the scoring follows:

Firm Name	Score
Rincon Consultants, Inc.	82
Terraphase Engineering, Inc.	77
LSA Associates, Inc.	74
Lamphier-Gregory	Disqualified

This is Rincon's first contract with the District is fiscal year 2020-2021.

**Contact Information:**

Rincon Consulting, Inc.  
449 15<sup>th</sup> Street, Suite 303  
Oakland, CA 94612  
Phone: (510) 834-445 x 2011  
Darcy Kremin, AICP  
Email: [dkremin@rinconconsultants.com](mailto:dkremin@rinconconsultants.com)

**DELIVERABLES/SCOPE OF WORK:**

The scope of services include the following:

- Prepare all studies and documentation necessary to initiate, process, review, and ultimately obtain certification of a Project Environmental Impact Report or other appropriate environmental documentation (e.g. Negative Declaration) and all required permits that will environmentally-clear approval and implementation of the Project in compliance with CEQA and all applicable environmental requirements, including but not limited to CEQA and all applicable environmental laws, regulations, and requirements emanating from the Environmental Protection Agency (“EPA”), Cal/EPA, Air Quality Management District, State of California and Regional Water Quality Control Board, California Department of Transportation (“CalTrans”), California Department of Fish & Game, and other local agencies as applicable.
- Prepare the Final EIR with responses to comments, findings of fact and, statement of overriding considerations (if applicable), mitigation monitoring program, certifying resolution, notice of determination and related documentation.
- Maintain proper records of all projects for services pursuant to this contract, including, but not limited to, copies of all project correspondence, deliverables, and schedules. All such project records shall be submitted to the District after the completion of the project and shall become property of the District.

**ANTICIPATED COMPLETION DATE:**

Rincon will complete the required CEQA services by June 30, 2022.

**EVALUATION AND RECOMMENDED ACTION:**

The Project Manager (Kitchell CEM), Facilities Planning and Development Director, and Interim Chancellor recommend approval of the Independent Consultant Agreement for Professional Services for CEQA Consultant Services with Rincon Consulting, Inc. in the amount of \$146,974.00 for the 2118 Milvia Street Project for Berkeley City College.

**File Attachments**

[Rincon Milvia CEQA MARC Agreement signed.pdf \(9,539 KB\)](#)

*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.*

## 8. CONSENT CALENDAR - FACILITIES

**Subject**                      **8.4 Consider Approval of Amendment No. 1 to the Agreement for Architectural Services with Jordan Knighton Architecture, Inc. dba JK Architecture + Engineering to Increase the Fee by \$33,150 for Architectural and Demolition Planning Services Related to the Required Demolition of Building E for the College of Alameda New Transportation Technology Center Project. Presenter: Vice Chancellor Leigh Sata**

**Meeting**                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

**Type**                         Action (Consent)

**Preferred Date**            Oct 13, 2020

**Absolute Date**            Oct 27, 2020

**Fiscal Impact**            Yes

**Dollar Amount**           \$33,150.00

**Budgeted**                  Yes

**Budget Source**            1-43-391-5105-1-710000-2404-00 (Fund 43, Measure G)

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Roebbelen**

### BACKGROUND/ANALYSIS:

JK Architecture + Engineering ("JK") is providing architectural services on the District's New Transportation Technology Center Project ("Project") under a contract previously approved by the Board and dated March 10, 2020.

As part of the Project, the existing Building E on the College of Alameda campus will need to be demolished. During the course of the Project, additional potential issues relating to the demolition of the building were identified. After due consideration from District staff and discussion with JK, the District directed JK to prepare a proposal for site demolition planning services and corrosion engineering services. Amendment No. 1 amends the scope of services set forth in JK's existing contract with the District to include these additional tasks and provide a commensurate increase in fees for services rendered.

This is the first amendment to JK's contract with the District for the Project. See Table 1.1 below for the history of this contract.

Table 1.1

<b>Contract</b>	<b>Approved Amount</b>	<b>Board Approval Date</b>
Original Contract	\$ 2,165,000.00	3/10/2020
Amendment No. 1	\$ 33,150.00	<b>This item.</b>
<b>New Contract Total</b>	<b>\$ 2,198,150.00</b>	

### Contact Information

JK Architecture + Engineering 11661 Blocker  
Drive, Suite 220  
Auburn, CA 95603  
Ph: (530) 888-0998

### DELIVERABLES/SCOPE OF WORK:

Amendment No. 1 expands JK's to include the following tasks:

1. Construction Documents – preparation of a site demolition, paving, grading, and utility plans for the existing Building E based on the site and topographic survey plans.
2. Perform a site soil corrosivity evaluation, including an inspection, corrosivity evaluation and engineering report.
3. Perform corrosion control design services.
4. Provide technical assistance during construction and system checkout and certification.

**ANTICIPATED COMPLETION DATE:**

The anticipated completion date for the Project is August 2, 2021.

**EVALUATION AND RECOMMENDED ACTION:**

The Project Manager, the Facilities Planning and Development Director and Interim Chancellor recommend this Amendment No. 1 to the Agreement for Architectural Services with Jordan Knighton Architecture, Inc. dba JK Architecture + Engineering to increase the fee by \$33,150 for architectural and demolition planning services related to the required demolition of Building E for the College of Alameda New Transportation Technology Center project.

**File Attachments**

[JK Amendment 1 MARC- signed.pdf \(2,515 KB\)](#)

*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.*



## 9. PUBLIC HEARING

---

**Subject**                    **9.1 Conduct Public Hearing on Initial Study/Mitigated Negative Declaration and Proposed College of Alameda Transportation Technology Center Project; and Consider Approval and Adoption of Resolution No. 20/21-13 Adopting the Initial Study/Mitigated Negative Declaration, CEQA Findings, Mitigation Measures, and Mitigation Monitoring and Reporting Program for the Project, and Approving the Project Presenter: Vice Chancellor Sata.**

Meeting                    Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                        Action

Preferred Date            Oct 27, 2020

Absolute Date            Oct 27, 2020

Fiscal Impact            No

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Atheria Smith, Director of Planning & Development**

### BACKGROUND/ANALYSIS:

The District is proposing the construction of a one-story, 36,773 assignable square foot (ASF) (approx.) Transportation Technology Center building at its College of Alameda campus to replace the existing 33,127 ASF of Buildings B and E (to be demolished) that are currently used for transportation technology, with said new building to house laboratory spaces (including a paint/auto body lab), teaching spaces (both for occupancy counts of greater than 50 persons and less than 50 persons), utility rooms, offices, tool rooms, mezzanine storage, a library/media room, and restrooms, and would also include construction of a fire lane/pedestrian promenade along the north side of the proposed building ("Project").

In accordance with the requirements of the California Environmental Quality Act of 1970, as amended ("CEQA"), and CEQA Guidelines, the District has prepared an Initial Study/Mitigated Negative Declaration which evaluates the potential environmental effects of the Project, and a Mitigation Monitoring and Reporting Program ("MMRP") for the Project, which defines the measures which would be imposed on the Project to mitigate or avoid potentially significant environmental impacts of the Project. The Initial Study/Mitigated Negative Declaration concludes that implementation of the Project will not result in a significant effect on the environment because the mitigation and standard measures described in the Initial Study/Mitigated Negative Declaration and MMRP are included in the Project to reduce potential impacts to a less than significant level. The final Initial Study/Mitigated Negative Declaration is attached as Exhibit A to the Resolution, and the MMRP is attached as Exhibit B to the Resolution.

The Board is required to make certain findings under CEQA, as set forth in the Resolution, when adopting a mitigated negative declaration. Board adoption of the final Initial Study/Mitigated Negative Declaration and MMRP for the Project in compliance with CEQA would allow the District to move forward with the Project if the Project is approved.

District staff recommends that the Board adopt Resolution 20/21-13, adopting the final Initial Study/Mitigated Negative Declaration, CEQA findings, mitigation measures, and MMRP for the Project, and approving the Project.

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

If the Board adopts the Resolution and approves the Project, and if the Board subsequently awards a contract for construction of the Project, construction would be expected to begin in approximately August 2021 and to conclude in December 2022.

### EVALUATION AND RECOMMENDED ACTION:

District staff and the Interim Chancellor recommends that the Board adopt Resolution 20/21-13 adopting the Initial Study/Mitigated Negative Declaration, CEQA Findings, Mitigation Measures, and MMRP for the Project, and Approving the Project.

File Attachments

[Resolution Adopting IS\\_MND\\_Transportation Tech Center.pdf \(10,356 KB\)](#)

## 10. ACTION ITEMS

---

**Subject**                      **10.1 Consider Second Reading and Approval of Proposed Board Policies. Presenter: Interim Chancellor Walter**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Action

Preferred Date              Oct 27, 2020

Absolute Date              Oct 27, 2020

Fiscal Impact              No

Goals                         **D: Strengthen Accountability, Innovation and Collaboration**

**TO:** Peralta Board of Trustees

**FROM:** Dr. Carla Walter, Interim Chancellor

**PREPARED BY:** Brandon Christian, Executive Assistant, Chancellor's Office

### BACKGROUND/ANALYSIS:

The Board will conduct a second reading and consider approval of the presented Board Policies.

- **BP 3430 Prohibition of Harassment** - This policy was last updated in 2019.
- **BP 3433 Prohibition of Sexual Harassment under Title IX** – This is a new policy, created to address the requirements of the new Title IX regulations.
- **BP 3540 Sexual and Other Assaults on Campus** - This policy was last updated in 2015.

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

N/A

### EVALUATION AND RECOMMENDED ACTION:

The Interim Chancellor recommends approval.

#### File Attachments

[BP 3430 Prohibition of Harassment.pdf \(84 KB\)](#)  
[BP 3433 Prohibition of Sexual Harassment under Title IX.pdf \(49 KB\)](#)  
[BP 3540 Sexual and Other Assaults on Campus.pdf \(46 KB\)](#)

## 10. ACTION ITEMS

---

**Subject**                      **10.2 Consider Adoption of Resolution 20/21-14 to Declare October 19-23, 2020 as Undocumented Student Action Week. Presenter: Interim Chancellor Walter**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Action

Preferred Date              Oct 27, 2020

Absolute Date              Oct 27, 2020

Fiscal Impact              No

**TO:** Peralta Board of Trustees

**FROM:** Dr. Carla Walter, Interim Chancellor

**PREPARED BY:** Brandon Christian, Executive Assistant, Chancellor's Office

### BACKGROUND/ANALYSIS:

Resolution 20/21-14 supports the declaration of creating “Undocumented Student Action Week” each year in the third week of October. The Peralta Community College District previously participated in the Undocumented Student Week of Action by engaging in a week-long program of activities in support of undocumented students. The Peralta Community College District, united with other California Community Colleges, urge Congressional members to uphold California values and create a pathway to citizenship for undocumented students, which will permit them to complete their educational goals and achieve their highest potential.

The adoption of this resolution is also in alignment with the Board's adopted Goal II: Diversity, Equity, Inclusion/Social Justice.

### DELIVERABLES/SCOPE OF WORK:

N/A

### ANTICIPATED COMPLETION DATE:

N/A

### EVALUATION AND RECOMMENDED ACTION:






The Interim Chancellor recommends adoption.

#### File Attachments

[USAW 2020\\_Resolution-1.pdf \(20 KB\)](#)

## 10. ACTION ITEMS

---

<b>Subject</b>	<b>10.3 Consider Approval of Berkeley City College Parcel Tax Expenditure Plan 2020-22. Presenter: President Garcia</b>
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Oct 27, 2020
Absolute Date	Oct 27, 2020
Fiscal Impact	Yes
Dollar Amount	\$1,506,351.00
Budgeted	Yes
Budget Source	Peralta Colleges Education Renewal Measure (Measure E)
Goals	 <b>A: Advance Student Access, Equity, and Success</b>  <b>B: Engage and Leverage Partners</b>  <b>C: Build Programs of Distinction</b>  <b>D: Strengthen Accountability, Innovation and Collaboration</b>  <b>E: Develop and Manage Resources to Advance Our Mission</b>

**TO: Peralta Board of Trustees**

**FROM: President Dr. Angélica Garcia**

**PREPARED BY: President Dr. Angélica Garcia and Vice President of Student Services Dr. Stacey Shears**

**BACKGROUND/ANALYSIS:** The Peralta Colleges Education Renewal Measure (also commonly referred to as Measure E) is a qualified special tax that is authorized to be used to “support core academic programs such as math, science and English, train students for careers, and prepare students to transfer to four-year universities.” The Peralta Colleges Education Renewal Measure is essentially an extension of the Parcel Tax provision that voters approved in 2012, and continues to direct that proceeds are to be spent “exclusively for instructional purposes with classified expenditures limited to defined instructional support.”

### DELIVERABLES/SCOPE OF WORK:

The 2020-22 Parcel Tax allocation for Berkeley City College is \$1,506,351 per year, and in accordance with AP 6741 monies will be used to fund:

1. Core academic programs including Science, Mathematics, English and Technology
2. Workforce preparation
3. Career and Job training
4. Preparation for transfer to 4-year institutions

### ANTICIPATED COMPLETION DATE:

June 2022

### EVALUATION AND RECOMMENDED ACTION:






Berkeley City College recommends that the Board of Trustees accepts the Parcel Tax Expenditure Plan as meeting the guidelines outlined in Peralta Community College District Administrative Procedure 6741.

The Interim Chancellor recommends approval.

File Attachments

[Berkeley City College Parcel Tax Plan 20-22 10-1-2020 \(1\).pdf \(674 KB\)](#)

## 10. ACTION ITEMS

<b>Subject</b>	<b>10.4 Consider Approval of College of Alameda's Parcel Tax Expenditure Plan 2020-22. Presenter: Interim President Miller</b>
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action (Consent)
Preferred Date	Oct 27, 2020
Absolute Date	Oct 27, 2020
Fiscal Impact	Yes
Dollar Amount	\$1,543,446.00
Budgeted	Yes
Budget Source	Peralta Colleges Education Renewal Measure (Measure E)
Goals	 <b>A: Advance Student Access, Equity, and Success</b>  <b>B: Engage and Leverage Partners</b>  <b>C: Build Programs of Distinction</b>  <b>D: Strengthen Accountability, Innovation and Collaboration</b>  <b>E: Develop and Manage Resources to Advance Our Mission</b>

**TO: Peralta Board of Trustees**

**FROM: Dr. Don Miller, Interim President, CoA**

**PREPARED BY:**

### BACKGROUND/ANALYSIS:

The Peralta Colleges Education Renewal Measure (also commonly referred to as Measure E) is a qualified special tax that is authorized to be used to "support core academic programs such as math, science and English, train students for careers, and prepare students to transfer to four-year universities." The Peralta Colleges Education Renewal Measure is essentially an extension of the Parcel Tax provision that voters approved in 2012, and continues to direct that proceeds are to be spent "exclusively for instructional purposes with classified expenditures limited to defined instructional support."

### DELIVERABLES/SCOPE OF WORK:

The 2020-22 Parcel Tax allocation for College of Alameda is \$1,543,446 per year, and in accordance with AP 6741 monies will be used to fund:

1. Academic Programs (including mathematics, science, English, technology)
2. Workforce Preparation
3. Career and Job Training
4. Preparation for transfer to a four-year university

### ANTICIPATED COMPLETION DATE:

June 2022

### EVALUATION AND RECOMMENDED ACTION:

College of Alameda recommends that the Board of Trustees accepts the Parcel Tax Expenditure Plan as meeting the guidelines outlined in Peralta Community College District Administrative Procedure 6741.

The Interim Chancellor recommends approval.

#### File Attachments

[10-27-2020 BOT meeting- CoA Proposed Parcel Tax Expenditure Plan 2020-22 Final \(2\).pdf \(231 KB\)](#)

*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.*



## 10. ACTION ITEMS

**Subject**                      **10.5 Consider Approval of Laney College's Parcel Tax Expenditure Plan for 2020-22.**  
**Presenter: Interim President Besikof**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES






Type                          Action

Preferred Date              Oct 27, 2020

Absolute Date              Oct 27, 2020

Dollar Amount             \$2,953,600.00

Budget Source             Peralta Colleges Education Renewal Measure (Measure E)

Goals                         [A: Advance Student Access, Equity, and Success](#)  
 [B: Engage and Leverage Partners](#)  
 [C: Build Programs of Distinction](#)  
 [D: Strengthen Accountability, Innovation and Collaboration](#)  
 [E: Develop and Manage Resources to Advance Our Mission](#)

**TO: Peralta Board of Trustees**

**FROM: Rudy Besikof, Ed.D., Interim President, Laney College**

**PREPARED BY: Rudy Besikof, Derek Pinto, Ed.D. Vice President of Administrative Services**

**BACKGROUND/ANALYSIS:** The Peralta Colleges Education Renewal Measure (also commonly referred to as Measure E) is a qualified special tax that is authorized to be used to “support core academic programs such as math, science and English, train students for careers, and prepare students to transfer to four-year universities.” The Peralta Colleges Education Renewal Measure is essentially an extension of the Parcel Tax provision that voters approved in 2012, and continues to direct that proceeds are to be spent “exclusively for instructional purposes with classified expenditures limited to defined instructional support.”

### DELIVERABLES/SCOPE OF WORK:

The 2020-22 Parcel Tax allocation for Laney College is \$2,953,600.00, and in accordance with AP 6741 monies will be used to fund:

1. Core academic programs including Science, Mathematics, English and Technology
2. Workforce preparation
3. Career and Job training
4. Preparation for transfer to 4-year institutions

**ANTICIPATED COMPLETION DATE:** June 2022






### EVALUATION AND RECOMMENDED ACTION:

Laney College recommends that the Board of Trustees accepts the Parcel Tax Expenditure Plan as meeting the guidelines outlined in the Peralta Community College District Administrative Procedure 6741.

The Interim Chancellor recommends approval.

File Attachments  
[2020-22 Proposed Measure E Allocations DRAFT FINAL.pdf \(193 KB\)](#)

## 10. ACTION ITEMS

<b>Subject</b>	<b>10.6 Consider Approval of Merritt College's Parcel Tax Expenditure Plan 2020-22. Presenter: President Johnson</b>
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Oct 27, 2020
Absolute Date	Oct 27, 2020
Fiscal Impact	Yes
Dollar Amount	\$1,961,600.00
Budgeted	Yes
Budget Source	Peralta Colleges Education Renewal Measure (Measure E)
Goals	 <b>A: Advance Student Access, Equity, and Success</b>  <b>B: Engage and Leverage Partners</b>  <b>C: Build Programs of Distinction</b>  <b>D: Strengthen Accountability, Innovation and Collaboration</b>  <b>E: Develop and Manage Resources to Advance Our Mission</b>

**TO:** Peralta Board of Trustees

**FROM:** President David M. Johnson

**PREPARED BY:** President David M. Johnson and Berenise Herrera

### BACKGROUND/ANALYSIS:

The Peralta Colleges Education Renewal Measure (also commonly referred to as Measure E) is a qualified special tax that is authorized to be used to “support core academic programs such as math, science and English, train students for careers, and prepare students to transfer to four-year universities.” The Peralta Colleges Education Renewal Measure is essentially an extension of the Parcel Tax provision that voters approved in 2012, and continues to direct that proceeds are to be spent “exclusively for instructional purposes with classified expenditures limited to defined instructional support.”

### DELIVERABLES/SCOPE OF WORK:

The 2020-22 Parcel Tax allocation for Merritt College is \$1,961,600 per year, and in accordance with AP 6741 monies will be used to fund:

1. Core academic programs including Science, Mathematics, English and Technology
2. Workforce preparation
3. Career and Job training
4. Preparation for transfer to 4-year institutions

### ANTICIPATED COMPLETION DATE:

June 2022

### EVALUATION AND RECOMMENDED ACTION:

Merritt College recommends that the Board of Trustees accepts the Parcel Tax Expenditure Plan as meeting the guidelines outlined in Peralta Community College District Administrative Procedure 6741.

The Interim Chancellor recommends approval.

#### File Attachments

[10.27.20 Merritt College Parcel Tax Expenditure Plan.pdf \(172 KB\)](#)

## 10. ACTION ITEMS

**Subject**                      **10.7 Consider Approval of Classified Personnel Items. Presenter: Vice Chancellor Whittaker**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Action

Preferred Date              Oct 27, 2020

Absolute Date              Oct 27, 2020

Fiscal Impact              Yes

Dollar Amount              \$241,918.00

Budgeted                    Yes

Budget Source              Grant and General Funds

**TO: Peralta Board of Trustees**

**FROM: Chanelle Whittaker**

**PREPARED BY: Socorro Taylor**

**BACKGROUND/ANALYSIS:** (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)

### APPROVAL OF CLASSIFIED PERSONNEL ITEMS

New employment; changes in assignment, compensation, and placement; leaves of absence; changes in staff allocation and cl of classified personnel; retirements, phase-in retirements and resignations; and short-term temporary classified positions.

**The budget sources and the estimated costs for salaries and benefits for these classified appointments are as foll Fund 6-11-642-2102-1-643000-1095-00 for the Project Manager at \$136,975 annually and General Fund 1-01-11 660200-0000-00 for the Staff Assistant/Chancellor's Office at \$104,943 annually.**

### A. CLASSIFIED EMPLOYMENT

(NP = New Position \*= New Employee)

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
	<b><u>Berkeley City College</u></b>	
None		
	<b><u>College of Alameda</u></b>	
None		
	<b><u>District Office</u></b>	
Metshihate Asfaw	Staff Assistant (Confidential)	Chancellor's Office/Interim Chancellor Carla
Approval of classified employment effective October 28, 2020.		
	<b><u>Laney College</u></b>	
None		
	<b><u>Merritt College</u></b>	
Margie Rubio	Project Manager/Next Up Program	Special Programs & Grants/Vice President L
Ratification of classified employment effective October 19, 2020.		

**B. PHASE-IN RETIREMENT**

None

**C. LEAVE OF ABSENCE**

None

**D. PUBLIC EMPLOYEE RETIREMENT AND RESIGNATION****1. Retirement**

<u><b>Name</b></u>	<u><b>Location</b></u>	<u><b>Department/Reports to:</b></u>
None	<u><b>Berkeley City College</b></u>	
None	<u><b>College of Alameda</b></u>	
None	<u><b>District Office</b></u>	
None	<u><b>Laney College</b></u>	
None	<u><b>Merritt College</b></u>	

**2. Resignation**

None	<u><b>Berkeley City College</b></u>
None	<u><b>College of Alameda</b></u>
None	<u><b>District Office</b></u>
None	<u><b>Laney College</b></u>
None	<u><b>Merritt College</b></u>

**E. SHORT-TERM NON-CONTINUING POSITIONS**

<u><b>Name</b></u>	<u><b>Location</b></u>	<u><b>Department/Reports to:</b></u>
None	<u><b>Berkeley City College</b></u>	
None	<u><b>College of Alameda</b></u>	
None	<u><b>District Office</b></u>	
None	<u><b>Laney College</b></u>	
None	<u><b>Merritt College</b></u>	

**DELIVERABLES/SCOPE OF WORK:**

N/A

**ANTICIPATED COMPLETION DATE:**

N/A

**EVALUATION AND RECOMMENDED ACTION:**

N/A

The Interim Chancellor recommends approval.

## 10. ACTION ITEMS

---

**Subject**                      **10.8 Consider Approval of an Academic (Faculty) Personnel Item. Presenter: Vice Chancellor Whittaker**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Action

Preferred Date              Oct 27, 2020

Absolute Date              Oct 27, 2020

Fiscal Impact              No

Budgeted                    No

**TO: Peralta Board of Trustees**

**FROM: Chanelle Whittaker**

**PREPARED BY: Socorro Taylor**

**BACKGROUND/ANALYSIS:** (Please discuss this item. If a Vendor is Involved, please include the company name as well as the individual.)

### APPROVAL OF AN ACADEMIC (FACULTY) PERSONNEL ITEM

New employment; changes in assignment, compensation, and placement; leaves of absence; changes in staff allocation and cl of academic personnel; retirements, phase-in retirements and resignations; and equivalence of minimum qualifications for aca positions

#### A. ACADEMIC (FACULTY) EMPLOYMENT

(NP = New Position \*= New Employee)

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
None	<u>Berkeley City College</u>	
None	<u>College of Alameda</u>	
None	<u>District Office</u>	
None	<u>Laney College</u>	
None	<b>Merritt College</b>	

#### B. PHASE-IN RETIREMENT

None

#### C. LEAVE OF ABSENCE

None

#### D. PUBLIC EMPLOYEE RETIREMENT AND RESIGNATION

##### 1. Retirement

<u>Name</u>	<u>Location</u>	<u>Department/Reports to:</u>
-------------	-----------------	-------------------------------

**Berkeley City College**

None

**College of Alameda**

None

**District Office**

None

**Laney College**

Bruce Lazarus

Full-time faculty

Language Arts/Acting Vice President of Inst  
FieldsFaculty retirement effective December  
31, 2020.**Merritt College**

None

**2. Resignation****Berkeley City College**

None

**College of Alameda**

None

**District Office**

None

**Laney College**

None

**Merritt College**

None

**DELIVERABLES/SCOPE OF WORK:**

N/A

**ANTICIPATED COMPLETION DATE:**

N/A

**EVALUATION AND RECOMMENDED ACTION:**

The Interim Chancellor recommends approval.

## 10. ACTION ITEMS

**Subject**                      **10.9 Consider Approval of Two Classified Management Positions and One Classified Local 1021 Position. Presenter: Interim Vice Chancellor Whittaker**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Action

Preferred Date              Oct 27, 2020

Absolute Date              Oct 27, 2020

Fiscal Impact              Yes

Dollar Amount             \$504,096.00

Budgeted                    Yes

Budget Source              General Funds

**TO: Peralta Board of Trustees**

**FROM: Channele Whittaker, Interim Vice Chancellor for Human Resources & Employee Relations**

**PREPARED BY: Socorro Taylor**

### BACKGROUND/ANALYSIS:

The District Administration requests the Board to approve the following new positions (two classified management positions and one classified Local 1021 position):

<u>Position Title</u>	<u>Location</u>	<u>Classification</u>	<u>Salary Range</u>	<u>Funding Source</u>	<u>Budget Code</u>
Director of Public Safety	District/ Dept. of General Services	Classified Management	\$126,816 - \$149,874	General Fund	1-01-161-2101-659900-0000-00
Assistant to the Chancellor/Board Clerk	District/Chancellor's Office	Classified Management	\$103,759 - \$125,816	General Fund	1-01-112-2101-660200-0000-00
Security Services Dispatcher	District/ Dept. of General Services	Classified Local 1021	\$48,387 - \$58,313	General Fund	1-01-161-2102-1-659900-0000-00

### DELIVERABLES/SCOPE OF WORK:

### ANTICIPATED COMPLETION DATE:

### EVALUATION AND RECOMMENDED ACTION:

The Interim Chancellor recommends approval.

#### File Attachments

Position Request Form - Assistant to the Chancellor-Board Clerk.pdf (308 KB)  
 10-27-20 Position Request Form for Director of Public Safety 10.19.20 Signed.pdf (1,467 KB)  
 10-27-20 Position Request Form for Security Services Dispatcher 10.19.20 Signed.pdf (1,765 KB)



## 10. ACTION ITEMS

---

<b>Subject</b>	<b>10.10 Consider Ratification of Independent Consultant Agreement for Professional Services with Fugro USA Land, Inc. for the Provision of Geotechnical Engineering Services for the Laney College Central Utility Plant Project, in an Amount Not-To-Exceed \$65,000.00. Presenter: Vice Chancellor Sata.</b>
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Action
Preferred Date	Oct 27, 2020
Absolute Date	Oct 27, 2020
Fiscal Impact	Yes
Dollar Amount	\$65,000.00
Budgeted	Yes
Budget Source	1-43-391-5105-1-710000-2493-00 (Fund 43, Measure G fund)

**TO: Peralta Board of Trustees**

**FROM: Department of General Services**

**PREPARED BY: Swinerton CM**

### BACKGROUND/ANALYSIS:

The Board is asked to ratify this Independent Consultant Agreement for Professional Services with Fugro USA Land, Inc. ("Fugro") for the provision of geotechnical engineering services ("Agreement") for the Laney College Central Utility Plant Project ("CUP Project.") This Agreement is needed to determine the geotechnical conditions at the CUP Project's new cooling tower building location. The geotechnical borings and subsequent report generated under this Agreement will be provided to the Design-Build CUP Project contractor to be used in designing the foundation system for the new utility building located to the south of Building E.

Government Code section 4526, authorizes the District to contract with and employ any person(s) for the furnishing of engineering or land surveying services on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required for the CUP Project. District staff has confirmed Fugro is specially trained and experienced and competent to perform the geotechnical engineering services required by the District for the CUP Project.

This is the District's first contract with Fugro in the fiscal year 2020-2021.

### Contact Information for Fugro:

#### **Fugro USA Land, Inc. Corporation**

1777 Botelho drive, Suite 262

Walnut Creek, CA. 94596

Attn.: Taiming Chen

Email: [T.Chen@fugro.com](mailto:T.Chen@fugro.com)

### DELIVERABLES/SCOPE OF WORK:

Fugro will complete the following tasks:

1. Provide data review and pre-field research of all available documents.
2. Prepare safety plan and subsurface utility pre-location.
3. Perform two (2) exploratory borings and three (3) cone penetration tests at the new utility building footprint.
4. Laboratory testing of field soils samples.
5. Provide Geotechnical Analysis and Report.

### ANTICIPATED COMPLETION DATE:

The tasks set forth in the Agreement will be completed by Fugro by August 30, 2021.

**EVALUATION AND RECOMMENDED ACTION:**

The Project Manager, Vice Chancellor of General Services and Interim Chancellor recommend ratification of the Independent Consultant Agreement for Professional Services with Fugro USA Land, Inc. for the provision of geotechnical engineering services for the Laney College Central Utility Plant Project, in an amount not-to-exceed \$65,000.00.

File Attachments

[Fugro USA Laney\\_LaneyCUPGeoTech.Serv\\_signed package.pdf \(2,877 KB\)](#)

## 10. ACTION ITEMS

---

**Subject**                      **10.11 Consider Ratification of the Revised Memorandum of Understanding between Laney College and Oakland Unified School District for the Operation of the Gateway to College Program during the 20-21 academic year. Presenter: Interim President Besikof**

Meeting                      Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES

Type                          Action

Preferred Date              Oct 27, 2020

Absolute Date              Oct 27, 2020

Fiscal Impact              Yes

Dollar Amount             \$278,953.52

Budgeted                    Yes

Budget Source              5-11-490-8831-1-672900-0711-00 (Instructional Services for Gateway to College)

**TO: Peralta Board of Trustees**

**FROM: Rudy Besikof**

**PREPARED BY: Cassandra Upshaw/ William Ramos-Ochoa**

### Item Summary:

#### BACKGROUND/ANALYSIS:

Gateway to College is a scholarship program that provides academically and economically disenfranchised Alameda County residents 16 – 20 years old with an opportunity to experience success in an academically rigorous, supportive and safe environment as they pursue their high school diplomas and transition into college. Since 2009, Laney College has hosted a Gateway to College program in partnership with Oakland Unified School District. This MOU governs the roles and responsibilities of the two partners in the program: OUSD and Laney College and reflects funding to be provided by OUSD to the projects.

This MOU was previously submitted to, and approved by, the Board at its July 28, 2020 meeting. This revised MOU is now being submitted (which will replace the one approved in July) which contains an updated Exhibit A, which reflects the actual amount of funds that will be provided by OUSD Constituents for the program in the amount of \$278,953.52. The updated Exhibit A provided by OUSD is added as separate attachment here and is labeled as "Exhibit A - Gateway Budget 20-21". The prior Exhibit A approved on July 28th Board Meeting contained a higher, forecasted amount calculated by the Laney Business Office based on previous approved MOUs.

#### DELIVERABLES/SCOPE OF WORK:

Please see attached MOU.

#### ANTICIPATED COMPLETION DATE:

This MOU will be in effect until June 30, 2021.

#### EVALUATION AND RECOMMENDED ACTION:

The President of Laney and the Interim Chancellor recommend ratification of this revised Memorandum of Understanding (MOU) between the Peralta Community College District (PCCD), on behalf of Laney College, and the Oakland Unified School District (OUSD) for the operation of a Gateway to College Program during the 2020-2021 academic year.

File Attachments

[Gateway OUSD MOU 2020.21 \[final\].pdf \(170 KB\)](#)

[Exhibit A-Gateway Budget 20-21.pdf \(40 KB\)](#)

11. REPORTS

---

Subject	11.1 Board of Trustees' Reports
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Information

**13. ADJOURNMENT**

---

<b>Subject</b>	<b>13.1 Meeting Adjournment</b>
Meeting	Oct 27, 2020 - REGULAR MEETING OF THE BOARD OF TRUSTEES
Type	Procedural